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**IDAPA 02
TITLE 08
Chapter 01**

02.08.01 - SHEEP AND GOAT RULES OF THE IDAHO BOARD OF SHEEP COMMISSIONERS

000. LEGAL AUTHORITY.

This chapter is adopted under the legal authority of Title 25, Chapter 1, Idaho Code. (5-20-94)

001. TITLE AND SCOPE.

The title of this chapter is the Sheep and Goat Rules of the Idaho Board of Sheep Commissioners, hereafter referred to as "Board". This chapter has the following scope: These rules shall govern procedures for the prevention, control and eradication of diseases among sheep and goats, the interstate and intrastate movement of sheep and goats and the assessment of fees on sheep and goats to provide resources to carry out these functions. The official citation of this chapter is IDAPA 02.08.01, Section 000 et. seq. For example, this section's citation is IDAPA 02.08.01, Section 001. (1-1-98)T

002. WRITTEN INTERPRETATIONS.

There are no written interpretations of these rules. (5-20-94)

003. ADMINISTRATIVE APPEAL.

There is no provision for administrative appeals before the Board under this chapter. Hearing and appeal rights are set forth in Title 67, Chapter 52, Idaho Code. (1-1-98)T

004. DEFINITIONS.

01. Blackface Breeding Stock. Intact male or female sheep of blackface breeds and intact male or female sheep that are crosses of blackface and other breeds of sheep. (1-1-98)T

02. Flock. For the purpose of these rules, the terms flock or flocks shall be interchangeable with the terms herd or herds. (1-1-98)T

03. Idaho Flock Identification Number. A unique flock identification number assigned to the owner of each flock of blackface breeding sheep in the state of Idaho. (1-1-98)T

04. Official Individual Identification. The unique identification of individual animals with an alpha numeric number applied as a tamper proof tag, tattoo, electronic device, or other tag approved by USDA or the Board. The Idaho Flock Identification number can serve as the official individual identification number if it contains a unique individual animal number in addition to the flock number. (1-1-98)T

05. Scrapie. A transmissible spongiform encephalopathy that is a nonfebrile, transmissible, insidious, degenerative disease affecting the central nervous system of sheep and goats. (1-1-98)T

06. Scrapie Exposed Animal. Any animal which has been in the same flock at the same time within the previous sixty (60) months as a scrapie positive animal excluding limited contacts. Limited contacts are contacts between animals that occur off the premises of the flock and do not occur during or immediately after parturition for any of the animals involved. (1-1-98)T

07. Scrapie High Risk Animal. An animal determined by epidemiologic investigation to face a high risk of developing clinical scrapie because the animal was: Progeny of a scrapie-positive dam; born in the same contemporary lambing group as a scrapie-positive animal; or was born in the same contemporary lambing group as progeny of a scrapie-positive dam. Animals that fit the criteria for high risk animals which are determined by genetic testing to be QR or RR at the 171 codon, or are determined by other recognized testing procedures to pose no risk, may be exempted as high risk animals by the Board, upon the recommendation of the State Scrapie Certification Board, based upon evidence from the latest research information available. (1-1-98)T

08. Scrapie Infected Flock. Any flock in which a scrapie-positive animal has been identified by a state or federal animal health official. (1-1-98)T

09. Scrapie-positive Animal. An animal for which a diagnosis of scrapie has been made by the National Veterinary Services Laboratories, USDA, or another laboratory authorized by state or federal officials to conduct scrapie tests through histological examinations of central nervous system samples from the animal for microscopic lesions in the form of neuronal vacuoles or spongy degeneration; by the use of protease-resistant protein analysis or other confirmatory techniques used in conjunction with histological examinations; or by other diagnostic procedures approved for scrapie diagnosis by USDA. (1-1-98)T

10. Scrapie Source Flock. A flock in which an animal was born and subsequently diagnosed as scrapie-positive at less than fifty-four (54) months of age. A single trace to a flock must meet the following criteria to designate the flock as a source flock: The scrapie-positive animal must: (1-1-98)T

a. Be identified with an Idaho Flock Identification Number on a tamper proof tag; or an official eartag, electronic device, ear tattoo, or flank tattoo which is correlated to the Idaho Flock Identification number on flock records; or, (1-1-98)T

b. Be identified with a DNA hereditary test or nose print; or, (1-1-98)T

c. Possess the original registry eartag or individual identification ear tag along with the movement, production, and registry records indicating birth in the source flock; or, (1-1-98)T

d. Be traced to the flock by a veterinary epidemiologist through a thorough epidemiological investigation of records and all other available evidence. (1-1-98)T

11. Voluntary Scrapie Flock Certification Program. A national voluntary program for classification of flocks relative to scrapie. (1-1-98)T

005. -- 009. (RESERVED).

