

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND
FORESTRY
CHAPTER 15. ANIMAL INDUSTRY**

SUBCHAPTER 1. GENERAL PROVISIONS

35:15-1-2. Definitions

The following words or terms, when used in this Subchapter, shall have the following meaning unless the context clearly indicates otherwise:

"Accredited veterinarian" means a veterinarian approved by the United States Department of Agriculture (USDA) to perform functions required for state or cooperative state and federal animal disease control and eradication programs.

"Animal disease traceability" means the ability to trace an animal to its site of application of official identification and/or premises of origin as set out in 9 CFR Parts 71, 77, 78, 86, et al. Traceability for Livestock Moving Interstate; Final Rule

"Approved tagging site" means a premises, authorized by APHIS, State, or Tribal animal health officials, where livestock may be officially identified on behalf of their owner or the person in possession, care, or control of the animals when they are brought to the premises.

"Backtag" means a USDA approved identification system consisting of a tag of special tough paper, bearing identification codes relating to origin of animals, which are stuck to animals a few inches from the midline and just behind the shoulder with very strong glue. The backtag is designed as temporary identification for easy reading in livestock auction markets to help trace the origin of livestock in Department investigations.

"Certificate of veterinary inspection" means an official document or its electronic equivalent approved by the chief livestock official of the state of origin issued by an accredited veterinarian at the point of origin of a shipment of animals that includes the name and address of the consignor; the name and address of the consignee; the entry permit number, if applicable; the age, sex, number, and breed of the animal; sufficient identifying marks or tags to positively identify each animal; purpose of shipment; and the results of all required tests. It shall also include a record of a physical examination of the animal verifying that each animal is free from visible evidence of any contagious, infectious, or communicable diseases and that the animals do not originate from an area of quarantine, infestation, or infection. A certificate of veterinary inspection is valid for thirty (30) days after the date of issuance. The term certificate of veterinary inspection shall also include an official health certificate, an official certificate, or a certificate.

"Designated epidemiologist" means an epidemiologist selected by the State Veterinarian who has been designated to perform those functions necessary for the classification of livestock suspected to be infected with a particular disease, based on an evaluation of test results and consideration of the animal and herd history, as well as other epidemiological factors.

"Official identification" means any official method of identification approved by USDA, as described by 9 C.F.R. § 86.1, or the State Veterinarian, ~~including but not limited to a metal ear tag that provides unique identification for each animal by conforming to the national uniform ear tagging system, and electronic identification or radio frequency identification (RFID).~~ Official identification for specific species may be further defined within the applicable section of the Oklahoma Administrative Code. Backtags shall not be considered official identification unless the animal is shipped directly to slaughter. ~~Animals identified by the livestock auction market~~

~~veterinarian as too debilitated to enter the identification chute may be officially identified by a backtag or any other form of official identification and shall have a "slaughter only" tag applied.~~
The term "official eartag" is synonymous with "official identification."

"Owner-Shipper statement" means a statement signed by the owner or shipper of the livestock being moved stating the location from which the animals are moved interstate; the destination of the animals; the number of animals covered by the statement; the species of animal covered; the name and address of the owner at the time of the movement; the name and address of the shipper; and the identification of each animal, as required by the regulations, unless the regulations specifically provide that the identification does not have to be recorded.

"Quarantine" means a written notice or order issued by an authorized agent of the Department showing the boundaries of the area or premise affected, the animals restricted, and conditions, if any. No livestock held under quarantine may be moved or released without a written permit or quarantine release signed by an authorized agent.

"State animal health official" means the state animal health official, or designee, who is responsible for the livestock and poultry disease control and eradication programs in a state.

SUBCHAPTER 5. BIOLOGICAL PRODUCTS AND LABORATORIES

35:15-5-2. Laboratories

(a) Privately owned laboratories requesting authority to perform certain procedures.

Privately owned laboratories requesting authority to perform certain official laboratory procedures must apply for said approval on an application provided by the Area Veterinarian in Charge (AVIC) which provides for a joint signature of recommendation for approval of the AVIC and the Chief Animal Health Official of the Oklahoma Department of Agriculture.

(b) Initial request for laboratory approval. All initial requests for laboratory approval shall be made to the Area Veterinarian in Charge (AVIC) or Chief Animal Health Official of the Oklahoma Department of Agriculture. Laboratories must specify those terms which they are requesting approval to perform. These tests include, but are not limited to, Bluetongue, Bovine Leucosis Leukosis, Equine Infectious Anemia, Johne's Disease, Pseudorabies, Bovine Trichomoniasis, and those diseases that are reportable to the Oklahoma Department of Agriculture.

(c) Requirements prior to approval of laboratory. Prior to approval of any laboratory to conduct any official laboratory procedure, the following requirements must be met:

- (1) An authorized representative of the Oklahoma Department of Agriculture and/or U.S.D.A. will review with laboratory officials the responsibilities, regulatory and technical, inherent in conducting and reporting official tests.
- (2) The physical facilities of the laboratory will be inspected by a Federal and/or State representative. Inspection results will be recorded on a laboratory inspection worksheet. This inspection must be determined as satisfactory before approval will be considered.

(d) Procedures to be followed by approved laboratories.

- (1) Only antigen licensed by Animal and Plant Health Inspection Service (APHIS) or supplied by National Veterinary Services Laboratories (NVSL) and accompanying antiserum will be used.
- (2) All tests will be conducted according to protocol provided by NVSL.
- (3) Official test results will be reported promptly to State and/or Federal regulatory officials and the veterinarian submitting the sample.

