Chapter 603

1961 REPLACEMENT PART
(1963 reprint)

Meat Dealers and Slaughterhouses; Humane Slaughter

REGULATION OF MEAT DEALERS AND SLAUGHTERHOUSES

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REGULATION OF MEAT DEALERS AND SLAUGHTERHOUSES

603.010 Definitions for ORS 603.010 to 603.190. As used in ORS 603.010 to 603.190:

(1) "Bona fide producer of livestock" means a person engaged in the production of meat food animals, poultry or rabbits.

(2) "Department" means the State Department of Agriculture.

(3) "Licensee" means any person licensed under ORS 603.010 to 603.190.

(4) "Meat food animal" means domestic cattle, equines, sheep, goats and swine.

(5) "Meat food products" means the fresh meats of meat food animals or poultry or rabbits which have not been smoked, dried, pickled or canned.

(6) "Place of business" means any place, vehicle or building in which or at which the business of a licensee is conducted. Any group of buildings situated on contiguous property and used as an integral part of one business shall be considered as one place of business. In case a licensee does not have a fixed place of business, such as a licensee whose business consists only of wholesaling meat food products from a truck, or whose business consists of slaughtering meat food animals for farmers on their farms with or without the use of vehicles, the place of business of such licensee, for licensing purposes only, is his home or a designated business office from which his business is conducted.

(7) "Poultry" means chickens, ducks, geese, turkeys and all other domesticated fowls or birds used for human food purposes.

(8) "Primal part" means the shoulder, rib, loin, rump and hind quarter of each side of a meat food animal.

(9) "Slaughterhouse" means any building, plant, establishment, vehicle or structure, whether movable or stationary, where meat food animals or poultry or rabbits are killed or dressed, the meat or meat products of which are to be offered for sale for human consumption.

[Amended by 1953 c.692 §6; 1955 c.724 §1; 1959 c.239 §1; 1961 c.164 §1]

603.020 Purpose of ORS 603.010 to 603.190. The purpose of ORS 603.010 to 603.190 is to protect the livestock industry within the state and to prevent theft of livestock, meat food animal carcasses or poultry or rabbits.

[Amended by 1955 c.724 §2]

603.030 Licenses; issuance; fee; renewability; suspension; revocation. (1) No person shall:

(a) Slaughter meat food animals without having first obtained a license therefor from the department.

(b) Slaughter poultry or rabbits without having first obtained a license therefor from the department.

(c) Sell meat food products without having first obtained a license therefor from the department.

(2) Notwithstanding subsection (1) of this section, a person holding a meat food animal slaughtering license may slaughter poultry or rabbits or sell meat food products in or at his place of business, and a person holding a poultry or rabbit slaughtering license may sell meat food products in or at his place of business.

(3) The department may issue the licenses referred to in subsection (1) of this section. Application for a license must be made to the department, upon forms furnished by it, which shall contain:

(a) The name and postoffice address of the applicant.

(b) The exact location of the place of business for which the license is requested.

(c) The kind of license which is desired.

(4) The license fee provided for in this section shall accompany the application. Each license shall be renewable one year from the date of its issue. A license is personal to the applicant and shall not be transferred.

(5) The following license fees shall be paid by the applicant:

(a) License to slaughter meat food animals, $50.

(b) License to slaughter poultry and rabbits, $20.

(c) License to sell meat food products, $10.

(6) (a) The department may suspend, revoke or refuse to renew or grant a license to any applicant whose slaughterhouse construction, equipment and management practices do not meet the requirements of ORS 619.010 to 619.240.

(b) In the event that a licensee has been convicted of any violation of ORS 619.010 to 619.240, it shall be a sufficient revocation of his license when the department mails by registered mail, addressed to such licensee, at his address as shown by the records of the department, a notice that

his license has been revoked.
[Amended by 1953 c.692 §6; 1955 c.712 §20; 1955 c.724 §3; 1957 c.65 §1; 1961 c.425 §11]

603.033 Persons exempted from license requirements. (1) ORS 603.010 to 603.190 shall not be construed to require a bona fide producer of livestock to obtain a license to slaughter meat food animals or poultry or rabbits or to sell meat food products derived from such animals if such animals have been in his possession for at least 30 days immediately prior to the date of slaughter.

