

Petition for modification of FSIS form 9060-5 (06/29/2018) to include a certifying statement of official antemortem and postmortem inspection in accordance with applicable laws and regulations except as exempted by religious dietary laws to allow export of exempt product.

7/15/2020

SUBMITTED TO:

FSIS Docket Clerk
Department of Agriculture
Food Safety and Inspection Service
1400 Independence Ave., SW
Mailstop 3758, Room 6065
Washington, DC 20250-3700
fsispetitions@usda.gov

PETITIONER:

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ACTION REQUESTED:

Modification of FSIS form 9060-5 (06/29/2018) to include a certifying statement of official antemortem and postmortem inspection in accordance with applicable laws and regulations except as exempted by religious dietary laws.

17. REMARKS

PROPOSED DOCUMENT AS AMMENDED

- 18. I CERTIFY that the meat, meat food product or meat byproduct specified hereon is from animals that received both antemortem and postmortem inspection and were found sound and healthy and that it has been inspected and passed as provided by law and regulations of the Department and is sound and wholesome.
- 19. I CERTIFY that the poultry, poultry products or poultry food products specified above came from birds that were officially given an antemortem and postmortem inspection and passed in accordance with applicable laws and regulations of the United States Department of Agriculture and are wholesome and fit for human consumption.
- 20. I CERTIFY that the poultry, poultry products or poultry food products specified above came from birds that were officially given an antemortem and postmortem inspection and passed in accordance with applicable laws and regulations of the United States Department of Agriculture, except as exempted by religious dietary laws, and are wholesome and fit for human consumption.

NOT VALID UNLESS SIGNED BY A CERTIFYING OFFICIAL OF MEAT AND POULTRY INSPECTION PROGRAM

By order of the Secretary of Agriculture		21. CERTIFYING OFFICIAL'S NAME AND TITLE	22. DATE SIGNED (MM/DD/YYYY)

This certificate is receivable in all courts of the United States as prima facie evidence of the truth of the statements therein contained.
This certificate does not excuse failure to comply with any of the regulatory laws enforced by the United States Department of Agriculture.

The additional certifying statement: "I CERTIFY that the poultry, poultry products or poultry food products specified above came from birds that were officially given an antemortem and postmortem inspection and passed in accordance with applicable laws and regulations of the United States Department of Agriculture, except as exempted by religious dietary laws, and are wholesome and fit for human consumption."

BACKGROUND:

Religious exempt poultry are not eligible for export because FSIS is not able to attest to the required attestation on FSIS Form 9060-5.

The Poultry Products Inspection Act (PPIA) (21 U.S.C. 464(a)(3)) exempts establishments slaughtering or processing poultry or poultry products in accordance with religious dietary laws from specific provisions of the PPIA¹. Poultry receives antemortem and postmortem inspection except as stated below:

1. Processed in accordance with Buddhist religious beliefs that require that the head and feet remain on eviscerated poultry.
2. Processed in accordance with Confucian religious beliefs that require that the bird not be eviscerated, with head and feet intact.
3. Processed in accordance with Islamic (or Halal) religious beliefs that require that the bird be eviscerated, head-on and with or without the feet intact, and be in ready-to-cook form.
4. Processing and handling of Kosher, noneviscerated, head and feet intact poultry.

BARRIER TO TRADE:

Currently, countries (e.g. Canada) can export religious exempt product to the United States. Additionally, countries (e.g. Singapore) allow importation if attested. Attestation is not possible with the current FSIS form 9060-5.

The exclusion of product inspected for wholesomeness creates a barrier to trade and market availability for producers within the United States.

¹ *FSIS DIRECTIVE 6030.1 (8/10/05)*