

HOUSE BILL No. 1540

DIGEST OF INTRODUCED BILL

Citations Affected: IC 15-17.

Synopsis: Farm processed meat. Provides, if certain requirements are met, that meat products from a custom exempt slaughter establishment in Indiana are eligible for sale by the owner of the slaughtered or processed livestock or poultry: (1) through any market venue, including a retail establishment, farmers market, farm consignment store, and roadside stand; and (2) directly to the consumer. Provides that certain livestock and poultry may be slaughtered and processed on a farm without a facility or animal-by-animal inspection and offered for sale. Provides that legally hunted deer may be processed on a farm without a facility or animal-by-animal inspection and offered for sale. Establishes labeling requirements. Requires at least one person from each farm involved in the slaughtering and processing of livestock and poultry on the farm to: (1) obtain a certificate as a food protection manager; and (2) develop a hazard analysis and critical control point plan.

Effective: July 1, 2021.

Nisly

January 14, 2021, read first time and referred to Committee on Agriculture and Rural Development.



First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1540

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

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

1 SECTION 1. IC 15-17-2-19.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2021]: **Sec. 19.5. "Commercial kitchen"**
4 **means a food establishment (as defined by IC 16-18-2-137)**
5 **permitted to process food products for sale.**

6 SECTION 2. IC 15-17-2-28.5 IS ADDED TO THE INDIANA
7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2021]: **Sec. 28.5. "Farm", for purposes of**
9 **IC 15-17-5.2, means property that is owned by a single owner,**
10 **which may include a corporate entity that is on a single location**
11 **per county where livestock is raised.**

12 SECTION 3. IC 15-17-2-28.6 IS ADDED TO THE INDIANA
13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2021]: **Sec. 28.6. "Farm consignment store"**
15 **means a retail outlet that sells farm products owned by various**
16 **participating farms directly to consumers.**

17 SECTION 4. IC 15-17-2-33.5 IS ADDED TO THE INDIANA



1 CODE AS A NEW SECTION TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2021]: **Sec. 33.5. "Food establishment"**
 3 **means a restaurant, hotel, or other place where:**

- 4 (1) **food handling (as defined by IC 16-18-2-138) occurs; and**
 5 (2) **the food is prepared to be ready to eat by paying**
 6 **customers.**

7 SECTION 5. IC 15-17-2-47, AS ADDED BY P.L.2-2008,
 8 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2021]: Sec. 47. (a) "Livestock", except as provided in
 10 **subsection subsections (b) and (c)**, means domestic animals, except
 11 the following:

- 12 (1) Aquatic animals.
 13 (2) Fish.
 14 (3) Dogs.
 15 (4) Cats.
 16 (5) Poultry and other birds; however, the term includes ratites that
 17 are domestic animals under section 26 of this chapter.

18 (b) "Livestock", for purposes of IC 15-17-5, means the following,
 19 whether live or dead:

- 20 (1) Cattle.
 21 (2) Sheep.
 22 (3) Swine.
 23 (4) Goats.
 24 (5) Bison.
 25 (6) Farm raised cervidae.
 26 (7) Ratitae.
 27 (8) Horses, mules, or other equines.

28 (c) "Livestock", for purposes of IC 15-17-5.2, means the
 29 following, whether live or dead:

- 30 (1) **Cattle.**
 31 (2) **Sheep.**
 32 (3) **Swine.**
 33 (4) **Goats.**

34 SECTION 6. IC 15-17-2-96.5 IS ADDED TO THE INDIANA
 35 CODE AS A NEW SECTION TO READ AS FOLLOWS
 36 [EFFECTIVE JULY 1, 2021]: **Sec. 96.5. "Roadside stand" means a**
 37 **location at which an individual farmer sells the farmer's products**
 38 **directly to consumers.**

39 SECTION 7. IC 15-17-2-101.5 IS ADDED TO THE INDIANA
 40 CODE AS A NEW SECTION TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2021]: **Sec. 101.5. "Value added" means**
 42 **meat products that have been canned, ground, cured, smoked,**



1 salted, precooked, encased, or otherwise preserved that have been
 2 processed at a commercial kitchen or other licensed food
 3 processing facility. The term does not include meat products that
 4 have been frozen.

5 SECTION 8. IC 15-17-5.2 IS ADDED TO THE INDIANA CODE
 6 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2021]:

8 **Chapter 5.2. Custom Exempt Slaughter and On Farm Slaughter**

9 **Sec. 1. (a) This chapter applies only to livestock and poultry:**

- 10 (1) slaughtered at a custom exempt slaughter establishment;
 11 and
 12 (2) slaughtered and processed on a farm.

13 (b) If a provision of this chapter conflicts with IC 15-17-5-11,
 14 the provision of this chapter controls.

