

HOUSE BILL No. 1267

DIGEST OF INTRODUCED BILL

Citations Affected: IC 15-17-5-11; IC 16-42-5-31.

Synopsis: Poultry from exempted slaughter operations. Specifies that an operation that slaughters poultry and is exempt from antemortem inspection and postmortem inspection: (1) must comply with certain public health requirements; (2) must sell directly to the last purchaser; and (3) may not sell the poultry to a food establishment or an institution. Provides that a food establishment may not sell or serve poultry that has been slaughtered or processed by an operation that is exempt from antemortem inspection and postmortem inspection. (The introduced version of this bill was adopted by the interim study committee on agriculture and natural resources.)

Effective: Upon passage.

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January 11, 2016, read first time and referred to Committee on Agriculture and Rural Development.



Second Regular Session of the 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 15-17-5-11, AS ADDED BY P.L.2-2008,
2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 11. (a) The board shall exempt the operations
4 of a person from antemortem inspection and postmortem inspection
5 and other requirements of this chapter if any of the following
6 conditions exist:

7 (1) To the extent the operations would be exempt from the
8 corresponding requirements under the federal Meat Inspection
9 Act, Section 23 (21 U.S.C. 623), or the Poultry Products
10 Inspection Act, Section 14 (21 U.S.C. 464), if the operations were
11 conducted in or for interstate commerce.

12 (2) The state is designated under the federal acts as one in which
13 the federal requirements apply to commerce in Indiana.

14 (b) When the operation of an establishment that is exempt under
15 subsection (a) appears to be a detriment to health and public welfare,
16 the establishment may be brought under this chapter by executive order
17 of the state veterinarian issued in compliance with IC 4-21.5.



1 (c) Livestock and poultry slaughtered according to the ritual
 2 requirements of a religious faith that prescribes a method of slaughter
 3 by which the livestock or poultry suffers loss of consciousness by
 4 anemia of the brain caused by the simultaneous and instantaneous
 5 severance of the carotid arteries with a sharp instrument is a humane
 6 method under this chapter. However, livestock must be slaughtered
 7 immediately following total suspension from the floor.

8 (d) Except as required in an agreement between the United States
 9 Department of Agriculture and the board, a person operating under the
 10 inspection program of the federal acts, as amended, is exempt from this
 11 chapter.

12 (e) **An operation of a person that is exempt under subsection (a)
 13 may not sell poultry unless the following requirements are met:**

14 (1) **The sale of poultry complies with the applicable
 15 requirements under IC 16-42-5.**

16 (2) **The poultry is sold to a person that:**

17 (A) **is the last person to purchase the poultry; and**

18 (B) **does not resell the poultry.**

19 (3) **The poultry is not sold to a food establishment (as defined
 20 in IC 16-18-2-137) or an institution.**

21 SECTION 2. IC 16-42-5-31 IS ADDED TO THE INDIANA CODE
 22 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 23 UPON PASSAGE]: **Sec. 31. A food establishment may not sell or
 24 serve poultry that has been slaughtered or processed by an
 25 operation that is exempt under IC 15-17-5-11(a).**

26 SECTION 3. **An emergency is declared for this act.**