- (4) Only samples submitted by a licensed veterinarian, ~~State~~ state or ~~Federal~~ federal animal health official, or military veterinarian will be accepted.
- (5) Information with sample submission shall include:
- (A) Name and address of submitting veterinarian.
 - (B) Name and address of owner.
 - (C) Location (including county) or animal(s) at time of test.
 - (D) Age, breed, and sex of animal tested.
 - (E) Identification of animal(s) tested, which may include eartag, tattoo, registration number or physical description adequate to provide positive individual identification of animal(s) tested.
- (6) Periodic proficiency testing will be required for continuous authority to conduct approved testing. NVSL will supply the samples and evaluate test results.
- (7) If any proficiency test is failed, the approved laboratory shall immediately notify the Oklahoma Department of Agriculture, and shall suspend further testing until recertified by NVSL.
- (e) **Training.**
- (1) Personnel who perform any approved official test must be recognized as qualified by Veterinary Services and the Oklahoma Department of Agriculture. The AVIC and the State animal health official must recommend personnel for approval and training by NVSL.
 - (2) The person(s) responsible for conducting official tests for private laboratories will be trained by NVSL.
 - (3) With approval of the AVIC and the State animal health official, personnel previously trained by NVSL for Federal, State, and University laboratories may train others in the laboratory to conduct official tests. Training will include regulatory responsibility.
 - (4) NVSL will certify training of personnel for Federal, State, and University laboratories by proficiency testing which must be completed in accordance with standards established by NVSL, and maintained by periodic proficiency testing.
- (f) **Evaluation of personnel.** The AVIC, State animal health official, and NVSL will evaluate personnel who do not successfully complete proficiency testing in order to determine if additional training is necessary.
- (g) **Laboratories approved to conduct official tests.** Laboratories approved to conduct official tests must notify in writing the AVIC, State animal health official and NVSL when any person trained by NVSL to conduct official tests is no longer employed. If no one with approved training is available to conduct these tests, approval of the laboratory will be cancelled.
- (h) **Recommendation for approval.** The AVIC and the State animal health official must recommend approval of the laboratory prior to obtaining official status. A jointly signed memorandum and the originals of all completed documents of application and approval shall be mailed through the appropriate Regional Director for his or her concurrence to the Director of NVSL.
- (i) **Approval of laboratories.** After the requirements of training have been satisfactorily completed, the laboratory will be approved by the Director of NVSL and will be so notified of approval by a telegram or a letter signed by the Director of NVSL.
- (j) **Removal or suspension of laboratory approval.**
- (1) Laboratory approval will be removed or suspended by the Director of NVSL or State animal health official when any criteria are not met. If the laboratory is approved to perform tests for more than one disease, removal or suspension will apply only to the disease for

which proficiency is not maintained. The laboratory will be informed of removal or suspension by a telegram signed by the Director of NVSL, or by certified letter from the Oklahoma Department of Agriculture, or both.

(2) Failure to maintain competency or failure to perform within any established protocol, shall constitute a violation of this Section and shall submit the laboratory to actions outlined under the Administrative Procedures Act of the State of Oklahoma, above and beyond any action deemed appropriate by Veterinary Services.

SUBCHAPTER 11. IMPORTATION OF LIVESTOCK, POULTRY, AND PETS

PART 1. GENERAL

35:15-11-1. General import requirements

(a) All persons importing livestock, as defined in 2 O.S. Section 6-150, shall have a certificate of veterinary inspection ~~or an approved commuter herd agreement on file with the Department prior to entry into Oklahoma, however, livestock transported directly to an Oklahoma veterinarian for treatment may enter the state without a certificate of veterinary inspection provided that the animal is returned to the premises of origin within two (2) days following the cessation of treatment.~~ with the following exceptions:

(1) Livestock transported as part of a commuter herd with a copy of the commuter herd agreement;

(2) Livestock transported directly to an Oklahoma veterinarian for treatment if returned to the premises of origin within two (2) days following cessation of treatment;

(3) Livestock transported from a premises of origin in another state to an approved tagging site or approved livestock market and they are accompanied by an owner-shipper statement;

(4) Livestock transported from a premises of origin in another state directly to a slaughtering establishment and they are accompanied by an owner-shipper statement; or

(4) Livestock transported as a restricted movement accompanied by a VS form 1-27.

(b) The Commissioner of Agriculture or the State Veterinarian shall be authorized to impose pre-entry test requirements on any species if it becomes known that the threat of disease exists which could place the livestock industries of Oklahoma at risk or could become a public health hazard.

(c) Import requirements of this section may be in addition to import requirements for a species or disease found in this subchapter.

PART 3. OFFICIAL HEALTH CERTIFICATES

35:15-11-5. Official health certificate [REVOKED]

~~An official health certificate is an official document or its electronic equivalent approved by the chief livestock official of the state of origin and issued by an accredited veterinarian at the point of origin of a shipment of animals that includes the name and address of the consignor; the name and address of the consignee; the entry permit number, if applicable; the age, sex, number, and breed of the animal; sufficient identifying marks or tags to positively identify each animal; and the results of all required tests. It shall also include a record of a physical examination of the animal verifying that each animal is free from visible evidence of any contagious, infectious, or communicable diseases and that the animals do not originate from an area of quarantine, infestation, or infection. A certificate of veterinary inspection is valid for thirty (30) days after~~

~~the date of issuance. The term official health certificate shall also include a certificate of veterinary inspection, an official certificate, or a certificate.~~

35:15-11-6. Provisions for health certificates [REVOKED]

~~(a) The health certificate shall contain the name and address of the consignor and the consignee, age, sex, number, breed of livestock, and sufficient identifying marks and tags to positively identify said livestock, and shall also contain positive identification of the motor vehicle or common carrier used in the transportation of the livestock covered by the health certificate. The health certificate shall also contain a statement by the accredited veterinarian that such livestock are free from all contagious, infectious, or communicable diseases and do not originate from a district of quarantine, infestation or infection. A health certificate shall be void thirty (30) days after the date of its issuance. A copy of the health certificate must be approved by the chief livestock sanitary official of the state of origin, and shall be forwarded to the Oklahoma State Veterinarian, Oklahoma City, Oklahoma.~~

~~(b) All brucellosis agglutination blood tests of animals, which are intended for importation into Oklahoma, shall be made or confirmed at the state or federal laboratory.~~

