Chapter 601

1979 REPLACEMENT PART
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Dead Animals

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601.010 Definitions. As used in this chapter, the term "department" means the State Department of Agriculture.

601.020 Applicability of dead animal provisions. (1) Any person engaged in the business of obtaining, by purchase or otherwise, the body, carcass or parts of animals, for the purpose of obtaining the hide, skin or grease from such body, carcass or parts of animals or for the purpose of disposing of such body, carcass or parts in any way whatsoever, is deemed to be engaged in the business of disposing of the bodies, carcasses or parts of animals, and is subject to all the provisions and penalties of this chapter.

(2) However, ORS 601.010 to 601.130 do not apply to:

(a) The slaughtering and handling of animals for human consumption or to the dissection of animals for scientific research.

(b) Persons in cities and towns who gather up and dispose of the bodies of dead fowl, cats, dogs and other small animals, if they gather up and dispose of such bodies of small animals in the regular course of their garbage business.

601.030 License required to engage in animal disposal business. Before any person shall engage in the business of disposing of the bodies, carcasses or parts of animals by rendering, burning, burying or any other means, he shall procure from the department a license. All such licenses shall expire on June 30 next succeeding their date of issuance.

601.040 Application for license and payment of fee; disposition of funds collected. (1) Any person desiring to obtain a license to dispose of the bodies, carcasses or parts of animals 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 rule and regulation, prescribe.

(2) At the time of filing, the applicant shall pay to the department a license fee of $50. All such fees shall be remitted by the department to the State Treasurer, who shall place all money so received in the Department of Agriculture Service Fund for the purpose of carrying into full force and effect ORS 601.010 to 601.130. [Amended by 1979 c 499 §15]

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

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

(2) Whether the place where such business is to be conducted is a suitable and sanitary place in which to dispose of the bodies, carcasses and parts of animals.

(3) Whether it 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.

601.060 License limitations. Any licenses issued under ORS 601.050 or 601.080 shall be nontransferable by the licensee and shall apply to only one place of business or conveyance, as specified in the license. Any licensee, operating more than one place of business or conveyance shall obtain a separate license for each such place or conveyance.

601.070 Revocation or refusal to issue license. Upon determining that any person licensed under ORS 601.050 or 601.080, or who has applied for a license under ORS 601.040 or 601.080, has violated, or failed to comply with any of the provisions of ORS 601.010 to 601.130 or any of the rules and regulations of the department made under such sections, or that such person has failed to place and keep the premises, where he conducts the licensed business or his conveyance, in the manner required by such sections, the department may revoke his license, or refuse to issue a license to such person. [Amended by 1961 c.425 §10]

601.080 License for conveyance transporting dead animals. (1) Before any person, not holding a license for the disposal of bodies, carcasses or parts of animals, transports for hire the bodies, carcasses or parts of animals upon the highways of the state, he shall obtain a license for such truck or conveyance used, from the department.

(2) The license fee for each conveyance shall be $10 per year. The license shall expire on June 30 next succeeding the date of its issuance. Application for the license shall be

made on forms furnished by the department with such information as the department may require.

601.090 Requirements as to conduct of business and construction of premises. Every person engaged in the business of disposing of the bodies, carcasses or parts of animals shall conduct such business and shall construct, arrange and keep the premises on which such business is conducted in accordance with the following requirements:

(1) All buildings on such premises shall be constructed as to allow them to be kept in a sanitary condition and shall be provided with properly drained concrete or cement floors. Such buildings shall be fly-tight and so constructed as to exclude rats, other rodents and vermin.

(2) 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.

(3) In case such dead bodies, carcasses or parts of animals are to be disposed of by rendering, the cooking vats or tanks shall be airtight except for proper escapes or vents for steam used in rendering or cooking. Such escaping steam shall be released through traps, or other means, in such manner as not to cause unnecessary annoyance or create a nuisance in its disposal.

(4) All storing, skinning and dismembering of dead bodies, carcasses or parts of animals shall be done within a building on the premises in such a manner that no public annoyance or nuisance shall be caused by the unsightly appearance or stench of such bodies, carcasses or parts of animals

(5) In no case shall the process of skinning, butchering or dismembering of animals or parts of animals be commenced except at the place where the process of rendering, burning or burying is to be completed.

(6) In case dead bodies, carcasses or parts of animals are disposed of by burning, the place where such burning is done shall be so located, constructed and arranged as not to essentially interfere with the comfortable enjoyment of life and property by residents of this state. All parts of such bodies, carcasses or parts of animals not entirely consumed by such burning shall be disposed of by burying, as provided by this section, or in any such manner as may be directed by the department.

(7) In case dead bodies, carcasses or parts of animals are disposed of by burying, they shall be buried to such a depth that no part of any such body, carcass or part of an animal shall be nearer than four feet to the natural surface of the ground and every part of such body, carcass or part of an animal shall be covered with quicklime and by at least four feet of earth.

601.100 Transportation and handling of dead animals. (1) Except as provided in subsection (3) of this section, all persons licensed under ORS 601.050 or 601.080 shall transport bodies, carcasses or parts of animals to their establishments in a covered wagon, truck bed or tank which is watertight and so constructed that no drippings or seepings can escape therefrom. Such wagon, truck bed or tank shall be so constructed as to conform to the rules and regulations that may be established by the department. The bodies, carcasses or parts of animals shall not be removed from such wagon, truck bed or tank except at the place of final disposition.

(2) However, any person licensed under ORS 601.050 or 601.080 may, for the purpose of securing economy of handling and transportation, establish a refrigerated assembly plant where whole bodies of dead animals or their carcasses or parts may be placed in storage pending the assembly of an economical quantity for transportation to the central plant. Such assembly plant shall conform to such regulations by the department as shall keep it in sanitary condition. Each such assembly plant shall be subject to an annual license fee of $10.

(3) Whole bodies of dead animals, the condition of which has not become obnoxious to human senses, and which cannot be placed in an ordinary wagon, truck bed or tank as described in subsection (1) of this section, may be transported in an open wagon or truck. In such case the body shall be suitably covered and concealed.

(4) In the case of transporting offal or parts of bodies from slaughterhouses or other places, the containers in which they are transported must have tight covers and be kept in a sanitary condition.

601.110 Inspection of place of business or conveyance. The department shall cause one or more of its officers, employes or deputies to inspect, as often as it may deem advisable, each place or conveyance licensed under ORS 601.050 or 601.080. However, each

such place for disposal 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 such sections.

601.120 Department to administer and enforce disposal provisions. The department shall administer and enforce ORS 601.010 to 601.130 and may make and enforce all rules and regulations which the department deems necessary to carry out the purposes of such sections. Such rules and regulations shall be published in pamphlet form as provided by ORS 561.190.

601.130 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 ORS 601 010 to 601.130.

(2) In addition to any penalty provided by ORS 601 990 (1), the circuit court is vested with jurisdiction to restrain any violation, or threatened violation, of ORS 601.010 to 601.130 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.

601.140 Carcass of domestic animal to be buried or destroyed. No person shall knowingly leave the carcass of any domestic animal, which he has owned or had in charge, within one-half mile of any dwelling or within one-fourth mile of any running stream of water for longer than 15 hours without burying or burning it.

601.990 Penalties. (1) Violation of any provision of ORS 601.010 to 601.130 or any rule or regulation of the department made under such sections, is punishable, upon conviction, by a fine or not less than $10 nor exceeding $250.

(2) Violation of ORS 601.140 is punishable, upon conviction, by a fine not exceeding $100.