SENATE BILL NO. 320

INTRODUCED BY MANNING, WALKER, PAVLOVICH, QUILICI

BY REQUEST OF THE DEPARTMENT OF LIVESTOCK

IN THE SENATE

FEBRUARY 2, 1989 INTRODUCED AND REFERRED TO COMMITTEE ON AGRICULTURE, LIVESTOCK & IRRIGATION.

FIRST READING.

- FEBRUARY 9, 1989 COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
- FEBRUARY 10, 1989 PRINTING REPORT.

FEBRUARY 11, 1989 SECOND READING, DO PASS.

FEBRUARY 13, 1989 ENGROSSING REPORT.

FEBRUARY 14, 1989 THIRD READING, PASSED. AYES, 47; NOES, 0.

TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 14, 1989 INTRODUCED AND REFERRED TO COMMITTEE ON AGRICULTURE, LIVESTOCK & IRRIGATION.

FEBRUARY 20, 1989 FIRST READING.

MARCH 7, 1989

COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

MARCH 9, 1989 SECOND READING, CONCURRED IN.

MARCH 10, 1989 THIRD READING, CONCURRED IN. AYES, 85; NOES, 4.

RETURNED TO SENATE.

IN THE SENATE

MARCH 10, 1989

*

RECEIVED FROM HOUSE. SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

T BILLINO. 320 1 2 INTRODUCED BY BY REQUEST OF THE DEPARTMENT OF LIVESTOCK Juliu 3

5 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE LAW RELATING TO MEAT AND POULTRY SLAUGHTER AND INSPECTION: 6 7 CLARIFYING THE REPORTING REQUIREMENTS FOR VIOLATIONS OF HIDE INSPECTION LAWS; CLARIFYING THE EXEMPTION PROVISION FOR 8 9 CUSTOM MEAT PROCESSORS: REMOVING THE REQUIREMENT THAT THE 10 CHIEF MEAT INSPECTOR BE A VETERINARIAN; AMENDING SECTIONS 11 81-9-114, 81-9-218, AND 81-9-226, MCA; AND PROVIDING AN 12 IMMEDIATE EFFECTIVE DATE."

13

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 Section 1. Section 81-9-114, MCA, is amended to read: 16 *81-9-114. Duty to report violations. A person 17 required to be licensed under 81-9-201 shall report any 18 violation of 81-9-112 to the department or the sheriff of the county wherein-such where the violation occurred and of 19 which such the person has knowledge. Upon failure to do so, 20 21 the person shall suffer a revocation of his license and no 22 license shall again be issued to such the person until the 23 expiration of 1 year from the date of such revocation."

Section 2. Section 81-9-218, MCA, is amended to read:
"81-9-218. Exemptions. (1) The following persons are



1 exempt from 81-9-201, B1-9-216 through 81-9-220, and 2 81-9-226 through 81-9-236:

3 (1)(a) a person who slaughters livestock or poultry or
4 prepares or processes livestock or poultry products for his
5 own personal or household use;

6 (2)--a--person--engaged--in--custom---slaughtering--of 7 livestock--and--preparation--of--the-carcasses-and-parts-and 8 meat--food--products--thereof--only--with--respect--to---the 9 slaughter-of--livestock--delivered--by-the-owner-for-custom 10 slaughter-and-the-preparation-of-the-carcasses--for--use--by 11 the--owner--in--his--own--household--or--by--members--of-his 12 household-or-nonpaying-guests; and

13 (3)(b) a person who transports dead, dying, or
14 diseased animals or poultry for the purpose of treatment,
15 burial, or disposal in a manner that would prevent the
16 carcasses from being used as human food.