010. SHEEP AND GOATS.

01. State Entrance Requirements. All sheep breeding stock and goats entering the state of Idaho except as provided in Subsections 010.03 and 010.05 and Subsections 200.01 and 200.02 of these rules shall be accompanied by a permit issued by the Board together with a certificate of veterinary inspection certifying that such sheep or goats are free from scrapie, scabies, foot rot, or symptoms of any communicable disease and are not known to have been exposed to scabies for a period of at least six (6) months immediately prior to date of inspection and are not known to have been exposed to any communicable disease for at least thirty (30) days immediately prior to date of inspection. All blackface breeding stock imported into the state of Idaho shall be individually identified with an official USDA identification tag, electronic device, or tattoo or other form of individual identification approved by the Board. The individual identification number shall be listed on the certificate of veterinary inspection. The original or true copy of the permit and certificate of veterinary inspection required by this rule shall be attached to the waybill covering such shipments. No sheep shall be shipped, trailed, or in any manner moved into the state of Idaho for any purpose if they originate in a state or area where sheep scabies is known to exist until the Board has been notified by the APHIS-USDA that such state or area where sheep scabies is known to exist has been classified by the APHIS-USDA as a sheep scabies eradication area. (1-1-98)T

02. Scabies. All sheep and goats, including rams and bucks, entering Idaho and which have originated in an area or areas in which scabies is known to exist within the past six (6) months shall be treated with a product approved by the APHIS-USDA under the supervision of an authorized state or federal inspector or accredited veterinarian. At the time of shipment, such sheep or goats shall be accompanied by a permit from the Board and a certificate of veterinary inspection from the state of origin and also a treatment certificate showing that such sheep or goats have been treated at point of origin as herein required. Any and all shipments of sheep and goats entering Idaho, and which have originated in states where scabies is known to exist, shall be subject to a thirty (30) to sixty (60) day quarantine and inspection at the time of arrival at destination, and a second inspection at the time of quarantine release, or as often as it may be deemed necessary by the Board. (1-1-98)T

03. Animals in Transit. Sheep and goats in course of transit through the state of Idaho, in trucks, or other vehicles from a point without the state of Idaho to another state or country, are not to be unloaded in Idaho

except in pens designated by APHIS-USDA for purpose of feed, water and rest for a period of time not to exceed ten (10) days, need not comply with Subsection 010.01, provided waybills or other documents accompanying the sheep or goats show origin and destination of such sheep and goats. Failure to have such waybills or other documents with the sheep or goats shall constitute a violation of these rules. The Board, however, may prohibit the transportation of any sheep or goats through the state it feels represents a threat to the general health and welfare of the Idaho sheep industry. (1-1-98)T

04. Milk Goats. All milk type goats, including bucks, entering Idaho shall be accompanied by a permit issued by the Board, together with a certificate of veterinary inspection issued at point of origin by an authorized veterinarian, to which certificate of veterinary inspection there shall be attached a negative test for brucellosis, conducted within thirty (30) days of the date of entry into the state of Idaho. The negative test chart shall be signed by the person in charge of the laboratory where the test was made and approved by the state livestock sanitary official of the state of origin. Goats entering Idaho on a short term temporary basis for show or other temporary purposes may be exempted from having a negative test for brucellosis completed, with permission from the Board. (1-1-98)T

05. Scrapie. (5-20-94)

a. Program Standards. The USDA Voluntary Scrapie Flock Certification Uniform Methods and Rules, October 1, 1992, as amended in 1997; and Scrapie in Sheep and Goats, Title 9, Parts 54 and 79, Code of Federal Regulations, January 1, 1997, as amended, are hereby incorporated by reference as the minimum standards for the scrapie control and eradication program in Idaho. Copies of these documents are on file at the Idaho Department of Agriculture, Division of Animal Industries, 2270 Old Penitentiary Road, Boise, Idaho 83712 and through the Department of Administration, Office of the Rules Coordinator, located at 650 West State Street, Boise, Idaho 83720 and are available upon request. (1-1-98)T

