

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

MINNESOTA STATE REGULATIONS

Notice of filing by the Commissioner of Administration

We have received on this date, stamped and filed 2 copies of Rules and Regulations pertaining to the Livestock Sanitary Board
(Agency or Board)

Regulation No. LSB 53 (new)

Subject: Pet Food Processing

Department of Administration
Publication, Central Services Division
Documents Section
140 Centennial Office Building
St. Paul, Minnesota 55155
Telephone: (612) 296-2874

FILED
RICHARD L. BRUBACHER
Commissioner of Administration

FEB 6 1975 3:15 PM

BY Eda Staudenmaier
AUTH. SIGNATURE EJ

Stamped and filed with the Secretary of State 2-6-75

Rev. 9-72

Paul Strandberg
Special Assistant Attorney General
Agriculture

February 7, 1975

- LSB-53

EXHIBIT A

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE DR. J. G. FLINT
SECRETARY AND EXECUTIVE OFFICER
STATE LIVESTOCK SANITARY BOARD

In the Matter of the Proposed Adoption of Rules of the State Livestock Sanitary Board Governing LSB-53, Pet Food Processing-Carcasses.

ORDER FOR HEARING

To effectively implement this regulation, the Livestock Sanitary Board deems it necessary to consider adoption of the proposed rules captioned above pursuant to the authority vested in us by M.S. 1971.

NOW, THEREFORE, IT IS ORDERED THIS 24th day of October, 1974, that a public hearing on the proposed rules captioned above be held in Room D of the Veterans Service Building, St. Paul, Minnesota, December 3, 1974, commencing at 10:30 A.M., and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard.

IT IS FURTHER ORDERED, that notice of said hearing be given to all representatives of associations or other interested groups or persons who have registered their names with the Secretary of State for that purpose and all persons who are presently members of the Minnesota Legislature.

STATE OF MINNESOTA
LIVESTOCK SANITARY BOARD

J. G. Flint

J. G. Flint, D.V.M.
Secretary and Executive Officer

EXHIBIT B

CERTIFICATE
OF
BOARD'S AUTHORIZING RESOLUTION

I, J. G. Flint, do hereby certify that I am Secretary and Executive Officer of the Livestock Sanitary Board, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Livestock Sanitary Board duly and properly called and held on the 11th day of October, 1974; that a quorum was present at said meeting; that a majority of those present voted for the resolution; that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "RESOLVED, that the Secretary and Executive Officer of the Livestock Sanitary Board be and he hereby is granted the authority and directed to call a hearing for the purpose of promulgating regulation LSB-53, Pet Food Processing - Carcasses, as well as perform any and all acts incidental thereto, including but without being limited thereto, signing an order for hearing, and that the Secretary and Executive Officer or a person whom he shall appoint act as presiding officer at all hearings."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 24th day of October, 1974.

J. G. Flint

J. G. Flint, D.V.M.
Secretary and Executive Officer
Minnesota Livestock Sanitary Board

EXHIBIT C

STATE OF MINNESOTA

COUNTY OF RAMSEY

CERTIFICATE

In the matter of the Proposed Adoption of Rules of the State Livestock Sanitary Board Governing LSB-53, Pet Food Processing-Carcasses.

I hereby certify that the attached 392 labels and one sheet constitutes the complete list of persons, associations, and other interested groups who as of 8:00 o'clock A.M., this 30th day of October, 1974, have requested pursuant to M.S. 1971, Section 15.0412, that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on proposed rules on the subject captioned above.

Secretary of State

Arlen I. Erdahl

By Neil Dawson

EXHIBIT C-1

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed Adoption of Rules of the State Livestock Sanitary Board Governing LSB-53, Pet Food Processing-Carcasses.

AFFIDAVIT OF MAILING

Sandra Ines, being first duly sworn, deposes and says:

That on the 1st day of November, 19 74, at the City of St. Paul, County of Ramsey, State of Minnesota, She served the attached Notice of Hearing by depositing in the United States mail at said City of St. Paul, a true and correct copy thereof, properly enveloped with postage prepaid, to all persons and associations at the addresses listed on the attached Certificate of the Secretary of State as well as to all persons listed on the attached sheet as presently being members of the Minnesota Legislature.

