

## Article 14 Garbage Feeding

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NOTE: Rule-making authority cited for formulation of regulations for the Garbage Feeding Section of the Department of Public Health and Social Services, 10 GCA §36101.

These Rules and Regulations were filed with the Legislative Secretary on January 21, 1986.

**§41401. Purpose.** The purpose of these Rules and Regulations is to prohibit the feeding of untreated garbage to any livestock to prevent the transmission of viral, bacterial, and parasitical diseases to humans and animals.

**§41402. Authority.** Title 10 Guam Code Annotated §20105 and §33108 authorize the Director to establish rules and regulations to carry out the provisions of 10 GCA Division 2.

**§41403. Definitions.** (a) *Approved* shall mean acceptable to the Department of Public Health and Social Services, and other Government agencies having applicable regulatory jurisdiction.

(b) *Construction Permit* shall mean the official document issued by the Division of Environmental Health authorizing the owner to construct, alter or modify any Edible Garbage Feeding Establishment.

(c) *Department* shall mean the Department of Public Health and Social Services.

(d) *Division* shall mean the Division of Environmental Health, Department of Public Health and Social Services.

(e) *Director* shall mean the Director of Public Health and Social Services.

(f) *Edible Garbage* shall mean swill or leavings of food or any abandoned, spoiled, condemned meat, fish, fowl, vegetable matter or offal from slaughtered animals, liquid or solid, which is free of toxic, or deleterious substances, and is deemed by the Director as being suitable for use solely as animal feed.

(g) *Edible Garbage Collection Site* shall mean the establishment, location, facility, premises or any place where edible garbage is sold, issued, distributed, or otherwise may be obtained.

(h) *Edible Garbage Feeding Establishment* shall mean a farm, ranch, facility, premise site or any place approved by the Director for operation to process edible garbage for the purpose of livestock feeding.

(i) *Person* shall mean an individual, firm, partnership, joint venture, group or combination acting as a unit, agency, company, corporation, etc., for the purpose of maintaining, managing or operating an Edible Garbage Feeding Establishment.

(j) *Premises* shall mean areas within the property boundaries where an Edible Garbage Feeding Establishment is located exclusive of any building used solely for human habitation.

(k) *Public Nuisance or Nuisance* shall mean anything that is determined by the Director to be dangerous to life, injurious to health, or that which renders soil, air, water and food to become impure, unwholesome, repugnant or detrimental to humans or to the environment.

(l) *Sanitary Permit* shall mean a written document issued by the Department which authorizes a person to own, and operate an Edible Garbage Feeding Establishment.

(m) *Vectors* shall mean arthropods or other invertebrates capable of incubating, transporting and ultimately transmitting disease to humans and animals.

**§41404. Sanitary Permit.** (a) It shall be unlawful for any person to feed edible garbage, other than edible garbage obtained from his/her own household, to livestock, or to operate an edible garbage feeding establishment which has not been approved by the Director, unless a valid sanitary permit, issued by the Department, has been obtained, for each separate approved edible garbage feeding establishment.

(b) Application, payment, duration, and renewal shall be made in accordance with separate regulations established for obtaining Sanitary Permits.

**§41405. Construction Permit.** (a) No person shall construct a facility, reconstruct or convert an existing facility for use as an edible garbage feeding establishment without first obtaining a construction permit from the Department.

(b) To apply for a construction permit the applicant must submit a complete set of plans and specifications for the proposed work. The plans and specifications shall include required information stipulated in separate regulations for obtaining construction permits, as well as any additional information deemed necessary to make a thorough evaluation.

**§41406. Compliance.** (a) Any person not complying with these Rules and Regulations after being duly instructed and issued a written notice within a reasonable time, shall be denied to continue all operations. Title 10 Guam Code Annotated §20106 through §20113 shall be upheld and enforced.

(b) The Director shall deny any permit application if structural, premises and other requirements are incomplete or below health and sanitation standards.

(c) Any person found to be illegally operating an edible garbage feeding establishment in any manner or fashion shall be immediately directed to cease all operations, and he/she may be subjected to any penalty as the courts may direct.

(d) In case of an outbreak of any communicable disease directly or indirectly associated with livestock and poultry, the Director shall immediately close any or all edible garbage feeding establishments as deemed necessary to protect the health of the general public and livestock. The Director shall formally announce when such establishments can safely resume operation.

**§41407. Prohibited Acts.**(a) The use of garbage from a hospital, nursing home or convalescent home for animal feed is prohibited.

(b) The collection for use of edible garbage as animal feed by any person who has not obtained a valid sanitary permit is prohibited.

(c) The slaughtering of any livestock or other animals at any edible garbage feeding establishment is prohibited.

(d) The slaughtering of diseased animals for livestock consumption is prohibited.

(e) The use of garbage as animal feed if it contains any toxic, deleterious, or inedible materials in quantities the Director deems unsafe is prohibited.

**§41408. Location of Edible Garbage Feeding Establishments.** Edible garbage feeding establishments shall be located only in designated agricultural zones and any facility connected with the operation shall not be less than twenty (20) feet away from the property boundaries, notwithstanding the separate set back requirements for livestock and poultry.

**§41409. Record Keeping, Registration and Distribution of Edible Garbage by Garbage Collection Sites.** (a) All edible garbage collection sites shall register with the Division when engaging in any manner with any person collecting edible garbage. All site shall maintain a record of all edible garbage collectors for at least two years. Records shall consist of information such as the date of collection and name and address of collectors, collectors permit numbers, etc. These records shall be made available to the Director during inspections or investigations upon request.