PART 7. LIVESTOCK

35:15-11-17. Companion animal importation

All dogs, cats, and ferrets ~~over four (4) months of age~~, shipped or transported into Oklahoma, shall be admitted only when accompanied by an official ~~health certificate certifying they did not originate from an area under quarantine for rabies, have not been exposed to rabies within the previous six (6) months, and~~ Certificate of Veterinary Inspection (CVI). All companion animals over three (3) months of age shall have been officially vaccinated against rabies within twelve (12) months prior to the date of entry with an approved rabies vaccine or within three (3) years with the use of a three (3) year vaccine if the primary vaccination and subsequent boosters are documented on the health certificate CVI. The date of the vaccinations, subsequent boosters, and the product name shall be recorded on the health certificate. A permit shall be obtained from the Oklahoma Department of Agriculture, Food, and Forestry within thirty days prior to the entry of a companion animal that originates from an area under quarantine for rabies or has been exposed to rabies within six (6) months prior to entry.

PART 11. POULTRY AND OTHER AVIAN SPECIES

35:15-11-41. Poultry and other avian species importation

(a) No person shall import poultry or other avian species or products of poultry or other avian species originating from or transported through an area under quarantine by any state or federal animal health official for Avian Influenza or Exotic Newcastle Disease.

(b) Poultry or other avian species determined to be infected with or exposed to Avian Influenza or Exotic Newcastle Disease shall be destroyed without compensation to the owner.

SUBCHAPTER 13. TESTING AND INSPECTION FOR DISEASE AND RELEASE OF LIVESTOCK AT AUCTION MARKETS

35:15-13-3. General requirements for a livestock auction market

(a) Any person owning, operating, conducting, or maintaining a livestock auction market shall be required to:

(1) Submit an application for a license to the Department on an official form prior to operation.

(2) Bond the market pursuant to 2 O.S. Section 9-132, as amended or according to the provisions of the Federal Packers and Stockyards Act as amended.

(3) Employ ~~aa~~ a livestock auction market veterinarian for auctions selling cattle, horses, swine, or other species as determined by the state veterinarian.

(b) The livestock auction market license shall cost Twenty Five Dollars (\$25.00) per year and shall expire on December 31 of each year.

(c) Both the buyer's and seller's invoices shall include the name, address of the owner and description of the cattle as to breed, sex and age. Invoices for swine shall show the predominate breed and shall show them to be feeding, breeding or slaughter swine.

(d) The livestock auction market veterinarian or sale company shall not be responsible for results of any tests that are made properly, or any reactor or responder animals found in the market.

~~Ownership of all reactor or responder animals shall revert back to the consignor.~~

(e) Refusal or failure to comply with the Department rules shall be just cause for the revocation or suspension of the livestock auction market license.

(f) No person owning, operating, conducting, or maintaining a livestock auction market shall allow any of the following animals to leave the livestock auction market unless it is individually identified by an official ~~identification with~~ identification with an exception for weak cattle or cattle that pose a greater than normal risk of being injured or injuring a person. Weak cattle or cattle that pose a greater than normal risk of being injured or injuring a person may be sold with a back tag and slaughter only tag to be transported directly to slaughter.

(1) All beef cattle eighteen (18) months of age or older, except terminal fed steers, heifers, and bulls, going directly to a feedlot or slaughter which will not be reintroduced into the breeding herd;

(2) All dairy cattle ~~two (2) months of age or older;~~

(3) All "M" branded cattle, and

(4) All roping, exhibition, event, and rodeo cattle.

(g) The owner or operator of the livestock auction market shall keep records of each animal consigned or delivered to the livestock auction market for a period of ~~two (2)~~ five (5) years for disease traceback purposes, including but not limited to the following:

(1) "Drive-in" or any other documents identifying the backtag, owners name and address, and license tag of mode of transportation;

(2) Any records kept pursuant to the Livestock Auction Market Act;

(3) Records of any official identification applied to the animal or already existing with the animal; and

(4) Any records available regarding the purchaser of the animals.

(h) Each livestock auction market shall sign and have on record with the Department the most current livestock market contract for each of the species sold at the market.

35:15-13-5. Approval and responsibilities of veterinarians in livestock auction markets

- (a) The veterinarian shall make application for approval to the Department and shall be examined as to his or her ability to function as ~~aa~~ a livestock auction market veterinarian.
- (b) The livestock auction market veterinarian shall inspect cattle, bison, horses, swine, or other species as determined by the State Veterinarian at the livestock auction market for the purposes of determining the condition of health and freedom from infectious or contagious diseases.
- (c) The livestock auction market veterinarian shall arrive at the market in sufficient time to do all required testing, official identification, and inspection prior to the beginning of the sale.
- (d) The livestock auction market veterinarian is responsible for completion of state and federal forms necessary for the release of livestock from markets and other state and federal forms required for disease traceability, control, and eradication programs.
- (e) In the event that an official identification is already present in the animal being tested, the livestock auction market veterinarian shall use this tag instead of retagging, and include all prefixes and numbers in recording the tag on test charts and official documents.
- (f) The livestock auction market veterinarian shall use separate bleeding needles or separate syringes for each animal. The use of the same syringe or needle for all animals is prohibited.
- (g) If the livestock auction market veterinarian cannot determine the class of livestock to be shipped by the description on the purchaser's invoice, the livestock auction market veterinarian shall look at each shipment prior to release.
- (h) All reactor or responder cattle received for sale shall be examined as to official identification by the livestock auction market ~~veterinarian~~ veterinarian prior to sale.
- (i) Copies of all forms shall be forwarded to the office of the State Veterinarian by the livestock auction market veterinarian immediately after sale.
- (j) All official ear tags, forms, certificates of veterinary inspection, or documents and official stamps and signature stamps, shall be kept in the exclusive possession of the livestock auction market veterinarian and shall be dated and signed by him or her only at the time it is filled out and issued. Under no circumstances shall any official document be ~~presigned~~ pre-signed or ~~prestamped~~ pre-stamped by the livestock auction market veterinarian. Use of any official stamp by persons other than the livestock auction market veterinarian or a state or federal employee is expressly prohibited. The livestock auction market veterinarian shall be solely responsible for the unauthorized or improper issuance of any official document or the use of any official stamp or signature stamp.
- (k) The livestock auction market veterinarian shall ensure another livestock auction market veterinarian is available at the market when the regular livestock auction market veterinarian is absent from the market.
- (l) The livestock auction market veterinarian shall not resign his duties without written notice to the sale company and State Veterinarian's office at least ten (10) days prior to resignation.
- (m) The livestock auction market veterinarian's failure or neglect to perform any of the functions in this Section shall be cause for disapproval and immediate removal from the livestock auction market.

