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**IDAPA 02
TITLE 04
CHAPTER 20**

02.04.20 - RULES GOVERNING BRUCELLOSIS

000. LEGAL AUTHORITY.

This chapter is adapted under the legal authority of Title 25, Chapters 2, 6 and [37] 35, Idaho Code. (5-3-03)

001. TITLE AND SCOPE.

01. Title. The title of this chapter is “Rules Governing Brucellosis”. (5-3-03)

02. Scope. These rules govern prevention, surveillance, diagnosis, control, management and eradication of brucellosis in the state of Idaho. The official citation of this chapter is IDAPA 02.04.20.000 et seq. For example, this Section’s citation is IDAPA 02.04.20.001. (5-3-03)

002. WRITTEN INTERPRETATIONS.

There are no written interpretations of these rules. (5-3-03)

003. ADMINISTRATIVE APPEAL.

Persons may be entitled to appeal agency actions authorized under these rules pursuant to Title 67, Chapter 52, Idaho Code. (5-3-03)

004. INCORPORATION BY REFERENCE.

The following documents are incorporated by reference and copies of these documents may be obtained from the Idaho State Department of Agriculture Central Office and the State Law Library: (5-3-03)

01. The October 1, 2003 Edition of the Brucellosis Eradication Uniform Methods and Rules. (4-11-06)

02. The September 30, 2003 Edition of the Brucellosis in Cervidae: Uniform Methods and Rules. (4-11-06)

03. The April 1998 Edition of the Swine Brucellosis Control/Eradication: State-Federal-Industry Uniform Methods and Rules. (5-3-03)

04. The Code of Federal Regulations Title 9, Parts 71, 78, and 161, January 1, 2005. (4-11-06)

005. ADDRESS, OFFICE HOURS, TELEPHONE, AND FAX NUMBERS.

01. Physical Address. The central office of the Idaho State Department of Agriculture is located at 2270 Old Penitentiary Road, Boise, Idaho 83712-0790. (5-3-03)

02. Office Hours. Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays designated by the state of Idaho. (5-3-03)

03. Mailing Address. The mailing address for the central office is Idaho State Department of Agriculture, P.O. Box 790, Boise, Idaho 83701. (5-3-03)

04. Telephone Number. The telephone number for the Division of Animal Industries at the central office is (208) 332-8500. (5-3-03)

05. Fax Number. The fax number for the Division of Animal Industries at the central office is (208) 334-4062. (5-3-03)

006. IDAHO PUBLIC RECORDS ACT.

These rules are public records available for inspection and copying at the Central Office of the Idaho State

Department of Agriculture and the State Law Library. (5-3-03)

007. -- 009. (RESERVED).

010. DEFINITIONS.

The following definitions shall apply in the interpretation and enforcement of this chapter. (5-3-03)

01. Accredited Veterinarian. A veterinarian approved by the Administrator and USDA/APHIS/VS in accordance with provisions of Title 9, Part 161, Code of Federal Regulations to perform functions of State-Federal animal disease control programs. (5-3-03)

02. Administrator. The administrator of the Division of Animal Industries, Idaho State Department of Agriculture or his designee. (5-3-03)

03. Approved Brucella Vaccine. A vaccine product that is approved by and produced under license of the USDA for administration to cattle, domestic bison, swine or domestic cervidae for the purpose of enhancing the resistance to brucellosis. (5-3-03)

04. Approved Feedlot. A feedlot approved by the Administrator to feed female cattle and domestic bison, which have not been officially vaccinated against brucellosis. (5-3-03)

05. Brucellosis. An infectious disease of animals and humans caused by bacteria of the genus *Brucella*. (5-3-03)

06. Brucellosis Emergency. The declaration of an animal health emergency by the director as the result of the diagnosis of brucellosis in cattle, domestic bison, swine or domestic cervidae in the state of Idaho or in areas outside the state that could result in transmission of brucellosis to Idaho cattle, domestic bison, swine, or domestic cervidae. (5-3-03)

07. Cattle. All bovidae. (5-3-03)

08. Department. The Idaho State Department of Agriculture. (5-3-03)

09. Director. The director of the Idaho State Department of Agriculture or his designee. (5-3-03)

10. Division of Animal Industries. Idaho State Department of Agriculture, Division of Animal Industries. (5-3-03)

11. Domestic Bison. All animals in the genus *Bison* that are owned by a person. (5-3-03)

12. Domestic Cervidae. Elk, fallow deer and reindeer that are owned by a person. (5-3-03)

13. Exposed. Animals that have had contact with other animals, herds, or materials that have been determined to be infected with or affected by *Brucella*. (5-3-03)

14. Federal Animal Health Official. An employee of USDA, APHIS, VS who is authorized to perform animal health activities. (5-3-03)

15. Infected Animals or Herds. Animals that are classified as reactors by the designated brucellosis epidemiologist or herds that contain one or more reactor animals. (5-3-03)

16. Negative. Cattle, domestic bison, swine or domestic cervidae are classified negative: (5-3-03)

a. When their blood serum has been subjected to official serological tests and the test results fail to disclose evidence of *Brucella* infection; and (5-3-03)

b. If blood, milk or tissues are subjected to bacteriological methods for cultivating field-strain

Brucella and none are recovered. An animal is classified as negative when all tests that are performed fail to disclose evidence of brucellosis. (5-3-03)

17. Official Identification. The unique individual identification of cattle, domestic bison, swine, or domestic cervidae in accordance with these rules. (5-3-03)

18. Official Vaccinate. A bovine or domestic bison female that was inoculated, in accordance with these rules and the Brucellosis Eradication UM&R, with an approved Brucella vaccine. (5-3-03)

