

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Regulatory Analysis

Notice of Intended Action to be published: 21—Chapter 61
“Dead Animal Disposal”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 167.13

State or federal law(s) implemented by the rulemaking: Iowa Code chapter 167

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

July 29, 2026
10 to 11 a.m.

Borlaug Conference Room (H516)
Hoover State Office Building
Des Moines, Iowa

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Iowa Department of Agriculture and Land Stewardship no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Colin Tadlock
1305 East Walnut Street
Des Moines, Iowa 50319
Email: colin.tadlock@iowaagriculture.gov

Purpose and Summary

The purpose of this proposed rulemaking is to clarify and update rules for the disposal of dead animals and licensing for disposal plants, collection points and transporters within the State of Iowa. Rules include specification for dead animal disposal plants, collection points and transporters to ensure disease is not spread.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

• Classes of persons that will bear the costs of the proposed rulemaking:

Persons in the business of disposing of dead animals, including disposal plants, collection points, transporters and persons who own animals, bear the cost of this rulemaking.

• Classes of persons that will benefit from the proposed rulemaking:

Iowa livestock producers, animal owners and the public will benefit from this proposed rulemaking, which ensures that animals are properly disposed of and disease is not spread.

2. Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:

• Quantitative description of impact:

The licensing fee for disposal plants, collection points and transporters of dead animals has been maintained in this rulemaking. Disposal plants must provide the Department with a copy of their blueprints. Animal owners will bear the cost of disposing of their dead animals.

- **Qualitative description of impact:**

This rulemaking ensures that dead animals are properly disposed of in a timely manner to prevent the spread of disease.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

The agency will bear administrative costs for licensing and inspections.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

Inaction would not provide adequate assurances that dead animals are disposed of properly by disposal plants and in a timely manner by animal owners, which could result in the spread of disease impacting Iowa's agricultural economy.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

No less costly or less intrusive alternatives exist without impacting animal health.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

The Department considered alternatives for the time frame to dispose of dead animals and relaxing regulations.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Extending the time frame to dispose of dead animals or relaxing the requirements of disposal plants, collection points or transporters of dead animals would lead to an increased risk of diseases spreading.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.

- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.

- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.

- Establish performance standards to replace design or operational standards in the rulemaking for small business.

- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This rulemaking does not have a substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 21—Chapter 61 and adopt the following new chapter in lieu thereof:

CHAPTER 61
DEAD ANIMAL DISPOSAL

21—61.1(167) Disposal plant specifications. No place shall be deemed suitable or sanitary for disposing of the bodies of dead animals unless it conforms to the following specifications:

61.1(1) No liquid wastes, either from the process or from washings, shall be discharged into any stream or watercourse or on the surface of the ground.

61.1(2) All sewage from the washing of floors, wagons and trucks and all liquid wastes from the rendering process shall be disposed of by:

- a. Evaporation.
- b. Sterilization by boiling.
- c. Through a series of septic tanks proven adequate to handle and render nonpathogenic the quantity of material discharged at maximum capacity of the plant.

This rule is intended to implement Iowa Code sections 167.11 and 167.12.

21—61.2(167) Disposal plant plans. A construction drawing of a disposal plant that is stamped and certified by a licensed professional engineer must be submitted to the department prior to construction. The construction drawing must include any covered or underground portion of the disposal plant and also include any tanks, vats, pipes, drains and valves, in detail. Any alteration in construction that is to be made shall be provided to the department before construction is undertaken.

This rule is intended to implement Iowa Code section 167.11.

21—61.3(167) Conveyances requirements. Conveyances for transporting carcasses of animals must be provided with a watertight bed or tank not less than 24 inches in depth; be all metal or metal-lined and watertight at least 4 inches above the general level of the bottom of the box or bed; have an endgate that is metal or metal-lined, hinged at the bottom of the box or bed and fastened firmly at the top when closed; and have an endgate with an effect on the inside to fit snugly over the end of the bed.

This rule is intended to implement Iowa Code section 167.15.

21—61.4(167) Disposal plant trucks. All trucks used for transporting carcasses of dead animals on highways must be owned and operated by a licensed disposal plant. The name, address and license number of the plant shall be painted on both sides of the truck in letters not less than four inches high and in a color in definite contrast to the body color of the truck.

This rule is intended to implement Iowa Code section 167.15.

21—61.5(167) Disposal employees. In cases where licensed disposal plants have employees operating trucks in other cities or towns, the employees must operate under the name of the licensed disposal plant by which they are employed, and this applies to all advertisements and listings.

This rule is intended to implement Iowa Code section 167.15.

21—61.6(167) Tarpaulins. No disposal plant truck shall be moved on the highway without having a tarpaulin that is adequate to cover the bed of the truck and anything contained therein. If any carcass is contained in the truck or the truck has not been thoroughly cleaned, such tarpaulin must be in place covering the bed of the truck and its contents. Such tarpaulin must have no holes through which flies can pass.

This rule is intended to implement Iowa Code section 167.15.

21—61.7(167) Disposal vehicles—disinfection. Whenever a vehicle or person in charge thereof has been upon any premises for the purpose of removing the carcass of any animal, or where animals are dead or dying, before such vehicle can be taken upon a public highway or upon other premises and before leaving the premises of the rendering plant on each trip, the wheels of such vehicles and shoes or boots of all persons having been upon such infected premises shall be disinfected thoroughly with an effective disinfectant per the manufacturer's label. Facilities and materials for disinfection shall be carried on the truck at all times.

This rule is intended to implement Iowa Code section 167.17.

21—61.8(167) Rendering plant—spraying. It will be necessary for the management of each rendering or processing plant to spray the inside of each building, including the doors, windows and screens, as well as all trucks used in transporting the bodies of dead animals, with a fly control agent to maintain effective fly control.

This rule is intended to implement Iowa Code section 167.13.

21—61.9(167) Noncommunicable diseases—carcasses. All carcasses of animals dead from noncommunicable diseases shall be disposed of within 48 hours. In the event that the owner neglects or refuses to make such disposition of the carcass(es), then the disposal of the same shall be handled in accordance with rule 21—61.11(167).

This rule is intended to implement Iowa Code section 167.18.

21—61.10(167) Carcass disposal—streams. All persons are strictly forbidden to throw the carcass of any animal into any river, stream, lake or pond or to bury the carcass of any animal less than 100 feet from any river, stream, lake, pond or tile drain.

This rule is intended to implement Iowa Code section 167.18.

21—61.11(167) Improper disposal. When the owner of any animal, dead from any cause, neglects or refuses to make proper disposition of the carcasses of such animals, it shall be the duty of the township trustees or local board of health to supervise the disposal of such carcasses.

This rule is intended to implement Iowa Code section 167.13.