

## **Voluntary Inspection for Slaughter and Processing of Exotic Animals**

### **Title 7 Part XXXIII Chapter 3 §301- §333**

#### **§301. General Provisions, Definitions**

A. When not in conflict with existing provisions of R.S. 3:4201 et seq. or this Chapter, the provisions of Code of Federal Regulations, Title 9, Part 416.1-5 are incorporated by reference.

B. The following words and terms, when used in this Chapter, shall have the following meanings unless the context expressly indicates otherwise.

*Commerce*—trade, commerce, transportation, transmission, or communication among the several States, or between any State and any place outside thereof.

*Commissioner*—Commissioner of Agriculture and Forestry.

*Department*—the Louisiana Department of Agriculture and Forestry.

*Establishment*—each place of business that receives voluntary inspection services pursuant to R.S. 3:4215(E) and this Chapter.

*Exotic Animals*—bison, cervidae, other bovidae, camelidae and hybrids thereof, domestic rabbits, pheasant, quail, partridge, peafowl, grouse, wild turkey, or other animals or poultry determined by the commissioner of agriculture herein for human food purposes.

*Public Health Notice*—an alert to the public about potential health risks in cases where a recall has not or cannot be recommended.

*Recall*—a voluntary action by an establishment to remove adulterated or misbranded product from commerce. A recall is intended to protect the public from unsafe and improperly labeled foods.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215. HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:777 (June 2025).

#### **§303. Voluntary Inspection for Exotic Animals**

A. The department may provide, upon application and approval, voluntary inspection services to facilities who process exotic animals, exotic animal carcasses, or exotic meat food products as provided for in this Chapter.

B. An establishment may obtain voluntary inspection services for all or for some of the exotic animals, exotic animal carcasses, or exotic meat food products that it processes. 1. If an establishment seeks voluntary inspection services for some, but not all, of the exotic animals, exotic animal carcasses, or exotic meat food products that it processes: a. it may affix the official voluntary inspection mark as prescribed in this Chapter to only those exotic animal carcasses or exotic meat food products for which the department has provided voluntary inspection services; and b. it shall be charged only for the time for which the department provides voluntary inspection services.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215. HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:778 (June 2025).

#### **§305. Application for Voluntary Inspection**

A. Any person or business desiring to process an exotic animal, exotic animal carcass, exotic animal meat, or meat food product in an establishment under voluntary inspection service must complete an application and receive approval of such establishment and facilities as an official voluntary establishment by the department prior to the provision of such service.

B. When an application has been submitted for voluntary inspection service, the department shall conduct an initial survey which shall include an examination of the establishment, premises, and facilities.

C. The department may provide voluntary inspection services to applicants who meet the following criteria:

1. Facility Standards. Each establishment must meet the facility standards set forth in 21 C.F.R. 416.1-.5, regarding the establishment grounds and facilities; equipment and utensils; sanitary operations, and employee hygiene.

2. Ante-Mortem Inspections and Humane Standards. Each establishment requesting ante-mortem inspections shall meet the following standards:

a. An ante-mortem inspection of an exotic animal shall, where and to the extent considered necessary by the department and under such instructions as it may issue from time to time, be made on the day of slaughter of an exotic animal, as determined by the department.

- b. Humane handling of exotic animals during antemortem inspections shall be done in accordance with the provisions of R.S. 3:4203. Immediately after the animal is stunned or killed, it shall be shackled, hoisted, stuck and bled.
- c. Any exotic animal producer must receive prior approval by the district supervisor for any off-site antemortem inspection.
- d. Any establishment desiring ante-mortem inspection service must receive approval of the designated area from the district supervisor or designee prior to the rendition of such service.

### 3. Post-Mortem Standards

- a. Products must be wholesome and free from adulteration, as defined in R.S. 3:4201.
- b. Products must be protected from adulteration during processing and storage.
- c. Products must be accurately labeled.

D. Upon approval of an initial application for voluntary inspection for exotic animals, the Department shall issue a letter of approval notifying the applicant.

E. Each subsequent individual request for inspection services by that applicant must also be approved. The applicant must submit a request for each individual date on which inspection services are requested. Each request must be approved by the Department. The Department will notify the establishment if the requested date of inspection services is approved.

F. An applicant shall be notified of the decision to reject an application or request for service and the reasons therefore.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215. HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:778 (June 2025).

## **§307. Fees**

A. Voluntary inspection services for exotic animal processing is fee-based and shall be made available only to establishments in good standing and not delinquent on payment of fees. The purchase of an annual license is not required.

B. The hourly fee for voluntary inspection services for exotic animal processing is \$40 per hour, billed on a quarter-hour basis, to be paid by the applicant.

C. Upon completion of inspection services, the department will provide the establishment a Voluntary Exotic Inspection Report. This report will indicate the number of hours per month, calculated to the nearest quarter hour, of inspection services provided as well as the total fee owed for inspection services. A representative of the establishment will be required to sign the report.

