



PO BOX 201706
Helena, MT 59620-1706
(406) 444-3064
FAX (406) 444-3036

Economic Affairs Interim Committee

66th Montana Legislature

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May 1, 2020

Paul Kiecker
Administrator
Food Safety and Inspection Services
U.S. Department of Agriculture
Washington DC

Sent via email

Dear Mr. Kiecker:

The Economic Affairs Interim Committee of the Montana Legislature voted April 30 to request that the U.S. Department of Agriculture -- and, in particular, the Food Safety and Inspection Service -- provide flexibility to its meat and poultry processing inspection requirements under certain conditions.

These are unique times caused by the COVID-19 pandemic and nationwide closures. There is a need to assist:

- those who, through no fault of their own, are facing food insecurity because of unemployment; and
- those who could not have planned to adjust livestock production to meet the unforeseen disruption to the supply chain for meat processing.

The attached proposal from the Montana Department of Livestock offers a way to alleviate the impacts of COVID-19 on livestock producers as well as food banks. The proposal provides guidelines for inspections. There is a need for flexibility at this time when the President and certain Congressmen and Senators are looking at ways to ease liabilities related to COVID-19. This proposal retains oversight but allows flexibility.

The Economic Affairs Interim Committee urges positive consideration of the Department of Livestock proposal:

- Allowing, temporarily, custom meat processors under state guidelines to process meat or poultry carcasses that otherwise would enter the waste stream because of disruptions to the usual supply chain.
- Providing products from these custom meat inspectors to food banks or other nonprofit food distribution groups. As long as the guidelines are met, the request would hold for providing these meat products across state lines, if possible and upon request by a neighboring food bank or nonprofit.

The Economic Affairs Interim Committee recognizes the important safety regulations carried out by Food Safety and Inspection Services. This is time for flexibility to provide across-the-board help to people and the livestock industry. Thank you for your consideration of this proposal.

Sincerely,

Sharon Stewart Peregoy /sh
Sharon Stewart Peregoy
Presiding Officer, Economic Affairs Interim Committee

cc: Montana Governor Steve Bullock, Senators Jon Tester and Steve Daines, and Congressman Greg Gianforte

PROPOSED PROTOCOL FOR REVISED (ENHANCED) INSPECTION OF CUSTOM-EXEMPT FACILITIES:

1. A food bank or other non-profit distributing food to people in need has a shortage of protein
2. The food bank has identified a live animal source from a livestock producer.
3. The food bank can document that there is no inspected facility that is able/willing to provide slaughter and processing services (this could be because of capacity, distance, cost, travel restrictions, etc.)
4. The food bank has a custom exempt facility locally that they can work with
5. The custom exempt facility would apply for a permit with the Meat and Poultry Inspection Bureau (MPI). Documentation with the permit would include:
 - a. Destination for the product
 - b. Source of the animals
 - c. Date and time of anticipated slaughter
 - d. Approximate anticipated volume
6. MPI reviews the documentation that an inspected facility is not an option
7. MPI issues the permit if all conditions are met
8. MPI commits to have a state inspector onsite for slaughter. The inspector would verify:
 - a. Humane handling
 - b. Sanitation/sanitary dressing during slaughter
 - c. Conduct antemortem and postmortem inspections
9. The custom exempt facility must keep slaughter records including animal owner, carcass weight, product weight, distribution record showing food bank destination
10. An expiration date for this policy would be included - likely it would extend through the duration of Governor's declaration of emergency or until markets gain some normalcy