



Rep. David Reis

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09500HB2820ham001

LRB095 06449 RAS 33732 a

1 AMENDMENT TO HOUSE BILL 2820

2 AMENDMENT NO. _____. Amend House Bill 2820 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Meat and Poultry Inspection Act is amended
5 by changing Section 5.2 as follows:

6 (225 ILCS 650/5.2)

7 Sec. 5.2. Type II licenses.

8 (a) Type II establishments licensed under this Act for
9 custom slaughtering and custom processing shall:

10 (1) Be permitted to receive, for processing, meat
11 products and poultry products from animals and poultry
12 slaughtered by the owner or for the owner for his or her
13 own personal use or for use by his or her household.

14 (2) Be permitted to receive live animals and poultry
15 presented by the owner to be slaughtered and processed for
16 the owner's own personal use or for use by his or her

1 household.

2 (3) Be permitted to receive, for processing, inspected
3 meat products and inspected poultry products for the
4 owner's own personal use or for use by his or her
5 household.

6 (4) Stamp the words "NOT FOR SALE-NOT INSPECTED" in
7 letters at least 3/8 inches in height on all carcasses of
8 animals and immediate poultry product containers for
9 poultry slaughtered in such establishment and on all meat
10 products and immediate poultry product containers for
11 poultry products processed in that establishment.

12 (5) Conspicuously display a license issued by the
13 Department and bearing the words "NO SALES PERMITTED".

14 (6) Keep a record of the name and address of the owner
15 of each carcass or portion thereof received in such
16 licensed establishment, the date received, and the dressed
17 weight. Such records shall be maintained for at least one
18 year and shall be available, during reasonable hours, for
19 inspection by Department personnel.

20 (b) No custom slaughterer or custom processor shall engage
21 in the business of buying or selling any poultry or meat
22 products capable of use as human food, or slaughter of any
23 animals or poultry intended for sale.

24 (c) Each Type II licensee shall develop, implement, and
25 maintain written standard operating procedures for sanitation,
26 which shall be known as Sanitation SOPs, in accordance with all

1 of the following requirements:

2 (1) The Sanitation SOPs must describe all procedures
3 that a Type II licensee shall conduct daily, before and
4 during operations, sufficient to prevent direct
5 contamination or adulteration of products.

6 (2) The Sanitation SOPs must be signed and dated by the
7 individual with overall authority on-site or a higher level
8 official of the establishment. This signature shall
9 signify that the establishment shall implement the
10 Sanitation SOPs as specified and maintain the Sanitation
11 SOPs in accordance with the requirements of this subsection
12 (c). The Sanitation SOPs must be signed and dated upon the
13 initial implementation of the Sanitation SOPs and upon any
14 modification to the Sanitation SOPs.

15 (3) Procedures set forth in the Sanitation SOPs that
16 are to be conducted prior to operations must be identified
17 as such and must address, at a minimum, the cleaning of
18 food contact surfaces of facilities, equipment, and
19 utensils.

20 (4) The Sanitation SOPs must specify the frequency with
21 which each procedure in the Sanitation SOPs shall be
22 conducted and identify the establishment employees
23 responsible for the implementation and maintenance of the
24 procedures.

25 (5) Prior to the start of operations, each licensee
26 must conduct the pre-operational procedures in the

1 Sanitation SOPs. All other procedures set forth in the
2 Sanitation SOPs must be conducted at the frequencies
3 specified.

4 (6) The implementation of the procedures set forth in
5 the Sanitation SOPs must be monitored daily by the
6 licensee.

7 (7) A licensee must routinely evaluate the
8 effectiveness of the Sanitation SOPs and the procedures set
9 forth therein in preventing direct contamination or
10 adulteration of products and shall revise both as necessary
11 to keep the Sanitation SOPs and the procedures set forth
12 therein effective and current with respect to changes in
13 facilities, equipment, utensils, operations, or personnel.

14 (8) A licensee must take appropriate corrective action
15 when either the establishment itself or the Department
16 determines that the Sanitation SOPs or the procedures
17 specified therein or the implementation or maintenance of
18 the Sanitation SOPs may have failed to prevent direct
19 contamination or adulteration of products. Corrective
20 actions include procedures to ensure appropriate
21 disposition of products that may be contaminated, restore
22 sanitary conditions, and prevent the recurrence of direct
23 contamination or adulteration of products, such as
24 appropriate reevaluation and modification of the
25 Sanitation SOPs and the procedures specified therein or
26 appropriate improvements in the execution of the

1 Sanitation SOPs or the procedures specified therein.

2 (9) A licensee must maintain daily records sufficient
3 to document the implementation and monitoring of the
4 Sanitation SOPs and any corrective actions taken. The
5 establishment employees specified in the Sanitation SOPs
6 as being responsible for the implementation and monitoring
7 of the procedures set forth in the Sanitation SOPs must
8 authenticate these records with their initials and the
9 date. The records required to be maintained under this item
10 (9) may be maintained on computers, provided that the
11 establishment implements appropriate controls to ensure
12 the integrity of the electronic data. Records must be
13 maintained for at least 6 months and made available to the
14 Department upon request. All records must be maintained at
15 the licensed establishment for 48 hours following
16 completion, after which the records may be maintained
17 off-site, provided that the records may be made available
18 to the Department within 24 hours of request.

