

DIVISION OF FEED & FERTILIZER

Arkansas State Plant Board

Little Rock, AR

Requirements for Obtaining a Feed Facility License

- ! Any individual or company who manufactures a commercial feed within this state; or who distributes a commercial feed in or into the state; or whose name appears on the label of a commercial feed as guarantor shall obtain a license for each facility which distributes in or into the state authorizing him to manufacture or distribute commercial feed before he engages in such activity.

- ! A feed facility application is mailed to these firms upon request if it's a new company. Renewal feed facility applications are mailed around November 15th.

- ! Any person who makes only retail sales of commercial feed which bears labeling or other approved indication that the commercial feed is from a licensed manufacturer, guarantor, or distributor who has assumed full responsibility for the tonnage inspection fee due under this act is not required to obtain a license.

- ! Any person who is required to obtain a license shall submit an application on a form provided or approved by the board accompanied by a license fee of ten dollars (\$10.00) for each facility. Each license shall expire on December 31st of the year for which the current license was issued.

- ! Any new applicant who fails to obtain a license within fifteen (15) working days after notification of the requirement to obtain a license, or any licensee who fails to comply with the license renewal requirements shall pay a thirty dollar (\$30.00) late fee in addition to the license fee.

Tonnage Fees

- ! An inspection fee at the rate of thirty cents (\$.30) per ton shall be paid on commercial feeds distributed in this state by the person whose name appears on the label as the manufacturer, guarantor or distributor, except that a person other than the manufacturer, guarantor or distributor may assume liability for the inspection fee subject to the following:
 - a. No fee shall be paid on a commercial feed if the payment has been made by a previous distributor.
 - b. No fee shall be paid on customer-formula feeds if the inspection fee is paid on the commercial feeds which are used as ingredients therein.
 - c. No fee shall be paid on commercial feeds which are used as ingredients for the manufacture of commercial feeds. If the fee has already been paid, credit shall be given for such payment.
 - d. On commercial feeds distributed in quantities of 0 to 33.34 tons or less, a minimum

fee of ten dollars (\$10.00) per quarterly report shall be paid. A tonnage report and minimum fee is due for each reporting period, even though no distribution of commercial feeds occurred in the state during that period.

- ! These tonnage reports shall be filed not later than the last day in January, April, July and October of each year, stating the number of net tons distributed in this state during the preceding three months and shall pay the inspection at the rate stated above.
- ! The tonnage and fees are entered on the computer and at the end of the quarter a report is printed showing which companies have not yet submitted their report. At that time a delinquency letter is sent asking the company to comply.
- ! The amount of tonnage is entered on the computer by category and at the end of the quarter a report is printed showing the quarterly tonnage reported in Arkansas. This report is sent to the manufacturer's along with the next quarter's reporting form.

Penalties

- ! Inspection fees which are due and owing and have not been remitted to the board within fifteen (15) days following the date due shall have a penalty fee of fifteen percent (15%) or twenty-five dollars (\$25.00), whichever is the higher added to the amount due when payment is finally made. If this penalty is not included when the tonnage forms are received a letter is sent informing the firm that the penalty is due.

Audits

- ! The board has the right to examine any feed facility's records to verify statements of tonnage. Failure to make an accurate statement of tonnage or to pay the inspection fee or comply as provided in the law shall constitute sufficient cause for the cancellation of the license of a distributor.

Inspections

- ! Officers or employees designated by the Board are authorized to enter during normal business hours any factory, warehouse or establishment within the state in which commercial feeds are manufactured, processed, packed or held for distribution or to enter any vehicle being used to transport or hold such feeds, and inspect such records and production and control procedures as may be necessary to determine compliance with the Good Manufacturing Practice Regulations.

Sampling and Analysis

- ! Sampling and analysis is conducted in accordance with methods published by the Association of Analytical Chemists International or in accordance with other generally recognized methods.

- ! The results of all analyzes of official samples is forwarded by the board to the person named on the label and to the purchaser. When the inspection and analysis of an official sample indicates a commercial feed has been adulterated or misbranded and upon request within thirty (30) days following the receipt of the analysis the board furnishes to the registrant or licensee a portion of the sample concerned.

Violation Letters

- ! If the sample does not meet the guarantee on the label a letter along with a copy of the sample report is sent to the manufacturer and the purchaser and also to the inspector who took the sample, stating that the feed is out of compliance.
- ! Occasionally the board will have to issue a recission because of an error by the inspector who took the sample. These **Notice of Recission** letters are sent to the manufacturer, purchaser, inspector and supervisor along with a corrected copy of the sample report.

Requirements for Obtaining a Feed Exemption License

- ! In order to be exempt from the provisions of Act 726 of 1997 (the Feed Law) integrated operators, as defined in Section 3, shall submit an application for exemption on a form provided by the board accompanied by an application fee of ten dollars (\$10.00) for each facility.
- ! Such exemption applies only to those concentrated commercial feedstuffs and the ingredient to be used in compounding same which are manufactured or mixed and used for feeding to poultry or animals owned by such manufacturer or mixer. In addition, exchanges of feed or feed ingredients between or among integrated operators, who have been granted an exemption license are not considered commercial feed transactions.