

**GEORGIA DEPARTMENT OF AGRICULTURE  
ANIMAL INDUSTRY DIVISION**

**DISPOSAL OF DISEASED, DISABLED, OR DEAD ANIMALS**

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**4-5-1 Short title.**

This chapter shall be known and may be cited as the “Dead Animal Disposal Act.” (Ga. L. 1969, p. 1018, § 1.)

**4-5-2 “Dead animals” defined.**

As used in this chapter, the term “dead animals” means the carcasses, parts of carcasses, fetuses, embryos, effluent, or blood of livestock, including, without limitation, cattle, swine, sheep, goats, poultry, ratites, equine, and alternative livestock; pet animals associated with pet dealers, kennels, animal shelters, or bird dealers licensed by the Georgia Department of Agriculture; animals processed by commercial facilities which process animals for human consumption; and animals associated with wildlife exhibitions. (Ga. L. 1969, p. 1018, § 2; Ga. L. 1973, p. 569, § 1; Ga. L. 1995, p. 244, § 7. Ga. L. 2002, p. 1397, § 1.)

**4-5-3 Abandonment of dead animals; requirements as to disposal generally; disposal in wells, open pits, or surface waters or on private or public; disposal in city or county landfill.**

(a) It shall be unlawful for any person who owns or is caring for an animal which has died or has been killed to abandon the dead animal. Such person shall dispose of the dead animal as provided for in this chapter or in rules and regulations adopted pursuant to this chapter. Dead animals shall not be abandoned in wells, open pits, or surface waters of any kind on private or public land.

(b) No person shall dispose of a dead animal on the land of another without the permission of the owner of the land.

(c) Arrangements must be made with a city or county official in order to dispose of a dead animal in a city or county landfill. (Ga. L. 1969, p. 1018, § 3; Ga. L. 1973, p. 569, § 2; Ga. L. 2002, p. 1397, § 2.)

#### **4-5-4 Removal and disposition of dead animals within highway rights of way generally.**

(a) As used in this Code section, the term “dead animals” means the carcasses or parts of carcasses of all animals, regardless of whether they are considered to be farm livestock, poultry, equines, domesticated animals, pets, or any other type of animal and shall include all such animals regardless of the cause of death of such animals.

(b) Any other provision of this chapter to the contrary notwithstanding, it shall be the duty of the Department of Transportation to remove and dispose of the carcasses of all dead animals found within the rights of way of all highways within the state maintained either totally or in part from state funds. Such carcasses or parts of carcasses shall be disposed of in a manner consistent with this chapter. (Ga. L. 1974, p. 404, § 1.)

#### **4-5-5 Methods of disposal of dead animals.**

Methods which can be used for disposal of dead animals are burning, incineration, burial, rendering, or any method using appropriate disposal technology which has been approved by the Commissioner of Agriculture. Disposal of dead animals by any of the approved methods must be completed within 24 hours after death or discovery. Dead animals that are buried must be buried at least three feet below the ground level, have not less than three feet of earth over the carcass, and must not contaminate ground water or surface water. (Ga. L. 1969, p. 1018, § 5; Ga. L. 2000, p. 1297, § 1; Ga. L. 2002, p. 1397, § 3.)

#### **4-5-6 Destruction of diseased and disabled animals which have been abandoned.**

For the purpose of putting a speedy end to the suffering of hopelessly diseased and disabled animals, any person finding any abandoned domestic animal which is diseased or injured past recovery may apply to any magistrate of the county, who may summarily decide whether such animal should be destroyed, after giving notice to the owner, if known, whenever such notice can be given without defeating the object of this Code section. The order authorizing the destruction of such animal shall not defeat the owner’s claim for damages against the person destroying or procuring the destruction of such animal. (Ga. L. 1878-79, p. 183, § 2; Code 1882, § 4612(b); Civil Code 1895, § 1755; Civil Code 1910, § 2014; Code 1933, § 62-211; Ga L. 1983, p. 884, § 4-1.)

#### **4-5-7 Disposal of dead animals and waste material; approval by Commissioner.**

(a) Public livestock sales markets, livestock slaughter establishments, poultry dealers, poultry sales establishments, pet dealers, kennels, bird dealers, animal shelters, and stables licensed by the Georgia Department of Agriculture shall have a written, approved method and place for the disposal of all dead animals and all accessory waste material involved in the handling of dead animals which die on or within the premises of such establishments.

(b) The Commissioner of Agriculture shall approve the methods and places for disposal of such dead animals and may establish procedures, methods and permits for disposal of dead animals. (Ga. L. 1969, p. 1018, § 4; Ga. L. 2002, p. 1397, § 4.)

#### **4-5-8 Restriction upon transportation of dead animals or parts thereof into state.**

Dead animals or parts thereof, raw or unrendered, except green salted hides, shall not be allowed to enter the State of Georgia except by written permit issued by the Georgia Department of Agriculture; provided, however, that licensed research institutes, accredited colleges or state colleges and universities, and departments of municipal governments may transport and receive dead animals for research or investigational purposes only. (Ga. L. 1969, p. 1018, § 7.)

**4-5-9 Prohibition or restriction on transport of dead animals; permit issuance.**

The Commissioner of Agriculture may prohibit or restrict, at his or her discretion, and issue permits for the hauling or transportation of dead animals or types of dead animals and order the destruction thereof in accordance with this chapter. (Ga. L. 1969, p. 1018, § 6; Ga. L. 1973, p. 569, § 3; Ga. L. 2002, p. 1397, § 5.)

**4-5-10 Promulgation of rules and regulations.**

The Commissioner of Agriculture is authorized to promulgate rules and regulations to implement and accomplish the purposes of this chapter. (Ga. L. 1969, p. 1018, § 8; Ga. L. 2002, p. 1397, § 6.)

**4-5-11 Penalty for violation of chapter or rules or regulations promulgated thereunder.**

Any person, firm, partnership, or corporation, which violates any provision of this chapter or any rule or regulation made pursuant thereto, shall be guilty of a misdemeanor. (Ga. L. 1969, p. 1018, § 9.)