

**MEAT, POULTRY AND EGG SAFETY BRANCH
INITIAL STATEMENT OF REASONS**

MEAT INSPECTION

MOBILE CUSTOM LIVESTOCK SLAUGHTER

The California Department of Food and Agriculture (Department) proposes to amend the California Code of Regulations (CCR) Title 3, Division 2, Chapter 4, Subchapter 1, Article 1 (sections 900, 900.1, and 900.3), Article 2 (sections 901, 901.3, 901.4, 901.7, 901.8, and 901.9), Article 3 (sections 902.2, 902.8, 902.9, 902.10, 902.11, and 902.14), Article 4 (section 903.1), Article 5 (section 904.6), Article 8 (section 907), Article 9 (sections 908.5, 908.10, and 908.11), Article 11 (sections 910.4 and 910.11), and Article 14 (section 913); repeal Article 3 (sections 902.1 and 902.15), Article 9 (sections 908.8 and 908.9), and Article 11 (section 910.7); and adopt sections 901.9.1 and 901.9.2 of Article 2, and Article 15 (section 914) to establish fees and make technical and organizational changes to the regulations as specified below.

PROBLEM STATEMENT

The Department's Meat, Poultry and Egg Safety Branch (MPES) Inspection Program (the program) is the responsible regulatory authority for licensing and oversight of Custom Livestock Slaughterhouses that perform the service of slaughter for the owner(s) of live animals sold in California for personal use and consumption of the meat by the owner(s) and other specified individuals of the slaughtered animals. The basis of the proposed regulatory action is to establish licensing and registration fees in conjunction with implementing new standards and requirements for California's Livestock Producers (who must be registered with MPES) and Mobile Slaughter Operators (who must be licensed as a Mobile Slaughter Operation and Livestock Meat Inspector with MPES) pursuant to the new law, Assembly Bill (AB) 888 (Levine) (Chapter 378, Statutes of 2021) Food and Agricultural Code (FAC) sections 19020-19023, which came into effect on January 1, 2022.

There has been a gradual progression to expand and provide direct service and marketing of locally produced meat from livestock. Over time, California consumers have dictated their desire to prioritize animal welfare and food safety when consuming locally produced animal products. Prior to the passing of the new law, FAC sections 19020-19023, food safety, animal welfare, and environmental impact remain at risk due to non-existing regulatory oversight that Mobile Slaughter Operators must follow to prevent direct food contamination and/or adulteration during the custom slaughtering of live animals and transporting the carcasses to a United State Department of Agriculture (USDA)-reviewed custom exempt processing facility.

Additionally, one of the leading challenges before was that livestock producers were restricted from supplying the demand of the consumers interested in locally produced meat from livestock (cattle, sheep, swine, and goats). First and foremost, several livestock producers have not and do not have a consistent and immediate access to a federally inspected licensed establishment to receive USDA slaughter service and inspection; therefore, they would have to endure long hours spent traveling to transport their live animals to the next available USDA licensed establishment to be allowed to sell the resulting meat products from the carcass(es) to the public.

Previously passed AB 2114 (Bigelow) (Chapter 211, Statutes of 2018) allowed Mobile Slaughter Operators to provide custom slaughter service to the beef cattle producers and new owner(s) of the live cattle if all the carcasses of the cattle and any resulting meat cuts are for personal use

and consumption and are to be identified as NOT FOR SALE. The bill only pertained to beef cattle and did not include other livestock specifically sheep, swine, and goats. AB 2114 also limited the slaughter service to no more than five head of cattle on a single premises per calendar month. Although AB 2114 was aimed to partially solve the issue revolving around direct local marketing of locally produced meat from livestock, the benefit of AB 2114 did not extend to local producers and owner(s) of live animals who raise sheep, swine, and goats. It also gave rise to the issue of illegal slaughter activity based on the number limitation.

On January 1, 2022, due to the issues presented above, AB 888, a law pertaining to Mobile Slaughter Operators of livestock animals, came into effect. AB 888 is a new law in California that now allows for multiple livestock purchased from a producer to be slaughtered on the Livestock Producer's premises for the new owners, provided that certain specified conditions are met. These conditions require that the slaughter must be conducted by a MPES Mobile Slaughter Operator, the Mobile Slaughter Operator must be licensed as a Mobile Slaughter Operation and Livestock Meat Inspector (LMI) with MPES and must perform and supervise the custom slaughter activity on the Livestock Producer's premises, and the Livestock Producer and the premises of the slaughter must be registered with MPES. To prevent habitual illegal slaughtering and to be less restrictive, AB 888 removed the monthly limitation of five head of cattle per month and removed the definition of "raise" as 30 days of feed and care prior to slaughter. Under these amended and adopted statutes, carcasses of animals and any resulting meat cuts are still only for personal use and consumption and are to be identified as NOT FOR SALE.

AB 888 amended section 19020 and added sections 19021, 19022, and 19023 of the FAC, which requires the program to set Mobile Slaughter Operation requirements, a license fee, and a renewal fee to cover the program's regulatory oversight and inspection costs. It also requires the program to set a one-time Livestock Producer registration fee. AB 888 also authorizes the program to require Livestock Producers to re-register if they re-locate or if the operation changes ownership, and to make their MPES registered premises available for inspection.

The amendment and adoption of the statutes require the program to take regulatory actions and make necessary amendments so the program can carry out its core mission of providing inspectional oversight to protect food safety, animal welfare, and the environment while promoting the opportunity for livestock producers to market their livestock directly to consumers who are interested in purchasing livestock for their personal use and consumption.

PURPOSE

The regulatory action is intended to make specific the statutory changes and adoption incorporated under AB 888. MPES intends to set minimum requirements that ensure California consumers that on-farm slaughtering of livestock is conducted in a sanitary manner, and they are provided with custom meat product(s) that is safe, wholesome from humanely slaughtered, processed, and transported under clean and sanitary conditions. Promulgating regulations which align with market demands and food safety is determined to be the most effective mechanism to promote direct marketing, service, and food safety of meat products from livestock slaughtered in California for personal use and consumption. This rulemaking action sets fees and establishes licensure and registration while providing an inspectional oversight regime for previously unregulated activities.

To safely expand direct market opportunities for MPES Registered Livestock Producers and allow Mobile Slaughter Operators licensed as a Mobile Slaughter Operation with MPES to conduct multiple slaughter services on the Livestock Producers' premises, MPES is revising its current

regulations to propose effective standards, requirements, and guidelines pertaining to the following:

- Mobile Slaughter Operation Good Manufacturing Practices (GMP).
- MPES licensed Mobile Slaughter Operation's recordkeeping and documentation requirements.
- MPES Registered Livestock Producer's recordkeeping and documentation requirements.
- Local zoning authority (license or permit) to operate at the proposed premises.
- Water Potability Test.
- Provide accessibility to MPES Authorized Personnel to conduct inspection and reinspection.
- Humane handling of animals prior to slaughter.
- Handling and disposition of inedible meat waste as well as condemned and adulterated carcass, viscera, other parts of carcass, or other products.
- Labeling and marking control.
- Mobile custom carcass Identification and traceability requirement.

