

# Small Enterprise Exemption

The intent of the small enterprise exemption is to provide a means for a small poultry slaughter/process facility to raise birds, purchase live birds or dressed poultry in a combination that number fewer than 20,000 birds to be slaughtered and processed for local distribution in the form of whole or cut up birds. This exemption allows for the processing of birds in a commercially licensed facility without being under inspection each time birds are slaughtered and/or processed. The facility may raise their own birds or purchase birds from other producers to slaughter and process. It is the goal of Quality Assurance and Regulations to help the producer understand and implement good food safety and sanitation practices.

## Requirements:

The small enterprise exemption is limited to processing whole or cut up birds only.  
Facility must declare this exemption with DACF at the beginning of each calendar year.  
Facility cannot be used by anyone other than the facility owner without prior approval from the DACF commissioner.  
Grower must obtain a **Commercial Food Processing License** from QA&R.  
Grower must allow periodic facility inspections.  
Birds are healthy upon slaughter.  
Grower must maintain records of birds raised and/or purchased; fewer than 20,000  
Birds must be packaged and adequately and prominently labeled with the name and address of the facility that purchased and processed the poultry  
Birds must be held frozen or under refrigerated condition until sold.

## Licenses:

Commercial Food Processing License - \$50  
Retail Food License - \$20 (If selling to customers from the farm)  
Retail Prepackage authorization - \$10  
Mobile Vending License - \$20 (If selling at Farmers' Markets)  
Wholesale Distribution License - \$50 (If selling to grocery stores)

## Restrictions:

Facility does not cut up and distribute products to a business operating under any other poultry exemption.  
Processing is limited to **whole and cut up birds only**.

## Distribution:

1. Direct sale to customers from the facility.
2. Direct sale to local restaurants, inns and institutions
3. Direct sale to customers at farmers' markets
4. Indirect sale to small local food stores
5. Delivered to customer's home by the poultry producer whose name appears on the label
6. Received by a member of community supported agriculture

7. At the farm where the poultry was raised.

\*\*\*All sales are restricted to the local market. No sales outside the state of Maine. No sales to large and/or chain stores/restaurants.

**General Facility Requirements:**

1. Potable water. Must have well water tested twice per year for nitrates and coliform.
2. Septic approval from local code or a licensed plumbing inspector.
3. Plumbing:
  - a. Adequate floor drains to allow waste water to be removed from processing areas.
  - b. Handwash sink in each processing area; kill, bleed, pluck area, evisceration area and commercial kitchen area (if this area is desired).
  - c. Warewash sink for equipment and utensil washing; 3-bay recommended, 2-bay acceptable.
  - d. Adequate supply of hot water during peak use (110F).
4. Facilities:
  - a. Separate enclosed area for bleeding and plucking.
  - b. Separate enclosed area for eviscerating/chilling and after proper sanitation cutting, wrapping and labeling.
  - c. Separate enclosed area for value added products such as pot pies.
  - d. All walls, floors and ceilings must be constructed of smooth, easily cleanable materials that are impervious to moisture.
  - e. All doors and windows must be tight to protect against pests. Exterior doors must be self-closing and windows screened if used for ventilation.
  - f. All areas must have ventilation sufficient to prevent accumulation of condensation, carry away odors and allow for adequate drying of facility after cleaning.
5. Sanitation:
  - a. Adequate means to effectively wash all food contact surfaces, non-food contact surfaces, walls and floors.
  - b. Adequate means to effectively sanitize all food contact surfaces, non-food contact surfaces, walls and floors.
6. Utensils and work surfaces:
  - a. Constructed of smooth, easily cleanable materials
  - b. In good condition, free of rust and/or damage and wear
7. Area around facility free of unnecessary items, litter and vegetation.
8. Chilling equipment sufficient to ensure rapid chilling of birds after evisceration.
9. Refrigeration/Freezer capacity to ensure poultry is held at 40F or below/frozen during storage.

These are general facility requirements. A complete list of requirements can be found at the following link: [http://www.maine.gov/dacf/qar/laws\\_and\\_rules/food\\_laws\\_rules.shtml](http://www.maine.gov/dacf/qar/laws_and_rules/food_laws_rules.shtml). Click on Chapter 343: Food Processing and Manufacturing.

**Labeling:**

The shipping or immediate containers of the poultry bear the following labeling:

- (1) Business name, address and zip code;
- (2) Common name of product;
- (3) Weight of product in shipping container or immediate container;
- (4) Lot number, which must consist of a coded number in some combination of the number of the day of the year on which the poultry was slaughtered;
- (5) The statement "**Processed by a Licensed Commercial Food Processor/Small Enterprise Exempt from state or United States Department of Agriculture continuous bird-by-bird inspection**"; and
- (6) Safe handling and cooking instructions as follows: "**SAFE HANDLING INSTRUCTIONS**":  
Keep refrigerated or frozen. Thaw in refrigerator or microwave. Keep raw poultry separate from other foods. Wash working surfaces, including cutting boards, utensils and hands, after touching raw poultry. Cook thoroughly to an internal temperature of at least 165 degrees Fahrenheit maintained for at least 15 seconds. Keep hot foods hot. Refrigerate leftovers immediately or discard.