

Montana Department of Livestock

Meat & Milk Inspection Division / Meat & Poultry Bureau

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Meat & Poultry Processing in Montana Guidelines for Opening a Business

The Montana Department of Livestock (MDOL) Meat & Poultry Inspection Division is responsible for regulating most meat and poultry processors in Montana. Meat and/or poultry processors not covered by MDOL are inspected by either the USDA-Food Safety Inspection Service (FSIS), the Montana Department of Public Health & Human Services-Food & Consumer Safety Section (DPHHS) or county sanitarians.

Montana Code Annotated directs MDOL to collect an annual \$25 license fee from any person, firm or corporation engaged in the business of slaughtering livestock or poultry, including the operation of a mobile slaughter facility or anyone processing, storing or wholesaling livestock or poultry products.

Montana laws mandate that all livestock (see inset box above), poultry and meat and/or meat products be inspected under state and/or federal law before being sold for human consumption. Because of this mandatory requirement, all state inspections conducted during normal business hours are paid with general tax dollars. Federal inspection works the same, except for species classified as voluntary, such as elk or bison; FSIS charges an hourly fee for inspection of such species.

Individuals or businesses may choose from five types of operations. Each type has specific allowances, restrictions and regulations. These are important to consider, as the type dictates the kinds of activities that can take place in an operation. Each person can choose just one type, or may operate under a combination of types. This allows for expansion of the activities an operation may conduct.

State-Inspected (“official”) Establishments

State-inspected operations slaughter livestock or poultry and/or process meat and/or poultry products under regulated inspection. Inspection is required on/for: Live animals presented for slaughter (ante mortem); the

Livestock Defined

According to MCA 81-9-712, livestock is defined as cattle, buffalo, sheep, swine, goats, rabbits, horses, mules or other equines, and alternative livestock as defined in 87-4-406, whether alive or dead.

Questions?

For additional information, please contact the Montana Department of Livestock’s Meat & Poultry Inspection Bureau at 406/444-5202, or visit our website at <http://liv.mt.gov/liv/MI/index.asp>.



slaughter process; post-slaughter (post mortem) meat tissues to ensure a disease free carcass; and product handling, processing, cooking, cooling, packaging, storage and labeling. MDOL maintains a cooperative agreement with FSIS to operate a state program that is “at least equal to” FSIS standards. Under the Federal Meat Inspection Act, all state inspection standards must be “at least equal to” those of federally inspected operations.

Such products earn the state mark of inspection, separating them from retail or custom exempt products, and are eligible for retail or wholesale as “approved source” products. The state mark of inspection can broaden a facility’s market considerably by allowing for wholesale distribution.

State and federal regulations require a “Grant of Inspection” be obtained prior to operating as an official state or federal establishment. To qualify for a grant, establishments are required to first meet certain regulatory requirements, which include:

- Request for inspection in writing and complete an Application for a Grant of Inspection;
- Facility requirements and sanitation performance standards (both more rigorous than those set for custom exempt establishments);
- Sanitation Standard Operating Procedures (SSOP plan);
- Hazard Analysis Critical Control Point (HACCP plans);
- Applications for Label Approval;
- Other standard operating procedures;
- Address current FSIS Directives.

Once a grant has been issued and the establishment begins operations, on-going requirements will include, but are not limited to, product verification testing and record-keeping.

Federal-Inspected (“official”) Establishments

These operations are inspected by FSIS at the same standards used for state-inspected facilities. For more information on developing a federally inspected establishment, contact the USDA-FSIS Denver District office at 303/236-9800 or visit their website at <https://www.fsis.usda.gov/wps/portal/informational/districtoffices>.

EXEMPTIONS:

Custom Exempted Establishments

Custom exempted establishments differ significantly from “official” state or federally inspected plants. Because they only process meat or poultry for the owner of the animal, these establishments are exempted from continuous slaughter and processing inspection. Custom exempted products cannot be sold and can only be consumed by the owner, the owner’s immediate family and non-paying guests. Custom exempted processed meat or poultry must be kept separate from carcasses, parts or meat food products prepared for sale. Custom exempted meat or poultry products must be marked “Not for Sale.”

These establishments must meet specific facility requirements and maintain sanitation procedure standards. MDOL inspects custom exempted plants on a regular basis but less frequent than an “official” state or federally inspected operation.