The proposed regulatory standards, requirements, and guidelines are meant to ensure animals were handled humanely prior to the slaughter as well as to ensure the slaughtering of animals was conducted under sanitary conditions. It is also meant to ensure that carcasses of animals slaughtered by a MPES licensed Mobile Slaughter Operation and any resulting meat cuts were handled, processed, and transported under sanitary conditions. The standards are also significant to enhance animal traceability and transparency to make certain that the source of the meat and resulting meat products can be easily identified. The proposed regulations are also necessary to strengthen food safety, consumer trust, public safety, and to protect the environment.

BENEFITS

Livestock Producers will be able to expand their market to individuals interested in purchasing live animals and having the animals slaughtered for personal use and consumption while consumers of California will be assured that sanitation, humane handling, and procedure requirements associated with slaughter practices are being met when they purchase live animals and have them slaughtered in their absence on an MPES Registered Livestock Producer. MPES Registered Livestock Producers will have consistent standards across the industry for those that have multiple animals slaughtered for multiple owners on their premises and sold to California consumers. This rulemaking action will set clear standards, requirements, registration, and fee structures for those wanting to participate in the market.

SPECIFIC PURPOSE AND RATIONALE FOR EACH SECTION, PER GOVERNMENT CODE 11346.2(b)(1):

Article 1. Meat and Poultry Inspection

Amend Section 900. Definitions.

New subsection 900(b)(3) is adopted to add the term "Animal" to clarify that animals in this subchapter specifically refers to livestock only (cattle, sheep, swine, and goats). This adoption is necessary to avoid ambiguity and to ensure the regulated industry understands the meaning of "Animal" in this subchapter.

New subsection 900(b)(4) is adopted to define the term “Animal share” and to add requirements of a written contract agreement between the end consumer and the Registered Livestock Producer, as defined in FAC section 19021(b)(1) of this subchapter. The written contract agreement is a mutual agreement between the consumer and the Registered Livestock Producer that the consumer has a right to receive a share of meat from the live animal. The written contract agreement must include a bill of sale as proof that there was a change of ownership of the live animal and that the sale transaction between the Registered Livestock Producer and the consumer occurred when the animal(s) was still alive. This adoption is necessary ensure the regulated industry understands the concept and requirements pertaining to “Animal Share”.

New subsection 900(b)(5) is adopted to define the term “Approved cleaning agent” to reflect that only cleaning agents that have been approved for usage in food processing plants by the manufacturer must be used in-leu of potable water to clean a processing facility and equipment Section 902.4 of this subchapter was referenced in this subsection to specify the definition and requirements of “potable water”. This adoption is necessary to ensure the regulated industry understands that he/she must only use cleaning products safe for the food processing environment.

Subsections 900(b)(3) and (4) are renumbered to 900(b)(6) and (7). Additional changes are detailed below.

New subsection 900(b)(8) is adopted to add the term “Bill of sale” to specify the information required to document the sale of livestock and establish clear records. This adoption is necessary to align with FAC section 19023(b).

Subsections 900(b)(5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20) and (21) are renumbered to 900(b)(9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24) and (25). Additional changes are detailed below.

New subsection 900(b)(26) is adopted to define the term “Easily cleanable” to reflect that authorized personnel of operations may only use equipment made of surface materials that allow food and debris to be easily removed, cleaned, and sanitized by using effective cleaning methods as often and as necessary as possible. This means that surfaces of the equipment must be non-porous and impervious to water, moisture, and other fluids to prevent unwanted odors and pathogen growth that may lead to contaminated and adulterated food ingredients and products. This amendment is necessary to clarify to the regulated industry which type of equipment they are allowed to use to prevent food contamination and/or adulteration.

New subsection 900(b)(27) is adopted to define the term “Farm slaughter” to specify the location and the parameters surrounding legal slaughter of livestock for personal use by the owners. This amendment is necessary to communicate the term “Farm Slaughter” refers to the premises of the Registered Livestock Producer of this subchapter.

Subsections 900(b)(22), (23) and (24) are renumbered to 900(b)(28), (29) and (30). Additional changes are detailed below.

New subsection 900(b)(31) is adopted to define the term “Informed end consumer” as the individual who purchased an individual live animal prior to its slaughter. The “Informed end consumer” shall know and be aware of his/her share and the final amount of the resulting meat product or carcass from a shared animal that he/she will receive. He/she has the right to receive his/her share of meat or carcass from the shared animal that was purchased when the animal

was still alive. The meat or the carcass received by the end consumer is for personal use and consumption only, and it is strictly not for sale. This amendment is necessary to clearly define the context of the term “Informed end consumer” in this subchapter.

Subsection 900(b)(25), (26), (27), (28) and (29) are renumbered to 900(b)(32), (33), (34), (35) and (36). Additional changes are detailed below.

Renumbered subsection 900(b)(36) is amended to add the information “unless referring to Livestock (cattle, sheep, swine, and goats) in Mobile Slaughter Operations, pursuant to FAC section 19020(c)(4)(A)” to clarify that the definition of “Livestock” throughout this subchapter is different when referring to livestock associated Mobile Slaughter Operations and the Food and Agricultural Code section 19020(c)(4)(A). The statute of FAC section 19020 was amended to add a new definition of “Livestock” which specifically only refers to cattle, sheep, swine, and goats and does not include fallow deer or equine for pet food. This amendment is necessary to align with FAC sections 19020-19023.

Subsections 900(b)(30), (31), (32) and (33) are renumbered to 900(b)(37), (38), (39) and (40). Additional changes are detailed below.

New subsection 900(b)(41) is adopted to add and define “Mobile Slaughter Operation” as a business, pursuant to Food and Agricultural Code sections 19020-19023, that operates a service of slaughter for multiple livestock purchased from a MPES Registered Livestock Producer for the new owner(s) on the MPES Registered Livestock Producer’s premises. It specifies that a “Mobile Slaughter Operation” is required to operate using trucks, trailers, or other vehicles capable of performing slaughter as well as the use of slaughter equipment and utensils if the service of the slaughter is conducted in a sanitary manner. All carcasses of animals slaughtered by a Mobile Slaughter Operator and any resulting meat cuts are for the owner(s) personal use and consumption only, and it is strictly not for sale. This amendment is necessary to align with FAC sections 19020-19023.

New subsection 900(b)(42) is adopted to add the term “Mobile Slaughter Operator” to specify Mobile Slaughter Operator as the person or persons performing the service of slaughter of multiple animals for multiple owners be licensed with MPES as a Mobile Slaughter Operation and a Livestock Meat Inspector. This amendment is necessary to align with FAC section 19020 and 19022.