(2) ORS 603.010 to 603.190 shall not be construed to require a person to obtain a license to slaughter a meat food animal, poultry or rabbit, owned by him for his own consumption and use.
[1955 c.724 §5]

603.035 [1953 c.692 §5; repealed by 1955 c.724 §17]

603.040 Stamping devices for holders of licenses to slaughter meat food animals. The department shall furnish to each holder of a license to slaughter meat food animals a stamp for the stamping of carcasses of meat food animals. Every holder of such a license shall make a deposit of $10 with the department for such stamp. Upon return of the stamp, the deposit shall be returned to the licensee. If a stamp is lost or destroyed, the department shall issue a new stamp upon receiving an additional deposit of $10. The stamp shall be kept in the place of business of the licensee, shall remain the property of the State of Oregon and shall be for the exclusive use of the licensee during the lifetime of his license. Any person receiving such stamp must return the same to the department upon the expiration of his license.
[Amended by 1953 c.692 §6; 1955 c.724 §6]

603.050 Posting of license. The license of each licensee must be displayed at all times in a conspicuous manner within his place of business. The words "Oregon License," followed by the establishment number, must be printed in a conspicuous place on all vehicles owned or used by a meat food animal slaughtering licensee in transporting meat food products. The letters of such words and the numbers appearing on vehicles must be at least three inches in height.
[Amended by 1955 c.724 §7]

603.060 Prohibited conduct relating to the possession or transportation of meat food animals. (1) No person:

(a) Shall purchase, transport, receive or be in possession of a meat food animal carcass or primal part which is not tagged with a bona fide producer's tag pursuant to the provisions of ORS 603.070 or stamped with a licensee's stamp pursuant to the provisions of ORS 603.080.

(b) Receiving a tagged meat food animal carcass or primal part, shall fail to retain possession of the tag, in numerical order, for one year from the date of receiving the tagged carcass or primal part.

(c) Shall refuse to permit a peace officer, authorized employe of the department or other officer authorized by ORS 603.010 to 603.190, to inspect at any time tags in the possession of the person.

(2) The provisions of paragraph (a) of subsection (1) of this section do not apply to a meat food animal slaughtered by a farmer on his own farm until such time as the carcass or primal part thereof is removed or moved from such farm.
[Amended by 1955 c.724 §8; 1959 c.239 §2]

603.070 Meat food producer's tags. Bona fide producer's tags referred to in ORS 603.060 shall be prepared and numbered serially in a manner and form prescribed by the department. The tags shall be distributed by the department through its brand inspectors employed pursuant to ORS chapter 604, or such other agencies as it may select. The tags shall be furnished by the department without cost to the bona fide producer. Before issuing a tag to a bona fide producer, a brand inspector or other agency shall satisfy himself that the person requesting the tag is in lawful possession of the animal to be slaughtered. If the animal bears a brand recorded for a person other than the person requesting the tag, the brand inspector or other agency may require the person requesting the tag to produce a bill of sale or other evidence of ownership or right of possession.
[Amended by 1955 c.724 §9]

603.080 Stamping of carcasses. (1) A person holding a license to slaughter meat food animals must stamp, with the stamp issued to him by the department, all carcasses of meat food animals killed by him. He must affix such stamp with ink approved by the department and must stamp the carcass plainly and legibly on each primal part. He shall apply the stamp on the outside of the primal part as soon as practi-

cable after removal of the hide but in any event prior to removing the carcass or primal parts from the slaughterhouse. In case the hide is not removed at the time of slaughter the licensee shall stamp the inside of the carcass.

(2) For the purposes of ORS 603.010 to 603.190, any inspection stamp legally applied by authority of a meat inspection service enforced by the United States Department of Agriculture, the department or a municipality operating a meat inspection service approved by the department, shall be considered the equivalent of the stamp bearing the establishment number of the licensee.
[Amended by 1955 c.724 §10]

603.090 [Repealed by 1955 c.724 §17]

603.091 Nonslaughtering processing establishment; license and regulatory provisions. (1) "Nonslaughtering processing establishment" for the purpose of this section means any building, plant, establishment, vehicle or structure, whether movable or stationary, which is not subject to the provisions of or licensed as a slaughterhouse or is licensed to slaughter poultry and rabbits, but wherein meat products for human consumption are prepared, processed, canned, cooked, dried, smoked, cured or pickled, and including but not limited to the grinding or manufacturing of sausage, ground round, hamburger or frankfurters.

