**R58. Agriculture and Food, Animal Industry.**

**R58-11. Slaughter of Livestock and Poultry.**

**R58-11-1. Authority.**

Promulgated under the authority of Sections 4-32-109 and 4-32-110.

**R58-11-2. Definitions.**

The definitions listed in Section 4-32-105 shall apply for this rule.

(1) "Bill of Sale for Hides" means a hide release or other formal means of transferring the title of a hide.

(2) "Business" means an individual or organization receiving remuneration for a service.

(3) "Commerce" means the movement or transportation of poultry products between:

(a) any state, territory, or the District of Columbia; or

(b) within any territory not organized with a legislative body, or the District of Columbia.

(4) "Custom Slaughter-Release Permit" means a permit that serves as a Brand Inspection Certificate and allows an animal owner to have their animal farm custom slaughtered.

(5) "Detain or Embargo" means the holding of a food or food product for legal verification of adulteration, misbranding, or proof of ownership.

(6) "Food" means a product intended for human consumption.

(7) "Immediate Family" means individuals who reside in the same household as the owner.

(8) "License" means a license issued by the department to allow farm custom slaughtering.

(9) "Owner" means a person holding legal title to an animal.

**R58-11-3. Equipment and Sanitation Requirements.**

(1) A farm custom slaughter licensee shall maintain any vehicle, unit used for farm custom slaughtering, equipment, and all sanitation requirements as adopted per Subsection 4-32-103(1)(a).

(2) Any vehicle or unit shall incorporate a tripod or rail that can lift a carcass to a height that enables the carcass to clear the ground for bleeding and evisceration.

(3)(a) A water tank shall be an integral part of the unit or vehicle.

(b) The water tank shall be of approved construction with a minimum capacity of 40 gallons.

(c) A licensee shall maintain each water system according to sanitary standards and use only potable water.

(4) A licensee shall fill a sanitation tank large enough to allow complete immersion of each tool used for slaughtering during slaughter operations with potable water and maintained at a temperature of at least 180 degrees Fahrenheit.

(a)(i) In lieu of 180 degrees Fahrenheit water, a licensee may use chemical sterilization with an approved chemical agent after thoroughly cleaning the equipment.

(ii) Chloramine, hypochlorite, quaternary ammonium or other approved chemical compounds may be used for this purpose, and a concentration shall be maintained sufficient to disinfect each utensil.

(b) Hot water, cleaning agents, and disinfectant shall be available if chemicals are used in lieu of 180 degrees Fahrenheit water.

(5) Cleaning agents and paper towels shall be available so any person can clean their hands and equipment as needed.

(6) Pursuant to 9 CFR 325.13, any licensee may denature inedible product and offal with either an approved denaturing agent or using paunch material, such as stomach or intestinal contents, as a natural denaturing agent.

(7) Licensees transporting uninspected meat products from a slaughter operation to a licensed establishment for processing shall deliver carcasses within one hour of slaughter, under refrigeration at or below 40 degrees Fahrenheit.

(8) To prevent adulteration, a licensee shall properly separate, place, and properly denature inedible in designated containers that are marked "Inedible Not For Human Consumption" in letters not less than 4 inches in height.

**R58-11-4. Slaughtering Procedures of Livestock.**

(1) Slaughtering may not take place under adverse conditions such as blowing dirt, dust, or mud.

(2) If a licensee uses a slaughter area for repeated kills, the licensee shall maintain the area to prevent blood from collecting, running off onto adjacent property, or contaminating a water source.

(3) A licensee shall remove and dispose of any hides, viscera, blood, paunch material, and tissue at a rendering facility, landfill, composting, or burial as allowed by law.

(4) A licensee shall make each animal insensible to pain by a single blow, gunshot, electrical shock, or other means that is instantaneous and effective before the animal is shackled, hoisted, thrown, cast, or cut.

(5)(a) A licensee shall hoist and bleed each animal as soon after stunning as possible to utilize post-stunning heart action and to obtain complete bleeding.

(b) A licensee shall move carcasses away from the bleeding area for skinning and butchering.

(6) A licensee shall:

(a) handle the carcass and head skin without contaminating the neck tissue by leaving the ears on the hide and tying the head skin;

(b) remove the feet before the carcass is otherwise cut;

(c) except for skinning and starting skinning procedures, cut the skin from the inside outward to prevent carcass contamination with cut hair; and

(d) carefully roll or reflect away the hair side of the hide from the carcass during skinning when the carcass is moved from the skinning bed, caution should be taken to prevent exposed parts from contacting adulterating surfaces.

(7)(a) Before evisceration, a licensee shall tie the rectum, including the bladder neck, to prevent urine and fecal leakage.

