

CHAPTER 165  
HB 608 – FINAL VERSION

8Jan2014... 2358h  
15May2014... 1872EBA

2014 SESSION

13-0077  
08/03

HOUSE BILL           **608**

AN ACT               relative to the sale of certain uninspected poultry and rabbits to licensed restaurants.

SPONSORS:           Rep. C. McGuire, Merr 29; Rep. Comtois, Belk 7; Rep. Sad, Ches 1; Rep. Jones, Straf 24; Sen. Cataldo, Dist 6

COMMITTEE:         Environment and Agriculture

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AMENDED ANALYSIS

This bill allows for the sale of certain uninspected poultry and rabbits to licensed restaurants.

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Explanation:         Matter added to current law appears in ***bold italics***.  
                          Matter removed from current law appears [~~in brackets and struck through~~].  
                          Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Fourteen*

AN ACT                   relative to the sale of certain uninspected poultry and rabbits to licensed restaurants.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           165:1 Exemptions from Food Service Licensure. Amend RSA 143-A:5 by adding the following  
2 new paragraph after paragraph VII:

3           VIII. A farm owned or operated by a federally exempt poultry producer, as defined in  
4 RSA 143-A:14, I, and the direct sale of such poultry to the consumer from the producer's farm, at the  
5 producer's farm stand, and by the producer at a farmers market, or when sold to a licensed  
6 restaurant in accordance with RSA 143-A:14 through RSA 143-A:17.

7           165:2 Sale of Uninspected Poultry and Rabbits to Licensed Restaurants. Amend RSA 143-A by  
8 inserting after section 13 the following new subdivision:

Sale of Uninspected Poultry and Rabbits to Restaurants

9  
10          143-A:14 Definitions. In this subdivision:

11           I. "Federally exempt poultry producer" means a poultry producer that qualifies for a federal  
12 exemption from inspection under the federal Poultry Products Inspection Act.

13           II. "Licensed restaurant" means a food service establishment, licensed under RSA 143-A:4,  
14 which is in a fixed location that is adequate and sanitary, where food is prepared primarily for  
15 service of a meal intended for purchase and consumption by the consumer.

16           III. "Poultry" means any domesticated bird, whether alive or dead.

17           IV. "Poultry producer" means any person who raises poultry and sells it for human  
18 consumption.

19           V. "Processed" means the animal has been slaughtered and cleaned in a sanitary manner so  
20 that it is ready for use as human food but has not been further prepared or treated, except as needed  
21 to package and store it.

22           VI. "Rabbit" means any domesticated member of the family Leporidae of long-eared, short-  
23 tailed lagomorph mammals with long hind legs, whether alive or dead.

24           VII. "Rabbit producer" means any person who raises rabbits and sells them for human  
25 consumption.

26           VIII. "Uninspected" means poultry or rabbits that are not individually marked as having  
27 passed inspection as prescribed by the United States Department of Agriculture or in accordance

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1 with RSA 427.

2 143-A:15 Purchase of Uninspected Poultry and Rabbits by Licensed Restaurants.

3 I. A licensed restaurant may purchase uninspected, processed, whole poultry or rabbits from  
4 rabbit producers or federally exempt poultry producers who provide proof of compliance with the  
5 registration and educational requirements of this subdivision. All packaging containing uninspected  
6 poultry and rabbits shall be clearly labeled to include, but not be limited to, the following  
7 information: the name and address of the farm where the product originates and the date of  
8 slaughter.

9 II. For at least 90 days from the date of each purchase, the licensed restaurant shall keep on  
10 file the receipt of purchase to include the product purchased, the date of purchase, the name of the  
11 producer, the name and address of the farm, and phone number.

12 III. The licensed restaurant shall clearly label any menu item containing uninspected  
13 poultry or rabbit with the following statement: “This product has been raised and processed on a  
14 New Hampshire farm and is exempt from state and federal inspection.”

15 143-A:16 Producer Requirements. A federally exempt poultry producer may, in a calendar year,  
16 sell to licensed restaurants up to 1,000 uninspected, processed whole poultry that the producer has  
17 raised and a rabbit producer may, in a calendar year, sell to licensed restaurants up to 1,000  
18 uninspected, processed whole rabbits that the producer has raised, provided all of the following  
19 conditions are met:

20 I. The producer is current with all educational requirements that are established by the  
21 commissioner in consultation with the commissioner of agriculture, markets, and food relative to  
22 proper methods of slaughtering, processing, packaging, and storing poultry or rabbit on the farm and  
23 its subsequent transport to restaurants; and

24 II. The producer has registered with the department of agriculture, markets and food by  
25 providing his or her name, the name and address of the farm, and phone number, to allow for trace  
26 back in the event of disease outbreak. Such registry information shall be protected pursuant to  
27 RSA 436:6-a.

28 143-A:17 Rulemaking. The commissioner, in consultation with the commissioner of the  
29 department of agriculture, markets, and food, shall adopt rules, pursuant to RSA 541-A, relative to:

30 I. Content and format of all labeling requirements, except for the label content required  
31 under RSA 143-A:15, III;

32 II. Educational requirements under RSA 143-A:16, I, which may include a continuing  
33 education component; and

34 III. The method by which proof of compliance by producers with the registration and  
35 educational requirements of this subdivision can be demonstrated to licensed restaurants, which  
36 may include an online listing of compliant producers.

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- 1        165:3 Effective Date. This act shall take effect 90 days after passage.
- 2        Approved: July 11, 2014
- 3        Effective Date: October 9, 2014