



Basic Retail and Wholesale Meat Regulations

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Tennessee Value-Added Beef 101
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Session Overview

- Retail Meat Sales Regulations
- Non-Retail (Wholesale) Meat Sales Regulations
- Meat Sales from Retail Food Stores
- Tennessee Weights and Measures Regulations
- USDA FSIS Nutritional Labeling Regulations

Session Objectives

1. Increase awareness and understanding of regulations
2. Provide methods and information to comply
 - Decrease personal and business liability



Basic Regulatory Considerations for Retail and Non-retail Meat Sales in Tennessee
Guidance for Farmers Interested in Value-added Beef Marketing Activities

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Contents of the publication . . .



- Retail Meat Permit
- Minimum Labeling Requirements
- Non-retail Meat Sales
- Frozen vs. Non-frozen products
- Sales from Retail Food Stores
- Live Animal Sales for Custom Harvesting

Regulations for Marketing Meat

- Meat is a “food product”
- Marketing → selling → regulations
- Understanding food regulations is sometimes difficult
- Several agencies are involved with various food regulations
 - USDA, TDA, FDA, Health Department...
- Agency with regulatory authority “depends” on
 - The product
 - How it moves through commerce

Regulatory Authority? Two "BASIC" Marketing Options

- I. "Retail meat sales" to end/household consumers
- II. "Non-retail meat sales" to grocery stores, restaurants for resale

Farm-Based Retail Meat Sales

- Sales to household consumer
- May be at farmers market, roadside stand, delivery, mail, CSA, on-farm retail...
- Regulatory authorities
 - Tennessee Department of Agriculture
 - United States Department of Agriculture

Farm-Based Retail Meat Sales

Cattle producers wanting to finish animals and market **meat** direct to **household consumers** can do so if they are properly permitted by the **Tennessee Department of Agriculture** with a "retail meat permit"

\$50 fee

Farm-Based Retail Meat Sales

Meat sold under a TDA retail meat permit must be **properly packaged and labeled under USDA inspection**

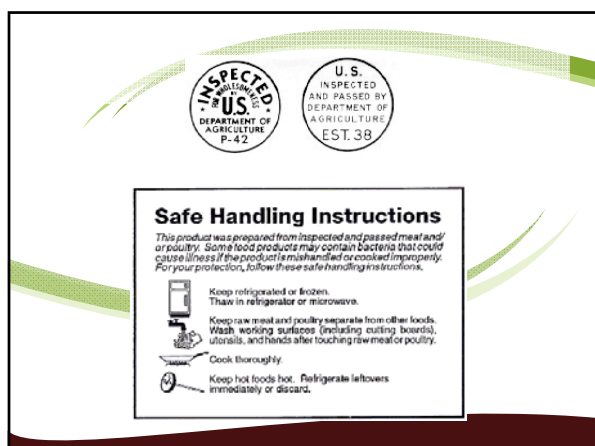
Farm-Based Retail Meat Sales

- Only about 10 USDA-inspected plants in TN
- Prior communication with the processor
- Clear understanding of processing (cut sheet) and costs
- Discussion of timing (delivery, processing, aging, pick up)

Farm-Based Retail Meat Sales

Properly packaged and labeled

- Responsibility of the USDA-inspected facility
- Labeling:
 - Name and address - - manufacturer, packer or distributor
("packed for ____" or "distributed by ____")
 - USDA Mark of Inspection -- Seal/Stamp
 - Net weight
 - Product name
 - Safe handling instructions



Farm-Based Retail Meat Sales

TDA retail meat permit also covers

- transportation
- handling
- storage

Of the meat

once it leaves the USDA-inspected facility until it reaches the household consumer

Steps involved (TDA Retail Meat Permit). . .

1. Contact TDA, Regulatory Services - Nashville (615-837-5193)
 - "I'm interested in a farm-based retail meat permit."
 - Name, phone number and address.
2. TDA will notify inspector for the area.
 - (guidelines will be sent if requested – page 11).

