

Occupational Authorizations

for the meeting of the

ALC-OCCUPATIONAL LICENSING REVIEW SUBCOMMITTEE

Thursday, January 18, 2024 at 2:00 PM

Arkansas Livestock and Poultry Commission

EQUINE INFECTIOUS ANEMIA (EIA) VERIFIER CERTIFICATE

Authorization Type: Certification # of Individuals Regulated: 3503

Entity Division Name:

Scope of Practice: Any individual person, group of individuals, club, organization, association, or corporation that sponsors, conducts, or organizes an equine event or activity are required to have a certified EIA verifier at the entrance of the event to verify that all equine entering the event have the required health papers. Verifiers are present at the events to prevent the contamination of a highly contractible disease that is fatal to all equine. Requirements: Attend a one day class on how to identify health papers and regulatory requirements. Obtain a passing score on the exam given at the end of the training. Examinations and Fees: The class and the initial certification are free and open to the public. After completing the class they are given the initial EIA Verifier card with an expiration of ONE year, they will also receive an EIA verifier application for the indefinite status. To become indefinite, they must mail in the application along with a \$5.00 fee. Once the information has been received, the applicant will then be issued the indefinite EIA Verifier card.

Statutory Requirement(s): A.C.A. 2-4-801 et. al.

Pursuant to Arkansas Code §17-4-104, do you provide an automatic licensure to a uniformed service member stationed in the State of Arkansas, a uniformed service veteran who resides in or establishes residency in the State of Arkansas; and the spouse of a uniformed service member who is stationed in, resides in, or establishes residency in the State of Arkansas; a uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; and a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state?

Yes

Fees & Penalties

No Fees or Penalties Provided

Administrative Rules Documents

Document Type	Document
Rules	EIA Verifiers - 2008 FINAL RULE.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

LIVESTOCK DEALER LICENSE

Authorization Type: Licensure # of Individuals Regulated: 30

Entity Division Name:

Scope of Practice: A livestock dealer is any person (not a market agency) engaged in the business of buying or selling, in commerce, livestock either on his own account or as an employer or agent of the vendor or purchaser. Any dealer who purchases, deals in, or sells livestock or acts as a commission representative or broker, except registered with the Packers & Stockyards livestock markets, must be licensed by the Arkansas Livestock and Poultry Commission. Requirements: All applicants are to submit an application and follow the rules of the ARKANSAS REGULATION FOR LIVESTOCK DEALER LICENSING. Within the rules, Dealers are required to keep records of all sale transactions and be subject to an inspection by the Commission. Examination and Fees: \$10 fee; renewal fees are also \$10. No examination required. License will be issued yearly, and will expire on July 1 of each year.

Arkansas Livestock and Poultry Commission (Continued)**LIVESTOCK DEALER LICENSE (Continued)**

Statutory Requirement(s): A.C.A. 2-38-505

Pursuant to Arkansas Code §17-4-104, do you provide an automatic licensure to a uniformed service member stationed in the State of Arkansas, a uniformed service veteran who resides in or establishes residency in the State of Arkansas; and the spouse of a uniformed service member who is stationed in, resides in, or establishes residency in the State of Arkansas; a uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; and a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state?

Yes

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Livestock Dealer license fee	\$10.00	Annually

Administrative Rules Documents

Document Type	Document
Rules	Dealer_Regulations_.pdf

Supporting Evidence Documents*No Supporting Evidence Documents Provided***PULLORUM-TYPHOID (PT) BLOOD TESTER LICENSE**

Authorization Type: Licensure # of Individuals Regulated: 365

Entity Division Name:

Scope of Practice: "We have 2 different types of blood tester licenses, one is for the general public (the private license \$22/yr) and the other is for commercial breeder blood testers (\$45/yr).

Any member of the public, in Arkansas, can participate in the private school, and only individuals employed by poultry companies can participate in the commercial schools.

They are issued licenses as it is required by Arkansas Code 2-40-205 Blood test training program (attached to this e-mail). This code states:

- No person shall perform any program or certifying blood tests on livestock or poultry unless the person has first completed a blood test training program designed and conducted by the State Veterinarian and has obtained a tester's permit from the State Veterinarian.
- These technicians shall be used at the market, where economically feasible, except when in violation of state or federal law or regulation."

