



Sen. Sally J. Turner

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10400HB2196sam001

LRB104 11666 AAS 25978 a

1 AMENDMENT TO HOUSE BILL 2196

2 AMENDMENT NO. _____. Amend House Bill 2196 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Meat and Poultry Inspection Act is amended
5 by changing Section 5 as follows:

6 (225 ILCS 650/5) (from Ch. 56 1/2, par. 305)

7 Sec. 5. Exemptions; producers, retailers, and poultry
8 raisers. ~~Exemptions—Producers, Retailers, and Poultry~~
9 ~~Raisers.~~

10 The following types of establishments are exempt from the
11 specific provisions of this Act:

12 (A) A "producer" means any person engaged in producing
13 agricultural products, for personal or family use, on
14 whose farm the number of animals or poultry is in keeping
15 with the size of the farm or with the volume or character
16 of the agricultural products produced thereon, but does

1 not mean any person engaged in producing agricultural
2 products who:

3 1. actively engages in buying or trading animals
4 or poultry or both; or

5 2. actively engages directly or indirectly in
6 conducting a business which includes the slaughter of
7 animals or poultry or both, for human food purposes;
8 or

9 3. actively engages, directly or indirectly, in
10 canning, curing, pickling, freezing, salting meat or
11 poultry, or in preparing meat or poultry products for
12 sale.~~4. or~~

13 ~~4. slaughters or permits any person to slaughter~~
14 ~~on his or their farm animals or poultry not owned by~~
15 ~~the producer for more than 30 days.~~

16 (A-5) Retail dealers or retail butchers with respect
17 to meat or poultry products sold directly to consumers in
18 retail stores; provided, that the only processing
19 operation performed by such retail dealers or retail
20 butchers is the cutting up of meat or poultry products
21 which have been inspected under the provisions of this Act
22 and is incidental to the operation of the retail food
23 store.

24 (B) Poultry raisers with respect to poultry raised on
25 their own farms or premises if:

26 (a) ~~if~~ such raisers slaughter, eviscerate, or

1 further process not more than 7,500 ~~5,000~~ poultry
2 during the calendar year for which this exemption is
3 being granted;

4 (b) such poultry raisers do not engage in buying
5 or selling poultry products other than those produced
6 from poultry raised on their own farms or premises;

7 (c) such poultry or poultry products are
8 slaughtered, otherwise prepared, sold or delivered to
9 the consumer on or from the premises for which the
10 exemption is given, including sales at the poultry
11 raiser's farm, at a farmers' market, at a roadside
12 stand, or through delivery to the consumer;

13 (d) such slaughter or preparation shall be
14 performed in sanitary facilities, in a sanitary
15 manner, and subject to periodic inspection by
16 Department personnel;

17 (e) persons desiring such exemptions shall submit
18 in writing a request to the Department;

19 (f) there is at least one person who is
20 responsible for all periods of operation for the
21 premises for which the exemption is given who has
22 successfully obtained a certification as a Certified
23 Food Protection Manager from a program that is
24 accredited by the American National Standards
25 Institute;

26 (g) the poultry products are labeled in at least

1 10-point font to include the producer's name and
2 address, the date on which the poultry product was
3 processed, and the statement "NOT INSPECTED-Exempt
4 P.L. 90-492";

5 (h) at the point of sale, notice is provided in a
6 prominent location and states the following: "These
7 poultry products were processed in an on-farm facility
8 that is exempt from continuous inspection by the
9 Illinois Department of Agriculture or the United
10 States Department of Agriculture." A notice on a
11 physical display shall be prominently displayed on a
12 placard in at least 18-point font. A notice displayed
13 online shall be displayed in the form of a message on
14 the farm's online sales interface at the point of
15 sale;

16 (i) at the point of sale at farmers' markets,
17 information in the form of a placard, flyer, or
18 product label shall be provided to consumers regarding
19 safe handling instructions for poultry or poultry
20 products produced under this Section as described in 9
21 CFR 381.125(b) with the rationale statement provided
22 in 9 CFR 381.125(b) (2) (ii);

23 (j) poultry and poultry products produced under
24 this Section shall be maintained at temperatures as
25 provided in Section 3.3 of the Food Handling
26 Regulation Enforcement Act during storage,

1 transportation, shipping, and delivery; and

2 (k) poultry or poultry products produced under
3 this Section that are sold, offered for sale, or
4 otherwise distributed at farmers' markets shall be
5 sealed in a watertight or leakproof bag or other
6 watertight or leakproof packaging.

7 An ~~The~~ exemption under this Section shall be effective
8 upon written notice from the Department and shall remain
9 in effect for a period of 2 years, unless revoked.
10 Adequate records must be maintained to assure that not
11 more than the number of exempted poultry are slaughtered
12 or processed in one calendar year. Such records shall be
13 kept for one year following the termination of each
14 exemption. Any advertisement regarding the exempt poultry
15 or poultry products shall reflect the fact of exemption so
16 as not to mislead the consumer to presume official
17 inspection has been made under the Meat and Poultry
18 Inspection Act.

19 (Source: P.A. 91-170, eff. 1-1-00; 91-614, eff. 1-1-00; 92-16,
20 eff. 6-28-01.)".