

**House File 2257 - Introduced**

HOUSE FILE 2257

BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO HSB 559)

**A BILL FOR**

1 An Act relating to meat and poultry inspection, by providing  
2 an exception for certain establishments engaged in the  
3 slaughter of poultry and the preparation of poultry products  
4 on a custom basis.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 189A.4, Code 2024, is amended to read as  
2 follows:

3 **189A.4 Exemptions.**

4 1. In order to accomplish the objectives of **this chapter**,  
5 the secretary may exempt the following types of operations from  
6 inspection:

7 ~~1.~~ a. Slaughtering and preparation by any person of  
8 livestock and poultry of the person's own raising exclusively  
9 for use by the person and members of the person's household,  
10 and the person's nonpaying guests and employees.

11 ~~2.~~ b. Any other operations which the secretary may  
12 determine would best be exempted to further the purposes of  
13 this chapter, to the extent such exemptions conform to the  
14 federal Meat Inspection Act and the federal Poultry Products  
15 Inspection Act and the regulations thereunder.

16 2. The secretary may allow a poultry establishment at  
17 which inspection is maintained to engage in custom operations,  
18 and exempt from inspection any poultry slaughtered or any  
19 poultry or poultry products otherwise prepared on such custom  
20 basis, provided that any carcasses, parts thereof, poultry, or  
21 poultry products wherever handled on a custom basis, or any  
22 containers or packages containing such articles, are separated  
23 at all times from carcasses, parts thereof, poultry, or poultry  
24 products prepared for sale, and that all such articles prepared  
25 on a custom basis, or any containers or packages containing  
26 such articles, are plainly marked "Not for Sale" immediately  
27 after being prepared and kept so identified until delivered to  
28 the owner, and that the establishment conducting the custom  
29 operation is maintained and operated in a sanitary manner.

30 EXPLANATION

31 The inclusion of this explanation does not constitute agreement with  
32 the explanation's substance by the members of the general assembly.

33 BACKGROUND. This bill amends Iowa's "Meat and Poultry  
34 Inspection Act" (MPIA) (Code chapter 189A), administered and  
35 enforced by the department of agriculture and land stewardship

1 (DALS) which regulates (licenses and inspects) a business  
2 engaged in the slaughter of livestock or poultry at its  
3 premises (establishment). The Code chapter regulates the  
4 establishment's processing of livestock or poultry carcasses,  
5 and the preparation of meat products or poultry products  
6 derived from those carcasses (articles).

7 STATE AND FEDERAL REGULATORY COOPERATION. DALS exercises  
8 its regulatory authority under the MPIA on an intrastate  
9 basis pursuant to a cooperative agreement with the United  
10 States department of agriculture (USDA), which administers and  
11 enforces two complementary Acts: the federal Meat Inspection  
12 Act as amended by the Wholesome Meat Act (21 U.S.C. ch. 12) and  
13 the federal Poultry Products Inspection Act as amended by the  
14 Wholesome Poultry Products Act (21 U.S.C. ch. 10) (see Code  
15 section 189A.2). In both cases, USDA regulates establishments  
16 engaged in interstate or foreign commerce but may regulate any  
17 establishment if it determines that the state enforcement of  
18 state statutes does not at least equal federal enforcement of  
19 the federal Acts.

20 STATE INSPECTION EXCEPTION FOR CERTAIN ESTABLISHMENTS —  
21 CUSTOM OPERATIONS. The MPIA provides certain exceptions from  
22 state inspection requirements, including for an establishment  
23 that constitutes a custom operation engaged in slaughtering  
24 and preparing livestock or poultry of a person's own raising  
25 exclusively for use by the person and members of the person's  
26 household, and the person's nonpaying guests and employees  
27 (Code section 189A.4).

28 BILL'S PROVISIONS — NEW CUSTOM OPERATION INSPECTION  
29 EXCEPTION FOR STATE-LICENSED POULTRY ESTABLISHMENTS. The  
30 bill adds another inspection exemption that also applies to a  
31 custom operation, and specifically to a state-licensed poultry  
32 establishment. The exemption is subject to certain conditions.  
33 First, the articles, whenever handled, and any containers or  
34 packages holding such articles, must be kept separate from  
35 other areas of the establishment. Second, the containers or

H.F. 2257

1 packages must be marked "Not for Sale". Finally, the entire  
2 establishment must be maintained and operated in a sanitary  
3 manner.