Retail Exempted Establishments

These businesses buy meat and poultry products from approved inspected sources (state or federal), further process them, then sell them at their retail counter to consumers. Retail exempted meat and poultry products must be fully labeled (with the exception of the inspection legend) and cannot be sold in excess of normal retail quantities. Wholesaling retail meat or poultry products is not allowed, with the exception of limited quantities of



single-ingredient meat or poultry products that may be sold to hotels, restaurants or institutions (HRI). These limits are set by USDA annually. Like custom exempted, these operations are not exempted from all inspection. They are inspected by the county sanitarian or DPHHS and must meet their regulations for producing food. For more information, contact the DPHHS Food & Consumer Safety Section at (406) 444-2408 or visit their website at



<http://www.dphhs.mt.gov/PHSD/Food-consumer/food-safe-index.shtml>

Poultry Exemptions

Exemptions for poultry products are covered under the Code of Federal Regulations (CFR), 9CFR 381.10, and have been adopted by MDOL. They are complex and confusing. Discussions with MDOL personnel will help determine which exemption can apply. Please contact the MDOL Meat & Poultry Inspection Bureau at (406) 444-5202.

Facility Requirements (required for “official”, custom exempted and poultry exempted establishments)

All individuals processing meat or poultry products, including all types of facilities listed above must meet current facility requirements and have their facilities approved prior to applying for a license to operate.

The regulations for facility requirements – “Sanitation Performance Standards” – are within federal regulations 9 CFR 416.1-416.6. While regulations allow for flexibility in construction and design, they also place the responsibility of showing that building design and materials are conducive to the production of wholesome, contaminate-free meat products in the hands of the owner/operator.

Regulation highlights are outlined below. For more detailed information, please refer to the MDOL Website at www.liv.mt.gov/liv/mi and click on Sanitation Performance Standard Compliance Guide.

- Walls, floors and ceilings within establishments must be built of durable materials impervious to moisture and free of rust, flaking, splinters, etc. All seams must be sealed to make the entire area impermeable to moisture. Surfaces must be cleaned and sanitized as necessary.
- All outside openings must be constructed and maintained to prevent the entrance of vermin, such as flies or mice.
- Lighting must be of sufficient intensity for the procedures performed in each area; shatterproof or protective covers are highly recommended.
- Plumbing must meet all state and local codes.
- A supply of potable running water at a suitable temperature and pressure must be provided in all areas.
- Hand washing facilities and sinks must be provided and adequate for the size of the establishment.
- Floors must be in good condition with adequate drainage.
- Ventilation must be adequate to control air-borne contamination and remove excessive heat, condensation, smoke or fumes.

New establishment construction plans or alterations to an existing establishment must be submitted to MDOL for review prior to a Grant of Inspection. Plans must contain sufficient detail for MDOL to determine if requirements have been met.

SSOP: (required for all “official” state or federal inspected establishments)

All “official” state or federal inspected establishments are required to have a written Sanitation Standard Operating Procedures (SSOPs) plan.

SSOPs describe procedures to maintain overall plant sanitation. It includes procedures for the cleaning all processing equipment, product contact and noncontact surfaces of the facility on a routine basis, and maintaining records of sanitation monitoring activities. SSOPs are divided into two parts: Preoperational and operational. Preoperational cleaning takes place prior to the start of production each day so the plant is ready to

operate in a clean and sanitary facility. Operational cleaning and sanitation taking place throughout the course of the day during slaughtering and/or processing activities. The regulatory requirements for SSOP in meat inspection can be found in 9 CFR 416.11-416.16.

HACCP: (required for all “official” state or federal inspected establishments)

All “official” state or federal inspected establishments are required to have written HACCP plans for all meat or poultry products produced under inspection.

Hazard Analysis Critical Control Point (HACCP) is a science-based approach to manufacturing food products. The goal behind the HACCP program is to identify all potential food safety hazards (i.e., pathogens), set control measures (i.e., cooking temperatures) for each hazard, monitor the controls and keep records at each of these steps to prove the hazards have been prevented, eliminated or controlled. At least one employee in the establishment must be trained in HACCP and be responsible for implementation and management of the plant’s HACCP program.

Through documentation, verification and monitoring, establishments maintain control over their manufacturing processes, creating a safer process for production of its food items. The regulatory requirements for HACCP in “official” plants state and federal establishments can be found in 9 CFR 417.

Labeling: (required for all “official” state or federal inspected establishments and poultry exempted producers)
All “official” state and federal inspected meat or poultry products sold or offered for sale must bear an approved label. This label must have:

1. True name of the product.
2. Product ingredients, if applicable.
3. Name and address of the processor or distributor.
4. Net weight of the product.
5. The inspection legend (except retail exempt product).
6. One of the following statements or a similar perishable warning statement: "Keep Refrigerated," "Perishable," "Keep Under Refrigeration," or "Keep Frozen" if the product is perishable.
7. Safe Handling Labels for raw meat and poultry products.

All product formulations, or formulas, labels and labeling information used in the labeling of “official” state or federally inspected products must be submitted to the inspection agency for review.

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