Statutory Requirement(s): A.C.A. 2-40-205

Pursuant to Arkansas Code §17-4-104, do you provide an automatic licensure to a uniformed service member stationed in the State of Arkansas, a uniformed service veteran who resides in or establishes residency in the State of Arkansas; and the spouse of a uniformed service member who is stationed in, resides in, or establishes residency in the State of Arkansas; a uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; and a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state?

Yes

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Private Pullorum-Typhoid Blood Tester License	\$22.00	Annually
Fee	Commercial Phllorum-Typhoid Blood Tester License	\$45.00	Annually

Administrative Rules Documents

Document Type	Document
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Arkansas Livestock and Poultry Commission (Continued)**PULLORUM-TYPHOID (PT) BLOOD TESTER LICENSE (Continued)**

Document Type	Document
Rules	NPIP-2021.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

EGG HANDLER PERMIT

Authorization Type: Permit # of Individuals Regulated:

Entity Division Name:

Scope of Practice: Any processor, packer or dealer-wholesaler who grades, sizes, candles and packs or distributes eggs for the purpose of resale (sale, expose for sale, have in possession for sale, exchange, barter or trade) or transferring to other processors, retailers, dealer-wholesalers or other persons or consumers. This regulation applies to retailers owning 700 hens or more that wishes to resell their eggs.

Statutory Requirement(s): This is a requirement of the Arkansas Egg Marketing Act, A.C.A. 20-58-201 et. al.

Pursuant to Arkansas Code §17-4-104, do you provide an automatic licensure to a uniformed service member stationed in the State of Arkansas, a uniformed service veteran who resides in or establishes residency in the State of Arkansas; and the spouse of a uniformed service member who is stationed in, resides in, or establishes residency in the State of Arkansas; a uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; and a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state?

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	annual permit fee	\$60.00	Annually
Fee	\$.06 per case of shell eggs, per 36 pounds liquid egg, per 9 pounds of dried eggs, per 50 pounds of boiled eggs, and per 50 pounds of diced eggs.	\$0.06	Annually

Administrative Rules Documents

Document Type	Document
Rules	Egg_Regulations.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

ALC – Occupational Licensing Review Subcommittee
Occupational Entity Questionnaire

Arkansas Livestock and Poultry Commission

Responses to the following questions are due via email to Subcommittee staff no later than the 15th of the month immediately preceding the month the occupational authorization is scheduled for review by the Subcommittee.

1. **Would consumers be at risk of substantial harm if Arkansas did not have the Egg Handler Permit?** Yes. Permits are issued to retail owners, distributors, and egg processors pursuant to the Arkansas Egg Marketing Act to ensure that safe, wholesome, properly labeled eggs are being offered for sale to Arkansas consumers and are free of disease and contaminants. The permits also help ensure a quick response in the event of a disease/health risk event regarding eggs. **What instances of specific and substantial harm have been documented in the past year?** Inspections have found instances of improperly washed and/or refrigerated product in violation of the Arkansas Egg Marketing Act. Improperly washed and/or refrigerated products pose a serious health risk to consumers. Improperly washed products have the potential for disease and contaminants, and improperly refrigerated products have the potential for harmful bacteria growth. These pose a health risk for all, especially for the young, elderly and immunocompromised.
2. **How many complaints were made to the occupational entity by consumers being harmed by unauthorized practitioners?** None. What specific action was taken by the occupational entity? N/A
3. **How many complaints were made to the occupational entity by consumers being harmed by authorized practitioners?** None. What specific action was taken by the occupational entity? N/A
4. **Were any applicants who otherwise met authorization requirements denied an authorization in the past year?** No. If so, why?
5. **How much does the occupational entity collect annually in fees, and what are annual expenses?** \$13,000 collected, and approximately \$60,000 in expenses.
6. **How much money does the occupational entity have in reserves?** None
7. **If the occupational entity has a positive amount in reserves, when was the last time reserve funds were used? For what purpose?**