Subsections 900(b)(34), (35), (36), (37), (38), (39), (40), (41), (42), (43), (44) and (45) are renumbered to 900(b)(43), (44), (45), (46), (47), (48), (49), (50), (51), (52), (53) and (54). Additional changes are detailed below.

Renumbered subsection 900(b)(54) is amended to remove information from the definition no longer relevant to this subsection. This deletion is necessary to ensure only pertinent and applicable information are included in this subsection.

Subsections 900(b)(46) and (47) are renumbered to 900(b)(55) and (56). Additional changes are detailed below.

New subsection 900(b)(57) is adopted to add the term “Producer” to define the owner of the livestock, prior to its sale and slaughter on their premises. This amendment is necessary to align with FAC section 19020.

Subsections 900(b)(48) and (49) are renumbered to 900(b)(58) and (59). Additional changes are detailed below.

New subsection 900(b)(60) is adopted to add the term “Registered Custom Exempt Operations” to define and specify that custom exempt operations are to register with MPES by submitting the MPES Form 79-001 USDA Exempt Meat and Poultry Establishment Registration and an Inedible Permit to MPES. This adoption is necessary to clearly state the MPES requirements for “Registered Custom Exempt Operations”.

New subsection 900(b)(61) is adopted to add the term “Registered Producer” to specify the producer(s) of livestock that uses the services of a MPES Licensed Mobile Slaughter Operation to slaughter multiple animals for multiple owners on their property be registered with MPES. This adoption is necessary to provide clarity to previously undefined class of registered entities and to align with FAC section 19020.

Subsections 900(b)(50) and (51) are renumbered to 900(b)(62) and (63). Additional changes are detailed below.

New subsection 900(b)(64) is adopted to define the term “Sanitize”. Previously, the term and the definition of “Sanitize” were not added in subsection 900(b) of this subchapter. Additionally, this is to provide the regulated industry with a clear definition of the term “Sanitize” to ensure methods of sanitizing equipment, utensils, refrigeration units as well as structures are effective in preventing product contamination and/or adulteration and are accepted by MPES. This adoption is necessary to align with FAC section 18960, which gives the director the authority to adopt, by regulation, standards and requirements relating to inspection, sanitation, facilities, equipment, reinspection, preparation, processing, buying, selling, transporting, storing, identification, recordkeeping, registration, and labeling, and marking for carrying out the purposes of this chapter.

New subsection 900(b)(65) is adopted to define the term “Slaughter”. Previously, the definition of “Slaughter” was not added in subsection 900(b) of this subchapter. This adoption is necessary to avoid ambiguity to ensure the readers understand the use of “Slaughter” in this subchapter.

Subsections 900(b)(52), (53), (54) and (55) are renumbered to 900(b)(66), (67), (68) and (69). Additional changes are detailed below.

Renumbered subsection 900(b)(69) is amended to replace the term “program employees” to “MPES Authorized Personnel” to specify which California Department of Food and Agriculture program personnel is being referred to in this subchapter. Additionally, the term “insure” is replaced with the term “ensure”. This amendment is necessary for proper use of term in this definition and context.

Section 900, Note section is amended to add FAC section 19020 to the reference cited. Additionally, a comma was removed and re-added, and the word “and” was added due to the addition of FAC section 19020 in the reference cited of the Note Section to maintain proper listing and formatting. This amendment is necessary to ensure all pertinent statutes are referenced in this subchapter.

Amend Section 900.1. Incorporation by Reference.

Subsections 900.1(14), (15), (17) and (18) are removed as these forms are no longer used by MPES and are therefore obsolete. This adoption is necessary to ensure only pertinent information is included in this subchapter.

Subsections 900.1(b)(16), (19), (20), (21), (22), (23) and (24) are renumbered to 900.1(b)(14), (15), (16), (17), (18), (19), and (20). Additional changes are detailed below.

New subsections 900.1(b)(21) and (22) are adopted to add MPES “Registration of Livestock Producer Form 79-021A” and “Application for Mobile Slaughter Operation License Form 79-021B” in this subsection. This adoption is necessary to ensure pertinent forms are included in this subchapter and to align with FAC sections 19020-19023.

New subsections 900.1(b)(23) and (24) are adopted to add “Good Manufacturing Practice (GMP) Guidelines for Meat, Poultry and Egg Safety Branch (MPES) Licensed Mobile Slaughter Operation (Rev. 3/24)” and “SAMPLE- Good Manufacturing Practices (GMP) for Meat, Poultry and Egg Safety Branch (MPES) Licensed Mobile Slaughter Operation (Rev. 3/24)” Guidelines in this subsection. The purpose of the guidelines is to outline the necessary conditions and steps that are crucial to boost good manufacturing practices. This will prevent food safety risks associated with custom slaughter activities conducted on the Livestock Producer’s premises. This adoption is necessary to ensure MPES licensed Mobile Slaughter Operations have available guidelines from MPES that will facilitate the operation to comply with the requirements pertaining to food safety, animal welfare, and environmental protection.

Section 900.1, Note section is amended to add FAC section 19020 to the reference cited. Additionally, a comma was removed and re-added, and the word “and” was added due to the addition of FAC section 19020 in the reference cited of the Note Section to maintain proper listing and formatting. This amendment is necessary to ensure all pertinent statutes are referenced in this subchapter.

Amend Section 900.3. Scope of Inspection.

Subsection 900.3(b) is amended to include a reference to the Food and Agricultural Code section 19020 relating to Mobile Slaughter Operation of livestock. This amendment is necessary to clarify that Mobile Slaughter Operation is exempt from US Department of Agriculture federal inspection (pursuant to FAC section 19020); however, the operation still needs MPES state inspection to operate. This amendment is necessary to align with FAC section 19020.

New subsection 900.3(b)(4) is adopted to specify that the Mobile Slaughter Operator who provides the service of slaughter for multiple livestock (cattle, sheep, swine, and/or goats) on the producer’s premises for the new owners is required to be licensed by MPES as a Mobile Slaughter Operation. The information about the use of the carcass, parts thereof, and meat and meat food products of such cattle, sheep, swine, and goats is necessary to provide a clear statement that all custom carcasses and any resulting meat cuts from the slaughtered animals are strictly for personal use and consumption only and not for sale. This amendment is necessary to align with FAC sections 19020-19023.

New subsection 900.3(b)(4)(A) is adopted to specify the articles, sections, and subsections of this subchapter that Mobile Slaughter Operators licensed as a Mobile Slaughter Operation with MPES are exempted from. This addition is necessary to clearly list which regulations Mobile Slaughter Operators are not subjected to in this subchapter and to provide clarity surrounding their roles and responsibilities as a newly regulated operation.

Section 900.3, Note section is amended to add “Chapter 4.1 (commencing with section 19020)” in the authority cited of the note section to specify the Food and Agricultural Code sections that give MPES the authority to regulate Custom Mobile Slaughter and add a comma to maintain grammar. This amendment is necessary to ensure all pertinent statutes are included and referenced.

