

By: Senator(s) Hill, Hudson

To: Agriculture; Public Health and Welfare

SENATE BILL NO. 2060

1 AN ACT TO AMEND SECTION 75-33-3, MISSISSIPPI CODE OF 1972, TO
 2 PROVIDE THAT POULTRY PRODUCERS ARE EXEMPT FROM CERTAIN STATE
 3 REGULATIONS IF THE POULTRY PRODUCERS QUALIFY FOR EXEMPTION UNDER
 4 THE FEDERAL POULTRY PRODUCTS INSPECTION ACT; TO AMEND SECTION
 5 75-33-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE
 6 COMMISSIONER OF AGRICULTURE AND COMMERCE SHALL NOT ADOPT
 7 REGULATIONS RELATED TO EXEMPTIONS UNDER THE POULTRY PRODUCTS
 8 INSPECTION ACT WHICH ARE MORE STRINGENT THAN FEDERAL REGULATIONS;
 9 AND FOR RELATED PURPOSES.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

11 **SECTION 1.** Section 75-33-3, Mississippi Code of 1972, is
 12 amended as follows:

13 75-33-3. (1) For the purpose of this article, the words and
 14 terms used herein shall have ascribed to them the following
 15 meanings:

16 (a) The word "person" shall include individuals,
 17 partnerships, corporations, associations, and any other legal
 18 entity recognized by law.

19 (b) The terms "meat" and "meat-food products" whenever
 20 used in this article, shall include the carcasses or parts
 21 thereof, of cattle, sheep, goats, other ruminants, including



22 exotic animals, swine, horses, mules, rabbits, poultry and ratites
23 and the meat and meat-food products of such animals.

24 (c) The term "food unfit for human consumption" shall
25 be construed to include the meat and meat-food products of horses
26 and mules and all meats or meat-food products which are so
27 affected with disease that it would be dangerous to use the meat
28 or other parts for human food; also, all meats or meat-food
29 products which are contaminated, putrid, unsound, unhealthful, or
30 otherwise unfit for food, or which have been derived from any
31 animal which has died as a result of disease or accident, or which
32 was in a dying condition at the time of slaughter.

33 (d) The word "establishment" as used in this article,
34 shall include: (i) any building or structure in which
35 slaughtering, butchering, meat processing, meat canning, meat
36 packing, meat manufacturing or rendering is carried on; and (ii)
37 the ground upon which such building or structure is erected, and
38 so much ground adjacent thereto as is used in carrying on the
39 business of such establishment, including drains, gutters, waste
40 disposal and cesspools used in connection with the establishment.

41 (e) The word "equipment" as used in this article, shall
42 include all machinery, fixtures, containers, vessels, tools,
43 implements and apparatus used in and about an establishment.

44 (f) The word "commissioner" as used in this article,
45 shall mean the Commissioner of Agriculture and Commerce, or his
46 duly authorized deputies.



47 (g) The word "ratite" means a member of a group of
48 large flightless birds including the ostrich, rhea and emu.

49 (h) The words "exotic animal" mean a member of a
50 species of game not indigenous to this state, including axis deer,
51 fallow deer, red deer or other cloven-hooved ruminant animals and
52 ratites.

53 (2) All persons engaged in business as a meat broker,
54 jobber, dealer, distributor, peddler, transporter, or wholesaler
55 of any carcasses of meat animals or poultry or parts or products
56 thereof, whether fresh, frozen, cured or otherwise and whether
57 canned, wrapped, packaged or prepackaged, but not otherwise
58 handled, whether intended for human food or other purposes, or any
59 person engaged in the business as a public warehouseman storing
60 any such items or products shall register with the commissioner on
61 forms provided and shall operate under the applicable inspection
62 authority provided in this article and by the Mississippi Meat
63 Inspection Act of 1968 [Chapter 35 of Title 75], provided persons
64 operating the aforementioned nonslaughter and nonprocessing
65 businesses are exempt from the license and fee specified in
66 Section 75-33-7.

67 (3) The slaughtering by any person of animals and poultry of
68 his own raising, and the processing and transportation by him of
69 animals and poultry products exclusively for use by him and
70 members of his household and his nonpaying guests and employees,
71 shall be exempt from the provisions of this article. Any other



72 operations of an unlicensed, unapproved slaughterhouse and/or
73 processing facility to escape the provisions of this article shall
74 be unlawful, and any person found guilty of such violation shall
75 be punished as provided in Section 75-33-37.

76 (4) The provisions of this article shall not apply to
77 poultry producers with respect to poultry of their own raising on
78 their own farms on the same basis as now provided in the United
79 States Wholesome Poultry Products Act and regulations thereunder,
80 and such exemptions shall be consistent with said act and
81 regulations. However, the adulteration and misbranding provisions
82 of said act, other than the requirement of the inspection legend,
83 shall apply to articles which are exempt from inspection by said
84 act and regulations.

85 (5) The provisions of this article shall not apply to
86 poultry producers who qualify for an exemption from inspection
87 requirements of the Poultry Products Inspection Act and
88 regulations of the U.S. Department of Agriculture.

89 **SECTION 2.** Section 75-33-5, Mississippi Code of 1972, is
90 amended as follows:

91 75-33-5. (1) The commissioner may adopt, amend or repeal
92 rules and regulations for the administration and enforcement of
93 this article.

94 (2) The commissioner shall not promulgate any rules and
95 regulations which are inconsistent with the rules and regulations



96 of the United States Department of Agriculture governing the
97 businesses covered by this article.

98 (3) The commissioner shall not promulgate any rules and
99 regulations for exemptions of poultry producers which are more
100 stringent than federal regulations promulgated under the Poultry
101 Products Inspection Act.

102 (4) Every licensee shall be furnished a copy of such rules
103 and regulations when a license is issued. The commissioner shall
104 prescribe and supply the forms to be used to comply with this
105 article.

106 **SECTION 3.** This act shall take effect and be in force from
107 and after July 1, 2018.