ALC – Occupational Licensing Review Subcommittee
Occupational Entity Questionnaire

Arkansas Livestock and Poultry Commission

8. Does the occupational entity have any other sources of revenue? **No, not for this purpose.** Could occupational authorization fees be reduced without causing the occupational entity to be underfunded? **No.**
9. How many applicants for the occupational authorization fail each year? **None.** Does the occupational entity track how many applicants that do not progress are veterans, women, or minorities? **No**
10. Can applicants complete the training requirements for this occupational authorization with vocational or non-traditional education (e.g., apprenticeships)?
There are no training requirements. This is a permit based on an application process.
What percentage of applicants complete apprenticeships? **N/A**
11. In what ways would removal of the occupational authorization or reduction of occupational authorization requirements be harmful to current authorization holders? **The impact to current permit holders would be minimal. However, removal of the permit authorization would reduce consumer protection and hinder emergency response during a disease/health risk incident regarding eggs in Arkansas.**

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Occupational Entity Questionnaire

Responses to the following questions are due via email to Subcommittee staff no later than the 15th of the month immediately preceding the month the occupational authorization is scheduled for review by the Subcommittee.

1. **Would consumers be at risk of substantial harm if Arkansas did not have the Livestock Dealer License?** **Yes.** The Arkansas livestock Dealer license is in place to enable the Department to trace livestock sold or entering the state in the event of a disease outbreak. The ability to trace the movement of an infected animal reduces the spread of the disease to other parts of the industry and protects consumers and the food supply chain. What instances of specific and substantial harm have been documented in the past year? **Historically, at least one buyer each year is found to have improper records, resulting in a loss of traceability for animals sold or purchased by the buyer.**
2. **How many complaints were made to the occupational entity by consumers being harmed by unauthorized practitioners?** **None.** What specific action was taken by the occupational entity? **N/A**
3. **How many complaints were made to the occupational entity by consumers being harmed by authorized practitioners?** **None.** What specific action was taken by the occupational entity? **N/A**
4. **Were any applicants who otherwise met authorization requirements denied an authorization in the past year?** **No.** If so, why?
5. **How much does the occupational entity collect annually in fees, and what are annual expenses?** **No fees are collected, and annual expenses are \$16,500.**
6. **How much money does the occupational entity have in reserves?** **None**
7. **If the occupational entity has a positive amount in reserves, when was the last time reserve funds were used? For what purpose?**
8. **Does the occupational entity have any other sources of revenue?** **Yes** Could occupational authorization fees be reduced without causing the occupational entity to be underfunded? **N/A**
9. **How many applicants for the occupational authorization fail each year?** **None.** Does the occupational entity track how many applicants that do not progress are veterans, women, or minorities? **No**

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Occupational Entity Questionnaire

- 10. Can applicants complete the training requirements for this occupational authorization with vocational or non-traditional education (e.g., apprenticeships)?**

There is no training requirement. What percentage of applicants complete apprenticeships? N/A

- 11. In what ways would removal of the occupational authorization or reduction of occupational authorization requirements be harmful to current authorization holders?**

Removal of this authority would reduce the Department's ability to trace livestock sold or entering the state in the event of a disease outbreak, thereby increasing the chances of a contagious disease(s) spreading within Arkansas's livestock industry. Without the ability to trace the movement of livestock sold or entering the state, commerce could be halted, which would be harmful to the livelihoods of current permit holders and the entire livestock industry in Arkansas.

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Occupational Entity Questionnaire

Responses to the following questions are due via email to Subcommittee staff no later than the 15th of the month immediately preceding the month the occupational authorization is scheduled for review by the Subcommittee.

