

SUBCHAPTER 52H - GARBAGE FED SWINE

02 NCAC 52H .0101 DEFINITIONS

The following definition is in effect throughout this Subchapter: "Garbage Feeding" means to feed garbage to swine, to offer garbage to swine, to make garbage available to swine, to allow swine to have access to garbage and/or similar acts wherein swine may consume or contact garbage, including garbage-contaminated equipment and products.

History Note: Authority G.S. 106-405.1; 106-405.8;
Eff. April 1, 1984;
Amended Eff. October 1, 1987;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

02 NCAC 52H .0102 PERMIT FOR FEEDING GARBAGE TO SWINE

(a) No person shall feed garbage to swine without first obtaining a permit therefor from the North Carolina Commissioner of Agriculture; provided that a permit is not required of any individual who feeds only his own household garbage to his own swine. Applications for permits to feed garbage shall be made in writing on forms furnished by the State Veterinarian and shall include the name and address of the applicant, the location of the feeding premises, number of swine usually fed, origin of garbage collected, type of collecting and cooking equipment and similar information. The Commissioner of Agriculture or his authorized agent, the State Veterinarian, may require a survey of the garbage-feeding premises and equipment, by a state or federal inspector, prior to issuing the permit.

(b) It is the policy of the Veterinary Division that in all cases, a survey of garbage feeding premises and equipment is made prior to issuance of a permit.

History Note: Authority G.S. 106-405.2; 106-405.8;
Eff. April 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

02 NCAC 52H .0103 COLLECTION AND TRANSPORTATION OF GARBAGE

(a) Trucks, vehicles, cans, barrels, vats or other equipment used for the collection and transportation of garbage shall be maintained in a clean and sanitary manner, and such vehicles and equipment shall not be used for any other purposes until cleaned and disinfected. All cans, barrels, vats or other containers shall be leak-proof and fitted with lids or other approved covers necessary to prevent spillage. No garbage, either raw or cooked, originating in any other state shall be fed to swine in North Carolina except upon written authorization by the State Veterinarian. The State Veterinarian is authorized to require processing or reprocessing by heat-treatment of all garbage originating in another state or originating in an area owned or under control of the United States armed forces or other agencies of the United States Government. The owners or agents in charge of vehicles transporting garbage shall furnish any authorized state or federal inspector information as to the origin and destination of the garbage. Upon written or verbal request, any person disposing of garbage shall furnish the State Veterinarian or his authorized agent the name and address of the garbage collector and the approximate hour of collection. Garbage collected and transported for the purpose of feeding to swine in violation of the Garbage Feeding Law (G.S. 106-405.1- 106-405.9) and/or rules and regulations shall be disposed of by burial or other approved methods as directed by authorized state and federal inspectors.

(b) Policy of the veterinary division dictates that the State Veterinarian does not authorize the feeding of garbage originating outside of this state to be fed to swine in North Carolina. No exception is made to the required heat treatment of garbage prior to being fed to swine.

History Note: Authority G.S. 106-405.8;
Eff. April 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

02 NCAC 52H .0104 SANITATION AND MANAGEMENT

(a) The garbage feeding premises shall be kept in a clean and sanitary manner and properly drained. The holding pens and feed lots shall be well constructed of suitable materials so as to prevent the escape of swine, including baby pigs. The fences and gates shall be kept in good repair and escape proof from bottom to top. Swine shall not have access to the area

where raw garbage is transported, unloaded and cooked. The feeding platforms or troughs shall be constructed of concrete, wood or other impervious material and of sufficient size and dimensions to accommodate the swine herd. The troughs shall be secured so as to prevent turning over and contaminating the soil. Raw garbage collected shall be heat-treated within twenty-four hours and kept covered until processed. Effective rodent, vermin and fly control measures shall be practiced. An adequate water supply shall be available on the garbage feeding premises. Containers and other utensils used in transferring cooked garbage to the feeding platforms or troughs shall not be contaminated with raw garbage. The feeding of garbage on the ground is prohibited. Garbage shall not be allowed to accumulate on the platform, in the feed trough or in and around the pens. Spilled garbage and waste garbage shall be buried outside the pens or feed lots. Rubbish, trash, bones, dead animals and other objectionable materials shall be removed from the feed lots and adjacent premises at frequent intervals and disposed of by burning, burial or other approved methods. The garbage feeding of swine shall be separate and apart from other livestock. No garbage feeding operation shall be maintained within 300 feet of non-garbage fed swine unless a specific written permit shall have been obtained first from the State Veterinarian or his authorized representative.

