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1985 MAY 31 AM 11:33

WILLIAM H. HARRINGTON
Chief of Staff

RICH O. HARTMAN
Director, Administrative Law

DONALD R. WILKES
Director, Corporations

VIRGINIA SKEEN
Special Assistant

(Plus all the volunteer
help we can get)

KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

BARBARA STARCHER
Deputy Secretary of State

RICHARD S. STEPHENSON
Deputy Secretary of State

Telephone: (304) 345-4000
Corporations: 345-8000

STATE OF WEST VIRGINIA
SECRETARY OF STATE

SECRETARY OF STATE

Charleston 25305

PROPOSED RULES

STATE REGISTER FILING

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AGENCY West Virginia Department of Agriculture

CONTACT PERSON William H. Gillespie PHONE 348-2203 or 3550

TYPE OF RULE Legislative

TITLE OF RULE Feeding of Untreated Garbage to Swine

CHAPTER 19 ARTICLE 9a SERIES Ia

AUTHORITY W.Va. Code 19-9a

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CHECK APPLICABLE ITEMS BELOW TO SHOW KIND OF ACTION BEING TAKEN

NEW RULE

NOTICE OF HEARING

AMENDMENTS TO EXISTING RULE

NOTICE OF AGENCY APPROVAL
(legislative rules only)

REPEAL OF EXISTING RULE

NOTICE OF AGENCY ADOPTION
(interpretive & procedural
rules only)

NOTE: ALL FILINGS REQUIRE ONLY
ONE COPY, EXCEPT FINAL
FILING OF RULES WHICH
REQUIRES AN ORIGINAL AND
A COPY.

FINAL FILING

FIRST EMERGENCY FILING

SECOND EMERGENCY FILING



STATE OF WEST VIRGINIA
DEPARTMENT OF AGRICULTURE
CHARLESTON
25305


Gus R. Douglass
Commissioner

FILED
1995 MAY 31 AM 11:33
OFFICE OF THE SECRETARY OF STATE

NOTICE OF FINAL FILING - LEGISLATIVE RULE

LEGISLATIVE RULE: Feeding of Untreated Garbage to Swine

The attached legislative rule is hereby final filed with the Secretary of State
by the West Virginia Department of Agriculture as authorized by Senate
Bill 399 Section 64-2-19 (9)(2)


Gus R. Douglass
Agriculture Commissioner

1 SENATE BILL NO. 396

2 (By Mr. R. Williams

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4 [Introduced March 6, 1985;5 referred to the Committee on Agriculture; then to the6 Committee on the Judiciary]7
8
9
10 A BILL to amend article two, chapter sixty-four of the code
11 of West Virginia, one thousand nine hundred thirty-one,
12 as amended, by adding thereto a new section, designated
13 section nineteen (nine-a)(seven), relating to
14 authorizing the commissioner of agriculture to
15 promulgate legislative rules relating to ~~feeding~~
16 ~~untreated~~ garbage to swine.17 Be it enacted by the Legislature of West Virginia:18 That article two, chapter sixty-four of the code of West
19 Virginia, one thousand nine hundred thirty-one, as amended,
20 be amended by adding thereto a new section, designated
21 section nineteen (nine-a)(seven), to read as follows:22 ARTICLE 2. EXECUTIVE AGENCY AUTHORIZATION TO PROMULGATE
23 LEGISLATIVE RULES.24 §64-2-19(9a)(7). Commissioner of agriculture.25 The legislative rules filed in the state register on the
26 fourth day of June, one thousand nine hundred eighty-four

1 relating to the commissioner of agriculture (feeding
2 untreated garbage to swine) are authorized.

3

4 NOTE: The purpose of this bill is to authorize the
5 commissioner of agriculture to promulgate legislative rules
6 relating to feeding untreated garbage to swine.

7 This section is new; therefore, strike-throughs and
8 underscoring have been omitted.

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H. B. 1605

(By Delegate Casey)
(Introduced March 6, 1985; referred to the
Committee on Agriculture and Natural Resources with the
direction that it later be referred to the
Committee on the Judiciary.)

10 A BILL to amend article two, chapter sixty-four of the code
11 of West Virginia, one thousand nine hundred thirty-one,
12 as amended, by adding thereto a new section, designated
13 section nineteen (nine-a)(seven), relating to
14 authorizing the commissioner of agriculture to
15 promulgate legislative rules relating to feeding
16 untreated garbage to swine.

17 Be it enacted by the Legislature of West Virginia:

18 That article two, chapter sixty-four of the code of West
19 Virginia, one thousand nine hundred thirty-one, as amended,
20 be amended by adding thereto a new section, designated
21 section nineteen (nine-a)(seven), to read as follows:

22 ARTICLE 2. EXECUTIVE AGENCY AUTHORIZATION TO PROMULGATE
23 LEGISLATIVE RULES.

24 §64-2-19(9a)(7). Commissioner of agriculture.

25 The legislative rules filed in the state register on the
26 fourth day of June, one thousand nine hundred eighty-four

1 relating to the commissioner of agriculture (feeding
2 untreated garbage to swine) are authorized.

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5 commissioner of agriculture to promulgate legislative rules
6 relating to feeding untreated garbage to swine.

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8 underscoring have been omitted.

