

# PROFESSIONS AND OCCUPATIONS (225 ILCS 610/) Illinois Dead Animal Disposal Act.

---

(225 ILCS 610/1.1) (from Ch. 8, par. 149.1)

Sec. 1.1. As used in this Act, unless the context otherwise requires:

- (a) "Department" means the Department of Agriculture of the State of Illinois.
- (b) "Person" means any individual, firm, partnership, association, corporation or other business entity.
- (c) "Renderer" means any person who, for other than human consumption, collects, cooks and processes bodies or parts of bodies of dead animals, poultry or fish, or used cooking grease and oils, for the purpose of salvaging hides, wool, skins or feathers, and for the production of animal, poultry, or fish protein, blood meal, bone meal, grease or tallow.
- (d) "Blender" means any person who acquires inedible by-products of bodies or parts of bodies of dead animals, poultry or fish, or used cooking grease and oils, for the purpose of blending them to obtain a desired percentage of protein, degree of quality or color for use in animal feed, poultry feed or fertilizers.
- (e) "Collection center" means any place where bodies or parts of bodies of dead animals, poultry or fish, or used cooking grease and oils, are collected for loading into a permitted vehicle for delivery to the renderer.
- (f) "Permittee" means any person issued a vehicle permit under the provisions of this Act.
- (g) "Licensee" means any person licensed under the provisions of this Act.
- (h) "Rendering materials" means bodies or parts of bodies of dead animals, poultry or fish, or used cooking grease and oils.
- (i) "Animal collection service" means a company that conveys dead animals to a landfill facility licensed under the Environmental Protection Act when no rendering service is available. Waste haulers collecting waste in which a dead animal is included incidental to such waste shall not be considered an "animal collection service" activity.

(Source: P.A. 88-133.)

(225 ILCS 610/2) (from Ch. 8, par. 150)

Sec. 2. Except as otherwise provided in this Section, no person shall engage in the business of disposing of the bodies or parts of bodies of dead animals, poultry or fish, or used cooking grease and oils, in the State without first obtaining a license or licenses for that purpose from the Department. An owner, operator, or animal collection service may convey dead animals to a licensed landfill facility when no rendering service is available. Such transport shall be direct and not in conjunction with other collection activities, except for waste haulers collecting waste in which a dead animal is included incidental to the collection of such waste. No license or permit is required for any owner, operator or caretaker to convey dead animals to a landfill facility licensed under the Environmental Protection Act.

(Source: P.A. 88-133.)

(225 ILCS 610/4) (from Ch. 8, par. 152)

Sec. 4. Application for such license shall be made to the Department on forms provided by it, which application shall set forth the name and residence of the applicant, classification of license or licenses requested, his place or proposed place of business, and the particular method which he intends to employ in disposing of rendering material and such other information as the Department may require. The licenses shall be classified according to type of plant operated. Renderer: Class "A"--dead animals only; Class "B"--parts of bodies of animals, scrap, bones, fat, used cooking grease and oils; Class "C"--poultry or parts of poultry and Class "D"--fish or parts of fish; Blender: Class "E"; Collection Center: Class "F"; Animal Collection Service: Class "G".

(Source: P.A. 88-133.)

(225 ILCS 610/5) (from Ch. 8, par. 153)

Sec. 5. On receipt of such application, Department personnel shall inspect the building and equipment which the applicant proposes to use to conduct such business. If the inspector finds that said building and equipment comply with the requirements of this Act and with the regulations of the Department, and that the applicant is a responsible and suitable person, he shall certify in writing to such specific findings and forward same to the Department.

(Source: P.A. 83-760.)

(225 ILCS 610/6) (from Ch. 8, par. 154)

Sec. 6. On the receipt of the certification described in Section 5, and the payment of the fee provided herein, the Department shall issue a license to the applicant to conduct such business at the place specified in the application for one calendar year or for the portion of the calendar year remaining at the time the license is issued. No license shall be issued for a plant not located within the boundaries of the State of Illinois. No license issued under this Section is transferable.

