

# Guidance on Feeding Food Scraps to Pigs

## Vermont Agency of Agriculture, Food and Markets Revised January 31, 2018

### Background

Vermont state statutes ban the feeding of “prohibited food waste” (food scraps) to swine or the supplying of “prohibited food waste” to others to feed to swine. Refer to the statutory references at the end of this guidance document for the definition of “prohibited food waste” and associated language. The purpose of this law is to help prevent the introduction into Vermont of economically devastating foreign animal diseases such as Swine Vesicular Disease, African and Classical Swine Fever, and Foot and Mouth Disease. Eggs and processed dairy products are not included in the definition of “prohibited food waste”.

This guidance document was initially developed in 2013 by the Vermont Agency of Agriculture, Food, and Markets (VAAFAM) and the United States Department of Agriculture (USDA). The development of this document was deemed necessary based on reports of noncompliance detected during VAAFAM retail inspections and USDA site inspections, as well as an increasing number of inquiries fielded from swine producers and recyclers in anticipation of implementation of Act 148.

### High-Risk Feed Sources

Establishments that process or serve meat (cooked or raw) are considered high-risk feed sources. Bakeries that serve sandwiches or pastries containing meat are high-risk. “Prohibited food waste” may be created in grocery stores and cafeterias through cross-contamination by workers who handle meat and then handle produce, dairy, or bakery products or by the placement of meat-containing products in containers/barrels with non-prohibited waste, such as produce. Once a product has been contacted by meat or meat products (juices, bones, blood, organs, etc.) it is contaminated and classified as “prohibited food waste” even if these meat products are subsequently removed.

The Agency of Agriculture strongly recommends that these types of establishments do not provide organic waste to farmers if it will subsequently be provided to pigs as a feed source. Stores that do provide such material should have policies and protocols in place that prevent contamination, and they are urged to contact the VAAFAM’s animal health office at (802)828-2421 for review of their prevention practices.

### Other Feed Sources

The law allows the feeding of processed dairy products to swine, including pasteurized and unpasteurized whey. It is also acceptable to provide bread products from a bread manufacturer’s outlet and eggs from an analogous source.

### Best Practices

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VAAFAM urges farmers who provide food scraps to swine to maintain an awareness of the pertinent laws and ensure that they do not feed their pigs meat or meat products, food scraps that contain meat or meat products, or food scraps that have been contaminated by meat or meat products.

VAAFAM urges businesses and organizations that provide food scraps to farmers for use as pig food to do so in accordance with the law to avoid potential administrative and monetary penalties. A best practice would include communicating with farmers who source food scraps from your business to ensure compliance with the law.

## Compliance and Enforcement

VAAFAM is charged with administration and enforcement of this law and is authorized to adopt and enforce all rules and regulations it deems necessary to carry out the law's intent. The Agency has not adopted rules on this practice. Consequently, all pertinent language may be found at the end of this guidance document or in the applicable portions of 6 V.S.A. VAAFAM is authorized to cooperate with the USDA, which has compliance and enforcement responsibilities for the feeding of "prohibited food waste" to pigs due to the Swine Health Protection Act.

**For more information or if you have questions, please call the Vermont Agency of Agriculture, Food, and Markets at (802) 828-2421.**

## Statutory References

### Title 6 Chapter 113 Feeding Prohibited Food Waste to Swine

- **§ 1671. Definitions**

(a) As used in this chapter, "prohibited food waste" means the following:

- (1) pre- and postconsumer waste material derived in whole or in part from the meat of any animal, including fish and poultry, or from other animal material; or
- (2) material that, as a result of the handling, preparation, cooking, disposal, or consumption of food, has come into contact with pre- or postconsumer waste material derived in whole or in part from the meat of any animal, including fish or poultry, or from other animal material.

(b) The term "prohibited food waste" shall not include the following:

- (1) waste from ordinary household operations that is fed directly to swine raised exclusively for the use in the household of the owner of the swine by members of the household and nonpaying guests and employees; and
- (2) processed dairy products. (Amended 2003, No. 37, § 4; 2017, No. 30, § 5.)

- **§ 1672. Feeding of prohibited food waste**

No person shall feed prohibited food waste to swine or supply prohibited food waste to others for the purpose of feeding it to swine. (Amended 1989, No. 256 (Adj. Sess.), § 10(a), eff. Jan. 1, 1991; 2003, No. 37, § 4.)

- **§§ 1673, 1674. Repealed. 2003, No. 37, § 4.**
- **§ 1675. Inspection and investigation; records**

Any authorized representative of the Vermont Agency of Agriculture, Food and Markets or U.S. Department of Agriculture is authorized to enter at reasonable times upon any private or public

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property for the purpose of inspecting and investigating the allegations of feeding of prohibited food waste to swine. (Amended 1989, No. 256 (Adj. Sess.), § 10(a), eff. Jan. 1, 1991; 2003, No. 37, § 4; 2003, No. 42, § 2, eff. May 27, 2003; 2017, No. 30, § 5.)

- **§ 1676. Regulations; cooperation with United States**

The Agency is charged with administration and enforcement of the provisions of this chapter, and is authorized to adopt rules and enforce all State and federal laws, rules, and regulations that it deems necessary to carry out the purposes of this chapter. The Agency is authorized to cooperate with the U.S. Department of Agriculture. (Amended 2003, No. 42, § 2, eff. May 27, 2003; 2017, No. 30, § 5.)

- **§ 1677. Penalties**

A person who violates any of the provisions of or who fails to perform any duty imposed by this chapter or who violates any rule or regulation adopted hereunder shall be assessed an administrative penalty under section 15 of this title. Each day upon which such violation occurs constitutes a separate offense. In addition thereto, the person may be enjoined from further violation. (Amended 2003, No. 37, § 4; 2003, No. 42, § 2, eff. May 27, 2003; 2017, No. 30, § 5.)