

Answers to Questions – Whole Animal Sales for Custom Processing

Below are a number of questions raised by ranchers during a series of phone calls and workshop presentations in 2019.

Answers come from consultation with the CDFA Meat, Poultry and Egg Safety Branch

1. Can a whole carcass go straight to the customer following slaughter (ie bypass custom processing)?

- The language of [AB 2114](#) states that this kind of transaction is subject to conditions, one of which is: *“After the slaughter, the meat is transported for the owner to an establishment for further processing”*
- In the [Food & Ag code, Chapter 4.1 Meat & Poultry Supplemental Inspection Act](#), “Establishment” is defined as: *“Any business, firm, or facility that is required to be licensed by the director under this chapter.”*
- Logically, this places the responsibility on the Mobile Slaughter Operator (MSO) to see that the carcass goes directly to a duly recognized facility. Ostensibly, this is true even if the only thing happening to the carcass is that it gets labeled “Not for Sale” and wrapped whole for pickup by the owner. There doesn’t seem to be a way around the requirement that the meat goes from slaughter to an establishment ...and then onwards to the owner.

2. Could the rancher break the carcass down into cuts themselves?

- Not unless the location and operation is registered as a USDA Custom Exempt Establishment. [Federal Guidelines](#) say that a rancher can sell livestock to a customer and then allow that owner (or a service provider) to slaughter the animal onsite, but once the seller assists in the slaughter or processing, then that location becomes subject to the rules and terms of a custom exempt facility.
- In order to satisfy the requirements of a custom exempt facility, the rancher would need to register their facility with the CDFA as a [“USDA Exempt Meat & Poultry Establishment”](#) and comply with the Code of Federal Regulations Title 9, 303 and 416 to maintain exemption status.
- All of this is reinforced in AB 2114 which states clearly that all meat must be transported after slaughter to an establishment for further processing.

3. Could the rancher hang/age the carcass before transporting it to a custom exempt processor for cutting?

- “Hanging” isn’t identified or defined in code, but this would logically fit under the heading of “further processing” and consultation with CDFA staff bears this out. As such, the only way for a rancher to hang the meat for their customer would be if they operated a facility that complies with the rules for “USDA Exempt Meat & Poultry Establishment”. See Question #2 above.

4. Could a corporate cafeteria buy an animal and serve the meat to their employees?

- The federal code that governs the USDA’s exemptions from inspected slaughter for Personal Use state that the meat resulting from uninspected slaughter is *“exclusively for use, in the household of such owner, by him and members of his household and his non-paying guests and employees”*. The phrase “in the household of such owner” seems to place the consumption of this meat in a residential context as opposed to, say, a corporate one.
- Also, a corporate cafeteria would be classified as a “Food Facility” according to California [Retail Food Code §113789](#) and Food Facilities must obtain their ingredients from an “Approved Source”. Some local Environmental Health Services (EHS) departments have decided that uninspected meat (e.g. ranch-harvested poultry) does not qualify as Approved Source. In absence of language in AB2114 that designates MSO-harvested beef as having come from an approved source, I think the cafeteria would also risk running afoul of local EHS.

5. *[In regards to the limit of 5 head of cattle harvested on a single premises in a calendar month] What is the definition of “premises”?*
- The California Food & Ag code defines “premises” as “any place where cattle have been or are kept”.
6. *How does all of this relate to USDA rules around 30-months/SRM removal?*
- The [USDA-FSIS Guidelines around uninspected livestock slaughter and processing](#) cite federal regulation 9 CFR 303.1(b)(1) which says, “*exempted custom prepared products ... shall not be adulterated as defined in paragraph 1(m) of the Federal Meat Inspection Act.*” The Guidelines then go on to explain “*Therefore, custom exempt product cannot contain SRMs, including the skull, brain, trigeminal ganglia, eyes, vertebral column, spinal cord, and dorsal root ganglia of cattle 30 months of age and older. The distal ileum of the small intestine and tonsils from all cattle are SRMs, considered inedible and, therefore, are not to enter the food supply.*”
7. *The Carcass & Hide tags used by the Mobile Slaughter Operator have to be signed by the animal’s legal owner – in this transaction, that’s my customer. But most customers aren’t present at the time of slaughter. How can they sign the tag?*
- The tag can also be signed by someone authorized by the legal owner of the animal to sign on their behalf. In your communication with customers, simply make it clear that if they choose not to be present for the slaughter of their animal, you will be there on their behalf to ensure that the process goes smoothly.
 - Alternatively, you could obtain an electronic signature from the buyer and attach a printout to the tag at the time of slaughter.
8. *If a rancher sells an animal (or some percentage of an animal) according to live weight, do they need to use a scale that is inspected and sealed?*
- Yes. Any sale for which the price is based on weight must use a commercial scale which has been inspected and sealed by your local Ag, Weights & Measures Department (otherwise known as the Ag Commissioner’s Office.) If the weighing of the animal is conducted without the customer present, then the person doing the weighing must also be a licensed “Weighmaster”. A Weighmaster is simply someone who has been authorized by the state to oversee the weighing of a commodity for the purposes of sale or processing and who can issue a formal certificate stating the weight, price, etc.
 - Becoming a Weighmaster is a simple process. You can apply online [here](#). There is an annual fee of \$75, but there is no test or other qualification. Up to once per year, the state Division of Measurement Standards may visit to verify that you are issuing certificates correctly with each transaction.
 - As a Weighmaster, you must issue a certificate with each transaction that contains specific information about weight, etc. The state does not have these certificates for you to use, but UCCE has developed one in consultation with DMS that you can download and use here: http://growinmarin.org/Weighmaster_certificates/
 - One copy of the certificate goes into your records and one goes to the customer with the sales receipt. Records must be kept for four years.
 - When you apply for your Weighmaster license, you can also designate a “Deputy” who may also weigh the animals. This could be an assistant, an employee or simply a family member. The additional cost to add Deputies to your license is \$20/year for each designated Deputy.
 - If you choose to sell your cattle on the basis of something other than pounds of live weight, you do not need a Weighmaster license. However, you must be careful not to generate any kind of written material or receipt that includes a weight for the animal being sold or suggest that the purchase price is somehow based on weight. You could, for example, charge a flat fee and then, for purposes of the customer’s own reference, point to a breakdown like [this](#) so that they can understand typical carcass yields.