



**WEST VIRGINIA SECRETARY OF STATE**

**MAC WARNER**

**ADMINISTRATIVE LAW DIVISION**

**eFILED**

4/15/2022 9:42:30 AM

Office of West Virginia  
Secretary Of State

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED  
BY THE WEST VIRGINIA LEGISLATURE**

AGENCY: Agriculture TITLE-SERIES: 61-01A  
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No  
RULE NAME: Feeding of Untreated Garbage to Swine  
CITE STATUTORY AUTHORITY: §19-9A-1

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) SB 334

Section §64-9-1 Passed On 3/12/2022 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

April 18, 2022

This rule shall terminate and have no further force or effect from the following date:

August 01, 2032

**BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.**

**Yes**

**Norman Bailey -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**

TITLE 61  
LEGISLATIVE RULE  
DEPARTMENT OF AGRICULTURE

SERIES 1A  
FEEDING OF UNTREATED GARBAGE TO SWINE

**¶61-1A-1. General.**

1.1. Scope. -- These legislative regulations establish general operating rules and procedures in the Animal Disease Control Division and are established to prevent, suppress, control and eradicate communicable diseases of swine.

1.2. Authority. -- W. Va. Code ¶19-9A-1 *et seq.*

1.3. Filing Date. -- April 15, 2022

1.4. Effective Date. -- April 18, 2022

1.5. Sunset Date. -- This rule shall terminate and have no further force or effect August 1, 2032.

**¶61-1A-2. Permit For Feeding Garbage To Swine.**

2.1. A person shall not feed garbage to swine until a permit has been secured from the Commissioner and properly posted on the swine feeding premises.

2.2. There is no fee for a swine garbage feeding permit.

2.3. A permit to feed cooked garbage to swine is not transferrable.

2.4. The Commissioner, after receiving an application for a permit to feed cooked garbage to swine or to renew the permit, may cause an investigation to be made of the garbage feeding premises of the applicant, and all the equipment used for heating and treating garbage, to ascertain whether or not the premises and equipment are suitable and adequate. If it is found that the premises or equipment are inadequate for the heating, treating or feeding of garbage to swine, the Commissioner shall withhold until the applicant has provided adequate facilities.

2.5. The permittee shall keep all premises and equipment that are used for cooking and feeding garbage in a sanitary condition.

**¶61-1A-3. Interstate Movement Of Swine Fed Uncooked Garbage.**

3.1. Swine shall not be imported into this State that have been fed or have had access to uncooked garbage. All persons, firms, corporations, partnerships or associations, or employees of the same, who operate a public market, concentration point, pickup station or any other kind of business where livestock is bought, sold, traded or received for resale, whether licensed by the Commissioner or not, shall not receive for resale, buy, sell or trade in any manner whatsoever any swine that they have reason to believe have been fed or have had access to uncooked garbage.