b. Importation of Exposed, Suspect and High Risk Animals. Sheep and goats that are scrapie suspect, exposed or high risk animals or from scrapie infected, source, trace or exposed flocks, as defined in the Voluntary Scrapie Flock Certification Uniform Methods and Rules, and Scrapie in Sheep and Goats, Title 9, Parts 54 and 79, Code of Federal Regulations, shall not be allowed entry into Idaho except as follows: Scrapie suspect, exposed or high risk animals and animals from infected, source, trace or exposed flocks may be imported directly to approved scrapie research facilities, approved slaughter facilities for immediate slaughter or to approved feedlots for finish feeding for slaughter only, if accompanied by a permit issued by the Board or its representative; and the animals are individually identified by official identification tattoos, tags, or devices on a VS 1-27 or other approved movement document. Each such animal shall also be identified with an indelible "S" mark at least one inch high on the left jaw. (1-1-98)T

011. -- 099. (RESERVED).

100. PERMITS.

01. Request for Permits. Request for the permits required under Section 010 shall be in writing, by telephone or facsimile and shall set forth the name and address of the owner of the animals offered for movement into the state of Idaho, the number and class of sheep and goats to be brought in, the destination, the name and address of the consignee, and the approximate date and place of entry. A copy of the permit, or permit number written on the face of the waybill or certificate of veterinary inspection accompanying movement, shall be shown to a representative of the Board or any law enforcement officer of the state, county, or municipality of the state of Idaho upon request. (1-1-98)T

02. Certificates of Veterinary Inspection to Be Furnished. Copies of the certificates of veterinary inspection from the point of origin shall accompany the shipment and shall include a copy of the permit or the permit number written on the face of the certificate of veterinary inspection and shall be shown to a representative of the Board or any law enforcement officer of the state, county, or municipality of the state of Idaho upon request, and a copy forwarded to the Idaho Department of Agriculture, Division of Animal Industries, c/o Idaho Board of Sheep Commissioners, P.O. Box 7249, Boise, Idaho 83707 immediately after issuance for sheep and goats entering the state of Idaho. (1-1-98)T

03. Inspection Fees. An inspection fee of one hundred dollars (\$100) per incidence, plus mileage, shall

be paid on all sheep and goats entering or leaving the state that have failed to comply with the import or export regulations and require an inspection. (5-20-94)

04. Examination and Treatment Fees. The Board may assess a fee on sheep and goat producers who receive services from the Board or its representatives, such as examination and treatment of animals for diseases or parasites. The fees assessed shall not exceed the actual costs for the services rendered. (1-1-98)T

101. -- 199. (RESERVED).

200. INTERSTATE SHIPMENTS.

01. Waybill Requirement. All feeding and breeding sheep and goats leaving the state of Idaho by any common carrier, by railroad, truck, private conveyance, or any kind of transportation shall be accompanied by a waybill, stating the owner's name and indicating destination of sheep or goats, or shall be accompanied by a certificate of veterinary inspection issued by an inspector appointed by the Board or a representative of the APHIS-USDA, or accredited veterinarian; said certificates of veterinary inspection to be dated not more than ten (10) days prior to date of movement, and shall comply with the rules for the state of destination. (1-1-98)T

02. Waybill Violation. Failure to have such waybills or other documents with the sheep or goats shall constitute a violation of these rules and shall be punishable as provided in Section 300. (5-5-80)

03. Carriers. No common or contract carrier or owner or caretaker shall unload any sheep or goats within the state of Idaho from other states or country, other than as provided in Subsections 010.03 and 010.05, and Section 200, of these rules, unless such shipments be accompanied by a permit issued by the Board and the official certificate as provided herein. The original or true copy of each certificate with permit shall be attached to the waybill covering such shipments or be in possession of the owner or caretaker of shipment. (1-1-98)T

04. Who May Inspect. Regularly authorized state or federal inspectors and duly licensed and accredited veterinarians. (5-5-80)

05. Official in Charge of Sheep and Goats. Idaho Department of Agriculture, Division of Animal Industry, Idaho Board of Sheep Commissioners, PO Box 7249, Boise, Idaho 83707. (1-1-98)T

201. SCRAPIE CERTIFICATION, CONTROL AND ERADICATION.

01. Scrapie Certification Program. The Board adopts the provisions of the Voluntary Scrapie Flock Certification Uniform Methods and Rules, which were effective October 1, 1992, and amended in 1997, as the minimum standards for the scrapie program in Idaho. (1-1-98)T

