

Custom Exemption

Custom exemption, for both animal slaughter and meat processing, exempts processors from the requirements of federal inspection because they are being paid for the service of converting a meat animal into a meat product. There are distinct requirements under this exemption, which are:

- Custom slaughter must only be for the personal use of the owner of the animal;
- The resulting product must be marked “Not for Sale”;
- The operator must maintain accurate production and business records; and
- The animal and/or product must be prepared or processed in a sanitary manner.

Custom Slaughter Must Only Be for the Personal Use of the Owner of the Animal

The first requirement for custom exemption relative to the personal use of the owner of the animal is the most ambiguous to interpret. Regulation 9 CFR 303.1(a) defines Custom as:

“Slaughter by any person of cattle, sheep, swine, or goats delivered by the owner thereof for such slaughter, and the preparation by such slaughterer and transportation in commerce of the carcasses, parts thereof, meat and meat food products of such livestock, exclusively for use, in the household of such owner, by him and members of his household and his nonpaying guests and employees; nor to the custom preparation by any person of carcasses, parts thereof, meat or meat food products derived from the slaughter by any individual of cattle, sheep, swine, or goats of his own raising or from game animals, delivered by the owner thereof for such custom preparation, and transportation in commerce of such custom prepared articles, exclusively for use in the household of such owner, by him and members of his household and his nonpaying guests and employees...” 9 CFR 303.1(a) and (b) - <https://www.law.cornell.edu/cfr/text/9/303.1>

- Can more than one person own an animal?

Answer— Yes.

- Can trimmings from custom exempt carcasses be commingled prior to further processing?

Answer— Yes. The LDAF allows commingling of trimmings from custom animals as long as the owners have approved the practice.

The Resulting Product Must Be Marked “Not for Sale.”

According to his research, the most frequent question about this requirement involves when the product should be marked. Specific questions from him are paraphrased as follows:

- When should the carcass of a custom-slaughtered animal be marked “Not for Sale”?

Answer— Carcasses should be marked immediately after slaughter.

- What if an animal was slaughtered on the farm and the carcass brought to the processor for fabrication or further processing?

Answer— Any packages of meat from custom slaughter or containers containing those packages should be marked “Not for Sale” immediately after being prepared. This means each piece the consumer receives should be marked.

- Can trimmings from custom exempt animals be commingled with inspected products prior to grinding products?

Answer— Yes. However, all resultant products must be marked “Not for Sale”.

The Operator Must Maintain Accurate Production and Business Records.

The production records should document facility safety measures such as water, sewage, and chemical. The production records for custom facilities that slaughter beef should describe disposal of specified risk materials (brain, spinal cord, etc.), and confirm the facility only harvests ambulatory animals. The business records should include the numbers and kinds of livestock slaughtered, quantities and types of custom products prepared, and names and addresses of the owners of the livestock and products. The USDA and/or LDAF perceive the checkpoint of livestock numbers and owners as a “red flag” indicating a potential non-compliance issue. This leads to a question posed by Berry (2016):

- What happens when a name is repeated in the custom slaughter record within a few months, definitely exceeding the requirements for personal use?

Answer— This is probably the name of a given livestock dealer or producer. It is the responsibility of the custom processor to record the actual owner.

Field-slaughtered or farm-dressed animals or parts

LDAF requires that all field-slaughtered or farm-dressed carcasses or parts entering an official establishment for custom processing are:

- Delivered in a sanitary manner
- Ready for cutting up or processing
- Clearly marked “Not For Sale” upon entering any part of the facility
- Cattle are ambulatory at the time of slaughter, as provided in writing by the owner of the animal (9 CFR 309.3(e) and 303.1(f))

The Animal and/or Product Must Be Prepared or Processed in a Sanitary Manner.

LDAF Meat and Poultry Inspection Program (MPIP) employees conduct quarterly reviews of custom slaughtering and processing operations to ensure they meet all applicable sanitation regulations. This FSIS directive can be viewed at <https://www.fsis.usda.gov/wps/wcm/connect/84727a9f-cc80-482a-8725-0956524353e8/5930.1Rev4.pdf?MOD=AJPERES>. Processors with no past history of non-compliance typically receive no more than four scheduled verification reviews per year. All custom processors will be given a copy of their quarterly review by LDAF personnel.

Conclusion

Custom-exempt meat processing facilities are all over the state of Louisiana and are excellent venues for marketing locally raised livestock. If you would like to have your locally raised livestock further processed at a retail-permitted facility or sold wholesale, it must be slaughtered under inspection at a local LDAF or USDA facility. For more information contact the state Meat Inspection office in Baton Rouge at 225-922-1358 or fedstatemeat@ldaf.la.gov. For a list of custom and inspected plants and more information, you can also visit LDAF’s Meat Inspection website at <http://www.ldaf.state.la.us/animal-health/veterinary-health-division/federal-and-state-meat-programs/> or just google “LDAF meat”.

References

- Berry, J. 2016. *Farmers Guide to Processing and Selling Meat or Poultry*. Pennsylvania State University Extension. http://ctfarmrisk.uconn.edu/index_118_2234136185.pdf.
USDA. 2018. *Exemptions to Federal Meat Inspection*. 9 §CFR 303.1. Food Safety Inspection Service. Washington D.C. <https://www.law.cornell.edu/cfr/text/9/303.1>.
USDA. 2009. *Custom Exempt Review Process*. 5930.1 Food Safety Inspection Service. Washington D.C. <https://www.fsis.usda.gov/wps/wcm/connect/84727a9f-cc80-482a-8725-0956524353e8/5930.1Rev4.pdf?MOD=AJPERES>.