19. Operator. The person who has authority to manage or direct a cattle, domestic bison, swine, or domestic cervidae premise, or conveyance and the animals thereon. (5-3-03)

20. Owner. The person who owns or has financial control of cattle, domestic bison, swine, domestic cervidae, or a cattle, domestic bison, swine, or domestic cervidae premise. (5-3-03)

21. Person. Any individual, association, partnership, firm, joint stock company, joint venture, trust, estate, political subdivision, public or private corporation, or any legal entity, which is recognized by law as the subject of rights and duties. (5-3-03)

22. Premise. The ground, area, buildings, corrals, and equipment utilized to keep, hold, or maintain animals. (5-3-03)

23. Quarantine. A written order, executed by the Administrator, to confine or hold animals on a premise or any other location, where found, and to prevent movement of animals from a premise or any other location when the administrator has determined that the animals have been found or are suspected to be exposed to or infected with Brucella, or the animals are not in compliance with the provisions of this chapter. (5-3-03)

24. Reactor. Cattle, domestic bison, swine or domestic cervidae are classified as reactors when their blood serum has been subjected to official serological tests and the test results indicate that the animal has been exposed to and infected with Brucella. Cattle, domestic bison, swine or domestic cervidae are also classified as reactors in the absence of significant serologic test results when other diagnostic methods, such as bacteriologic methods, result in the recovery of field-strain Brucella organisms, or a significant rise in the serologic titer occurs, or when other epidemiologic evidence of Brucella infection is demonstrated. (5-3-03)

25. Re-Identification of Official Vaccinates. The identification of female cattle or other animals which have been officially vaccinated and identified, as provided in this chapter, and which have lost the official identification device or the tattoo has faded to the extent that it cannot be discerned. (5-3-03)

26. Restrain. The confinement of cattle, domestic bison, swine, or domestic cervidae in a chute, or other device, for the purpose of efficiently, effectively, and safely inspecting, treating, vaccinating, or testing. (5-3-03)

27. Restricted Movement Permit. A VS Form 1-27, or other document approved by the Administrator for movement of reactor or exposed animals in commerce. (5-3-03)

28. State Animal Health Official. The Administrator, or his designee, responsible for disease control and eradication programs. (5-3-03)

29. State/Federal Animal Health Laboratory. The official laboratory in Idaho that is approved by the Administrator and USDA/APHIS/VS, to conduct serologic and bacteriologic tests to detect Brucella. (5-3-03)

30. Suspect. Cattle, domestic bison, swine, or domestic cervidae are classified as suspects when their blood serum has been subjected to official serologic tests and the results suggest infection but are inconclusive. If bacteriologic methods to culture Brucella from blood, milk or tissues were used, they did not yield field-strain Brucella. (5-3-03)

31. Swine. All animals in the family suidae. (5-3-03)

32. Wild Bison. All animals in the genus Bison that are not owned by a person (5-3-03)

33. Wild Elk. All elk that are not owned by a person. (5-3-03)

011. ABBREVIATIONS.

01. APHIS. Animal Plant Health Inspection Service. (5-3-03)

02. AVIC. Area Veterinarian in Charge. (5-3-03)

03. CFR. Code of Federal Regulations. (5-3-03)

04. MCI. Market Cattle Identification. (5-3-03)

05. UM&R. Uniform Methods and Rules. (5-3-03)

06. USDA. United States Department of Agriculture. (5-3-03)

07. VS. Veterinary Services. (5-3-03)

012. -- 019. (RESERVED).

020. APPLICABILITY.

These rules apply to all cattle, domestic bison, swine, and domestic cervidae located within, imported into, transported through or exported from the state of Idaho. (5-3-03)

021. SUPERVISION.

The official brucellosis eradication program shall be supervised by full-time state or federal veterinarians. (5-3-03)

022. INSPECTIONS.

In order to ascertain compliance with this chapter, state and federal animal health officials are authorized to inspect animals, records, premises and other areas where cattle, domestic bison, swine, domestic cervidae and other animals are held or kept. (5-3-03)

01. Entering Premises. In order to conduct activities authorized by this chapter, state or federal animal health officials are authorized to enter premises, other areas, or conveyances in the state where cattle, domestic bison, swine, domestic cervidae or other brucellosis susceptible animals are held or kept. State or federal animal health officials will attempt to notify the owner or operator of the premises or conveyance prior to conducting an inspection. (5-3-03)

02. Inspecting Records. To ensure compliance with the provisions of this chapter, state or federal animal health officials are authorized to have access to, inspect, review, and copy any records deemed necessary during normal business hours. State or federal animal health officials will attempt to notify the owner or operator of the premises where the records are located prior to inspecting records. (5-3-03)

03. Emergencies. In the event of an emergency, as determined by the Administrator, the notification requirements of this section may be waived. (5-3-03)

023. LABORATORIES.

Biological samples tested for brucellosis shall be tested only by official state-federal animal health laboratories or by persons authorized by the Administrator, and USDA/VS. (5-3-03)

01. Blood, Milk, Tissue, or Other Samples. All biologic samples shall be collected and tested in accordance with the UM&R for that species. (5-3-03)

02. Authorized Persons. The Administrator may authorize qualified persons to conduct serologic tests

for brucellosis. All samples initially tested at other than official state-federal animal health laboratories shall be promptly submitted to the official state-federal animal health laboratory for confirmation of test results. (5-3-03)

03. Retest of Reactors. Within three days (3) days after being notified of the results of an initial herd blood test, the owner may request an additional blood test on reactors, such test shall be made at owner's expense. The request shall be based on sound epidemiologic evidence, and all animals shall remain under herd quarantine. The request shall be made to the Administrator, who shall approve or deny the request. (5-3-03)

