

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Agriculture  
(agency name)

Administrative Order No. 1995 lep

(1) I, C. Alan Pettibone, director of  
the Department of Agriculture

do promulgate and adopt at Olympia, Washington  
(place)

the annexed rules relating to:

WAC 16-30 RESTRICTED FEEDLOTS

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 89-02-056  
filed with the code reviser on 1-4-89. These rules shall take effect:  
 thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).  
 at a later date, such date being \_\_\_\_\_.

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, \_\_\_\_\_, find that  
an emergency exists and that this order is necessary for the preservation of the public health, safety, or general  
welfare and that observance of the requirements of notice and opportunity to present views on the proposed action  
would be contrary to public interest. A statement of the facts constituting the emergency is:

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026<sup>1</sup> that "every agency shall incorporate the most specific, but  
in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b),  
or (c) as appropriate:

(a) This rule is promulgated pursuant to RCW 16.36.040 and 16.36.050  
and is intended to administratively implement that statute.

(b) This rule is promulgated pursuant to RCW \_\_\_\_\_  
which directs that the

\_\_\_\_\_ (agency)  
has authority to implement the provisions of

\_\_\_\_\_ (name of act or RCW citation)

(c) This rule is promulgated under the general rule-making authority of the

\_\_\_\_\_ (agency)  
as authorized in RCW \_\_\_\_\_

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public  
Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register  
Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this agency, is herewith transmitted to the Code  
Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON  
APPROVED AND ADOPTED  
FILED

February 22 19 89

FEB 23 1989

By C. Alan Pettibone

Director  
Title

CODE REVISER'S OFFICE  
WSR 89-06-014

AMENDATORY SECTION (Amending Order 1964, filed 2/5/88)

WAC 16-30-010 DEFINITION. A restricted feedlot shall mean a dry feed yard where cattle not known to be exposed to brucellosis and not vaccinated against brucellosis are restricted to prevent their ~~((safe))~~ use for breeding purposes.

AMENDATORY SECTION (Amending Order 1964, filed 2/5/88)

WAC 16-30-020 PERMIT APPLICATIONS. Applicants for restricted feedlots must furnish the following information on an application form to be obtained from the department of agriculture:

- (1) Name and address of applicant.
- (2) Location of feedlot.
- (3) Drawing ~~((to-show-the-relation))~~ of the feedlot ~~((to-the-rest-of-the-farmstead))~~ layout.
- (4) ~~((Number-of-native-cattle-on-farms~~
- ~~{5}))~~ Operations in livestock other than the feeding of cattle.

NEW SECTION

WAC 16-30-025 RESTRICTED FEEDLOT CATEGORIES. There shall be category I and category II restricted feedlots.

- (1) Category I restricted feedlots may, upon approval of the state veterinarian, buy and import cattle from feedlots in states

classified "Class A" for brucellosis that may be under state quarantine if the feedlot does not contain reactors or has not had reactors for a minimum period of one hundred eighty days. Such cattle may move interstate if they are not test eligible without further restriction. Test eligible cattle which are not brucellosis exposed and from herds not known to be affected (state quarantined feedlots) may be moved interstate to category I restricted feedlots if they are tested negative within thirty days prior to movement and are accompanied by a health certificate. Category I restricted feedlots may not import cattle from a state-federal quarantined feedlot.

(2) Category II restricted feedlots may not import cattle from any feedlot which is classified as a quarantined feedlot by another state. Category II restricted feedlots may sell cattle to category I restricted feedlots but may not receive cattle from category I feedlots.

AMENDATORY SECTION (Amending Order 1964, filed 2/5/88)

WAC 16-30-030 ((CERTIFIED--STATEMENTS--REQUIRED)) CONDITIONS OF PERMIT. ((In-addition-to-the-information-furnished-in-the-application each-applicant-must-certify-to-the-following)) (1) The operator of a category I restricted feedlot must abide by the following conditions:

((1)) (a) That there shall be no contact with other animals not also similarly and commonly restricted.

((2)) (b) That no animal, except steers and spayed heifers for temporary grazing purposes only, shall be moved from the feed yard except to a federally inspected slaughter plant or to a licensed public livestock market for immediate slaughter.

((3)) (c) That the yard will be maintained in a sanitary condition.

~~((4))~~ (d) That the department of agriculture will be notified immediately of any outbreak of any infectious or contagious disease.

~~((5))~~ (e) That the disposition of dead animals will be in accordance with the laws relating to the disposal of dead animals.

~~((6))~~ (f) That accurate records will be kept accounting for all animals entering the feedlot.

