



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2601

Introduced 2/15/2023, by Rep. Adam M. Niemerg

SYNOPSIS AS INTRODUCED:

225 ILCS 650/5.1

Amends the Meat and Poultry Inspection Act. Provides that the Director of Agriculture may exempt from inspection animals slaughtered or any meat or meat food products prepared on a custom basis at a Type I licensee only if the Type I licensee: plainly marks all such articles prepared on a custom basis "NOT FOR SALE" (rather than "NOT FOR SALE-NOT INSPECTED"); provides notification (rather than annual notification) in writing to the Bureau Chief of the Department's Bureau of Meat and Poultry Inspection of the licensee's intent to use the custom operation provision; does not have to receive approval from the Bureau Chief; and provides written notification to the Department of Agriculture's assigned supervisor or inspector of the use of the custom operation provision (rather than providing written notification the next scheduled inspection day after each occurrence).

LRB103 30212 AMQ 56640 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Meat and Poultry Inspection Act is amended
5 by changing Section 5.1 as follows:

6 (225 ILCS 650/5.1)

7 Sec. 5.1. Type I licenses.

8 (a) A Type I establishment licensed under this Act who
9 sells or offers for sale meat, meat product, poultry, and
10 poultry product, except as otherwise provided:

11 (1) shall be permitted to receive meat, meat product,
12 poultry, and poultry product for cutting, processing,
13 preparing, packing, wrapping, chilling, freezing, sharp
14 freezing, or storing, provided it bears an official mark
15 of State of Illinois or of Federal Inspection;

16 (2) shall be permitted to receive live animals and
17 poultry for slaughter, provided all animals and poultry
18 are properly presented for prescribed inspection to a
19 Department employee; and

20 (3) (blank).

21 (b) Before being granted or renewing official inspection,
22 an establishment must develop written sanitation Standard
23 Operating Procedures as required by 8 Ill. Adm. Code 125.141.

1 (c) Before being granted official inspection, an
2 establishment must conduct a hazard analysis and develop and
3 validate an HACCP plan as required by 8 Ill. Adm. Code 125.142.
4 A conditional grant of inspection shall be issued for a period
5 not to exceed 90 days, during which period the establishment
6 must validate its HACCP plan.

7 Any establishment subject to inspection under this Act
8 that believes, or has reason to believe, that an adulterated
9 or misbranded meat or meat food product received by or
10 originating from the establishment has entered into commerce
11 shall promptly notify the Director with regard to the type,
12 amount, origin, and destination of the meat or meat food
13 product.

14 The Director shall require that each Type I establishment
15 subject to inspection under this Act shall, at a minimum:

16 (1) prepare and maintain current procedures for the
17 recall of all meat, poultry, meat food products, and
18 poultry food products with a mark of inspection produced
19 and shipped by the establishment;

20 (2) document each reassessment of the process control
21 plans of the establishment; and

22 (3) upon request, make the procedures and reassessed
23 process control plans available to inspectors appointed by
24 the Director for review and copying.

25 (d) Any establishment licensed under the authority of this
26 Act that receives wild game carcasses shall comply with the

1 following requirements regarding wild game carcasses:

2 (1) Wild game carcasses shall be dressed prior to
3 entering the processing or refrigerated areas of the
4 licensed establishment.

5 (2) Wild game carcasses stored in the refrigerated
6 area of the licensed establishment shall be kept separate
7 and apart from inspected products.

8 (3) A written request shall be made to the Department
9 on an annual basis if a licensed establishment is
10 suspending operations regarding an amenable product due to
11 handling of wild game carcasses.

12 (4) A written procedure for handling wild game shall
13 be approved by the Department.

14 (5) All equipment used that comes in contact with wild
15 game shall be thoroughly cleaned and sanitized prior to
16 use on animal or poultry carcasses.

17 (e) The Director may exempt from inspection animals
18 slaughtered or any meat or meat food products prepared on a
19 custom basis at a Type I licensee only if the Type I licensee
20 complies with all of the following:

21 (1) rules that the Director is hereby authorized to
22 adopt to ensure that (A) any carcasses, parts of
23 carcasses, meat, or meat food products wherever handled on
24 a custom basis, or any containers or packages containing
25 such articles, are separated at all times from carcasses,
26 parts of carcasses, meat, or meat food products prepared

1 for sale; (B) that all such articles prepared on a custom
2 basis, or any containers or packages containing such
3 articles, are plainly marked "NOT FOR SALE" ~~"NOT FOR~~
4 ~~SALE NOT INSPECTED"~~ immediately after being prepared and
5 kept so identified until delivered to the owner; and (C)
6 the establishment conducting the custom operation is
7 maintained and operated in a sanitary manner;

8 (2) providing ~~annual~~ notification in writing to the
9 Bureau Chief of the Department's Bureau of Meat and
10 Poultry Inspection of the licensee's intent to use the
11 custom operation provision. A Type I licensee does not
12 have to receive approval from the Bureau Chief of the
13 Department's Bureau of Meat and Poultry Inspection;

14 (3) providing written notification to the Department's
15 assigned supervisor or inspector of the use of the custom
16 operation provision (slaughtering or receipt of
17 product) ~~the next scheduled inspection day after each~~
18 ~~occurrence;~~

19 (4) keeping all custom exempt animals and product
20 segregated from animals and product designated for
21 slaughter and processing;

22 (5) ensuring that cattle are ambulatory at the time of
23 slaughter and will be documented as so by the owner of the
24 animal;

25 (6) the prohibition on changing the animal status to
26 "intended for custom exemption" after the establishment

1 offers the animal for antemortem inspection;

2 (7) the prohibition on performing custom exempt
3 operations unless there is a complete physical separation
4 of product and processes by time or space and the finished
5 products are separately maintained; and

6 (8) when conducting custom exempt operations requiring
7 any cutting or boning outside the hours of inspected
8 operations, before inspected operations occur, the
9 licensee shall have the employees:

10 (A) change their outer garments;

11 (B) clean and sanitize their hands; and

12 (C) clean and sanitize the facilities and
13 equipment as described in the establishment's
14 sanitation operating procedures.

15 (Source: P.A. 100-863, eff. 8-14-18; 100-1185, eff. 7-1-19.)