(b) A written permit for the maintenance of a garbage feeding operation of swine within 300 feet of non-garbage fed swine will not be issued by the State Veterinarian or his authorized representative unless a barrier sufficient to prevent the movement of men and animals has been erected and the owner of the non-garbage fed swine has given his approval in writing.

*History Note: Authority G.S. 106-405.5; 106-405.8;
Eff. April 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

02 NCAC 52H .0105 GARBAGE COOKING EQUIPMENT AND OPERATIONS

(a) Garbage cooking equipment shall be located 15 or more feet from the feed lots and so placed that raw garbage may be emptied into the cooker without passing through or contaminating the feed lots. The garbage cooking vats or other equipment shall be fitted with a metal or other approved removable cover. The size of the vat or other cooking equipment shall be determined by the amount of garbage processed and the heating facilities shall be adequate to heat-treat all parts of the garbage at a temperature of 212 degrees F. for 30 minutes or longer.

(b) Vats or other cooking equipment using direct fire for heat-treatment shall be enclosed in a fire box or furnace with a minimum of one and one-half inch direct fire space on each side, each end and extending a minimum of two inches above the top level of the garbage, during cooking operations. Drums if used shall be cut horizontally and enclosed in a fire box or furnace and fitted with a cover as prescribed for vats and other cooking equipment. The cooking equipment shall be provided with a shelter or other suitable covering for proper heat-treatment during all types of weather.

(c) Boilers and steam generating equipment shall be adequate in size and capacity to heat-treat the raw garbage of each processing operation. The steam pipes used in the cooking equipment shall be adequate in size and properly spaced with end valves, if required, and approved by the inspector. Inspectors shall provide a detailed diagram showing proper methods of both steam heat-treatment and open fire heat-treatment of garbage.

*History Note: Authority G.S. 106-405.6; 106-405.8;
Eff. April 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

02 NCAC 52H .0106 CHANGES IN SPECIFICATIONS FOR COOKING EQUIPMENT

Changes in specifications for cooking equipment and methods (as specified in 2 NCAC 7E .0105) may be permitted by the State Veterinarian when it will not affect the efficiency of cooking and operation.

*History Note: Authority G.S. 106-405.8;
Eff. April 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

02 NCAC 52H .0107 MOVEMENT: SALE AND QUARANTINE OF GARBAGE-FED SWINE

(a) Swine which have been fed garbage shall be sold only for direct movement to a slaughtering establishment. They shall not be used for other than immediate slaughter and at the time of sale shall be identified by the garbage feeding permit number on the bill of sale.

(b) No garbage-fed swine shall be moved or transported except in compliance with the federal regulations and with the law and rules and regulations of the state of destination.

(c) Swine fed on raw garbage, improperly cooked garbage and/or fed or held on premises in violation of the Garbage Feeding Law and/or rules and regulations shall be subject to quarantine. The State Veterinarian is authorized to permit the movement of garbage-fed swine to isolated premises and subject to quarantine. The movement and/or sale of garbage-fed swine, including swine fed on individual household garbage and all other swine, shall be subject to the emergency rules and regulations established by the Commissioner of Agriculture for the control and eradication of vesicular diseases.

(d) A permit to move swine under quarantine because of having been fed raw garbage will be issued by the State Veterinarian when movement can be accomplished without risking the exposure of other animals.

*History Note: Authority G.S. 106-405.8;
Eff. April 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

02 NCAC 52H .0108 EXEMPTIONS

The Commissioner of Agriculture or his authorized representative will exempt from the definition of garbage the waste resulting from the processing of seafood when it can be determined that the waste is not contaminated with, or has not been exposed to, other material classified as garbage.

*History Note: Authority G.S. 106-405.1;
Eff. April 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

02 NCAC 52H .0109 BOILING GARBAGE

Boiling garbage for 30 minutes is an acceptable alternate to heating garbage to 212 degrees F. for 30 minutes, provided that all parts of the garbage reach the temperature of boiling for 30 minutes.

*History Note: Authority G.S. 106-405.6;
Eff. April 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*