



# Responding to Regulatory Barriers to “Ethical Meat”: Are On-Farm Slaughter Exemptions the Solution?

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## Abstract

Mandatory meat inspection requirements have long been a source of frustration for advocates of ethical meat. Seen as overly restrictive and ill-adapted to the realities on the ground, some argue that farm-to-consumer sales should be subject to less stringent inspection requirements than conventional meat supply chains. Recently, a series of legislative reforms authorizing on-farm slaughter suggests that policy makers are listening. But do on-farm slaughter exemptions really facilitate ethical meat sales? To answer this question, this paper explores meat inspection systems in Quebec, Ontario, and Vermont. Drawing on data obtained from semi-structured interviews with producers, processors, and policy advisors, it argues that inspection requirements may not be the barriers they are presumed to be. Instead, producers and processors face other more significant financial and structural challenges. These need to be addressed if ethical meat is to be a viable alternative to the dominant model of animal agriculture.

**Keywords:** Food law, agricultural law, food safety, meat inspection, regulatory governance

## Résumé

Les exigences en matière d’inspection de la viande sont depuis longtemps une source de frustration pour les défenseurs de la viande éthique. Ces exigences sont considérées comme trop restrictives et mal adaptées aux réalités du terrain. Certaines personnes soutiennent ainsi que les ventes directes de l’éleveur au

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consommateur devraient être soumises à des exigences d'inspection moins strictes que celles des chaînes conventionnelles d'approvisionnement en viandes. Récemment, une série de réformes législatives autorisant l'abattage à la ferme suggère que les décideurs politiques sont à l'écoute. Mais les exemptions d'abattage à la ferme facilitent-elles vraiment les ventes de viandes éthiques? Pour répondre à cette question, le présent article examine les systèmes d'inspection des viandes au Québec, en Ontario et au Vermont. S'appuyant sur des données obtenues à partir d'entretiens semi-structurés avec des producteurs et des transformateurs de viandes ainsi que des conseillers en matière de politiques, cet article soutient que les exigences d'inspection ne semblent pas constituer les obstacles que l'on pourrait croire a priori. Au contraire, les producteurs et les transformateurs sont plutôt confrontés à d'autres défis, financiers et structurels, plus importants. Des défis qui doivent d'ailleurs être relevés si l'on veut que la viande éthique soit une solution de rechange viable au modèle dominant de l'agriculture animale.

**Mots clés :** Droit alimentaire, droit agricole, viande éthique, sécurité alimentaire, inspection des viandes, gouvernance réglementaire

## Introduction

In 2012, Dominic Lamontagne and his partner left their successful bistro in Montreal to start a farm in Sainte-Lucie-des-Laurentides, in Quebec (Lamontagne, 2015). They estimated they would need two cows, 200 laying hens and 500 chickens to feed themselves and sell surplus at the farm gate or local farmers' market. However, in his book, *La ferme impossible* ("The Impossible Farm"), Lamontagne explains how their back-to-the-land dream clashed with rules and regulations that either prohibited what they wanted to do, or imposed insurmountable structural and financial barriers. For instance, they could not sell cow's milk without purchasing quota under the province's system of supply management.<sup>1</sup> Not only is the sale of milk prohibited outside of supply management, but the minimum level of production is 10 cows, which is a bigger investment than they had in mind. Moreover, even if they secured \$240,000 to buy into the system, there was no quota available at the time (Lamontagne 2015, 62). Supply management also frustrated their plans to raise 500 chickens. At the time, below quota production was limited to ninety-nine birds per year per civic address (this number has since increased to 299: *Demande d'approbation*, 2019). Discouraged but undeterred, they decided to concentrate their efforts on selling specialty products (pâtés, chicken pies, etc.) at their farm gate and local farmers market from their birds raised and slaughtered on site. This too, they learned, was illegal, due to provincial and federal regulations prohibiting the sale of uninspected meat and meat products.

Lamontagne describes an antagonistic and dismissive exchange when he telephoned Quebec's Ministry of Agriculture, Fisheries and Food (Ministère de

<sup>1</sup> Supply management is an agricultural policy whereby producers control, through a marketing system, the supply or quantity of specific products (e.g., milk, chicken, turkey, and eggs). The objective is to ensure that producers receive a fair price for their goods through production control (quota), pricing mechanisms, and import control (Heminthavong 2018).

l’Agriculture, des Pêcheries et de l’Alimentation (MAPAQ)) to inquire about his options for his fledgling operation (2015, 94–96). The MAPAQ employee warned that on-farm slaughter is unhygienic and a vector for foodborne illness. Lamontagne countered that slaughtering a handful of chickens at a time under controlled circumstances on his property is as safe, if not more so, than loading them onto trucks for a long journey to a crowded abattoir. Moreover, the cost of outsourcing slaughter to a third party would cut into any profit margins he could hope to make from subsequent sales.

The journalist Michael Pollan famously suggested that consumers can “vote with their fork” with their food purchases to advocate for the kinds of food systems they want (Pollan 2006). For a growing number of consumers eager to make more ethical food choices, this includes purchasing “ethical meat.”<sup>2</sup> As has been noted elsewhere (see e.g., Johnston et al., 2022), the notion that *any* meat can be deemed ethical when it involves the slaughter of sentient living beings held as property is contested (see, e.g., Francione 2021; Singer 1975, 175; Korsgaard 2018, 224). Nevertheless, alongside animal agriculture abolitionists, a growing number of consumers and producers believe that reforming the industry by eating less meat, while choosing it more selectively, constitutes a form of resistance against the worst practices of industrial animal agriculture. In practice, however, the availability of this kind of meat is extremely limited in conventional markets, making it difficult for consumers to vote for ethical meat systems with their fork. For this reason, Dominic Lamontagne and others like him have been advocating for on-farm slaughter exemptions across Canada and the United States over the past several years. They want to supply the demand for locally sourced ethical meat in their communities and they believe that they should have the right to raise and slaughter their animals in a way that is consistent with their values.