The following nonrefundable fees shall accompany each application for a license.

- (1) For an original license of any classification other than Class "F"..... \$150
- (2) For the annual renewal of a license of any classification other than Class "F"..... \$150
- (3) For an original license for each additional classification other than Class "F"... \$50
- (4) For the annual renewal of the license of any additional classification other than Class "F"..... \$50
- (5) For an original Class "F" license..... \$25
- (6) For the annual renewal of a Class "F" license..... \$25
- (7) For an original Class "G" license..... \$25
- (8) For the annual renewal of a Class "G" license. \$25

(Source: P.A. 88-133.)

(225 ILCS 610/7) (from Ch. 8, par. 155)

Sec. 7. The Department shall keep a record of all licenses and permits applied for or issued, which shall show the date of application and by whom made, the cause of all rejections, the date of issue, to whom issued, the date of expiration and the location of the licensed or permitted business.

(Source: P.A. 83-760.)

(225 ILCS 610/8) (from Ch. 8, par. 156)

Sec. 8. If the inspector finds that said building does not comply with the requirements of this Act or with the regulations of the Department, he shall notify the applicant wherein the same fails to so comply. If within a reasonable time thereafter, to be fixed by the Department, the specified defects are remedied, the Department shall make a second inspection and proceed therewith as in the case of the original inspection. Not more than two inspections need be made under one application.

(Source: Laws 1951, p. 1878.)

(225 ILCS 610/9) (from Ch. 8, par. 157)

Sec. 9. The original license or licenses shall be renewed for each subsequent calendar year during the December immediately preceding such subsequent calendar year upon payment of the fees specified in Section 6, provided the holder of such license, in the opinion of the Department, remains responsible and suitable to carry on the business and the place of business continues to comply with this Act and the regulations of the Department. All licenses not renewed during December of each calendar year shall expire December 31 of that year.

(Source: P.A. 84-1308.)

(225 ILCS 610/9.1) (from Ch. 8, par. 157.1)

Sec. 9.1. Except as otherwise provided in Section 14, no person shall operate a vehicle used to transport rendering materials in this State without a vehicle permit issued by the Department or without complying with this Act. Applications for vehicle permits shall be accepted only from licensed renderers and shall include the name and address of the proposed permittee, the location of the place or intended place of the proposed permittee's business, the number and types of vehicles to be used by the proposed permittee and such other information as may be required by regulations of the Department.

Owners or operators of vehicles not owned by licensed renderers in this State shall secure a permit through the licensed renderer or renderers to whom the rendering material will be delivered. The Department shall issue a Class 1 permit for the transporting of dead animals, fish or poultry; a Class 2 permit for transporting parts of bodies of animals, scrap, bones, fat, or used cooking grease and oils; a Class 3 permit for transporting hides; and a Class 4 permit for transporting bodies or parts of bodies of dead animals, poultry or fish to a landfill as an animal collection service. Permits issued hereunder shall be renewable annually during December of each year. All vehicle permits not renewed during December of each year shall expire on December 31 of that year. A \$10 fee shall accompany each application for a vehicle permit or renewal thereof.

(Source: P.A. 88-133.)

(225 ILCS 610/9.2) (from Ch. 8, par. 157.2)

Sec. 9.2. Each vehicle issued a Class 1 permit shall have the inscription "Illinois Dead Animal Disposal Permit No. ...", as assigned; each truck granted a Class 2 permit shall have the inscription "Illinois Scrap and Grease Permit No. ...", as assigned; and each truck granted a Class 3 permit shall have the inscription "Illinois Hide Permit No. ...", as assigned. All of these inscriptions shall be painted in a conspicuous place in contrasting color on the left side of the bed of the vehicle in letters not less than 3 inches high. If the vehicle transporting the rendering material or conveying dead animals to a landfill is not a van type truck, the vehicle bed, as well as any properly identified tanks or barrels used for the transportation of rendering material, when loaded or partially loaded, shall be covered when traveling highways of the State of Illinois. Vehicle beds shall be leak-proof or constructed so that no drippings or seepage can escape.