04. Reclassification of Reactors. Any reclassification of reactor animals shall be in accordance with the UM&R for that species. (5-3-03)

024. REPORTING.

Brucellosis activities conducted privately or as part of the official brucellosis eradication program shall be reported to the Administrator. (5-3-03)

01. Test Results. All test results shall be reported immediately. (5-3-03)

02. Vaccinations. All vaccination reports shall be submitted on a form approved by the Administrator within fifteen (15) days of date of vaccination. (5-3-03)

03. Disease. All owners of animals and veterinarians shall report evidence of brucellosis infection to the Administrator immediately. (5-3-03)

025. QUARANTINES.

All cattle, domestic bison, swine and domestic cervidae animals or herds determined to be exposed to or infected with brucellosis shall be quarantined. (5-3-03)

01. Infected Herds. Infected herds or animals shall remain under quarantine until such time that the herd has been completely depopulated and the premise has been cleaned and disinfected as provided by the administrator or the provisions for release of quarantine established in these rules have been met. (5-3-03)

02. Exposed Herds. The quarantine for exposed herds or animals may take the form of a hold-order which shall remain in effect until the exposed animals have been tested and the provisions for release of a quarantine as established in these rules have been met. (5-3-03)

03. Validity of Quarantine. The quarantine shall be valid whether or not it is acknowledged by signature of the owner. (5-3-03)

026. CLEANING AND DISINFECTING.

The Administrator is authorized to order the owner or operator of stockyards, pens, trucks, trailers, cars, vessels, chutes, and other conveyances and premises to clean and disinfect the same, at the owner's expense, whenever necessary for the eradication of brucellosis. Cleaning and disinfecting shall be done under the supervision of state or federal animal health officials. (5-3-03)

01. Infected Animals. Premises, conveyances, or other areas where infected animals have been held or kept shall be cleaned and disinfected under regulatory supervision within fifteen (15) days following the removal of reactors or the entire herd for slaughter. (5-3-03)

02. Exemptions. The Administrator may authorize an exemption from cleaning and disinfection requirements on a case by case basis. (5-3-03)

03. Extension of Time. The Administrator may authorize an extension of time for cleaning and disinfection under extenuating circumstances. (5-3-03)

027. WILD BISON AND WILD ELK.

01. Wild Bison. When wild bison enter into or are otherwise present within the state of Idaho, one (1)

of the following actions shall be taken by the department: (5-3-03)

a. If feasible, the wild bison shall be physically removed by the safest and most expeditious means from within the state boundaries or delivered to a slaughterhouse approved by the department. (5-3-03)

b. If wild bison cannot safely or by reasonable and permanent means be removed from the state, the wild bison may be destroyed where they stand by the use of firearms. If firearms cannot be used with due regard for human safety and public and private property, the wild bison shall be relocated to a danger free area and destroyed by any practicable means of euthanasia, including the use of firearms. (5-3-03)

c. When wild bison are killed, the carcass remains will be disposed of in accordance with IDAPA 02.04.17, "Rules Governing Dead Animal Movement and Disposal," or field dressed for delivery to a slaughterhouse or slaughter destination approved by the Administrator. (5-3-03)

02. Exposure of Livestock to Wild Bison. All cattle, domestic bison, and domestic cervidae animals and herds that come into contact with brucellosis affected wild bison, such that transmission of brucellosis could occur, shall be considered exposed to brucellosis. (5-3-03)

03. Exposure of Livestock to Wild Elk. All cattle, domestic bison, and domestic cervidae animals and herds that have feed-line or other contact, during winter months, with wild elk that have been determined to be affected with brucellosis, such that transmission of brucellosis could occur, shall be considered exposed to brucellosis. (5-3-03)

028. BRUCELLOSIS TESTING.

The Administrator may require brucellosis testing of cattle, domestic bison, swine, domestic cervidae, or other animals. (5-3-03)

01. Duty to Restrain. It shall be the duty of each person who has control of such animals to pen the animals in suitable pens and restrain them for the test when directed to do so in writing by the Administrator. (5-3-03)

02. Records of Tests. When any cattle, domestic bison, swine, or domestic cervidae are tested for brucellosis a complete test record shall be made and the record shall be shown on an official brucellosis test form provided by the Administrator. The test form shall be completely filled out, including the following information: (5-3-03)

a. The name and address of the owner and the location of the animals at the time of test. (5-3-03)

b. The name and signature of the person conducting the test. (5-3-03)

c. Individual identification number of each animal and the registration name and number of each purebred animal. (5-3-03)

d. Age of each animal. (5-3-03)

e. Sex of each animal. (5-3-03)

f. Breed of each animal. (5-3-03)

g. Species of animals tested. (5-3-03)

h. Vaccination status, including the vaccination tattoo for each vaccinated animal. (5-3-03)

i. Test results, if a brucellosis test has been performed, for each animal. (5-3-03)

029. BRUCELLOSIS EMERGENCY.

In order to prevent the re-establishment of brucellosis infection in cattle, domestic bison, swine or domestic cervidae

in the state, the Director may declare an animal health emergency. (5-3-03)

01. Brucellosis in Idaho. The Director may declare a brucellosis emergency in the event brucellosis is diagnosed in any cattle, domestic bison, swine or domestic cervidae in Idaho. (5-3-03)

02. Brucellosis in Adjacent Area. The Director may declare a brucellosis emergency in the event that brucellosis is discovered in areas in or outside the state that could result in transmission of brucellosis to Idaho cattle, domestic bison, swine, or domestic cervidae. (5-3-03)

