

ARKANSAS LIVESTOCK AND POULTRY COMMISSION

Minutes

January 11, 2024
10:00 a.m.

The Livestock and Poultry Commission met at the Hot Springs Convention Center, 134 Convention Blvd, Hot Springs, AR.

Chair Davis called the meeting to order.

Members present: Chad Chester, Tyler Davis, Dr. William Hewat, Bruce Maloch, Dr. Mike Pallone, Dr. Sara Throne

Members Present via Zoom: Marcus Creasy, Tommy Wren

Members Absent: Dan Wright

Patrick Fisk, Director, Livestock and Poultry Division, and other staff members were in attendance.

1. Opening comments and introductions

Chairman Davis welcomed all in attendance.

2. Consider minutes of the October 20, 2023, quarterly meeting and the November 3, 2023 special called meeting

Moved by Maloch, seconded by Chester to approve meeting minutes as presented.

Motion carried.

3. Vote on expenses for Commission for 2024 calendar year

Moved by Hewat, seconded by Throne to approve expense reimbursements as presented for 2024.

Motion carried.

4. Review agency reports

Accounting Division

Fisk presented the financial report. The Livestock and Poultry Division began the fiscal year with \$13.7 million and ended with \$13.9 million at the end of December which is a \$200,000 increase. With an ending balance of \$13.9 million in cash on hand, the Division is in a good position going into the second half of the fiscal year. The legislative audit concluded the Department's 2022 audit assessment with no report findings.

Attachment 1.

Animal Health

Dr. Nilz, State Veterinarian, gave an update on the Veterinary Medicine Loan Repayment Plan (VMLRP), which is used to attract veterinary medical students into Arkansas to practice food animal medicine in shortage areas of the state. There are 6 nominated areas for this season as follows:

Area 1 – Sevier, Little River and Miller Counties

Area 1 – Ouachita, Columbia, and Union Counties

Area 3 – Drew, Desha, Ashley, and Chicot Counties

Area 4 – Hot Spring, Grant, Clark, and Dallas Counties

Area 5 – Pulaski County

Area 6 – Poinsett, Cross, Crittenden, and St. Francis Counties

Other highlights – met with Columbian entourage about poultry exports; completed grant reports; helped construct the Arkansas Livestock & Poultry Division Veterinary Committee; and attended Small Ruminant Industry Leaders Workshop.

Dr. Nilz reported on Avian Influenza Responses. There were 4 cases in commercial premises affected in Madison County with 31.6 thousand birds, Carroll County with 22.7 thousand birds, Johnson County with 100,000 birds and Carroll County with 33.3 thousand birds available. There was one back yard on poultry premises in Scott County with 171 birds available.

Dr. Nilz introduced the new Field Services Manager, Dr. Joshua Moffett.

Dr. Nilz reported there are 3 active Trichomoniasis cases and some open cases of Infectious Laryngotracheitis (ILT) on the radar.

Egg and Poultry Report

Cheri Ellis, Agri Division Manager, reported on general activities within the division.

Shipments are ongoing, being made to Puerto Rico through Butterball, which require certification of product; notification from USDA AMS that shell egg export restrictions have been updated due to recent cases of HPAI.

There has been 1 food defense audit with approximately 16 audits scheduled for January; 2 child nutrition audits; 2 cage free verification audits; 3 contractor check verifications and 1 label review at a freezer location; and 10 quarterly processor visits of shell egg surveillance.

Ellis reported on current volume production: 379 million pounds of chicken processing, 246 million pounds of turkey processing, and 1.2 million cases of shell eggs.

Retail inspections were made at 538 retail locations, inspecting 77,000 dozen cartons of product. 1 warning issued for failing to meet labeling requirements.

Staff attended the National Egg Regulatory Officials mid-year meeting via Zoom and the 2023 Poultry Federation Symposium in Rogers, AR.

Laboratory Services

Dr. Sharon Pulla, Director, Veterinary Diagnostic Lab, stated there has been a significant increase in "sick bird calls" and Highly Pathogenic Avian Influenza (HPAI) positive cases across the nation. Both laboratories in Little Rock and Fayetteville tested samples from four different controlled zones. All controlled zones have been released. Dr. Pulla stated U of A was recognized as our branch laboratory last year by the National Animal Health Laboratory Network. The U of A laboratory partnered with the Livestock and Poultry Division laboratory, testing over 5,000 HPAI samples.

Dr. Pulla reported a significant increase in Trich testing requests. 343 tests were performed in 2022, compared to 1,241 tests performed in 2023. Due to the new method of testing, the process has simplified sample collection, shipment, and testing.

Dr. Pulla reported, in collaboration with the Arkansas Game and Fish Commission (AFGC), testing for Chronic Wasting Disease (CWD) has continued. Testing numbers have been comparable to 2022 with 3,280 tests in the 4th quarter of 2022 and 3,361 tests in the 4th quarter 2023. New cost-effective testing methods are in place, improving turnaround time.

Livestock Field and Flea Markets Report

Blake Walters, Program Manager, presented field market and flea market activities for October – December 2023.

Walters talked about working on entry schedules for people bringing livestock to the state fairs. Looking at possible ways manage the time schedules to keep all involved protected from animals entering that may have disease. Walters also discussed the idea of having some clipping rigs for sheep being brought in and monitored to possibly keeping some of the funguses under control.

Meat Inspection Program

Tillman Treat, Agri Division Manager, Meat Inspection Program, has replaced the previous Director of the program, Dan Douglas. Treat stated he and one other inspector have completed the training course to perform surveillances in custom exempt facilities and any firm that sells or processes any amenable product.

There are 4 facilities who currently operate with a grant of inspection for the program. A-State in Jonesboro, Jaco in Hope, Ferguson's in Atkins, and Williams Baptist University in Walnut Ridge. New facilities, Mckiever's in Monticello, have recently been given a grant of inspection, and Taylor's Ranch and Custom Meats in Ozark is beginning the process to obtain the grant of inspection. Treat stated staff inspected the production of 11,853 pounds of beef and 1,806 pounds of pork in the month of December. Treat and Dillon McClanahan, Agri Inspector, will begin conducting yearly custom exempt reviews.

National Poultry Improvement Plan (NPIP)

Kevin Simmons, NPIP Coordinator, presented the NPIP quarterly summary report for September - November 2023.

NPIP audits:

- 7 company inspections
- 3 processing plant inspections
- 7 hatchery inspections
- 5 table-egg company inspections
- 3 biosecurity audits
- 1 NPIP lab audit

Simmons stated his role in the HPAI outbreak was to set up at fairgrounds in the counties affected for the commercial companies to drop off samples to deliver to the NAHLN laboratories in the state.

Samples collected:

Madison 02 – 1,339 samples

Carroll 01/02 – 1,474 samples

Simmons stated he received word in the middle of December that Pullorum/Typhoid Antigen is available and has acquired fifteen 14mL bottles.

Simmons updated the Commission on AI numbers as follows:

1,068 confirmed flocks (456 commercial/612 backyard)

47 affected states by AI since the beginning of 2022

Just over 81,000,000 birds depopulated

8,638 wild bird detections (66 detections in AR)

Missouri, Oklahoma and Texas have active cases

Disease hotline for reporting diseases in poultry – 501-823-1746

AR Veterinary Medical Examining Committee (AVMEC)

Committee Chair Dr. Hewat reported on the L & P AVMEC meeting held January 11, 2024, shown as **Attachment 2**.

Committee Chair Hewat stated there are 8 corporate practice applications reviewed by the Committee. The Committee recommends those 8 applications be approved.

Moved by Maloch, seconded by Dr. Throne to approve the Committee's recommendation as presented.

Motion carried.

Committee Chair Hewat stated there are 31 names for final approval of reciprocal licensure and issuance of their veterinary medical licenses. The Committee recommends those 31 names be approved.

Moved by Dr. Throne, seconded by Dr. Pallone to approve the Committee's recommendation as presented.

Motion carried.

Committee Chair Hewat stated there is 1 application for licensure by examination - Ada Fernandez, DVM.

Moved by Dr. Throne, seconded by Dr. Pallone to approve the Committee's recommendation as presented.

Motion carried.

Chair Committee Hewat stated there is 1 application be denied based on the disciplinary action and indefinite suspension of his Illinois veterinary medical license - Andrew Kaiser, DVM

Moved by Dr. Throne, seconded by Maloch to approve the Committee's recommendation as presented.

Motion carried.

Committee Chair Hewat stated there is 1 application to be denied based on the recent discipline of her Kentucky veterinary medical license and failing to disclose the discipline of her Arkansas license application – Lisa Keehner-Strickland, DVM.

Moved by Maloch, seconded by Dr. Throne to approve the Committee's recommendation as presented.

Motion carried.

Committee Chair stated there are 8 complaints for dismissal due to no violations of the Veterinary Medical Practice Act or rules.

Moved by Chester, seconded by Dr. Throne to approve the Committee's recommendation as presented.

Motion carried.

Committee Chair Hewat presented the following cases:

Docket No. 2022-16 (Scotty v. Windle). The Committee recommends offering a Consent Agreement to Respondent that includes six hours of continuing education in record keeping and one hour of continuing education in client communication. This will be in addition to the twenty hours required for incense renewal.

