

# The Code of Alabama 1975



## **Title 22 HEALTH, MENTAL HEALTH AND ENVIRONMENTAL CONTROL.**

### **Chapter 27: SOLID WASTE.**

#### **Article 4: Disposal of Waste Cooking Grease and Animal Byproducts.**

##### **Section 22-27-70**

###### **Definitions.**

When used herein the following words and terms shall have meaning ascribed below unless the context clearly indicates otherwise.

- (1) **COMMERCIAL ESTABLISHMENT.** Any food service establishment, retail food store, public or private school, food processing establishment, or other establishment where food is sold or offered for sale; or any establishment that slaughters, fabricates, bones, or processes animals, poultry, or fish, whether or not required by law to be licensed or permitted by an agency of the State of Alabama.
- (2) **DISPOSE.** To discard or carry away, whether personally or by and through a contractor, and whether for the purposes of recycling, reuse, or reprocessing or for ultimate elimination.
- (3) **INEDIBLE ANIMAL BY-PRODUCT.** Any bone, fat, offal, carcass, blood, skin, hide, tallow, lard, feather, horn, hoof, or any other solid by-product derived from any animal, poultry, or fish, as part of the operation of a commercial establishment; but not to include post-consumer waste from retail food service establishments or commercial kitchens.
- (4) **WASTE COOKING GREASE.** Grease, fat, or oil, whether derived from plant or animal or any combination thereof, previously used in the cooking or preparation of food for animal or human consumption and is no longer suitable for such use.

*(Act 2001-661, p. 1383, §1.)*

##### **Section 22-27-71**

###### **Disposal in approved manners.**

All commercial establishments, except nonlicensed or permitted family farms which produce waste cooking grease or any inedible animal by-product in the course of doing business shall dispose of such grease or by-product only in a manner approved by the agency granting a license or permit to operate the establishment, if applicable, or in any

case in a manner approved by the Department of Agriculture and Industries, Department of Environmental Management, or the Department of Public Health, or local water and wastewater utilities, as appropriate.  
(Act 2001-661, p. 1383, §2.)

#### **Section 22-27-72**

#### **Compliance with Section 22-27-71.**

Failure to comply with the provisions of Section 22-27-71 are grounds for the refusal of or suspension of a license or permit otherwise required by law.

(Act 2001-661, p. 1383, §3.)

#### **Section 22-27-73**

#### **Violations of article.**

Any person who violates the provisions of this article shall, upon conviction be guilty of Class C misdemeanor.

(Act 2001-661, p. 1383, §4.)

### Article 4A

#### **Section 22-27-90**

#### **Definitions.**

When used herein the following terms shall have the following meanings:

(1) COMMERCIAL ESTABLISHMENT. Any food service establishment, retail food store, limited food service establishment, limited retail food store, food processing establishment, or other place of business where food is prepared or sold or offered for sale, or any establishment that slaughters, fabricates, bones or processes animals, poultry, or fish, whether or not required by law to be licensed or permitted by an agency of the State of Alabama.

(2) DEPARTMENT. The Alabama Department of Environmental Management as established by Section 22-22A-4.

(3) DISPOSE. To discard or carry away, whether personally or by and through a contractor, and whether for the purposes of recycling, reuse, or reprocessing or for ultimate elimination.

(4) INEDIBLE ANIMAL BY-PRODUCT. Any bone, fat, offal, carcass, blood, skin, hide, tallow, lard, feather, horn, hoof, or any other solid by-product derived from any animal, poultry, or fish, as part of the operation of a commercial establishment, but not to include, post-consumer waste from retail food service establishments or commercial kitchens.

(5) LICENSED, PERMITTED, OR REGISTERED RENDERER. An establishment licensed, permitted, or registered by the Alabama Department of Agriculture and Industries to receive, transport, and process inedible animal by-products and waste cooking grease.

(6) TRANSPORT. To carry or move from one location to another by way of public or private roads, whether personally or by and through a contractor.

(7) VEHICLE. Every form of conveyance except those which by their very nature can have no application in, on, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks, provided, however, that for the purposes of this article, a bicycle or a ridden animal shall be deemed a vehicle.

(8) VIRGIN COOKING GREASE. Grease, fat, or oil, whether derived from plant or animal or any combination thereof, intended for use in cooking or preparation of food for animal or human consumption that has not been previously used.

(9) WASTE COOKING GREASE. Grease, fat, or oil, whether derived from plant or animal or any combination thereof, previously used in the cooking or preparation of food for animal or human consumption and is no longer suitable for that use, but not to include interceptor or trap grease.

*(Act 2003-398, §1.)*

#### **Section 22-27-91**

#### **Approved methods of disposal.**

All waste cooking grease and inedible animal by-product produced in the course of doing business in commercial establishments, except nonlicensed or permitted farms, shall be disposed of by utilization of an approved method. Approved methods of disposal shall be limited to the following:

(1) Discharging the waste cooking grease or inedible animal by-product into a municipal sewer when the receiving municipality has agreed in writing to accept the waste and under the conditions specified by the municipality.

(2) Depositing the waste cooking grease or inedible animal by-product into a landfill approved by the department to receive the waste and under the conditions as shall be specified by the landfill permit.

(3) Offering the waste cooking grease or inedible animal by-product for removal or transportation by a licensed, permitted, or registered renderer for the purposes of recycling.

(4) Other methods of disposal approved by the appropriate state regulatory agency.

*(Act 2003-398, §2.)*

#### **Section 22-27-92**

#### **Transport of cooking grease.**

It is unlawful to transport waste cooking grease and virgin cooking grease on or in the same vehicle or to use in the preparation of food for human consumption virgin cooking grease which has been transported on or in the same vehicle as waste cooking grease.

*(Act 2003-398, §3.)*

#### **Section 22-27-93**

#### **Compliance with article.**

Failure to comply with the provisions of this article shall constitute grounds for the denial, suspension, or revocation of a license or permit otherwise required by law to operate the commercial establishment.

*(Act 2003-398, §4.)*

#### **Section 22-27-94**

#### **Violations of article.**

Any person who violates the provisions of this article shall, upon conviction, be guilty of a Class B misdemeanor.

*(Act 2003-398, §5.)*