

STATE OF COLORADO

John W. Hickenlooper, Governor
Larry Wolk, MD, MSPH
Executive Director and Chief Medical Officer

Dedicated to protecting and improving the health and environment of the people of Colorado

4300 Cherry Creek Dr. S.
Denver, Colorado 80246-1530
Phone (303) 692-2000
Located in Glendale, Colorado

www.colorado.gov/cdphe



Colorado Department
of Public Health
and Environment

PROGRAM:	RETAIL FOOD
EFFECTIVE REGULATION:	<i>Colorado Retail Food Establishment Rules and Regulations, July 1, 2013</i>
INTERPRETIVE MEMO NO.:	14-12
DATE:	January 1, 2014
SUBJECT:	Requirements for Slaughtering Chickens at Retail

Several questions have been raised regarding the requirements for retail operations that are proposing the slaughter of chickens on-site. Based on these inquiries the following information is provided to clarify the regulatory requirements.

Section 3-101 of the *Colorado Retail Food Establishment Rules and Regulations* requires: "Food shall be safe and unadulterated. Food shall be in sound condition free from spoilage or contamination and shall be safe for human consumption. Food shall be obtained from approved sources that comply with the applicable laws relating to food and food labeling. Food prepared in a private home shall not be used or offered for sale."

- Section 1-202 of the *Colorado Retail Food Establishment Rules and Regulations* defines: "Approved," meaning acceptable to the department, based on determination of conformity with principles, practices, and generally recognized standards that protect public health.

Additionally:

- The United States Department of Agriculture (USDA) Food Safety and Inspection Service (FSIS), under the authority in the *Federal Poultry Products Inspection Act* (PPIA), inspects poultry operations.
- There are provisions within the PPIA that may exempt poultry operations from USDA inspection based on the type of operation and the amount of poultry that is being processed.
- The PPIA allows states to impose their own laws or regulations for these exempt operations.
- Neither the Colorado Department of Public Health and Environment (the department) nor the Colorado Department of Agriculture (CDA) have an inspection program that oversees the slaughtering of poultry that would provide the appropriate level of assurances that the poultry is safe for human consumption.

25-4-1601 C.R.S. provides CDPHE's authority for the uniform statewide administration, implementation, interpretation, and enforcement of *The Colorado Retail Food Establishment Rules and Regulations*. This interpretive memo is issued in accordance with this authority and CDPHE expects its contents to be implemented in accordance with the statutory requirement.

Therefore, the department requires establishments engaged in the slaughtering of poultry at retail food establishments to obtain inspection from USDA under the provisions of the *Federal Poultry Products Inspection Act*.

The slaughtering operation and retail food operation require complete separation/segregation between the two entities. A walk-in cooler that holds processed birds can be shared by the two operations as long as it meets all USDA requirements and the provisions of the Section 5-206 of the *Colorado Retail Food Establishment Rules and Regulations*.

In addition to these processing and licensing requirements, these types of operations will need to contact the local authorities regarding local requirements pertaining to planning, zoning, building and wastewater.

All previous interpretive memoranda issued pertaining to this subject are hereby superseded as of the effective date above.



Jeff Lawrence, Director
Division of Environmental Health and Sustainability