Sandra Ines

Subscribed and sworn to before me

the 1st day of November, 1974

Judith D. Kretzmann

JUDITH D. KRETZMANN
Notary Public, Ramsey Co., Minn.
My Commission Expires
August 6, 1978

EXHIBIT D

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE DR. J. G. FLINT
SECRETARY AND EXECUTIVE OFFICER
STATE LIVESTOCK SANITARY BOARD

In the matter of Proposed Rules
Relating to LSB-53 Pet Food
Processing - Carcasses

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held pursuant to M.S. 1971, Section 15.0412, Subd. 4, in the above-entitled matter, in Room D of the Veterans Service Building, St. Paul, Minnesota, on Tuesday, December 3, 1974 commencing at 10:30 a.m. and continuing until all representatives or other interested groups of persons have had an opportunity to be heard concerning adoption of the proposed rules captioned above by submitting either oral or written data, statements, or arguments. Statements or briefs may be submitted without appearing at the hearing.

The Livestock Sanitary Board proposes to adopt rules relating to the following matters:

- - - Allows animal carcasses to be picked up, transported and processed into pet animal and mink food.

- - - Sets standards for building, equipment and vehicles.

- - - Provides for inspection of facilities and a permit.

- - - Provides for veterinary inspection of carcasses to be processed.

- - - Includes reference to Code of Federal Regulations for proper handling of processed product.

- - - Provides means of revoking or refusal to issue a permit.

Copies of the proposed rules are now available and may be obtained by writing to the Minnesota Livestock Sanitary Board, 555 Wabasha Street, St. Paul, Minnesota 55102. Additional copies will be available at the door on the date of the hearing.

STATE OF MINNESOTA
LIVESTOCK SANITARY BOARD

J. G. Flint

J. G. Flint, D.V.M.
Secretary and Executive Officer

Dated this 24th day of October, 1974.

EXHIBIT E

PROPOSED REGULATION

LSB-53 PET FOOD PROCESSING - CARCASSES

(a) PERMITS

(1) The Minnesota Livestock Sanitary Board may issue a permit to owners or operators of pet animal food processing plants or mink food processing plants to transport the carcasses of domestic animals that have died or have been killed, otherwise than by being slaughtered for human consumption, over the public highways to their plant for processing into pet animal food or mink food upon receipt of a properly executed application form furnished by the Board.

(2) The facilities and vehicles must be inspected by an agent of the Minnesota Livestock Sanitary Board and sanitation standards and procedures for hauling and processing carcasses into inedible meat be in compliance with the requirements set forth in these regulations before a permit can be issued.

(3) Permits shall not allow the removal, transportation or processing of a carcass of any animal which knowingly has died from anthrax, rabies or highly toxic materials or which is decomposed.

(4) Permits shall be valid for one year from date of issue unless revoked in accordance with (g) of this regulation.

(b) PLANT REQUIREMENTS

(1) A plant shall be a structurally enclosed building with adequate ventilation and constructed so it can be maintained at all times in a sanitary condition.

(2) Floors, walls, ceilings, posts, doors and other structural parts of the building or buildings shall be of impervious materials or protected with impervious materials.

(3) All windows, doors and other openings shall be screened or constructed to prevent, as far as is practical, entry of mice, rats, flies and other animals or insects. Management shall establish and maintain a routine insect-vermin extermination program.

(4) The water shall be ample, potable and approved. Install equipment to provide hot water, temperature 185°, or steam to all areas of the plant.

(5) Provide adequate gutters and drains with approved traps and vents. Floor washings, liquid waste and sewage shall be disposed of through facilities which conform to the standards of the State Health Department and the State Pollution Control Agency.

(c) TRANSPORTATION

(1) A permit from the Minnesota Livestock Sanitary Board must be obtained by all establishments or persons transporting decharacterized inedible meat or carcass parts within or out of the State of Minnesota. Permits are issued on an annual basis.

(2) Only permitted vehicles meeting the applicable requirements in LSB-50 may be used for transporting carcasses received or picked up from livestock owners and carcasses, carcass parts or other material transported to and from rendering plants, pet animal food processing plants and mink food processing plants operating under permit from the Minnesota Livestock Sanitary Board.

(d) OFFICIAL VETERINARIAN

(1) The plant management shall employ an accredited licensed veterinarian for the purpose of inspecting carcasses and supervising plant sanitation. The veterinarian selected may designate, with plant manager approval, an alternate veterinarian to perform this service in his absence. The veterinarian, and alternate if any, shall be named on the permit application.