Moved by Dr. Throne, seconded by Chester to approve the Committee's recommendation as presented.

Motion carried.

Docket 2023-11 (Harakal v. Miller). The Committee recommends offering a Consent Agreement to Respondent that includes six hours of continuing education in record keeping and one hour of continuing education in client communication, and four hours of continuing education in Diagnostics and antimicrobial therapy. This will be in addition to the twenty hours required for incense renewal. Respondent will also be required to submit three medical records per month for six months that are surgical, hospitalization, or internal medicine to be reviewed by the Committee.

Moved by Dr. Pallone, seconded by Dr. Throne to approve the Committee's recommendation as presented.

Motion carried.

6. General Agency Activities

Patrick Fisk, Director, Livestock and Poultry Division, presented the Commission with 4 proposed rules for review.

- Arkansas Marketing Rule – **Attachment 3**

Moved by Dr. Hewat, seconded by Maloch to approve the proposed rule as presented.

Motion carried.

Fisk stated the L & P AVMEC has reviewed 3 proposed rules and recommends the Commission review the proposed rules as presented for approval.

- Veterinary Technician Specialist – **Attachment 4**
- Veterinary Medical License and Certificate Fees – **Attachment 5**
- Continuing Education Requirements for Veterinary Medical License and Certificate Renewal – **Attachment 6**

Moved by Chester, seconded by Dr. Hewat to approve the 3 proposed rules as presented.

Motion carried.

Fisk stated all proposed rules will be advertised for a 30-day public comment period and then proceed through the procedures to promulgate rules.

Fisk stated he would like to recognize the efforts of staff for a doing a tremendous job during the AI outbreak.

Fisk stated the Beef Council Promotion Board met this quarter. The next meeting will be on February 27th.

Arkansas Regulation No. 5 is new program transferred to the Arkansas Department of Agriculture. Staff will begin working on rules. A committee has been formed to address all issues concerning the Regulation.

The Poultry Feeding Operation Registration program was also moved to the Department. That program began January 1.

7. Old Business

No old business.

8. New Business

No new business.

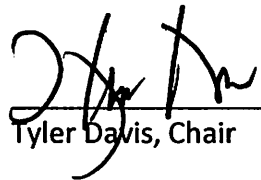
9. Date for the next Commission Meeting

The next Livestock and Poultry Commission quarterly meeting is tentatively scheduled for April 11, 2024, at 10:00 a.m.

Fisk introduced Michelle Bufkin, the new Executive Vice President for the Arkansas Cattleman's Association.

10. Adjourn

Meeting adjourned.


Tyler Davis, Chair

ARKANSAS DEPARTMENT OF AGRICULTURE

Livestock Poultry Division

OPERATING FUNDS

FINANCIAL REPORT

FOR THE PERIOD JULY 1, 2023 - DECEMBER 31, 2023

	General Revenue	Agri Fair Funding Construction	State Meat Inspection Program	EIA Regulatory Fee	Poultry & Egg Division	Brucellosis Program	L/S & Poultry Lab Fees	Feral Hog	Animal Disease Traceability/ Umbrella Agreement	Total
Cash Resources Provided (Receipts)										
Cash Beginning Balance, July 1, 2023	-	420	12,807.76	895,993	9,982,433	1,453,073	787,751	293,788	445,922	13,652,188
General Revenue	1,852,024	1,578,544	115,000.00	-	-	-	-	-	-	3,545,568
Special Revenue:	-	-	-	-	-	-	-	-	-	-
Misc Livestock Fees	-	-	-	34,645	-	-	31,949	-	-	66,594
Egg/Poultry Inspection	-	-	-	-	1,164,197	-	-	-	-	1,164,197
Licenses & Permits	-	-	-	-	-	-	56,491	-	-	56,491
Brucellosis Fees	-	-	-	-	-	313,238	-	-	-	313,238
Livestock Disease	-	-	-	-	-	1	-	-	-	1
Livestock Brand Registration	-	-	-	-	-	-	390	-	-	390
Livestock Registration Fee	-	-	-	-	-	-	615	-	-	615
Fair Surcharge Fee	-	-	-	-	-	-	-	-	-	-
Small Animal Testing	-	-	-	-	-	-	92,437	-	-	92,437
Large Animal Testing	-	-	-	-	-	-	60,872	-	-	60,872
Avian Testing	-	-	-	-	-	-	293,471	-	-	293,471
Less: Treasurer of State Service Charges	-	-	-	(537)	(19,069)	(9,710)	(8,311)	-	-	(37,628)
Net Special Revenue	-	-	-	34,108	1,145,127	303,528	527,912	-	-	2,010,676
Other Fees -not designated as special revenue	-	-	-	-	517,888	-	-	-	-	517,888
Federal Grant Reimbursements	-	-	-	3,344	-	269,239	281,349	-	70,172	624,104
Marketing & Redistribution Safe Proceeds	-	-	-	-	13	-	-	-	-	13
Pcard Incentive Proceeds	-	-	-	-	-	-	2,697	-	-	2,697
Motor Vehicle Program Proceeds	-	-	-	44,800	44,800	81,973	-	-	-	171,573
Miscellaneous Revenue (Fines, Refunds)	-	-	-	-	721	-	97,188	-	-	97,909
Transfers In	-	178,433	-	-	-	-	-	-	-	178,433
Total Resources Provided	1,852,024	1,757,397	127,808	778,246	11,670,982	2,107,814	1,696,898	293,788	516,094	20,801,050
Cash Expenditures										
Salary and Personnel Expense	1,670,299	41,335	111,072.88	25,646	871,180	246,836	131,691	73,065	103,277	3,274,401
Maintenance & Operations:	-	-	-	-	-	-	-	-	-	-
Communication & Transportation of Com	465	-	-	-	784	6,156	6,439	163	-	14,008
Printing & Advertising	-	-	628.97	-	-	7,941	1,051	-	-	9,621
Repairing & Servicing	2,500	-	-	5,467	949	2,703	117,901	2,084	-	131,604
Utilities & Rent	-	-	-	-	-	1,912	39,739	-	-	41,651
Travel & Subsistence	2,756	-	-	-	31,043	12,333	15,257	9,195	-	70,584
Professional Services & Fees	1,476	-	344.97	38	709	274	1,185	-	654	4,681
Insurance & Bonds	22,447	-	-	-	-	-	-	-	-	22,447
Other Expenses & Services	-	-	-	-	240	8,004	27,372	24	-	35,640
Commodities, Materials, & Supplies	10,827	-	278.91	1,436	10,324	17,991	520,411	9,476	-	570,743
Refunds Taxes & Claims	-	-	-	-	363,749	-	1,774	-	-	365,523
Subtotal Maintenance & Operations	40,471	-	1,253	6,941	407,798	57,315	731,129	20,942	654	1,266,502
Assistance, Grants, & Aid	-	-	-	-	-	-	-	-	-	-
Capital Outlay	-	-	-	47,765	47,765	94,240	15,892	-	-	205,663
Assistance, Grants, & Aid	-	898,205	-	-	2,000	-	-	-	-	900,205
Other Expenses	-	0	-	-	10,066	(9,394)	(10,551)	(78)	-	(9,956)
Total Expenditures	1,710,770	939,540	112,328	80,351	1,338,809	388,997	868,161	93,929	103,932	5,836,815
Other Items:										
Transfers for Claims	128,937	789,272	12,705.30	46,500	79,123	191,982	173,389	-	-	1,421,908
Net Effect of Change in Accounts Receivable Balance	0	-	-	-	114,434	-	0	-	-	114,434
Net Effect of Change in Accounts Payable Balance	-	-	-	-	-	-	-	-	-	-
Cash Ending Balance, December 31, 2023	12,317	28,585	2776.73	651,394	10,367,484	1,528,835	655,348	199,859	412,163	13,856,762

