

Meat and Poultry at the Market: What a Farmers' Market Manager Needs to Know

Over the last few years, the New York Small Farm Work Team on Livestock Processing Issues has undertaken a significant effort trying to understand and interpret all the numerous regulations that affect farmers. There are many state, federal, and local laws that direct farmers wishing to direct-market their own farm-raised meat and poultry. The following is a summary of the regulations guiding the sale of meat and poultry at a farmers' market. This information is written for market managers. This is a generalized document which does not include every last detail and nuance of the regulations. A second document "Meat and Poultry at the Market: What A Farmer Needs to Know" is also available. For specific questions, please inquire with the contacts listed at the end of this document.

The Farmers' Market is considered to be an extension of the farm, therefore, only the farmer, or his/her employees, can only sell meat or poultry products. The only exception is in the case of meat products that are both slaughtered AND processed under USDA inspection. These products can be sold at a shared stand when the owner of the meat is not present assuming that the market allows joint or group ownership of booths.

Inspected Product Required

Meat, poultry and game for sale at a farmers' market must be slaughtered and processed at an approved source. The sale of custom slaughtered and/or processed cuts of meat at a farmers' market is forbidden. Frozen meat and poultry must be maintained at $\leq 0^{\circ}$ F. Fresh chilled meat or poultry must be maintained at $\leq 40^{\circ}$ F. A farmer must use inspected product (see below as to what constitutes an inspected product) when selling cooked product at his farmers' market stall.

Amenable meat includes meat from those animals specifically listed in the Federal Meat Inspection Act; while non-amenable meat is not listed and falls outside the Act.

Amenable Meat (from cattle, swine, sheep, goat meat, emu, ostrich, rhea)

All amenable meat sold at farmers market must be slaughtered under USDA inspection.

Processing (cutting up, smoking, fermenting, or otherwise adding value) must be performed at a USDA or a NYS 20-C facility.

Non-Amenable Meat (from farm raised deer, elk, bison, water buffalo, antelope, rabbit)*

Must be slaughtered and processed at a USDA or NYS 5-A exotic facility.

*ONLY FARM RAISED GAME MAY BE SOLD. HUNTER HARVESTED GAME MAY NOT BE SOLD IN COMMERCE IN ANY MARKET.

Poultry (Includes chicken, turkey, goose, duck, and guinea hen)

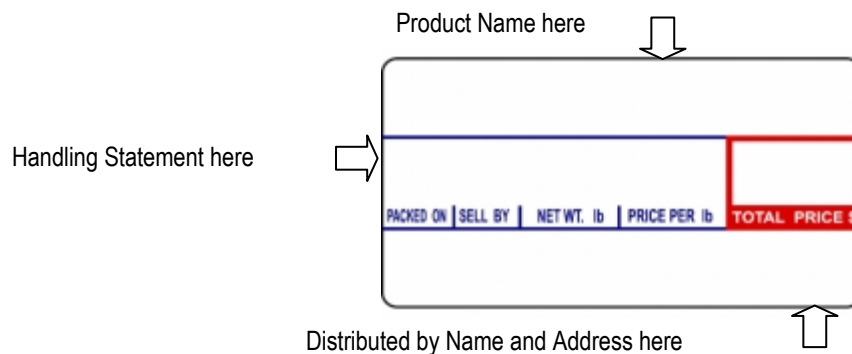
May be slaughtered on farm under the "1000 bird exemption" if the farmer sells no more than 1000 birds. Birds slaughtered under this exemption can be cut up and can be sold fresh or frozen.

Poultry may be slaughtered at a USDA or a NYS 5-A poultry licensed facility.

Poultry may be processed (cut up) at a USDA or NYS 5-A poultry facility. Poultry that is slaughtered at a USDA facility may be processed at a 20-C facility but the seller of the meat must hold the 20-C license. Currently, there are no USDA poultry slaughter facilities in New York.

Labeling Required

New York State has adopted the USDA FSIS Mandatory Labeling Requirements. The following items are required on the principal display panel (the main label) for all sales of meat or poultry, or meat and poultry products. This is a sample of a label that has been approved for use.:



The following information must be on this label:

*Product name (example- Chuck Roast, Hot Italian Sausage, Chicken Breasts)

*Inspection legend and establishment number - For USDA inspection this is the round purple stamp if amenable, or the triangular purple stamp if non-amenable. For 5-A the following wording must be on the label or carton, "Processed at a NYSDAM Article 5-A Facility". The 5-A plant number is optional. If it is poultry processed under the 1000 bird exemption, this does not need to be stated.

*Net weight statement- this includes packed on date, sell by date, price per pound, and net weight. Frozen meat does not require a sell-by date. Some products can be sold by the package (like sausage) as opposed to by the pound, but in this case the net weight must be on the package and the per pound price must be posted for all consumers to see.

*Address line- It must include the name and address of the distributor or the name and address of the farm, if the farmer is acting as a distributor (selling to the end customer).

*Handling statement- Packaged products that required special handling to maintain their wholesome condition must have prominently displayed on the principal display panel, the applicable handling statement: "Keep Refrigerated", "Keep Frozen", "Perishable- Keep Refrigerated or Frozen". Additional safe handling instructions are also required.