(2) The veterinarian and alternate veterinarian shall be authorized by the Minnesota Livestock Sanitary Board to act as Official Veterinarian.

(3) The Official Veterinarian shall report to the Board any failure on the part of plant management to carry out sanitary procedures eet forth in this regulation.

(4) All compensation for services rendered by the Official or alternate veterinarian shall be paid by the processing plant management.

(e) PROCESSING

(1) All processing of animal carcasses into pet animal or mink food shall be accomplished in a plant maintained in a sanitary condition.

(2) Carcasses presented to the veterinarian for inspection shall have the lungs, heart, liver and kidneys attached. Prior to inspection, such carcasses shall be held in a chill room at a temperature of 40-45°F to prevent decomposition.

(3) Carcasses which show evidence of a dangerous communicable disease, decomposition or any toxic material shall be declared unfit for processing into pet animal or mink food. Such carcasses shall be identified as condemned by slashing and denaturing with a material approved by the Board. Condemned carcasses shall be held in a room or area separate from the processing area and removed from the plant within a reasonable time for processing by rendering only. Condemned carcasses or parts thereof shall be transported in permitted vehicles only.

(4) Carcasses passed for use in pet animal and mink food shall be identified, cut up, decharacterized, packaged, weighed, labeled, stored and transported in accordance with CFR, Title 9, Jan. 1, 1974, Chapter III, 325.11.

(5) The entire processing area and equipment shall be thoroughly cleaned by hot water, 185°F, or steam at the end of each working day.

(f) RECORDS

(1) All plants operating under a permit to process carcasses into pet animal and mink food shall keep the following records and make them available at all reasonable times to any agent of the Minnesota Livestock Sanitary Board

upon request:

(aa) The name and address of the owner and the date an animal carcass was picked up and received for inspection and processing.

(bb) Inventory of number of cartons of inedible meat and carcass parts and the weight of the carton processed each day.

(cc) Running inventory of the number of cartons of inedible meat and carcass parts and weight of each carton stored and transported.

(g) REVOCATION OF OR REFUSAL TO ISSUE A PET ANIMAL OR MINK FOOD PROCESSING PLANT PERMIT

(1) The Minnesota Livestock Sanitary Board may refuse to issue or may revoke a pet animal or mink food processing plant permit for any of the following reasons:

(aa) The plant is operated in such an unsanitary manner as to endanger the health of domestic animals and fowl of this state or any other state.

(bb) For violation of Minnesota Statutes - Section 35.82, or any rule or regulation promulgated by the Board by authority of that statute.

(2) A notice of refusal to issue a permit shall be in writing, stating reasons therefor and shall be served personally upon or mailed by certified letter to the applicant.

(3) A notice of revocation of permit shall be in writing stating reasons therefor and shall be effective not less than 30 days after service or mailing unless in the judgment of the Board the health of domestic animals or fowl is endangered, in which case the revocation may be effective upon receipt by the permittee. Such notice shall be served personally or mailed by certified letter to the permittee at his last known address.

(h) APPEALS

Any pet animal or mink food processing plant operator may appeal from a refusal of the Board to issue him a permit or from a revocation of his permit. He shall file a notice of appeal with the Board within 30 days of receipt of the notice of refusal to issue a permit or of a revocation. The Board shall then promptly set a date for a hearing before a majority of the Board or before a hearing officer appointed for that purpose. Such an appeal shall not have the effect of staying a revocation. The appealing party shall promptly be notified in writing of the date set for the hearing. The hearing shall be conducted in the manner provided by Minnesota Statutes, Chapter 15.

EXHIBIT F

STATE OF MINNESOTA

BEFORE DR. J. G. FLINT
SECRETARY AND EXECUTIVE OFFICER
STATE LIVESTOCK SANITARY BOARD

In the Matter of the Proposed Adoption of Rules of the State Livestock Sanitary Board Governing LSB-53, Pet Food Processing-Carcasses.

STATEMENT OF NEED

The above captioned rules are not amendments to existing rules of the Minnesota Livestock Sanitary Board.

The need to adopt these rules arises pursuant to Minnesota Statutes Section 35.03 (1971) to implement the legislative authorization for the use of animal carcasses in pet food, contained in Minnesota Laws, 1973, Chapter 159.

The purpose of these regulations is to allow a more profitable use of animal carcasses while imposing safeguards to prevent the introduction of unwholesome meat into pet foods.

