

HB 396 - AS AMENDED BY THE HOUSE

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2025 SESSION

25-0749

08/09

HOUSE BILL

396

AN ACT relative to the processing of beef cows, swine, sheep, and goats at facilities not certified by the United States Department of Agriculture.

SPONSORS: Rep. Comtois, Belk. 7; Rep. J. Aron, Sull. 4; Rep. Granger, Straf. 2; Rep. Kofalt, Hills. 32; Rep. Layon, Rock. 13; Sen. Innis, Dist 7; Sen. Pearl, Dist 17

COMMITTEE: Environment and Agriculture

AMENDED ANALYSIS

This bill allows for a limited number of beef cows, swine, sheep, and goats to be processed per month by a farm or a producer at a facility that is not certified by the United States Department of Agriculture.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to the processing of beef cows, swine, sheep, and goats at facilities not certified by the United States Department of Agriculture.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Exemptions; Food Service Licensure. Amend RSA 143-A:5, IX to read as follows:

2 IX. A farm owned or operated by any person, firm, or corporation that raises bison, elk, [Ø] red deer, **beef cows, swine, sheep, or goats** for human consumption, and the direct sale within this
3 state of the carcasses, parts, **and** meat[~~,-and meat food products~~] of such animals, **and meat food**
4 **products of uninspected bison, elk, or red deer**, when slaughtered and processed in accordance
5 with RSA 427:2-a, IV, to the consumer from such farm, at the producer's farm stand, and by the
6 producer at farmers' markets, or when sold to a licensed restaurant in accordance with RSA 143-
7 A:20.
8

9 2 Uninspected Bison, Elk, or Red Deer; Beef Cows, Swine, Sheep, and Goats Included. Amend
10 RSA 143-A:18 to read as follows:

11 143-A:18 Definition of Uninspected Bison, Elk, [Ø] Red Deer, **Beef Cows, Swine, Sheep, or**
12 **Goats**.

13 For purposes of this subdivision, "uninspected bison, elk, [Ø] red deer, **beef cows, swine, sheep,**
14 **or goats**" means carcasses, parts, meat[~~,-and meat food products~~] of bison, elk, [Ø] red deer, **beef**
15 **cows, swine, sheep, or goats, and meat food products of bison, elk, or red deer** slaughtered
16 and processed in accordance with RSA 427:16, XII and sold or to be sold as provided in RSA 427:2-a,
17 IV.

18 3 Labeling; Meat from Uninspected Bison, Elk, or Red Deer; Beef Cows, Swine, Sheep, and
19 Goats Included. Amend RSA 143-A:19 to read as follows:

20 143-A:19 Labeling; Meat from Uninspected Bison, Elk, [Ø] Red Deer, **Beef Cows, Swine,**
21 **Sheep, and Goats**.

22 All packaging containing uninspected bison, elk, [Ø] red deer, **beef cows, swine, sheep, or**
23 **goats** shall be clearly labeled to include a description of the product, the name, address, and
24 telephone number of the farm where the product originates, and the date of slaughter.

25 4 Purchase of Uninspected Bison, Elk, or Red Deer by Licensed Restaurants; Beef Cows, Swine,
26 Sheep, and Goats Included. Amend RSA 143-A:20 to read as follows:

27 143-A:20 Purchase of Uninspected Bison, Elk, [Ø] Red Deer, **Beef Cows, Swine, Sheep, or**
28 **Goats** by Licensed Restaurants.

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1 I. A licensed restaurant, as defined in RSA 143-A:14, II, may purchase from bison, elk, [Ø] red deer, **beef cow, swine, sheep, or goat** producers uninspected bison, elk, [Ø] red deer, **beef**
2 **cows, swine, sheep, or goat** that is labeled in accordance with RSA 143-A:19.

4 II. For at least 90 days from the date of each purchase, the licensed restaurant shall keep on
5 file the receipt of purchase to include the product purchased, the date of purchase, the name of the
6 producer, the name and address of the farm, and phone number.

7 III. The licensed restaurant shall clearly label any menu item containing uninspected bison,
8 elk, or red deer with the following statement: "This product was slaughtered at the farm and is
9 exempt from state and federal inspection."

10 **III-a. The licensed restaurant shall clearly label any menu item containing**
11 **uninspected beef, cow, swine, sheep, or goat with the following statement: "This product**
12 **was slaughtered at the farm and is exempt from state inspection.**

13 5 Purchase of Uninspected Bison, Elk, or Red Deer by Retailers; Beef Cows, Swine, Sheep, and
14 Goats Included. Amend RSA 143-A:20-a to read as follows:

15 143-A:20-a Purchase of Uninspected Bison, Elk, [Ø] Red Deer, **Beef Cows, Swine, Sheep, or**
16 **Goat** by Retailers.