35:15-13-6. Movement of livestock through livestock auction markets

- (a) All certificates of veterinary inspection, permits, and other documents, including out-of-state documents accompanying livestock into Oklahoma livestock auction markets that are incomplete or have been altered in any way are void and shall not be accepted. This includes documents that are incomplete as to official identification number and description of animal it represents. In

order to be accurate and acceptable, the prefix of each official identification number shall be recorded.

(b) All livestock, ~~including slaughter, feeding, breeding, and dairy animals,~~ shipped or exported from the State of Oklahoma, ~~regardless of "purpose of movement," shall be accompanied by a certificate of veterinary inspection.~~ The livestock shall also meet the state of destination importation requirements.

SUBCHAPTER 17. BOVINE AND BISON BRUCELLOSIS

PART 11. ENTRY PERMIT AND RETEST REQUIREMENTS

35:15-17-73. Brucellosis requirements for entry of cattle and bison into Oklahoma

(a) All cattle and bison shall have a Certificate of Veterinary Inspection prior to entry. ~~Test eligible cattle and bison from Class B and C states or areas not classified as "Brucellosis free" shall have a permit in addition to a Certificate of Veterinary Inspection prior to entry. All test eligible cattle and bison from states or areas not classified as "Brucellosis free" shall test negative within thirty (30) days prior to entry and those test eligible cattle from Class B and C States shall be quarantined and retested at owner's expense in not less than fort-five (45) nor more than one hundred twenty (120) days after entry. All test eligible cattle and bison from Class A states shall test negative within thirty (30) days prior to entry. Cattle from Certified Free Herds and "Free" states are exempt from the test requirements prior to entry provided they are officially identified and the certified free herd number or "Free" state status is recorded on the Certificate of Veterinary Inspection.~~

(b) All brucellosis agglutination blood tests associated with the importation of animals into Oklahoma, shall be conducted or confirmed at a state or federal laboratory.

SUBCHAPTER 22. SWINE PSEUDORABIES AND BRUCELLOSIS

PART 3. REQUIREMENTS FOR SWINE ENTERING OKLAHOMA

35:15-22-33. Entry requirements for transitional production swine

(a) A person importing transitional production swine into Oklahoma shall obtain an entry permit from the Department.

(b) Transitional production swine entering Oklahoma shall be accompanied by a certificate of veterinary inspection, containing the following information:

(1) the entry permit number; ;

(2) official identification number, which may be from an official USDA National Uniform Eartagging System (NUES) metal or plastic eartag, a Premise Identification Number (PIN) tag with a unique within-herd management number, or an electronic USDA tag beginning with the digits 840;

~~(2)~~ (3) a statement from the issuing veterinarian that to the best of the veterinarian's knowledge pseudorabies and brucellosis has not existed in the herd of origin in the past six (6) months, the swine to be imported have not been vaccinated for pseudorabies, and if applicable, the swine to be imported are offspring of a pseudorabies vaccinated sow; ; and ~~(3)~~ (4) if applicable, the V/Q herd number and date of last pseudorabies and brucellosis quarterly test.

(c) Transitional production exhibition and prospective exhibition swine entering Oklahoma shall either:

- (1) be accompanied with a negative official pseudorabies and brucellosis test performed within thirty (30) days prior to entry; ~~;~~ or
- (2) originate from a V/Q herd.

(d) An exception to import test requirements may be issued by the Department to purchasers of exhibition swine. To qualify for the exception, prospective purchasers of exhibition swine shall:

- (1) Apply for an anticipatory entry permit during the Department's office hours prior to traveling to a state where swine for exhibition purposes are proposed to be purchased;
- (2) Contact the Department on the next business day following a purchase to report the number of swine purchased and the seller of the swine or to notify the Department no swine were purchased on the anticipatory entry permit;
- (3) Obtain a certificate of veterinary inspection issued a maximum of thirty (30) calendar days prior to entry for the movement of the swine; and
- (4) Immediately quarantine any swine entering Oklahoma for exhibition purposes pursuant to this subsection until tested negative for brucellosis and pseudorabies within thirty (30) calendar days of entry.

35:15-22-34. Entry requirements for livestock auction market and slaughter swine

(a) All swine from an out-of-state approved livestock market and consigned to an Oklahoma livestock auction market shall be accompanied by a certificate of veterinary inspection listing the swine's official individual identification number and an entry permit.

(b) All farm origin swine shipped directly, with no diversion enroute, to ~~an~~ a livestock auction market or slaughtering establishment operating under state or federal supervision shall be accompanied by one of the following:

- (1) a certificate of veterinary inspection, or
- (2) a way bill, bill of lading, or owner-shipper certificate that lists the consignor, the point of origin of the shipment, and the livestock auction market or slaughtering establishment to which the swine are being shipped.

(c) For market swine only, the results from an official pseudorabies and brucellosis test on a nursing sow shall constitute evidence of the pseudorabies status of its nursing pigs, if the pigs accompany that sow.

35:15-22-35. Commuter herd agreement requirements

(a) A written commuter herd agreement shall be effective upon review and approval by the State Veterinarian.