While Lamontagne’s vision of the ideal agricultural landscape remains very much at odds with conventional norms and practices in Quebec, a recent amendment to the province’s *Food Products Act* (1981, c P-29), suggests that the Ministry of Agriculture is listening. In October 2021, Quebec adopted an omnibus bill that includes amendments to make food safety requirements more flexible for different industry stakeholders and to reduce bureaucracy in the agri-food sector (Quebec, 2021). Among other things, the bill proposes to introduce on-farm slaughter exemptions for poultry producers operating below quota (*Bill 99, 2021*). Quebec is not alone in revisiting its food safety laws to facilitate direct farm-to-consumer sales. Acknowledging some of the hurdles in getting local/ethical meat to market, Alberta and British Columbia have also recently eased existing inspection requirements. In 2020, Alberta introduced an On-Farm Slaughter Operation Licence, enabling uninspected slaughter and processing under limited circumstances (*Meat Inspection Regulation, 2003*). British Columbia followed in 2021, loosening

<sup>2</sup> I use the term “ethical meat” to refer broadly to an ideological approach to meat production that exists on the margins of conventional supply chains. It is inevitable crude shorthand that seeks to simultaneously capture a variety of labels that could otherwise be attributed to these products (e.g., humane, local, artisanal, sustainable, etc.) while also recognizing that these qualities may be more aspirational than reflective of reality.

restrictions for on-farm slaughter in remote geographic areas (*Meat Inspection Regulation*, 2004). Restrictions have been similarly loosened in the United States, where, for example, existing on-farm slaughter exemption allowances were doubled for cattle, pigs, sheep, and goats in 2021 in Vermont (6 VSA § 3311a).<sup>3</sup>

After nearly two decades of tightening inspection requirements in the meat sector, a cursory study of these latest developments may suggest the tides of food safety governance are shifting. Moving away from a one-size-fits-all approach to food safety, on-farm exemptions allow a select group of producers to opt out of conventional inspection procedures provided they refrain from selling their products on conventional markets. At first glance, this seems like a positive step towards facilitating direct sales of ethical meat. But is on-farm slaughter the appropriate regulatory response to encourage more ethical meat production and to reform industrial animal agriculture more generally?

This paper explores the significance of the loosening of restrictions on direct farm-to-consumer meat sales and the extent to which they meaningfully address the challenges of small-scale producers who are trying to operate outside of, and compete with, the conventional meat sector. It draws on site visits and interviews with food safety regulators and actors involved at various points in ethical meat commodity chains (e.g., farmers, ranchers, butchers, processors, and chefs) in Canada (Ontario and Quebec) and the United States (Vermont) to understand critiques of mandatory inspection requirements for direct sales and why on-farm slaughter is touted as the solution to support ethical meat production. It finds that despite the common narrative that food safety regulations unfairly constrain small-scale producers, inspection requirements are not actually the most significant barrier these producers face. The paper concludes that a different set of policies are needed so that consumers can vote with their fork for ethical meat. Rather than establishing parallel pathways for an infinitesimal number of direct sales, more work is needed to better integrate ethical meat production safely into conventional supply chains while also directly addressing systemic exploitation and abuse in the industrial animal agriculture sector. These are ambitious reforms. They are also urgently needed. Pandemic-, climate-, and conflict-related supply chain disruptions have revealed previously ignored injustices in our food systems and created an unprecedented policy window in which to address them.

## Data and Methods

To understand producers' and regulators' perceptions of meat inspection requirements and the opportunities and challenges associated with on-farm slaughter, the author interviewed nineteen individuals who were a mix of government, industry and civil society actors. Their work ranged from raising poultry and livestock, to running a restaurant focused on locally sourced meat, operating small slaughterhouses, and advising/overseeing governmental meat safety programs. Participants were recruited purposively, drawing on personal and professional networks. Where

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<sup>3</sup> Attempts to expand current exemption allowances were rejected in December 2021 (Weiss-Tisman 2022).

personal and professional contacts were insufficient, government directories were used. The snowball sampling method was also used to recruit additional participants.

Interviews were conducted as part of a larger project focused on food safety governance in the meat sector Canada and the United States. The project compared meat inspection requirements in three neighbouring jurisdictions: Ontario, Quebec, and Vermont. It explored how non-scientific policy priorities inform science-based assessments of risk for meat products. The case study selection was informed by several considerations. The project was undertaken shortly after Quebec introduced legislation phasing out unlicensed abattoirs to strengthen food safety in 2015. This meant that these facilities had to upgrade their infrastructure and secure one of three possible licenses (a newly created custom slaughterhouse (“abattoir de proximité”) license as well as existing provincial and federal licenses) or else cease operations. Ethical meat advocates in the province warned that producers and processors were being squeezed out of the market because they could not finance the necessary renovations and that the regional supply of local meat would be negatively impacted as a result (see e.g., Amir 2015). Given that similar reforms were the subject of scholarly investigation several years earlier in British Columbia (McMahon 2013; Miewald, Hodgson, and Ostry 2013, 2015), the project sought to explore whether Quebec’s experience would be similar. In order to consider the significance of Quebec’s new meat inspection system in context, two neighbouring jurisdictions were selected to compare and contrast the impacts of different regulatory requirements on ethical meat production. Ontario was selected because, despite similar size and demographics, the province only permits the sale of meat from provincially or federally licensed facilities (the custom slaughterhouse license does not exist). Vermont was selected because it had recently introduced an on-farm slaughter exemption for small numbers of animals and also regulates animal agriculture outside of the confines of supply management.