17 (2) A person engaged in the custom slaughtering of livestock or poultry delivered by the owner for custom 18 19 slaughter or a person engaged in the preparation of the 20 carcasses and parts and meat food products of such livestock 21 or poultry when slaughtered or prepared for exclusive use in 22 the owner's household by the owner or members of his 23 household or his nonpaying quests or employees is exempt 24 from 81-9-216 through 81-9-220 and 81-9-226 through 25 81-9-236, provided the carcasses, parts, or meat food

> -2- INTRODUCED BILL SB 320

LC 0958/01

1 products or containers of such articles are: 2 (a) kept separate from carcasses, parts, or meat food 3 products prepared for sale; 4 (b) plainly marked "Not for Sale" immediately after being slaughtered or prepared and remain plainly marked 5 6 until delivered to the owner; and 7 (c) prepared and packaged in a sanitary manner and in a sanitary facility." 8 9 Section 3. Section 81-9-226, MCA, is amended to read: "81-9-226. Chief meat inspector -- deputies --

10 "81-9-226. Chief meat inspector -- deputies -qualifications. (1) There is a chief meat inspector, who 12 must be appointed by the board and shall serve at its 13 pleasure. Such-person-must-be--a--veterinarian--licensed--in 14 Montana-who-has-practiced-veterinary-medicine-for-5-years-or 15 ionger.

16 (2) The chief shall supervise the state meat 17 inspection program established in B1-9-216 through 81-9-220 18 and 81-9-226 through 81-9-236 and shall enforce the 19 provisions of 81-9-216 through 81-9-220 and 81-9-226 through 20 81-9-236 to assure the public that only pure, wholesome, and 21 unadulterated meat or meat food products are offered for 22 sale.

(3) Upon recommendation of the chief, the board shall
appoint veterinary meat inspectors and lay meat inspectors,
who must be responsible to the chief and who shall conduct

ante-mortem and post-mortem inspections, enforce sanitary
 requirements, and perform other necessary meat inspection
 duties.

4 (4) An inspector assigned to an official establishment
5 may not be related to the management of the establishment or
6 have any financial interest therein."

7 <u>NEW SECTION.</u> Section 4. Extension of authority. Any 8 existing authority to make rules on the subject of the 9 provisions of [this act] is extended to the provisions of 10 [this act].

11 NEW SECTION. Section 5. Effective date. [This act] is

12 effective on passage and approval.

-End-

-4-

LC 0958/01

51st Legislature

LC 0958/01

APPROVED BY COMMITTEE ON AGRICULTURE LIVESTOCK & IRRIGATION

T. BILL NO. 320 1 2 INTRODUCED BY BY REQUEST OF THE DEPARTMENT OF LIVESTOCK 3 Junta

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE 5 LAW RELATING TO MEAT AND POULTRY SLAUGHTER AND INSPECTION; 6 CLARIFYING THE REPORTING REQUIREMENTS FOR VIOLATIONS OF HIDE 7 INSPECTION LAWS; CLARIFYING THE EXEMPTION PROVISION FOR 8 CUSTOM MEAT PROCESSORS; REMOVING THE REQUIREMENT THAT THE 9 CHIEF MEAT INSPECTOR BE A VETERINARIAN; AMENDING SECTIONS 10 81-9-114, 81-9-218, AND 81-9-226, MCA; AND PROVIDING AN 11 IMMEDIATE EFFECTIVE DATE." 12

13

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 14

Section 1. Section 81-9-114, MCA, is amended to read: 15 "81-9-114. Duty to report violations. A person 16 required to be licensed under 81-9-201 shall report any 17 violation of 81-9-112 to the department or the sheriff of 18 the county wherein-such where the violation occurred and of 19 which such the person has knowledge. Upon failure to do so, 20 the person shall suffer a revocation of his license and no 21 license shall again be issued to such the person until the 22 expiration of 1 year from the date of such revocation." 23

Section 2. Section 81-9-218, MCA, is amended to read: 24 "81-9-218. Exemptions. (1) The following persons are 25



1 exempt from 81-9-201, 81-9-216 through 81-9-220, and 2 81-9-226 through 81-9-236:

(1) a person who slaughters livestock or poultry or 3 4 prepares or processes livestock or poultry products for his 5 own personal or household use;

6 +2)--a--person--engaged--in--custom---slaughtering---of 7 livestock--and--preparation--of--the-carcasses-and-parts-and meat--food--products--thereof--only--with--respect--to---the 8 9 slaughter--of--livestock--delivered--by-the-owner-for-custom 1.0 slaughter-and-the-preparation-of-the-carcasses--for--use--by 11 the--owner--in--his--own--household--or--by--members--of-his 12 household-or-nonpaving-quests; and (3)(b) a person who transports dead, 13 dving. or 14 diseased animals or poultry for the purpose of treatment, 15 burial, or disposal in a manner that would prevent the