02. Identification of Blackface Breeding Sheep. (1-1-98)T

a. The Board or its designee shall designate the form and content of the Idaho flock identification number, approve identification devices for utilization of the flock identification number, assure availability of flock identification devices, and assign Idaho flock identification numbers to owners or possessors of blackface breeding stock. (1-1-98)T

b. Owners and possessors of blackface breeding stock shall bear the cost of obtaining the identification devices and placing the device in or on the animal. (1-1-98)T

c. All owners or possessors of blackface breeding stock in Idaho shall identify all blackface breeding stock in the flock which are one (1) year of age or older with an Idaho flock identification number. Blackface breeding stock of any age shall be identified with a flock identification number before transfer of ownership or possession. (1-1-98)T

d. Blackface breeding stock imported into the state shall be identified with a flock identification number within ninety (90) days of entry into the state. (1-1-98)T

e. Blackface breeding stock of any age shall be identified with a flock identification number prior to movement of such sheep from the premise of origin for show, sale, purchase or other movement. (1-1-98)T

f. Blackface breeding stock sold within the state shall retain the original flock identification number. In the event an animal loses a flock identification device, the owner of the animal shall re-identify the animal with his or her flock identification number and shall maintain records to document the original and new flock identification numbers. (1-1-98)T

g. Acceptable devices for application of the flock identification number to blackface breeding stock shall include: tamper proof ear tags bearing the flock identification number, legible tattoos bearing the flock identification number, electronic devices with owner records correlated to the flock identification number, approved voluntary scrapie flock certification program identification devices, and other identification devices approved by the Board. (1-1-98)T

h. Blackface animals exempt from the requirement for identification with a flock identification number shall include: (1-1-98)T

i. Neutered animals. (1-1-98)T

ii. Sexually intact market lambs consigned directly to an approved slaughter facility or consigned directly to an approved lamb feedlot for finish feeding for slaughter only. Animals in approved feedlots may be removed only to approved slaughter facilities or other approved feedlots. (1-1-98)T

iii. Lambs under (1) one year of age that have not been sold or transferred to the possession of another person or entity. (1-1-98)T

iv. Lambs under ninety (90) days of age accompanied by their dams, which are identified with a flock identification number, may be sold or transferred to the possession of another without being identified with a flock identification number. (1-1-98)T

03. Quarantine. Infected and source flocks or flocks that have received high risk animals shall be placed and held under quarantine until the infected or high risk animals have been slaughtered or depopulated and the flock has qualified for and has been enrolled in the Voluntary Scrapie Flock Certification program. Flocks not participating in the certification program shall remain under quarantine until the entire flock has been depopulated. (1-1-98)T

04. Restriction of Exposed Animals. Scrapie exposed flocks and animals from exposed flocks shall be placed under a hold order when the flock or animals are determined to be exposed. An epidemiological investigation will be conducted on the flock or animals to determine the risk of infection with scrapie. The flock or animals will be maintained under hold order until the flock has fulfilled Section III of the Scrapie Uniform Methods and Rules or until the scrapie epidemiologist has determined that the flock or animals do not pose a substantial risk to other flocks. (5-20-94)

05. Movement of Restricted Animals. Animals from infected and source flocks and high risk animals may be moved from quarantined premises only under the following conditions: (1-1-98)T

a. The animals are individually identified on a VS 1-27 form or other approved document, by official eartags, tattoos or devices. (5-20-94)

b. The animals are indelibly marked with an "S" at least one (1) inch high on the left jaw. (5-20-94)

c. The animals are consigned directly to an approved slaughter facility for immediate slaughter or to an approved feedlot for finish feeding for slaughter only. Animals in approved feedlots may be removed only to approved slaughter facilities or other approved feedlots; or (5-20-94)

d. The animals are consigned directly to an approved livestock market for sale directly to an approved slaughter facility for immediate slaughter or to an approved feedlot for finish feeding for slaughter only. The animals

must be individually identified on a VS 1-27 form or other approved document for movement from the approved livestock market to final destination. (5-20-94)

e. The Board or its representative may, by written permission, allow the animals to be moved, under quarantine, to other pre-approved locations. The animals may be moved in sealed vehicles or be accompanied in transit by representatives of the Board in lieu of individual identification. Animals so moved shall be retained under quarantine at the new location. (1-1-98)T

