



Health Law and Policy Clinic of
Harvard Law School



Local Meat Production and Regulation

Significant legal barriers to entry exist for local meat producers in Mississippi. Federal and state laws heavily regulate various aspects of meat production, and do not contain exemptions for small-scale producers. Nevertheless, there are strategies that local producers and consumers can use to get around, or at least to mitigate, the costs of these regulations.

How is meat production regulated in Mississippi?

Both the Federal and State governments have passed laws governing various aspects of meat production, as well as regulations and programs pursuant to their respective authorizing laws.¹ Due to the breadth of such regulations, producing meat under inspection is both complex and expensive. The Federal Meat Inspection Act requires inspection of all meat sold in interstate commerce, and federal or equally rigorous inspection of all meat sold within state borders.² Various acts and regulations also require licensing of all facilities used in meat processing, prohibit any sort of adulteration or misbranding, and contain detailed requirements on record keeping, labeling and packaging, and sanitary procedures.

Nevertheless, custom slaughter for personal consumption is permitted without inspection.

What is the current state of meat production in Mississippi?

There are currently no cattle-slaughtering plants under inspection in Mississippi. While a handful of such facilities have existed in recent years, the State's remaining plants were closed down in light of new tests required by the Food Safety Inspection Service (FSIS), unable to afford continuing compliance. This increasing emphasis on safety, driven largely by concerns over disease outbreaks at larger plants, has (perhaps unfairly) made meat production prohibitively expensive for local producers.

What can local meat producers and consumers do?

Both short-term and long-term strategies exist to facilitate the buying and selling of locally raised and produced meat. Local producers and consumers in other states have had success in using these strategies.

1. Community-supported agriculture: State and federal laws prohibit local producers from selling meat not slaughtered and processed at inspected facilities. However, they exempt from regulation meat produced for personal consumption. Some local producers have therefore gotten around these requirements by selling a stake in the live cattle prior to slaughter. After taking the animal to a custom slaughterhouse, the producer can then distribute shares of the meat to those who already technically own it.

2. Mobile slaughter units: A mobile slaughter unit is a self-contained slaughter facility, staffed by a federal inspector, which can travel from site to site. Mobile units have been used to serve multiple small producers in areas like Mississippi, where traditional slaughtering services are unavailable. A group of farmers will typically form a cooperative to collectively finance the unit. Problems remain, however; the units are still expensive to procure (around \$250,000), the meat still needs to be brought to a packing

¹ 21 U.S.C. § 601 *et seq.*; Miss. Code § 75-33-1 *et seq.*; § 75-35-1 *et seq.*, available at http://www.fsis.usda.gov/regulations/federal_meat_inspection_act/index.asp; http://www.mdac.state.ms.us/n_library/agency_info/reg_laws/laws_meat.html.

² 21 U.S.C. § 601 *et seq.*



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house before being sold, and mobile units still require an approved water source and a place to dispose of byproducts.

3. *Legislative and regulatory action:* People interested in producing or consuming local meat are increasingly discussing these issues around the country. Ideas range from simplifying the relevant regulations to creating a corps of inspectors dedicated to small farms. The USDA has already introduced several initiatives aimed at helping small producers, such as training programs and resource databases, as well as contacts and coordinators in all fifty states.³ It appears willing to act on more good ideas.

³ Information on these initiatives is available at http://www.fsis.usda.gov/Science/Small_Very_Small_Plant_Outreach/index.asp.