Subcommittee I: Custom and Retail Exemptions from Federal Inspection

CHARGES: FSIS asked the Committee to consider how FSIS should clarify the Agency’s positions on the custom and retail exemptions to ensure that meat and poultry produced under the exemptions are safe, wholesome, and correctly labeled and packaged.

Custom Exemption

A. Should FSIS conduct rulemaking to set a numerical limit on the number of individuals allowed to co-own an animal presented for slaughter or processing under the custom exemption provision? If so, what factors should the Agency consider, if any, to determine the limits for different amenable species?

- The subcommittee was evenly divided on whether limits should be set on the number of individuals allowed to co-own an animal presented for slaughter or processing under the custom exemption provision.
- Although there was no consensus on whether a limit should be proposed, if FSIS seeks to set a limit on the number of individuals allowed to co-own an animal presented for slaughter or processing under the custom exemption provision, it should set separate limits for different species.
- If limits were set, the committee recommends that an “owner” or “owners” could be collectively owned membership organizations or firms. See recommendations below on these types of “owners”.
- FSIS should focus its efforts on robust record keeping and traceability requirements for custom operators.

B. Should FSIS conduct rulemaking to clarify that collectively-owned membership organizations or other firms cannot “own” animals for purposes of the custom exemption?

- FSIS should clarify (by an appropriate regulatory mechanism) that collectively owned membership organizations or other firms can “own” animals for purposes of the custom exemption provided records are maintained that all receivers of product were owners of the animal before slaughter.
- Rulemaking should be conducted to set parameters on collectively owned membership organizations or other firms that “own” animals, such as requiring the collective organization or firms to keep records of the names and contact information for all “owners” and requiring membership organizations or firms to provide informed consent to each “owner” receiving uninspected products.
C. Should FSIS conduct rulemaking to clarify that custom operators must maintain records that demonstrate an exact correspondence between the individuals owning a particular animal prior to slaughter and the individuals receiving any part of the products derived from that animal?

- FSIS should clarify (by an appropriate regulatory mechanism) that custom operators must maintain records that demonstrate correspondence between the owner(s) of a particular animal prior to slaughter and the owner(s) receiving any part of the products derived from that animal.

Retail Exemption:

D. Should 3rd parties (e.g., independent contractors or delivery services) be permitted to prepare meat and poultry received from restaurant and retail operations for delivery to consumers without Federal inspection being required for the retail or restaurant operation? And if so, what types of preparation should be allowed?

- FSIS should conduct information gathering through multiple roundtables or other means from stakeholders throughout the food chain, down to consumers, to understand current and emerging business models, the products involved, and potential other impacts.
- FSIS should assess the food safety of the various processes identified through the roundtables or other information gathering.
- FSIS should proceed with rulemaking to allow processes identified as low risk without inspection, if any, or potentially bring this charge back to the committee, depending on the results of the roundtables and/or research

E. Should such arrangements be allowed only in institutional settings?

- The committee does not have enough information to make a recommendation.

F. Should FSIS conduct rulemaking to clarify what types of preparation are allowed, and in what settings, when 3rd parties are permitted to prepare meat and poultry received from retail and restaurant operations for delivery to consumers without Federal inspection?

- The committee does not have enough information to make a recommendation.