



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: Department of Agriculture

WAC 16-604

- Permanent Rule
 Emergency Rule

(1) Date of adoption: October 13, 1992

(2) Purpose: To define a market veterinarian and describe his duties, establish 18 months as minimum age for MCI backtag, and delete outdated portions.

(3) Citation of existing rules affected by this order:

- Repealed:
Amended:
Suspended:

(4) Authority for adoption:

Statute: Chapters 16.36.040 RCW & 16.36.096 RCW

Other Authority:

(5.1) **PERMANENT RULE ONLY**

Pursuant to notice filed as WSR 92-20-106 on 10-6-92 (date).

Describe any changes other than editing from proposed to adopted version:

(5.2) **EMERGENCY RULE ONLY**

Pursuant to RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If yes, explain:

(6) Effective date of rule:

Permanent Rules

Emergency Rules

- 31 days after filing Immediately
 Other (specify) _____ * Later (specify) _____

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

OCT 13 1992

TIME: 3:45
WSR 92-21-022

NAME (TYPE OR PRINT)

C. Alan Pettibone

SIGNATURE

TITLE

Director

DATE

10-13-92

AMENDATORY SECTION (Amending Order 1102, filed 11/18/68)

WAC 16-604-009 Definitions. For the purposes of this order:

(1) "Market" means public livestock market as defined in RCW 16.65.010(1).

(2) "Department" means the department of agriculture of the state of Washington.

(3) "Director" means the director of the department or his duly authorized representative.

(4) "Licensee" means any person licensed to operate a market.

(5) "Livestock" except as used in the brand inspection regulations of this order means all cattle, horses, mules, swine, sheep, goats, poultry and rabbits.

(6) "Livestock" as used in the brand inspection regulations of this order means all cattle of whatever species, breed or age.

(7) "Lot" means livestock of one ownership.

(8) "Market veterinarian" means a graduate veterinarian licensed in the state of Washington accredited by USDA and employed by a public livestock market.

AMENDATORY SECTION (Amending Order 1174, filed 12/15/70)

WAC 16-604-020 Facilities and sanitation. (~~(+)~~) Licensees shall provide facilities and sanitation for the prevention of livestock diseases at their public livestock markets, as follows:

~~(+)~~ (1) The licensee shall be responsible for the moving and yarding of livestock necessary for brand inspection. Personnel employed by the salesmarket will be required to sort and designate any apparent unhealthy animals before they are admitted into trade channels.

~~(+)~~ (2) The floors of all pens and alleys that are part of a public livestock market shall be constructed of concrete or similar impervious material and kept in good repair, with a slope of not less than one-fourth inch per foot to adequate drains leading to an approved system: *Provided*, That the director may designate certain pens within such public livestock markets as feeding and holding pens and the floors and alleys of such pens shall not be subject to the aforementioned surfacing requirements.

~~(+)~~ (3) Feeding and holding pens maintained in an area adjacent to a public livestock market shall be constructed and separated from such public livestock market, in a manner prescribed by the director, in order to prevent the spread of communicable diseases to the livestock sold or held for sale in such public livestock market.

~~(+)~~ (4) All yards, chutes and pens used in handling livestock shall be constructed of such material which will render them easily cleaned and disinfected, and such yards, pens and

chutes shall be kept clean, sanitary and in good repair at all times, as required by the director.

~~((e))~~ (5) Sufficient calf pens of adequate size to prevent overcrowding shall be provided, and such pens when used shall be cleaned and disinfected no later than the day subsequent to each sale.

~~((f))~~ (6) All swine pen facilities shall be covered and when used shall be cleaned and disinfected no later than the day subsequent to each sale.

~~((g))~~ (7) A water system carrying a pressure of forty pounds and supplying sufficient water to thoroughly wash all pens, floors, alleys and equipment shall be provided.

~~((h))~~ (8) Sufficient quarantine pens of adequate capacity shall be provided. Such pens shall be used to hold only cattle reacting to brucellosis and tuberculosis or to quarantine livestock with other contagious or communicable diseases and shall be:

~~((i))~~ (a) Hard surfaced with concrete or similar impervious material and shall be kept in good repair.

~~((ii))~~ (b) Provided with separate watering facilities.

~~((iii))~~ (c) Painted white with the word "quarantine" painted in red letters not less than four inches high on such quarantine pen's gate.

~~((iv))~~ (d) Provided with a tight board fence not less than five and one-half feet high.

~~((v))~~ (e) Cleaned and disinfected not later than one day subsequent to the date of sale.

To prevent the spread of communicable diseases among livestock, the director shall have the authority to cause the cleaning and disinfecting of any area or all areas of a public livestock market and equipment or vehicles with a complete coverage of disinfectants approved by the director.

