



Asa Hutchinson  
Governor

# ARKANSAS DEPARTMENT OF AGRICULTURE

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Wes Ward  
Secretary of Agriculture

September 21, 2021

Honorable John Thurston  
Secretary of State  
State Capitol Rm. 01  
Little Rock, Arkansas 72201-1094

Enclosed is a Transmittal Sheet and copies of the **Garbage Feeding (Swine) Rule**. The rule was approved by the Livestock and Poultry Commission Board meeting held April 16, 2021.

The final rule was reviewed and approved by the Administrative Rules Subcommittee of the Arkansas Legislative Council on September 15, 2021, and the Arkansas Legislative Council on September 17, 2021.

If more information is needed, please contact me.

Sincerely,

Wade Hodge  
Chief Counsel

WH:ll

Enclosures

# ARKANSAS REGISTER

## Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

**John Thurston**

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For Office

Use Only:

Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency Arkansas Agriculture Department

Department Livestock and Poultry Division

Contact Patrick Fisk E-mail patrick.fisk@agriculture.arkansas.gov Phone 501-225-1598

Statutory Authority for Promulgating Rules A.C.A. § 2-33-107(c); 40-403

Rule Title: Garbage Feeding (Swine) Rule

Intended Effective Date  
(Check One)

☐ Emergency (ACA 25-15-204)

☒ 10 Days After Filing (ACA 25-15-204)

☐ Other \_\_\_\_\_  
(Must be more than 10 days after filing date.)

Legal Notice Published .....

Final Date for Public Comment .....

Reviewed by Legislative Council .....

Adopted by State Agency .....

Date

June 26 - 28, 2021

July 25, 2021

September 17, 2021

April 16, 2021

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Linda Luebke

linda.luebke@agriculture.arkansas.gov

Contact Person

E-mail Address

Date

### CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

501-225-1598

Phone Number

wade.hodge@agriculture.arkansas.gov

E-mail Address

Legal Counsel

Title

Date

## **GARBAGE FEEDING RULE (SWINE)**

### **I. GARBAGE FEEDING PROHIBITIONS**

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 Department of Agriculture (Department) shall have the power to enter at reasonable times upon any private property for the purpose of determining compliance with this rule.

B. The State Veterinarian is authorized to quarantine for a period of forty-five (45) days any swine that have been fed in violation of this rule. Swine may not be sold or removed from the premises until the quarantine has been officially removed by a representative of the Department.

C. 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) 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 provision 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 for proper administrative penalties.

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