Collection vehicles containing rendering material or used for transporting dead animals, poultry, fish, or parts of bodies thereof shall be thoroughly scrubbed and disinfected after hauling each load, or before proceeding for another load. All vehicle beds shall be painted as necessary, and kept in good condition and repair at all times.

(Source: P.A. 88-133.)

(225 ILCS 610/9.3) (from Ch. 8, par. 157.3)

Sec. 9.3. All permittees shall record each collection of rendering materials, setting forth the date, quantity and description of rendering material collected, and the person to whom such material was delivered. The permittee shall give a receipt to every person from whom the permittee collects

rendering materials. The original of such records, and a copy of all receipts given by the permittee for rendering material shall be retained by the permittee until the rendering materials are delivered to their destination. Thereafter, the record and receipt shall be retained by the permittee for a minimum of 3 months and shall be available for inspection by authorized personnel of the Department.

(Source: P.A. 83-760.)

(225 ILCS 610/10) (from Ch. 8, par. 158)

Sec. 10. Each place licensed pursuant to this Act for the carrying on of a business shall, to the satisfaction of the Department, be provided with floors constructed of concrete, or some other non-absorbent material, adequate drainage, be thoroughly sanitary and adapted to carry on the business, be provided with adequate water supply and supplied with sufficient steam and steam hose to clean floors and trucks. The floors, walls, and all buildings and equipment therein shall at all times be kept in a sanitary condition, and shall be cleaned with steam. Trucks and truck equipment shall at all times be kept in a sanitary condition, and the trucks shall be cleaned with steam. All plants shall be equipped with sufficient steam and steam hose to carry out these requirements.

(Source: P.A. 83-760.)

(225 ILCS 610/11) (from Ch. 8, par. 159)

Sec. 11. A licensee shall comply with the following requirements when disposing of bodies or parts of bodies of dead animals, poultry or fish:

(a) All bodies or parts of bodies of all dead animals, poultry or fish shall be processed or disposed of within 48 hours after delivery to the plant;

(b) The skinning and dismembering of bodies or parts of bodies shall be done within an approved building;

(c) Cooking vats shall be airtight, except for proper escapes for steam;

(d) Odors shall be controlled and steam disposed of in such manner to be in compliance with the Environmental Protection Act;

(e) Such portions of bodies not entirely consumed by cooking shall be disposed of in such a manner to comply with the Environmental Protection Act;

(f) All licensed establishments shall institute salmonella control measures as the Department may request to aid in minimizing and eliminating contamination of the finished product; and

(g) The licensee shall maintain adequate facilities for storage of the finished product.

(Source: P.A. 83-760.)

(225 ILCS 610/12) (from Ch. 8, par. 160)

Sec. 12. The Department shall make such reasonable regulations for the carrying on and conduct of such business as it may deem advisable and all persons engaged in such business shall comply therewith. The Department, or its representatives, in performing the duties vested in it under this Act is empowered to enter, during usual working hours, any premises, buildings, or other places where dead animals may be found, for the purpose of administering the provisions of this Act.

Licensees shall comply with rules, bulletins, manuals of procedure and guidelines pertaining to renderers and blenders and the handling and distribution of condemned or inedible meat or poultry products which implement the federal Meat Inspection Act and the federal Poultry Inspection Act. Such rules, bulletins, manuals and guidelines shall become effective on the date designated by the United States Department of Agriculture.

(Source: P.A. 86-231.)

(225 ILCS 610/13) (from Ch. 8, par. 161)

Sec. 13. The Department shall inspect each facility licensed under this Act at least once each year, or as often as it deems necessary, and shall see that the licensee conducts the business in conformity to this Act and the regulations made by the Department. For failure or refusal by any licensee to obey the provisions of this Act or the said regulations, the Department shall suspend or revoke the license held by the licensee.

(Source: P.A. 83-760.)