~~((2) For the purpose of tracing dealer consigned livestock to herds of origin for health purposes, the certificate of permit (S.F. No. 4847) will be the accepted document for transferring tracing information to the director at the market. The dealer shall:~~

~~(a) Record on the back of the state copy of the certificate of permit signed by the original owner the number(s) of the back tag(s) applied at the salesyard and submit this copy to the director before the animal is offered for sale at the market.~~

~~(b) Exceptions — this section does not apply to dairy cattle under twenty months of age nor beef cattle under twenty four months of age.)~~

AMENDATORY SECTION (Amending Order 1174, filed 12/15/70)

WAC 16-604-025 Health regulations. (1) The director shall require such testing, treating, identifying, examining and record keeping of livestock by a ~~((deputy state))~~ market veterinarian and/or livestock market as in the director's judgment may be necessary to prevent the spread of brucellosis, tuberculosis, ~~((paratuberculosis, hog cholera))~~ or any other infectious,

contagious or communicable disease among livestock of this state.

(2) For livestock health purposes, the director shall establish procedures for inspection of livestock markets for compliance with sanitary requirements and to observe livestock being handled. Such inspections shall be conducted by animal health inspection personnel working under the jurisdiction of the director. Such inspectors will not issue health certificates, perform "private treaty work" or engage in functions other than those in connection with surveillance for communicable, infectious animal diseases and sanitary measures. Operators of markets ((may)) shall arrange with ((private veterinary practitioners)) a market veterinarian to perform animal health inspections, issue health certificates or certificates of veterinary inspection, perform private treaty work, ((ete)) and perform any testing, quarantine, or movement restrictions of animals as directed by the director of agriculture or required by federal law. Departmental inspectors will work in cooperation with any ((such private veterinary practitioners)) market veterinarians in performing yard inspections.

(3) Markets handling swine shall be required to ((provide veterinary health inspection of all swine received, handled or sold. This action is required under Joint State Federal Cooperative Program for the eradication of hog cholera and to maintain the status as a hog cholera state)) identify all boars and sows with official identification. Markets must comply with chapters 16-54 and 16-80 WAC and Title 9, Code of Federal Regulations, Parts 71 and 76, when handling swine for market.

(4) ((All animals consigned to market from out of state must be accompanied by an official health certificate signed by an accredited veterinarian in the state of origin. Such animals not so accompanied shall be announced in the ring as illegal entry livestock and may leave the yard to points in Washington under quarantine at destination.

(5)) No livestock may leave the market for points outside the state of Washington without first ((obtaining an official health certificate)) meeting the requirements of the state of destination and Title 9, Subchapter C, Code of Federal Regulations.

((+6)) (5) Any animal or animals which have been found by the inspector to be diseased or unhealthy shall be handled in accordance with instructions of a veterinarian as to disposition. He may require they be marked "slaughter only" and be sold only to immediate slaughter; require they be sold "as is" with an announcement; require they be returned to consignor with or without quarantine; or require they be held under quarantine in the yard.

((+7)) (6) Brucellosis.

(a) ((All cattle originating from a brucellosis free herd, area or state are exempt from brucellosis testing.

(b) All female cattle, bulls and goats originating from less than a brucellosis free herd, area, or state shall be accompanied by an official health certificate and must be negative to a brucellosis test within thirty days prior to entry into the state of Washington. Steers, spayed heifers and official vaccinates of the dairy breeds under twenty months of age, and official vaccinates of the beef breeds under twenty four months of age are exempt from the testing requirements.

~~(c) Cattle~~ ~~to be shipped to Washington markets specifically approved under Title 9, Part 78, CFR, without health certificates or brucellosis testing, and may be moved from the approved market to a licensed slaughter establishment for immediate slaughter or to a registered quarantined feed lot after veterinary inspection. Cattle so consigned are exempt from brucellosis test requirement. Cattle moved from the approved market to other than a licensed slaughter establishment or a registered quarantine feed lot must meet Washington import regulations and moved on official health certificate issued by the market veterinarian.~~

~~(d)) Animal health requirements as prescribed in chapters 16-54 and 16-86 WAC shall be met for animals entering or released from the public livestock markets. Those public livestock markets that are not specifically approved as per Title 9, Part 78, Subchapter C, Code of Federal Regulations that wish to provide brucellosis blood testing as approved by the director shall comply with the facilities requirements for specifically approved saleyards. Specifically approved yards (Title 9, Part 78, Code of Federal Regulations) can accept cattle and bison from out-of-state without meeting the import requirements provided that all Washington state animal health requirements are met at the yard upon arrival. Those yards not specifically approved can receive from out-of-state only those cattle and bison that have met all animal health requirements prior to entering the state.~~

~~(b) Animals released from Washington markets to points outside the state shall be in compliance with Federal Interstate Regulations and must meet the import requirements of the ((receiving)) state of destination.~~

~~((e)) (c) Salesyard brucellosis reactors will be:~~

~~(i) Tagged with reactor identification tags in the left ear and branded "B" on the left jaw.~~

~~(ii) Placed in a "quarantine pen."~~

~~(iii) Sold at the close of the regular sale to licensed slaughterer or their designated agent operating under federal or state inspection or return to the farm of origin under a written quarantine.~~