D. At a subsequent date, the department will provide an invoice for the fee, which must be paid in full within 30 days of receipt.

E. Failure to pay fees for voluntary exotic inspection services will result in the refusal of further services and will be subject to collections.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215. HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:778 (June 2025).

## **§309. Facility Standards**

A. All approved establishments shall be operated and maintained in a manner sufficient to prevent the creation of unsanitary conditions and to ensure that products are not adulterated.

B. All approved establishments must comply with the sanitation standards set forth in 9 CFR 416.1-416.5.

1. Establishments may request a waiver from certain provisions of 9 CFR 416.1-416.5. Requests for such waivers must be submitted, in writing, to the district supervisor. Approvals of waiver requests must be in writing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215. HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:779 (June 2025).

## **§311. Operating Times**

A. Voluntary inspection services may be made available on non-holiday weekdays, at a minimum of two hours and no more than eight total hours in a given day to be approved in advance by the district supervisor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215. HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:779 (June 2025).

### **§313. Antemortem Examination and Humane Standards.**

A. An ante-mortem inspection of an exotic animal shall, where and to the extent considered necessary by the department and under such instructions as it may issue from time to time, be made on the day of slaughter of an exotic animal, as determined by the department.

B. Humane handling of an exotic animal during antemortem inspection shall be in accordance with the provisions contained in R.S. 3:4203. Immediately after the animal is stunned or killed, it shall be shackled, hoisted, stuck and bled.

1. The department may refuse or temporarily suspend inspection at an establishment if it finds that any exotic animals have been slaughtered or handled in connection with slaughter by any method not in accordance with the Federal Humane Methods of Livestock Slaughter Act (7 U.S.C. §1901 et seq.).

The refusal to inspect or suspension shall continue until the establishment comes into compliance herewith.

C. All establishments requesting offsite ante-mortem inspection services must submit requests, in writing, to the district supervisor, and receive prior approval no less than 48 hours in advance of the requested off-site ante-mortem inspection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215. HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:779 (June 2025). §315. Postmortem Examination Standards A. All products receiving voluntary exotic inspection services must be wholesome and free of adulteration, as defined in R.S. 3:4201, during processing and storage.

### **§315. Postmortem Examination Standards**

A. All products receiving voluntary exotic inspection services must be wholesome and free of adulteration, as defined in R.S. 3:4201, during processing and storage.

B. All products receiving voluntary exotic inspection services must be accurately marked or labeled, as required by this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215. HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:779 (June 2025).

### **§317. Marking**

A. A mark indicating voluntary exotic inspection may be applied only to animal carcasses, parts, and packaging thereof that have been inspected and passed in accordance with the standards set forth in this Chapter.

B. Except as otherwise authorized by the department, the official inspection mark applied to inspected exotic animal carcasses, meat or meat food products under this part shall include wording as follows: "LA Exotic Inspected".

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215. HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:779 (June 2025).

### **§319. Recall/Public Health Notice**

A. The department may recommend a recall or issue a public health notice on products in commerce that are voluntarily inspected in accordance with this Chapter and that the department identifies as adulterated or misbranded as defined in R.S. §3:4201.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215. HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:779 (June 2025).

### **§321. Detention of Product**

A. Whenever carcasses, parts of carcasses, meat, or meat food product of exotic animals, or any product exempted from the definition of meat food product or poultry product, or any dead, dying, disabled or diseased animal or fowl described above is found by any authorized representative of the department upon any premises of an approved establishment where it is held for purposes of, or during or after distribution in intrastate commerce, and there is reason to believe that any such article is adulterated or misbranded and is capable of use as human food, or that it has not been inspected, in violation of the provisions of this Chapter, or that such article or animal has been or is intended to be, distributed in violation of any such provisions, it may be detained by such representative for a period not to exceed twenty days, pending action under R.S. 3:4225 or notification of any authorities having jurisdiction over such article or animal, and shall not be moved

by any person, entity, firm, or corporation from the place at which it is located when so detained, until released by the department. All official marks may be required by the department to be removed from such article or animal before it is released unless it appears to the satisfaction of the department that the article or animal is eligible to retain such marks.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215. HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:779 (June 2025).

### **§323. Appeals from Decisions**

A. Any establishment that receives voluntary exotic inspection services may appeal or dispute any decision made by an inspector in accordance with the procedures set forth in this Chapter.

B. If an establishment disputes any decision made by any inspector in the program, such establishment shall first make its objections known to the inspector.

C. If the establishment and the inspector cannot resolve the dispute, the establishment shall immediately notify the area supervisor of the dispute and the basis for the dispute.