Tennessee Department of Agriculture Farm Based Retail Meat Sales Guidelines



Page 11

Steps involved (TDA Retail Meat Permit). . . continued

3. Inspector will schedule a consultation visit and/or inspection.
4. On-site inspection . . .
 - Inspector will use a "Food Establishment Inspection" form (page 12)

Tennessee Department of Agriculture Food Establishment Inspection (Form)

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Ultimate question of inspection - -

"Is the meat transported and stored in a safe and secure manner once it leaves the USDA facility until it gets to customer?"

- See "Food Establishment Inspection" Form (page 12)
- See "Farm Based Retail Meat Sales Guidelines" (page 11)

I. Farm-Based Retail Meat Sales

Transport & Storage

A freezer operated by inverter is acceptable as is a cooler/refrigerator/freezer that maintains wholesomeness

Storage units must be:

- dedicated to meat for sale
- cleanable and in good repair
- in secure location
- away from potential sources of contamination
- accessible for inspection

Storage practices must prevent cross contamination (poultry).

Thermometers are required in units to verify temperatures

No re-freezing of product is permitted

Hands and outer clothing of those handling meat must be clean

I. Farm-Based Retail Meat Sales

Example:

- Freezer operated by inverter on pick-up truck.
- Walk-in cooler in barn.
- Freezer and coolers for farmers market sales.

Is the meat transported and stored in a safe and secure manner once it leaves the USDA facility until it gets to customer?"

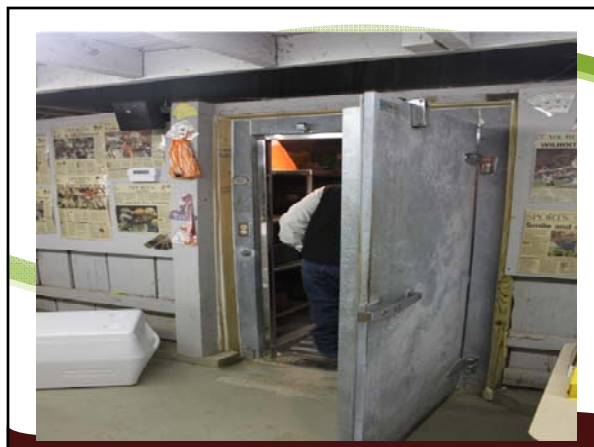
I. Farm-Based Retail Meat Sales

Example:

- Freezer operated by inverter on pick-up truck.
- Same freezer rolled onto porch at farm.
- Same freezer rolled onto truck for farmers market sales and home delivery.

Is the meat transported and stored in a safe and secure manner once it leaves the USDA facility until it gets to customer?"





Steps involved (TDA Retail Meat Permit). . . continued

5. **"Application for permit"** (page 13-14) will be completed by inspector if deemed "in compliance with requirements."
 - (includes review of the label).
 - Permit to be mailed with \$50 fee to TDA.
6. TDA will mail actual **"permit"** back to the farmer.

I. Farm-Based Retail Meat Sales

Summary

- TDA "retail meat permit" only allows for the sale of meat that has been properly packaged and labeled under USDA-inspection for sale to household consumers
- This permit does not allow for non-retail sales



Retail Meat Sales???

Non-Retail Meat Sales

Sales other than to the household consumer such as to:

- Grocery Stores
- Other Retailers
- Restaurants
- Hotels
- Institutions

Non-Retail Meat Sales

- TDA Retail Meat Permit does not allow for sales to restaurants and grocery stores (it only allows sales to household consumers for their consumption).
- Non-retail meat sales require "registration" with USDA.
 - FSIS Form 5020-1, **"Registration of Meat and Poultry Handlers"** (page 16-17)
 - "wholesaler"
- Submit Form 5020-1 to USDA.
- Form will be returned with "registration number."
- USDA, FSIS, OPEER (Office of Program Evaluation, Enforcement and Research) Investigator may make an onsite inspection.
 - Inspect to ensure products not adulterated
 - Inspect for food defense issues