*Ingredient statement- This is only needed if the product is composed of more than one ingredient, so this is irrelevant for most fresh meat products. However, products like sausage fall into this category. This list of ingredients must show common names of all ingredients in descending order of their predominance.

*Nutrition facts- not essential for raw (fresh or frozen) meat but is required on meat and poultry processed products like sausage. A NY processor employing fewer than 100 employees or producing fewer than 100,000 units are exempt from nutritional labeling. USDA processors with fewer than 500 employees and producing fewer than 100,000 pounds (of one recipe) are exempt from nutritional labeling. HOWEVER, if a farmer makes a nutritional claim in any way, then he must have a nutritional label

Safe Handling Instructions: Safe handling instructions are required if the meat or poultry component of a product is raw or partially cooked (NOT considered Ready to Eat (RTE)). This additional label is required if the product is destined for household consumer or institutional users (including hotels and restaurants). Whole, halved and quartered carcasses are not considered packaged product and do not need a handling statement.



Label Claims:

Nutrient claims about a product such as “lean” or “low-fat”, the claim must be verified at the producers expense, and the producer must have documentation that the product meets the requirements for the definition.

Producers who wish to make the claims “Naturally Raised”, “Grass Fed”, or “Free Range” must have approval from the Labeling and Review Branch of the USDA to make an animal production claim. Independent auditors will certify the specific claims including “Humanely Raised” or “Certified Organic”. Provisions of the certifying agency must be complied with. There are no provisions to claim “Antibiotic Free” or “Hormone Free”; while “Chemical Free” is expressly prohibited.

Packaging:

All packaging materials in direct contact with food must be safe for their intended use under the Federal Food, Drug and Cosmetic Act (FFDCA). Meat and poultry products may not be packaged in a container which is composed of any substances which may adulterate the contents or be injurious to health. (Garbage bags can not be used.) Only FDA approved food grade packaging is allowed. It is the farmer’s responsibility to see that approved packing materials are used.

Vacuum Packaging

Vacuum packaging reduces the amount of air from a package and hermetically seals the package so that a near-perfect vacuum remains inside. This is also known as modified atmospheric packaging. Only USDA processors and 20-c retail food-stores are licensed to vac-pac. Barrier films and meat trays are acceptable packaging. Freezer paper is also acceptable. Shrink bags, which are not vacuumed are also acceptable.

Storage and Transportation:

Products must be stored at 0 degrees Fahrenheit, if frozen, or 41 degrees Fahrenheit (or colder) if refrigerated. The product must be transported to and maintained at these temperatures for market sales. This can be accomplished by either a freezer or an ice chest/cooler. While a freezer is generally preferred, a heavy duty ice chest/cooler may also be used provided sufficient ice is available to maintain safe product temperatures. Styrofoam coolers are not approved. All units holding frozen or refrigerated product should contain a thermometer in order to monitor the temperature of the product at all times.

If an ice chest is used, the meat must be covered in the ice. Provisions must be made to drain away melted ice from the product. The meat should NEVER be sitting or floating in melted ice water. Additionally, vendors should ensure that juices from one species (i.e., chicken) do not drip onto and contaminate another species (beef). Storing product in dedicated species-specific coolers or freezers reduces the risk of cross-contamination from one species to another.

Facility Types

- **USDA:** A facility that inspected by the USDA. A USDA facility must be used to slaughter all amenable red meat, and poultry over the 20,000 bird limit to sell in commerce (in and out of state), and to sell amenable red meat through wholesale channels.
- **5-A Poultry:** This New York State inspected facility may slaughter and process poultry under the 20,000 bird limit, but above the 1000 bird limit. There are several 5-A exempt facilities including Producer Grower, Producer Grower Other Person, Small Enterprise and Retail Exempt. A plant can operate under only one of these exemptions at a time
- **5-A Exotic:** These New York State inspected facilities may slaughter and process non-amenable (exotic) species such as deer, elk, buffalo; allowing the meat from such animals to be sold in commerce.
- **20-C Processing:** These facilities may process USDA inspected slaughtered amenable red meat or poultry.
- **Custom Exempt:** These facilities may slaughter and process for personal use or freezer trade only. Custom exempt processed meat and poultry cannot be legally sold at retail, either on or off farm. All custom meat is stamped “Not For Sale.”

The On-Farm 1000 Bird Exemption: A single farm may process on their own farm less than 1000 birds for direct sale to end-user, household-only consumer. For on farm slaughter only, one turkey is the equivalent of four birds

For more information:

Martha Goodsell – Work Team Co-Leader
Fallow Hollow Deer Farm, LLC
125 Williams Road
Candor, NY 13743
(607) 659-4635
email: deerfarm6@frontiernet.net

Dr. tatiana Luisa Stanton – Work Team Co-Leader
Animal Science
Rm 114 Morrison Hall
Cornell University
Ithaca, NY 14853
(607) 254-6024
tls7@cornell.edu

Kathleen Harris
Northeast Livestock Processing Service Co, LLC
923 State Hwy 162
Sprakers, NY 12166
(518) 673-5193
Email: nelpsc@frontiernet.net

Clarence Davis
Food Inspector II
NYS Dept. of Agriculture & Markets
Division of Food Safety and Inspection
10B Airline Drive
Albany, NY 12235
(518) 457-8835