03. Infected Herd(s) to Be Condemned and Depopulated. Pursuant to the provisions of Section 25-212, Idaho Code, animals and herds found to be infected with brucellosis shall be condemned and completely depopulated or slaughtered. (5-3-03)

030. BRUCELLOSIS INDEMNITY.

Owners of animals that are condemned and depopulated because of brucellosis shall be indemnified for such animals, and for reasonable costs of disposal and cleaning and disinfection in accordance with the provisions of this chapter, except as provided in Section 031. (5-3-03)

01. Indemnity Payments. Payments shall be based upon the appraised value, less federal indemnity and salvage value for the animals. (5-3-03)

02. Time Limit for Slaughter. Payment of indemnity shall be made under Section 030 for animals destroyed because of brucellosis, only if the animals are shipped to slaughter or die otherwise within fifteen (15) days after the date of individual identification and tagging, except that the appropriate veterinarian in charge, for reasons satisfactory to him, may extend the period to thirty (30) days and the Deputy Administrator, Veterinary Services, for reasons satisfactory to him may extend it beyond thirty (30) days. (5-3-03)

03. Reactors That Die. Indemnity may be paid on brucellosis reactors that die before being sent to slaughter provided: (5-3-03)

a. The reactors have been appraised and identified and die within fifteen (15) days from date of appraisal; and (5-3-03)

b. The state or federal animal health officials directing the disease control work are furnished with a signed statement by a veterinarian attesting that he observed the carcass of the dead animal and providing the reactor tag number found in the left ear of the animal and date of death. (5-3-03)

04. Other Costs. Reimbursement for disposal costs and cleaning and disinfection costs shall not exceed the actual cost. (5-3-03)

031. BRUCELLOSIS INDEMNITY – CLAIMS NOT ALLOWED.

Claims for compensation for animals destroyed because of brucellosis shall not be allowed if any of the following circumstances exist: (5-3-03)

01. Failure to Comply. The owner has failed to comply with any of the rules governing the handling of brucellosis reactors. (5-3-03)

02. Illegal Imports. The animals were illegally imported into the state. (5-3-03)

03. Animals Sold for Slaughter. At the time of the test or condemnation, the animals belonged to or were upon the premises of any person to whom the animals had been sold, shipped, or delivered for slaughter. (5-3-03)

04. Unapproved Test. The animals were subject to a test not approved by the Administrator. (5-3-03)

05. Untested Animals. All animals in the owner's herd have not been tested for brucellosis under state or federal supervision. (5-3-03)

06. Premises Not Cleaned. The premises occupied by the brucellosis infected animals were not cleaned and disinfected as directed, under state or federal supervision. (5-3-03)

07. Neutered Animals. The animals were neutered. (5-3-03)

08. Attempt to Improperly Obtain Funds. There is substantial evidence that the owner or his agent has in any way been responsible for any attempt unlawfully or improperly to obtain indemnity funds for such animals. (5-3-03)

09. Unidentified Cattle and Domestic Bison. Cattle or domestic bison destroyed because of brucellosis, unless they were marked for identification by branding the letter "B" on the left jaw, not less than three (3) inches high, and unless a metal tag bearing a serial number and inscription "US - IDAHO B. REACTOR" or similar US Reactor tag, was suitably attached to the left ear of each animal. (5-3-03)

10. Calves. If the entire herd is not depopulated and the cattle or domestic bison were calves under one-hundred eighty (180) days of age. (5-3-03)

032. -- 099. (RESERVED).

100. OFFICIAL VACCINATION REQUIRED FOR CATTLE AND DOMESTIC BISON.

All female cattle and domestic bison utilized for breeding, dairy, or grazing purposes shall be officially vaccinated for brucellosis. Utilization of female cattle or domestic bison, which are not officially vaccinated, for breeding, dairy or grazing purposes shall be a violation of this chapter. (5-3-03)

101. OFFICIAL VACCINATION.

Female cattle and domestic bison may be officially vaccinated through one of the following methods: (5-3-03)

01. Calfhood Vaccination. Female cattle and domestic bison native to the state of Idaho or imported into the state of Idaho shall be calfhood vaccinated while not less than one hundred twenty (120) days of age or more than three-hundred sixty-five (365) days of age or be consigned to an approved feedlot, for finish feeding for slaughter only, prior to becoming three hundred sixty-five (365) days of age. (5-3-03)

02. Adult Vaccination. Idaho origin female cattle or domestic bison may be vaccinated as adults with the approval of the Administrator. (4-11-06)

a. Female cattle or bison which are three hundred sixty-five (365) days of age or older shall be negative to an official brucellosis test within ten (10) days prior to being vaccinated. Vaccinal dose to be administered shall be determined by the administrator, in consultation with the designated brucellosis epidemiologist and the USDA brucellosis program manager. (4-11-06)

b. The Administrator may make exceptions to the provisions of Section 101 of this rule on a case-by-case basis. (4-11-06)

03. Approval for Adult Vaccination. Accredited veterinarians representing owners, or accredited veterinarians authorized to perform services for specifically approved livestock markets who desire to have female cattle or domestic bison, which are over three hundred sixty-five (365) days of age vaccinated shall request approval from the Administrator. The Administrator may grant or deny the request to adult vaccinate the cattle based upon origin, history, age, pregnancy status and the potential of the cattle or domestic bison to spread other diseases of concern, such as tuberculosis or trichomoniasis. Approval or denial of the request to adult vaccinate the cattle shall be made within seven (7) working days of the date of the request. (4-11-06)

