HOUSE DOCKET, NO. 1736 FILED ON: 1/17/2013

HOUSE . . . . . No. 755

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen Kulik

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act to strengthen the Massachusetts agricultural infrastructure relative to meat and poultry production and processing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Stephen Kulik	*1st Franklin*
Keiko M. Orrall	*12th Bristol*
Peter V. Kocot	*1st Hampshire*
Sarah K. Peake	*4th Barnstable*
Christopher M. Markey	*9th Bristol*
Paul W. Mark	*2nd Berkshire*
Denise Andrews	*2nd Franklin*
Jennifer E. Benson	*37th Middlesex*
Gailanne M. Cariddi	*1st Berkshire*
Carolyn C. Dykema	*8th Middlesex*
James B. Eldridge	*Middlesex and Worcester*
Anne M. Gobi	*5th Worcester*
Kenneth I. Gordon	*21st Middlesex*
Kate Hogan	*3rd Middlesex*
Steven S. Howitt	*4th Bristol*
Timothy R. Madden	*Barnstable, Dukes and Nantucket*
William Smitty Pignatelli	*4th Berkshire*

Paul A. Schmid, III	*8th Bristol*
John W. Scibak	*2nd Hampshire*
Bruce E. Tarr	*First Essex and Middlesex*
Daniel A. Wolf	*Cape and Islands*

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By Mr. Kulik of Worthington, a petition (accompanied by bill, House, No. 755) of Stephen Kulik and others relative to meat and poultry production, processing and inspection. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *3351* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act to strengthen the Massachusetts agricultural infrastructure relative to meat and poultry production and processing.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 118 of chapter 94 of the general laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the words “public health”, in lines 13 and 17, and inserting in place thereof, in each instance, the following words:- agricultural resources.

SECTION 2. Said section 118 of said chapter 94, as so appearing, is hereby further amended by striking out the definition of “inspector” and inserting in place thereof the following definition:-

“Inspector”, an employee or official of the department of agricultural resources, authorized by the commissioner to perform any inspectional function.

SECTION 3. Section 120 of said chapter 94, as so appearing, is hereby amended by inserting after the word “seven”, in line 16, the following words:- provided, however that the commissioner of administration shall set fees based on categories of sizes and types of facilities as designated by the commissioner of agricultural resources, and that said fees are not determined by either commissioner to be a significant financial burden.

SECTION 4. Section 124 of said chapter 94, as so appearing, is hereby amended by striking out, in line 28, the words “director of the division of food and drugs” and inserting in

16 place thereof the following words:- commissioner of the department of public health or the
17 commissioner's designee.

18 SECTION 5. Section 125 of said chapter 94, as so appearing, is hereby amended by
19 striking out, in lines 8 and 10, the initials "D.P.H" and inserting in place thereof the initials:-
20 D.A.R.

21 SECTION 6. Section 151 of chapter 111 of the general laws, as appearing in the 2008
22 Official Edition, is hereby amended by inserting after the first sentence the following sentence:-
23 This section shall not apply to slaughter activities occurring on a farm operating consistent with
24 section 1A of chapter 128 where less than 50 mammals or 1,200 poultry are slaughtered
25 annually.

26 SECTION 7. Section 2 of chapter 128 of the general laws, as appearing in the 2008
27 Official Edition, is hereby amended by adding the following subsection:-

28 (k) A state meat inspection program administered by the commissioner pursuant to
29 section 116.

30 SECTION 8. Said chapter 128, as so appearing, is hereby amended by adding the
31 following section:-

32 Section 116. (a) Within the department of agricultural resources, there shall be state meat
33 inspection program administered by the commissioner. This program shall be responsible for all
34 slaughter, meat cutting, and meat packaging operations occurring in the commonwealth. The
35 goals of the program shall be to simultaneously protect public health, strengthen the local food
36 system, and promote economic development by ensuring a strong and diverse slaughter and
37 processing infrastructure for the benefit of both farmers and consumers.

38 (b) The department may enter into cooperative agreements with the United States
39 Department of Agriculture and the United States Food and Drug Administration and to receive,
40 hold and utilize funding from these agencies for the purposes of this section.

41 SECTION 9. Within 18 months of the passage of this act the department of agricultural
42 resources shall promulgate regulations relative to the intent of this act including those for on-
43 farm and mobile slaughter operations. All regulations promulgated under the authority of this
44 act shall meet or exceed those of the federal agencies. Prior to the enactment of these
45 regulations, the department of public health shall continue to administer sections 118 to 131 of
46 chapter 94 as written prior to the passage of this act.