(b) A licensee shall take care while opening abdominal cavities to prevent carcass or viscera contamination.

(8)(a) A licensee shall trim hair, dirt, and other accidental contamination before washing.

(b) Washing should proceed from the carcass top downward to remove any possible contaminants from clean areas.

(9) Emergency slaughter does not include the slaughter of non-ambulatory injured cattle. For this rule, the department does not allow non-ambulatory disabled cattle that cannot rise from a recumbent position or cannot walk, including, those with broken appendages, severed tendons or ligaments, nerve paralysis, fractured vertebral column, or metabolic conditions to be slaughtered for food.

**R58-11-5. Identification and Records.**

(1) Licensees may not slaughter livestock without proper documentation.

(2) A livestock owner shall provide a licensee with proper documentation before or at the time of slaughter that includes:

(a) a brand inspection certificate, as required in Section 4-24-304; or

(b) for beef, pork, and sheep, a Farm Custom Slaughter identification tag obtained from a department Brand Inspector for the legislature approved applicable fee.

(3)(a) The Custom Slaughter-Release Permit or Farm Custom Slaughter Tag shall include an affidavit with a signed statement that reads: "I hereby certify ownership of this animal to be slaughtered by ('insert name'). I fully understand that having my animal farm custom slaughtered means my animal will not receive meat inspection and is for my use, the use of my immediate family, non-paying guests, or full-time employees. The carcass will be stamped "NOT FOR SALE" and will not be sold."

(b) In addition to this affidavit, the owner or designee will record the following information:

(i) date;

(ii) owner's name, address, and telephone number;

(iii) animal description, including brands and marks;

(iv) Farm Custom Slaughter Tag number;

(v) location of slaughter;

(vi) name of licensee;

(vii) licensee permit number; and

(viii) carcass destination.

(4) Before slaughter, the licensee shall prepare the Farm Custom Slaughter Tag with complete and accurate information.

(a) One tag shall stay in the license holder's file for at least one year.

(b) One tag plus a copy of the Farm Custom Slaughter-Release Permit shall be sent to the department by the 10th of each month for the preceding month's slaughter by the licensee.

(5) After slaughter, any licensee shall stamp the carcasses "NOT FOR SALE" on each quarter with letters at least 3/8" in height; and affix a Farm Custom Slaughter "NOT FOR SALE" tag to each quarter of beef and each half of pork and sheep.

(6) A licensee receiving hides for slaughtering services shall obtain a copy of the Custom Slaughter-Release Permit to record the transfer of ownership, pursuant to Section 4-24-401.

**R58-11-6. Poultry Exemptions.**

(1) The Personal Use Exemption includes a person who raises poultry to slaughter or process for personal use, as allowed by Subsection 4-32-106(2) if:

(a) the poultry is healthy when slaughtered; and

(b) the exempt poultry is not sold or donated for use as human food.

(2) A Farm Custom Slaughter and Processing exemption allows a person to slaughter or process poultry belonging to another person if:

(a) the poultry is healthy when slaughtered;

(b) the person conducts the slaughtering or processing in accordance with sanitation standards that produce poultry product that is sound, clean, and fit for human food;

(c) the person using a unit or vehicle for farm custom slaughtering constructs the unit or vehicle to permit maintenance according to sanitation standards; and

(d) the immediate container bears the following information:

(i) the owner's name and address; and

(ii) the licensee's name and address.

(3) A Producer or Grower 1,000 Bird Limit Exemption consistent with Subsection 4-32-109(12) includes:

(a) the producer or grower keeps slaughter records and records covering the sales of poultry products to customers for the current calendar year; and

(b) as required by the U.S. Public Health Service, Food and Drug Administration, Food Code 2022, incorporated by the department in Section R70-530-3, the immediate container bears the following information:

(i) name of product; and

(ii) name and place of business of the processor; and

(iii) the statement "Exempt R58-11-6(4)."

(4) A Producer or Grower 20,000 Bird Limit Exemption consistent with Subsection 4-32-109(11) includes:

(a) a poultry producer or grower may slaughter no more than 20,000 healthy birds of their own raising in a calendar year for distribution as human food;

(b) the producer or grower keeps slaughter records and records covering the sales of poultry products to customers for the current calendar year;

(c) the poultry product does not move in commerce, as defined in 9 CFR 381.1; and

(d) the immediate container bears the following information:

(i) name of product;

(ii) name and address of the processor; and

(iii) the statement "Exempt R58-11-6(5)."