04. Adult Vaccinations Required. The Administrator may require animals at risk of becoming infected with brucellosis to be adult vaccinated. The animals shall be vaccinated at intervals and with the vaccinal dose determined by the designated brucellosis epidemiologist. Such vaccination shall be accomplished whether or not the animals have been previously vaccinated. (5-3-03)

102. SALE OF FEMALE CATTLE OR DOMESTIC BISON THAT ARE NOT OFFICIALLY VACCINATED.

Female cattle and domestic bison that are not officially vaccinated, and are sold or otherwise transferred to another person by private treaty or through a specifically approved livestock market shall meet the following requirements: (5-3-03)

01. Less Than Three Hundred Sixty Five Days of Age. Female cattle and domestic bison that are more than one hundred twenty (120) days of age and not more than three hundred sixty five (365) days of age at the time of sale or transfer to another person, may be sold to approved feedlots, directly to slaughter, to out of state destinations, or be consigned for sale at specifically approved livestock markets without being officially vaccinated. Such female cattle or domestic bison sold for breeding, grazing, or dairy purposes within Idaho shall be officially vaccinated prior to or immediately upon consummation of the sale. (5-3-03)

02. Over Three Hundred Sixty Five Days of Age. Female cattle and domestic bison over three hundred sixty five (365) days of age at the time of sale or transfer to another person may be consigned directly to an approved feedlot, out of state destination, slaughter, or specifically approved livestock market for sale to an approved feedlot, out of state destination, or slaughter. (4-11-06)

103. OFFICIAL IDENTIFICATION OF CATTLE AND DOMESTIC BISON.

01. Official Calfhood Vaccinates. Official calfhood vaccinates shall be permanently identified as vaccinates by tattoo and official vaccination eartag. (5-3-03)

a. Vaccination tattoos shall be applied to the right ear. The tattoo shall start with the letter "R", followed by the U.S. registered "shield and V", followed by a number corresponding to the last digit of the year in which the vaccination was done. (5-3-03)

b. Official vaccination (orange) eartags shall be applied to the right ear. (5-3-03)

c. Individual animal registration tattoos or individual animal registration brands may be used for identifying animals in place of official eartags if the cattle or domestic bison are registered by a breed association. (5-3-03)

02. Official Adult Vaccinates. Official adult vaccinates shall be permanently identified as vaccinates by tattoo and by official identification eartag. Animals that have previously been officially identified as vaccinates shall have the prior official identification recorded on a vaccination certificate or test chart in lieu of the identification provided for in this subsection. (5-3-03)

a. Adult vaccinated cattle or bison must be identified with a vaccination tattoo applied to the right ear that begins with the letter "R", followed by "AV", followed by the last digit of the year in which the vaccination is performed. (4-11-06)

b. Official identification (silver) eartags shall be applied to the right ear. (5-3-03)

c. Individual animal registration tattoos or individual animal registration brands may be used for identifying animals in place of official eartags if the cattle or domestic bison are registered by a breed association. (5-3-03)

03. Reactor Animals. All animals designated as reactors by the designated brucellosis epidemiologist shall be marked by branding the letter "B" on the left jaw or tail head not less than three (3) inches high and tagged with an official metal reactor tag in the left ear, bearing a serial number and the inscription U.S., brucellosis reactor or a similar reactor tag. Identification of reactors shall be accomplished within fifteen (15) days of the test date. The time may be extended for reasons mutually acceptable to the cooperating state and federal officials in charge. (5-3-03)

04. Suspect Animals. All suspect animals shall be marked by branding the letter "S" on the left jaw or tail head not less than two (2) nor more than three (3) inches high. Suspect animals returning from a livestock market to the herd of origin under quarantine, pending further testing, are exempt from this requirement. (5-3-03)

05. Spayed Heifers. Spayed heifers may be officially identified by applying a hot iron brand high on the tailhead on either or both sides using an open spade symbol as used in playing cards, of not less than three (3) inches high, or as provided by the administrator. (5-3-03)

104. RE-IDENTIFICATION OF OFFICIAL VACCINATES.

No female cattle or domestic bison that were officially vaccinated against brucellosis shall be re-tattooed for the purpose of re-establishing their status as official brucellosis vaccinates nor shall any officially vaccinated animals be re-ear-tagged with the official vaccination eartag at any time subsequent to the original vaccination, except that re-tattooing for the purpose of re-establishing the status as official brucellosis vaccinates shall be allowed under the following conditions: (5-3-03)

01. Administrator Grants Permission. Animals may be re-tattooed only by accredited veterinarians who have obtained permission from Administrator prior to the time the animals are re-tattooed. (5-3-03)

02. Permanent Identification. Animals that are presented for re-tattooing shall have some permanent identification which will identify the animals as those originally tattooed, such as the brucellosis vaccination tag, individual animal registration tattoo, or other approved permanent identification, provided that such identification was submitted on the original official vaccination record. (5-3-03)

03. Reproduction of Original Tattoo. Re-tattooing shall reproduce the original tattoo, which was placed in the animal's ear at the time of vaccination. (5-3-03)

04. Records. The veterinarian who performs the re-tattooing shall record the eartag or other identification numbers, the tattoo symbols and the owner's name and address on a new vaccination record form and submit the re-tattooing record to the Division of Animal Industries within ten (10) days of the date of re-tattooing. (5-3-03)

105. LIVESTOCK MARKET RELEASE.

The accredited veterinarian authorized to provide veterinary services at a specifically approved livestock market shall perform a clinical inspection of all livestock and accurately complete a "Saleyard Release" form, certificate of veterinary inspection, or other market release mechanism certifying that the animals meet the health requirements for movement to the point of destination prior to any animals being released from the livestock market. (5-3-03)

106. -- 119. (RESERVED).

