

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1979 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Danny Williams \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 PROPOSED COMMITTEE  
4 SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1979

By: Williams

7  
8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to the Oklahoma Poultry Products  
10 Inspection Act; amending 2 O.S. 2011, Section 6-265,  
11 which relates to exemptions; providing exemptions;  
12 providing requirements for exemptions; requiring  
13 registration with the Oklahoma Department of  
14 Agriculture, Food, and Forestry; updating statutory  
15 references; and providing an effective date.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. AMENDATORY 2 O.S. 2011, Section 6-265, is  
18 amended to read as follows:

19 Section 6-265. A. The State Board of Agriculture shall, by  
20 regulation and under such conditions, including requirements, as to  
21 sanitary standards, practices, and procedures as it may prescribe,  
22 exempt from specific provisions of ~~this act~~ the Oklahoma Poultry  
23 Products Inspection Act with respect to processing of poultry or  
24 poultry products solely for intrastate commerce and distribution of  
poultry or poultry products only in such commerce:

1       1. ~~for such period of time as the Board determines that it~~  
2 ~~would be impracticable to provide inspection and the exemption will~~  
3 ~~aid in the effective administration of this act, any person engaged~~  
4 ~~in the processing of poultry or poultry products and the poultry or~~  
5 ~~poultry products processed by such person; provided, that, no such~~  
6 ~~exemption shall continue in effect more than one hundred twenty~~  
7 ~~(120) days after enactment of this act;~~

8       2. ~~persons~~ Persons slaughtering, processing, or otherwise  
9 handling poultry or poultry products which have been or are to be  
10 processed as required by recognized religious dietary laws, to the  
11 extent that the Board determines necessary to avoid conflict with  
12 such requirements while still effectuating the purposes of ~~this act~~  
13 the Oklahoma Poultry Products Inspection Act;

14       3. ~~the~~ 2. The slaughtering by any person of poultry of his or  
15 her own raising, and the processing by him or her and transportation  
16 of the poultry products exclusively for use by him or her and  
17 members of his or her household and his or her nonpaying guests and  
18 employees; provided that such poultry products when so distributed,  
19 bear, in lieu of labeling that would otherwise be required, the  
20 producer's name, address and the statement "Exempted - P.L. 90-492"  
21 and such poultry products are not otherwise misbranded;

22       4. ~~the~~ 3. The custom slaughter by any person of poultry  
23 delivered by the owner thereof for such slaughter, and the  
24 processing by such slaughterer and transportation of the poultry

1 products exclusively for use, in the household of such owner, by him  
2 or her and members of his or her household and his or her nonpaying  
3 guests and employees; provided, ~~that~~ that:

4       a.    such custom slaughterer does not engage in the  
5               business of buying or selling any poultry products  
6               capable of use as human food, and

7       b.    such poultry products when so distributed, bear, in  
8               lieu of labeling that would otherwise be required, the  
9               producer's name, address and the statement "Not For  
10              Sale" and such poultry products are not otherwise  
11              misbranded;

12       ~~5. operations~~ 4. Operations of types traditionally and usually  
13 conducted at retail stores and restaurants, when conducted at any  
14 retail store or restaurant or similar retail-type establishment for  
15 sale in normal retail quantities or service of such articles to  
16 consumers at such establishments, if no poultry or poultry products  
17 are processed at the establishment for distribution within this  
18 state or otherwise subject to inspection under the Federal Poultry  
19 Products Inspection Act;

20       5. The slaughtering of sound and healthy poultry and processing  
21 of poultry products therefrom in this state by any poultry producer  
22 on the producer's own premises with respect to poultry raised on the  
23 producer's premises, and the distribution by any person solely  
24

1 within this state of the poultry products derived from such  
2 operations; provided that:

- 3       a. in lieu of complying with all the adulteration  
4       provisions of this act, such poultry is slaughtered  
5       and otherwise processed and handled under such  
6       sanitary standards, practices and procedures as result  
7       in the preparation of poultry products that are sound,  
8       clean and fit for human food when so distributed,  
9       b. such poultry products when so distributed, bear, in  
10       lieu of labeling that would otherwise be required, the  
11       producer's name, address and the statement "Exempted -  
12       P.L. 90-492" and such poultry products are not  
13       otherwise misbranded,  
14       c. such producer and distributor do not engage in the  
15       current calendar year in the business of buying or  
16       selling any poultry or poultry products other than as  
17       specified in paragraphs 6 and 7 of this subsection,  
18       and  
19       d. neither such producer nor distributor slaughters or  
20       processes the products of more poultry than allowed by  
21       subsection B of this section;

