

# Selling Home Raised Poultry



## Introduction

The purpose of this factsheet is to describe how Minnesotans may safely and legally sell their harvested poultry and to provide an overview of regulatory issues related to poultry.

Demand for processed poultry from local sources has increased and more individuals are raising poultry to meet this demand. This document will provide a foundation and resources regarding the sale of home- or farm-raised poultry in Minnesota. Links for additional information and contact information are available within the text of the factsheet.



## Definitions

**Farmer:** A person who raises food either at his/her home property, farm, or garden that they rent or own.

**Harvest:** Alternate term for slaughter.

**Poultry:** Domesticated fowl including chickens, waterfowl and game birds, except doves and pigeons, which are bred for the primary purpose of producing eggs or meat. “Waterfowl” means domesticated fowl that normally swim, such as ducks and geese. “Game birds” means domesticated fowl such as pheasants, partridge, quail, grouse, and guineas, but not doves and pigeons (MINN. R. 1520.5200 Sub. 14, 21 and 30).

**Retail sales:** Retail sales are sales made to the final consumer (i.e., the person who will eat the food themselves or serve it to their household or non-paying guests).

**Sell; sale:** Any situation in which a food product changes hands, whether money is exchanged, is considered a sale by Minnesota law. This includes selling, donating, distributing, serving (e.g., at a restaurant), as well as transporting or storing food products with intent to sell, donate, distribute, or serve those products (MINN. STAT. 34A.01, Sub. 12)

In accordance with the Americans with Disabilities Act, this information is available in alternative forms of communication upon request by calling 651-201-6000. TTY users can call the Minnesota Relay Service at 711. The MDA is an equal opportunity employer and provider.

## Historical Background

The Poultry Products Inspection Act (PPIA) commonly referred to as Public Law (P.L.) 90 – 492, is a federal act passed by the United States Congress in 1957 that mandated federal inspection at businesses that slaughter poultry or process poultry products for sale.

The goal of the act is to ensure that only wholesome poultry that is not adulterated or misbranded enters interstate (between states) or foreign commerce.

A 1968 amendment extended the mandate for federal (or state **Equal-To**) inspection to all businesses that slaughter or process poultry for shipment within a state. All poultry sold must meet the mandated requirements unless the operator

qualifies as an “Exempt P.L. 90-492” processor.

Exempt P.L. 90-492 is the term that refers to poultry slaughter and processing operations that qualify to operate without the benefit of daily federal (or state **Equal-To**) inspection. Bird-by-bird inspection is not required in these operations and the presence of inspectors is not required. These facilities, which are usually smaller poultry farms, are not exempt from all of the requirements of the PPIA, and certain state-specific requirements do apply to these operators. Greater detail is provided in other sections of this factsheet. Most importantly, these operators are not allowed to produce product that is adulterated and misbranded.

## Frequently Asked Questions

### I want to sell my farm-slaughtered poultry directly to the consumer from my farm. Do I need a license or inspection to do so?

It depends on the situation. Licensing and inspection are two different topics and the requirements for each are dependent on the specific situation.

**Inspection:** No inspection is required for poultry farmers who do their own processing and sell fewer than 1,000 home-raised poultry per year from their farm directly to the end consumer. Farmers selling more than 1,000 birds per year, or who sell their poultry off the premises of their own farm (e.g. at a farmers’ market, roadside stand), may be subject to inspection, though processing facilities do not need pre-approval by the Minnesota Department of Agriculture (MDA).

**Licensing:** When processing and selling your own poultry directly to end consumers, you may be exempt from state licensing as long as the following requirements are met:

- The farm slaughters fewer than 20,000 birds annually.
- No birds are offered for sale or transportation in interstate commerce (i.e., across state lines).
- The farmer sells only birds raised on his/her own farm.
- The poultry products are sold as whole birds or minimally processed, with no added ingredients (no smoking or curing permitted).
- The poultry farmer slaughters his/her own birds under sanitary conditions.
- The farmer must keep slaughter and sales records.
- The processed poultry must be properly labeled.

### What are the labeling requirements?

To sell your poultry from your farm, each bird (or package) must have a label to include ALL the criteria listed below (a–e):

- a. The Product Name and;
- b. “Exempt PL 90-492” and;
- c. Farmer’s Name and;
- d. Name, address, and zip code of your farm and;
- e. Safe Handling Instructions (with a minimum 1/16-inch letter height).


An example of the required labeling:

**Whole Chicken**  
Exempt PL 90-492


Smith Poultry  
1234 Pasture Road  
Anytown, MN 55555

### Safe Handling Instructions


Some food products may contain bacteria and could cause illness if the product is mishandled or cooked improperly. For your protection, follow these safe handling instructions:




Keep refrigerated or frozen.  
Thaw in refrigerator or microwave.



Keep raw meat and poultry separate from other foods. Wash working surfaces (including cutting boards), utensils, and hands after touching raw meat or poultry.



Cook thoroughly.



Keep hot foods hot.  
Refrigerate leftovers immediately or discard.

## If I meet the PL 90-492 Exemption requirements, does that mean I avoid having an inspector come on site to my farm to conduct an inspection?

**No.** Exempt farm facilities are subject to inspection to verify sanitary conditions at the discretion of the MDA, or as a result of a consumer complaint.