19 (10) The Department shall verify the adequacy and
20 effectiveness of the Sanitation SOPs and the procedures
21 specified therein by determining that they meet the
22 requirements of this subsection (c). This verification may
23 include the following:

24 (A) reviewing the Sanitation SOPs;

25 (B) reviewing the daily records documenting the
26 implementation of the Sanitation SOPs and the

1 procedures set forth therein and any corrective
2 actions taken or required to be taken;

3 (C) direct observation of the implementation of
4 the Sanitation SOPs and the procedures specified
5 therein and any corrective actions taken or required to
6 be taken; and

7 (D) direct observation or testing to assess the
8 sanitary conditions within the establishment.

9 (d) Each Type II licensee that slaughters livestock must
10 test for Escherichia coli Biotype 1 (E. coli). Licensees that
11 slaughter more than one type of livestock or both livestock and
12 poultry must test the type of livestock or poultry slaughtered
13 in the greatest number. The testing required under this
14 subsection (d) must meet all of the following requirements:

15 (1) A licensee must prepare written specimen
16 collection procedures that identify the employees
17 designated to collect samples and must address (i)
18 locations of sampling, (ii) the ways in which sampling
19 randomness is achieved, and (iii) the handling of samples
20 to ensure sample integrity. This written procedure must be
21 made available to the Department upon request.

22 (2) Livestock samples must be collected from all
23 chilled livestock carcasses, except those boned before
24 chilling (hot-boned), which must be sampled after the final
25 wash. Samples must be collected in the following manner:

26 (A) for cattle, establishments must sponge or

1 excise tissue from the flank, brisket, and rump, except
2 for hide-on calves, in which case establishments must
3 take samples by sponging from inside the flank, inside
4 the brisket, and inside the rump;

5 (B) for sheep and goats, establishments must
6 sponge from the flank, brisket, and rump, except for
7 hide-on carcasses, in which case establishments must
8 take samples by sponging from inside the flank, inside
9 the brisket, and inside the rump;

10 (C) for swine carcasses, establishments must
11 sponge or excise tissue from the ham, belly, and jowl
12 areas.

13 (3) A licensee must collect at least one sample per
14 week, starting the first full week of operation after June
15 1 of each year, and continue sampling at a minimum of once
16 each week in which the establishment operates until June 1
17 of the following year or until 13 samples have been
18 collected, whichever is sooner.

19 (4) Upon a licensee's meeting the requirements of item
20 (3) of this subsection (d), weekly sampling and testing
21 shall be optional, unless changes are made in establishment
22 facilities, equipment, personnel, or procedures that may
23 affect the adequacy of existing process control measures,
24 as determined by the licensee or the Department.
25 Determinations made by the Department that changes have
26 been made requiring the resumption of weekly testing must

1 be provided to the licensee in writing.

2 (5) Laboratories may use any quantitative method for
3 the analysis of E. coli that is approved as an AOAC
4 Official Method of the AOAC International (formerly the
5 Association of Official Analytical Chemists) or approved
6 and published by a scientific body and based on the results
7 of a collaborative trial conducted in accordance with an
8 internationally recognized protocol on collaborative
9 trials and compared against the 3 tube Most Probable Number
10 (MPN) method and agreeing with the 95% upper and lower
11 confidence limit of the appropriate MPN index.

12 (6) A licensee must maintain accurate records of all
13 test results, in terms of CFU/cm² of surface area sponged
14 or excised. Results must be recorded onto a process control
15 chart or table showing at least the most recent 13 test
16 results, by type of livestock slaughtered. Records shall be
17 retained at the establishment for a period of 12 months and
18 made available to the Department upon request.

19 (7) Licensees must meet the following criteria for the
20 evaluation of test results:

21 (A) A licensee excising samples from carcasses
22 shall be deemed as operating within the criteria of
23 this item (7) when the most recent E. coli test result
24 does not exceed the upper limit (M), and the number of
25 samples, if any, testing positive at levels above (m)
26 is 3 or fewer out of the most recent 13 samples (n)

1 taken, as follows:

2 Evaluation of E. Coli Test Results

3	<u>Type of</u>	<u>Lower limit</u>	<u>Upper limit</u>	<u>Number</u>	<u>Max number</u>
4	<u>Livestock</u>	<u>of marginal</u>	<u>of marginal</u>	<u>samples</u>	<u>permitted</u>
5		<u>range</u>	<u>range</u>	<u>collected</u>	<u>in marginal</u>
6					<u>range</u>
7					
8		<u>(m)</u>	<u>(M)</u>	<u>(n)</u>	<u>(c)</u>
9	<u>Cattle</u>	<u>Negative a</u>	<u>100 CFU/cm²</u>	<u>13</u>	<u>3</u>
10	<u>Swine</u>	<u>10 CFU/cm²</u>	<u>10,000 CFU/cm</u>	<u>13</u>	<u>3</u>

11 a Negative is defined by the sensitivity of the method used in
 12 the baseline study with a limit of sensitivity of at least 5
 13 CFU/cm² carcass surface area.