(b) Edible garbage feeding establishments shall maintain a record for at least two years of where edible garbage was collected from and to whom animals were sold to or given. These records shall be made available to the Director during inspections or investigations upon request.

**§41410. Sanitary Control and Facilities.** (a) Appropriate enclosure or confinement shall be provided and shall be in good repair at all times so that animals are not capable of running loose. Loose animals are governed under 10 GCA Chapter 35 and its regulations.

(b) Edible garbage and other animal feed shall be stored in clean and rodent-proof containers.

(c) There shall be no other type of health regulated activity or operation of any kind on the premises which includes any activity such as food catering, or those preparing and selling foodstuffs.

(d) Waste water disposal shall be in compliance with 10 GCA Chapter 39, as well as other appropriate requirements of other regulatory agencies.

(e) Waste water shall not be deposited in any natural water source stream, river, etc. nor shall it be recycled for human or animal consumption and other domestic purposes unless it has been treated in a manner approved by the Guam Environmental Protection Agency.

(f) Adequate potable water from an approved source shall be provided.

(g) No cross-connection shall exist which could permit the back flow or back-siphonage of any non-potable substances into the potable water supply by improper plumbing, installation, physical connection, location, maintenance or operation.

(h) Edible Garbage shall be collected in leak-proof containers equipped with tight-fitting lids which shall be securely covered at all times and securely maintained to prevent spillage at the collection site, which enroute to the edible garbage feeding establishment, and at the establishment.

(i) Premises shall be free from overgrown vegetation an unnecessary equipment and articles to prevent insect and rodent harborage.

(j) Approved refuse containers with tight-fitting covers, adequate in number shall be provided and utilized, and shall be placed on an impermeable, cleanable surface of asphalt or concrete which is properly drained.

(k) Refuse disposal areas shall be kept clean of accumulations of any litter, food waste, liquids, etc. that may attract rodents, insects, other vermin and feeding scavengers.

(l) Refuse shall be disposed of at a frequency of at least once a week or more often in order to prevent an excessive accumulation of refuse that would attract rodents and insects, and other vermin and create odor and other nuisance problems.

(m) Refuse shall be disposed of as required and in an approved disposal facility.

(n) All dead animals shall be disposed of with 24 hours after death by movement to an approved disposal area or landfill. Before such action is taken, the Department

of Agriculture, Territorial Veterinarian shall be notified to determine if any other specific action is required.

**§41411. Cooking or Treatment of Edible Garbage.** (a)

Only approved potable water shall be used for cooking or processing of edible garbage for livestock.

(b) Garbage cooking equipment and facilities shall be adequate for the type, size and location of the garbage feeding operation.

(c) Cooking equipment and facilities shall be constructed to be easily cleanable, maintained in good repair, and kept in sanitary condition.

(d) Cooking containers shall be either of stainless steel, aluminum or other materials approved by the Director and shall be constructed to be easily cleanable. The use of galvanized iron drums or other containers are prohibited.

(e) Cooking areas shall be segregated from feeding and housing or hog lot sections by fencing adequate to prevent access to raw garbage by swine, other livestock and poultry.

(f) Cooking operations shall be so located and protected to insure proper cooking under varying weather conditions.

(g) The cooking platform, fire pit, firebox, or oven shall be made of durable fire resistant material and shall be enclosed or sufficiently protected by heat reflector or windbreaks, to keep heat concentrated on the cooking container, and to minimize fire hazards.

(h) Garbage shall be cooked throughout to at least 212\_F for at least thirty (30) minutes. Reheating shall also reach 212\_F for thirty (30) minutes.

(i) In the cooking operation, the container used shall not be filled to more than 90% of the full capacity of said container.

(j) A thermometer or temperature gauge shall be provided to take an accurate temperature reading of all cooked garbage. Such thermometer or temperature gauge shall be accurate to within Å 5\_F of the actual temperature.

**§41412. Feeding Facilities.** (a) All feeding areas shall be surfaced with concrete or other approved materials impervious to liquids and shall be free of cracks and crevices. Feeding areas shall be constructed in such a

manner that flood cleaning can easily be performed, and all surfaces can be easily cleaned.

(b) Feeding areas shall be designed so as to prevent feet of any pigs from getting into the troughs during the feeding process.

(c) The entire feeding area shall be adequately protected from dust, litter, or other debris.

(d) Troughs made of wooden materials used as feeding equipment are prohibited.

(e) Feeding areas shall be maintained in good repair, kept clean, and disinfected. Edible garbage not consumed shall be removed from the feeding area within forty-eight (48) hours after completion of feeding.

**§41413. Severability.** If any provision of these regulations or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of these regulations.

**§41414. Repealer.** All regulations or parts of regulations in conflict with these regulations are hereby repealed.

**§41415. Supplemental.** The following are applicable requirements which were not entirely included herein. Therefore pertinent references are included herein which shall also be enforceable under these Rules and Regulations.

Guam Code Annotated Title 10	
Chapter 20.	General Provision
Chapter 33	Solid Waste
Chapter 35	Livestock and Poultry
Chapter 36	Mosquito Control
Chapter 37	Rodent Control
Chapter 38	Miscellaneous
§38103.	Fly Prevention
Chapter 39	Wastewater and Toilet
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