(225 ILCS 610/13.1) (from Ch. 8, par. 161.1)

Sec. 13.1. The Department may refuse to issue or renew, or may suspend or revoke, a license or vehicle permit on grounds including but not limited to any one or more of the following:

- (1) The making of a material misstatement of fact in the application for an original license or vehicle permit, or in the application for any renewal license or vehicle permit;
- (2) Wilful disregard or wilful violation of this Act or any regulations or rules issued pursuant thereto;
- (3) Wilfully aiding or abetting another in the violation of this Act or any regulation or rule issued pursuant thereto;
- (4) Allowing one's license to be used by an unlicensed person;
- (5) Conviction of any crime, an essential element of which is the making of a material misstatement of fact, fraud or dishonesty, or conviction of any crime relative to the disposition of dead animals or the provisions of this Act, if the Department determines, after investigation, that such person has not been sufficiently rehabilitated to warrant the public trust;
- (6) Making wilful misrepresentations or false promises of a character likely to influence, persuade or induce in connection with the business of a licensee or permittee;
- (7) Pursuing a continued course of wilful misrepresentation or making false promises through advertising, salesmen, agents, or otherwise, in connection with the business of a licensee or permittee; or
- (8) Failure to possess the necessary qualifications or to meet the requirements of the Act for the issuance or holding a license or permit.

(Source: P.A. 83-760.)

(225 ILCS 610/13.2) (from Ch. 8, par. 161.2)

Sec. 13.2. The Department may, upon its own motion, and shall, upon the verified written complaint of any person setting forth facts which if proved would constitute grounds for refusal, suspension or revocation of a license or permit, investigate the actions of any applicant or any person or persons holding or claiming to hold a license or permit. Before refusing to issue or renew, and before suspending or revoking a license or permit, the Department shall in writing notify the applicant for or holder of a license or permit, hereinafter called the respondent, that a hearing will be held to determine whether the respondent is qualified to hold such license or permit, and shall afford the respondent an opportunity to be heard in person or by counsel. Such written notice shall be delivered to the respondent at least 10 days prior to the hearing by personal service on the respondent or by registered or certified mail sent to the respondent's business address as shown in his latest correspondence with



the Department. At the hearing, both the respondent and the complainant shall be afforded ample opportunity to present in person or by counsel such statements, testimony, evidence and argument as may be pertinent to the charges or to any defense thereto. The Department may continue such hearing from time to time. If the Department shall not be sitting at the time and place fixed in the notice or to which the hearing has been continued, the Director may continue such hearing for a period not to exceed 30 days.

The Department, by the signature of the Director, may subpoena any person in this State, and receive evidence in the same manner and with the same fees as prescribed for judicial proceedings in civil cases.

Any authorized agent of the Department may administer oaths to witnesses at any hearing which the Department is authorized to conduct.

(Source: P.A. 83-760.)

(225 ILCS 610/14) (from Ch. 8, par. 162)

Sec. 14. The Department shall grant special permission to a person to transport dead animals owned by such person to a veterinary hospital or laboratory for a post-mortem inspection within 24 hours after the animal's death.

The Department may prohibit the hauling or transporting of the bodies or parts of bodies of any animals, poultry or fish that have died of a highly contagious, infectious, or communicable disease, which body the Department may order destroyed by burning or burial without removal from the premises.

(Source: P.A. 83-760.)

(225 ILCS 610/14.1) (from Ch. 8, par. 162.1)

Sec. 14.1. No person engaged in the business of buying, selling, transporting in commerce, or importing, dead animals or any parts of the carcasses of any animals that died other than by slaughter shall buy, sell, transport, offer for sale or transportation, receive for transportation in commerce, or import any dead cattle, sheep, swine, goats, horses or other equines or parts of carcasses of any such animals which have died other than by slaughter, unless such transaction, transportation or importation is in compliance with and provided for in this Act.

(Source: P.A. 83-760.)

(225 ILCS 610/15) (from Ch. 8, par. 163)

Sec. 15. Vehicles when loaded with the bodies or parts of bodies of any animals, poultry or fish that have died of disease shall be driven directly to the place of disposal, except that the driver in so driving, may stop on the highway for other bodies but he shall not drive into the yard or upon the premises of any person unless he first obtains the permission of the person to do so.