16 carcasses from being used as human food. 17 (2) A person engaged in the custom slaughtering of

18 livestock or poultry delivered by the owner for custom 19 slaughter or a person engaged in the preparation of the carcasses and parts and meat food products of such livestock 20 or poultry when slaughtered or prepared for exclusive use in 21 22 the owner's household by the owner or members of his household or his nonpaying guests or employees is exempt 23 24 from 81-9-216 through 81-9-220 and 81-9-226 through

25 81-9-236, provided the carcasses, parts, or meat food

> SECOND READING -2-SB 320

LC 0958/01

the stand of a stand of the stand of

products or containers of such articles are: 1 2 (a) kept separate from carcasses, parts, or meat food 3 products prepared for sale; (b) plainly marked "Not for Sale" immediately after 4 5 being slaughtered or prepared and remain plainly marked 6 until delivered to the owner; and 7 (c) prepared and packaged in a sanitary manner and in 8 a sanitary facility." 9 Section 3. Section 81-9-226, MCA, is amended to read: 10 "81-9-226. Chief meat inspector -- deputies --11 qualifications. (1) There is a chief meat inspector, who 12 must be appointed by the board and shall serve at its 13 pleasure. Such-person-must-be--a--veterinarian--licensed--in 14 Montana-who-has-practiced-veterinary-medicine-for-5-years-or

15 tonger-

16 (2) The chief shall supervise the state meat 17 inspection program established in 81-9-216 through 81-9-220 18 and 81-9-226 through 81-9-236 and shall enforce the 19 provisions of 81-9-216 through 81-9-220 and 81-9-226 through 20 81-9-236 to assure the public that only pure, wholesome, and 21 unadulterated meat or meat food products are offered for 22 sale.

23 (3) Upon recommendation of the chief, the board shall
24 appoint veterinary meat inspectors and lay meat inspectors,
25 who must be responsible to the chief and who shall conduct

1 ante-mortem and post-mortem inspections, enforce sanitary 2 requirements, and perform other necessary meat inspection 3 duties.

4 (4) An inspector assigned to an official establishment 5 may not be related to the management of the establishment or 6 have any financial interest therein."

7 <u>NEW SECTION.</u> Section 4. Extension of authority. Any 8 existing authority to make rules on the subject of the 9 provisions of [this act] is extended to the provisions of 10 [this act].

11 NEW SECTION. Section 5. Effective date. [This act] is

12 effective on passage and approval.

-End-

·LC 0958/01

NET BILL NO. 320 1 2 INTRODUCED BY/X 3 BY REQUEST OF THE DEPARTMENT OF LIVESTOCK Julie 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE 6 LAW RELATING TO MEAT AND POULTRY SLAUGHTER AND INSPECTION: 7 CLARIFYING THE REPORTING REQUIREMENTS FOR VIOLATIONS OF HIDE 8 INSPECTION LAWS: CLARIFYING THE EXEMPTION PROVISION FOR 9 CUSTOM MEAT PROCESSORS: REMOVING THE REQUIREMENT THAT THE 10 CHIEF MEAT INSPECTOR BE A VETERINARIAN; AMENDING SECTIONS 11 81-9-114, 81-9-218, AND 81-9-226, MCA; AND PROVIDING AN 12 IMMEDIATE EFFECTIVE DATE."

13

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 Section 1. Section 81-9-114, MCA, is amended to read: 16 "81-9-114. Duty to report violations. A person 17 required to be licensed under 81-9-201 shall report any violation of 81-9-112 to the department or the sheriff of 18 19 the county wherein-such where the violation occurred and of 20 which such the person has knowledge. Upon failure to do so. 21 the person shall suffer a revocation of his license and no 22 license shall again be issued to such the person until the 23 expiration of 1 year from the date of such revocation."