Between December 2017 and June 2018, semi-structured interviews were conducted across Ontario, Quebec, and Vermont. In most cases, interviews included site visits to participants’ places of work, although occasionally interviews were conducted by telephone or Skype. Interviews lasted forty-five to sixty minutes. In all cases, participants consented to the audio recording of the interviews. Prior to each interview, participants were provided with a short description of the research project.

Given the small sample size, the data collected from interviews and discussed below is not meant to be exhaustive. The absence of interview data from any government representative or producer association in Quebec (interview requests were denied) is one limitation, and the method used to recruit participants is another. Drawing on personal connections and the snowball method, it is possible that divergent perspectives were missed. However, while acknowledging these limitations is important, they do not detract from the overall value of using qualitative data to critically study food safety regulations. While the excerpts below may not be generalizable with statistical significance, they offer a window into the perspectives of individuals who engage with these regulations on a daily basis and help identify issues that are not otherwise evident from a textual analysis of the relevant legislation and regulations.

## Background and Legislative Context

The meat sector is one of the most heavily regulated industries, and for good reason. The risks associated with foodborne disease are high and potentially fatal. Following a series of highly mediatized outbreaks related to meat consumption during the late 1990s and early 2000s, regulatory reforms were introduced in Canada and the United States to strengthen state agency oversight of the meat sector.<sup>4</sup> These included phasing out unlicensed abattoirs, increasing inspection of slaughter and processing activities, and implementing process-based preventive control techniques to analyze hazards and control risks across the supply chain.

In Canada, regulatory authority for food safety is split between the federal and provincial governments (Berger Richardson and Lambek 2018; Buckingham and Morin 2018 at HFD-3). Parliament's authority to regulate animal slaughter and processing activities is grounded in its power over trade and commerce as well criminal matters and applies to meat products destined for interprovincial and international trade. Federally licensed abattoirs and meat processing plants must comply with the *Safe Food for Canadians Act* (2012) and the *Safe Food for Canadians Regulations* (2018).<sup>5</sup> These facilities are under the permanent inspection of the Canadian Food Inspection Agency (CFIA), meaning that slaughter and processing activities cannot take place when CFIA inspectors are not present.

Provincial governments can also use their powers in relation to property and civil rights, as well as matters of a merely local or private nature, to regulate animal slaughter and meat processing activities for products sold intraprovincially. Ontario requires that all meat or meat products sold or distributed in the province come from an inspected source: 1) a federally registered facility (see above); or 2) a provincially licensed meat plant; or 3) an approved foreign source (Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA), n.d.). Provincially licensed meat plants are regulated under the *Food Safety and Quality Act, 2001* and the *Meat Regulation*. They operate under the permanent inspection of OMAFRA. On-farm slaughter without a license or inspection is only permitted for producers' personal consumption and that of their immediate family. The meat is not for distribution and cannot be sold to the public.

As in Ontario, the sale or distribution of uninspected meat is illegal in Quebec. Provincially licensed meat plants are regulated under the *Food Products Act* and the *Regulation Respecting Food* and operate under the permanent inspection of the MAPAQ. Unlike Ontario, Quebec introduced a third category of abattoir, the custom slaughterhouse ("abattoir de proximité"), in 2009. These are not under permanent inspection so there are restrictions on how widely their meat products can be sold: an operator can either provide custom services for clients for their

<sup>4</sup> For a detailed discussion of how these outbreaks and others triggered a paradigm shift in food safety management globally, see e.g., Carson 2009; Baur et al. 2017; McMahan 2011; Satin 2013; Skogstad 2006.

<sup>5</sup> At the time interviews were conducted, the new *SFCA* and its Regulations had not yet come into force. However, all participants were aware of the upcoming legislative change, and permanent inspection was also required under the previous *Meat Inspection Act* (1985, c 25) and the *Meat Inspection Regulations* (1990).

personal consumption (i.e., not for resale) or they purchase and slaughter animals for retail sales on-site (wholesale is not permitted). Currently, MAPAQ is amending the *Food Products Act* to permit on-farm slaughter without inspection for poultry raised below quota. However, the precise details of this new category are not yet known.

In the United States, food safety governance is similarly subject to the constraints of federalism (Fortin 2017; Curtis 2013). The federal government has power to regulate interstate and international commerce, and state governments enjoy residual powers to regulate local matters. Additionally, state governments have the exclusive power to regulate and protect the health, safety, welfare, and well-being of the people within their jurisdiction, including the power to make food inspection and health laws. The United States Department of Agriculture’s (USDA) Food Safety and Inspection Service (FSIS) oversees the inspection of domestic and imported meat, poultry, and related products. The two primary federal statutes addressing food safety for animal slaughter and meat processing are the *Federal Meat Inspection Act, 1906* (§ 601–695, *FMIA*) and the *Poultry Products Inspection Act, 1957* (§ 451–472, *PPIA*) and their Regulations (*Inspection of meat, meat-food products, and inedible fats* 1963, § 4.72; *Poultry Products Inspection Regulations* 1972). In addition to personal use exemptions, the *PPIA* exempts from inspection producers who, in a calendar year, slaughter no more than 1,000 birds raised on their own farm (*PPIA*, § 464(c)(4)).