November 8, 1974

J. G. Flint

J. G. Flint, D.V.M.
Secretary and Executive Officer

EXHIBIT G-1

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE DR. J. G. FLINT
SECRETARY AND EXECUTIVE OFFICER
STATE LIVESTOCK SANITARY BOARD

IN THE MATTER OF THE PROPOSED ADOPTION
OF RULES OF THE STATE LIVESTOCK SANITARY
BOARD GOVERNING LSB-53, PET FOOD PROCESSING-
CARCASSES

ORDER ADOPTING RULES

The above-entitled matter came on for hearing before the Livestock Sanitary Board of the State of Minnesota on the 3rd day of December, 1974 at 10:30 a.m. in Room D of the Veterans Service Building, St. Paul, Minnesota, after proper notice required by M.S. 1971, Section 15.0412 was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, and applicable statutory standards or criteria, and having confirmed the need for the above captioned rules.

NOW, THEREFORE, IT IS ORDERED THAT these rules identified as LSB-53, Pet Food Processing - Carcasses, are adopted this 17th day of January, 1975, pursuant to authority vested in me by M.S. 1971, Sec. 35.03.

STATE OF MINNESOTA
LIVESTOCK SANITARY BOARD

Alvin Offerman, Vice President

EXHIBIT G-2

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE DR. J. G. FLINT
SECRETARY AND EXECUTIVE OFFICER
STATE LIVESTOCK SANITARY BOARD

IN THE MATTER OF THE PROPOSED
ADOPTION OF RULES OF THE STATE
LIVESTOCK SANITARY BOARD GOVERNING
LSB-53, PET FOOD PROCESSING - CARCASSES

FINDINGS OF FACT

The above-entitled matter came on for hearing before the Livestock Sanitary Board of the State of Minnesota on the 3rd day of December, 1974, at 10:30 A.M. in Room D of the Veterans Service Building, St. Paul, Minnesota, after proper notice required by M.S. 1971, Section 15.0412, was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, I find the following:

- - - Promulgation of above captioned rules becomes necessary because of Legislative mandate. Authority to do so is contained in Minnesota Statutes, Sec. 35.03(1971). These rules are found to come within that authority and are reasonable.

- - - Prior to consideration of this regulation, carcasses of domestic animals that have died or been killed, otherwise than by being slaughtered for human consumption, could only be disposed of by burying, burning or processed by rendering.

- - - There is a recognized need for a usable supply of raw product material for pet animal and mink food production. Other states, including Iowa and Wisconsin, have had laws for several years which allow carcasses of domestic animals to be used for this purpose. A competitive structure has developed which places

Minnesota residents who are interested in the purpose of this regulation, in a less favorable bargaining position for this raw product. As far as can be determined, these other states have not reported any problems relating to the spread of disease either by the hauling of carcasses or by the preparation for use in pet animal and mink food.

- - - The requirements in the regulation for picking up, handling and processing carcasses destined for use in pet animal and mink food are designed to avoid the spread of disease on the roadways and to provide for proper buildings and facilities so carcasses can be processed in an environment that can be maintained in a sanitary condition.

- - - Carcasses to be processed into pet animal and mink food are to be examined by a veterinarian. The main intent here is to provide a means whereby an objective, professional person can pass judgement on the quality, appearance and usability of carcass meat for use in pet animal and mink food. It is not intended, as suggested by some remarks at the hearing, to assure anyone that the inedible end-product originated from the carcass of an animal that was free of disease. Considering the product this regulation covers, any attempt to justify an assurance of such nature would be contrived and misleading. The pet food manufacturer who uses this product for further processing into pet animal and mink food apparently does not demand such assurance but does inspect each incoming load of inedible carcass meat for quality and usability. This would lead one to the conclusion that the pet food manufacturer is then responsible to the consumer for the end-product he places on the buying market. The veterinarian is also obligated to report violations of sanitation standards to the Livestock Sanitary Board.

- - - The reference requirement to Code of Federal Regulations, Title 9, January 1, 1974, Chapter III, 325.11 has two main purposes. One is to provide state regulation support to the primary concern of the Federal Regulations for keeping inedible carcass parts out of food channels other than for which it is intended. The other is to relate any violation of these reference requirements to a possible permit revocation.