(2) No person shall operate a nonslaughtering processing establishment without first obtaining a license therefor from the department. The license fee shall be $10.

(3) Notwithstanding subsection (2) of this section, a person holding a meat food animal slaughtering license or a person licensed to slaughter poultry and rabbits may, without being required to obtain an additional license, carry on the business of a nonslaughtering processing establishment provided the operations are all carried on at the same place of business. A person licensed as a nonslaughtering processing establishment may, without being required to obtain an additional license, carry on the business of selling meat food products provided the operations are all carried on at the same place of business. Authority to carry on more than one such type of business at the same place of business shall only be approved or continue to be approved by the department if there is compliance by the owner of such business with the laws and regulations relating to each separate business. "Place of business" for the purpose of this section means any place or building in which or at which the business of a licensee is conducted. Any group of buildings situated on contiguous property and used as an integral part of a business under one ownership, shall be considered as one place of business. An additional license must be obtained for each separate place of business.

(4) The applicable provisions of subsections (3), (4) and (6) of ORS 603.030, ORS 603.033 to 603.190, 603.990 and the provisions of ORS chapters 596 and 619, unless otherwise in conflict, apply to the licensee and his non-slaughtering processing establishment.
[1959 c.565 §16]

603.100 [Repealed by 1955 c.724 §17]

603.101 Animal food slaughtering or processing establishment; license and regulatory provisions. (1) "Animal food slaughtering or processing establishment" for the purpose of this section, means any building, plant, establishment, vehicle or structure, movable or stationary, wherein animals are slaughtered and all or any part thereof are offered for sale or sold in any manner intended for or to be used as animal food.

(2) No person shall operate an animal food slaughtering or processing establishment without first obtaining a license therefor from the department. The license fee shall be $20.

(3) The provisions of subsections (3), (4) and (6) of ORS 603.030 and subsection (1) of ORS 603.990 apply to the licensee and his animal food slaughterhouse or processing establishment. Except as provided by subsection (5) of this section, the remainder of the provisions of ORS 603.010 to 603.190 do not apply to a licensee and his animal food slaughtering or processing establishment.

(4) Notwithstanding subsection (2) of this section, a person holding a meat food animal slaughterhouse license, or a person licensed to slaughter poultry and rabbits, or a person holding a nonslaughtering processing license may, without being required to obtain additional license also sell or dispose of meat or meat products as animal food providing that such licensees also comply with the special provisions which apply to the operation of an animal food slaughtering and processing establishment as required by subsection (5) of this section.

(5) The department shall take necessary steps to protect the health of the animals which are fed or may be fed the meat or meat products sold by or disposed of by animal food slaughtering or processing establishments and such other procedures or measures as may be necessary to also protect the health of other animals in this state. In promulgating regulations, the department shall take into consideration:

(a) The laws of the United States and other states.

(b) The provisions of ORS 603.010 to 603.190 and ORS chapters 596 and 619.

(c) Procedures necessary to insure proper treatment and identification of such meat or meat products.

(d) Procedures necessary to insure that such meat or meat products only fit for or intended for animal consumption, are not sold for or consumed by the people of this state.

(6) A person licensed as provided by this section:

(a) Shall not sell or offer for sale any carcass or part thereof which is unfit for or unwholesome as animal food.

(b) Shall not sell or offer for sale an animal carcass or part thereof for human consumption.

(c) Shall keep adequate accurate records of the animals purchased for slaughter, including but not limited to their description, brands if any, date of purchase and the name and address of the person from whom the animals were purchased.

(d) Shall keep adequate accurate records of the sale of all carcasses or parts thereof, including the name and address of the purchaser.

(e) Shall at all times maintain sanitary conditions in the establishment and all equipment therein.

[1959 c.565 §17]

603.110 [Repealed by 1955 c.724 §17]

603.120 Record of purchases of poultry or rabbits. No person slaughtering poultry or rabbits shall fail to complete a record of all purchases of poultry or rabbits made by him. Such record shall include:

(1) The number and kind of poultry or rabbits.

(2) When and from whom received.

(3) Other information which the department may deem necessary to carry out the intent and provisions of ORS 603.010 to 603.190.