D. If the dispute cannot be resolved by conference with the area supervisor, the establishment shall then notify the department's program manager of the meat and poultry inspection program within three business days after the conference. Such notification may be verbal but shall be confirmed in writing within three days after the verbal notification.

E. If the establishment and the program manager cannot resolve the dispute, the establishment may petition the commissioner, in writing, for a resolution of the dispute within three business days after the program manager makes his decision.

F. The commissioner may appoint a designee to mediate the dispute.

G. If the mediation is unsuccessful or if the commissioner determines that a public hearing is necessary to resolve the dispute, the commissioner may set a public hearing before a hearing officer to resolve the dispute. Any public hearing shall be conducted in accordance with the Administrative Procedure Act. The hearing officer shall make recommendations to the commissioner. The commissioner may adopt the recommendations of the hearing officer or issue a written determination of his own.

H. Any decision by the commissioner is final and may be appealable as provided in the Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215. HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:780 (June 2025).

### **§325. Condemnation and seizure**

A. The department may recommend immediate condemnation and destruction of any carcass, part of carcass, meat or meat food product of exotic animals, or any dead, dying, disabled, or diseased exotic animal or poultry described above that is being transported in intrastate commerce, or is held for sale in this state after such transportation, and that:

1. is or has been prepared, sold, transported or otherwise distributed or offered or received for distribution in violation of this Chapter;
2. is intended for use as human food and is adulterated or misbranded; or 3. in any other way is in violation of this Chapter.

B. If the establishment objects to the department's recommendation of immediate condemnation and destruction, the department may seek an order of the district court within the jurisdiction of which the article or animal is found in accordance with R.S. 3:4225.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215. HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:780 (June 2025).

### **§327. Withholding of Voluntary Exotic Inspection Services**

A. An application or a request for voluntary exotic inspection services may be denied, or the benefits of inspection services may be otherwise denied to, or withheld from, any establishment by the department for any of the following reasons:

1. for administrative reasons, such as the nonavailability of personnel to perform the service;
2. for the failure of payment for service;
3. if the application or request relates to exotic animals or exotic animal products which are not eligible for service under this Chapter; or

4. for the use of operating procedures or conditions which are not in accordance with this Chapter.
- B. The establishment shall be promptly notified of any decision to deny an application or request for inspection services, or to deny or withhold the benefits of inspection services, and the reasons therefor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215. HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:780 (June 2025).

### **§329. Prohibitions**

A. No person shall:

1. affix the mark of exotic inspection to any exotic animal carcass, exotic animal meat, or meat food product that has not been inspected and passed by the department;
2. intentionally or knowingly alter, modify, deface, or otherwise change the mark of exotic inspection;
3. commit any prohibited act set forth in R.S. 3:4211 with respect to the official La. Exotic Inspected mark or exotic inspection services; or
4. any other violation of R.S. 3:4201 et seq. or this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215. HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:780 (June 2025).

### **§331. Investigations**

- A. When there is a reason to believe that a violation of R.S. 3:4201 et seq. or this Chapter has occurred, the department may conduct an investigation to gather information regarding any possible violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215. HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:780 (June 2025).

### **§333. Adjudicatory Proceedings; Violations**

- A. The commissioner may suspend or revoke any grant of inspection services issued under the provisions of R.S. 3:4201 et seq. and this Chapter. The commissioner may also impose a civil penalty for violation of any provision of R.S. 3:4201 et seq. or this Chapter.

B. Whenever any establishment which is subject to these rules and regulations appear to be in violation of any provision(s) thereof, the commissioner of agriculture shall convene a public hearing on the matter, which hearing shall be conducted in accordance with the Administrative Procedure Act, R.S. 49:975 et seq.

C. Each separate day on which any violation occurs shall be considered a separate violation.

D. No penalty may be assessed nor may any grant of inspection services be suspended or revoked by the commissioner prior to the holding of an adjudicatory hearing before the commissioner. Such adjudicatory hearing shall be conducted in accordance with the requirements of the Administrative Procedure Act. Any person alleged to have violated any provision of R.S. 3:4201 et seq. or this Chapter shall be accorded all rights and privileges under said Act.

E. The commissioner may appoint a hearing officer to hear evidence and make an initial determination on alleged violations and recommend findings of fact and conclusions of law, together with penalties, if applicable, in writing.

F. The commissioner shall make the final determination on the disposition of alleged violations. If the commissioner does not accept the recommendations of the hearing officer following the adjudicatory hearing, the commissioner shall provide written reasons for not accepting the recommendations. All decisions by the commissioner are final and appealable in accordance with the Administrative Procedure Act. R.S. 49:975 et seq.

G. Reinstatement of a grant of inspection services shall be by hearing before a hearing officer and approval of the commissioner. H. Appeals from rulings of the commissioner shall be taken in accordance with the Administrative Procedure Act, R.S. 49:975 et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215. HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:781 (June 2025).