ARKANSAS DEPARTMENT OF AGRICULTURE

Livestock Poultry Division

GENERAL REVENUE FUNDS

FINANCIAL REPORT

FOR THE PERIOD JULY 1, 2023 - DECEMBER 31, 2023

	General Revenue	General Revenues Show Premiums	Agri Fair Funding Fair Funding Grant	State Meat Inspection Program	Total	FY23 Actual	Fiscal Year 24 Budget	Percentage of Budget Received or Consumed compared to FY23 actual
Cash Resources Provided (Receipts)								
Cash Beginning Balance, July 1, 2023	-	-	420	12,808	13,227	23,387	13,227	
General Revenue	1,852,024	789,272	789,272	115,000	3,545,568	4,526,191	5,113,241	78%
Special Revenue:								
Misc Livestock Fees	-	-	-	-	-	-	-	
Egg/Poultry Inspection	-	-	-	-	-	-	-	
Licenses & Permits	-	-	-	-	-	-	-	
Brucellosis Fees	-	-	-	-	-	-	-	
Livestock Disease	-	-	-	-	-	-	-	
Livestock Brand Registration	-	-	-	-	-	-	-	
Livestock Registration Fee	-	-	-	-	-	-	-	
Fair Surcharge Fee	-	-	-	-	-	-	-	
Small Animal Testing	-	-	-	-	-	-	-	
Large Animal Testing	-	-	-	-	-	-	-	
Avian Testing	-	-	-	-	-	-	-	
Less: Treasurer of State Service Charges	-	-	-	-	-	-	-	
Net Special Revenue	-	-	-	-	-	-	-	
Other Fees -not designated as special revenue	-	-	-	-	-	-	-	
Federal Grant Reimbursements	-	-	-	-	-	87,937	-	0%
Marketing & Redistribution Sale Proceeds	-	-	-	-	-	-	89	#DIV/0!
Pcard Incentive Proceeds	-	-	-	-	-	-	-	
Motor Vehicle Program Proceeds	-	-	-	-	-	-	-	
Miscellaneous Revenue	-	-	-	-	-	0	-	
Transfers In	-	-	178,433	-	178,433	1,536,319	-	
Total Resources Provided	1,852,024	789,272	968,125	127,808	3,737,229	6,173,834	5,126,557	
Cash Expenditures								
Salary and Personnel Expense	1,670,299	-	41,335	111,073	1,822,707	3,606,709	3,742,282	51%
Maintenance & Operations:								
Communication & Transportation of Commodities	465	-	-	-	465	4,831	-	10%
Printing & Advertising	-	-	-	629	629	377	-	
Repairing & Servicing	2,500	-	-	-	2,500	1,489	-	
Utilities & Rent	-	-	-	-	-	-	-	
Travel & Subsistence	2,756	-	-	-	2,756	10,200	-	27%
Professional Services & Fees	1,476	-	-	345	1,821	4,688	-	39%
Insurance & Bonds	22,447	-	-	-	22,447	15,233	-	147%
Other Expenses & Services	-	-	-	-	-	11,150	-	0%
Commodities, Materials, & Supplies	10,827	-	-	279	11,106	18,696	-	59%
Refunds Taxes & Claims	-	-	-	-	-	-	-	
Subtotal Maintenance & Operations	40,471	-	-	1,253	40,471	62,258	97,541	65%
511 Assistance, Grants, & Aid								
Capital Outlay	-	-	-	-	-	-	-	
Assistance, Grants, & Aid	-	-	898,205	-	898,205	724,272	902,705	124%
Other Expenses	-	-	0	-	0	(0)	-	
Total Expenditures	1,710,770	-	939,540	112,326	2,762,636	4,397,646	4,742,528	63%
Other Items:								
Transfers for Claims	128,937	789,272	-	12,705	930,914	-	-	
Net Effect of Change in Accounts Receivable	0	-	-	-	0	-	-	
Net Effect of Change in Accounts Payable	-	-	-	-	-	-	-	
Cash Ending Balance, December 31, 2023	12,317	-	28,585	2,777	43,678			

ARKANSAS DEPARTMENT OF AGRICULTURE

Livestock Poultry Division

SPECIAL REVENUE FUNDS

FINANCIAL REPORT

FOR THE PERIOD JULY 1, 2023 - DECEMBER 31, 2023

	EIA Regulatory Fee	Poultry & Egg Division	Brucellosis Program	L/S & Poultry Lab Fees	Feral Hog Eradication	Total	FY23 Actual	Fiscal Year 24 Budget
Cash Resources Provided (Receipts)								
Cash Beginning Balance, July 1, 2023	695,993	9,962,433	1,453,073	787,751	293,788	13,193,038	12,472,264	13,193,038
General Revenue	-	-	-	-	-	-	-	-
Special Revenue:								
Misc Livestock Fees	34,645	-	-	31,949	-	66,594	173,600	178,925
Egg/Poultry Inspection	-	1,164,197	-	-	-	1,164,197	3,124,213	2,329,163
Licenses & Permits	-	-	-	56,491	-	56,491	137,458	134,926
Brucellosis Fees	-	-	313,238	-	-	313,238	612,244	616,240
Livestock Disease	-	-	1	-	-	1	0	6
Livestock Brand Registration	-	-	-	390	-	390	635	625
Livestock Registration Fee	-	-	-	615	-	615	795	667
Fair Surcharge Fee	-	-	-	-	-	-	-	-
Small Animal Testing	-	-	-	92,437	-	92,437	212,948	236,918
Large Animal Testing	-	-	-	60,872	-	60,872	223,703	265,086
Avian Testing	-	-	-	293,471	-	293,471	683,977	574,761
-	-	-	-	-	-	-	-	-
Less: Treasurer of State Service Charges	(537)	(19,069)	(9,710)	(8,311)	-	(37,628)	(86,269)	-
Net Special Revenue	34,108	1,145,127	303,528	527,912	-	2,010,676	5,082,533	4,337,317
Other Fees -not designated as special revenue	-	517,888	-	-	-	517,888	501,840	3,997,896
Federal Grant Reimbursements	3,344	-	269,239	281,349	-	553,933	1,645,609	1,027,690
Marketing & Redistribution Sale Proceeds	-	13	-	-	-	13	-	1,751
Pcard Incentive Proceeds	-	-	-	2,697	-	2,697	2,626	3,633
Motor Vehicle Program Proceeds	44,800	44,800	81,973	-	-	171,573	185,885	100,382
Miscellaneous Revenue	-	721	-	97,188	-	97,909	54,508	53,490
Interest	-	-	-	-	-	-	-	-
Total Resources Provided	778,246	11,670,982	2,107,814	1,696,898	293,788	16,547,727	19,945,265	22,715,196
Cash Expenditures								
Salary and Personnel Expense	25,646	871,180	246,836	131,691	73,065	1,348,417	2,914,790	3,743,969
Maintenance & Operations:								
Communication & Transportation of Commodities	-	784	6,156	6,439	163	13,543	32,124	-
Printing & Advertising	-	-	7,941	1,051	-	8,992	5,078	-
Repairing & Servicing	5,467	949	2,703	117,901	2,084	129,104	240,958	-
Utilities & Rent	-	-	1,912	39,739	-	41,651	93,662	-
Travel & Subsistence	-	31,043	12,333	15,257	9,195	67,828	126,228	-
Professional Services & Fees	38	709	274	1,185	-	2,206	10,681	-
Insurance & Bonds	-	-	-	-	-	-	5,957	-
Other Expenses & Services	-	240	8,004	27,372	24	35,640	124,603	-
Commodities, Materials, & Supplies	1,436	10,324	17,991	520,411	9,476	559,637	1,271,780	-
Refunds Taxes & Claims	-	363,749	-	1,774	-	365,523	683,962	-
Subtotal Maintenance & Operations	6,941	407,798	57,315	731,129	20,942	1,224,124	2,595,033	3,818,466
Assistance, Grants, & Aid								
Capital Outlay	47,765	47,765	94,240	15,892	-	205,663	429,253	736,823
Assistance, Grants, & Aid	-	2,000	-	-	-	2,000	4,256	-
Other Expenses	-	10,066	(9,394)	(10,551)	(78)	(9,956)	10,828	-
Total Expenditures	80,351	1,338,809	388,997	968,161	93,929	2,770,247	5,954,160	8,299,258
Other Items:								
Transfers for Claims	46,500	79,123	191,982	173,389	-	490,994	-	-
Net Effect of Change in Accounts Receivable	-	114,434	-	0	-	114,434	-	-
Net Effect of Change in Accounts Payable	-	-	-	-	-	-	-	-
Cash Ending Balance, December 31, 2023	651,394	10,367,484	1,526,835	655,348	199,859	13,400,921		

ARKANSAS DEPARTMENT OF AGRICULTURE
Livestock Poultry Division
FEDERAL GRANT FUNDS
FINANCIAL REPORT
FOR THE PERIOD JULY 1, 2023 - DECEMBER 31, 2023