(5) A Producer, Grower, or Other Person Exemption consistent with federal law and Subsection 4-32-109(11), allows a single entity to slaughter and process no more than 20,000 poultry within a calendar year that the entity raised or purchased for direct sale to household consumers, restaurants, hotels, and boarding houses for use in dining rooms to prepare meals served or sold directly to customers if:

(a) the poultry products do not move in commerce;

(b) the business slaughters or processes in a fixed establishment and in accordance with sanitation standards that produce poultry products that are sound, clean, and fit for human food;

(c) the producer keeps slaughter records and records covering the sales of poultry products to customers for the current calendar year;

(d) the immediate containers bear the following information:

(i) name of product;

(ii) ingredients statement if applicable;

(iii) net weights statement;

(iv) name and address of the processor;

(v) safe food handling statement;

(vi) date of the package or Lot number; and

(vii) the statement "Exempt R58-11-6(6)";

(d) the entity does not slaughter, or process poultry owned by another person; and

(e) does not sell poultry products to a retail store or other producer or grower.

(6) A Small Enterprise Exemption consistent with federal law and Subsection 4-32-109(11), allows a business to raise, slaughter, dress and cut up poultry for distribution as human food if:

(a) the business limits the processing of federal or state inspected, or exempt poultry products to the cutting up of carcasses or the business slaughters and dresses or cuts up no more than 20,000 birds in a calendar year;

(b) the business slaughters or processes in a fixed establishment and in accordance with sanitation standards that produce poultry product that is sound, clean, and fit for human food;

(c) the facility is not used to slaughter or process another person's poultry; and

(d) the immediate containers bear the following information:

(i) name of product;

(ii) ingredients statement if applicable;

(iii) net weights statement;

(iv) name and address of processor;

(v) safe food handling statement;

(vi) date of package or Lot number, and;

(vii) the statement "Exempt R58-11-6(7)."

**R58-11-7. Producer and Grower Sharing a Fixed Facility.**

(1) Each producer or grower sharing a fixed facility shall comply with the laws and regulations governing establishments, including Title 4, Chapter 32, Utah Meat and Poultry and Poultry Products Inspection and Licensing Act, this rule, and relevant United States Department of Agriculture Poultry Exemptions, and federal regulations.

(2) Each producer or grower shall notify the department five business days before slaughtering and processing, and the notification shall include:

(a) the date of slaughter or processing;

(b) the time of slaughter or processing; and

(c) the location of slaughter or processing.

(3) Producers or growers sharing a fixed facility shall:

(a) before operations begin:

(i) conduct a pre-operational inspection on any food-contact surfaces; and

(ii) document the findings of the pre-operational inspection and corrective actions pursuant to 9 CFR 416.12(a) and 416.15 before the commencement of operations;

(b) during and after operations:

(i) maintain records for at least one year and have them available for inspection by department officials;

(ii) fully label the product in accordance with this rule before it leaves the facility;

(iii) maintain the product temperature at 40 degrees Fahrenheit or less during transport; and

(iv) keep a written recall plan pursuant to 9 CFR 418 and have it available for inspection by department officials.

(4) Producers or growers may not process in the same facility on the same day as any other producer or grower.

**R58-11-8. Enforcement Procedures.**

(1) The department may suspend a license when:

(a) the department has reason to believe that an eminent public health hazard exists;

(b) insanitary conditions are such that carcasses would be made adulterated and or contaminated;

(c) the license holder has interfered with the department in the performance of its duties; or

(d) the licensee violates Title 4, Chapter 32, the Utah Meat and Poultry Products Inspection and Licensing Act or Title 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or associated rules.

(2)(a) The department may, pursuant to 9 CFR 500, suspend or terminate any exemption, as listed in Section R58-11-8, with respect to any person when the department finds that the action will aid in effectuating the purposes of the Act.

(b) Failure to comply with the conditions of the exemption, including failure to process poultry and poultry products under sanitation standards, may result in termination of an exemption, in addition to other penalties consistent with 9 CFR 381.13.

(3) When a violation may have occurred, the department may send a warning letter to the licensee that specifies the violations and affords the holder a reasonable opportunity to correct them.

(4) When a licensee has been notified by the department that suspected violations have occurred or when the department suspends a license, the licensee may have an opportunity for a hearing to state their views before the department.

(5)(a) Any person may apply for reinstatement if the department suspended their license.

(b) The department may re-evaluate the applicant and conditions.

(c) The department may reinstate the license if the applicant demonstrates compliance with this rule.

(6) The department may detain or embargo any meat found in a food establishment that does not have the proper identification or any uninspected meat slaughtered by a licensee that does not meet the requirements of this rule.

(7) The department may denature or destroy meat determined to be unfit for human consumption.

**KEY: food inspections, slaughter, livestock, poultry, custom exempt, exemptions, poultry exemptions**

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