Chapter 350: ON FARM RAISING, SLAUGHTER AND PROCESSING OF LESS THAN 1,000 READY-TO-COOK WHOLE POULTRY CARCASSES

SUMMARY: The purpose of this chapter is to set forth the standards for registration and regulations for the slaughter and processing of whole ready-to-cook poultry carcasses. This chapter is specific for poultry raised on the farm, slaughtered and processed as ready-to-cook poultry. Chapter 358, Rules for Manufacturing of Potentially Hazardous Foods, are also in effect.

1. DEFINITIONS

For purposes of this chapter and unless the context otherwise indicates, the following words shall have the following meanings.

A. “Ante-Mortem Inspection”: the inspection of live poultry prior to being slaughtered for sickness or disease.

B. "Community Supported Agriculture": an arrangement whereby individual consumers have agreements with a farmer to be provided with food or other agricultural products produced on that farm.

C. “Good Commercial Practices”: a systematic approach in which establishments focus on treating poultry in such a manner as to minimize excitement, discomfort, and accidental injury the entire time that live poultry is held in connection with slaughter.

D. “Interstate Commerce”: the sale of ready to cook poultry or the transportation of poultry between different states.

E. “Locally Owned Grocery Store”: a retail food establishment licensed under 22 MRSA § 2167 and residing in the same municipality as the poultry producer.

F. “Locally Owned Restaurant”: a business place licensed under 22 MRSA § 2495 and residing within the same municipality as the poultry producer’s farm where people pay to sit and eat meals that are cooked and served on the premises or as prepared food for off premises consumption.

G. “Post- Mortem Inspection”: the inspection of poultry organs and tissue for evidence of disease which would make the meat unsuitable for human food.

H. “Principal Display Panel”: the part of the label most likely to be displayed, presented, shown, or examined under customary conditions to the consumer.

I. “Quarantine”: a place of isolation in which live poultry that have arrived from elsewhere or been exposed to infectious or contagious disease are placed.

J. “Poultry”: any domesticated bird (chickens, turkeys, ducks, geese, guineas, or squabs), whether live or dead.

K. “Poultry Producer”: a person that raises poultry offered for sale.
L. “Ready-to-Cook Poultry”: domestic poultry which has been slaughtered for human food and from which the head, heart, kidneys, blood, feathers, feet, and inedible viscera have been removed, and is ready to cook without need of further processing.

M. “Segregation”: placement of diseased poultry in a restricted area.

2. Poultry Health
   
   A. The slaughter or use of dead, dying or diseased poultry is prohibited.
   
   B. If live poultry which are affected by any contagious disease which is transmissible to man is brought into an establishment, such poultry should be segregated and quarantined.
   
   C. The establishment may contract with a veterinarian for ante-mortem and post-mortem inspections if they so choose, provided the veterinarian is licensed in Maine to practice veterinary medicine.
   
   D. The establishment shall assure that all poultry slaughtered are free from medicated feed residues, medication, pesticides, and other residues.

3. Live Poultry Humane Handling
   
   A. Live poultry holding areas shall be provided with adequate ventilation to prevent exposure to extreme temperatures. Storage crates used for transportation and holding of live poultry shall be used in a manner to avoid overcrowding and stress on the birds.
   
   B. Extended live poultry holding times should be avoided, and water should be provided when delays are expected.
   
   C. Live poultry holding pens shall be so constructed as to allow satisfactory ante-mortem examination and to permit proper cleaning.
   
   D. Establishments shall use Good Commercial Practices, to minimize to the greatest extent practicable poultry mortality resulting from causes other than slaughter.

4. Rooms for Separate Operation
   
   A. The establishment should have separate rooms for each of the following operations, depending upon the various types of operations conducted, but in no case shall the receiving or holding of live poultry or killing operations be permitted in rooms in which eviscerating operations are performed. Ideally, the establishment will have separate rooms for:
   
   (1) The receiving and holding of live poultry.
   
