

# Approved Sources of Meat and Poultry for Food Facilities

Minnesota Department of Agriculture; University of Minnesota Extension

## Introduction

The purpose of this factsheet is to describe the conditions under which food facilities in Minnesota may safely and legally buy or accept meat and poultry from local or large-scale foodservice distributors.

This document may not answer every question that you have about these regulations. You will find links and contact information within the text of the factsheet for sources of additional information.

## Definitions

**Food facilities:** restaurants, caterers, school food service, institutions, day cares, community centers, churches, hospitals, health care facilities, food shelves/banks, grocery stores, food markets, farmers' markets, cooperatives, bakeries, convenience stores, food stands, mobile food units, warehouses, and wholesale food processors and manufacturers.

**Harvest:** alternate term for slaughter.

**Poultry:** domesticated fowl including chickens, waterfowl and game birds, except doves and pigeons, which are bred for the primary purpose of producing eggs or meat. "Waterfowl" means domesticated fowl that normally swim, such as ducks and geese. "Game birds" means domesticated fowl such as pheasants, partridge, quail, grouse and guineas, but not doves and pigeons (MN Rules 1520.5200 Subp. 14, 21, and 30).

**Primal:** refers to a large, wholesale piece of meat initially separated from the carcass during butchering.

**Retail sales:** sales to the final consumer.

**Sell; sale:** includes keeping, offering, or exposing for sale, use, transporting, transferring, negotiating, soliciting, or exchange of food (MN Statutes, Chapter 28A.03 Subd. 6).

## What type of inspection is required before meat and poultry are harvested and sold?

Livestock and poultry must be harvested and processed in an establishment that is inspected continuously either by the Minnesota Department of Agriculture (MDA) Meat and

Poultry Inspection Program (commonly called *Equal-To*) or the United States Department of Agriculture (USDA) Food Safety Inspection Service (FSIS).

## What does "inspected continuously" mean?

This means that the meat or poultry business is inspected every day during operations to ensure that they are producing safe food. For example, every animal slaughtered in a continuously inspected establishment must be inspected to ensure that the meat comes from an animal free from signs of disease.

Continuous inspection is required for any business that wishes to sell their products to other retail outlets, such as grocery stores, restaurants, or other food service institutions.

## Who does this kind of inspection?

Businesses that need continuous inspection have two options:

**Federal Inspection:** Operators who produce their meat products in Minnesota and sell their products in Minnesota and other states, or will export them to other countries, must be inspected by the USDA Food Safety and Inspection Service (FSIS). These businesses may harvest their own animals, or may purchase products from other USDA inspected sources and further process these products under continuous inspection.

**State Inspection:** Operators who produce and sell their products only in Minnesota can be inspected by the State *Equal-To* inspection program. These businesses may harvest their own animals or purchase products from either USDA or State inspected sources for further processing in their facility.

You can find a list of State inspected meat and poultry plants by calling 651-201-6027, or at the following website:

<http://www.mda.state.mn.us/en/licensing/inspections/meatpoultryegg/state-inspection/equal2plants.aspx>

A listing of USDA inspected plants is provided at:

[http://www.fsis.usda.gov/regulations\\_&\\_Policies/Meat\\_Poultry\\_Egg\\_Inspection\\_Directory/index.asp](http://www.fsis.usda.gov/regulations_&_Policies/Meat_Poultry_Egg_Inspection_Directory/index.asp)

Contact the Minneapolis USDA District office at 612-659-7056 for additional USDA information.

## What are the inspection requirements for meat that is bought or sold at a retail food facility?

This type of firm is considered a **Retail-Exempt Processor**. These businesses typically buy meat and poultry products from distributors that are supplied by USDA or State **Equal-To** inspected sources, and then sell the products at retail in their facility.

Such operations are licensed and inspected by the MDA Dairy and Food Inspection Division, or state or local health departments. They must meet the requirements of the Minnesota Food Code for producing food. This kind of business is inspected every 12, 18, or 24 months depending on their risk category.

## How can I tell that meat products have been inspected?

All carcasses, primal and packages of meat products, must be properly labeled with the inspection legends (or brands) of either MDA or USDA. This branding or stamping will take place at the continuously inspected and approved facility where the meat is harvested and/or processed.



USDA has a special stamp for non-amenable meat species such as elk and bison. Meats that carry the triangle-shaped USDA inspection brand for non-amenable meat species must meet the same requirements and be processed under the same conditions as amenable meat species. The triangle brand means that the meat species are exotic or non-amenable and that the meat was produced under voluntary inspection. The Minnesota **Equal-To** program uses only one legend for all inspected products.



## What are Amenable and Non-Amenable Species?

**Amenable Species:** cattle, swine, sheep, goat, emu, ostrich and rhea (a relative of the emu and ostrich). Amenable species are those that have historically been considered as products of the meat industry.

**USDA Non-Amenable Species:** farm raised deer, elk, bison, water buffalo, antelope, and rabbit (these species are considered amenable under Minnesota regulations).

## What other information must be on labels?

The following additional items must be on the label:

- Product identity, including the common name of the product;
- Complete list of ingredients and sub-ingredients in descending order of predominance;
- Handling instructions (e.g., keep frozen);
- Safe handling instructions (raw or partially cooked products only);
- Net weight on lowest 1/3rd of label; and
- Name, address, and zip code of the processor, manufacturer, or distributor.