Article 2. Supplemental Requirements, Licensing and Inspection

Amend Section 901. Authority of Livestock Meat Inspectors, Processing Inspectors, and Persons Responsible for Operation of Custom Livestock Slaughterhouses and Meat Processing Establishments.

Section 901 is amended to include “Mobile Slaughter Operators” in the section title to indicate that Mobile Slaughter Operators, pursuant to Food and Agricultural Code sections 19020-19023, who operates a service of slaughter for multiple livestock purchased from a Registered Livestock Producer for the new owner(s) on the Registered Livestock Producer’s premises must be licensed by MPES. This amendment is necessary to ensure all types of meat processing and custom livestock slaughter operations including Mobile Slaughter Operations that are exempted from federal inspection by the US Department of Agriculture but are under the jurisdiction of MPES are incorporated to section 901. This amendment is necessary to align with FAC sections 19020-19023.

Subsections 901(a) and (b) are amended to include “Mobile Slaughter Operator” to the list that must operate in accordance with the requirements of the subchapter 1 of Chapter 4 of the CCR. This amendment is necessary to ensure all types of meat processing and custom livestock slaughter operations that are exempted from federal inspection by the US Department of Agriculture but falls under the jurisdiction of MPES are incorporated in section 901 and to align with FAC sections 19020-19023.

Section 901, Note section is amended to add FAC sections 19020-19023 to the reference cited. Additionally, a comma was removed and re-added, and the word “and” was added due to the addition of FAC sections 19020-19023 in the reference cited of the Note Section to maintain proper listing and formatting. This amendment is necessary to ensure all pertinent statutes are referenced in this subchapter.

Section 901.1 – no changes are proposed at this time but is included for context.

Section 901.2 – no changes are proposed at this time but is included for context.

Amend Section 901.3. Licenses.

Subsection 901.3(a) is amended to add FAC sections 19021 and 19022 to the FAC sections that authorize the program to require the Mobile Slaughter Operator to submit a Livestock Meat Inspector License Application and fees to MPES for licensure and renewal. This amendment is necessary to align with FAC sections 19021 and 19022.

New subsection 901.3(g)(1)(A) through (Q) is adopted to add license requirements for Mobile Slaughter Operators who want to operate a Mobile Slaughter Operation and specify what information should be provided to MPES upon application and to require the applicant to report and notify any changes in the information provided to MPES within 15 days of the change to

ensure that MPES have the most current and accurate information of the applicant. The adoption is necessary so that MPES can establish a specific fee of five hundred dollars (\$500) for Mobile Slaughter Operation license and renewal. The statute is silent as to specific amounts and aligns with what other facilities in the same space are paying. The fee will be used to cover costs pertaining to issuing a license, performing inspections, investigations, and audits, as well as other enforcement activity related to the custom Mobile Slaughter Operations. FAC section 19021 authorizes and orders MPES to establish a license fee and a renewal fee to cover costs associated with oversight and inspection of Mobile Slaughter Operations.

New subsections 901.3 (h)(1), (2), (3) and (4) are adopted to add license requirements for Mobile Slaughter Operations. This adoption is necessary to outline details of licensure, including renewal, revocation, suspension, or modification and sets requirements for operation identification.

Previous subsection 901.3(g) is renumbered to subsection 901.3(i). This amendment is necessary to maintain consistent numbering throughout the text and added “Mobile Slaughter Operation” wherever it is applicable in the paragraph of this subsection to maintain consistent policy surrounding changes of ownership or location of an operation licensed by MPES.

Section 901.3, Note section is amended to include an authority cited and reference cited. The additional authority cited is FAC section 9562 and the additional reference cited are FAC sections 19021 and 19022. This amendment is necessary to ensure all pertinent statutes are referenced.

Amend Section 901.4. Examinations.

New subsections 901.4(a)(1)(H) and (I) are adopted to add the subject of “Humane handling and slaughter of animals” and “Livestock Slaughter Department Regulatory Requirements” to the list of required training and examination for persons who desire to become licensed pursuant to Chapter 4.1 (commencing with section 18940) of Part 3, Division 9, of the Food and Agricultural Code. This adoption is necessary to ensure that the individual(s) who desire to become licensed pursuant to Chapter 4.1 (commencing with section 18940) of Part 3, Division 9, of the Food and Agricultural Code is competent and knowledgeable about the standards and regulations revolving around humane handling and slaughter of animals prior to exercising their duties and authority to supervise custom slaughter activity.

Section 901.4, Note section is amended to add FAC section 19022 to the reference cited. Furthermore, the word “and” was remove and then re-added and additional commas were also added. This amendment is necessary to ensure all pertinent statutes are referenced and to maintain grammatical consistency.

Section 901.5 – no changes are proposed at this time but the section is included for context.

Section 901.6 – no changes are proposed at this time but the section is included for context.

Amend Section 901.7. Presence of Inspector on Premises.

New subsection 901.7(b) is adopted to clarify that a MPES licensed Livestock Meat Inspector of the Mobile Slaughter Operation must perform the duty ante-mortem inspection for each custom livestock, must supervise sanitary dressing procedures, as well as perform the duty of post-mortem inspection for each carcass and corresponding parts of each carcass on the premises of

the MPES Registered Livestock Producer. This adoption is necessary to align with FAC section 18980 as well as sections 19021, 19022, and 19023.

Subsection 901.7(b) is re-lettered to 901.7(c).

Section 901.7, Note section is amended to incorporate additional FAC sections to the authority cited and reference cited. The additional authority cited is FAC section 18980 and the additional reference cited is FAC section 19021, 19022, and 19023. Furthermore, the word “and” was remove and then re-added and additional commas were also added. This amendment is necessary to ensure all pertinent statutes are referenced and to maintain grammatical consistency.

Amend Section 901.8. Inspector Responsibilities.

Subsection 901.8(c) is removed as the specified forms in this subsection are no longer implemented by MPES and are therefore obsolete. This adoption is necessary to ensure only pertinent forms are included in this subchapter.

Subsection 901.8(d) has been changed to 901.8(c). Additional changes are detailed below.

Subsection 901.8(c) is amended to replace the term “program employees” to “MPES Authorized Personnel”. This amendment is necessary to specify which CA Dept of Food and Agriculture program personnel is being referred to in this subchapter.

Subsection 901.8(d)(e), (f), (g) and (h) has been changed to 901.8(c), (d), (e), (f) and (g). Additional changes are detailed below.

Section 901.9 is amended to include “Mobile Slaughter Operation” and “Livestock Producer” in the section title to require Mobile Slaughter Operations and Livestock Producer to meet licensing and registration requirements of MPES. Assembly Bill 888 amended section 19020 and added sections 19021, 19022, and 19023 of the FAC, which requires MPES to specify Mobile Slaughter Operation licensing and Livestock Producer registration requirements. This adoption is necessary to align with FAC sections 19020-19023.