   (2) Killing, scalding and feather removal operations.
   
   (3) Eviscerating, chilling, and packing operations.
   
   (4) Inedible products room.
   
   (5) Refuse room.
5. GENERAL RULES

An establishment must be operated and maintained in a manner sufficient to prevent the creation of insanitary conditions and to ensure that product is not adulterated within the meaning of 22 MRSA §2511 (1).

6. ESTABLISHMENT GROUNDS AND FACILITIES

A. Grounds and pest control. The grounds about an establishment must be maintained to prevent conditions that could lead to insanitary conditions and adulteration of product. Establishments must have in place a pest management program to prevent the harborage and breeding of pests on the grounds and within establishment facilities. Pest control chemicals used must be safe and effective under the conditions of use and not be applied or stored in a manner that will result in the adulteration of product or the creation of insanitary conditions.

B. Construction

(1) Establishment buildings, including their structures, rooms, and compartments must be of sound construction, be kept in good repair, and be of sufficient size to allow for processing, handling, and storage of product in a manner that does not result in product adulteration or the creation of insanitary conditions.

(2) Walls, floors, and ceilings within establishments must be built of durable materials impervious to moisture and be cleaned and sanitized as necessary to prevent adulteration of product or the creation of insanitary conditions.

(3) Walls, floors, ceilings, doors, windows, and other outside openings must be constructed and maintained to prevent the entrance of vermin, such as flies, rats, and mice.

(4) Rooms or compartments in which edible product is processed, handled, or stored must be separate and distinct from rooms or compartments in which inedible product is processed, handled, or stored, to the extent necessary to prevent product adulteration and the creation of insanitary conditions.

C. Lights. Lighting of good quality and sufficient intensity to ensure that sanitary conditions are maintained, and that product is not adulterated must be provided in areas where food is processed, handled, stored, or examined; where equipment and utensils are cleaned; and in hand-washing areas, dressing and locker rooms, and toilets.

D. Ventilation. Ventilation adequate to control odors, vapors, and condensation to the extent necessary to prevent adulteration of product and the creation of insanitary conditions must be provided.

E. Plumbing. Plumbing systems must be installed and maintained in accordance with law to:

(1) Carry sufficient quantities of water to required locations throughout the establishment.
(2) Properly convey sewage and liquid disposable waste from the establishment.

(3) Prevent adulteration of product, water supplies, equipment, and utensils and prevent the creation of insanitary conditions throughout the establishment.

(4) Provide adequate floor drainage in all areas where floors are subject to flooding-type cleaning or where normal operations release or discharge water or other liquid waste on the floor.

(5) Prevent back-flow conditions in and cross-connection between piping systems that discharge waste water or sewage and piping systems that carry water for product manufacturing; and

(6) Prevent the backup of sewer gases.

F. **Sewage disposal.**

Sewage must be disposed into a sewage system separate from all other drainage lines or disposed of through other means sufficient to prevent backup of sewage into areas where product is processed, handled, or stored. When the sewage disposal system is a private system requiring approval by a State or local health authority, the establishment must furnish a letter of approval from that authority upon request.

G. **Water supply and water, and ice reuse.**

(1) A supply of running water that complies with the National Primary Drinking Water regulations (40 CFR part 141), at a suitable temperature and under pressure as needed, must be provided in all areas where required (for processing product, for cleaning rooms and equipment, utensils, and packaging materials, for employee sanitary facilities, etc.). If an establishment uses a private well for its water supply, it must make available, upon request, documentation certifying the potability of the water supply has been found to meet the drinking water standards for nitrates and coliform bacteria. Testing shall occur at a state certified laboratory at least semi-annually.

(2) Water and ice solutions used to chill ready-to-cook poultry may be reused for the same purpose, provided that it is maintained free of pathogenic organisms and fecal coliform organisms and that other physical, chemical, and microbiological contamination have been reduced to prevent adulteration of product.

