

**HOUSE . . . . . No. 3351**

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**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 adoption of the accompanying bill:

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Stephen Kulik</i>	<i>1st Franklin</i>	<i>5/18/2012</i>
<i>Bruce E. Tarr</i>		<i>2/3/2011</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>2/3/2011</i>

**HOUSE . . . . . No. 3351**

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By Mr. Kulik of Worthington, a petition (accompanied by bill, House, No. 3351) of Stephen Kulik, Bruce E. Tarr and Steven S. Howitt relative to meat and poultry production, processing and inspection. Environment, Natural Resources and Agriculture.

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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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:*

1           SECTION 1. Section 118 of chapter 94 of the general laws, as appearing in the 2008  
2 Official Edition, is hereby amended by striking out the words “public health”, in lines 13 and 17,  
3 and inserting in place thereof, in each instance, the following words:- agricultural resources.

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

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

9           SECTION 3. Section 120 of said chapter 94, as so appearing, is hereby amended by  
10 inserting after the word “seven”, in line 16, the following words:- provided, however that the  
11 commissioner of administration shall set fees based on categories of sizes and types of facilities

12 as designated by the commissioner of agricultural resources, and that said fees are not  
13 determined by either commissioner to be a significant financial burden.

14 SECTION 4. Section 124 of said chapter 94, as so appearing, is hereby amended by  
15 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.