120. BRUCELLOSIS ERADICATION AREAS.

The Director is authorized to declare the entire state, a portion of the state, entire county or part of a county an eradication area, pursuant to Idaho Code, Section 25-604, in order to contain an outbreak of brucellosis and prevent spread of brucellosis to herds in other counties and areas of the state. (5-3-03)

01. Circumstances Under Which Testing Is Required. Test eligible cattle, domestic bison, or other brucellosis susceptible species: (5-3-03)

a. Shall be subjected to an official brucellosis test within the thirty (30) days immediately preceding sale or movement out of an eradication area. (5-3-03)

b. For cattle or domestic bison consigned on a permit to a specifically approved stockyard, the brucellosis test requirement may be fulfilled at the stockyard by testing the cattle or domestic bison prior to sale. (5-3-03)

02. Test Exemptions. Test eligible cattle and domestic bison from eradication areas, consigned on a permit directly from a farm or ranch of origin to an approved slaughter establishment, or to a specifically approved stockyard for sale directly to an approved slaughter establishment, shall be exempt from pre-movement testing. (5-3-03)

03. Discontinuance of Eradication Area. The eradication area designation shall exist only for the

period of time necessary for the elimination of brucellosis infection from cattle and domestic bison in the area. After infection has been eliminated and Idaho has retained or regained brucellosis free status, the Director shall remove the eradication status from the area and the testing requirements shall be discontinued. (5-3-03)

121. TEST ELIGIBLE CATTLE AND DOMESTIC BISON.

Test eligible cattle and domestic bison are: (5-3-03)

01. Unvaccinated or Vaccinated with Brucella Abortus Strain RB 51 Vaccine. Intact male and female cattle and domestic bison that are not vaccinated against brucellosis with Brucella abortus strain 19 vaccine and are six (6) months of age or older; or (5-3-03)

02. Strain 19 Dairy Vaccinates. Brucellosis strain 19 vaccinated female cattle of dairy breeds that are: (5-3-03)

a. Twenty (20) months of age or older; or (5-3-03)

b. Parturient; or (5-3-03)

c. Post-parturient; or (5-3-03)

03. Strain 19 Beef or Domestic Bison Vaccinates. Brucellosis strain 19 vaccinated female cattle of beef breeds or domestic bison that are: (5-3-03)

a. Twenty-four (24) months of age or older; or (5-3-03)

b. Parturient; or (5-3-03)

c. Post-parturient. (5-3-03)

122. MOVEMENT INTO OR OUT OF ERADICATION AREAS.

Cattle or domestic bison shall not be moved into or out of an eradication area except by the authorization of the Administrator. (5-3-03)

01. Permits Authorizing Movement. Movement of cattle or domestic bison into or out of an eradication area shall require a permit issued by the Administrator. (5-3-03)

02. Contents of Permits. Permits for movement into or out of an eradication area shall be of the form and content prescribed by the Administrator. (5-3-03)

123. -- 129. (RESERVED).

130. MOVEMENT OF INFECTED AND EXPOSED CATTLE OR DOMESTIC BISON.

All movement of infected or exposed cattle or domestic bison shall be on a restricted movement permit in accordance with the February 1, 1998 edition of the Brucellosis Eradication Uniform Methods and Rules. (5-3-03)

01. Restricted Movement Permit. The permit shall be completed in full and signed by the shipper of the animals. (5-3-03)

02. Original Copy of Permit. The original copy of the permit shall accompany the animal being moved. (5-3-03)

131. -- 199. (RESERVED).

200. IDAHO APPROVED FEEDLOT.

Female cattle and domestic bison that have not been officially vaccinated for brucellosis may be fed for slaughter in an Idaho approved feedlot, with no provisions for pasturing or grazing. Female cattle and domestic bison that have not been officially vaccinated for brucellosis shall not be fed for slaughter except in Idaho approved feedlots, with no

provisions for pasturing or grazing. (5-3-03)

201. APPLICATION FOR DESIGNATION AS AN IDAHO APPROVED FEEDLOT.

Application for Idaho Approved Feedlot status shall be made on application forms available from the Administrator. (5-3-03)

202. ADMINISTRATOR APPROVAL.

The Administrator may approve feedlot applications after the feedlot has been inspected by state or federal animal health officials and: (5-3-03)

01. Cattle Secured. The feedlot management has demonstrated that cattle which have not been officially vaccinated can be secured in the feedlot; and (5-3-03)

02. Adequate Records. Feedlot records are adequate to show the origin and disposition of the cattle in the feedlot; and (5-3-03)

03. Adequate Resources. The Administrator determines that the Division of Animal Industries has adequate human and fiscal resources to assure that the feedlot abides by the provisions of this chapter; and (5-3-03)

04. Past History. The Administrator may take any past enforcement or violation history into consideration when making the final determination of whether or not to approve a feedlot. (5-3-03)

203. APPROVED FEEDLOT NUMBER.

Feedlots approved by the Administrator shall receive an Idaho Approved Feedlot Number. (5-3-03)

204. EXPIRATION OF APPROVED STATUS.

Approved feedlot status shall expire on September 1 of each year. It shall be the responsibility of feedlot management to apply each year for renewal of approved status. (5-3-03)

205. -- 249. (RESERVED).