Aside from the two main purposes, the reference to Code of Federal Regulations has an indirect relationship to the eventual use of the inedible carcass parts produced under this regulation in that additional safeguards are included under other sections of CFR covering the manufacturing of pet food if the establishment is operating under the voluntary inspection program. This can be meaningful since it was brought out in the hearing that practically all of the inedible carcass parts, other than that which might go direct for mink food, would end up at pet food manufacturing establishments for further processing.

- - - The section on recordkeeping was inserted to provide additional protective evidence that the weight of the carcasses brought in for processing compares reasonably well with the amount of inedible carcass parts packaged for entry into commerce.

- - - This regulation will assure that the policy of the State of Minnesota to provide for the protection of the health of domestic animals of the state is fulfilled in a reasonable manner.

STATE OF MINNESOTA
LIVESTOCK SANITARY BOARD

J. C. Flint, D.V.M.
Secretary and Executive Officer

EXHIBIT H

CERTIFICATE OF BOARD'S
ADOPTION OF RULES RESOLUTION

I, Dr. J. G. Flint, do hereby certify that I am Secretary and Executive Officer of the Livestock Sanitary Board, a Board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Minnesota Livestock Sanitary Board duly and properly called and held on the 17th day of January, 1975; that a quorum was present at said meeting; that a majority of those present voted for the resolution; that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified:

> "RESOLVED, that the rules relating to LSB-53, Pet Food Processing - Carcasses, be and they hereby are approved and adopted, pursuant to authority vested in us by Minnesota Statutes 1971, Section 35.03, and that Mr. Alvin Offerman, one of the members of the Minnesota State Livestock Sanitary Board, be and hereby is authorized to sign an order adopting these rules."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 23rd day of January, 1975.

J. G. Flint

J. G. Flint, D.V.M.
Secretary and Executive Officer
Livestock Sanitary Board

EXHIBIT H-1

STATEMENT OF COMPLIANCE WITH

MANUAL OF RULE MAKING PROCEDURES

I, Special Assistant Attorney General Paul Strandberg, do hereby declare that I have examined the proposed rules and all related documents and that, based on them and my personal familiarity with the applicable procedures, the Manual of Rule Making Procedures has been followed. Any exceptions are noted below.

Paul Strandberg

Special Assistant Attorney General

Dated: January 28, 1975

EXHIBIT J

LSB 53 PET FOOD PROCESSING - CARCASSES

(a) Permits.

(1) The Minnesota Livestock Sanitary Board may issue a permit to owners or operators of pet animal food processing plants or mink food processing plants to transport the carcasses of domestic animals that have died or have been killed, otherwise than by being slaughtered for human consumption, over the public highways to their plant for processing into pet animal food or mink food upon receipt of a properly executed application form furnished by the Board.

(2) The facilities and vehicles must be inspected by an agent of the Minnesota Livestock Sanitary Board and sanitation standards and procedures for hauling and processing carcasses into inedible meat be in compliance with the requirements set forth in these regulations before a permit can be issued.

(3) Permits shall not allow the removal, transportation or processing of a carcass of any animal which knowingly has died from anthrax, rabies or highly toxic materials or which is decomposed.

(4) Permits shall be valid for one year from date of issue unless revoked in accordance with (g) of this regulation.

(b) Plant Requirements.

(1) A plant shall be a structurally enclosed building with adequate ventilation and constructed so it can be maintained at all times in a sanitary condition.

(2) Floors, walls, ceilings, posts, doors and other structural parts of the building or buildings shall be of impervious materials or protected with impervious materials.

(3) All windows, doors and other openings shall be screened or constructed to prevent, as far as is practical, entry of mice, rats, flies and other animals or insects. Management shall establish and maintain a routine insect-vermin extermination program.

(4) The water shall be ample, potable and approved. Install equipment to provide hot water, temperature 185°F, or steam to all areas of the plant.

(5) Provide adequate gutters and drains with approved traps and vents. Floor washings, liquid waste and sewage shall be disposed of through facilities which conform to the standards of the State Health Department and the State Pollution Control Agency.

(c) Transportation.

(1) A permit from the Minnesota Livestock Sanitary Board must be obtained by all establishments or persons transporting decharacterized inedible meat or carcass parts within or out of the State of Minnesota. Permits are issued on an annual basis.

(2) Only permitted vehicles meeting the applicable requirements in LSB-50 may be used for transporting carcasses received or picked up from livestock owners and carcasses, carcass parts or other material transported to and from rendering plants, pet animal food processing plants and mink food processing plants operating under permit from the Minnesota Livestock Sanitary Board.