202. CONDEMNATION AND DESTRUCTION OF DISEASED ANIMALS OR FLOCKS.

01. Animals or Flocks Infected. Animals or flocks determined by representatives of the Board or USDA to be infected with scrapie or other contagious, infectious, or communicable diseases which have been identified by the Board to be diseases of concern to the sheep or goat industry of the state may be condemned by order of the Board. (1-1-98)T

02. Animals or Flocks Condemned. Animals or flocks condemned by order of the Board shall be destroyed or otherwise disposed of as directed by order of the Board and under the conditions set by the Board. (1-1-98)T

203. INDEMNIFICATION.

01. Owners, Individuals, Partnerships, Corporations or Other Legal Entities. Owners, individuals, partnerships, corporations or other legal entities whose animals or flocks have been destroyed or otherwise disposed of by order of the Board may be eligible for indemnification in the form of cash payment from the Sheep and Goat Disease Indemnity Fund for all or part of the value of the animals destroyed or otherwise disposed of and for the actual cost for burial or disposal of animal carcasses. (1-1-98)T

02. Indemnity Payments Paid. Indemnity payments shall be paid only to an owner of sheep or goats that were born in the state of Idaho or were imported into the state in compliance with existing Idaho statutes and rules promulgated thereunder. (1-1-98)T

03. Amount of Indemnity to Be Paid for Each Animal. The amount of indemnity to be paid for each animal shall be determined by the Board and shall not exceed the difference between the appraised price, less federal indemnity, and the salvage value of the animal. In the event federal indemnity is not available the amount of indemnity shall not exceed the difference between the appraised price and salvage value. (1-1-98)T

04. Maximum Amount of Indemnity. The maximum amount of indemnity for each animal shall not exceed: (1-1-98)T

a. Ewes or does one (1) year of age or older - two hundred dollars (\$200) per head. (1-1-98)T

b. Rams or billies one (1) year of age or older - four hundred dollars (\$400) per head. (1-1-98)T

c. Lambs or kids under one (1) year of age - current market price per pound with a maximum of one hundred dollars (\$100) per head. (1-1-98)T

05. Indemnity Payment Upon Approval of Appraisal. Upon approval of the appraisal, one-half (1/2) of the indemnity payment will be paid at that time. The other one-half (1/2) of the indemnity payment, or the prorated portion thereof, will be paid at the end of the fiscal year. (1-1-98)T

204. -- 249. (RESERVED).

250. CLEANING AND DISINFECTION.

Barns, sheds, stockyards, trucks, aircraft, ferryboats and other vehicles, feed yards, stables, pens, corrals, lanes and premises which have been used in confining, trailing, or transporting any sheep or goats affected or infected with any contagious, infectious or communicable diseases, shall be cleaned and disinfected under state or federal supervision as directed by the Board or an authorized representative of the Board, and the owner of such premises, conveyances,

or carrier shall be responsible for such cleaning and disinfecting. (1-1-98)T

251. -- 299. (RESERVED).

300. VIOLATIONS.

Any person, company, corporation or association or any agent, servant or employee of such, who shall violate or disregard any of these sheep and goat rules or any other sanitary or quarantine rule, order of the Board or inspector thereof shall be deemed guilty of a misdemeanor and upon conviction be fined not less than one hundred dollars (\$100) nor more than five thousand dollars (\$5,000) for each offense. (1-1-98)T

301. -- 349. (RESERVED).

350. SHEEP RULES.

The following rules shall apply to all sheep. (5-5-80)

01. Payment of Assessment. The owner of sheep on July 1st of the assessment year shall be responsible for the payment of the assessment levied by the Board as provided for in Section 25-130 and 25-131, Idaho Code. The rate of assessment shall be six cents (\$.06) per pound on all wool, in the grease basis, except tags, crutchings, and dead wool. (1-1-98)T

02. Assessment as Resident Sheep. The assessment shall be levied and assessed to the producer at the time of the first sale of wool and shall be deducted by the first purchaser from the price paid to the producer at the time of such sale. (5-5-80)

03. Migratory Sheep. In the event that a sheep, which produces wool subject to this assessment, shall be located outside the state of Idaho during a part of the assessment year, the amount of the assessment shall be reduced on a pro rata basis. A grower will be required to request a pro rata adjustment in writing to the Board. (1-1-98)T

04. Costs of Collection. All costs of collection of delinquent assessments shall be borne as an additional charge against the delinquent assessee first purchaser. (7-1-93)

351. -- 999. (RESERVED).