250. CONTENT OF RECORDS FOR APPROVED FEEDLOTS.

All approved feedlots shall keep accurate and complete records of all cattle and domestic bison that enter the approved feedlot. These records shall readily show: (5-3-03)

01. Animals Received. The number, species, age, sex, brand, origin, date of entry, individual identification when required, and final disposition of all cattle and domestic bison received at the feedlot; and (5-3-03)

02. Animals Removed from Feedlot. The date of removal or sale, and destination of any animals removed; and (5-3-03)

03. Death Loss. Cattle and domestic bison losses by accident, disease or death shall be accurately recorded; and (5-3-03)

04. Requirements. That all applicable permit, test, examination, identification, and vaccination requirements have been met. (5-3-03)

251. RECORDS RETENTION.

Feedlot records shall be retained by the feedlot for a period of not less than one (1) year following removal of the cattle or domestic bison from the feedlot. (5-3-03)

252. ENTRY REQUIREMENTS.

Idaho Approved Feedlots are allowed to feed all classes of cattle and domestic bison, except brucellosis-exposed, suspect, or reactor cattle and domestic bison. Test eligible cattle and domestic bison from Class A, and B states or areas, as defined in Title 9, Part 78, CFR, shall be tested negative prior to entry. (5-3-03)

253. REMOVAL REQUIREMENTS.

All cattle and domestic bison, except steers and spayed heifers, leaving Idaho Approved Feedlots shall conform to the following provisions: (5-3-03)

01. Direct to Slaughter. Shall be identified on a weigh bill or other certificate and moved directly to slaughter at an approved slaughter establishment; or (5-3-03)

02. Direct to Another Idaho Approved Feedlot. Shall be identified on a Certificate of Veterinary Inspection and moved directly to another Idaho Approved Feedlot; or (5-3-03)

03. Direct to Livestock Market. Shall be consigned directly to a specifically approved livestock market for sale to slaughter, or other qualified destination; or (5-3-03)

04. Direct Out of State. Shall be consigned directly to a qualified out of state destination. (5-3-03)

05. Official Calfhood Vaccinates. Officially calfhood vaccinated female cattle or domestic bison may be removed from an Idaho Approved Feedlot for breeding, dairy, or grazing purposes provided that the female cattle or domestic bison have been isolated in pens separate and apart from all other feedlot cattle since arrival at the feedlot, and the isolation is maintained until the vaccinated cattle or domestic bison are removed from the feedlot. (5-3-03)

06. Official Adult Vaccinates. Officially adult vaccinated female cattle or domestic bison may be removed from an Idaho Approved Feedlot for breeding, dairy, or grazing purposes provided that the following conditions are met: (5-3-03)

a. Female cattle or domestic bison that are three-hundred sixty-five (365) days of age or older at the time of vaccination have tested negative to an official brucellosis test within ten (10) days prior to vaccination; and (5-3-03)

b. The female cattle or domestic bison are vaccinated with Strain RB 51 Brucella abortus vaccine, with a dose approved by the Administrator, within ten days of the negative brucellosis test; and (5-3-03)

c. The female cattle or domestic bison have been isolated in pens separate and apart from all other feedlot cattle since arrival at the feedlot and the isolation is maintained until the vaccinated cattle or domestic bison are removed from the feedlot; and (5-3-03)

d. All female cattle or domestic bison in the isolation pen are negative on an official brucellosis test prior to the vaccination and removal of any cattle from the isolation pen; and (5-3-03)

e. The female cattle or domestic bison are identified on a Certificate of Veterinary Inspection at the time of removal. (5-3-03)

07. Intact Males. Intact male cattle and domestic bison may be removed from an Idaho Approved Feedlot for breeding, dairy, or grazing purposes provided that the following conditions are met: (5-3-03)

a. The intact male cattle or domestic bison have been tested negative to trichomoniasis tests as provided in the trichomoniasis rules, IDAPA 02.04.03, "Rules of the Department of Agriculture Governing Animal Industry," Section 220. (5-3-03)

b. The intact male cattle or domestic bison have been isolated in pens separate and apart from other feedlot cattle since arrival at the feedlot. (5-3-03)

c. The intact male cattle or domestic bison are examined, tested for brucellosis, and identified on a Certificate of Veterinary Inspection at the time of removal. (5-3-03)

08. Interstate Commerce. Animal(s) moved in interstate commerce shall meet all applicable state and

federal requirements. (5-3-03)

09. Approval of the Administrator. Vaccinated female cattle and intact male cattle being removed from the feedlot for breeding, dairy or grazing purposes shall not be removed without notification, and if required, approval of and under the conditions determined by the administrator. (5-3-03)

254. TESTING.

Under the Brucellosis UM&R, Idaho Approved Feedlots are considered herds, not Quarantined Feedlots. (5-3-03)

01. MCI. In the event that MCI slaughter testing discloses reactor(s) that came from the approved feedlot, the test-eligible animals remaining in the feedlot will be subjected to a herd test for brucellosis, unless feedlot records are adequate to identify the herd from which the reactor(s) originated and an epidemiological investigation demonstrates that the cattle remaining in the feedlot are not exposed. (5-3-03)

02. Exposed Cattle. Cattle in an approved feedlot may be subject to testing for brucellosis if a brucellosis test conducted in the feedlot or an epidemiological investigation reveals that brucellosis exposed cattle have entered the feedlot. (5-3-03)

255. INSPECTION.

The feedlot premises, the cattle or domestic bison therein, and the feedlot records shall be presented for inspection to the Administrator at any reasonable time. (5-3-03)

256. REVOCATION OF APPROVED FEEDLOT STATUS.

The Administrator may revoke approved feedlot status by notifying the owner in writing. (5-3-03)

01. Failure to Comply. In addition to any other department administrative or civil action, failure on the part of the feedlot operator to comply with the requirements of this chapter shall result in revocation of the Idaho Approved Feedlot status. (5-3-03)

02. Operator Request. Operators may have the approved status revoked by emptying the feedlot and requesting in writing that the status be revoked. (5-3-03)

03. Regulation Changes. Idaho Approved Feedlot status may be revoked at such time as revocation is required by changes in state or federal rules or regulations. (5-3-03)

04. Disposition of Cattle and Domestic Bison. Should the Idaho Approved Feedlot status be revoked, cattle and domestic bison still in the feedlot shall be removed from the feedlot as provided in Section 252 of this rules. The Administrator shall have the authority to impose time limits for removal of cattle and bison. (5-3-03)

257. -- 299. (RESERVED).