	Animal Disease Traceability/ Umbrella Agreement	Total	FY23 Actual	Fiscal Year 24 Budget	Percentage of Budget Received or Consumed compared to FY23 actual
Cash Resources Provided (Receipts)					
Cash Beginning Balance, July 1, 2023	445,922	445,922	465,323	445,922	
General Revenue	-	-	-	-	
Special Revenue:					
Misc Livestock Fees	-	-	-	-	
Egg/Poultry Inspection	-	-	-	-	
Licenses & Permits	-	-	-	-	
Brucellosis Fees	-	-	-	-	
Livestock Disease	-	-	-	-	
Livestock Brand Registration	-	-	-	-	
Livestock Registration Fee	-	-	-	-	
Fair Surcharge Fee	-	-	-	-	
Small Animal Testing	-	-	-	-	
Large Animal Testing	-	-	-	-	
Avian Testing	-	-	-	-	
Less: Treasurer of State Service Charges	-	-	-	-	
Net Special Revenue	-	-	-	-	
Other Fees -not designated as special revenue	-	-	-	-	
Federal Grant Reimbursements	70,172	70,172	176,805	660,000	40%
Marketing & Redistribution Sale Proceeds	-	-	-	120	#DIV/0!
Pcard Incentive Proceeds	-	-	-	-	
Motor Vehicle Program Proceeds	-	-	-	-	
Miscellaneous Revenue	-	-	-	-	
Interest	-	-	-	-	
Total Resources Provided	516,094	516,094	642,128	1,106,042	
Cash Expenditures					
Salary and Personnel Expense	103,277	103,277	170,936	203,778	60%
Maintenance & Operations:					
Communication & Transportation of Commodities	-	-	-	-	
Printing & Advertising	-	-	-	-	
Repairing & Servicing	-	-	2,136	-	
Utilities & Rent	-	-	-	-	
Travel & Subsistence	-	-	2,032	-	
Professional Services & Fees	654	654	1,604	-	41%
Insurance & Bonds	-	-	-	-	
Other Expenses & Services	-	-	-	-	
Commodities, Materials, & Supplies	-	-	19,498	-	
Refunds Taxes & Claims	-	-	-	-	
Subtotal Maintenance & Operations	654	654	25,269	123,461	3%
511 Assistance, Grants, & Aid					
Capital Outlay	-	-	-	-	
Assistance, Grants, & Aid	-	-	-	-	
Other Expenses	-	-	-	-	
Total Expenditures	103,932	103,932	196,206	327,239	53%
Other Items:					
Transfers for Claims	-	-	-	-	
Net Effect of Change in Accounts Receivable	-	-	-	-	
Net Effect of Change in Accounts Payable	-	-	-	-	
Cash Ending Balance, December 31, 2023	412,163	412,163			

Internal Control and Compliance Assessment

Arkansas Legislative Audit

Arkansas Department of Agriculture

For the Fiscal Year Ended June 30, 2022



INTRODUCTION

This report is issued to inform the Legislative Joint Auditing Committee of compliance with state fiscal laws and regulations as well as deficiencies in internal controls for the Arkansas Department of Agriculture. Assessment procedures disclosed no reportable items of noncompliance.

SCOPE AND METHODOLOGY

We performed an internal control and compliance assessment of the Arkansas Department of Agriculture, a department of Arkansas state government, as of and for the year ended June 30, 2022, and have issued our report dated August 8, 2023. Management of the Department is responsible for establishing and maintaining internal controls and complying with applicable laws and regulations.

The assessment included cash on deposit, cash receipts, accounts receivable, investments, expenditures, liabilities, capital assets, and data entry to the Arkansas Administrative Statewide Information System (AASIS). The assessment consisted principally of inquiries, observations, analytical procedures, and selected tests of internal control policies and procedures, accounting records, and other relevant documents. We relied on financial data in AASIS recorded by the Department and audit work conducted in the fiscal year 2022 State Annual Comprehensive Financial Report (ACFR) and Single Audit Report.

RESULTS OF ASSESSMENT

Assessment procedures did not disclose instances of noncompliance considered reportable.

ENABLING LEGISLATION AND ORGANIZATIONAL STRUCTURE

In accordance with Act 910 of 2019, effective July 1, 2019, the Arkansas Agriculture Department became part of the newly created cabinet-level Department of Agriculture. Additionally, the Arkansas Natural Resources Commission, the Arkansas State Board of Registration for Professional Soil Classifiers, the Arkansas State Board of Registration for Foresters, and the Arkansas Veterinary Medical Examining Board were also combined under the new cabinet-level department.

The Arkansas Agriculture Department was created by Act 1978 of 2005 to enhance marketing of the State's agricultural products in state, national, and international markets. The creation of the Department also combined the administrative functions of three existing state agencies (i.e., Arkansas Forestry Commission, Arkansas Livestock and Poultry Commission, and Arkansas State Plant Board) with the Agriculture Department. The Arkansas Natural Resources Commission was established to provide adequate, acceptable water for all users; to plan and coordinate water resource development; to protect individual water rights; to inspect and approve all dam construction; and to perform research to improve water and soil conservation. These agencies were combined along with the boards listed in the previous paragraph to create the cabinet-level Department of Agriculture. As shown by Exhibit I on page 2, the Department has five divisions:

ARKANSAS LEGISLATIVE AUDIT
500 Woodlane Street, Suite 172, Little Rock, AR 72201
Phone: 501-683-8600 Fax: 501-683-8605
www.arklegaudit.gov

Report ID: SAC990122

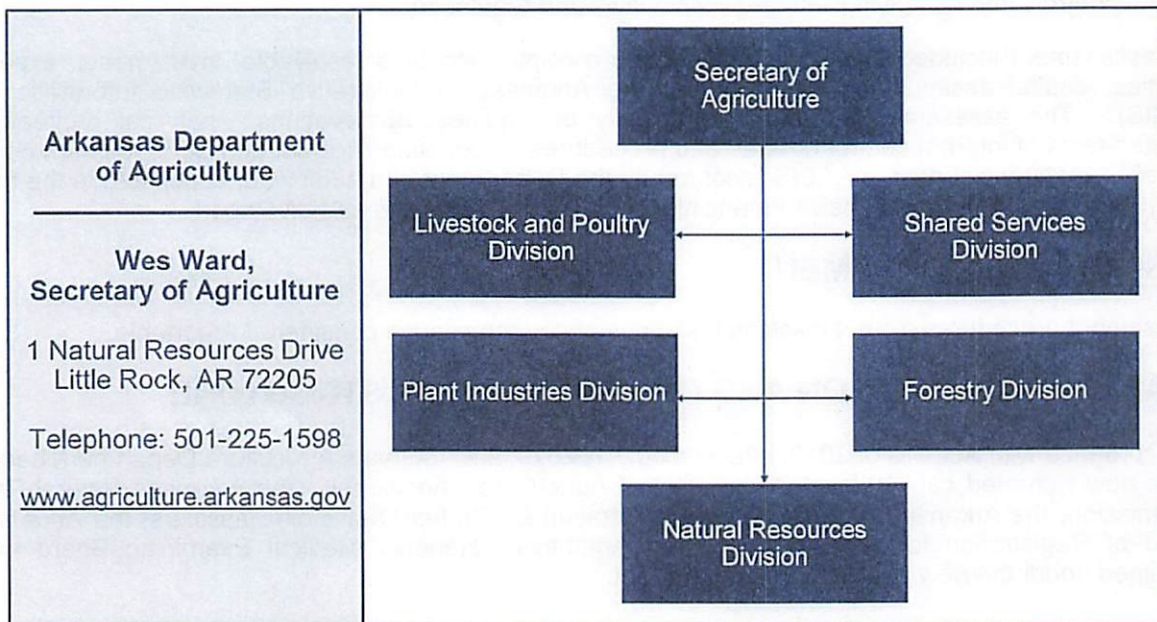
Report Date: August 8, 2023



1. **Livestock and Poultry Division** was established to control and eradicate diseases and pests in livestock and poultry and to supervise enforcement actions related to livestock and poultry.
2. **Shared Services Division** administers shared services that are available to and used by all divisions in the Department of Agriculture.
3. **Plant Industries Division** protects the citizens of Arkansas and the agriculture industry by enforcing laws and regulations related to insect and disease control.
4. **Forestry Division**, led by the State Forester, protects Arkansas's forests from wildfires and other natural hazards and promotes forest health, stewardship, development, and conservation.
5. **Natural Resources Division** establishes policy and makes funding and regulatory decisions related to the conservation, development, and management of Arkansas's waters.

Exhibit I

Arkansas Department of Agriculture
Organizational Chart



Source: Arkansas Department of Agriculture

FISCAL ANALYSIS

As previously mentioned, in accordance with Act 910 of 2019, multiple boards and commissions were consolidated to form the cabinet-level Department of Agriculture, effective July 1, 2019. Summary financial information for each business area is presented in **Exhibit II on page 3**.

Revenues, Expenditures, and Transfers

The Department reported \$47.4 million in total revenue for fiscal year 2022. The primary source of these funds was special revenues. Expenditures totaled \$83.5 million for fiscal year 2022, with salaries comprising 47.1%. The Department reported net transfers in of \$16.4 million for fiscal year 2022.

Exhibit II

**Arkansas Department of Agriculture
Summary of Financial Information by Business Area
For the Year Ended June 30, 2022**

Board/Commission/Division	Assets	Liabilities	Revenues	Expenditures	Net Transfers In (Out)
Arkansas Agriculture Department	\$ 120,102,789	\$ 6,490,771	\$33,905,581	\$ 48,484,881	\$ 15,891,394
Arkansas Natural Resources Commission	213,559,062	182,121,535	13,392,685	27,570,187	(7,234,435)
Arkansas State Board of Registration for Professional Soil Classifiers	16,150	260	887	94	
Department of Agriculture (cabinet level)	100,114	308,268	585	7,371,996	7,756,955
State Board of Registration for Foresters	101,326	5,668	14,645	16,388	(2,452)
Veterinary Medical Examining Board	707,391	93,800	125,019	90,413	(10,820)
Totals	\$ 334,586,832	\$ 189,020,302	\$47,439,402	\$ 83,533,959	\$ 16,400,642

Source: Arkansas Administrative Statewide Information System (unaudited by Arkansas Legislative Audit)

Total general revenue transfers in were \$25.7 million. Revenues, expenditures, and transfers for fiscal years 2018 through 2022 are presented in Exhibit III on page 4. Amounts prior to fiscal year 2020 are only composed of Arkansas Agriculture Department financial information and do not include all agencies transferred into the cabinet-level Department of Agriculture.