15 (c) This chapter is not intended to conflict with any applicable
 16 federal law or regulation.

17 **Sec. 2. (a) All meat products from a custom exempt slaughter**
 18 **establishment in Indiana are eligible for sale by the owner of the**
 19 **slaughtered or processed livestock or poultry:**

- 20 (1) through any market venue, including a retail
 21 establishment, farmers market, farm consignment store, and
 22 roadside stand; and
 23 (2) directly to the consumer.

24 (b) A label must be affixed to each individual package sold
 25 under this section that includes:

- 26 (1) the statement, "Not Inspected by the State of Indiana";
 27 (2) a citation to this law; and
 28 (3) the mailing address of the actual business location of the
 29 owner of the slaughtered or processed livestock or poultry.

30 **Sec. 3. (a) Up to twenty thousand (20,000) poultry annually may**
 31 **be slaughtered and processed on a farm without a facility or**
 32 **bird-by-bird inspection for sale.**

33 (b) Poultry under subsection (a) may be sold from the farm:

- 34 (1) directly to an end consumer or food establishment; and
 35 (2) at a farmers market or farm consignment store, if a label
 36 is affixed to each individual package sold that includes:
 37 (A) the statement, "Not Inspected by the State of Indiana";
 38 (B) a citation to this law; and
 39 (C) the mailing address of the farm's actual business
 40 location.

41 **Sec. 4. (a) Up to one hundred (100) hogs annually may be**
 42 **slaughtered and processed on a farm without facility or**



1 animal-by-animal inspection for sale.

2 (b) Pork and value added pork products under subsection (a)
3 may be sold from the farm:

- 4 (1) directly to an end consumer or food establishment; and
5 (2) at a farmers market or farm consignment store, if a label
6 is affixed to each individual package sold that includes:
7 (A) the statement, "Not Inspected by the State of Indiana";
8 (B) a citation to this law; and
9 (C) the mailing address of the farm's actual business
10 location.

11 Sec. 5. (a) Up to fifty (50) cattle annually may be slaughtered
12 and processed on a farm without facility or animal-by-animal
13 inspection for sale.

14 (b) Beef and value added beef products under subsection (a)
15 may be sold from the farm:

- 16 (1) directly to an end consumer or food establishment; and
17 (2) at a farmers market or farm consignment store, if a label
18 is affixed to each individual package sold that includes:
19 (A) the statement, "Not Inspected by the State of Indiana";
20 (B) a citation to this law; and
21 (C) the mailing address of the farm's actual business
22 location.

23 Sec. 6. (a) Up to five hundred (500) sheep and goats annually
24 may be slaughtered and processed on a farm without facility or
25 animal-by-animal inspection for sale.

26 (b) Lamb and goat and value added lamb and goat products
27 under subsection (a) may be sold from the farm:

- 28 (1) directly to an end consumer or food establishment; and
29 (2) at a farmers market or farm consignment store, if a label
30 is affixed to each individual package sold that includes:
31 (A) the statement, "Not Inspected by the State of Indiana";
32 (B) a citation to this law; and
33 (C) the mailing address of the farm's actual business
34 location.

35 Sec. 7. (a) All legally hunted deer may be processed on a farm
36 without facility or animal-by-animal inspection for sale.

37 (b) Venison and value added venison products under subsection
38 (a) may be sold from the farm:

- 39 (1) directly to an end consumer or food establishment; and
40 (2) at a farmers market or farm consignment store, if a label
41 is affixed to each individual package sold that includes:
42 (A) the statement, "Not Inspected by the State of Indiana";



- 1 **(B) a citation to this law; and**
- 2 **(C) the mailing address of the farm's actual business**
- 3 **location.**
- 4 **Sec. 8. (a) At least one (1) person from each farm involved in the**
- 5 **slaughtering and processing of livestock and poultry on the farm**
- 6 **and who is operating under this chapter shall:**
- 7 **(1) obtain a certificate as a food protection manager under**
- 8 **IC 16-42-5.2; and**
- 9 **(2) develop a hazard analysis and critical control point**
- 10 **(HACCP) plan.**
- 11 **(b) A farm is not required to have any additional inspection,**
- 12 **licensing, testing, or certification that is not required under this**
- 13 **section.**
- 14 **(c) The state department of health must make available training**
- 15 **to assist in the development of hazard analysis and critical control**
- 16 **point (HACCP) plans.**
- 17 **(d) A farm operating under this chapter shall:**
- 18 **(1) maintain a hazard analysis and critical control point**
- 19 **(HACCP) plan; and**
- 20 **(2) upon request, provide the HACCP plan to the state**
- 21 **department of health in the event of a food borne illness**
- 22 **outbreak investigation.**