H. **Dressing rooms, lavatories, and toilets.**

(1) Dressing rooms, toilet rooms, and urinals must be sufficient in number, ample in size, conveniently located, and maintained in a sanitary condition and in good repair at all times to ensure cleanliness of all persons handling any product. They must be separate from the rooms and compartments in which products are processed, stored, or handled.

(2) Lavatories with hot and cold running water, soap, and towels, must be placed in or near toilet and urinal rooms and at such other places in the establishment as necessary to ensure cleanliness of all persons handling any product.
Refuse receptacles must be constructed and maintained in a manner that protects against the creation of insanitary conditions and the adulteration of product.

7. EQUIPMENT AND UTENSILS.

A. Equipment and utensils used for processing or otherwise handling edible product or ingredients must be of such material and construction to facilitate thorough cleaning and to ensure that their use will not cause the adulteration of product during processing, handling, or storage. Equipment and utensils must be maintained in sanitary condition so as not to adulterate product.

B. Equipment and utensils must not be constructed, located, or operated in a manner that prevents from inspecting the equipment or utensils to determine whether they are in sanitary condition.

C. Receptacles used for storing inedible material must be of such material and construction that their use will not result in the adulteration of any edible product or in the creation of insanitary conditions. Such receptacles must not be used for storing any edible product and must bear conspicuous and distinctive markings to identify permitted uses.

8. SANITARY OPERATIONS.

A. All food-contact surfaces, including food-contact surfaces of utensils and equipment, must be cleaned and sanitized as frequently as necessary to prevent the creation of insanitary conditions and the adulteration of product.

B. Non-food-contact surfaces of facilities, equipment, and utensils used in the operation of the establishment must be cleaned and sanitized as frequently as necessary to prevent the creation of insanitary conditions and the adulteration of product.

C. Cleaning compounds, sanitizing agents, processing aids, and other chemicals used by an establishment must be safe and effective under the conditions of use. Such chemicals must be used, handled, and stored in a manner that will not adulterate product or create insanitary conditions. Documentation substantiating the safety of a chemical's use in a food processing environment must be available to inspection program employees for review.

D. A chemical sanitizer used in the sanitizing of food contact surfaces shall be used in accordance with the EPA-registered label use instructions.

E. Sanitization maybe accomplished by one of the following methods:

1. Immersion for at least one-half (1/2) minute in clean, hot water at a temperature of at least 170º F.

2. Immersion for at least one minute in a clean solution containing at least 50 parts per million of available chlorine as a hypochlorite and at a temperature of at least 75º F.

3. Immersion for at least one minute in a clean solution containing at least 12.5 parts per million of available iodine and having a pH not higher than 5.0 and at a temperature of at least 75º F.

4. Immersion in a quaternary ammonium compound solution having a minimum temperature of 75º F with a concentration as specified by the
manufacturer's use directions included in the labeling.

F. There shall be readily available a test kit or other device to accurately determine the concentration of the sanitizing solution being applied to food contact surfaces.

G. The use of an antimicrobial chemical as a processing aid for pathogen reduction on poultry carcasses shall be listed in the current version of USDA FSIS Directive 7120.1. The use of the antimicrobial chemical shall be consistent with the manufacturer’s instructions for concentration and exposure time. There shall be readily available a test kit or other device to accurately determine the concentration being applied.

H. Poultry carcasses that have been contaminated by ingesta or fecal material shall be reconditioned in a designated area that is separate from the evisceration area. Carcasses shall be trimmed and washed of contamination, and an antimicrobial chemical can be applied in accordance with section (g). As an alternative, the surfaces of poultry carcasses may be sprayed with a solution of chlorine at a concentration of at least 20 ppm, but no more than 50 ppm.

I. Product must be protected from adulteration during processing, handling, storage, loading, and unloading at and during transportation from the establishments.

9. EMPLOYEE HYGIENE

A. Cleanliness. All persons working in contact with product, food-contact surfaces, and product-packaging materials must adhere to hygienic practices while on duty to prevent adulteration of product and the creation of insanitary conditions.