Assets, Deferred Outflows of Resources, and Liabilities

As of June 30, 2022, the Department's assets totaled \$334.6 million, and liabilities totaled \$189.0 million. A significant portion of assets is related to loans receivable, and a significant portion of liabilities is related to bonds payable, both of which are discussed separately below. Asset and liability balances at year-end for fiscal years 2018 through 2022 are presented in Exhibit IV on page 4. Amounts prior to fiscal year 2020 are only composed of Arkansas Agriculture Department financial information and do not include all agencies transferred into the cabinet-level Department of Agriculture.

Loans Receivable

One major Department activity is administering loans for various water, sewer, and wastewater projects of the State. Related to these activities, the Department reported net loans receivable of \$127.6 million: total loans receivable of \$215.3 million less allowance for doubtful accounts and deferred loans of \$87.7 million. Allowance for doubtful accounts refers to loans that meet criteria determined by the Department in the normal course of business. Deferred loans are for irrigation projects with project completion not expected until additional funding from federal sources is available. Payments are not due until project completion. These loans have maturities through 2055. A schedule of loan activity by type for the year ended June 30, 2022, is provided in Exhibit V on page 5.

Bonds Payable and Debt Service

Funding for loans is from general obligation and other bond proceeds. Debt service is from collections on loans, other Department funds, and general revenue. The Department reported \$174.2 million in bonds payable for the fiscal year ended June 30, 2022, as shown in Exhibit VI on page 5. In fiscal year 2022, the Department issued \$40.5 million in new bond debt.

Exhibit III

Arkansas Department of Agriculture
Revenues, Expenditures, and Transfers
For the Years Ended June 30, 2018 through 2022

	Fiscal Year				
	2022	2021	2020	2019	2018
Revenues					
Special revenues	\$ 23,294,416	\$ 20,375,491	\$ 20,279,597	\$ 20,217,769	\$ 20,597,429
Fees	2,339,621	4,636,290	3,099,424	1,042,512	1,254,926
Other revenues	5,630,236	6,053,670	7,215,211	1,256,891	1,122,912
Federal grants and reimbursements	16,175,129	15,717,176	12,469,080	4,767,109	6,340,440
Total Revenues	\$ 47,439,402	\$ 46,782,627	\$ 43,063,312	\$ 27,284,281	\$ 29,315,707
Expenditures					
Salaries	\$ 39,376,966	\$ 36,885,756	\$ 36,107,448	\$ 27,211,162	\$ 26,659,118
Commodities, materials, and supplies	4,844,134	4,301,637	3,564,784	4,057,539	3,032,382
Assistance, grants, and aids	13,477,819	19,249,211	11,254,507	2,333,763	1,873,970
Other expenses	25,835,040	8,502,036	2,532,290	9,421,344	9,838,483
Total Expenditures	\$ 83,533,959	\$ 68,938,640	\$ 53,459,029	\$ 43,023,808	\$ 41,403,953
Net Transfers In (Out)	\$ 16,400,642	\$ 18,704,927	\$ 6,276,399	\$ 18,268,017	\$ 17,328,719

Note: Amounts prior to fiscal year 2020 are only composed of Arkansas Agriculture Department financial information and do not include all agencies transferred into the cabinet-level Department of Agriculture.

Source: Arkansas Administrative Statewide Information System (unaudited by Arkansas Legislative Audit)

Exhibit IV

Arkansas Department of Agriculture
Assets, Deferred Outflows of Resources, and Liabilities
For the Years Ended June 30, 2018 through 2022

	Fiscal Year				
	2022	2021	2020	2019	2018
Assets					
Cash and cash equivalents	\$ 123,399,773	\$ 86,689,130	\$ 86,799,514	\$ 34,591,129	\$ 33,346,938
Receivables	133,202,148	147,087,498	147,011,466	2,587,931	2,055,230
Fixed assets	72,053,628	70,824,692	68,575,786	61,360,951	59,945,905
Other assets	5,931,283	5,871,138	5,844,154	2,068,468	2,108,091
Total Assets	\$ 334,586,832	\$ 310,472,458	\$ 308,230,920	\$ 100,608,479	\$ 97,456,164
Deferred Outflows of Resources					
Related to bond amortization	\$ 6,099,806	\$ 6,547,896	\$ 4,744,487	\$ 0	\$ 0
Liabilities					
Bonds payable	\$ 174,669,236	\$ 149,695,000	\$ 165,520,000	\$ 0	\$ 0
Payroll liability	\$ 2,057,889	1,755,290	1,466,029	1,070,092	1,026,137
Due to other state agencies	2,459,999	1,805,826	2,053,887	461,619	269,784
Unearned income	2,700,810	3,112,441	2,794,659	2,561,756	2,178,769
Other liabilities	7,132,368	6,263,247	6,365,744	738,642	967,378
Total Liabilities	\$ 189,020,302	\$ 162,631,804	\$ 178,200,319	\$ 4,832,109	\$ 4,442,068

Note: Amounts prior to fiscal year 2020 are only composed of Arkansas Agriculture Department financial information and do not include all agencies transferred into the cabinet-level Department of Agriculture.

Source: Arkansas Administrative Statewide Information System (unaudited by Arkansas Legislative Audit)

Exhibit V

Arkansas Natural Resources Commission
Loans Receivable Roll Forward Summary
For the Year Ended June 30, 2022

	<u>WDF</u>	<u>WSSW</u>	<u>CGO</u>	<u>Totals</u>
Beginning Loan Receivable Balance	\$16,489,341	\$18,964,710	\$179,628,302	\$215,082,353
Prior-year adjustment	(38,442)		(33,236)	(71,678)
Interest added to loan				
Reclass				
Conversions to grants		(224,161)	(83,616)	(307,777)
Loan disbursements	218,000	473,966	12,594,750	13,286,716
Principal payments	(2,810,655)	(1,941,503)	(7,914,374)	(12,666,532)
Ending Loan Receivable Balance	<u>\$13,858,244</u>	<u>\$17,273,012</u>	<u>\$184,191,826</u>	<u>\$215,323,082</u>

WDF = Water Development Fund

WSSW = Water, Sewer, and Solid Waste Management Systems Program

CGO = Water, Waste, Disposal, and Pollution Abatement Facilities General Obligation Bond Program

Source: Arkansas Natural Resources Commission and Arkansas Administrative Statewide Information System (unaudited by the Arkansas Legislative Audit)

Exhibit VI

Arkansas Department of Agriculture
Bonds Payable Roll Forward Summary
For the Years Ended June 30, 2022 and 2021

	<u>Fiscal Year</u>	
	<u>2022</u>	<u>2021</u>
Bonds Payable at Beginning of Year	<u>\$ 149,695,000</u>	<u>\$ 165,520,000</u>
Additions		
Bond issues	40,535,000	48,975,000
Deletions		
Scheduled principal payments	(16,060,000)	(15,825,000)
Bond refunds		(48,975,000)
Total Deletions	<u>(16,060,000)</u>	<u>(64,800,000)</u>
Bonds Payable at Year-End	<u>\$ 174,170,000</u>	<u>\$ 149,695,000</u>

Source: Arkansas Administrative Statewide Information System (unaudited by Arkansas Legislative Audit)

**Veterinary Medical Examining Committee Report
January 11, 2024**

Committee Members:

Rob Conner, DVM
Bill Hewat, DVM
Sarah Kline, DVM
Mike Pallone, DVM
Sara Throne, DVM
Kate Williams, DVM

Meeting Summary:

The committee held its first meeting on December 12, 2023, at the Arkansas Department of Agriculture. All members of the committee were present. Committee structure was discussed, and Dr. Bill Hewat was selected as Chair, and Dr. Sara Throne was selected as Vice Chair.

Staff provided a review of forty-five (45) continuing education meetings approved since April 1, 2023, and the names of thirteen (13) veterinary technicians that had been certified since July 1, 2023.

Staff presented the following eight (8) corporate practice applications to the committee for review:

ACVH Mountain Home, PLLC Dr. Rob Conner	SKG Veterinary Services, Inc. Dr. Sarah Gilkerson
Robyn Theobald, P.A. Dr. Robyn Theobald	Greg Hartman, P.A. Dr. Greg Hartman
Stanley Gabbard, P.A. Dr. Stanley Gabbard	Ferndale Creek Farms and Animal Hospital Drs. Rebekah Lee and Clayton Holder
Fort Smith Veterinary Wellness and Urgent Care Dr. Mary DeRycke	Premier Veterinary Services of Beebe, LLC Dr. Madison Betcher

The committee voted to present all eight (8) corporate practice applications to the Arkansas Livestock and Poultry Commission for final approval and issuance of corporate practice certificates. **Need a motion in response to the committee's recommendation.**

Staff presented thirty-four (34) veterinarian applications to the committee for review.