The standards set out in the *FMIA* and *PPIA* establish baseline minimum requirements for meat and poultry production across the country. State Meat and Poultry Inspection (MPI) Programs must enforce requirements at least equal to the federal ones (Northcutt and Parisi 2013, 77). If a State chooses not to establish an MPI Program, or fails to maintain the equivalent standard, FSIS will assume responsibility for inspection. A cooperative agreement exists between the USDA and Vermont’s Agency of Agriculture, Food and Markets (AAFM). The Vermont Meat Inspection Program provides inspection services for meat and poultry slaughter, as well as processing facilities for products destined for intrastate commerce (Vermont AAFM, n.d.). Generally, meat or meat products in Vermont must come from a state-inspected or federally inspected facility. However, in addition to a personal use and custom slaughter exemption, Vermont also has an “on-farm” personal use exemption that enables an individual to purchase a live animal and to slaughter it on-site without assistance from the producer. Vermont also permits the direct sale of up to 20,000 chickens without inspection provided producers comply with specific Agency requirements (6 V.S.A. § 3312; 9 CFR § 416.1–416.17).

## Findings

Although the vast majority of meat sold in all three jurisdictions comes from federally licensed facilities under permanent inspection, the previous section nevertheless highlights a few key differences. Ontario recognizes only two types of abattoirs (federal and provincial), while Quebec and Vermont recognize a third category of custom slaughterhouse. Vermont also allows on-farm

slaughter in specific circumstances coupled with significant exemptions from inspection for poultry producers. From a textual analysis alone, a narrative emerges about relative barriers to direct sales of ethical meat, with Ontario and Vermont at opposite ends of the spectrum, and Quebec in the middle. In practice, the story is less linear. Interview findings reveal that inspection requirements, while burdensome, may not be the best indicators of what is or is not an enabling regulatory environment for producing and selling ethical meat.

### ***1. Availability and Quality of Services Under Permanent Inspection***

Whereas few dispute the need for high-level coordinated oversight of food safety for meat and meat products destined for interprovincial/interstate and international trade, there was disagreement over the appropriate level of regulation for direct sales and local markets. While a couple of participants believed they should have the right to buy and sell food without government interference, the majority welcomed inspection requirements to ensure the quality and microbial safety of their products. This does not, however, mean they were satisfied with the availability and quality of slaughter and processing services in their region.

Compliance with inspection and food safety requirements can be burdensome for small-scale producers and operators, who experience multiple hurdles to get their products to market. Many critiques of food safety requirements presume a fundamental incompatibility between non-industrial production and adherence to regulatory requirements (see e.g., Salatin 2007; Gumpert 2013; *R v Schmidt* [2014] ONCA 188 (Can.)). For example, a former cattle rancher spoke of his interactions with operators of abattoirs around the time of the introduction of Ontario's *Meat Regulation* in 2005:

I remember some anecdotal cases where, you know, it's always one-size-fits-all and they would say something like we need to have a ledge for a skid steer, but we don't have a skid steer, we don't use a skid steer, but we still have to have the ledge to accommodate that. [...] There was no nuance to the legislation is how they communicated it to me. (Interview ON03)

Another producer described Quebec's food safety requirements as unsuitable for small-scale producers:

[translation] What you have to remember is that the food safety standards were designed to oversee very crowded environments. When you apply these standards [to smaller operations] you prevent them from existing. So when you insist on things that only apply when you are handling tens of thousands of birds from someone who only raises 100... so that's why I'm saying that food hygiene and safety standards are, in my opinion, very welcome by big industry actors because they know that it restricts the number of people in the sector who are able to comply. (Interview QC01)

While some argue this incompatibility requires loosening or creating tiered regulations based on scale, for others this is the price of entry into a robust system of food safety governance. Consider the following excerpt from an OMAFRA policy advisor:



There’s still those people who feel that there should be different levels of regulation based on size. And what does size mean? We don’t know. Is it square-footage? Is it number of employees? Is it volume of product? The food safety risks remain the same. So the risk is the same if you’re making fermented dry-cured sausages, and you have three employees, versus 500 employees. The risk is still the same for *E. coli* and *Salmonella* in those products. It becomes about distribution volumes, perhaps, but for us, the risk is the same. (Interview ON04)

Similarly, the owner of a federally inspected abattoir in Vermont cautioned against the progressive widening of inspection exemptions:

So most of the people who want to buy from their local person hear from that local person: “I’d like to be able to sell to you but I can’t because I have all these regulations that are getting in the way. I can’t get it slaughtered because [they] charge too much for the slaughter and the processing.” Whatever. Some of the producers are actually poisoning the consumers. The customer just wants a good product and would just want to get to know the person who can provide that. [...] But unfortunately, the people that I regulated would come in to the legislature and ask for these special considerations because they didn’t want the regulatory part of it. I understand that, but why would we have the regulatory part in the first place? Why did we first start our Meat Inspection Program in Vermont in 1967, or why did we start our Poultry Program two years later? People get sick; this industry is dangerous. (Interview VT03)

Beyond asking whether inspection should be *required*, a more pressing question is whether producers can *secure* inspection services in the first place. Indeed, many participants explained they wanted to comply with inspection requirements but were unable to. For example, several producers could not find a slaughterhouse under permanent inspection that was close to their farm and with the capacity and expertise to process small numbers of unconventional breeds.<sup>6</sup> Research has documented the progressive disappearance of local abattoirs in rural communities over the past two decades and a corresponding trend towards consolidation and the concentration in the meatpacking sector (Barter 2014; Brynne 2020; Carter-Whitney 2008; Charlebois and Summan 2014; MacDonald et al. 1999; Ma and Lusk 2021). Producers must travel further distances to find a licensed facility, and this comes with increased costs and more stress for animals during transportation (see Damtew et al. 2018; Beam et al. 2015; González et al. 2012).