300. OFFICIAL IDENTIFICATION OF DOMESTIC CERVIDAE.

01. Identification at Time of Brucellosis Testing. Domestic cervidae shall be individually identified with an official identification device and the individual identification recorded on an official test form, or any existing official identification on the animal shall be recorded on an official test form at the time of brucellosis testing. (5-3-03)

02. Identification of Reactors. Animals classified as reactors to an approved brucellosis test shall be identified by hot branding the letter "B" (at least two by two (2 x 2) inches) on the left hip and by placing an official reactor tag in the left ear before movement of the animal from the premises where tested. (5-3-03)

03. Identification of Suspect and Exposed Animals. Suspect and exposed animals shall be identified by hot branding the letter "S" (at least two by two (2 x 2) inches) on the left hip and the official eartag number shall be recorded on movement documents before movement of the animal from the premises where found or tested. (5-3-03)

04. Exception to Identification of Reactor, Suspect, and Exposed Animals. In lieu of tagging and branding reactor, suspect, or exposed animals, the Administrator may approve movement of these animals directly to slaughter in a sealed vehicle or accompanied by a state or federal animal health official. (5-3-03)

301. -- 319. (RESERVED).

320. TESTING REQUIREMENTS.

01. Issuance of Order for Testing, Quarantine, or Disposal of Domestic Cervidae. The Administrator shall determine when testing, quarantine, or disposal of domestic cervidae infected with or exposed to brucellosis is required, pursuant to Title 25, Chapters 2, 6, and [37] 35, Idaho Code. If the Administrator determines that testing or disposal of domestic cervidae or disinfection or sterilization of facilities is required, a written order shall be issued to the owner describing the procedure to be followed and the time period for carrying out such actions. (5-3-03)

02. Brucellosis-Free Certification of Domestic Cervid Herds. Domestic cervidae shall be tested in accordance with the UM&R for Brucellosis in Cervidae to obtain certification of a herd as brucellosis-free. All sexually intact animals six (6) months of age or older must have three consecutive negative tests nine (9) to fifteen (15) months apart for initial herd certification. (5-3-03)

321. DOMESTIC CERVIDAE BRUCELLOSIS ERADICATION AREA.

The Director is authorized to declare the entire state, a portion of the state, entire county or part of a county a domestic cervidae brucellosis eradication area, pursuant to Section 25-604, Idaho Code, in order to contain an outbreak of brucellosis and prevent spread of brucellosis to herds in other counties and areas of the state. (5-3-03)

322. TESTING AND MOVEMENT.

Testing and movement requirements related to cervidae brucellosis eradication areas shall be in accordance with the UM&R for Brucellosis in Cervidae. (5-3-03)

323. -- 399. (RESERVED).

400. OFFICIAL IDENTIFICATION OF SWINE.

01. Swine Tested at Farm. All swine bled on the farm as part of a complete herd test for swine brucellosis shall be individually identified by official VS-approved eartags, visible tattoos, or ear notches, provided the ear notch has been recorded in the book of record of a purebred registry association. (5-3-03)

02. Swine Tested at Market or Slaughter. Sows and boars six (6) months of age and older shall be identified by an official VS-approved paper or plastic backtag applied to the head or poll region and/or an official VS-approved eartag when tested for swine brucellosis at markets or slaughter establishments. (5-3-03)

03. Reactor Swine. Swine reacting to the swine brucellosis test shall be identified by placing an official VS-approved reactor tag in the left ear. (5-3-03)

401. -- 419. (RESERVED).

420. TESTING REQUIREMENTS.

01. Test Eligible Swine. Brucellosis testing of swine at markets, at slaughter establishments and farms when required by the UM&R for Control/Eradication of Swine Brucellosis shall be performed on sexually intact animals 6 months of age and older. (5-3-03)

02. Imported Domestic Swine. Test eligible swine shall be negative to a swine brucellosis test thirty (30) days prior to importation into Idaho unless, the swine are from a validated swine brucellosis-free herd or state. (5-3-03)

03. Semen Sold for Artificial Insemination. All herds that market swine semen shall be subjected to a

complete herd test annually and be validated swine brucellosis free. (5-3-03)

421. SWINE BRUCELLOSIS ERADICATION AREA.

The Director is authorized to declare the entire state, a portion of the state, entire county or part of a county a swine brucellosis eradication area, pursuant to Section 25-604, Idaho Code, in order to contain an outbreak of brucellosis and prevent spread of brucellosis to herds in other counties and areas of the state. (5-3-03)

422. TESTING AND MOVEMENT.

Testing and movement requirements related to swine brucellosis eradication areas shall be in accordance with the UM&R for control/eradication of swine brucellosis. (5-3-03)

423. -- 989. (RESERVED).

990. PENALTY FOR VIOLATIONS.

01. Criminal and Civil Penalties. Any person who violates any of the provisions of this chapter may be subject to the criminal and civil penalties provided in Title 25, Chapters 2, 6, [37] 35, Idaho Code. (5-3-03)

02. Reporting Minor Violations Not Required. Nothing in this chapter requires the director to report minor violations for prosecution when he believes that the public interest will be best served by suitable warnings or other administrative action. (5-3-03)

991. -- 999. (RESERVED).

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