(Source: Laws 1963, p. 2237.)

(225 ILCS 610/16) (from Ch. 8, par. 164)

Sec. 16. The driver or owner of a vehicle used in conveying animals, poultry or fish which the driver or owner has reason to believe died of disease, shall immediately after unloading the animals, poultry or fish, cause the vehicle bed, the wheels thereof, all canvassing and covers to be disinfected with a solution of at least one part of cresol dip to four parts of water or with some other equally effective disinfectant.

(Source: P.A. 77-2118.)

(225 ILCS 610/17) (from Ch. 8, par. 165)

Sec. 17. (a) No person caring for, acting as an agent for the owner of or owning any animal, poultry or fish which has died shall allow the body or parts of the body to lie about the premises. Such body or parts of the body shall be disposed of within 24 hours after death as prescribed by regulations of the Department. The Department may prohibit the hauling or transportation of the body of any animal, poultry or fish which has died of a highly contagious, infectious or communicable disease and may specify the method of disposal.

(b) The owner, operator, caretaker or animal collection service may dispose of bodies of dead animals, poultry or fish by composting on the site where the death of the animals occurred, or by transporting the bodies to a licensed landfill for disposal. Parts of bodies may be transported to the licensed landfill only in the case of on-site slaughter or on-site necropsy performed to determine the cause of death of the animal. Transporting the bodies or those parts of bodies shall be by conveyance that is owned or operated by the owner, operator, caretaker or animal collection service.

(c) When the destruction or disposal of a body or parts of a body of an animal, poultry or fish, is by burying, burning or composting, it shall be done in a manner as required by regulations of the Department and in compliance with the requirements of the Environmental Protection Act.

(d) Any site where the bodies of dead animals or poultry are to be composted shall comply with the following setbacks:

(1) The composting site shall include a setback of at

least 200 feet from the nearest potable water supply well, except in accordance with subsection (b) of Section 14.2 of the Environmental Protection Act.

(2) The composting site shall be located outside the

boundary of the 10-year floodplain or the site shall be protected from flooding.

(3) A composting site constructed after the effective

date of this amendatory Act of 1997 so as to constitute a "new facility" after that date as defined in the Livestock Management Facilities Act shall be located at least 1/4 mile from the nearest occupied residence (other than a residence located on the same property as the facility).

(Source: P.A. 90-565, eff. 6-1-98.)

(225 ILCS 610/18) (from Ch. 8, par. 166)

Sec. 18. The transportation of bodies or parts of bodies of dead animals, poultry or fish, or used cooking greases and oils, raw or unrendered, except green or salted hides, shall not be allowed into other states except by reciprocal agreements with other states under rules of the Department.

(Source: P.A. 87-157.)

(225 ILCS 610/18.1) (from Ch. 8, par. 166.1)

Sec. 18.1. No person shall buy, sell, transport, offer for sale or transportation, receive for transportation in commerce, or import, any carcasses, parts thereof, meat or meat food products of any animal not intended for human food unless they are denatured or otherwise identified or are naturally inedible by humans.

(Source: P.A. 83-760.)

(225 ILCS 610/19) (from Ch. 8, par. 167)

Sec. 19. Any person knowingly violating this Act or any rule, regulation or order of the Department issued pursuant to this Act shall be guilty of a Class C misdemeanor. Each day of violation constitutes a separate offense.

In the event the person violating this Act, or a regulation, rule or order made pursuant thereto, is a corporation or partnership, any officer, director, manager or managerial agent of the partnership or corporation who violates this Section or causes the partnership or corporation to violate this Section is guilty of a Class C misdemeanor.

(Source: P.A. 83-760.)

(225 ILCS 610/19a) (from Ch. 8, par. 167a)

Sec. 19a. This Act shall be known and may be cited as the "Illinois Dead Animal Disposal Act".

(Source: P.A. 83-760.)