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Non-Retail Meat Sales

- Inspection Issues

- Storage and handling practices
- All records
 - tracking of inbound and outbound movement of non-retail sales
- Pest control practices and records
- Food security plans
- Sanitary procedures and conditions
 - inside facility and general surroundings
- Packaging and labeling
- Handling of inedible products
- Hazard controls
- Discussion of product recall plans

Non-Retail Meat Sales

Food Defense Issues

- Inside and outside security
- Employee/visitor plan
- Hazardous materials plan
- Protection of food/food ingredients
- Access to shipping and receiving areas
- Check of inbound products

Frozen and Non-frozen Products

- Meat offered for sale must be packaged and labeled in a USDA-inspected facility.
- Most products are frozen.
 - Preferred for safety, handling and storage.
 - Often preferred by facility, retailer and customer.
- Some regulatory oversight may differ for fresh and frozen products.

Meat Sales from Retail Food Stores

- Retail Meat Permit is different from a Retail Food Store (grocery store).
- Regulatory and inspection process differs.
- Meat must come from a USDA-inspected facility.
- Retail food stores with cutting/processing area may make sales to “some” non-retail customers (less than 25% of meat sales).

Tennessee Department of Agriculture

Application for Retail Food Store License

[illegible]

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Weights and Measures Regulations

- Tennessee Code Annotated § 47-26-901 to 926
- Administered by the Tennessee Department of Agriculture Regulatory Services Division
- Allowable units of sale
- Related labeling
- Legal for trade scale testing and licensing



Allowable Units of Sale



- Meat sales must be conducted by net weight
 - Weight of product only without container/packaging
- Can be expressed in metric or English
 - Typically in pounds and ounces

Determining Weight

- Can be weighed at any location (at processing facility, at farm, at farmers market, etc.)
 - Must be weighed on a licensed, legal for trade scale
 - Must be net weight



Labeling Weights

Random Weight Items

- Packages of all different weights
- Label has to show
 - Net Weight
 - Price Per Pound
 - Total Price

Standard Weight Items

- All packages of product are the same weight
- Label only has to have
 - Net Weight

Labeling Weights

- Must be shown on principle display panel
- If sale price offered
 - Recommend printing new sticker with new \$/lb and total price
 - Place over top of original sticker



Violations

- No weight on packages
- Short weight – actual net weight lower than labeled
- Consequences of Violations
 1. Stop Sale Order
 - Cannot use or sell until in compliance
 - Warning letter issued with what needs done
 2. Civil Penalty
 - Fined up to \$500 per violation
 - Operator can pay it, request informal hearing or take it to court

Scales

- Legal for trade commercial scale required
- Must be tested and licensed/permitted annually by TDA
- May test more if complaint or previous problem
- Permit for scale with a weighing capacity less than or equal to 2,500 lbs costs \$5/yr
 - > 2,500 lbs capacity = \$75/year

Problems with Scales

- TDA provides a reasonable time to fix an identified problem (up to 30 days)
- TDA provides Notice of Violation
- Producer finds registered scale company approved by TDA to repair
- Company completes notice and sends to TDA

Marketing in Other/Multiple States

- Need to check on weights and measures regulations in each state



Tennessee Contact

- **Bob Williams**
Weights and Measures Administrator
Tennessee Department of Agriculture Regulatory Services

Robert.G.Williams@tn.gov
(615) 837-5109

FSIS Nutritional Labeling Rule

- Effective March 1, 2012
- Applies to sale and/or production of
 - Major Cuts
 - Single Ingredients
 - Raw
 - Meat and Poultry Products
 - Sold directly to consumers

FSIS Nutritional Labeling Rule

- Requires either
 - Nutritional labeling on packaging of major cuts placed by inspected processor or retailer that does further processing OR
 - Nutritional information provided at Point of Purchase (POP)
 - Signs, posters, brochures, etc.

