

Kansas Administrative Regulations

Kansas Department of Agriculture

Article 16.—Meat and Meat Products Inspection

4-16-3a. Exemptions.

(a) Notwithstanding the requirements for the exemption as a "custom slaughterer" as set forth in 9 C.F.R. 303.1(a) and (b) adopted by reference in K.A.R. 4-16-1c, both the custom slaughtering of dead or dying animals by any person and the custom processing of the carcasses of dead or dying animals by any person shall be prohibited.

(b)(1) The custom slaughtering of diseased or disabled animals by any person and the custom processing of the carcasses of diseased or disabled animals by any person may be allowed if both of the following requirements are met:

(A) The animal shall be examined by a licensed veterinarian on the day of slaughter.

(B) The animal shall be accompanied by a health certificate that meets the following requirements:

(i) Is issued on the day of slaughter by that veterinarian. This health certificate shall be valid only on the date of issuance;

(ii) includes a record of the animal's body temperature, taken at the time of the veterinary examination;

(iii) for cattle, states that the animal was ambulatory when examined;

(iv) includes a description of the condition of the animal; and

(v) states that the animal is free of any visible signs of infection or contagious disease.

(2) Notwithstanding the slaughter of an apparently healthy animal or an animal for which a health certificate has been issued, an establishment shall not custom process any carcass of an animal so infected that consumption of the resulting products of the animal could pose a health risk. This prohibition shall include all carcasses showing signs of any of the following:

(A) Acute inflammation of the lungs, pleura, pericardium, peritoneum, or meninges;

(B) septicemia or pyemia, whether puerperal, traumatic, or without any evident cause;

(C) gangrenous or severe hemorrhagic enteritis or gastritis;

(D) acute, diffuse metritis or mammitis;

(E) phlebitis of the umbilical veins;

(F) septic or purulent traumatic pericarditis;

(G) any of the following conditions or similar conditions, either singly or in combination:

(i) Any acute inflammation, abscess, or suppurating sore, if associated with acute nephritis;

(ii) fatty and degenerated liver;

(iii) swollen, soft spleen;

(iv) marked pulmonary hyperemia;

(v) general swelling of lymph nodes;

(vi) diffuse redness of the skin;

(vii) cachexia; or

(viii) icteric discoloration of the carcass; or

(H) salmonellosis.

(3) The department shall not be responsible for the costs associated with obtaining a health certificate.

(4)(A) An establishment may lose the privilege of custom slaughtering and custom processing diseased or disabled animals if any of the following occurs at the establishment:

(i) Custom slaughter, custom processing, or both, without the required health certificate;

(ii) custom slaughtering, custom processing, or both, with an inaccurate, incomplete, or falsified health certificate. Evidence of the falsification of any health certificate shall be forwarded to USDA-APHIS and to the Kansas board of veterinary medical examiners;

(iii) custom slaughtering, custom processing, or both, of an animal that is so infected that consumption of the resulting products from that animal could pose a health risk; or

(iv) any other violation of this act or any regulations adopted pursuant to this act.

(B) The slaughtering of diseased or disabled animals on a custom basis without the required health certificate may result in the revocation of the custom exemption.

(c) Except as specified in this subsection, the following animals with any of these conditions shall not be eligible for slaughter or processing for human food on a custom basis at any establishment and shall not be issued a health certificate:

(1) Livestock that are known to have reacted to the tuberculin test;

(2) any swine having a temperature of 106° F or higher and any cattle, sheep, or goats having a temperature of 105° F or higher;

(3) any animal found in a comatose or semicomatose condition;

(4) nonambulatory disabled cattle, which shall mean cattle that cannot rise from a recumbent position and that cannot walk, including those cattle with broken appendages, severed tendons or ligaments, nerve paralysis, fractured vertebral column, or metabolic conditions;

(5) all livestock showing symptoms of anaplasmosis, ketosis, leptospirosis, listeriosis, parturient paresis, pseudorabies, rabies, scrapie, tetanus, grass tetany, transport tetany, strangles, purpura hemorrhagica, azoturia, infectious equine encephalomyelitis, toxic encephalomyelitis (forage poisoning), dourine, acute influenza, generalized osteoporosis, glanders (farcy), acute inflammatory lameness, or extensive fistula;

(6) all swine found to be affected with hog cholera;

(7) all swine that are of lots in which one or more animals have been found to be affected with hog cholera;

(8) any animal found to be affected with epithelioma of the eye;

(9) any animal found to be affected with anthrax;

(10) any animal of a lot in which anthrax is found, until it has been determined by a veterinary inspection that no anthrax-infected livestock remain in the lot;

(11) all cattle found, upon veterinary inspection, to be affected with anasarca in an advanced stage and characterized by an extensive and generalized edema;

(12) any hog showing that it is affected with acute swine erysipelas;

(13) any animal showing signs of the onset of parturition, until after parturition and passage of the placenta;

(14) any goat that has reacted to a test for brucellosis; or

(15) any animal suspected of having been treated with or exposed to any substance that could impart a biological residue that would make the edible tissues unfit for human food or otherwise adulterated.

(d) Only those requirements of the act relating to sanitation and adulteration shall apply to the slaughtering or processing, or both, of healthy rabbits by any person if either of the following conditions is met:

(1) The rabbits are raised by that person and are for the exclusion use or consumption by that person, members of that person's household, former members of that person's household, or that person's nonpaying guests and employees.

(2)(A) That person slaughters not more than 250 rabbits in a calendar year;

(B) the rabbits are for distribution directly to household consumers from that person's own premises; and

(C) that person does not engage in the business of buying or selling any rabbits or rabbit products capable of use as human food in a calendar year.

(Authorized by K.S.A. 2005 Supp. 65-6a44; implementing K.S.A. 2005 Supp. 65-6a31; effective Jan. 1, 1989; amended Sept. 1, 2006.)

***** Authenticated Kansas Administrative Regulation *****