Adopt section 901.9.1 Livestock Producer.

New section 901.9.1 is adopted to provide a title to the subsection and to stipulate the requirements listed under subsection 901.9.2(a)(b)(c)(d)(e) and (f) are strictly for Livestock Producer defined in FAC section 19020. Assembly Bill 888 amended section 19020 and added sections 19021, 19022, and 19023 of the FAC, which requires MPES to specify Livestock Producer registration requirements. This adoption is necessary to align with FAC sections 19020-19023.

New subsection 901.9.1(a) is adopted to stipulate that each Livestock Producer defined in FAC section 19020, prior to being registered by MPES, must submit a water potability lab test provided by either the California Department of Health Services (DHCS), from an agency or laboratory approved by DHCS, or laboratory of the Department to verify that the water source being used during the custom slaughter activity on the Livestock Producer’s premises is potable and safe for human food. The adoption of this subsection is necessary to ensure contaminated water is not used for production and sanitation processes to prevent direct product contamination and

adulteration. The adoption of this subsection is also necessary to align with FAC section 19020(H).

New subsection 901.9.1(b) is adopted to stipulate the mandatory requirements that each Livestock Producer defined in FAC section 19020, prior to being registered by MPES, must provide to MPES a written acknowledgement, such as a use of permit, from the local zoning authority that demonstrates the zoning authority is aware and allows the activity of custom livestock slaughter conducted by a MPES licensed Mobile Slaughter Operation on the producer's premises. The adoption of this subsection ensures that the use of the premises is in accordance with applicable local environmental and land use laws and policies. This adoption is necessary to align with FAC section 19020(3).

New subsection 901.9.1(c) is adopted to stipulate the mandatory requirements that each Registered Livestock Producer defined in FAC section 19020, prior to being registered by MPES, must provide a plot plan, drawn to scale, illustrating the structures and features of the Livestock Producer's premises, the cardinal points of the compass as well as the locations of wells, septic tanks, and lagoons, if available, to inform MPES and to specify where the limits and boundaries of the Registered Livestock Producer's premises are.

New subsection 901.9.1(d) is adopted to allow MPES to require each Registered Livestock Producer to have sufficient and acceptable grounds and pest control program in accordance with the requirements under section 902.4 of this subchapter. This addition is necessary to prevent the harborage and breeding of pests on the producer's delineated premises that can contaminate custom carcasses, surfaces, equipment, and tools and spread pathogens that can cause food borne illnesses.

New subsection 901.9.1(e) is adopted to allow MPES to conduct inspections on the delineated premises of each MPES Registered Livestock Producer to verify that the condition of the Livestock Producer's premises is acceptable for the Mobile Slaughter Operation to conduct custom slaughter activity. This requirement allows MPES to observe deficiencies pertaining to sewer (if applicable), water, sites, grounds, and pest control that must be corrected by the Livestock Producer as well as to observe humane handling of animals and slaughter activities conducted by the Mobile Slaughter Operation. This adoption is necessary to align with FAC section 19020 to ensure that the Livestock Producer and their premises are in accordance with MPES requirements.

New subsection 901.9.1(f) is adopted to specify and clarify the limits of the Registered Livestock Producer's premises that will be under MPES inspection. This adoption is necessary to ensure the regulated industry understands the limits of MPES inspection on the Registered Livestock Producer's premises originating from the plot plan submitted to the Department before slaughter activities defined in FAC section 19020 are conducted.

New subsection 901.9.1(g) is adopted to specify and clarify to the regulated industry that MPES Authorized Personnel will be conducting inspections on the Registered Livestock Producer's delineated premises specified on the submitted plot plan that will cover the Department requirements for sewer (if applicable), water, sites, grounds, and pest control. This adoption is necessary to align with the requirement specified in FAC 19020-19023.

Adopt section 901.9.2 Mobile Slaughter Operator.

New section 901.9.2 is adopted to provide a title to the subsection and to stipulate that the requirements listed under subsection 901.9.3(a)(b)(c)(d)(e)(f)(g) are strictly for Mobile Slaughter Operators. Assembly Bill 888 amended section 19020 and added sections 19021, 19022, and 19023 of the FAC, which requires MPES to specify Mobile Slaughter Operator requirements.

New subsection 901.9.2(a) is adopted to stipulate that a Mobile Slaughter Operator who desires to conduct slaughter for multiple livestock from a producer to be slaughtered on the livestock producer's premises for the new owners shall be licensed as a Mobile Slaughter Operation with MPES. The license and inspection requirements are necessary for custom Mobile Slaughter Operator oversight and inspection in California to ensure that the operations are operating under clean and sanitary conditions. The adoption of this subsection is necessary to align with FAC section 19020-19023.

New subsection 901.9.2(b) is adopted to stipulate that the Mobile Slaughter Operator of the Mobile Slaughter Operation must also obtain a license with MPES to become a MPES licensed Livestock Meat Inspector and meet the requirement of annual maintenance training provided by MPES. The adoption of this subsection is necessary to align with FAC section 19020(c)(1)(F).

New subsection 901.9.2(c) is adopted to stipulate that the equipment utilized by the Mobile Slaughter Operations must meet the requirements listed in the newly adopted subsections 901.9.3(c)(1)(A), (B), (C), (D), (E), and (F). Additional requirements are detailed below.

New subsection 901.9.2(c)(1) is adopted to allow the Area Supervisor to require Mobile Slaughter Operations to provide conditions that will ensure effective inspection and proper procedures pertaining to maintenance of sanitary condition of the vehicle and other equipment, condemnation as well as disposition of diseased animals, carcasses, and parts during the event of the custom slaughter activity that includes ante-mortem, post-mortem, pre-operational, operational, and transportation of the carcass(es) for the new owner(s) to MPES registered custom exempt facility for further processing (if applicable). The adoption of this subsection is necessary to prevent possible adulteration and contamination of custom meat products. MPES anticipates that this requirement will increase the production of safe and wholesome custom meat products, will protect public health, and uphold food safety practices.

New subsection 901.9.2(c)(1)(A) is adopted to stipulate that during the ante-mortem inspection, performed by a Mobile Slaughter Operator (Livestock Meat Inspector), the operation must utilize equipment such as pens and other equipment that will assist the operation to distinguish and separate livestock that were marked as "California Suspect" defined in newly renumbered section 900(15) or "California Condemned" defined in newly renumbered section 900(10) from "California Inspected and Passed Livestock" defined in newly renumbered 900(12). The adoption of this subsection is necessary because MPES anticipates that this requirement will increase the production of safe and wholesome custom meat products, will protect public health, and uphold food safety practices.