B. Clothing. Aprons, frocks, and other outer clothing worn by persons who handle product must be of material that is disposable or readily cleaned. Clean garments must be worn at the start of each working day and garments must be changed during the day as often as necessary to prevent adulteration of product and the creation of insanitary conditions.

C. Disease control. Any person who has or appears to have an infectious disease, open lesion, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination, must be excluded from any operations which could result in product adulteration and the creation of insanitary conditions until the condition is corrected.

10. OPERATIONS AND PROCEDURES

A. Operations and procedures involving the preparation, storing, or handling of ready-to-cook whole chicken shall be strictly in accord with clean and sanitary methods.

   (1) Prior to poultry slaughter, feed should be withdrawn appropriately (Between 8 – 12 hours) and water supplied during the withdrawal period.

   (2) All operations in the receiving, inspecting, transporting, segregating, preparing, manufacturing, packaging, and storing of food shall be conducted in accordance with adequate sanitation principles. Appropriate quality control operations shall be employed to ensure that food is suitable for human consumption and that food-packaging materials are safe and suitable. All reasonable precautions shall be taken to ensure that production procedures do not contribute contamination from any source.
(3) Chemical, microbial, or extraneous-material testing procedures shall be used when necessary to identify sanitation failures or possible food contamination. All food that has become contaminated to the extent that it is adulterated within the meaning of 22 MRS Section 2156 of Maine law shall be rejected, or if permissible, treated or processed to eliminate the contamination.

(4) The evisceration of ready-to-cook poultry shall result in the head and all organs being separated from the carcass. The heart, liver, neck and gizzard shall not be used for human food.

(5) Overall sanitation of the establishment shall be under the supervision of one or more competent individuals assigned responsibility for this function.

(6) Any ice used in contact with food or food contact surfaces shall be made from potable water. Ice manufacturing equipment shall be segregated from the slaughter and evisceration areas. All ice manufacturing equipment, shovels, scoops, storage and transportation bins shall be maintained in a sanitary condition through frequent cleaning including sanitization where indicated. Insofar as possible, equipment shall be taken apart for thorough cleaning.

(7) Blood from the killing operation shall be confined to a relatively small area and kept from being splashed about the room.

(8) In the final washing, the carcass shall be thoroughly sprayed with an abundant supply of potable water of such velocity to effectively clean the carcass.

(9) The floors in the eviscerating room shall be kept free of all refuse and rinsed as frequently as necessary during operations to prevent buildup of inedible materials.

(10) Mechanized packaging equipment shall be maintained in good sanitary condition.

(11) All feathers from plucking and offal resulting from the eviscerating operation shall be removed as often as necessary to prevent the development of a nuisance and insanitary conditions.

(12) All food grade packaging material used for packaging poultry products shall not transmit contaminants or objectionable substances to the product.

(13) Operations which may cause cross-contamination of poultry with bacteria, molds, toxic chemicals, filth, or the like shall be separated by partitions of sufficient size and construction to prevent cross-contamination or located in different parts of the establishment.

(14) Effective measures shall be taken to protect against the contamination of food, food contact surfaces and food packaging materials in or on the premises from dogs, cats, flies, rats, mice, and other vermin or animals.
(15) Compressed air or other gases used to clean food-contact surfaces or equipment shall be treated in such a way that food is not contaminated with unlawful indirect food additives.

(16) Food-manufacturing areas and equipment used for manufacturing human food shall not be used to manufacture nonhuman food-grade animal feed or inedible products, unless there is no reasonable possibility for contamination of the human food.

(17) Storage and transportation of dressed poultry carcasses shall be under conditions that will protect food against physical, chemical, and microbial contamination as well as against deterioration of the carcass and the container.

11. SCALDING PROCEDURES

A. Scalding equipment shall be kept clean and scalding water replenished at intervals to prevent the creation of insanitary conditions.