[Amended by 1955 c.724 §11]

603.130 [Repealed by 1955 c.724 §17]

603.140 Enforcement officers. All authorized officers, employes and deputies of the department, peace officers, traffic officers, forest reserve officers and brand inspectors must investigate the movement of meat food animals, poultry or rabbits or meat food products on roads and highways, trails and ranges, and ascertain whether such animals or products are being moved in accordance with the provisions of ORS 603.010 to 603.190, and by the legal owner or with his permission.

[Amended by 1955 c.724 §12]

603.150 Enforcement duties of department. The department shall enforce ORS 603.010 to 603.190, and may prescribe the size and form of any marks and brands and the kind of ink required to be used in stamping or marking carcasses or parts thereof which are required to be stamped. The department shall keep a permanent record of all places licensed under ORS 603.010 to 603.190.

[Amended by 1955 c.724 §13]

603.160 Retention of hides by persons not regularly engaged in business of slaughtering. (1) Any person not regularly engaged in the business of slaughtering cattle, who, at any time, slaughters any cattle, must retain in his possession the hides taken off of such cattle, with the ears attached thereto, without any alteration of the marks on it, or any disfiguration of the brand, for a period of 30 days. Any owner of cattle may, within such period, demand an exhibition of the hide of any cattle so slaughtered by the person killing it, or by any other person for whose use or benefit such animal was killed. Upon such demand being made, he must produce the hide for inspection.

(2) Proof that any person, not regularly engaged in the business of slaughtering cattle, failed to retain in his possession the hides taken off of such cattle with the ears attached thereto, without any alteration of the marks on it or any disfiguration of the brands for the period of 30 days, shall be prima facie evidence of the violation of this section.

603.170 [Repealed by 1955 c.724 §17]

603.180 Disposition of fees. All fees received by the department during any calendar month, resulting from the operation of ORS 603.010 to 603.190, must be paid into

the State Treasury within the first 10 days of the following month. Thereupon the State Treasurer shall place any sums so received to the credit of the Department of Agriculture Account in the General Fund. Any payments so received shall constitute an appropriation of such payments from the General Fund to the credit of the Department of Agriculture Account for the purpose of carrying into full force and effect the specific provisions of ORS 603.010 to 603.190.

603.190 Jurisdiction of courts. Justice of the peace courts and district courts have concurrent jurisdiction with the circuit courts under ORS 603.010 to 603.190.
[Amended by 1955 c.724 §14]

603.200 to 603.300 [Reserved for expansion]

HUMANE SLAUGHTER

603.310 Inhumane slaughter prohibited; penalty. (1) Any person engaged in the commercial slaughter of livestock, who slaughters or handles in connection with slaughter any cattle, calves, horses, mules, sheep, swine or other livestock by a method other than that described in subsection (2) of this section or in violation of the provisions of subsection (3) of this section shall be punished upon conviction by imprisonment in the county jail for not more than one year, or by a fine of not more than $500, or both.

(2) Livestock described in subsection (1) of this section may be slaughtered and handled in connection with slaughter by any method which:

(a) Renders each animal insensible to pain by a single blow or gunshot or by an electrical, chemical or other means that is rapid and effective, before the animal is shackled, hoisted, thrown, cast or cut; or

(b) Is in accordance with the ritual requirements of any religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument.

(3) No person engaged in the commercial slaughter of livestock shall shackle, hoist, or otherwise bring livestock not previously rendered insensible to pain in accordance with subsection (2) of this section into position for slaughter, by any method which shall cause injury or pain.
[1961 c.407 §§1, 2]

603.320 District attorney to enforce ORS 603.310. The district attorney shall institute proceedings before magistrates for the arrest of persons charged with or reasonably suspected of violating ORS 603.310, when he has information that any such offense has been committed.
[1961 c.407 §3]

603.330 to 603.980 [Reserved for expansion]

PENALTIES

603.990 Penalties. (1) Violation of any of the provisions of ORS 603.010 to 603.150 or 603.180 is punishable, upon conviction, by a fine not exceeding $500 or by imprisonment in the county jail not exceeding six months, or both.

(2) Violation of ORS 603.160 is punishable, upon conviction, by a fine not exceeding $100 or by imprisonment in the county jail not exceeding 90 days, or both.

(3) Any person who violates the provisions of ORS 603.091 and 603.101, or the regulations promulgated thereunder, shall be guilty of a misdemeanor.
[Subsection (3) enacted as 1959 c.565 §19]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Sam R. Haley, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,
on December 1, 1961.

Sam R. Haley
Legislative Counsel