(2) The operator of a category II restricted feedlot must abide by the following conditions:

(a) That there shall be no intermingling with other animals not also similarly and commonly restricted.

(b) That no animal shall be moved from the feed yard except to a federally inspected slaughter plant, to a licensed public livestock market for immediate slaughter, or to a feedlot of like status, except:

(i) Steers and spayed heifers which are unrestricted in movement.

(ii) Calves born in the feedlot which are unrestricted in movement.

(iii) Restricted cattle moved for temporary grazing purposes.

(c) Nonbrucellosis vaccinated females must be "F" branded when moved other than directly to slaughter or to another feedlot of like status.

(d) That the yard will be maintained in a sanitary condition.

(e) That the department of agriculture will be notified immediately of any outbreak of any reportable infectious or contagious disease.

(f) That the disposition of dead animals will be in accordance with the laws relating to the disposal of dead animals.

(g) That accurate records will be kept accounting for all animals entering and leaving the feedlot and open for review by authorized department of agriculture personnel during any normal business hours.

(h) That any bulls or brucellosis vaccinated females removed from the yard for any other than the above purposes must move by permit from the state veterinarian and on an official certificate of veterinary inspection prepared by an accredited veterinarian.

AMENDATORY SECTION (Amending Order 1964, filed 2/5/88)

WAC 16-30-050 BRANDS. Before a permit is issued for a restricted feedlot the operator or owner must have recorded with the state department of agriculture ((a-brand)) an "F" brand number to be used exclusively ((within--said--feedlot)) by said operator. Such a brand shall consist of the letter "F" followed by a number assigned by said department ((~~---PROVIDED,--That--by--special--permission--of--the--director--of--agriculture--or--his--duly--authorized--representative--the--holder--of--such--a--brand--may--be--allowed--to--use--his--brand--on--cattle--in--certain--other--specified--restricted--feedlots~~)).

AMENDATORY SECTION (Amending Order 1964, filed 2/5/88)

WAC 16-30-060 BRAND TIME. For the purpose of proper identification, all cattle, except steers and spayed heifers, arriving at a category I restricted feedlot must be branded with the aforementioned "F" brand within forty-eight hours after arrival. Use of such brands on steers and properly identified spayed heifers shall be optional.

AMENDATORY SECTION (Amending Order 1964, filed 2/5/88)

WAC 16-30-070 PLACE OF BRAND. The aforementioned "F" brand shall be placed immediately behind the shoulder and high on the back. In the event a brand is already situated there, the feedlot brand may be placed ((directed)) directly in front of or below the existing



brand, but must not deface the existing brand: PROVIDED, The restricted feedlot operators or owners who now place their duly recorded "F" brands in the area between the point of the shoulder and the jaw shall continue to so brand, or they may apply to the registrar of brands, department of agriculture, to change the position to which their brand is affixed to the new position without charge.

AMENDATORY SECTION (Amending Order 1964, filed 2/5/88)

WAC 16-30-090 FEEDLOT REQUIREMENTS. All restricted feedlots must be so constructed and so located that they comply with the following:

(1) That there shall be no ~~((contact))~~ intermingling with other animals not also similarly and commonly restricted.

(2) ~~((The lot is drained or surfaced to keep the yard reasonably free of mud.~~

~~{3})~~ Proper facilities exist for inspection of brands ~~((and--for holding--imports--separate--until--properly identified in cattle feedlots))~~, branding and identification of cattle.

~~((4)-There shall be no regular stream or drainage--therefrom--to any area where nonrestricted females or males are held.)~~ (3) Any violation of chapter 16.36 RCW or any of the rules adopted under that chapter shall be sufficient cause for the suspension or revocation of any permit to operate a restricted feedlot. In all proceedings for suspension or revocation, the action shall be undertaken pursuant to the provisions of chapter 34.04 RCW.

AMENDATORY SECTION (Amending Order 955, Regulation 10, filed 8/31/64)

WAC 16-30-100 CRIMINAL PENALTY--CIVIL INJUNCTION. ((Revised Code of Washington (RCW--16.36.110)--provides:)) A violation of or failure to comply with any of the provisions of this chapter shall be ((a misdemeanor--Each day upon which the violation occurs shall constitute a separate violation--Any person violating the provisions of RCW 16.36.005, 16.36.020, 16.36.103, 16.36.105, 16.36.107, 16.36.108 or 16.36.109 may be enjoined from continuing such violation--Revised Code of Washington (RCW 16.57.360) further provides:--The violation of any provisions of this chapter and/or rules and regulations adopted hereunder shall constitute a misdemeanor unless otherwise specified herein)) criminally punishable, as provided under RCW 16.36.110.