14 (B) A licensee sponging carcasses shall evaluate
 15 E. coli test results using statistical process control
 16 techniques.

17 (8) Test results that do not meet the criteria set
 18 forth in item (7) of this subsection (d) are an indication
 19 that the establishment may not be maintaining process
 20 controls sufficient to prevent fecal contamination. The
 21 Department shall take further action as appropriate to
 22 ensure that all applicable provisions of this Section are
 23 being met.

1 (9) Inspection shall be suspended in accordance with
2 the rules of practice adopted for such proceedings upon a
3 finding by the Department that one or more provisions of
4 items (1) through (6) of this subsection (d) have not been
5 complied with and written notice of this noncompliance has
6 been provided to the licensee.

7 (e) Each Type II licensee that slaughters poultry shall
8 test for Escherichia coli Biotype 1 (E. coli). Licensees that
9 slaughter more than one type of poultry or poultry and
10 livestock, shall test the type of poultry or livestock
11 slaughtered in the greatest number. The testing required under
12 this subsection (e) must meet all of the following
13 requirements:

14 (1) A licensee must prepare written specimen
15 collection procedures that identify the employees
16 designated to collect samples and must address (i)
17 locations of sampling, (ii) the ways in which sampling
18 randomness is achieved, and (iii) the handling of samples
19 to ensure sample integrity. This written procedure must be
20 made available to the Department upon request.

21 (2) When collecting poultry samples, a whole bird must
22 be taken from the end of the slaughter line. Samples must
23 be collected by rinsing the whole carcass in an amount of
24 buffer appropriate for that type of bird. Samples from
25 turkeys or ratites also may be collected by sponging the
26 carcass on the back and thigh.

1 (3) Licensees that slaughter turkeys, ducks, geese,
2 guineas, squabs, or ratites in the largest number must
3 collect at least one sample during each week of operation
4 after June 1 of each year, and continue sampling at a
5 minimum of once each week that the establishment operates
6 until June 1 of the following year or until 13 samples have
7 been collected, whichever is sooner.

8 (4) Upon a licensee's meeting the requirements of item
9 (3) of this subsection (e), weekly sampling and testing
10 shall be optional, unless changes are made in establishment
11 facilities, equipment, personnel, or procedures that may
12 affect the adequacy of existing process control measures,
13 as determined by the licensee or by the Department.
14 Determinations by the Department that changes have been
15 made requiring the resumption of weekly testing must be
16 provided to the licensee in writing.

17 (5) Laboratories may use any quantitative method for
18 the analysis of E. coli that is approved as an AOAC
19 Official Method of the AOAC International (formerly the
20 Association of Official Analytical Chemists) or approved
21 and published by a scientific body and based on the results
22 of a collaborative trial conducted in accordance with an
23 internationally recognized protocol on collaborative
24 trials and compared against the 3 tube Most Probable Number
25 (MPN) method and agreeing with the 95% upper and lower
26 confidence limit of the appropriate MPN index.

1 (6) A licensee must maintain accurate records of all
 2 test results, in terms of CFU/ml of rinse fluid. Results
 3 must be recorded onto a process control chart or table
 4 showing the most recent 13 test results, by type of poultry
 5 slaughtered. Records must be retained at the establishment
 6 for a period of 12 months and made available to the
 7 Department upon request.

8 (7) A licensee excising samples under this subsection
 9 (e) shall be deemed as operating within the criteria of
 10 this item (7) when the most recent E. coli test result does
 11 not exceed the upper limit (M), and the number of samples,
 12 if any, testing positive at levels above (m) is 3 or fewer
 13 out of the most recent 13 samples (n) taken, as follows:

14 Evaluation of E. Coli Test Results

<u>Type of</u>	<u>Lower limit</u>	<u>Upper limit</u>	<u>Number of</u>	<u>Number</u>
<u>poultry</u>	<u>of marginal</u>	<u>of marginal</u>	<u>samples</u>	<u>permitted</u>
	<u>range</u>	<u>range</u>	<u>tested</u>	<u>in marginal</u>
				<u>range</u>
	<u>(m)</u>	<u>(M)</u>	<u>(n)</u>	<u>(c)</u>
<u>Chickens</u>	<u>100 CFU/ml</u>	<u>1,000 CFU/ml</u>	<u>13</u>	<u>3</u>

22 (8) Test results that do not meet the criteria set
 23 forth in item (7) of this subsection (e) are an indication

1 that the establishment may not be maintaining process
2 controls sufficient to prevent fecal contamination. The
3 Department shall take further action as appropriate to
4 ensure that all applicable provisions of this Section are
5 being met.

6 (9) Inspection shall be suspended in accordance with
7 the rules of practice adopted for such proceeding upon a
8 finding by the Department that one or more provisions of
9 items (1) through (6) of this subsection (e) have not been
10 complied with and written notice of this noncompliance has
11 been provided to the establishment.

12 (Source: P.A. 94-1052, eff. 1-1-07.)".