B. Poultry carcasses that are over-scalded may start to cook, if so, carcasses are no longer ready-to-cook poultry. Cooked poultry carcasses must be denatured and properly disposed of.

C. The correct combination of hot water temperature and holding time in the scalding tank should be effective in aiding the removal of feathers during plucking. The following time/temperature schedule is provided as guidance for effective scalding.

<table>
<thead>
<tr>
<th>Common Scalding Times and Temperatures Class of Poultry</th>
<th>Time/seconds</th>
<th>Temperature/°F</th>
<th>Temperature/°C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Broiler (hard scald)</td>
<td>30-75</td>
<td>138.2-147.2</td>
<td>59-64</td>
</tr>
<tr>
<td>Broiler (soft scald)</td>
<td>90-120</td>
<td>123.8-129.2</td>
<td>51-54</td>
</tr>
<tr>
<td>Turkey</td>
<td>50-125</td>
<td>138.2-145.4</td>
<td>59-63</td>
</tr>
</tbody>
</table>

12. TEMPERATURE REQUIREMENTS FOR CHILLING AND REFRIGERATED STORAGE

A. Poultry slaughter establishments must ensure that all poultry carcasses are chilled immediately after slaughter operations so that there is no outgrowth of pathogens, unless such poultry is to be packed and frozen immediately at the establishment.

B. All poultry that is slaughtered and eviscerated in the establishment using ice chilling shall chill immediately after processing so that the internal temperature of poultry carcasses:

   (1) Weighing under 4 pounds shall be reduced to 40 °F or below within 4 hours of processing;

   (2) Weighing 4 to 8 pounds, within 6 hours of processing;

   (3) And, for those weighing over 8 pounds, within 8 hours of processing, unless such poultry is to be frozen.

C. Establishments may instead air chill ready-to-cook poultry carcasses if mechanical refrigeration is provided and designed so carcasses are spaced on racking or rail systems.
to allow adequate air flow. The internal temperature of the carcass shall be reduced to 40°F or less within 16 hours.

D. During packaging operations, the internal temperature of the poultry carcass may rise to 55°F, provided that immediately after packaging, the poultry is chilled to 40°F or placed in a freezer.

E. Poultry held in packaged form shall be stored at 40°F, or if more than 24 hours, should be held at a temperature of 36°F, or less.

12. EXEMPTION REQUIREMENTS FOR LESS THAN 1,000 BIRD FARM RAISED Poultry SLAUGHTER AND PROCESSING

A. Live poultry are exempted from ante-mortem and post-mortem inspections, quarantine, segregation and reinspection when poultry are born and raised by the poultry producer to maturity on the farm where they are slaughtered and processed as whole ready-to-cook poultry carcasses.

B. The farm raises fewer than 1,000 live poultry that are slaughtered on the farm during a calendar year (January 1 to December 31).

C. Farm slaughtered ready-to-cook whole poultry carcasses are not offered for sale nor transported in interstate commerce.

D. Processed poultry that is sold as a ready-to-cook whole poultry carcass shall have the head, heart, kidneys, blood, feathers, feet, and inedible viscera removed.

E. A poultry producer is exempted from Department licensure if found to be in compliance with this Chapter, and Chapter 358, Rules for Manufacturing of Potentially Hazardous Foods.

F. An exempt poultry producer of farm raised ready-to-cook whole poultry carcasses shall submit a registration form to the Department prior to processing poultry. The Department in accordance with 22 MRSA § 2518 §§ 1, shall initially and periodically review ready-to-cook whole poultry processing establishments for compliance with this chapter.

G. A poultry producer shall permanently affix a code to product packaging or label and maintain records for:

(1) Date the product was processed.
(2) Name of the product.
(3) Units produced.
(4) Code by lot.
(5) Location of sale.