Section 2. Section 81-9-218, MCA, is amended to read:
"81-9-218. Exemptions. (1) The following persons are



1 exempt from 81-9-201, 81-9-216 through 81-9-220, and 2 81-9-226 through 81-9-236:

3 (1)(a) a person who slaughters livestock or poultry or
4 prepares or processes livestock or poultry products for his
5 own personal or household use;

6 (2)--a--person-engaged--in--custom---slaughtering---of 7 livestock--and--preparation--of--the-carcasses-and-parts-and 8 meat--food--products--thereof--only--with--respect--to---the 9 slaughter-of--livestock--delivered--by-the-owner-for-custom 10 slaughter-and-the-preparation-of-the-carcasses--for--use--by 11 the--owner--in--his--own--household--or--by--members--of-his 12 household-or-nonpaying-quests; and

13 (3)(b) a person who transports dead, dying, or
14 diseased animals or poultry for the purpose of treatment,
15 burial, or disposal in a manner that would prevent the
16 carcasses from being used as human food.

17 (2) A person engaged in the custom slaughtering of livestock or poultry delivered by the owner for custom 18 19 slaughter or a person engaged in the preparation of the 20 carcasses and parts and meat food products of such livestock or poultry when slaughtered or prepared for exclusive use in 21 22 the owner's household by the owner or members of his 23 household or his nonpaying quests or employees is exempt 24 from 81-9-216 through 81-9-220 and 81-9-226 through 81-9-236, provided the carcasses, parts, or meat food 25

-2-

LC 0958/01

THIRD READING

5B 320

products or containers of such articles are: 1 2 (a) kept separate from carcasses, parts, or meat food 3 products prepared for sale; (b) plainly marked "Not for Sale" immediately after 4 5 being slaughtered or prepared and remain plainly marked 6 until delivered to the owner; and (c) prepared and packaged in a sanitary manner and in 7 8 a sanitary facility." 9 Section 3. Section 81-9-226, MCA, is amended to read: 10 "81-9-226. Chief meat inspector -- deputies -qualifications. (1) There is a chief meat inspector, who 11 12 must be appointed by the board and shall serve at its 13 pleasure. Such-person-must-be--a--veterinarian--licensed--in Montana-who-has-practiced-veterinary-medicine-for-5-years-or 14 15 longert

chief shall supervise the state meat 16 (2) The inspection program established in 81-9-216 through 81-9-220 17 81-9-226 through B1-9-236 and shall enforce the 18 and 19 provisions of 81-9-216 through 81-9-220 and 81-9-226 through 20 81-9-236 to assure the public that only pure, wholesome, and 21 unadulterated meat or meat food products are offered for 22 sale.

23 (3) Upon recommendation of the chief, the board shall
24 appoint veterinary meat inspectors and lay meat inspectors,
25 who must be responsible to the chief and who shall conduct

LC 0958/01

ante-mortem and post-mortem inspections, enforce sanitary
 requirements, and perform other necessary meat inspection
 duties.

4 (4) An inspector assigned to an official establishment
5 may not be related to the management of the establishment or
6 have any financial interest therein."

7 <u>NEW SECTION.</u> Section 4. Extension of authority. Any 8 existing authority to make rules on the subject of the 9 provisions of [this act] is extended to the provisions of 10 [this act].

11 NEW SECTION. Section 5. Effective date. [This act] is

12 effective on passage and approval.

-End-

-4-

SB 0320/02

SB	03	20	/02
----	----	----	-----

1	SENATE BILL NO. 320	1	exempt fro
2	INTRODUCED BY MANNING, WALKER, PAVLOVICH, QUILICI	2	81-9-226 th
3	BY REQUEST OF THE DEPARTMENT OF LIVESTOCK	3	(1)
4		· 4	prepares o
5	A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE	5	own persona
6	LAW RELATING TO MEAT AND POULTRY SLAUGHTER AND INSPECTION;	6	(2) a
7	CLARIFYING THE REPORTING REQUIREMENTS FOR VIOLATIONS OF HIDE	7	livestock
8	INSPECTION LAWS; CLARIFYING THE EXEMPTION PROVISION FOR	8	meatfood-
9	CUSTOM MEAT PROCESSORS; REMOVING THE REQUIREMENT THAT THE	9	staughter
10	CHIEF MEAT INSPECTOR BE A VETERINARIAN; AMENDING SECTIONS	10	siaughter-a
11	81-9-114, 81-9-218, AND 81-9-226, MCA; AND PROVIDING AN	11	theowner-
12	IMMEDIATE EFFECTIVE DATE."	12	household-d
13		13	(3)(b)
14	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	14	diseased a
15	Section 1. Section 81-9-114, MCA, is amended to read:	15	burial, or
16	"81-9-114. Duty to report violations. A person	16	carcasses :
17	required to be licensed under 81-9-201 shall report any	17	(2)
18	violation of 81-9-112 to the department or the sheriff of	18	livestock
19	the county wherein-such where the violation occurred and of	19	slaughter
20	which such the person has knowledge. Upon failure to do so,	20	carcasses
21	the person shall suffer a revocation of his license and no	21	or poultry
22	license shall again be issued to such the person until the	22	the owner'
23	expiration of 1 year from the date of such revocation."	23	household
24	Section 2. Section 81-9-218, MCA, is amended to read:	24	from 81-9
25	"81-9-218. Exemptions. (1) The following persons are	25	81-9-236,