WEST VIRGINIA LEGISLATIVE REGULATIONS
STATE DEPARTMENT OF AGRICULTURE
Chapter 19-9a
SERIES Ia

Substitute
FRONT SHEETS
FOR Ia + Ib
Thanks,
Rhela
CURRENTLY IN EFFECT - 3/6-85

TITLE: Feeding of Untreated Garbage to Swine

Section 1. General

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

1.2 Authority - W. Va. Code 19-9a

1.3 Filing Date - May 31, 1985

1.4 Effective Date - May 31, 1985

1.5 Repeal of Former Rule: This legislative rule repeals West Virginia Legislative Rule "Department of Agriculture, Chapter 19-9a, Series Ib, Feeding of Untreated Garbage to Swine", filed November 1, 1963.

Section 2. Permit for Feeding Garbage to Swine

2.1 No person shall feed garbage to swine until a permit has been secured from the Commissioner and properly posted on the swine feeding premises.

2.2 The fee for a swine garbage feeding permit shall be five dollars.

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 same, 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 permit shall be withheld until the applicant has provided adequate facilities.

2.5 All premises and equipment that are used for cooking and feeding garbage shall be kept in a sanitary condition.

Section 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, corporation, partnerships or associations, or employees of the same, who operate a public

WEST VIRGINIA LEGISLATIVE REGULATIONS
STATE DEPARTMENT OF AGRICULTURE
Chapter 19-20
SERIES Ib

TITLE: Registration Forms and Tags for Registration, Taxation and Control
of Dogs.

Section 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 dogs.

1.2 Authority - W. Va. Code 19-20-4

1.3 Filing Date - May 31, 1985

1.4 Effective Date - May 31, 1985

1.5 Repeal of Former Rule - This legislative regulation repeals West Virginia Legislative Rule "West Virginia Department of Agriculture, Chapter 19-20, SERIES Id, Registration Forms and Tags for Registration, Taxation and Control of Dogs", filed January 1, 1959.

Section 2. Certificate of Registration

2.1 The Certificate of Registration and the carbon copy thereof shall contain the following information:

2.1.1 Year for which tax is paid.

2.1.2 Serial number of Certificate of Registration

2.1.3 Registration tag number.

2.1.4 Date.

2.1.5 Name of Owner (keeper or harborer)

2.1.6 Address.

2.1.7 District.

2.1.8 Description of Dog

2.1.9 Head Tax - required fee \$3.00

2.1.10 Amount Collected.

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2
Series VIIIa
1965

Subje Duplicate front
page of
current rule

LES
Vegetables Sold in West Virginia

Sect 9/6-85

regulations establish general operating rules and
and Vegetables Division.

These regulations are issued under authority of
of West Virginia.

1.03 Effective Date. These regulations are promulgated July 25,
1960 and become effective August 25, 1960.

1.04 Filing Date. These regulations were filed in the Office of the
Secretary of State on

1.05 Certification. These regulations are certified authentic by
the Secretary of State by certification number

Section 2 -DECLARATION OF POLICY.

2.01 By virtue of authority vested in the Commissioner of Agriculture
by Chapter 19, Article 5, Section 1, of the Code of West Virginia, I, John
T. Johnson, do hereby prescribe, establish and promulgate the following
rules, regulations, and standards to be used in grading, marking, labeling
and packaging of fresh fruits and vegetables to be sold, offered for sale,
exposed for sale, stored, transported or distributed for sale within the
State of West Virginia.

50# paper bag showing Grade and Net Weight in not less than 1/2 inch letters and other information in not less than 3/8 inch letter. In no case may Grade and Net Weight be shown in less than 1/4 inch letter or other information in less than standard "Elite" size type.

Section 5 -GRADES AND STANDARDS.

5.01 Grades shall be those established by the United States Department of Agriculture, the West Virginia Department of Agriculture and the West Virginia State Horticultural Society.

5.02 The Commissioner may recognize any of the various States' grades should it seem to be to the best interest of the State of West Virginia.

Section 6 -ARTIFICIAL COLORING AND/OR WAXING.

6.01 Artificial coloring of irish potatoes is prohibited.

6.02 Artificial coloring and/or waxing may be used on other commodities except when misleading or to conceal inferiority or damage.

6.03 When artificial coloring is used each container shall be conspicuously labeled "COLOR ADDED" in letters of not less than 1/2 inch in height. If the product is displayed in open counters, color statement shall be on a placard in dark letters on a light background. This rule shall not apply to citrus where coloring is a recognized and established practice.

Section 7 -MISCELLANEOUS.

7.01 Bulk shipments of fresh fruits and vegetables shall be accompanied with an invoice or bill of lading showing Grade or Quality Classification. The receiver shall be held responsible for proper labeling when product is placed on retail market.

7.02 Fresh fruits and/or vegetables not conforming to any of the Federal or State grades shall be conspicuously labeled "UNCLASSIFIED". Culls or pickouts may be labeled as "CULLS".

7.03 It is the intent of the Commissioner of Agriculture that these regulations shall be used to assure the consuming public of the quality of fresh commodities purchased in "closed packages" and to protect the various Federal and State Grades and Standards from discriminating and abusive use within the State of West Virginia. In no way may these rules and regulations be used to defeat their intended purpose.

7.04 The foregoing rules and regulations supersede all orders, rules and regulations heretofore issued and now in effect.