H. Ready-to-cook whole poultry carcasses shall have a label affixed that meets labeling requirements:

(1) The label shall state:
i. The common name of the poultry conspicuously on the label in capitalized lettering (i.e. WHOLE CHICKEN).

ii. The name of the farm.

iii. The name of the farm owner.

iv. Street address of the farm and zip code.

v. On-farm poultry processing registration number issued by the Maine Department of Agriculture, Conservation & Forestry.

vi. The statement “Exempt under the Maine Revised Statues, Title 22, section 2517-E NOT INSPECTED”. The print shall be a minimum of 1/8 inch in height. The statement must be prominently displayed (BOLD) with such conspicuousness that it is likely to be read and understood.

vii. On the principal display panel of the label there shall be SAFE HANDLING INSTRUCTIONS. These instructions must appear in lettering no less than 1/16 inch in height and “prominently with such conspicuousness as to render it likely to be read and understood under customary conditions of purchase and use.” The heading must be set in type size larger than the instructions. All safe handling information must be set off by a border and appear in one color printed on contrasting background of a single color. The instructions shall state the following:

<table>
<thead>
<tr>
<th>SAFE HANDLING INSTRUCTIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Keep refrigerated or frozen.</td>
</tr>
<tr>
<td>• Thaw in refrigerator or microwave.</td>
</tr>
<tr>
<td>• Keep raw poultry meat separate from other foods.</td>
</tr>
<tr>
<td>• Wash working surfaces, including cutting boards, utensils and hands, after touching raw poultry meat.</td>
</tr>
<tr>
<td>• Cook thoroughly to an internal temperature of at least 160 degrees Fahrenheit maintained for at least 15 seconds.</td>
</tr>
<tr>
<td>• Keep hot foods hot. Refrigerate leftovers immediately or discard.</td>
</tr>
</tbody>
</table>

(2) Ready-to cook poultry shall be labeled with handling statements in the following manner:

i. Individual ready-to-cook poultry labeled as consumer commodities and distributed as a refrigerated product shall have both the product and master carton labeled conspicuously with the wording “Keep Refrigerated or Freeze”.

ii. Individual ready-to-cook poultry labeled as consumer commodities and distributed as a frozen product shall have both the product and master carton conspicuously labeled with the wording “Keep Frozen”.

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iii. Individual ready-to-cook poultry labeled as consumer commodities and distributed as a frozen product with the intent to be thawed and offered for retail sale as a refrigerated product shall conspicuously label both the individual product and master carton label with the wording “Previously Handled Frozen for Your Protection, Refreeze or Keep Refrigerated.”

iv. Individual ready-to-cook poultry that are not labeled but intended to be sold as a bulk foodservice commodity shall have their master cartons labeled with handling instructions in the manner specified in sections I and II.

v. The safe handling statement shall be conspicuously placed on bottom 1/3 of the product label’s principal face panel in capitalized letters not less than 1/8 of an inch in height.

13. RESTRICTIONS ON POINT OF SALE

A. Ready-to-cook poultry carcasses that were raised, slaughtered and processed on a poultry producer’s farm and labeled in accordance with these rules may be sold by the poultry producer in the following locations or manner:

(1) Retail sales directly to consumers by the poultry producer from the poultry producer’s farm.

(2) Retail sales by the poultry producer directly to consumers at a farmer’s market as defined in Title 7, section 415, subsection 1, paragraph A.

(3) Retail sales delivered by the poultry producer to a consumer's home.

(4) Retail sales to an individual who is a member of a community supported agriculture farm that has a direct marketing relationship with the poultry producer.

(5) Wholesale sales of ready-to-cook whole poultry carcasses to a locally owned grocery store.

(6) Wholesale sales of ready-to-cook whole poultry carcasses to a locally owned restaurant.

14. REGISTRATION

A. An owner of a slaughter and processing establishment for less than 1,000 bird ready-to-cook whole poultry carcasses shall maintain registration with the Department of Agriculture, Conservation and Forestry.

B. Inspection. The Department shall initially and periodically inspect the premises of the registrant for compliance with this Chapter and Chapter 358.