New subsection 901.9.2(c)(1)(B) is adopted to require the operation to have natural or artificial lighting or a combination of the two to perform inspection effectively throughout the custom slaughter activity. Having adequate lighting throughout the custom slaughter activity ensures Mobile Slaughter Operators (Livestock Meat Inspector) and other personnel can observe failures, deficiencies, adulteration as well as contamination that must be addressed and corrected. In addition, these lighting requirements prevent accidents and injuries that may occur involving the operator, inspector, the producer, livestock, and anyone involved during the custom slaughter activity. The adoption of this subsection is necessary to increase the efficiency of the inspection

as well as to protect the safety of the individuals mentioned above in this paragraph, the livestock, and the custom meat products.

New subsection 901.9.2(c)(1)(C) is adopted to require the Mobile Slaughter Operations to have suitable devices that can be utilized during post-mortem examination to present the head, tongue, tail, thymus gland, and viscera of the livestock for inspection to ensure the organs are safe and wholesome to be used in the preparation of meat food products. The device utilized must be easily cleaned and sanitized after each use and allow for adequate space, both in size and height, for effective and accurate inspection during post-mortem. The adoption of this subsection is necessary to ensure custom meat and meat-by product to be used for personal use and consumption are unadulterated and wholesome.

New subsection 901.9.2(c)(1)(D) is adopted to require Mobile Slaughter Operations to utilize equipment and receptacles that will allow sanitary handling and storage of viscera of custom slaughtered livestock as well as transportation of carcasses to an MPES registered custom exempt operation for further processing (if applicable). The adoption of this subsection is necessary to prevent any unsanitary condition that would affect the custom meat and by-products as well as the environment from inedible meat, meat by-product, and offal waste products.

New subsection 901.9.2(c)(1)(E) is adopted to require the Mobile Slaughter Operations to only use sanitizing agents accepted by MPES that are safe and effective in killing and preventing the growth of microorganisms and pathogens that may be present on food equipment, utensils, and tools. The adoption of this subsection is necessary to ensure only properly sanitized equipment, tools, and utensils are utilized during the mobile custom slaughter activity.

New subsection 901.9.2(c)(1)(F) is adopted require Mobile Slaughter Operations to utilize adequate equipment and denaturing agents for the disposal of animal condemned articles. The equipment such as a designated container must be able to properly store and handle condemned animal articles. The operation must also have an acceptable denaturing agent used to mark and denature the meat product and by-product which has been examined and determined to be adulterated and condemned. The adoption of this subsection is necessary to prevent adulterated and condemned meat from entering the human food supply chain as well as to ensure the animal condemned articles are properly handled and stored before it is disposed via an approved disposal method by the Department.

New subsection 901.9.2(d) is adopted to require the procedures and conditions listed in the newly adopted sections 901.9.3(d)(1)(2)(3)(4)(5) that shall be in practice when the Mobile Slaughter Operator is transporting and disposing edible and inedible materials. **Additional requirements are detailed below.**

New subsection 901.9.2(d)(1) is adopted to stipulate that when a Mobile Slaughter Operation is transporting carcass(es) to a MPES registered custom exempt operation for the new owner(s), the carcass(es) must be placed in a container capable of protecting the carcass(es) from undesirable environmental influence to prevent adulteration of custom carcass(es) and meat. The containers being used must be leakproof to prevent any liquid, dust, dirt, and other airborne particles from contaminating carcass(es) during transportation. It is also a requirement that each carcass is properly identified and tagged pursuant to FAC section 19023. The adoption of this subsection is necessary to ensure custom meat and meat-by product to be used for personal use and consumption are properly identified with the owners' information and are unadulterated.

New subsection 901.9.2(d)(2) is adopted to clarify that the meat by-products from the custom carcass may be transported by a Mobile Slaughter Operation if performed under clean and sanitary conditions. The adoption of this subsection is necessary to prevent direct product cross-contamination and to protect the environment from inedible meat, meat by-product, and offal waste products.

New subsection 901.9.2(d)(3) is adopted to clarify that the meat inedible offal from the custom carcass may be transported by a Mobile Slaughter Operation to an MPES registered custom exempt facility if performed under clean and sanitary conditions. The adoption of this subsection is necessary to prevent direct product cross-contamination and to protect the environment from inedible meat, meat by-product, and offal waste products.

New subsection 901.9.2(d)(4) is adopted to allow Mobile Slaughter Operations to properly dispose of all inedible waste from the custom slaughtered livestock as defined in FAC section 19020(c)(4)(A) on the livestock producer's premises or via an approved disposal method by local jurisdiction. The adoption of this subsection is necessary to prevent the adulterated and condemned meat from entering the human food supply chain and to protect the environment from inedible meat, meat by-product, and offal waste products.

New subsection 901.9.2(d)(5) is adopted to emphasize that a designated California Suspect animal must not be slaughtered without receiving a physical examination by a MPES authorized personnel to verify that the animal is affected with a disease or condition which may require its condemnation. If a MPES authorized personnel declares that the animal is to be condemned, the animal's carcass, in whole or in parts, must be segregated and undergo another examination conducted by a MPES authorized personnel to verify the disposal of the carcass. The adoption of this subsection is necessary to prevent adulterated and condemned meat from entering the human food supply chain and to protect the environment from inedible meat, meat by-product, and offal waste products.

New subsection 901.9.2(e) is adopted to allow MPES to conduct a pre-inspection for each Mobile Slaughter Operation prior to being licensed with MPES to verify that their vehicle, equipment, tools, utensils, and procedures are safe to operate a custom mobile slaughter operation. The adoption of this subsection is necessary because it allows MPES to observe and detect any deficiencies that must be corrected by the operator prior to being licensed with MPES.

Additionally, the Mobile Slaughter Operation is required to make their operation and procedures available for periodic inspection conducted by any MPES authorized personnel once licensed. The adoption of this subsection is necessary to align with Assembly Bill 888, which requires MPES to implement an inspection program for Mobile Slaughter Operations and to examine that they are operating under clean and sanitary conditions.

New subsection 901.9.2(f) is adopted to allow MPES to require MPES Registered Livestock Producer to ensure the premises have acceptable grounds and pest control to prior to conducting custom mobile slaughter activity on the Livestock Producer's premises. This adoption is necessary to ensure that a safe and sanitary environment is available to safely conduct custom mobile slaughter activity to prevent food contamination and/or adulteration.

New subsection 901.9.2(g)(1) is adopted to allow MPES to require a written Good Manufacturing Practices for each Mobile Slaughter Operation to ensure that each operation is meeting custom mobile slaughter regulatory requirements pertaining to humane handling, humane slaughter, sanitary carcass dressing, ante- and post-mortem inspections, and sanitary carcass

transportation. This addition is necessary to prevent food safety, public health, and environmental risks associated with custom mobile slaughter activities.

New subsection 901.9.2(g)(2) is adopted to clarify that MPES will be maintaining and assessing the Good Manufacturing Practices Guidelines that it will provide to the industry on an annual basis to ensure that the guidelines have applicable, reliable, and accurate information. This addition is necessary to ensure only pertinent information are included in the guidelines.

