

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

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
17 not mean any person engaged in producing agricultural
18 products who:

19 1. actively engages in buying or trading animals
20 or poultry or both; or

21 2. actively engages directly or indirectly in
22 conducting a business which includes the slaughter of
23 animals or poultry or both, for human food purposes;

1 or

2 3. actively engages, directly or indirectly, in
3 canning, curing, pickling, freezing, salting meat or
4 poultry, or in preparing meat or poultry products for
5 sale. ~~or~~

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

9 (A-5) Retail dealers or retail butchers with respect
10 to meat or poultry products sold directly to consumers in
11 retail stores; provided, that the only processing
12 operation performed by such retail dealers or retail
13 butchers is the cutting up of meat or poultry products
14 which have been inspected under the provisions of this Act
15 and is incidental to the operation of the retail food
16 store.

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

19 (a) ~~if~~ such raisers slaughter, eviscerate, or
20 further process not more than 7,500 ~~5,000~~ poultry
21 during the calendar year for which this exemption is
22 being granted;

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

26 (c) such poultry or poultry products are

1 slaughtered, otherwise prepared, sold or delivered to
2 the consumer on or from the premises for which the
3 exemption is given, including sales at the poultry
4 raiser's farm, at a farmers' market, at a roadside
5 stand, or through delivery to the consumer;

6 (d) such slaughter or preparation shall be
7 performed in sanitary facilities, in a sanitary
8 manner, and subject to periodic inspection by
9 Department personnel;

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

12 (f) there is at least one person who is
13 responsible for all periods of operation for the
14 premises for which the exemption is given who has
15 successfully obtained a certification as a Certified
16 Food Protection Manager from a program that is
17 accredited by the American National Standards
18 Institute;

19 (g) the poultry products are labeled in at least
20 10-point font to include the producer's name and
21 address, the date on which the poultry product was
22 processed, and the statement "NOT INSPECTED-Exempt
23 P.L. 90-492";

24 (h) at the point of sale, notice is provided in a
25 prominent location and states the following: "These
26 poultry products were processed in an on-farm facility

1 that is exempt from continuous inspection by the
2 Illinois Department of Agriculture or the United
3 States Department of Agriculture.". A notice on a
4 physical display shall be displayed on a placard. A
5 notice displayed online shall be displayed in the form
6 of a message on the farm's online sales interface at
7 the point of sale.

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

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