1. **Would consumers be at risk of substantial harm if Arkansas did not have Equine Infectious Anemia Verifier (EIA) license?** Equine owners would be at the greatest risk of harm. To reduce the spread of equine infectious anemia, EIA Verifier licenses are issued to individuals that help the Department monitor animal movements and ensure compliance with animal health rules at events where equine are commingled. Arkansas's animal health rules were designed to protect the equine industry from the spread of contagious diseases like EIA. What instances of specific and substantial harm have been documented in the past year? Equine infected with EIA or exposed to an EIA-positive equine must be quarantined and tested. This can be a substantial hardship for equine owners and have a negative impact on the economy of the entire equine industry.
2. **How many complaints were made to the occupational entity by consumers being harmed by unauthorized practitioners?** None. What specific action was taken by the occupational entity? N/A
3. **How many complaints were made to the occupational entity by consumers being harmed by authorized practitioners?** None. What specific action was taken by the occupational entity? N/A
4. **Were any applicants who otherwise met authorization requirements denied an authorization in the past year?** No. If so, why?
5. **How much does the occupational entity collect annually in fees, and what are annual expenses?** \$160 collected, and \$3,300 in annual expenses.
6. **How much money does the occupational entity have in reserves?** None
7. **If the occupational entity has a positive amount in reserves, when was the last time reserve funds were used? For what purpose?**
8. **Does the occupational entity have any other sources of revenue?** Not for this specific purpose. Could occupational authorization fees be reduced without causing the occupational entity to be underfunded? No

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Occupational Entity Questionnaire

9. How many applicants for the occupational authorization fail each year? **None**. Does the occupational entity track how many applicants that do not progress are veterans, women, or minorities? **No**
10. Can applicants complete the training requirements for this occupational authorization with vocational or non-traditional education (e.g., apprenticeships)? **No**. What percentage of applicants complete apprenticeships? **N/A**
11. In what ways would removal of the occupational authorization or reduction of occupational authorization requirements be harmful to current authorization holders? **Permit holders would not be harmed, but the equine industry would be at increased risk for the spread of EIA which could cause a substantial hardship on equine owners and have a negative economic impact on the state's equine industry.**

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Occupational Entity Questionnaire

Responses to the following questions are due via email to Subcommittee staff no later than the 15th of the month immediately preceding the month the occupational authorization is scheduled for review by the Subcommittee.

1. **Would consumers be at risk of substantial harm if Arkansas did not have the Pullorum-Typhoid License?** Yes. Our Pullorum-Typhoid Licenses are issued to individuals that help the Department monitor animal movement and test for Pullorum-Typhoid disease to ensure safety and prevent the spread of disease that could cause significant harm to Arkansas's poultry industry. The Pullorum-Typhoid test is required as part of the National Poultry Improvement Plan program that is used to assure trade partners that U.S. poultry is safe and free of disease. **What instances of specific and substantial harm have been documented in the past year?** None **How many complaints were made to the occupational entity by consumers being harmed by unauthorized practitioners?** None. **What specific action was taken by the occupational entity?** N/A
2. **How many complaints were made to the occupational entity by consumers being harmed by authorized practitioners?** None **What specific action was taken by the occupational entity?** N/A
3. **Were any applicants who otherwise met authorization requirements denied an authorization in the past year?** No. **If so, why?**
4. **How much does the occupational entity collect annually in fees, and what are annual expenses?** \$11,982 collected, and \$68,640 in expenses.
5. **How much money does the occupational entity have in reserves?** None
6. **If the occupational entity has a positive amount in reserves, when was the last time reserve funds were used? For what purpose?**
7. **Does the occupational entity have any other sources of revenue?** Not for this purpose. **Could occupational authorization fees be reduced without causing the occupational entity to be underfunded?** No.
8. **How many applicants for the occupational authorization fail each year?** None. **Does the occupational entity track how many applicants that do not progress are veterans, women, or minorities?** No

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Occupational Entity Questionnaire

9. **Can applicants complete the training requirements for this occupational authorization with vocational or non-traditional education (e.g., apprenticeships)?**

No. Specialized training is conducted by Department employees along with U.S. Department of Agriculture employees. What percentage of applicants complete apprenticeships? N/A

10. **In what ways would removal of the occupational authorization or reduction of occupational authorization requirements be harmful to current authorization holders?**

There would be no harm to license holders; however, the poultry industry, the largest sector of Arkansas's agriculture industry, could be harmed because the industry uses this program to assure trade partners that Arkansas poultry is safe and free of diseases as part of the National Poultry improvement Plan program.