

**Food Safety & Consumer Protection Division**  
**Meat Inspection Section**  
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Thank you for voicing your concerns to the Vermont Agency of Agriculture, Food and Markets (AAFM). We share your goal of protecting farmers' ability to sell live animals to those who want to harvest them under the personal exemption. We agree the personal exemption is important to farmers and those who want to access fresh farm-raised meat.

As you may know, the USDA Food Safety Inspection Service (FSIS) enforces the Federal Meat Inspection Act (FMIA) in all 50 states. The FMIA has inspection requirements for all species listed in the Act. The Act's objective is to ensure a safe food supply by utilizing safety and inspection requirements before meat is purchased or consumed. While most meat is subject to inspection, the FMIA carves out "exemptions" when specific criteria are satisfied. Under the FMIA's "personal" exemption, the basic premise is that individuals are allowed to slaughter their own animals for their own consumption. Vermont's [OFS statute](#) is based on this personal exemption in the FMIA.

Vermont's State meat inspection laws must be at least "equal to" the FMIA or the federal government can intervene and not allow Vermont to have its State program. State law is subordinate to federal law in the meat inspection realm, and the State of Vermont cannot unilaterally alter federal requirements.

AAFM actively communicated with FSIS, Legislative Counsel, and others to clarify the applicable federal standards for the personal exemption. We remain willing to further discuss this issue but cannot promote or condone FMIA violations when implementing the State's program. FSIS made it clear that the personal exemption was originally designed for an individual slaughtering the individual's own animal for personal, household, or employee consumption. A review of the applicable federal regulation (9 C.F.R. § 303.1(a)(1) (emphasis added)) appears to support FSIS's position:

(a) The requirements of the Act [FMIA] and the regulations in this subchapter for inspection of the preparation of products do not apply to:

(1) The slaughtering by any individual of livestock of his own raising, and the preparation by him and transportation in commerce of the carcasses, parts thereof, meat and meat food products of such livestock exclusively for use by him and members of his household and his nonpaying guests and employees[:.]

FSIS issued interpretive guidance that is arguably more permissive than the federal regulation itself, and FSIS permits farmers to sell their animals to others for their slaughter. Through its guidance, FSIS considers the recent animal purchasers to be involved in "raising" the animal and it allows multiple owners to own and slaughter the same animal. Although FSIS's guidance adds considerable flexibility to the personal exemption, FSIS is not currently willing to further expand its interpretation so that animal owners can fit within the "personal" exemption without any involvement in the animal's slaughter.



Given that the personal exemption regulation applies to the “slaughtering by any individual of livestock of his own raising,” FSIS’s position has a legal basis. More importantly, AAFM has no authority to ignore federal requirements or apply its own contradictory standards. We are required to operate a State program that is “equal to” the federal program and must work with our federal partners toward that end.

Given the federal regulation and FSIS’s interpretation of it, animal owners must “participate” in slaughter to qualify for the “personal” exemption. FSIS has not further defined exactly what satisfies the “participation” requirement for multiple owners of the same animal, but informed AAFM that owners must at least be present during slaughter to qualify for the personal exemption.

While you may reasonably disagree with this requirement as a practical matter, please keep in mind that the personal exemption was likely created under the theory that individuals who slaughter their own animals know the conditions of slaughter, know how animals were handled during slaughter, know whether meat was contaminated, and may choose to assume the risks of any poor practices. If owners are not present during slaughter, they do not know what transpired and do not have the same information.

While the personal exemption is designed to allow individuals to slaughter and consume their own animals, the Custom Exemption in the FMIA does not require an owner’s personal participation in slaughter. The Custom Exemption has alternate requirements designed to protect consumers. We have information about both exemptions on our website and are always pleased to help individuals register for the custom exemption and/or discuss how to legally operate within the personal exemption. (Please see the following links: ["On Farm" Personal Use Exemption | Agency of Agriculture, Food and Markets \(vermont.gov\)](#); [Custom Exemption | Agency of Agriculture, Food and Markets \(vermont.gov\)](#).) There are solutions—we just need to stay within legal bounds.

While we cannot change FMIA federal requirements, the federal government could do so. If you want to request an expansion to the personal exemption under the FMIA, you may want to contact your congressional representatives to share your thoughts.

Thank you again for your input and understanding.

Sincerely,

A handwritten signature in black ink that reads "Katherine M. Molloy, DVM". The signature is written in a cursive, flowing style.

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