

1 HOUSE BILL NO. 158

2 INTRODUCED BY J. KASSMIER

3 BY REQUEST OF THE DEPARTMENT OF LIVESTOCK

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO CUSTOM EXEMPT FACILITIES;
6 UPDATING REGULATORY OVERSIGHT OF CUSTOM EXEMPT FACILITIES TO MATCH FEDERAL
7 REQUIREMENTS; AND AMENDING SECTION 81-9-218, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 81-9-218, MCA, is amended to read:

12 **"81-9-218. Exemptions.** (1) The following persons are exempt from 81-9-201, 81-9-216 through 81-9-
13 220, and 81-9-226 through 81-9-236:

14 (a) a person who slaughters livestock or poultry or prepares or processes livestock or poultry
15 products for the person's own personal or household use;

16 (b) a person who transports dead, dying, or diseased animals or poultry for the purpose of
17 treatment, burial, or disposal in a manner that would prevent the carcasses from being used as human food;
18 and

19 (c) a producer as defined in 50-49-202 who sells homemade food or slaughters fewer than 1,000
20 poultry birds a year pursuant to 50-49-303 except that the producer is subject to the requirements of 9 CFR
21 381.10(c) and the recordkeeping requirements of 9 CFR 381.175.

22 (2) A person engaged in the custom slaughtering of livestock or poultry delivered by the owner for
23 custom slaughter or a person engaged in the preparation of the carcasses and parts and meat food products of
24 the livestock or poultry when slaughtered or prepared for exclusive use in the owner's household by the owner
25 or members of the owner's household or the owner's nonpaying guests or employees is exempt from 81-9-216,
26 ~~through 81-9-220~~ 81-9-217, 81-9-220, and 81-9-226 through 81-9-236 if the carcasses, parts, or meat food
27 products or containers of the articles are:

28 (a) kept separate from carcasses, parts, or meat food products prepared for sale;

1 (b) plainly marked "Not for Sale" immediately after being slaughtered or prepared and remain

2 plainly marked until delivered to the owner; and

3 (c) prepared and packaged in a sanitary manner and in a sanitary facility."

4 - END -