(b) A written commuter herd agreement shall include the following:

(1) premises identification numbers for all premises covered by the agreement;

~~(1)~~ (2) global positioning system (GPS) data for all premises covered by the agreement; ~~;~~

~~(2)~~ (3) the location of the premise of origin and destination for all swine imported into Oklahoma under the commuter herd agreement; ~~;~~ and

~~(3)~~ (4) the acceptable surveillance and testing requirements as determined by the designated epidemiologist based on the status of the state of origin, history of the herd of origin, and the intended purpose of the swine entering Oklahoma.

(c) All pseudorabies and brucellosis testing performed pursuant to a commuter herd agreement shall utilize an official 95/10 random sample test.

- (d) By the tenth (10th) of each month, the producer shall submit a monthly report of all swine entering Oklahoma.
- (e) A commuter herd agreement shall be completed and approved prior to any interchange or movement of commuter herd swine between states.

PART 5. REQUIREMENTS FOR A VALIDATED/QUALIFIED HERD

35:15-22-51. Validated/qualified herd establishment

- (a) A person shall establish a swine herd as a V/Q herd status by completing the following:
 - (1) Each pig shall be permanently and individually identified ~~by official identification~~.
 - (2) The herd owner shall submit a completed application and inventory no later than thirty (30) days after a complete herd test for brucellosis and pseudorabies.
 - (A) The application shall include, at a minimum, the herd owner's name, mailing address, telephone number, signature, and date of application.
 - (B) The inventory shall include, at a minimum, ~~official~~ animal identification, age, breed, sex, and date of inventory.
 - (3) The herd owner shall test negative all swine six (6) months of age or older to an official brucellosis and pseudorabies test to establish a V/Q herd.
 - (4) A minimum of ninety (90) percent of the swine in the herd shall have been on the premises and a part of the herd for at least ninety (90) days prior to the whole herd test or have entered directly from another VQ herd.
- (b) Swine maintained outside of the primary herd premises shall not be considered a part of the V/Q herd.
- (c) Herd owners shall have a minimum of four (4) adult sows to be eligible for the V/Q herd program.
- (d) V/Q herd status and herd number shall be issued after completion of the first quarterly test following the whole herd test.

Part 7. REQUIREMENTS FOR SWINE EXHIBITIONS

35:15-22-71. Exhibition requirements

- (a) Each person who presents swine for a swine exhibition, special sale, or show shall provide verification of one of the following:
 - (1) A federal premise identification number; or
 - (2) ~~a~~ A state location identification number.
- (b) All swine shall be individually identified. Out of state swine shall be identified with official individual identification.
- (c) All swine shall meet one of the following testing requirements:
 - (1) Oklahoma origin swine shall have a negative brucellosis and pseudorabies test after June 1 each year for fall exhibitions and after December 1 each year for spring exhibitions. These tests are valid for the entire respective exhibition season, unless in the opinion of the designated epidemiologist the swine have been exposed to pseudorabies or brucellosis. The swine shall also be accompanied by a copy of the official test chart or a certificate of veterinary inspection listing the test results, laboratory name, laboratory accession number, and individual identification.

(2) Swine originating from outside of Oklahoma shall meet the requirements of OAC 35:15-22-33(a) - (c).

(3) Each swine shall originate from a V/Q herd and only be exhibited by an immediate family member of the VQ herd owner. The V/Q herd number, most recent quarterly test date, and official identification of all swine being exhibited shall be listed on the certificate of veterinary inspection ~~with the current quarterly test date and official identification~~.

SUBCHAPTER 34. FERAL SWINE

35:15-34-7. Handling facilities

(a) An owner or operator ~~of a breeding facility~~ shall obtain a handling facility license prior to operation of any new handling facility.

(b) The owner or operator of a breeding handling facility shall maintain a perimeter fence at least forty-eight (48) inches tall made of solid walls, game fence, or other material constructed in a manner adequate to reasonably prevent the escape of enclosed feral swine, and the unsolicited additions of feral swine from outside the enclosure.

(c) The owner or operator shall keep records of the following:

(1) Number of head of feral swine added to the facility and the date such swine were added to the facility;

(2) Name, address, and telephone number of the person who provided the feral swine;

(3) Destination of any removed feral swine; and

(4) Number of head removed from the facility, method of removal, date of removal, and the name, mailing address, and phone number of any consignee.

(d) Any person applying for a facility license shall provide the following information on a form prepared by the Department:

(1) Name, mailing address, email address and telephone number of the owner;

(2) Name, mailing address, email address, and telephone number of the operator, if different from the owner;

(3) Name, physical address, and county of the breeding handling facility;

(4) Legal description to the nearest quarter section and GPS coordinates, if available, of the breeding handling facility;

(5) A map showing topography of the area with a diagram of the facility structures, fencing plan, and perimeter clearly marked;

(6) Method of carcass disposal for the facility, including carcass storage sites, carcass burial areas, incineration approval, rendering company, composting plan, or landfill.

(7) Whether the applicant has been convicted of a felony, misdemeanor, administrative, or civil violation of any natural resources requirements, including but not limited to wildlife, forestry, fisheries, environment, or animal health within the past three (3) years in Oklahoma or any other jurisdiction;

(8) Whether the property where the breeding handling facility is located is owned or leased;

(9) Driving directions from the nearest town; and

(10) Signature under oath "I certify under penalty of law this document, all attachments, and information submitted are to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for knowingly submitting false, inaccurate, or incomplete information, including the possibility of fines for each violation."

(f) Effective July 1, 2013, the expiration date of all active licenses for handling facilities shall be extended so that the active license expires on June 30, 2014. After July 1, 2013, handling facilities shall be licensed for a one year term beginning July 1 of each calendar year and ending on June 30 of the following calendar year. Beginning April 1, 2014, applications for the renewal of a handling facility license shall be due on April 1 of each calendar year.

35:15-34-13. License fees

(a) Sporting facilities that are not licensed as a commercial hunting area by the Oklahoma Department of Wildlife Conservation:

(1) Application fee - \$325.

(2) Renewal fee - \$200.