Despite living twenty minutes away from a licensed abattoir, one producer in Quebec explained that she had to drive upwards of ninety minutes to get her animals to an abattoir:

[translation] I have a provincial slaughterhouse 20 minutes from our home. [...] it doesn’t take us because they don’t have time for us, we have too few animals. There is a federal poultry slaughterhouse that won’t take us because we don’t have enough birds. So I have to drive an hour to go to another

<sup>6</sup> This was particularly true for participants in Quebec (Interview QC02; QC04; QC05). See also Barter (2014), Charlebois, and Summan (2014) and Carter-Whitney (2008, 23).

provincial poultry slaughterhouse, an hour and a half to another facility for my ducks, and an hour for all my veal, pork, and lamb. (Interview QC02)

An Ontario retailer and restaurateur also described the lack of slaughterhouses that cater to their needs:

We actually work closely with a lot of abattoirs, and I've been to dozens, and I've been there on kill day, and it's a huge part of it. I mean we've seen more and more of them close, that's the biggest issue. And as they close, if we found a farmer we liked that has a protocol we like and a breed we like and a feeding system we like and a farm and a family we like and [...] the abattoir thirty kilometres away closes and they've gotta drive 150 kilometres now, it's not good for them: hard on their costs, not a great quality of life issue and not to mention it's not good for the meat. It's less delicious. Like the animals—you work with farmers that raise their animals really carefully and then you frankly ship them and the last two hours of their life by freaking them out, like animals don't like being in cars—they have no idea what is going on, like the world is moving and they're not—it freaks them out. So having that distance be really short is a really important part of our protocol and it has been hard to keep up with. (Interview ON01)

Interview participants also spoke about the struggle to secure services tailored to their needs. Modern slaughterhouses are built to accommodate one kind of animal (e.g., cattle, hogs, or poultry) with conventional breeds in mind. This means equipment may not be built to handle heritage breeds that are either larger or smaller than standard industry sizes. Expertise may also be lacking to provide specialty cuts or packaging. For example, a goat producer in Quebec complained that she had little control over the quality of service she received:

[translation] It comes down a lot to cost and volume to be able to, for example, open up kill days for our animals. And when I do, if I send three goats, they get mixed in with other animals and it becomes maybe more of a hassle for the slaughterhouse to deal with people like me. The same thing if I send my pigs, they really get mixed in with everybody else's pigs. I think I'm getting my own pigs back, but I'm never sure. So this year when I sent them, my pigs, well the guy didn't give us back the legs, or the heads. You see, he doesn't care about us as small producers. And he's got a good thing going because they have a virtual monopoly. If I don't go to them, where do I go? So it creates a lot of frustration. [...] I also know that if I take young kids to slaughter, the chances of them coming out of there broken are very high. You see, they'll slip through the fences. The fences are designed for calves. But a kid, if it weighs 50 pounds and a calf weighs 300 pounds, the equipment needed to keep it in a pen, you know, it's not the same. So I've had a couple of broken legs returned to me when I know very well that the animal was walking when it left my farm. But it was broken, the bone, most probably when it was alive. So for the safety and welfare of the type of animal that I raise, I think that a small structure that is more adaptable is needed. (Interview QC04)

She eventually abandoned this part of her business and now focuses exclusively on selling cheese and cosmetics made from her goats' milk. The above findings provide some insight into the reasons on-farm slaughter exemptions may seem like an ideal

solution for producers who are unable to secure adequate services in their region. However, they fail to address the economic and market forces that make finding an abattoir under permanent inspection difficult and costly to begin with.

## 2. Supply Management, Economies of Scale and Below Quota Production

Participants who raised poultry spoke at length about the structural constraints of supply management. In Canada, poultry producers must purchase a licence (quota) to sell their products commercially. In Ontario and Quebec, below quota production is capped at 300 birds per year. At the time the interviews were conducted, the numbers in Quebec were lower (100 birds/year).<sup>7</sup> To put these below quota numbers in perspective, the average poultry farm raises over 300,000 birds per year in Quebec (R. Fortin, 2021) and 166,000 birds per year in Ontario (Chicken Farmers of Ontario, n.d., Economic Contribution of the Ontario Chicken Industry).

