

Department of Health and Mental Hygiene
Nelson J. Sabatini Secretary
Community Health Administration
Diane Matuszak M.D. M.P.H. Director
Office of Food Protection and Consumer Health Services
Alan L. Taylor, Director



Interpretative Memorandum

To: Local Environmental Health Directors

From: Alan L. Taylor

Re: Charity Deer Processing.

Date: September 28, 2004

The Secretary has requested that this Office review the processing of deer donated by hunters to charitable organizations for the hungry and find ways to expand the number of locations that carry out this processing such that public health requirements and the needs of the charities are met.

Most charities that accept donated deer meat follow the guidance of the “America’s Second Harvest” organization that specifies that the donated meat must come from licensed and inspected processing facilities. “America’s Second Harvest” worked with the FDA and the USDA to develop the “Comprehensive Guidelines for Food Recovery Programs” as part of the 2000 Conference for Food Protection.

In the State of Maryland, deer are handled in retail markets using the guidance given in Interpretative Memorandum 80-8, “Handling of Deer and Wild Game in Retail Markets” 9/8/1980 (A copy of this memorandum is attached). When the deer meat is donated to charity, the cost of the processing is covered either by the hunter as a charitable donation or by a charity that specifically raises funds for this purpose. One of the sources of funds used by charities is the Department of Natural Resources (DNR) that, as part of a hunting license fee, collects funds specifically for this purpose.

The current locations of retail markets that under take deer processing for charitable donation are such that in significant areas of the State hunters do not have access to a processor and food is being wasted that could otherwise be used to feed the hungry.

To increase the number of available deer processors for charities to use, this Office’s Division of Food Control (DFC) will issue a special “Charity Deer Processing License” to currently unlicensed deer processors who apply for the license and meet the necessary requirements. At the same time, this Office requests that local health departments that currently license retail markets using the Code of Maryland Regulations (COMAR) 10.15.03 continue to regulate the facilities that process deer meat pursuant to the Interpretative Memorandum on “Food Manufacturing/Processing in Retail Food Service Facilities” 1/31/1997. We request that local health

6 Saint Paul Street, Baltimore, MD 21202
Phone (410) 767-8400 FAX (410) 333-8931
Statewide Toll free (877) 463-3464

departments apply the attached “Guidelines for Charity Deer Processing” while regulating deer processing for charities at these retail markets, particularly with respect to record keeping.

The introduction of the “Charity Deer Processing License” does not affect the processor who engages solely custom deer butchering for a hunter. Custom deer butchering will not require a license, as the transaction between the processor and the hunter is viewed as a private transaction since the meat from the kill is returned to hunter and never enters the general public domain.

When deer meat is donated to a charitable organization for distribution it enters the public domain and consequently the consumer is entitled to expect that it is safe and unadulterated. The purpose of the “Charity Deer Processing” License and this Interpretive Memo is to identify facilities that have been inspected and found to meet the requirements to process DNR tagged whitetail deer from a licensed hunter for donation to a charitable organization. When processing deer for charitable distribution, a deer processor either licensed by a local health department under COMAR 10.15.03 or by DFC under a “Charity Deer Processing License” is restricted to the preparation of whole cuts of meat and not allowed to prepare smoked or cured meat or to fabricate products such as sausage for the charity.

The licensing and regulation procedures areas follows:

1. For existing facilities that process deer and are currently licensed by a local health department, the local health department will continue to regulate the processing as set forth in Option 2 of the Interpretive Memorandum on “Food Manufacturing/Processing in Retail Food Service Facilities” 1/31/1997as follows; and
2. Unlicensed facilities that apply for a new “Charity Deer Processing” license must make application to the DFC and DFC will:
 - a. Inspect and provide facility and process review;
 - b. Notify the local health department of a license approval; and
 - c. Perform all regulatory functions.

This memorandum is being issued for interim guidance. The above-mentioned Interpretive Memorandum and this guidance are being incorporated in the current revision of the Code of Maryland Regulation 10.15.03.

The current revision of COMAR 10.15.03 will introduce the following definitions or changes to definitions in this area:

“Custom deer processing” means the processing of a legally harvested whitetail deer as a custom service for an individual who has legally harvested the deer and uses all the resulting meat or meat products for his or her own consumption which may include the individual’s immediate family, immediate household, and non-paying guests.

“Charity deer processing facility” means a food processing plant where legally harvested whitetail deer are processed into cuts of fresh meat as a service for a charitable organization that donates the meat to the needy.

“Retail food manufacturing” will include deer processing by a food service facility.

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