(b) Handling facility:

(1) Application fee - \$125.

(2) Renewal fee - \$75.

SUBCHAPTER 36. SCRAPIE

35:15-36-1. Incorporation by reference of federal regulations

Regulations of the United States Department of Agriculture concerning scrapie in sheep and goats found at 9 CFR Part 79 (~~2012~~ 2013 Revision) are adopted by reference with the exception of the deleted regulations specified in 35:15-36-2.

35:15-36-2. Deleted regulations

The following sections of the Federal regulations governing scrapie in sheep and goats (9 CFR, Part 79 et seq.) (~~2012~~ 2013 Revision) of the USDA incorporated by reference under 35:15-36-1 are deleted and are not rules of the Oklahoma Department of Agriculture, Food, and Forestry: 79.6 and 79.7.

SUBCHAPTER 38. BOVINE TRICHOMONIASIS

35:15-38-2.1. Intrastate change of ownership requirements for bulls

(a) Any bull changing ownership within the state of Oklahoma shall have a negative official T. foetus test within sixty (60) days prior to change of ownership with no exposure to females from seven (7) days prior to the test to the time of change of ownership.

(b) Exceptions to this rule shall include the following:

(1) A bull accompanied by a virgin bull affidavit;

(2) A bull sold directly to slaughter; or

(3) A bull sold for feeding and slaughter to be fed in a registered feedlot only and leaves the feedlot only to be slaughtered.

(c) Any bull presented for sale at a livestock auction market without a virgin bull affidavit or verification of a negative official T. foetus test:

(1) Shall be tagged for slaughter only and sold for slaughter only;

(2) May go to the purchaser's destination so long as the market veterinarian takes a sample for an official T. foetus test and the purchaser agrees to keep the bull under quarantine at the destination until receipt of negative test results.

(d) A livestock auction market shall not be liable for a virgin bull affidavit ~~verifying no sexual contact with females within seven (7) days prior to arrival at the livestock auction market,~~ and shall not be liable for the results of a market veterinarian's sampling and results for an official T. foetus test.

SUBCHAPTER 40. BOVINE TUBERCULOSIS

PART 1. DEFINITIONS

35:15-40-1. Definitions

The following words or terms when used in this Subchapter shall have the following meaning unless the context clearly indicates otherwise:

"Accredited free state" means a state that maintains full compliance with all of the provisions of the USDA Uniform Methods and Rules for bovine tuberculosis eradication and where no evidence of bovine tuberculosis has been disclosed for five (5) or more years.

"Accredited herd" means a herd of cattle, bison, or dairy goats that passed at least two (2) consecutive negative caudal fold tuberculin tests at an interval of not less than ten (10) months nor more than fourteen (14) months, has no other evidence of bovine tuberculosis, and meet the standards of this Subchapter.

"Affected herd" means a herd of cattle, bison, or dairy goats that contains, or has recently contained, one (1) or more animals infected with *Mycobacterium bovis* and has not passed the required tests necessary for release from quarantine.

"Annual tests" means those tests conducted at intervals of not less than ten (10) months nor more than fourteen (14) months.

"Auction" means a public sale of cattle, bison, or dairy goats to the highest bidder.

"Bison" means a bovine-like animal (genus *Bison*) commonly referred to as American buffalo or buffalo.

"Bovine Tuberculosis" means a disease in cattle, bison, or dairy goats caused by *Mycobacterium bovis*.

"Cattle" means all domestic bovine (genus *Bos*).

"Caudal Fold Tuberculin Test" or "CFT" means the intradermal injection of 0.1 milliliters of USDA bovine purified protein derivative (PPD) tuberculin into either side of the caudal fold, with reading by visual observation and palpation seventy-two (72) hours (+ or - 6 hours) following injection. Animals or herds of unknown status shall not be subjected to retest at intervals of less than sixty (60) days.

"Commission firm" means a person, partnership, or corporation that buys or sells livestock as a third party and reports to the seller or to the buyer details of the transactions whether or not a fee is charged for the services.

"Comparative Cervical Tuberculin Test" or "CCT" means the intradermal injection of biologically balanced bovine PPD tuberculin and avian PPD tuberculin at separate sites in the cervical area and a determination as to the probable presence of bovine tuberculosis (*M. bovis*) by comparing the responses of the two (2) tuberculins seventy-two (72) hours (+ or - 6 hours) following injection.

"Dairy cattle" means any typical dairy framed animals as determined by the inspecting veterinarian.

"Dairy goats" means domestic caprine (genus Capra) kept for the purpose of producing milk for human consumption.

"Dealer" means any person, firm, or partnership engaged in the business of buying or selling cattle, bison, or dairy goats in commerce, either on the dealer's own account or as the employee or agent of the vendor or purchaser, or any person engaged in the business of buying or selling cattle, bison, swine, sheep, or dairy goats in commerce on a commission basis. The term shall not include any person who buys or sells cattle, bison, or dairy goats as a part of their own bona fide breeding, feeding, or dairy operation; is not engaged in negotiating the transfer of cattle, bison, or dairy goats; or receives cattle, bison, or dairy goats exclusively for immediate slaughter on the person's own premise.

"Eradication" means the complete elimination of bovine tuberculosis from cattle and bison in the state so that the disease does not appear unless introduced from another species or from outside the state.

"Exposed animals" means cattle, bison, or dairy goats that have been exposed to bovine tuberculosis by reason of associating with known tuberculous animals.

"Feedlot" means a confined dry lot area for the finish feeding of animals on a concentrated feed with no facilities for pasturing or grazing.

"Herd" means one or more cattle, bison, or dairy goats maintained on common ground or two (2) or more groups of cattle, bison, or dairy goats under common ownership or supervision that are geographically separated but can have an interchange or movement without regard to health status.

"Herd plan" means a herd management and testing plan designed by a state or federal regulatory veterinarian and the herd owner that will control and eventually eradicate bovine tuberculosis from an affected, adjacent, or exposed herd.