22       6. The slaughtering of sound and healthy poultry or the  
23       processing of poultry products of such poultry in this state by any  
24       poultry producer or other person for distribution by them solely

1 within this state directly to household consumers, restaurants,  
2 hotels and boardinghouses for use in their own dining rooms, or in  
3 the preparation of meals for sales direct to consumers; provided  
4 that:

5 a. in lieu of complying with all the adulteration  
6 provisions of this act, such poultry is slaughtered  
7 and otherwise processed and handled under such  
8 sanitary standards, practices and procedures as result  
9 in the preparation of poultry products that are sound,  
10 clean and fit for human food when distributed by such  
11 processor,

12 b. such poultry products when so distributed, bear, in  
13 lieu of labeling that would otherwise be required, the  
14 processor's name, address and the statement "Exempted  
15 - P.L. 90-492" and such poultry products are not  
16 otherwise misbranded,

17 c. such processor does not engage in the current calendar  
18 year in the business of buying or selling any poultry  
19 or poultry products other than as specified in this  
20 paragraph and paragraph 7 of this subsection, and

21 d. such processor does not exceed the volume limitation  
22 prescribed in subsection B of this section; and

23 7. The operations and products of small enterprises including  
24 poultry producers, not exempted under paragraphs 1 through 6 of this

1 subsection, that are engaged in this state in slaughtering or  
2 cutting up poultry for distribution as carcasses or parts thereof  
3 solely for distribution within this state; provided that:

4 a. such poultry is sound and healthy when slaughtered and  
5 is slaughtered or cut up and handled under such  
6 sanitary standards, practices and procedures as result  
7 in the preparation of poultry products that are not  
8 adulterated when so distributed, and

9 b. when so distributed, such poultry products are not  
10 misbranded, except that the official inspection legend  
11 shall not be used.

12 B. ~~The provisions of this act shall not apply to poultry~~  
13 ~~producers with respect to poultry of their own raising on their own~~  
14 ~~farms if~~

15 1. ~~such producers slaughter not more than two hundred fifty~~  
16 ~~turkeys, or not more than an equivalent number of birds of all~~  
17 ~~species during the calendar year for which this exemption is being~~  
18 ~~determined, four birds of other species being deemed the equivalent~~  
19 ~~of one turkey;~~

20 2. ~~such poultry producers do not engage in buying or selling~~  
21 ~~poultry products other than those produced from poultry raised on~~  
22 ~~their own farms~~ No person qualifies for any exemption specified in  
23 paragraphs 5, 6 and 7 of subsection A of this section if, in the  
24 current calendar year, such person:

1        1. Slaughters or processes the products of more than twenty  
2 thousand (20,000) poultry; or

3        2. Slaughters or processes poultry products at a facility used  
4 for slaughtering or processing poultry products by any other person,  
5 except when the Oklahoma Department of Agriculture, Food, and  
6 Forestry grants such exemption after determining, upon review of a  
7 person's application, that such an exemption will not impair  
8 effectuating the purposes of this act.

9        C. Any person performing on-farm slaughter of poultry pursuant  
10 to this section shall:

11        1. Register with the Oklahoma Department of Agriculture, Food,  
12 and Forestry;

13        2. Follow basic sanitary standards, practices and procedures  
14 pursuant to 9 C.F.R. Sections 416.2 through 416.5; and

15        3. Make the exempt slaughter facility available for review of  
16 sanitary requirements twice per year by the Department or an  
17 authorized agent of the Board.

18        ~~E.~~ D. The adulteration and misbranding provisions of this act,  
19 other than the requirement of the inspection legend, shall apply to  
20 articles which are exempted from inspection under this section.

21        ~~D.~~ E. The Board may by order, suspend or terminate any  
22 exemption with respect to any person whenever it finds that such  
23 action will aid in effectuating the purposes of ~~this act~~ the  
24 Oklahoma Poultry Products Inspection Act.



1        F. Producers using the exemptions provided in this act shall  
2 assume all liability for slaughtering, processing or otherwise  
3 handling poultry or poultry products.

4        SECTION 2. This act shall become effective November 1, 2021.

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6        58-1-7338            AMM            02/03/21

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