



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-2290/3

RCT:lmk:ch

## 2005 SENATE BILL 309

August 26, 2005 – Introduced by Senator LEIBHAM, cosponsored by Representatives KESTELL, M. WILLIAMS, LOTHIAN, MUSSER, OWENS, GUNDERSON and HAHN. Referred to Committee on Agriculture and Insurance.

1     **AN ACT to renumber and amend** 97.42 (11); **to repeal and recreate** 97.42 (11)  
2             (title); and **to create** 97.42 (11) (b) of the statutes; **relating to:** an exemption  
3             from requirements concerning the slaughter and processing of poultry.

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### *Analysis by the Legislative Reference Bureau*

Current law generally requires that a place at which poultry is slaughtered for human consumption be covered by a state or federal license. The law also generally requires inspection of poultry before and after slaughter and imposes standards, such as sanitation standards, on the slaughtering and processing of poultry. Under current law, the licensing and inspection requirements and the standards for slaughtering and processing of poultry do not apply to a person who slaughters poultry produced on the person's own farm if the person sells no more than 1,000 birds annually, labels and tags the birds with the person's name and address, and marks the birds as not inspected.

This bill provides that a producer may slaughter and sell up to 10,000 birds annually without being subject to the licensing and inspection requirements if the birds are sound and healthy, are processed using sanitary procedures that result in poultry products that are sound, clean, and fit for human food, and are labeled and tagged with the producer's name and address and marked as not inspected.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 97.42 (11) (title) of the statutes is repealed and recreated to read:

2           97.42 (11) (title) EXEMPTIONS.

3           **SECTION 2.** 97.42 (11) of the statutes is renumbered 97.42 (11) (a) and amended  
4 to read:

5           97.42 (11) (a) This section ~~shall~~ does not apply to owners of poultry with respect  
6 to poultry produced on the owner's farm, provided his or her sales do not exceed 1,000  
7 fowl annually, and the birds are labeled and tagged to identify the name and address  
8 of the producer and are marked "NOT INSPECTED". ~~Persons processing more than~~  
9 ~~1,000 fowl but less than 20,000 fowl shall be fully subject to the provisions of this~~  
10 ~~section relating to licensing, sanitation, facilities and wholesomeness of product. If~~  
11 ~~the department determines that the protection of consumers from unwholesome~~  
12 ~~poultry products will not be impaired, it may exempt such persons from sub. (3) (a)~~  
13 ~~and (b) provided the birds are labeled or tagged to identify the name and address of~~  
14 ~~the producer and are marked "NOT INSPECTED".~~

15           **SECTION 3.** 97.42 (11) (b) of the statutes is created to read:

16           97.42 (11) (b) This section does not apply to the owner of poultry with respect  
17 to poultry produced on the owner's farm if all of the following apply:

- 18           1. The owner sells more than 1,000 but not more than 10,000 birds annually.
- 19           2. The birds are sound and healthy.

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1           3. The birds are slaughtered and otherwise processed and handled using  
2           sanitary standards, practices, and procedures that result in the preparation of  
3           poultry products that are sound, clean, and fit for human food.

4           4. The birds are labeled and tagged to identify the name and address of the  
5           producer, are marked "NOT INSPECTED. Exempted—P.L. 90-492" and are not  
6           otherwise misbranded, as defined in 9 CFR 381.1.

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(END)