*Regardless of PL Exemption or license status, all producers, processors, handlers, and vendors of food, must comply with food safety laws and regulations.*

## What type of inspection is required before the poultry is sold if I do not qualify for PL Exempt?

If you do not qualify for the PL Exemption, the poultry must be harvested and processed in an establishment that is inspected continuously by either the MDA Meat and Poultry Inspection Program (commonly called **Equal-To**) or USDA FSIS. The term “equal to” comes from the fact that the state inspection program follows regulations and processes equal to those of the USDA.

## What does “inspected continuously” mean?

This means that the poultry business is inspected every day during operations to ensure that they are producing safe food. Every bird harvested in a continuously inspected establishment must be inspected before, during, and after slaughter to ensure that the meat comes from an animal free from signs of disease.

Continuous inspection is required for any business that sells their poultry products to retail outlets, such as grocery stores, restaurants, or other food service institutions.

## Who does continuous inspection?

Continuous inspection can be provided in one of two ways:

**Federal Inspection:** Operators who intend to sell some or all of their products outside of Minnesota, whether nationally or internationally, must be inspected by the USDA Food Safety and Inspection Service (FSIS). These businesses may harvest their own poultry or may purchase products from other USDA inspected sources and further process these products under continuous inspection.

**State Inspection:** Operators who produce and sell their products only in Minnesota can be inspected by the State **Equal-To** inspection program. These businesses may harvest their own poultry or purchase products from either USDA or state inspected sources for further processing in their facility.

You can find a list of state and USDA inspected meat and poultry plants online:

[List of Minnesota State Equal-To Plants](#)

[List of USDA Inspected Plants](#)

Contact USDA’s Des Moines District office at 1-800-990-9834 for additional information.

## How can I sell my poultry at the farmers’ market?

Farmers have two options for conducting retail sales of poultry at a farmers’ market:

- Harvest the birds yourself in an on-farm facility that meets the requirements as outlined in [9 CFR 416.2-416.5](#). In addition, you must follow the other PL Exemption requirements and label requirements provided earlier in this fact sheet.
- Have the birds harvested in either a MN **Equal-To** facility or USDA facility under continuous inspection.

## Do I need a license to sell my birds at a farmers’ market?

Farmers selling whole or minimally processed poultry (no other ingredients added) from their own flock are not required to be licensed. However, certain local governments may require licensing to sell products at a farmers’ market, so it is important to check with your market manager about local regulations, as well.

These producers are encouraged to register as an on-farm exempt producer with MDA.

## [Registration for Selling Poultry and Rabbits in Minnesota](#)

## I have my birds processed at a local meat market. Can I sell them at the farmers’ market?

Only if the local meat market is inspected continuously by either the MN **Equal-To** or USDA FSIS programs.

*If the local meat market is a “custom” or “custom exempt” processor, the poultry processed at that market CANNOT be sold.*

## What do I need to do to sell my own poultry to grocery stores, restaurants, schools or other businesses?

The meat or poultry from these establishments cannot be sold and can only be consumed by the owner, the owner’s immediate family, and non-paying guests.

These birds must be processed under either MN **Equal-To** or USDA FSIS inspection. As the farmer, you are not required to be licensed by the state if you are selling only birds you have raised.

### What would happen if I did sell my poultry to a food facility or at a farmers' market without following the rules and guidelines given in this factsheet?

The use or presence of unapproved food products in a food facility or at a farmers' market is a violation of federal, state, and local laws. If an inspector finds any unapproved food product during an inspection or investigation, you will be ordered to immediately discontinue the practice of using or selling the products identified as illegal and those items will be immediately removed from sale or use. Additional regulatory actions could include embargo, recall, hearings, fines, or condemnation and destruction of the illegal food items.

### What are some other guidelines regarding the sale of locally produced poultry?

- Be prepared to answer the purchaser's questions about how the birds are raised, processed, handled, and stored.
- Wash hands well and often.
- Maintain the processed poultry at 41°F or less, or freeze.
- Provide a receipt of purchase and keep good records. Good recordkeeping is particularly important in case illness or injury results and there is a need to trace the product back to the supplier.

### What is a Custom Meat Processor?

A custom meat processor is a plant that is exempt from continuous inspection because they only process meat as a service to the owner of the animal. The inspector is not present when animals are slaughtered. Businesses that operate under this exemption are inspected quarterly by the State Inspection Programs or by FSIS/USDA.

The meat or poultry from these establishments cannot be sold and can only be consumed by the owner, the owner's immediate family, and non-paying guests.

### Type of Inspection Needed for Poultry Processors

Where poultry is sold	Type of inspection required
Grocery stores, restaurants (wholesale outlets)	Federal or State <b>Equal-To</b>
Direct retail sales from the farm to end customer (if slaughtered on the farm)	No routine inspection – processed under P.L. exemption
Individuals at a Farmers' Market	Federal or State <b>Equal-To</b> or P.L. exempt from an approved facility

### Type of Licensing Needed for Poultry Processors

Products being sold	Licensing needed
Birds only from your farm	None required – Register with MDA
Birds from your farm and other farms	Food handler's license
Poultry products with added ingredients that do not come from your farm	Food handler's license

### How do I get started?

Because each situation is unique, it is important to contact the MDA at 651-201-6300 or [MDA.MeatPoultryEgg@state.mn.us](mailto:MDA.MeatPoultryEgg@state.mn.us) if you have questions regarding approved sources, inspection & facility requirements, farmer exemptions, licensing or labeling.