In theory, the rules of supply management should have no bearing on inspection requirements. However, in practice, participants explained that adherence to food safety regulations is more onerous for artisanal poultry producers who work outside the quota system. This is not because smaller flocks or heritage breeds require different standards of care. It is because below quota exemptions are so low that fixed costs associated with slaughter activities cut into already tight profit margins. Here, a Quebec producer explains the difference between raising 100 and 300,000 birds per year:

[translation] Chicken would be a bit like that because, for example, if we think of small farmers who want to raise 100 chickens below quota, the only way to sell that meat is directly to consumers. So again, the problem of dealing with a custom slaughterhouse and then adding an intermediary in the sale ultimately makes it impossible. And I know that for poultry in general, it's a highly concentrated industry, with very few inspected slaughterhouses in Quebec and it becomes difficult... The balance of power between producers and slaughterhouses is unequal, so farmers have a lot of difficulty securing the services of slaughter facilities that will accept small numbers of, say, 100 birds or less. Generally, the slaughterhouses will refuse to take these small amounts because, for them, it requires a degree of administrative oversight that is not profitable with small numbers. (Interview QC05)

Partly in recognition of these financial challenges, the Chicken Farmers of Ontario (CFO) introduced a program to support small-scale entrants. With delegated authority under Ontario's *Farm Products Marketing Act*, the CFO takes applications from independent, new farmers who wish to enter the poultry business for under-quota levels of production (raising between 600 and 3,000 birds) as part of the Artisanal Chicken Program (ACP). Entrant farmers obtain a CFO-issued license to supply poultry directly to local restaurants, farmers' markets, select retailers, and specialty butchers, and to establish on-farm direct retail and CSA

<sup>7</sup> In 2019, the *Quebec Agricultural and Food Products Board* approved an increase to 300 (RMAAQ decision 11658, 2019).

(Community Supported Agriculture) to individual consumers (Chicken Farmers of Ontario, n.d., Responsible Growth, Shared Success – 2017 Annual Performance Report, 39). New farmers participating in the program are eligible to receive training, on-farm assistance, and other resources and support services to help facilitate a successful transition into the poultry industry under an accompanying New Entrant Chicken Farmer Program (Chicken Farmers of Ontario, n.d., New Entrant Chicken Farmer Program). Artisanal Chicken Program farmers partner with CFO-licensed processors to bring their chickens to market. New or existing processors apply to the CFO to become licensed to operate in an identified underserved market and provide processing techniques and equipment that may vary from the mainstream chicken processing industry. While the ACP offers no exemption from inspection, its appeal lies in the ability to raise up to 3,000 birds per year outside of the quota system. An ACP-certified producer explained it as follows:

if you're raising 300—which they call their family program [...] You're a small flock, you're either doing farm gate sales, you might be doing some at the farmer's markets. You know, it's your own personal use. *But you can't make a living off of 300 chickens.* With 3,000, I don't think you can make a living doing it, but it can be part of your farm operation. [...] The business model would say that you need to raise as many chickens as possible if you're a quota holder, because you've paid this money for quota, and it's sitting there, and if you don't recoup that cost, your margins are slim as they are. So I think that's the factor that goes into most folks that have quota. The nature of it means you have to raise as many chickens as possible. [...] Whereas for me, raising 3,000 as part of an operation, as one of the things that my farm does, like I do have that flexibility, where I can still make a few dollars per bird. It's not a lot per bird, I'm not making a killing off of this, and that's probably not even factoring some of my personal labour time. But it's part of my operation and it fits with the ethics and values of my farm, which is a small, mixed, diverse operation. (Interview ON05, emphasis added)

Flock size and, by extension, economies of scale, thus inform how inspection requirements are experienced by producers. Still, perspectives around the significance of inspection cannot be reduced to economics alone. While a number of participants believed that existing food safety regulations should be relaxed to facilitate farm gate sales, others were more risk averse and desirous of strict regulatory controls. In fact, it was *because* of their size that the latter were so concerned about mitigating risk. Unlike their larger-scale competitors, they believed their businesses could not recover from the reputational damage caused by selling a contaminated product. For example, a poultry producer in Vermont explained why he built a state-inspected poultry slaughter plant on his farm for his 1,000 birds despite his eligibility for inspection exemptions. Selling inspected poultry was both a marketing strategy to reassure consumers as well as the result of an evolving understanding of the science of food safety science:

You know, when I am in there, doing the evisceration [...] the inspector is right there looking at every little thing. And it's such an element, such a peace of mind, because they know how to look for stuff that I wouldn't even notice. When I pull out the entrails, the way we do it with the birds hanging from the

shackles, we open up the birds and get the guts out and everything is hanging there, still attached to the birds. So there is no question about which organ or which liver is coming from which bird, because everything is there, still attached. And they look at everything and if they see anything that’s a little questionable, well they say “you know this bird is ok, but you can’t sell the liver.” So the liver goes into the bucket with the intestine and all the other stuff. And I just think that’s great, and I love it. And they have also showed me easier ways to cut and process: they have taught us so much. Where would we get that education anywhere else? (Interview VT04)

This perspective serves as an important reminder against oversimplifying claims that small-scale production is less dangerous than conventional methods and/or that it is incompatible with mandatory inspection requirements.

## Discussion

The aim of this paper is to better understand the significance of on-farm slaughter exemptions as a regulatory instrument to facilitate the production and sale of ethical meat. The findings suggest that, despite suggestions to the contrary, inspection requirements and ethical meat are not incompatible. While some participants believed that existing regulations should be relaxed to facilitate farm gate sales, others were willing to comply with regulatory controls. The problem for the latter was not inspection *per se*, but the ways in which this requirement is often compounded by financial or structural constraints. Producers of ethical meat *do* face significant barriers to get their products to market, even when consumers are willing to pay a premium for them. However, on-farm slaughter exemptions are not a silver bullet.