~~(iv) The market veterinarian shall issue ~~((ADE))~~ VS Form 1-27 on all suspects or reactors immediately after their sale or detection and the ~~((pink copy (duplicate)))~~ original copy must accompany the animals to slaughter or back to the farm of origin. The ~~((original copy is))~~ pink and yellow copies are to be mailed immediately to the ~~((supervisor of animal industry))~~ state veterinarian, Olympia, and the ~~((triplicate))~~ green copy mailed immediately to the ~~((veterinary meat inspector in charge of the slaughtering establishment to which the reactors are consigned))~~ destination of shipment or shall accompany shipment.~~

~~(v) All brucellosis reactors ~~((must be))~~ consigned and transported directly to a licensed slaughtering establishment for immediate slaughter ~~((, and))~~ cannot be transported with any animals not so consigned. All trucks and railway cars or other conveyances used for the transportation of such reactors shall be cleaned and disinfected at destination under state and federal supervision.~~

~~((vi) Heifer calves of dairy breeds three to eight months (90-239 days) of age or heifer calves of beef breeds three to eleven months (90-299 days) of age may be vaccinated at the market for brucellosis upon request at no state federal expense.~~

~~(8) Tubercu. sis. Tuberculosis reactor. will be handled as in subdivision (e), item (ii), (iii), (iv), and (v), this order, after being identified by a reactor identification tag in the left ear, and branded "T" on the left jaw.)~~

(7) For the purpose of tracing dealer consigned livestock to herds of origin for health purposes, the certificates of permit (S.F. No. 4847) will be the accepted document for transferring tracing information to the director at the market.

Exceptions - this section does not apply to dairy cattle under twenty months nor beef cattle under twenty-four months of age.

(8) All livestock markets shall officially identify all sexually intact cattle and bison over eighteen months of age with an official backtag prior to being presented for sale. Records of the backtags applied to the animal indicating seller, buyer, and brucellosis vaccination status if animal is a female shall be maintained by the market for a period of one year.

(9) Immediate slaughter livestock.

(a) Livestock purchased through a market for slaughter in the state of Washington may be consigned only to a licensed slaughtering establishment, (~~registered quarantined~~) restricted feed lot, or another market for sale for immediate slaughter. Such animals will be cleared from the market on Washington state (~~slaughter~~) cattle brand certificate and must reach the declared point of destination at slaughter establishment or (~~registered quarantined~~) restricted feed lot within ten days of first being declared immediate slaughter livestock. Identification tags may not be removed and clearance papers must be presented with the animals at declared point of destination and livestock shall not be diverted to any other point.

(b) Cattle that have been declared immediate slaughter cattle shall not be commingled with cattle not so declared.

(c) No Washington state (~~slaughter~~) cattle brand certificate will be issued at any market unless the purchaser first certifies the exact name and address of the destination of such domestic animals or animal and such animals are identified to herd of origin in a manner prescribed by the director.

(10) Health of swine.

(a) Intrastate consignments. Washington swine that are healthy, unexposed to any contagious or infectious disease and not under quarantine may enter and leave any market in the state after veterinary inspection.

(b) Interstate consignments. (i) Slaughter swine. Swine not known to be affected with or exposed to infectious or communicable swine diseases may be moved into the state without health certificate to a recognized slaughtering center, public stockyards under federal supervision or livestock market specifically approved under Part 76, Title 9, Code of Federal Regulations for immediate slaughter, and may not be diverted enroute. The waybills or certificates for shipment must state for "slaughter only."

(ii) Feeder and breeder swine - must have originated from states in (~~Phase~~) Stage IV or (~~hog cholera~~) Stage V pseudorabies free status and/or comply with the entry requirements as stated in chapter 16-54 WAC. Animals must be accompanied by official health certificate stating that they are clinically free of symptoms of infectious and contagious disease or exposure thereto, unless consigned to a market approved under Part 76, Title 9, CFR. The consignor and consignee will be properly listed with

exact mailing addresses clearly shown. Such hogs must not come in contact with hogs from states of unlike status prior to or during shipment, and must have been transported in one continuous movement. (~~Swine from an area less than Phase IV status will not be accepted at a livestock market.~~)

(c) Swine brucellosis. All interstate swine over six months of age entering public livestock markets to be sold for breeding purposes must have been tested and found negative to brucellosis within thirty days prior to entry or originate in a validated brucellosis free herd. Swine not in compliance will not be sold as breeder swine. Swine originating from a herd where brucellosis is known to exist will not be sold as breeder swine.

~~((d) Handling of all swine at the market.~~

~~(i) Swine destined for movement to states other than Washington must meet the requirements of Title 9, CFR and the current import requirements of the receiving state before being released from the market.~~

~~(ii) When the health status inspection at the market reveals suspected evidence of cholera, the entire lot shall be returned to premise of origin under quarantine, or quarantined in an "isolation pen" pending disposition in a manner approved by the director. Cleaning and disinfecting of pens and vehicles must be carried out in a manner approved by the director.)~~