ntana Legislative Council

l exempt from 81-9-201, 81-9-216 through 81-9-220, and 2 81-9-226 through 81-9-236:

3 (1)(a) a person who slaughters livestock or poultry or
4 prepares or processes livestock or poultry products for his
5 own personal or household use;

6 (2)--a--person--engaged--in--custom---slaughtering--of 7 livestock--and--preparation--of--the-carcasses-and-parts-and 8 meat--food--products--thereof--only--with--respect--to---the 9 slaughter--of--livestock--delivered--by-the-owner-for-custom 10 slaughter-and-the-preparation-of-the-carcasses--for--use--by 11 the--owner--in--his--own--household--or--by--members--of-his 12 household-or-nonpaying-guests; and

(3)(b) a person who transports dead, dying, or
diseased animals or poultry for the purpose of treatment,
burial, or disposal in a manner that would prevent the
carcasses from being used as human food.

17 (2) A person engaged in the custom slaughtering of 18 livestock or poultry delivered by the owner for custom 19 slaughter or a person engaged in the preparation of the 20 carcasses and parts and meat food products of such livestock 21 or poultry when slaughtered or prepared for exclusive use in 22 the owner's household by the owner or members of his 23 household or his nonpaying guests or employees is exempt 24 from 81-9-216 through 81-9-220 and 81-9-226 through 25 81-9-236, provided the carcasses, parts, or meat food

-2-

SB 320 REFERENCE BILL

SB 0320/02

2 (a) kept separate from carcasses, parts, or meat food 3 products prepared for sale; 4 (b) plainly marked "Not for Sale" immediately after 5 being slaughtered or prepared and remain plainly marked 6 until delivered to the owner; and 7 (c) prepared and packaged in a sanitary manner and in 8 a sanitary facility." 9 Section 3. Section 81-9-226, MCA, is amended to read: 10 "81-9-226. Chief meat inspector -- deputies -qualifications. (1) There is a chief meat inspector, who 11 must be appointed by the board and shall serve at its 12 13 pleasure. Such-person-must-be--a--veterinarian--licensed--in 14 Montana-who-has-practiced-veterinary-medicine-for-5-years-or 15 tonger-

products or containers of such articles are:

1

16 (2) The chief shall supervise the state meat 17 inspection program established in 81-9-216 through 81-9-220 18 and 81-9-226 through 81-9-236 and shall enforce the 19 provisions of 81-9-216 through 81-9-220 and 81-9-226 through 20 81-9-236 to assure the public that only pure, wholesome, and 21 unadulterated meat or meat food products are offered for 22 sale.

(3) Upon recommendation of the chief, the board shall
appoint veterinary meat inspectors and lay meat inspectors,
who must be responsible to the chief and who shall conduct

SB 0320/02

ante-mortem and post-mortem inspections, enforce sanitary
 requirements, and perform other necessary meat inspection
 duties.

4 (4) An inspector assigned to an official establishment
5 may not be related to the management of the establishment or
6 have any financial interest therein."

7 <u>NEW SECTION.</u> Section 4. Extension of authority. Any 8 existing authority to make rules on the subject of the 9 provisions of [this act] is extended to the provisions of 10 [this act].

11 NEW SECTION. Section 5. Effective date. [This act] is

12 effective on passage and approval.

-End-

~3-

SB 320

-4-