### ***1. The Elephant in the Room: Concentration and Consolidation in the Meatpacking Sector***

Every year, billions of animals are slaughtered for meat. According to Agriculture and Agri-Food Canada, approximately 3.5 million cows, 22 million pigs, and 749 million chickens were killed in 2021 (Government of Canada 2022). In the United States, the Economic Research Service of the USDA estimates that 33 million cows, 132 million pigs, and 9.4 billion chickens were killed for meat in 2020 (USDA 2022). Globally, the numbers are staggering: 324 million cows, 1.3 billion pigs, and 72 billion chickens in 2019 (Hussain 2021). Alongside these aggregate numbers, slaughter and processing facilities are increasingly designed to process thousands of animals daily. As they grow in capacity, smaller abattoirs are squeezed out of the market. In the United States, the “Big Four” meatpacking giants (Cargill, Tyson, JBS, and National Beef Packing Co) together control 85% of slaughter activities and 70% of total production for beef (USDA 2019; North American Meat Institute 2021). These same four multinationals were also recently named in an application to institute a class action in Quebec alleging price fixing and collusion (Option consommateurs 2022).

In Quebec, 80% of hogs are slaughtered and processed by a single meatpacking company, Olymel LP (Union des producteurs agricoles, 2021). Also in Quebec,

Exceldor's poultry facility processes 350,000 birds per week. Three processing plants account for 70% of beef production in Canada and are owned by just two companies: Cargill Ltd and JBS Foods (Bragg 2021). Cargill's High River, Alberta, beef processing facility alone employs 2,000 people and processes 4,700 heads of cattle per day (Cargill n.d.). It was also the site of one of the largest recorded COVID-19 outbreaks in North America (Blaze Baum, Tait, and Grant 2020). Despite strong industry pressure to keep facilities operating at full capacity, outbreaks such as this ultimately forced temporary shutdowns or line speed reductions (Berger Richardson 2021). In Alberta, the closure of two facilities alone resulted in a backlog of 120,000 heads of cattle during the first few months of the pandemic (Powell 2020). In Nova Scotia, an outbreak in 2020 resulted in the temporary closure of the province's only federally-licensed poultry processing plant (Quon and MacLean 2020). In Quebec, within the first six weeks of pandemic restrictions, a backlog of 100,000 pigs was reported due to reduced capacity at Olymel's facilities (Gerbert 2020).

In addition to pandemic-related disruptions to meat supply chains, recent labour disputes have also highlighted the consequences of fewer slaughterhouses controlling the lion's share of the market. Radio-Canada reported that a four-month strike at Olymel's Valley-Jonction facility in Quebec created a backlog of 160,000 hogs in the province (Rolland 2022). A strike at Exceldor, one of two companies responsible for 96% of poultry processed in Quebec, resulted in the euthanasia of more than 1 million chickens and strong condemnation from political leaders for the waste of good food.<sup>8</sup> Addressing the fragility of these supply chains is one of the priorities of the incoming president of Quebec's Union des producteurs agricoles (Agricultural Producers' Union), Martin Caron, who has called on the processing industry to develop a "Plan B" to respond to future market disruptions (Rolland 2022).

If local abattoirs are too small to compete in today's market, larger abattoirs have also become too big to fail. A majority of participants noted that the big meatpackers have little interest in processing artisanal flocks or herds when their business model is focused on handling thousands of animals every day for inter-provincial and international markets. At the same time, the events of the past couple of years mean that conventional producers have also begun to experience the stress of not having anywhere to send their animals. Going forward, future pandemics and extreme weather events can similarly wreak havoc on meat supply chains if a single meat packing facility is forced to shut down. This suggests that beyond creating on-farm slaughter exemptions for a handful of artisanal producers, regulators should be focusing their attention on breaking up industry concentration and consolidation in the sector.

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<sup>8</sup> In June 2021, Premier Legault took to social media on several occasions to comment on the Exceldor strike and the incredible waste of food that it caused. <https://twitter.com/francoislegault/status/1405202389905379335>

## **2. Between Abolition and Exemptions: Choosing the Path of Inclusive Reform**

As mentioned earlier, the idea that any kind of meat can be ethical is contested. However, until such a time that animal agriculture is outlawed entirely, the concept of ethical meat can be a pragmatic form of resistance that, while accepting that animals will be killed for food, seeks more humane and sustainable methods to raise and slaughter them. Rather than advocating for abolitionism, proponents of ethical meat believe that the worst abuses of the meat sector can be avoided if alternative modes of production are privileged. In the short term, this should improve welfare for small flocks and herds raised outside of conventional supply chains. In the medium to long term, the hope is that consumer demand for ethical meat will pressure factory farms and meatpacking plants to reduce the size of their operations as well.

If ethical meat is to become a viable alternative for a wide variety of consumers, more ambitious reforms are needed than on-farm slaughter exemptions for a handful of direct farm-to-consumer sales. To illustrate why, consider the following analogy with urban planning and multi-purpose roads. One of the greatest challenges facing the modern city in the twenty-first century is our unhealthy reliance on cars and the need to transition towards more environmentally sustainable modes of transportation. As we confront congestion and climate change, the advantages of building and planning cities around the private automobile are increasingly being called into question (Paulhiac Scherrer, Houde, and Schwach 2019). Densely populated cities now recognize the value of redesigning high-traffic roads to better accommodate a variety of users including cyclists, pedestrians, wheelchair users, and public transit riders, in addition to, or instead of, private automobiles. A multi-use approach to traffic recognizes that thoroughfares can be shared by different types of users if the necessary infrastructure is in place (Ruiz-Apilánza et al. 2017). This includes protected bicycle lanes that run alongside cars and buses, priority traffic lights or more accessible bicycle racks that make it easier for cyclists to get to work or school. Bus routes have to run frequently, and rates must be affordable for transit users. Cars must pay more to drive into and park downtown. Sidewalks must be adapted to wheelchairs and strollers, cleared following snowfalls, and salted when conditions are icy. Providing users with a variety of accessible and efficient options to move around the city ensures that everyone’s needs are taken into account, not only those who can afford to pay a premium for their personal comfort.

