

Legislative Analysis



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WILD GAME SAUSAGE

House Bill 5195 (Reported from committee as Substitute H-2)

Sponsor: Rep. Andrea LaFontaine

Committee: Agriculture

First Analysis (3-27-14)

BRIEF SUMMARY: The bill would amend the Food Law to rewrite provisions governing "wild game sausage" and establish a new set of guidelines for how sausage made from the meat of wild game animals should be processed and labeled.

FISCAL IMPACT: The bill would not have a significant fiscal impact.

THE APPARENT PROBLEM:

Current law prohibits wild game from more than one owner being mixed into sausage unless all game has been butchered by a licensed processor. This is understood to mean that when a person takes wild game to be processed into sausage, he or she must only get back sausage made from the game brought in, and that processors must completely sanitize and clean all equipment and processing areas between each hunter. According to committee testimony, this is not realistic and is not enforced. More realistic regulation has been proposed that clearly distinguishes, for the purpose of storing and processing, between wild game from hunters, wild game butchered by a licensed food establishment, and all other foods.

THE CONTENT OF THE BILL:

The bill would amend the Food Law to rewrite provisions governing "wild game sausage."

The bill would eliminate the current requirements and provide a new set of requirements; however, several of new provisions are the same or similar to current law. Under the bill, the requirements for a food establishment are as follows with respect to wild game sausage:

*** The sausage must be identified by species contained in the product; for example, "bear sausage."

*** Wild game sausage could not be sold and must be labeled, "Not for Sale." (This is in current law.)

*** A food establishment must reject for use in wild game sausage any carcass that in whole or in part shows evidence of spoilage or disease. (A similar provision exists now.)

*** If wild game that had not been butchered by a licensed food establishment is made into sausage containing wild game from more than one owner, the final consumer must be provided with a written advisory that says: "Made from multiple wild game sources that did not receive whole carcass examination by a licensed food establishment." This must be in at least 11-point font and in a color that provides a clear contrast to the background.

*** The following categories of food must be kept physically separated during storage and not processed, prepared, or held simultaneously in the same space:

- Raw wild game butchered by a licensed food service establishment.
- Raw wild game from sources other than a licensed food service establishment, except when added to raw wild game butchered by a licensed food establishment.
- All other foods, except for foods that are added as ingredients to raw wild game during final product processing.

*** One of the following requirements must be met:

1. Food contact services must be thoroughly washed, rinsed, and sanitized between the processing of (a) raw wild game butchered by a licensed food establishment, (b) raw wild game not butchered by a licensed food establishment, and (c) any other food.
2. Processing must be done in the following sequence: (a) food other than raw wild game; (b) raw wild game butchered by a licensed food establishment; and (c) raw wild game not butchered by a licensed food establishment. After sequential processing, food contact services must be thoroughly washed, rinsed, and sanitized.

One current provision that is not included in the new requirements says, "Wild game from more than one owner shall not be mixed into sausage unless a licensed processor butchered all the wild game." This requirement apparently would be replaced with the adoption of the new requirements.

ARGUMENTS:

For:

As noted earlier, the law currently prohibits wild game from more than one hunter being mixed into sausage unless all the game has been butchered by a licensed processor. This is understood to mean that when a person takes wild game to be processed into sausage, he or she must only get back sausage made from the game brought in. The sausage maker is not to mingle meat from more than one owner. This also means that processors must clean out their machines between those who bring in wild game so as to not mingle meat from one hunter with that of another. According to committee testimony, this is not realistic and is not enforced, and the bill provides more realistic regulation, allowing the

mingling of wild game from different owners and requiring a notification to the final consumer.

The bill also clarifies how different streams of meat are to be kept separate by processors, and the order in which meat is to be processed. It requires, generally speaking, physical separation and separate processing between wild game from hunters, wild game butchered by a licensed food establishment, and other foods. It also clarifies when processing equipment is to be sanitized and cleaned.

Response:

While the bill requires that a written disclaimer stating the wild game sausage contains meat from multiple wild game sources be present when that meat was butchered by a non-licensed food establishment, it does not require the processor to track or follow up with those receiving the sausage if a foodborne illness is thought to have originated with meat from one or more of the sources. This has led some to worry that the bill does not provide consumers with enough safeguards to protect them from any spoiled meat not been caught by the processor.

POSITIONS:

The Department of Agriculture and Rural Development supports the bill (3-12-14).

The Michigan Meat Association testified in support of this bill (3-19-14).

There were no individuals or organizations submitting testimony opposed.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.