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**PROPOSED RULE
MARKUP
AGENCY NO. 209.01**

Arkansas Livestock & Poultry Commission
GARBAGE FEEDING REGULATION RULE (SWINE)
Regulation No. 14

Section 1

For the purpose of this regulation rule:

- (a) "Garbage", regardless of previous processing, means any animal or vegetable wastes resulting from handling, preparation, cooking and consumption of foods, including parts of animal carcasses, or contents of offal.
- (b) "Person" shall mean state, any municipality, political subdivision, institution, public or private corporation, individual, partnership or any other entity.
- (c) A "garbage dump" is means a place where ordinary household garbage is disposed of from two or more families.

Section 2. Each garbage feeding establishment shall be required to obtain and display a feeding permit, which may be obtained free of charge from the supervising inspector or his representative. This permit shall remain in force during such time as satisfactory practices are maintained.

Section 3. Any person who shall sell, give away or otherwise dispose of garbage to any person shall be required to furnish the Arkansas Livestock and Poultry Commission the name and address of the party or parties who obtain garbage. This shall not apply to those persons whose garbage is collected by municipalities or persons who have a permit to collect garbage or persons who may sell, give away or otherwise dispose of his or her own ordinary household garbage.

Section 4. Upon determination that any person having a permit issued under this regulation, or who has applied for a permit hereunder, has violated or failed to comply with any of the provisions of this regulation, the Arkansas Livestock and Poultry Commission may revoke such permit or refuse to issue a permit to any applicant.

Section 5. All garbage, regardless of previous processing before it reaches the garbage feeding establishments or farm, shall be thoroughly heated to at least 212 degrees F. (boiling temperature) for at least 30 minutes before being fed to the swine. The premises on which garbage feeding is permitted under this regulation must be kept free of collection of unused garbage and waste material in order that proper sanitation, rat and fly control measures can be practiced as a further means of prevention and spread of disease in either animal or human health.

Section 6.

II I. GARBAGE FEEDING PROHIBITIONS

Feeding garbage to swine and allowing swine to have access to a garbage dump is prohibited. It is prohibited to

A. Feed swine any of the following:

1. Animal carcasses or parts thereof;
2. Meat products or meat by-products;
3. Offal or contents thereof;

whether raw or resulting from the handling, preparation, cooking, or consumption of foods.

B. Allow swine access to a site where ordinary household garbage is disposed of from two or more families.

II. ENFORCEMENT AUTHORITY

A. Any authorized representative of the Arkansas Livestock and Poultry Commission Department of Agriculture (Department) shall have the power to enter at reasonable times upon any private property for the purpose of determining that proper cooking temperatures, as specified in Section 5, have been reached for the proper period of time and for inspecting and investigating any conditions relating to heating of garbage to be fed to swine as required by this regulation compliance with this rule.

Any authorized representative of the Arkansas Livestock and Poultry Commission may examine any records or memoranda pertaining to the feeding of garbage to swine. The Commission may require maintenance of records relating to the operation of equipment for and procedure of treating garbage to be fed to swine. Copies of such records shall be submitted to the Arkansas Livestock and Poultry Commission on request.

Section 7

(a) B. The Livestock and Poultry Commission State Veterinarian is authorized to quarantine for a period of thirty-fourty-five (45) days any pigs that have been fed improperly cooked garbage or raw garbage. in violation of this rule. Hogs Swine may not be sold or removed from these the premises until the quarantine has been officially removed by a representative of the Arkansas Livestock and Poultry Commission (Department).

(b) No person, firm, or corporation shall permit hogs on any garbage dump.

Section 8 C. This regulation rule shall not apply to any person who feeds only his own household garbage to the swine

It is not a violation of this rule to feed swine as otherwise prohibited by Section I of this rule that are

1. considered pets; or
2. for consumption only by the immediate family of the owner of the swine.

Swine described in this Section (II.C.) and under no circumstances shall the swine be sold to a market or through private treaty until the swine have been must be fed on grain or traditional swine feed for forty-five (45) days prior to being sold or removed from the premises.

III. PENALTIES AND AUTHORITY

A. Failure to comply with any of the provisions of this rule may result in administrative penalties as provided by law.

1. First offense will result in a Warning letter.

2. Second or subsequent offense will result in a Notice to Appear before the Arkansas Livestock and Poultry Commission for a determination of proper administrative penalties.

B. Authority. A.C.A. §§ 2-32-501 et seq.; 2-33-107(a); 2-40-103.