"High risk cattle" means cattle from countries, states, or areas that are not considered Bovine Tuberculosis free, including but not limited to, dairy cattle, exhibition cattle, rodeo cattle, and Mexican origin cattle.

"Mexican origin" means cattle that originate or have ever resided in Mexico.

"Modified Accredited Advanced State" means a state that is actively participating in the eradication of bovine tuberculosis and that maintains its status in accordance with the provisions of the USDA Uniform Methods and Rules for Bovine Tuberculosis Eradication.

"Modified Accredited State" means a state that is actively participating in the eradication of bovine tuberculosis and that maintains its status in accordance with the provisions of the USDA Uniform Methods and Rules for Bovine Tuberculosis Eradication.

"Natural additions" means animals born and raised in a herd.

"No Gross Lesion Animals" or **"NGL"** means any cattle, bison, or dairy goats that do not reveal a lesion of bovine tuberculosis upon postmortem inspection. Any animal with skin lesions alone shall be considered a NGL animal.

"Official in charge" means any manager, superintendent, secretary, or other person responsible for an exhibition.

"Official tuberculin test" means a test for tuberculosis conducted and reported by approved personnel in accordance with this Subchapter and the USDA Uniform Methods and Rules for bovine tuberculosis eradication. The official tuberculin tests are the caudal fold test, the comparative cervical test, the single cervical test, gamma interferon test, or any other test that is approved by the United States Department of Agriculture (USDA).

"Permit" means a VS 127 issued by an authorized agent of the State Board of Agriculture, a representative of USDA APHIS Veterinary Services or an accredited veterinarian that is required to accompany any reactor, suspect, or exposed animals to slaughter.

"Reactor" means any animal that may be classified as a reactor by the designated epidemiologist based on supplemental diagnostic tests results from approved laboratories or other information.

"Restricted feedlot" means ~~a feedlot that operates as a terminal feeding facility only, does not engage in grazing or backgrounding of cattle or bison, has official identification of all animals, can trace all animals to the state of origin, and makes all records available to the Department upon request~~ a feedlot that has the ability to manage higher risk cattle in such a way as to assure they do not expose cattle in the feedlot that will not go directly to slaughter. A restricted feedlot must agree to identify high risk cattle and handle them in such a way as to prevent the exposure of other cattle and trace the high risk cattle in case of a disease traceback.

"Rodeo bulls" means sexually intact male cattle kept for the purposes of performances at rodeos, bucking events, exhibition purposes, or for breeding to produce rodeo bulls.

"Suspect" means any cattle, bison, or goats that show a response to the caudal fold tuberculin test and are not classified as reactors, and cattle, bison, or goats that are classified suspects by a comparative cervical test.

"Tuberculin" means a product that is approved by and produced under USDA license for injection into cattle, bison, or goats for the purpose of detecting bovine tuberculosis.

PART 7. IMPORT REQUIREMENTS

35:15-40-90. Requirements for cattle entering Oklahoma from a tuberculosis free state or zone

(a) Cattle that test positive for tuberculosis shall not enter Oklahoma.

(b) Cattle from herds quarantined for tuberculosis shall not enter Oklahoma.

~~(c) All dairy steers and spayed heifers shall be accompanied by a certificate of veterinary inspection.~~

~~(d) All sexually intact dairy cattle under two (2) months of age shall be individually identified by official identification and accompanied by a certificate of veterinary inspection.~~

~~(e) All sexually intact dairy cattle six (6) months of age and older shall be accompanied by a certificate of veterinary inspection that individually identifies each animal and shall meet one of the following:~~

~~(1) Originate from a tuberculosis free herd; or~~

~~(2) Test negative no more than sixty (60) days prior to entry with the results recorded on the certificate of veterinary inspection; or~~

~~(3) Be sent directly to slaughter or to a restricted feedlot.~~

~~(f) Beef cattle under the age of eighteen (18) months and all spayed heifers or steers shall be accompanied by a certificate of veterinary inspection.~~

~~(g) All other beef cattle eighteen (18) months or older shall be accompanied by a certificate of veterinary inspection that individually identifies each animal and shall meet one of the following:~~

~~(1) Originate from a tuberculosis free state;~~

~~(2) Originate from a tuberculosis free herd; or~~

~~(3) Test negative no more than sixty (60) days prior to entry with the results recorded on the certificate of veterinary inspection.~~

~~(h) Any cattle that do not meet these testing requirements shall be tagged as slaughter only and sent either directly to slaughter or to a restricted feedlot.~~

35:15-40-92. Importation of Mexican origin steers and spayed heifers

(a) Mexican origin steers and spayed heifers imported as stocker, feeder, slaughter animals may enter Oklahoma provided they test negative for tuberculosis in accordance with the Norma Oficial Mexicana (NOM) within sixty (60) days prior to entry into Oklahoma and they obtain a telephone entry permit prior to entering Oklahoma providing the following information:

(1) A certificate of veterinary inspection containing the individual identification and all tag numbers, tuberculosis testing information, statement that the animals are "Mexican Origin Cattle," and complete consignor or consignee information including telephone numbers; and

(2) A VS Form 17-30.

(3) Cattle from states in Mexico that meet USDA Tuberculosis Free standards are not required to have a negative NOM tuberculosis test.

(b) Mexican origin steers and spayed heifers and any commingled cattle shall not be diverted from the stocker, feeder, slaughter channel.

(c) Mexican origin steers and spayed heifers shall not be commingled with any cattle other than stocker, feeder, slaughter cattle.

(d) Holstein and Holstein-cross steers and spayed heifers from Mexico shall not enter Oklahoma regardless of test history.

(e) Mexican origin steers and spayed heifers and U.S. origin Corriente cattle utilized as rodeo stock prior to entry into Oklahoma shall obtain an entry permit, provide individual identification and all tag numbers, and be accompanied by a negative tuberculosis test that meets one of the following:

(1) Performed by ~~an~~ a U.S. accredited veterinarian within the previous 365 days; or

(2) Performed in accordance with the Norma Oficial Mexicana (NOM), the animal is accompanied by a VS 17-30, and the animal is quarantined upon entry into Oklahoma until retested by ~~an~~ a U.S. accredited veterinarian within sixty (60) to one hundred twenty (120) days of the original tuberculosis test.