Sections 901.10 and 901.11 – no changes are proposed at this time but are included for context.

Article 3. Facilities for Inspection and Sanitation

Section 902 - no changes are proposed at this time but is included for context.

Amend Section 902.1. Facilities for Inspection- Program Employees.

Section 902.1 is repealed because this section is no longer relevant to this subchapter. This deletion is necessary to ensure only pertinent and applicable information are included in this subchapter.

Amend Section 902.2. Other Facilities and Conditions Provided by Official Establishments.

Subsection 902.2(8) is amended to replace the term “program employees” to “MPES Authorized Personnel” throughout the paragraph. This amendment is necessary to specify which California Department of Food and Agriculture program personnel is being referred to in this subchapter.

Section 902.3 - no changes are proposed at this time but is included for context.

Section 902.4 - no changes are proposed at this time but is included for context.

Section 902.5 - no changes are proposed at this time but is included for context.

Section 902.6 - no changes are proposed at this time but is included for context.

Section 902.7 - no changes are proposed at this time but is included for context.

Amend Section 902.8. Tagging Insanitary Equipment, Utensils, Rooms, or Compartments.

Section 902.8 is amended to replace the term “program employees” to “MPES Authorized Personnel” throughout the section. This amendment is necessary to specify which CA Dept of Food and Agriculture program personnel is being referred to in this subchapter.

Amend Sections 902.9 Development of Sanitation Standard Operating Procedures (SSOPs), 902.10 Implementation of Sanitation SOP’s, 902.11 Maintenance of Sanitation SOP’s, and 902.14 Department Verification.

Section 902.9 through section 902.11 and 902.14 are amended to remove the term “Sanitation” and apostrophe from “Sanitation SOP’s” and to add “S” in front of the acronyms. This amendment is necessary to ensure “Sanitation Standard Operating Procedures” is consistently abbreviated as “SSOP” in the amended sections stated above.

Section 902.12 - no changes are proposed at this time but is included for context.

Section 902.13 - no changes are proposed at this time but is included for context.

Repeal Section 902.15. Plant Improvement Program.

Section 902.15 is repealed because this section is no longer relevant to this subchapter. This deletion is necessary to ensure only pertinent and applicable information are included in this subchapter.

Article 4. Ante-Mortem Inspection

Section 903 - no changes are proposed at this time but is included for context.

Amend Section 903.1. Livestock Suspected of Being Diseased or Affected with Certain Conditions; Identifying Suspects; Disposition on Post-Mortem Inspection or Otherwise.

Subsection 903.1(c) is amended to include “Mobile Slaughter Operation” to the list of operations that must not slaughter nonambulatory livestock. This amendment is necessary to ensure that Mobile Slaughter Operations are held to the same standards as a Custom Livestock Slaughterhouse when it comes to humane handling and slaughter of livestock.

Subsection 903.1(d) is adopted to ensure that both Custom Livestock Slaughterhouse must not slaughter nonambulatory livestock except livestock that were injured during the slaughter activity. This amendment is necessary to ensure that Mobile Slaughter Operations and Custom Livestock Slaughterhouse are held to the same standards when it comes to humane handling and slaughter of livestock.

Section 903.1, Note section is amended to add FAC section 19020 to the reference. Furthermore, a comma was removed and re-added, and the word “and” was also added. This amendment is necessary to ensure all pertinent statutes are referenced and to maintain grammatical consistency in this subchapter.

Sections 903.2 – 903.17 - no changes are proposed at this time but are included for context.

Article 5. Post-Mortem Inspection

Sections 904 – 904.5 - no changes are proposed at this time but are included for context.

Amend Section 904.6. Passing and Marking of Carcasses and Parts.

Section 904.6 is amended to replace the term “program employees” to “MPES Authorized Personnel” throughout the section. This amendment is necessary to specify which CA Dept of Food and Agriculture program personnel is being referred to in this subchapter.

Sections 904.7 – 904.20 - no changes are proposed at this time but are included for context.

Articles 6 and 7 – no changes are proposed at this time but are included for context.

Article 8. Handling and Disposal of Condemned or Other Inedible Products at Official Establishments

Amend Section 907. Disposition of Condemned Products at Official Establishments.

Subsection 907(a) is amended to state that the requirements stated in this subsection are not applicable to Mobile Slaughter Operations. This amendment is necessary to clarify that the requirements stated in this subsection only apply to Official Establishments licensed and inspected by MPES.

New subsection 907(c) is adopted to stipulate that condemned products identified by a Mobile Slaughter Operator during a mobile custom slaughter activity must be properly disposed of in accordance with Federal, State, and Local laws and regulations. This adoption is necessary to ensure that Mobile Slaughter Operators are following all pertinent laws about the proper disposition of condemned animal waste and products to protect the safety of the environment and to align with FAC section 19020(c)(3).

Section 907, Note section is amended to add FAC section 19020 to the reference. Furthermore, a comma was removed and re-added, and the word “and” was also added. This amendment is necessary to ensure all pertinent statutes are referenced and to maintain grammatical consistency in this subchapter.

Sections 907.1 — 907.4 - no changes are proposed at this time but are included for context.

Article 9. Marking Products and Containers

Sections 908—908.4 - no changes are proposed at this time but are included for context.

Amend Section 908.5. Products Marked with Official Marks.

Subsection 908.5(a) is amended to stipulate that Mobile Slaughter Operations are required to use the approved California identification number “NOT FOR SALE C-38¹” for custom processed carcasses and parts passed for human food. Additionally, the term “tagged” has been added to this subsection to provide another marking and identification options as stamping is the only choice allowed to meet the requirements of this subsection currently. This amendment is necessary to ensure both operations (Mobile Slaughter Operations and Custom Livestock Slaughter Establishment) are held to the same standards when it comes to marking and identifying custom carcasses and parts passed for human food for traceability and to provide different options for the operations to meet the marking and identification requirements of this subsection.

Section 908.5, footnote¹ is amended to include Mobile Slaughter Operations in the footnote. The footnote’s purpose in this subsection is to specify that the number “38” given in this section is an example only. This amendment is necessary to inform Mobile Slaughter Operations that the assigned license establishment number must be used in lieu of the number “38”.

Sections 908.6—908.7 - no changes are proposed at this time but are included for context.

Repeal Section 908.8. Marking of Outside Containers.

Section 908.8 is repealed because this section is no longer relevant to this subchapter. This deletion is necessary to ensure only pertinent and applicable information are included in this subchapter.

Repeal Section 908.9. Marking Outside Containers of Inedible Grease, Inedible Tallow, or Other Inedible Animal Fat or Mixtures.

Section 908.9 is repealed because this section is no longer relevant to this subchapter. This deletion is necessary to ensure only pertinent and applicable information are included in this subchapter.

Section 908.10—no changes are proposed at this time but are included for context.