17 I. A retailer may purchase from bison, elk, [Ø] red deer, **beef cow, swine, sheep, or goat**
18 producers uninspected bison, elk, [Ø] red deer, **beef cow, swine, sheep, or goat** that is labeled in
19 accordance with RSA 143-A:19 for resale.

20 II. For at least 90 days from the date of each purchase, the retailer shall keep on file the
21 receipt of purchase to include the product purchased, the date of purchase, the name of the producer,
22 the name and address of the farm, and phone number.

23 III. The retailer shall clearly label any product containing uninspected bison, elk, or red
24 deer with the following statement: "This product was slaughtered at the farm and is exempt from
25 state and federal inspection."

26 **IV. The retailer shall clearly label any product containing uninspected beef, cow,**
27 **swine, sheep, or goat with the following statement: "This product was slaughtered at the**
28 **farm and is exempt from state inspection."**

29 6 Exemptions; Beef Cows, Swine, Sheep, and Goats. Amend RSA 427:2-a, IV to read as follows:

30 IV. The slaughter of bison, elk, [Ø] red deer, **beef cows, swine, sheep, or goats** on a farm
31 for purposes of sale, as provided in RSA 143-A:5, IX, shall be exempt from the provisions of this
32 subdivision requiring inspection of the slaughter of animals and preparation of the carcasses, parts
33 thereof, meat **of such animals**, and meat food products **of bison, elk, or red deer** for sale within
34 this state to the public. The slaughter of a bison, elk, [Ø] red deer, **beef cows, swine, sheep, or**
35 **goats** under this paragraph shall be permitted only:

36 (a) When the owner of the bison, elk, [Ø] red deer, **beef cows, swine, sheep, or goat**
37 designates a slaughter area on the farm premises **which is maintained in sanitary condition.**

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1 (b) When the bison, elk, ~~[or]~~ red deer, **beef cows, swine, sheep, or goat** is slaughtered
2 in a humane method, as defined in RSA 427:33, III, by the owner or the owner's full time or seasonal
3 employee.

4 (c) ~~[From September 1 to April 30.~~

5 ~~(d)~~ When no more than 12 hours passes from the time of slaughter to the placement of
6 the carcass in a refrigerated facility at or below 41 degrees Fahrenheit.

7 ~~(e)~~ **(d)** When a veterinarian licensed under RSA 332-B conducts an ante-mortem
8 examination of each herd on an annual basis and the documents related to his or her examination
9 are kept on file with all relevant information including:

- 10 (1) Species being inspected;
11 (2) Herd condition; and
12 (3) Location and time of inspection.

13 ~~(f)~~ **(e)** When such animal is transported to and processed at a facility that is eligible to
14 conduct custom exempt activities as regulated by the USDA pursuant to 21 U.S.C. section 623(a) and
15 associated departmental regulations.

16 ~~(g)~~ **(f)** When the owner of the bison, elk, or red deer retains the original copy of the
17 report made in ~~subparagraph (e)~~ **subparagraph (d)**. A copy of such report shall accompany the
18 bison, elk, or red deer carcass to the processing facility. The processing facility shall retain a copy of
19 the report for one year.

20 ~~(h)~~ **(g)** When bison, elk, or red deer meat is ground for sale, ground meat from every second
21 animal processed shall be tested by the processing facility for Escherichia coli and salmonella at the
22 owner's expense. All aspects of the testing, including sampling, shall be done in a manner that
23 complies with standards and procedures of the USDA, and may include the services of an outside
24 laboratory. The owner of the meat shall not sell it until he or she is in receipt of the test result that
25 indicates the product is safe to eat. The test result shall be kept by the owner for at least one year.

26 ~~(i)~~ **(h)** Prior to sale, as provided in RSA 143-A:5, IX, it is labeled as required in RSA
27 143-A:19.

28 ~~(j)~~ **(i)** When the elk or red deer are sourced, kept, and propagated consistent with the
29 rules pursuant to RSA 207:14, RSA 212:25, and RSA 436:24.

30 ~~(k)~~ **(j)** When, in the event any atypical death of a red deer or elk on the farm, that
31 animal's carcass is tested for chronic wasting disease under rules established by the department of
32 fish and game and the resulting test is negative.

33 **V. Any farm that slaughters and butchers its own beef cows, swine, sheep, or goats**
34 **under this chapter with intent to sell the meat in intrastate commerce shall register with**
35 **the department of agriculture, markets, and food. A representative of the farm shall sign a**
36 **statement in such registration acknowledging that by not processing its own beef cows,**

1 *swine, sheep, or goats at a United States Department of Agriculture facility the farm is*
2 *violating federal law and could be subject to federal prosecution.*

3 *VI. No more than the following number of animals shall be processed per month*
4 *under this paragraph:*

5 *(a) Three beef cows.*

6 *(b) Five swine.*

7 *(c) Ten sheep or goats, or a combination thereof.*

8 7 Effective Date. This act shall take effect upon its passage.