

LFC Requester:

Scott Sanchez

AGENCY BILL ANALYSIS  
2024 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

Analysis.nmlegis.gov

{Analysis must be uploaded as a PDF}

**SECTION I: GENERAL INFORMATION**

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original  Amendment   
Correction  Substitute

Date 1/18/2023

Bill No: SB 51

Sponsor: Cliff R. Pirtle  
Short State Meat Inspection Program  
Title:

Agency Name  
and Code NMDA - 199  
Number:  
Person Writing Jeff Witte  
Phone: 575-646-5063 Email Hrickner@nmda.nmsu.edu

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
N/A	N/A		

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
N/A	N/A	N/A		

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>	N/A	N/A	N/A	N/A		

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: SB 37 Meat Inspection Act  
Duplicates/Relates to Appropriation in the General Appropriation Act:

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis:

Senate Bill 51 (SB 51) instructs the board of regents at New Mexico state university (NMSU), through the New Mexico livestock board (NMLB), to develop and administer a state meat and poultry inspection (MPI) program with all necessary rules for ensuring food safety that meets or exceeds the standards and requirements for a state meat inspection program under the Federal Meat Inspection Act.

**FISCAL IMPLICATIONS**

Fiscal implications are unknown, however the NMLB is funded for a state meat inspection program.

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

**SIGNIFICANT ISSUES**

SB 51 is silent on where required statutory authorities needed for a state MPI program would come from other than in rulemaking. SB 37 addresses state statutory authority that is required by the United States Department of Agriculture Food Safety and Inspection Service (FSIS), for New Mexico to have an approved MPI program. The proposed statutory authority being sought in SB 37 is similar to the statutes that were repealed after the previous MPI program was dissolved in 2007 and addresses areas such as definitions, inspection requirements, adulteration, misbranding, humane methods of slaughter, sanitation, prohibited acts, penalties, ante-mortem and post-mortem inspection, licensing, condemnation, appeals process, labeling, sanitation, records, exemptions, and documentation.

FSIS has Federal Preemption over all meat and poultry inspection nationwide. All state MPI

programs must be “At Least Equal To” the FSIS program before the state may enter into a cooperative agreement. The “At Least Equal To” program is made up of nine components, the first being statutory authority:

1. Statutory Authority and Food Safety Regulations
2. Inspection
3. Product Sampling Programs
4. Staffing, Training, and Supervision
5. Humane Handling
6. Compliance
7. Laboratory Methods and Quality Assurance Program
8. Civil Rights
9. Financial Accountability

The NMLB, operating under various existing statutes, is authorized to establish and maintain a state meat inspection program; under 77-2-1 the NMLB is authorized to oversee the New Mexico meat inspection program; under 77-2-7(I) the NMLB is authorized to promulgate rules for meat inspection; under 77-9-44 the NMLB is authorized to perform ownership verification. NMSU does not have any statutory authorities to develop and administer a state meat inspection program, through the NMLB.

The NMLB has received recurring appropriations from the general fund to develop a foundation for a state MPI program.

The NMLB has worked closely with the State Personnel Office, the Environment Department, and agricultural producers throughout New Mexico.

The NMLB has already made significant progress with FSIS towards facilitating a state MPI certification, which will eventually obtain primacy over the existing federal inspection program that provides inspection services in the state.

The NMLB currently employs animal health veterinarians, which is a requirement to establish an MPI program.

The NMLB has law enforcement authorities for compliance implementation.

## **PERFORMANCE IMPLICATIONS**

N/A

## **ADMINISTRATIVE IMPLICATIONS**

N/A

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

SB 51 conflicts with SB 37 which seeks authorization to create a state meat inspection program

within NMLB.

## **TECHNICAL ISSUES**

N/A

## **OTHER SUBSTANTIVE ISSUES**

SB 51 will add complexity of another board unassociated with a Livestock Board and may cause undue and unnecessary complexity in administering the program.

## **ALTERNATIVES**

N/A

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

None. The NMLB, through SB 37 will seek proper authorities to develop a quality meat inspection program that will be approved by USDA.

## **AMENDMENTS**

N/A