

TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

Proposed Rule LSA Document #12-431

DIGEST

Adds 410 IAC 7-25 to incorporate by reference 9 CFR 381.10(c) to allow poultry products slaughtered and processed on a farm for the purpose of conducting limited sales on the farm, at a farmer's market, or at a roadside stand and to require that poultry produced be frozen at the point of sale and labeled in compliance with the requirements of 9 CFR 381.10. Effective 30 days after filing with the Publisher.

410 IAC 7-25

SECTION 1. 410 IAC 7-25 IS ADDED TO READ AS FOLLOWS:

Rule 25. On Farm Poultry Processor Exemption

410 IAC 7-25-1 Applicability

Authority: IC 16-42-5-29

Affected: IC 16-42-5-29

Sec. 1. The definitions in this rule apply throughout this rule.

(Indiana State Department of Health; 410 IAC 7-25-1)

410 IAC 7-25-2 "CFR" defined

Authority: IC 16-42-5-29

Affected: IC 16-42-5-29

Sec. 2. "CFR" means the Code of Federal Regulations.

(Indiana State Department of Health; 410 IAC 7-25-2)

410 IAC 7-25-3 "Department" defined

Affected: IC 16-42-5-29

Authority: IC 16-42-5-29

Sec. 3. "Department" means the Indiana state department of health or its authorized representative.

(Indiana State Department of Health; 410 IAC 7-25-3)

410 IAC 7-25-4 "Farm" defined

Authority: IC 16-42-5-29

Affected: IC 16-42-5-29

Sec. 4. “Farm” means agricultural land and buildings including an area of land where crops are grown or animals are reared for commercial purposes, together with appropriate buildings.

(Indiana State Department of Health; 410 IAC 7-25-4)

410 IAC 7-25-5 “Poultry” defined

Authority: IC 16-42-5-29

Affected: IC 16-42-5-29

Sec. 5. “Poultry” means any domesticated bird (chickens, turkeys, ducks, geese, guineas, ratites, or squabs, also termed young pigeons from one to about thirty days of age), whether live or dead.

(Indiana State Department of Health; 410 IAC 7-25-5)

410 IAC 7-25-6 Poultry exemption

Authority: IC 16-42-5-29

Affected: IC 16-42-5-29

Sec. 6. Raw poultry that is raised, slaughtered, and processed on the farm and sold only on the farm, at a farmers’ market or a roadside stand is exempt from all other department regulations pertaining to food provided the farm complies with section 7 of this rule and 9 CFR 381.10(c)*.

***This document is incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana State Department of Health, 2 North Meridian Street, Indianapolis, Indiana 46204.**

(Indiana State Department of Health; 410 IAC 7-25-6)

410 IAC 7-25-7 Frozen raw poultry

Authority: IC 16-42-5-29

Affected: IC 16-42-5-29

Sec. 7. The raw poultry that is exempted by section 6 shall be frozen immediately after processing and remain in this state until sold. It should be kept at 0°F, but shall be below 28°F at all times with the product being rigid and hard to the touch. The raw poultry shall be labeled in compliance with the requirements of 9 CFR 381.10*.

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(Indiana State Department of Health; 410 IAC 7-25-7)