

HOUSE No. 3859

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, January 21, 2014.

The committee on Environment, Natural Resources and Agriculture to whom was referred the petition (accompanied by bill, House, No. 755) of Stephen Kulik and others relative to meat and poultry production, processing and inspection, reports recommending that the accompanying bill (House, No. 3859) ought to pass.

For the committee,

ANNE M. GOBI.

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The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

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 2012
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 2012
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 2012
27 Official Edition, is hereby amended by inserting after subsection (j), 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 of the General Laws, is hereby amended by inserting after
31 section 115, the 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. On or before, July 1, 2015,, the department of agricultural resources shall
42 adopt regulations with respect to the department's implementation, administration and
43 enforcement of sections 118 through 131, inclusive, of chapter 94 and section 116 of chapter
44 128, of the General Laws, as amended by the provisions under the sections of this act, which are
45 to take effect on said date. The regulations shall also provide for on-farm and mobile slaughter
46 operations. All regulations to be adopted by the department under this section, shall take effect
47 on July 1, 2015. Such regulations so adopted with respect to the slaughter, meat cutting, and
48 meat packaging operations shall meet or exceed the current standards established under federal
49 law and regulation for such slaughter, meat cutting, and meat packaging operations that relate to
50 the United States Department of Agriculture.

51 SECTION 10. Sections 1, 2, 3, 4, 5, 7 and 8 of this act, shall take effect on July
52 1, 2015.