(d) Official Veterinarian.

(1) The plant management shall employ or engage the services of an accredited licensed veterinarian for the purpose of inspecting carcasses and supervising plant sanitation. The veterinarian selected may designate, with plant manager approval, an alternate veterinarian to perform this service in his absence. The veterinarian, and alternate if any, shall be named on the permit application.

(2) The veterinarian and alternate veterinarian shall be authorized by the Minnesota Livestock Sanitary Board to act as Official Veterinarian.

(3) The Official Veterinarian shall report to the Board any failure on the part of plant management to carry out sanitary procedures set forth in this regulation.

(4) All compensation for services rendered by the official or alternate veterinarian shall be paid by the processing plant management.

(e) Processing.

(1) All processing of animal carcasses into pet animal or mink food shall be accomplished in a plant maintained in a sanitary condition.

(2) Carcasses presented to the veterinarian for inspection shall have the lungs, heart, liver and kidneys attached. Prior to inspection, such carcasses shall be held in a chill room at a temperature of 40-45°F to prevent decomposition.

(3) Carcasses which show evidence of a dangerous communicable disease, decomposition or any toxic material shall be declared unfit for processing into pet animal or mink food. Such carcasses shall be identified as condemned by slashing and denaturing with a material approved by the Board. Condemned carcasses shall be held in a room or area separate from the processing area and removed from the plant within a reasonable time for processing by rendering only. Condemned carcasses or parts thereof shall be transported in permitted vehicles only.

(4) Carcasses passed for use in pet animal and mink food shall be identified, cut up, decharacterized, packaged, weighed, labeled, stored and transported in accordance with CFR, Title 9, Jan. 1, 1974, Chapter III, 325.11.

(5) The entire processing area and equipment shall be thoroughly cleaned by hot water, 185°F, or steam at the end of each working day.

(f) Records.

(1) All plants operating under a permit to process carcasses into pet animal and mink food shall keep the following records and make them available at all reasonable times to any agent of the Minnesota Livestock Sanitary Board upon request:

(aa) The name and address of the owner and the date an animal carcass was picked up and received for inspection and processing.

(bb) Inventory of number of cartons of inedible meat and carcass parts and the weight of the carton processed each day.

(cc) Running inventory of the number of cartons of inedible meat and carcass parts and weight of each carton stored and transported.

(g) Revocation of or Refusal to Issue a Pet Animal or Mink Food Processing Plant Permit.

(1) The Minnesota Livestock Sanitary Board may refuse to issue or may revoke a pet animal or mink food processing plant permit for any of the following reasons:

(aa) The plant is operated in such an unsanitary manner as to endanger the health of domestic animals and fowl of this state or any other state.

(bb) For violation of Minnesota Statutes - Section 35.82, or any rule or regulation promulgated by the Board by authority of that statute.

(2) A notice of refusal to issue a permit shall be in writing, stating reasons therefor and shall be served personally upon or mailed by certified letter to the applicant.

(3) A notice of revocation of permit shall be in writing stating reasons therefor and shall be effective not less than 30 days after service or mailing unless in the judgment of the Board the health of domestic animals or fowl is endangered, in which case the revocation may be effective upon receipt by the permittee. Such notice shall be served personally or mailed by certified letter to the permittee at his last known address.

(h) Appeals. Any pet animal or mink food processing plant operator may appeal from a refusal of the Board to issue him a permit or from a revocation of his permit. He shall file a notice of appeal with the Board within 30 days of receipt of the notice of refusal to issue a permit or of a revocation. The Board shall then promptly set a date for a hearing before a majority of the Board or before a hearing officer appointed for that purpose. Such an appeal shall not have the effect of staying a revocation. The appealing party shall promptly be notified in writing of the date set for the hearing. The hearing shall be conducted in the manner provided by Minnesota Statutes, Chapter 15.

APPROVED AS TO FORM AND LEGALITY
FEB 6 1975 19___
WARREN SPANNAUS, ATTORNEY GENERAL
BY Michael B Miller
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED — 2:45 pm
FEB 6 - 1975
Joan Anderson Growe
Secretary of State

FILED
RICHARD L. BRUBACHER
Commissioner of Administration
FEB 6 1975 3:15 P.M.
BY Eda Staudenmaier
AUTH. SIGNATURE