The committee voted to present the following thirty-one (31) names to the Arkansas Livestock and Poultry Commission for final approval of reciprocal licensure and issuance of their veterinary medical licenses. **Need a motion in response to the committee's recommendation.**

Carley Allen, DVM
Sandra Butler, DVM
Dana Dane, DVM
Jett Eder, DVM
Ashley Ferguson, DVM

John Brady, DVM
Katherine Dale, DVM
Ryan Dhuet, DVM
Jessica Farris, DVM
Taylor Francis, DVM

Katelyn Garner, DVM
 Hannah Grumbling, DVM
 Tiffany Hoskins, DVM
 Taylor Landreth, DVM
 Jessica Mobley, DVM
 Tracy Patton, DVM
 Karen Roberts, DVM
 John Schleifer, DVM
 Justin Thomason, DVM
 Ashley Whiteside, DVM
 Douglas Pesnell, DVM

Elise Gerken, DVM
 Katherine Holley, DVM
 Chase Johnson, DVM
 Patrick McGlone, DVM
 Rachel Parris, DVM
 George Prevolos, DVM
 Arden Roderick, DVM
 Kathryn Stieh, DVM
 Hannah Urig, DVM
 Kenneth Don Lee, DVM

The committee voted to present Ada Fernandez, DVM, to the Arkansas Livestock and Poultry Commission for licensure by examination. **Need a motion in response to the committee’s recommendation.**

The committee voted to present the application of Andrew Kaiser, DVM, to the Arkansas Livestock and Poultry Commission for denial based on the disciplinary action and indefinite suspension of his Illinois veterinary medical license. **Need a motion in response to the committee’s recommendation.**

The committee voted to present the application of Lisa Keehner-Strickland, DVM to the Arkansas Livestock and Poultry Commission for denial based on the recent discipline of her Kentucky veterinary medical license and failing to disclose the discipline on her Arkansas license application. **Need a motion in response to the committee’s recommendation.**

Staff presented ten (10) complaints to the committee for review.

The committee voted to present the following eight (8) complaints to the Arkansas Livestock and Poultry Commission for dismissal due to no violations of the Veterinary Medical Practice Act or rules. **Need a motion in response to the committee’s recommendation.**

Docket No. 2022-07 Richmond v. Pallone	Docket No. 2022-13 Hubbard v. Baker
Docket No. 2022-17 Duncan v. Kim	Docket No. 2022-18 Chwalinski v. Brunck
Docket No. 2022-19 Chwalinski v. Connelly	Docket No. 2022-20 Chwalinski v. Fouts
Docket No. 2022-21 Chwalinski v. Reeder	Docket No. 2022-22 Chwalinski v. DeRycke

Docket No. 2022-16 (Scotty v. Windle) was filed after Complainant surrendered their 7-year-old male cat to Respondent, and then a surgery for an obstruction in the urethra was performed by Respondent following the surrender. The committee voted to present Docket No. 2022-16 to the Arkansas Livestock and Poultry Commission for the following violations:

- Ark. Code Ann. 17-101-305 (a) (11) Unprofessional conduct by violation of a rule promulgated by the commission under this chapter;

- Rule 19. N. Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;
- Rule 19. O. Conduct reflecting unfavorably upon the profession of veterinary medicine; and
- Ark. Code Ann. 17-101-305 (a) (15) Overtreating patients or charging for services which did not occur unless the services were contracted for in advance or for services which were not rendered or documented in the patient's records or charging for services which were not consented to by the owner of the patient or the owner's agent.

These violations are based on the Complainant being charged for cremation when the animal was not euthanized, and that Respondent's course of treatment for the animal was determined by a call from a friend of the Complainant who is also an attorney. The recommendation is to offer a Consent Agreement to Respondent that includes six (6) hours of continuing education in record keeping and one (1) hour of continuing education in client communication. These seven (7) hours of continuing education will be in addition to the twenty (20) hours of continuing education required for license renewal. **Need a motion in response to the committee's recommendation.**

Docket No. 2023-11 (Harakal v. Miller) was filed after Complainant had taken their 12-year-old cat to Respondent, who hospitalized and treated the cat for dehydration. The cat later died. The committee voted to present Docket No. 2023-11 to the Arkansas Livestock and Poultry Commission for the following violations:

- Ark. Code Ann. 17-101-305 (a) (11) Unprofessional conduct by violation of a rule promulgated by the commission under this chapter;
- 9. E. Patient records shall include, but are not limited to the following information:
 - (5) Pertinent history and presenting complaint;
 - (6) Physical examination findings to include temperature, weight, body condition, respiration, pulse, eyes, ears, nose and throat, oral cavity, respiratory system including auscultation of the thorax, palpation of the abdomen, lymph nodes, and evaluation of musculoskeletal, neurological, genito/urinary systems;
 - (7) Assessment/diagnosis, treatments and intended treatment plan, medications dispensed or prescribed, immunizations administered, dosages, strength, frequency and route of administration;
 - (12) All consent statements, surgical, or treatment consent forms should be included in the medical record;
 - (13) If there are any discharge instructions, they should be noted on the medical record; and
- 19. F. For a veterinarian to undertake the care of an animal and thereafter fail to render the care as generally accepted by the veterinary profession.

These violations are based these items being absent from the medical record, no presumptive diagnosis, and the lack of secondary diagnostics. The recommendation is to offer a consent agreement to Respondent that includes six (6) hours of continuing education in record keeping, one (1) hour of continuing education in client communication, and four (4) hours of continuing education in diagnostics and antimicrobial therapy. These eleven (11) hours of continuing education will be in addition to the twenty (20) hours of continuing education required for license renewal. Respondent will also be required to submit three (3) medical records per month for six (6) month that are surgical, hospitalization, or internal medicine to be reviewed by the committee. **Need a motion in response to the committee's recommendation.**

Staff presented one item of other business that was received from the Arkansas Department of Health (ADH). ADH received a consumer complaint regarding a possible food safety issue after a low cost spay/neuter clinic was held at the Salem VFW. The concern was that the facility's kitchen was close to where the animals were being kept. The committee felt that the process for filing a complaint against a veterinarian can be shared with ADH, and that it can relay that to the complainant.

The next committee meeting is scheduled for January 23, 2024.

End Report

Arkansas Livestock & Poultry Commission
Effective Date: August 1, 2003 FINAL RULE
Phil Wyrick, Executive Director
Act 220 of 1969, Act 301 of 1985, Act 115 of 1993, and Act 700 of 1997

REGULATIONS FOR THE ENFORCEMENT OF THE ARKANSAS
EGG MARKETING ACT 220 OF 1969 Rule
AND AS AMENDED BY ACT 301 OF 1985
ACT 115 OF 1993 AND ACT 700 OF 1997

Refer to the following sections of the Arkansas Egg Marketing Act:
~~20-58-202. Definitions. "Consumer" This shall also include places not specifically named, such as bakeries and rest homes.~~
~~20-58-203. Applicability.~~
ARKANSAS EGG MARKETING ACT RULE

Retail Sale of Eggs:

(A). Retailers shall be permitted to sell eggs when the eggs are purchased directly from producers who own fewer than seven hundred (700) hens, provided that the following requirements are met:

1. The eggs are washed and clean;
2. The eggs are prepackaged and identified as ungraded with the name and address of the producer;
3. Cartons cannot be reused unless all brand markings and other identification are obliterated;
4. The eggs are refrigerated and maintained at a temperature of 4 forty-five degrees Fahrenheit (45° F) or below; and
5. Retailers shall be required to produce an invoice showing origin of eggs. All other sections of this Act and Regulation are to be met by all retailers of eggs.

(B). Retail sales. Each container individual carton or individual loose pack case of eggs offered for sale at retail shall bear on the exterior of the container any one or combination of the following acceptable methods markings:

1. United States Department of Agriculture (USDA) plant number assigned by USDA, AMS USDA/AMS USDA Agricultural Marketing Service (AMS) while the plant is under contract for official grading service.
2. Arkansas State permit number as assigned by the Arkansas Livestock and Poultry Commission Arkansas Department of Agriculture with "ARK" preceding number. Example: ARK100.
3. Packer name with complete address of the location where eggs were packed.
3. USDA shell egg surveillance registrant number including state code and handler code. Example: 05-0267. NOTE: The shell egg surveillance registrant number contains a state code, county code and handler code. Do not include the county code, only state and handler number.
4. Any one method from those listed above may be used. The identification must be applied to each individual carton and if loose pack, each individual case must be identified.

(C). All other sections of this Rule are to be met by all retailers of eggs.

Commented [CB1]: I don't really understand the point of this. Was it meant to clarify the Applicability section of the statute?

20-58-208. Display of grade and size required Display Requirements of Eggs:

(A). Grade and size of eggs must be identified in ads, papers, circulars and point-of sale materials.

(B). ~~Packers, jobbers and dealer-wholesalers-Processors, packers, or wholesalers~~ shall have the responsibility of clearly informing restaurants, hotels and other eating establishments of this the grade and size of the eggs on the packaging.

Commented [TT2]: Is there no term that encompasses the relevant dealers and wholesalers of eggs? Very wordy.