(f) Mexican origin steers and spayed heifers and U.S. origin Corriente cattle utilized as rodeo stock moving within the state shall meet the following requirements:

(1) Be accompanied by a negative tuberculosis test performed by an accredited veterinarian within the previous 365 days;

(2) Be identified with an official identification; and

(3) There is no change of ownership since the date of the last official test.

(g) No sexually intact Mexican origin rodeo stock shall enter Oklahoma.

(h) The official in charge of an event shall be responsible for verifying that all Mexican origin cattle utilized as rodeo stock entering any exhibition meet all testing requirements.

(1) The official in charge of an event shall not be held responsible for recording or accepting falsified or erroneous information provided by an owner.

(2) Any person providing erroneous or fictitious information shall be in violation of these rules.

(i) Any official in charge of an event who knowingly, negligently, or willfully allows an untested or positive animal to enter an exhibition shall be in violation of these rules and the official in charge and the owner of the positive or untested animal shall be equally and individually in violation of these rules.

SUBCHAPTER 42. TUBERCULOSIS ERADICATION IN CERVIDAE

PART 7. INCORPORATIONS BY ~~REFERENCE~~ REFERENCE

35:15-42-54. Incorporation by reference of federal regulations

Title 9, sections 77.20 through 77.41 of the Code of Federal Regulations (~~2012~~ 2013 Revision) and the requirements contained therein pertaining to the eradication of tuberculosis in cervidae, unless otherwise specified, adopted and incorporated by reference in their entirety.

SUBCHAPTER 44. FARMED CERVIDAE

35:15-44-8. Fencing and facility requirements

The perimeter of each new farmed cervidae facility shall be an eight (8) foot game or high tensile fence designed in a manner to prevent ingress and egress of cervidae.

(1) Facilities in operation prior to the effective date of the Oklahoma Farmed Cervidae Act shall maintain fencing sufficient to prevent ingress and egress of cervidae.

(2) The owner or operator shall install eight (8) foot game or high tensile fence for any new perimeter fencing at a new or existing facility.

(3) All cervidae shall be provided adequate food, water, and space.

(4) All cervidae shall be provided adequate natural or manmade shelter to provide shade at all times.

(5) Pens shall not have excessive standing water, mud, or other pen conditions which negatively impact animal well-being.

(6) Any licensee that is non-compliant with the aforementioned rules, shall be subject to a review by a committee comprised of a producer from each Oklahoma farmed cervidae organization, the state veterinarian, and the Department farmed cervidae coordinator. The committee's decision shall be implemented by the Department.

35:15-44-10. Slaughter requirements

(a) Licensees may slaughter their own farmed cervidae for personal or noncommercial consumption, but in no case shall someone other than the licensee be allowed to ~~hunt or shoot~~ kill the farmed cervidae.

(b) Any person holding meat or antlers with attached skull plates from a farmed cervidae facility that obtained it through noncommercial methods shall hold a receipt from the licensee of the farmed cervidae facility for so long as they hold the meat or antlers with attached skull plates.

35:15-44-20. Animal identification requirements

(a) All cervids twelve (12) months or older shall be individually identified by at least one form of identification approved by the Department. Non-breeding hunting animals that are natural additions and do not participate in any disease monitoring programs shall be exempt from this identification requirement.

(b) All cervids of any age shall be individually identified by at least one form of identification prior to movement from the original herd premises unless being moved directly to a licensed commercial hunting area.

35:15-44-21. Registration of Exotic Cervidae Species [NEW]

Any person owning, maintaining, or possessing any species in the cervidae family, other than whitetail deer, mule deer, elk, and red deer shall submit a registration form to the Department. This form shall contain the owner's contact information, species owned, and location of the animals. Facility licensing shall not be required of these species. Any person or facility already licensed by the Department, the Oklahoma Department of Wildlife Conservation, or Animal Care Division of the United States Department of Agriculture shall be exempt from registration.

SUBCHAPTER 47. CHRONIC WASTING DISEASE (CWD) IN CERVIDS

PART 3. HERD CERTIFICATION STANDARDS

35:15-47-6. Minimum requirements for herd certification

- (a) Regulations of the United States Department of Agriculture concerning the control of CWD found at 9 CFR Part 55 (~~2012~~ 2013 Revision) are adopted by reference.
- (b) The Board shall issue a quarantine on any herd that contained a CWD positive cervid. The quarantined herd shall not participate in the herd certification program until all herd plan requirements are completed.
- (c) All deaths of cervids twelve (12) months of age or older, regardless of cause of death, shall have the obex and medial retropharyngeal lymph nodes samples and submitted to an approved laboratory by a certified CWD sample collector. CWD sample collectors shall submit written test results to the Department within seven (7) days after receiving said test results from the laboratory.
- (d) If eligible animal deaths are not tested due to a missed sample, improper sample, or untestable sample, an additional live animal over twelve (12) months of age shall be sacrificed for sampling.
- (e) The State Veterinarian may relax the minimum requirements for herd certification for extraordinary circumstances.
- (f) Herd owners shall report any animals displaying clinical signs of CWD, which may include but are not limited to, weight loss, behavioral changes, excessive salivation, increased drinking and urination, and depression.

Part 7. INTERSTATE MOVEMENT REQUIREMENTS

35:15-47-18. Minimum CWD requirements for interstate movement of cervids

- (a) Regulations of the United States Department of Agriculture concerning the interstate movement of cervidae found at 9 CFR Part 81 (~~2012~~ 2013 Revision) are adopted by reference.
- (b) Caribou and Reindeer shall meet all interstate movement regulations that apply to cervidae found at 9 CFR Part 81 (~~2012~~ 2013 Revision).