## When are safe handling instructions required to be labeled on the product?

Safe handling instructions are required if the meat or poultry component of a product is raw or partially cooked, therefore not considered to be ready-to-eat (RTE). This additional label is required if the product is being sold for the household consumer or institutional users such as restaurants, hotels, schools, or nursing homes.

Whole, halved, and quartered carcasses are not considered packaged product and do not need a safe handling statement. However, a statement must be included with the purchase if the product will later be sold at a full- or self-service meat counter.



## Can I buy meat at my local retail market and use it in my food facility?

If your local market is a “retail-exempt” facility (as described above), you may only buy full cases or packages that are identified with the inspection legend. With few exceptions, if the store does further processing, the meat is only intended for the end user and cannot be re-sold. There are some exceptions to this rule. These exceptions are discussed in the next section of this factsheet.

Generally, if you want to buy local meat and poultry products for your food facility, check for the inspection legend on the package.

## Under what conditions can I buy meat or poultry for my food facility from a retail-exempt market?

A local retail grocery or meat market can sell meat products to a food facility only if all four of these USDA criteria are met:

1. A retail-exempt processor can sell **single ingredient** products such as steaks, chops, ground meat products only to Hotels, Restaurants, and Institutions (HRI); **and**
2. The retail-exempt processor’s total sales to all food service facilities do not exceed the FSIS 2010 annual dollar limitation for a retail sale, which is \$60,200 for meat and meat food products, and \$50,200 for poultry products; **and**
3. The retail-exempt processor’s total sales to food service do not exceed 25% of their total annual sales; **and**
4. The retail-exempt processor only sells fresh, uncured, uncooked products.

**Contact the Minnesota Department of Agriculture, Meat Compliance Officer at 651-201-6027 for further clarification regarding meeting all four USDA criteria.**

## Are there any meat items that I can make and wholesale from my retail-exempt facility without meeting the continuous inspection requirements?

**Yes.** In most situations a business or individual **CANNOT** produce food products and sell those food products to another business or sell them across state lines (such as conducting internet sales), if the products contain more than 3% raw or 2% cooked meat. **There are two federal exemptions:**

**Pizza:** Hot, ready-to-eat, meat pizzas can be made at a restaurant and served at public or private non-profit institutions where they must be sold hot, and ready-to-eat. The pizza may only contain inspected and passed

meat products. The pizza must be delivered by restaurant employees hot, or with minimal re-heating needed to return the food to serving temperature. The pizza must be transported directly to the location where it will be sold and may not be stored between production and sales. For example, pepperoni pizzas might be delivered hot from a pizza restaurant and sold as a fund-raiser at a public school sporting event.

See the Federal exemption guideline 21 USC CFR 9 303.1 and <http://cfr.vlex.com/vid/303-1-exemptions-19612387#ixzz16h3N0Hm5>

**Sandwiches:** Sandwiches that contain sliced meat can be made in a food facility and then be wholesaled. They must be properly handled, labeled, transported and stored.

For example, submarine sandwiches from a sandwich restaurant could be transported for sale at a fundraiser. By definition a sandwich is meat, vegetables, or cheese between two pieces of bread, i.e. a ham and cheese sandwich. Therefore, food items such as a wrap or meat pasty would not meet this exemption.

Contact the Minnesota Department of Agriculture at 651-201-6027, or your state or local Food/Health Inspector for additional information on licensing, and specific product or processing requirements.

## Can custom-processed meat be used in a food facility?

**No.** Meat processed at a custom-exempt processor is marked, “NOT FOR SALE.” It may not be sold and may not be used in any way in a food facility. Even if a food facility has “nonpaying guests,” custom-exempt product cannot be used or offered for sale at that food facility.

### What is a Custom Meat Processor?

A custom meat processor is a plant that is exempt from continuous inspection because they only process meat as a service to the owner of the animal. The inspector is not present when animals are slaughtered. Businesses that operate under this exemption are inspected quarterly by the State Inspection Programs or by FSIS/USDA.

The meat or poultry from these establishments cannot be sold and can only be consumed by the owner, the owner’s immediate family, and non-paying guests.

## **Is a farmer required to have a food license to sell their meat to a food facility?**

Contact MDA at 651-201-6027 if you have questions regarding approved sources, farmer exemptions, and licensing requirements. Regardless of license status, all producers, processors, handlers, and vendors of food, must comply with food safety laws and regulations.

## **What are some other purchasing and receiving guidelines for locally produced meat and poultry?**

Confirm that the meat is properly labeled. Immediately place the meat into a refrigerator maintained at 41°F or less, or freeze.

Ask for a receipt of purchase and keep good records. Good recordkeeping is particularly important in case illness or injury results and there is a need to trace the product back to the supplier.

## **What would happen if I use or have present unapproved meat or poultry in my food facility?**

The use or presence of unapproved food products in your facility is a violation of federal, state, and local laws. If your inspector finds any unapproved food product during an inspection or investigation, you would be ordered to immediately discontinue the practice of using or selling the products identified as illegal. Those items would be immediately removed from sale or use. Additional regulatory action including embargo, recall, hearings, fines, or condemnation and destruction of the illegal food items may be taken. This will disrupt your business operation.

<http://www.mda.state.mn.us/food>

(651) 201-6027 • 1-800-967-AGRI

[www.extension.umn.edu/foodsafety](http://www.extension.umn.edu/foodsafety)

612-624-1222