(C). ~~Packers, jobbers and dealer-wholesalers-Processors, packers, or wholesalers~~ shall be in violation if ~~they sell to restaurants, hotels and other eating establishments who are not complying with this requirement if eggs sold by the packers, jobbers and dealer-wholesalers are below "A" quality if they sell eggs in packaging not displaying the grade and size of the eggs to a retail vendor, restaurant, or other eating establishment.~~

Commented [TT3]: Is there no term that encompasses the relevant dealers and wholesalers of eggs? Very wordy.

(D). Establishments selling eggs below "A" quality shall be required to display the quality and weight of the eggs in a location where it can easily be seen by the customers on a placard of heavy sturdy-quality cardboard of not less than eight inches by eleven inches (8" x 11"), or on the menu.

20-58-210 Refrigeration of eggs - Temperature and labeling requirements:

(A) Shell eggs packed into containers for the purpose of resale to the consumer must be stored immediately following packing at an ambient temperature of ~~no more than forty-five (45) degrees Fahrenheit forty-five degrees Fahrenheit (45° F) or below (7.2 degrees Celsius) or below~~ and maintain this temperature until such eggs reach the consumer. This provision includes any person, firm or corporation transporting or selling eggs to the consumer.

(B) All containers of shell eggs packed for the purpose of resale to the consumer are to be labeled with the following statement: "Keep refrigerated at or below 45 degrees Fahrenheit".

~~This should be done~~ at time of grading.

(C) ~~Eggs in retail shall not be removed from the immediate container in which the eggs were received and placed into a different container by the retailer.~~

(D) ~~Eggs sold for the purpose of direct delivery to the consumer shall, during delivery, maintain eggs at an ambient temperature no greater than forty-five degrees Fahrenheit (45°F) of forty-five degrees Fahrenheit (45° F) or below. Eggs shall be delivered to the consumer dry and not saturated in melted ice water.~~

(C) ~~Refrigeration is defined as an operable refrigeration unit which will maintain 45°F or below.~~ Containers for storage of eggs refrigerated by means of ice, dry ice, or other non-powered refrigerated container will not be acceptable.

20-58-212. ~~Retail sales. Each container of eggs offered for sale at retail shall bear on the exterior of the container one of the following acceptable methods:~~

1. ~~USDA plant number assigned by USDA, AMS USDA/AMS while plant is under contract for official grading service;~~
2. ~~Arkansas State permit number as assigned by the Arkansas Livestock and Poultry Commission Arkansas Department of Agriculture with "ARK" preceding number. Example: ARK100;~~
3. ~~Packer name with complete address of the location where eggs were packed;~~
4. ~~USDA shell egg surveillance registrant number including state code and handler code, Example: 05-0267 NOTE: The shell egg surveillance registrant number contains a state code, county code and handler code. Do not include the county code, only state and handler number;~~
5. ~~Any one method from those listed above may be used or a combination of more than one. The identification must be applied to each individual carton and if loose pack each individual case must be identified.~~

Commented [TT4]: This entire section has been consolidated under the Retail Sale of Eggs Section above to maintain a more logical ordering of topics.

~~6. Retailers shall be required to produce an invoice showing origin of eggs. All other sections of this Act and Regulation rule are to be met by all retailers of eggs.~~

Commented [CB5]: I don't really understand the point of this. Was it meant to clarify the Applicability section of the statute?

Commented [TT6R5]: Ditto. Please clarify or eliminate this provision.

Commented [TT7]: I would re-format this entire section.

20-58-215. Fees.

~~(A). Packers shall be required to report and pay inspection fees on reported volume on a monthly basis. This fee shall be paid not later than the 15th of the following month. If a report is not received by the due date, a letter notice will be sent to the packer reminding them of the past due report will be sent in writing. If the packer does not report within 10 days from date of the past due notice, the packer's permit will be canceled suspended and all eggs found will be put off sale a stop sale notice shall be issued to the packer.~~

Commented [TT8]: If there is an end to the notice or warning for "stop sale," what is it? How might the packer comply at this level? Shall the license be totally revoked after a period of time? Shall it be restored in some way?

~~(B). Report forms shall be supplied made available by the Arkansas Department of Agriculture Arkansas Livestock and Poultry Commission. It shall be the responsibility of the packer to request these forms as they are needed. Jobbers and dealer-wholesalers, Packers or wholesalers shall be required to furnish evidence of origin by invoice on eggs which they handle.~~

~~(C). For the purpose of financing the administration and enforcement of this Act rule, the state of Arkansas, through the Arkansas Livestock and Poultry Commission Arkansas Department of Agriculture, shall collect an inspection fee the following fees from the processor, packer, and/or dealer-wholesaler processor, packer, or wholesaler to include an annual permit fee in the amount of \$60.00 to be due at time of renewal (July 1) of permit each year:~~

~~1. An annual permit fee in the amount of \$60.00 to be due at time of renewal (July 1) of permit each year.~~

~~(A)2. A fee of six cents (6c) per case for all graded or processed shell eggs and/or egg products sold in the state of Arkansas, if the sale is to the consumer, and/or if the purchase by the buyer is for the purpose of resale at retail and/or if by dealer-wholesaler is for the purpose of resale.~~

~~(B) 3. Breaker plants: A fee of one-half cent (1/2c) per case on eggs graded and/or processed in Arkansas. An additional five and one-half cents (5 1/2c) for a total of six cents (6c) per case on graded and/or processed eggs sold in the state of Arkansas directly to the consumer and if the purchase by the buyer is for the purpose of resale at retail or to be used in food items sold at retail in Arkansas and/or under an Arkansas permit.~~

~~(D). For purposes of fee calculations for egg products:~~

~~1. Thirty-six (36) pounds of frozen (and/or liquid) eggs shall represent a thirty (30) dozen case of shell eggs.~~

~~2. Nine (9) pounds of dried eggs shall represent thirty (30) dozen case of shell eggs.~~

~~3. Two (2) twenty (20) to twenty-five (25) pound containers of boiled eggs shall represent a thirty (30) dozen case of shell eggs.~~

Commented [TT9]: Is this a new section? Is this a clarification on the above provision on products outside of arkansas? If so, then how does it relate. Please reformat.

~~(E). All egg product plants from outside the state of Arkansas will be responsible for the fees due on all egg products entering the state of Arkansas. Additionally, at the discretion of the Commission Arkansas Department of Agriculture, a dealer-wholesaler selling egg products in the state of Arkansas could be held liable for fees due in lieu of the egg products plants.~~

~~1. Thirty-six (36) pounds of frozen (and/or liquid) eggs shall represent a thirty (30) dozen case of shell eggs.~~

~~2. Nine (9) pounds of dried eggs shall represent thirty (30) dozen case of shell eggs.~~

~~2. Two (2) twenty (20) to twenty-five (25) pound containers of boiled eggs shall represent a thirty (30) dozen case of shell eggs.~~

Commented [TT10]: Is this a new section? Is this a clarification on the above provision on products outside of arkansas? If so, then how does it relate. Please reformat.

~~4. Fifty (50) pounds of cooked (diced) eggs shall represent a thirty (30) dozen case of shell eggs.~~

~~20-58-16. Audits.~~

~~Underpayments or overpayments found during audits are to be reported on the next monthly egg inspection report to the Commission Department.~~

~~Enforcement~~

~~The Arkansas Department of Agriculture is authorized and may enter any store, vehicle, market, or any other business or place where eggs are bought, stored, sold, offered for sale, or processed.~~

- ~~(A) The Arkansas Department of Agriculture is authorized to make such inspections as needed, to determine if the grades of the eggs conform to grades as labeled on the exterior of the container. If the inspection determines that the eggs in the container do not conform to the grade as labeled on the exterior of the container, the Department is authorized to examine the invoices to determine the cause and place of the violation.~~
- ~~(B) The Department and its authorized employees shall have the power to issue a stop sale and impound for evidence, retain, or destroy any containers of eggs offered for sale which are in conflict with any provisions of this rule.~~

~~Issued in Little Rock, Arkansas on June 5, 2003~~

~~_____
Phil Wyrick, Executive Director
Arkansas Livestock & Poultry Comm.~~

VETERINARY TECHNICIAN SPECIALIST

35. A. Requirements for Initial Certification:

a. An applicant for certification as a veterinary technician specialist in this state must make written application to the Arkansas Livestock and Poultry Commission showing that he or she:

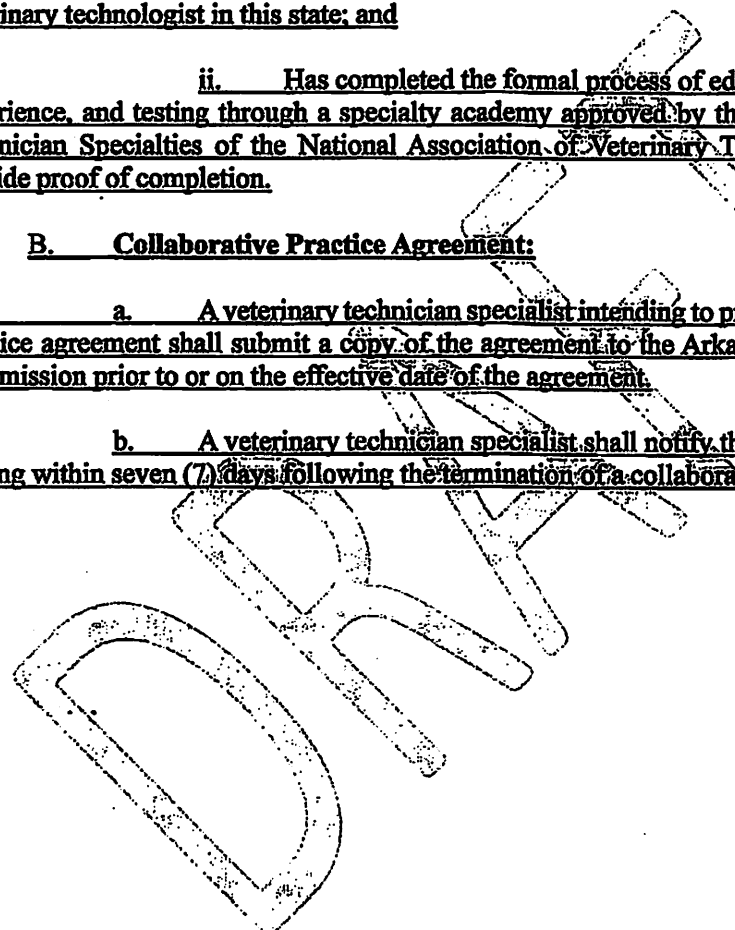
i. Holds an active certification as a veterinary technician or veterinary technologist in this state; and

ii. Has completed the formal process of education, training, experience, and testing through a specialty academy approved by the Committee on Veterinary Technician Specialties of the National Association of Veterinary Technicians in America and provide proof of completion.

B. Collaborative Practice Agreement:

a. A veterinary technician specialist intending to practice under a collaborative practice agreement shall submit a copy of the agreement to the Arkansas Livestock and Poultry Commission prior to or on the effective date of the agreement.

b. A veterinary technician specialist shall notify the Commission in writing within seven (7) days following the termination of a collaborative practice agreement.



FEES VETERINARY MEDICAL LICENSE AND CERTIFICATE FEES
(Adopted: 8/8/1981) (Amended: 00/00/0000) (Effective: 00/00/0000)

Veterinarians:

5. The schedule for license, certificate, and permit fees will be as follows:
- A. The application fee for licensure by examination is one hundred dollars (\$100.00) and must be paid at the time of filing the application. The completed application must be received at least thirty (30) days prior to the date of the next written state board commission examination.
 - B. The application fee for licensure by endorsement is one hundred dollars (\$100.00) and must be paid at the time of filing the application.
 - C. The application fee is waived for a veterinarian applying for a license pursuant to Ark. Code Ann. §17-4-105.
 - D. North American Veterinary Licensing Examination (NAVLE) candidates must submit to the Board Commission an application for licensure by examination, as well as submit a NAVLE application and fee directly to the International Council for Veterinary Assessment.
 - E. The annual renewal fee for an active veterinary license is one hundred dollars (\$100.00) and the annual renewal fee for an inactive veterinary license is twenty-five dollars (\$25.00). A veterinarian **CANNOT** practice in Arkansas with an inactive license.
 - F. The application fee for a corporate practice is thirty-five dollars (\$35.00). The annual renewal fee for a corporate practice certificate is ten dollars (\$10.00).
 - G. All renewals are due by March 31st each year. The delinquent fee is one hundred dollars (\$100.00) and will be due on all veterinarian and corporate practice renewals received after the postmarked date of March 31st each year. The renewal fee is waived for a veterinarian who is on active duty with any branch of the armed services of the United States for not to exceed three (3) years or for the duration of a national emergency, whichever is longer.
 - H. The fee for a temporary permit is fifty dollars (\$50.00).
 - I. The fee for a restricted license is fifty dollars (\$50.00).
 - J. The fee to re-issue an original license is ten dollars (\$10.00) and the request must be made in writing.
 - K. All fees are non-refundable.

Veterinary Technicians and, Veterinary Technologists, and Veterinary Technician Specialists:

6. The schedule for certificate fees will be as follows:

A. The initial application fee for a veterinary technician or veterinary technologist is forty dollars (\$40.00) and must be paid at the time of filing the application. The application fee is waived for a person applying for a certification pursuant to Ark. Code Ann. §17-4-105.

i. An additional fee of ten dollars (\$10.00) is required for a veterinary technician specialist application.

B. Veterinary Technician National Examination (VTNE) candidates must submit to the Board an application for certification, as well as submit a VTNE application and fee directly to the American Association of Veterinary State Boards.

C. The annual renewal fee for certification is twenty-five dollars (\$25.00).

D. All renewals are due by March 31st each year. The delinquent fee is fifty dollars (\$50.00) and will be due on all renewals received after the postmarked date of March 31st each year. The renewal fee is waived for a veterinary technician or veterinary technologist, or veterinary technician specialist who is on active duty with any branch of the armed services of the United States for not to exceed three (3) years or for the duration of a national emergency, whichever is longer.

E. The fee to re-issue an original certificate is ten dollars (\$10.00) and the request must be made in writing.

F. All fees are non-refundable.

**CONTINUING EDUCATION CONTINUING EDUCATION REQUIREMENTS FOR
VETERINARY MEDICAL LICENSE AND CERTIFICATE RENEWAL**
(Adopted 12/1/1976) (Amended 00/00/0000) (Effective 00/00/0000)

7. The continuing education requirements for the renewal of an active license or certificate are as follows:

A. Veterinarians must earn twenty (20) continuing education hours each year to be eligible for license renewal.

(1) Continuing education topic requirements are as follows:

(a) Ten (10) hours must be education pertaining to veterinary medicine and surgery;

(b) A maximum of eight (8) hours can be education pertaining to non-scientific topics;

(c) A maximum of two (2) hours can be education through visitation with a colleague, not associated with the veterinarian's practice, at the facility of the colleague; and

(d) A maximum of two (2) hours can be education through attending exhibit halls at state or national meetings and conferences.

(2) Continuing education hours can be earned as follows:

(a) At least ten (10) hours must be taken in-person or through live, interactive webinars; and

(b) A maximum of ten (10) hours will be allowed for online education that is pre-recorded or non-interactive.

B. Veterinary technicians and veterinary technologists must earn twelve (12) continuing education hours each year to be eligible for certificate renewal.

(1) Continuing education topic requirements are as follows:

(a) Eight (8) hours must be education pertaining to veterinary medicine and surgery; and

(b) A maximum of four (4) hours can be education pertaining to non-scientific topics.

(2) Continuing education hours can be earned as follows:

(a) At least six (6) hours must be taken in-person or through live,

interactive webinars; and

(b) A maximum of six (6) hours will be allowed for online education that is pre-recorded or non-interactive.

C. A veterinary technician specialist must complete an additional eight (8) hours of advanced continuing education in their area of specialty each year before renewal. This is in addition to the twelve (12) hours of continuing education required for renewal of their veterinary technician or technologist certification.

E-D. Continuing education hours are waived for veterinarians, veterinary technicians, and veterinary technologists who received a license or certificate from the Board Commission during the renewal period in which they graduated.

D-E. The following are approved by the Board Commission for continuing education:

(1) An educational program sponsored by an accredited or approved college of veterinary medicine;

(2) An educational program sponsored by the American Animal Hospital Association;

(3) An educational program sponsored by the American Veterinary Medical Association or one of its recognized veterinary specialties or veterinary specialty organizations;

(4) An educational program sponsored by a local, state, regional or national veterinary association;

(5) An educational program sponsored by the National Association of Veterinary Technicians in America or one of its veterinary technician specialty academies or societies;

(6) An educational program approved by the Registry of Approved Continuing Education (RACE), which is the American Association of Veterinary State Boards' national clearinghouse for approval of continuing education; or

(7) An educational program sponsored by the United States Department of Agriculture.

E-F. Each veterinarian, veterinary technician, and veterinary technologist, and veterinary technician specialist must keep a record of continuing education hours earned and will be required to certify those hours on a form provided made available by the Board Commission. The form will be sent to each veterinarian, veterinary technician, and veterinary technologist, and veterinary technician specialist at the time of annual renewal. All records of continuing education hours must be kept by the license or certificate holder for three (3) years. The Board Commission, at its discretion, may request an audit of an individual's continuing education records.

F.G. Veterinarians, veterinary technicians, ~~or~~ veterinary technologists, or veterinary technician specialists unable to earn continuing education hours because of sickness or other justifiable reasons may, at the discretion of the ~~Board~~Commission, be exempt from all or part of the continuing education requirements or granted an extension of time to obtain their continuing education hours.

G.H. Requests for ~~pre-approval~~ approval of educational programs must be submitted to the ~~Board~~ Arkansas Department of Agriculture ~~at least thirty (30) days prior to the meeting—no exceptions.~~ within the current license or certificate renewal period.

H.I. To activate an inactive license or certificate, continuing education hours must be obtained during that renewal period.