Chapter 600

1961 REPLACEMENT PART

(1963 reprint)

Swine Feeding

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600.010 Definitions. As used in this chapter, the term:

(1) "Department" means the State Department of Agriculture.

(2) "Garbage" means refuse and waste accumulations of animal or vegetable matter from:

(a) A home, public eating establishment or other place where food for human consumption is served.

(b) Any place where such material is processed or sold.

(3) "Offal" means animal tissue of any kind and from any source.

(4) "Recording thermometer" means an accurate thermometer of a type approved by the department which automatically records the temperature of garbage when heated as required by ORS 600.080.

[Amended by 1953 c.384 §7]

600.020 Swine feeding license required. Before any person engages in, or continues in the business of feeding garbage or offal to swine, he shall procure from the department a license. All licenses expire on June 30 next succeeding their date of issuance.

600.030 Application for license and payment of fee; disposition of funds received. (1) Any person desiring to obtain a license to feed garbage or offal to swine shall file with the department an application for such license. The application shall be upon a form furnished by the department and shall contain such information as the department may, by regulation, prescribe.

(2) At the time of filing an application the applicant shall pay to the department a license fee of $10. All such fees shall be remitted by the department to the State Treasurer who shall place all moneys so received to the credit of the Department of Agriculture Account for the purpose of carrying into full force and effect the provisions of this chapter.

[Amended by 1953 c.384 §7]

600.040 Inspection by department; issuance of license. Upon receiving an application for a swine feeding license, the department shall cause one of its officers, employes or deputies, to inspect the place where the applicant desires to conduct such business and ascertain:

(1) Whether such applicant is a responsible and suitable person to be entrusted with a license.

(2) Whether the place where the business is to be conducted is a suitable and sanitary place in which to feed swine.

(3) Whether such place conforms to the rules and regulations prescribed by the department.

If the applicant meets such requirements, the department shall issue him a license to conduct such business.

600.050 License limitations. Any licenses issued under this chapter shall be nontransferable by the licensee and shall apply to only one place of business, specified in the license. Any licensee operating more than one such place of business shall be required to obtain a separate license for each such place.

600.060 Revocation or refusal to issue license. Upon determining that any person licensed under this chapter, or who has applied for a license under ORS 600.030, has violated or failed to comply with any of the provisions of this chapter or any of the rules and regulations of the department made under this chapter, or that such person has failed to place and keep the premises, where he conducts the licensed business, in the manner required under this chapter, the department may revoke such person's license, or refuse to issue a license to such person.

[Amended by 1961 c.425 §9]

600.070 Requirements as to place of business. The department shall not issue a license to conduct the business of feeding garbage or offal to swine, nor shall any place be used for that purpose, unless it conforms to the following requirements:

(1) It shall have properly drained, water-tight floors in all sections where feeding is done, and where feeds are mixed or prepared.

(2) All buildings connected with such place shall be of sanitary construction.

(3) Manure and other refuse shall not be allowed to accumulate in such buildings, nor upon the premises, in such a location as shall be offensive to the neighborhood, or to persons traveling on a public highway.

(4) Such place shall be so situated, arranged and constructed as not to interfere with the comfortable enjoyment of life and property by any of the residents of this state.

(5) Such place shall comply with rules and regulations of the department, promulgated under this chapter.

(6) All drainage must be emptied into a sewer, septic tank or cesspool of proper capacity.

(7) Swine must not be permitted to run or feed on insanitary premises.

(8) The premises are equipped to cook all garbage and offal as required by this chapter. The equipment required by this subsection includes an accurate recording thermometer installed in a manner prescribed by the department which will accurately record the temperature of all garbage cooked on the premises.

[Amended by 1953 c.384 §7]

600.080 Garbage and offal to be heated before feeding. No person holding a license to feed garbage or offal shall feed to any swine garbage or offal which has not been heated to a temperature of 212 degrees Fahrenheit for at least 30 minutes.

[Amended by 1953 c.384 §7]

600.090 Inspection of licensed premises. The department shall cause one or more of its officers, employes or deputies to inspect, as often as it deems advisable, each place licensed under this chapter. Each place shall be inspected at least once during each license year. For the purpose of making such inspection every authorized officer, employe and deputy of the department shall have free access to all premises licensed under this chapter.

600.100 Department to administer and enforce this chapter. (1) The department shall administer and enforce the provisions of this chapter and may make and enforce all rules and regulations which it deems necessary to carry out the purposes of this chapter. Such rules and regulations shall be published in pamphlet form as provided by ORS 561.190.

(2) The department may promulgate specific regulations relating to the following:

(a) The proper vats or other containers for cooking garbage or offal.

(b) The proper method of installing recording thermometers.

(c) The making and preservation of recording thermometer charts.

[Amended by 1953 c.384 §7]

600.105 Summary quarantine of swine being fed garbage or offal. The department may summarily quarantine any swine which are being fed garbage or offal. Such quarantine may be imposed whether or not such person is required to be licensed under this chapter. The powers conferred upon the department by ORS 596.388 to 596.416 may be exercised by the department in aid of such quarantine.

[1955 c.187 §2]

600.110 Chapter not applicable to persons feeding certain types of garbage or offal. (1) This chapter shall not apply to any person:

(a) Feeding garbage or offal to swine which has been accumulated from his own domestic household.

(b) Feeding garbage consisting only of waste from fruit or vegetable canneries, processing plants or sorting establishments.

(c) Feeding garbage consisting only of waste from a bakery.

(2) A person may feed any of the garbage mentioned in subsection (1) of this section in combination without a license.

[Amended by 1953 c.384 §7]

600.120 Jurisdiction of courts; restraining violation. (1) Justice courts, municipal courts acting as justice courts and district courts have concurrent jurisdiction with circuit courts of all prosecutions arising under this chapter.

(2) In addition to any penalty provided by ORS 600.990, the circuit court is vested with jurisdiction to restrain any violation, or threatened violation, of this chapter upon suit by the department. In any such suit the district attorney of the county where such suit is instituted shall represent the department, or the Attorney General may represent the department in such suit.

600.130 to 600.980 [Reserved for expansion]

600.990 Penalties. Violation of any of the provisions of this chapter, or any rule or regulation of the department made under such provisions, is punishable, upon conviction, by a fine of not less than $10 nor exceeding $250 or by imprisonment in the county jail not exceeding one year, or both.

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Sam R. Haley, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,
on December 1, 1961.

Sam R. Haley
Legislative Counsel