The point of multi-purpose roads is not only to enable cyclists or pedestrians to feel safe sharing the road. It is to fundamentally change the experience of all users. Significantly, while cars may continue to use these shared roads, the way in which they navigate them necessarily changes: speed limits are lowered, crosswalks are introduced, the number of lanes is reduced, etc. (see e.g., Gouvernement du Québec 2019). We are far from banning cars entirely, but discussions about multi-use roads illustrate an awareness of a problem (congestion, pollution, sedentary lifestyles, etc.) and a commitment to redesigning thoroughfares to make them more inclusive and more pleasant. Cycling and walking are no longer seen as purely leisure activities best suited to scenic routes and side streets. They become alternative modes of transportation to arrive at the same destination otherwise reached by car.

The same applies to animal agriculture. If, as a society, we want to eat meat more ethically, we need to build and support the necessary infrastructure for this to become an accessible and effective alternative.

If the average poultry farm in Quebec raises 350,000 chickens per year, on-farm slaughter exemptions for below quota production are a drop in the proverbial bucket. Moreover, on-farm slaughter exemptions only apply to direct farm-to-consumer sales. When it comes to larger animals like cows or pigs, exemptions like those in Vermont and Alberta require the client to purchase the whole animal. The producer is not permitted to sell individual cuts. This limits who can access this kind of meat. Without better support for ethical meat producers to compete with dominant supply chains (i.e., the equivalent of protected cycling lanes), and regulatory intervention to reduce the size of factory farms and abattoirs (i.e., the equivalent of lane reductions or tolls for cars), on-farm slaughter exemptions alone will have limited effects.

What could governments do to better support ethical meat production more broadly? One option is to widen the scope of activities that custom slaughterhouses can carry out (or, in the case of Ontario, to establish this as a new category of abattoir). While not under permanent inspection, custom slaughterhouses are registered facilities that are inspected by provincial or state officials. This addresses some of the concerns expressed by interview participants about food safety risks associated with on-farm slaughter. If existing regulations authorize retail sales on-site, extending these privileges to producers for resale at the farm gate, farmers' markets and local restaurants would help integrate small-scale operations into local supply chains instead of pushing them further to the margins. Another option is to mandate slower slaughter line production speeds at federally licensed slaughterhouses and invest in provincially licensed abattoirs that are exclusively dedicated to local production (see Berger Richardson 2021). The largest meatpacking facilities are geared primarily towards export markets. In 2020, Canada exported 673,069 head of cattle and calves valued at \$1.1 billion, 425,109 tonnes of beef and veal valued at \$3.26 billion, 5.31 million hogs valued at \$384.4 million, and 1.5 million tonnes of pork valued at \$5.1 billion (Government of Canada, 2022). This amounts to half of its domestic production of beef and cattle (Canadian Cattlemen's Association, 2020) and over 70% of its pork (Canadian Pork Council, n.d.). This export-oriented model of production looks more like a concrete freeway than a human-scale multi-purpose road designed for local residents to move around their own city.

## Conclusion

After more than a decade of federal and provincial/state governments progressively tightening meat inspection requirements, legislative changes to permit on-farm slaughter in certain circumstances are noteworthy. It is unsurprising that they coincide with a period of intense public scrutiny of conventional meat supply chains during the pandemic. During the early months of COVID-19, widespread disruptions to global and local supply chains drew attention to the complexity and fragility of our food systems. While supermarket shelves lay bare, producers were



dumping milk, destroying eggs, and culling herds (see, e.g., Sagan 2020; Ross 2020; D’Amore 2020). This disturbing disconnect between supply and demand was attributed, among other things, to shifting consumer behaviour, temporary closures and reduced capacity at processing facilities, and restrictions on movement impacting truck drivers and seasonal agricultural workers (see, e.g., Petetin 2020; Klassen and Murphy 2020; Fan et al. 2021; Coopmans et al. 2021; Akram-Lodhi 2020). Highly specialized supply chains also operate in silos, with little overlap between sectors (e.g., hospitality, institutional, retail, etc.). In other words, empty shelves were not due to actual food shortages, but rather to an inability to pivot products destined for one market to another. At the same time, while conventional supply chains struggled, direct farm-to-consumer sales flourished. This was partly due to fears about shortages and disease transmission at the supermarket, but was also a response to calls to support local economies (see Bellerose 2020; Connolly 2020). However, consumers looking for locally sourced meat found it in short supply. This drew attention to barriers to direct farm-to-consumer sales that producers, activists, and academics had been identifying for years, creating a unique policy window in which food system reforms can be discussed.

This paper has highlighted the limited potential of on-farm slaughter exemptions to address much broader and more significant structural and economic constraints facing producers who want to sell ethical meat to consumers while adhering to a robust system of food safety governance. If ethical meat is about more than gastronomic indulgence, and is rooted in improving the well-being of animals, the environment, and workers in the agri-food sector, its principles should be integrated into food system governance, not relegated to the margins. The pandemic invited many of us to critically reflect on where our food comes from, who produces it, and under what conditions. Add to this a worsening climate crisis forcing us to reckon with the “ecological hoofprint” of animal agriculture (Weis 2013), and we know we must dramatically reduce our consumption of meat and radically change the way it is produced. Rather than carving out exemptions, we should instead seize this moment to bring ethical meat into the mainstream.

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