Section 908.11 is amended to add “or in transit by a Mobile Slaughter Operation” to ensure custom slaughtered carcasses are accompanied by identification, attached to the carcass or to the device or container holding the carcasses, that lists the owner of the carcass and the date on which it was slaughtered. This addition is necessary to ensure Custom Livestock Slaughter Establishments and Mobile Slaughter Operations are held to the same standards when it comes to marking and identifying custom carcasses passed for human food for traceability.

Article 10 – no changes are proposed at this time but are included for context.

Article 11. Entry into Official Establishments; Reinspection and Preparation of Products

Section 910—910.3 - no changes are proposed at this time but are included for context.

Amend Section 910.4. Product Procedures and Requirements.

Subsection 910.4(l) is stricken because this section is no longer relevant to this subchapter. This deletion is necessary to ensure only pertinent and applicable information are included in this subchapter.

Subsection 910.4(m) has been changed to subsection 910.4(l).

Sections 910.5 and 910.6 - no changes are proposed at this time but are included for context.

Repeal Section 910.7. Prescribed Treatment of Pork and Pork Products to Destroy Trichinae.

Section 910.7 is stricken because this section is no longer relevant to this subchapter. This deletion is necessary to ensure only pertinent and applicable information are included in this subchapter.

Sections 910.8, 910.9 and 910.10 - no changes are proposed at this time but is included for context.

Amend Section 910.11. Requirements for the Production of Cooked Beef, Roast Beef, and Cooked Corned Beef Products.

Subsection 910.11(g) is amended to replace “duly authorized representative of the department” to “MPES Authorized Personnel”. This amendment is necessary to specify which CA Dept of Food and Agriculture program personnel is being referred to in this subchapter.

Section 910.12 – 910.18 - no changes are proposed at this time but are included for context.

Articles 12 and 13 - no changes are proposed at this time but are included for context.

Article 14. Records and Reports.

Section 913. Custom Livestock Slaughter Reports.

Section 913 is amended to add subsection 913(b)(1) through (8). This amendment is necessary to stipulate the documentation and recordkeeping requirements that each MPES Licensed Mobile Slaughter Operation must complete and maintain. This amendment is also necessary to align with FAC sections 19020 and 19023.

Section 913 is amended to add subsection 913(c) to stipulate that each MPES Licensed Mobile Slaughter Operation shall submit the completed MPES Form Monthly Summary Livestock Slaughtered and Inspected to the operation's assigned MPES inspector or to the Department by the tenth of each month. This amendment is necessary to align with FAC sections 19020 and 19023.

Section 913, Note section is amended to add FAC sections 19020 and 19023(a) to the reference cited. Additionally, a comma was removed and re-added, and the word "and" was added due to the addition of FAC section 19020 in the reference cited of the Note Section to maintain proper listing and formatting. These amendments are necessary to ensure all pertinent statutes are referenced in this subchapter.

Section 913.1 - no changes are proposed at this time but is included for context.

Adopt Article 15. Licenses Registration

Section 914. Livestock Producer Registration.

New subsections 914(a)(1) through (11) are adopted to add registration requirements for Livestock Producers serviced by Mobile Slaughter Operators and to list and specify what information should be provided to the program upon registration. Registration of Livestock Producers will enhance traceability efforts, progressing both food safety and animal disease surveillance efforts within the Program. Mobile Slaughter Operators that will be conducting the custom slaughter activity on the Registered Livestock Producer's premises must be licensed with MPES as a Mobile Slaughter Operation to provide the service of custom slaughter for animals that were previously owned by the Livestock Producer and are now owned by non-present informed end consumers. This adoption is necessary to align with FAC sections 19020-19023.

New subsection 914(b) is adopted to specify that once MPES has evaluated and accepted the requested mandatory requirements specified in the newly adopted subsections 901.9.2(a)(b)(c), MPES will notify the Livestock Producer applicant that the requirements have been accepted, and the Livestock Producer has been registered. Once accepted, the Registration of Livestock Producer Form submitted by the applicant will be signed and dated by the MPES Branch Authority, and a signed approved registration copy will be provided to the Livestock Producer. This adoption is necessary to align with FAC sections 19020-19023.

New subsection 914(c) is adopted to require a MPES Livestock Producer registrant to report and notify any changes in the information provided to MPES within 15 days of the change to

ensure that MPES has the most current and accurate information of the applicant. This adoption is necessary to align with FAC sections 19020-19023.

New subsection 914(d) is adopted to set a one-time registration fee for Livestock Producers. The adoption is necessary so that the program can establish a specific fee of one hundred dollars (\$100) for Livestock Producer registration. The fee will be used to cover costs pertaining to filing a registration, reviewing associated documentation, inspection, possible investigation, audits as well as other enforcement activity related to Livestock Producers. FAC section 19021(b) authorizes and orders the program to establish a registration fee to cover costs associated with oversight and inspection. This also aligns MPES standards and requirements for previously related but regulated activities and holds all persons in the business of slaughtering animals to the same standards. This adoption is necessary to align with FAC sections 19020-19023.

New subsection 914(e) is adopted to add registration requirements for Livestock Producers. The adoption is necessary to outline when re-registration may be required for Livestock Producers and to align with FAC section 19021(2).

New section 914, Note section is adopted to list all the references and authorities allowing MPES to require Livestock Producer Registration, fees, and when a Livestock Producer is required to re-register. This adoption is necessary to align with the new requirements FAC sections 19020-19023.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS

- UC Davis White Paper on Small Harvest review

ECONOMIC IMPACT ASSESMENT/ANALYSIS

In accordance with Government Code §11346.3(b), the Department has made the initial determination that the proposed regulations would have a positive impact on the general public by protection of public health and safety, the creation of new small businesses, and the expansion of small businesses currently doing business within this state that would significantly affect a private person or small business. The proposed regulations would exclusively affect small businesses, primarily Mobile Livestock Slaughter Operations and Livestock Producers.

Expanding direct sales of locally supplied meat, from locally produced livestock will be the result of Mobile Slaughter Operation regulations and will be an effective way to promote the fair and equitable marketing of meat products from livestock producers. Therefore, this regulation will contribute to an already robust body of statutory and regulatory precedent which will promote consumer confidence in the local food supply chain, the California livestock Industry and enhance the conditions for an equitable marketplace, thereby supporting continued growth of California's "Farm to Fork" approach to food. Conversely, if these regulations are not promulgated, enforcement activities would lack the tools to ensure that the sale of locally produced livestock meat products is free of fraud, deception and food safety issues. This could lead to a lack of consumer confidence and could be harmful to the animal industry.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESSES

The Department has made the initial determination that there is no reasonable alternative that would be as effective and less burdensome to affected private persons than the proposed

regulatory action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law. The alternative to not pursue this regulatory action would result in deceptive or fraudulent, business practices that are profit driven with the potential to cause public concerns.

DUPLICATION OR CONFLICT WITH FEDERAL REGULATIONS

The proposed regulations do not duplicate or conflict with federal regulations.