

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Agriculture
(agency name)

Administrative Order No. 1814

(1) I, M. Keith Ellis, director of the Department of Agriculture

do promulgate and adopt at Olympia, Washington (place)

the annexed rules relating to:

Chapter 16.86 WAC, rules governing livestock in the state of Washington.

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

This action is taken pursuant to Notice No. 84-04-083 filed with the code reviser on 2/1/84. These rules shall take effect: [X] 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 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:

[X] (a) This rule is promulgated pursuant to RCW 16.36 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 March 27 19 84

MAR 30 1984

By M. Keith Ellis, Director Title

CODE REVISER'S OFFICE WSR 84-08-037

AMENDATORY SECTION (Amending Order 1539, filed 10/17/77)

WAC 16-86-005 (~~(DIRECTOR-DEFINED)~~) DEFINITIONS. For ~~((the-purpose-of-these-rules,-the))~~ purposes of this chapter:

(1) "Director" means the director of agriculture of the state of Washington or his duly authorized representative.

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

(3) "Accredited veterinarian" means a veterinarian licensed to practice veterinary medicine, surgery, and dentistry in the state of Washington and approved by the United States department of agriculture veterinary services to participate in state-federal cooperative programs.

(4) "Official calfhood vaccinate" means a female bovine animal vaccinated between the ages of four and twelve months (one hundred twenty days to three hundred sixty-five days) with an approved brucella vaccine.

(5) "Approved brucella vaccine" means only those biological products that are approved by and produced under license of the United States department of agriculture for injection into cattle for the purpose of enhancing their resistance to brucellosis.

(6) "Registry tattoo" means a tattoo identifying the individual as a registered animal within the breed association.

(7) "Vaccination tattoo" means the United States registered shield and V preceded by a number indicating the quarter of the year and followed by a number corresponding to the last digit of the year in which vaccination was done.

AMENDATORY SECTION (Amending Order 1732, filed 5/1/81, effective 7/1/81)

WAC 16-86-095 (~~((REQUIREMENTS-FOR-AUTHORIZING-PAYMENT-TO--VETERINARIANS--FOR))~~) OFFICIAL CALFHOOD VACCINATION. (~~((The-fee-schedule-for-payment-by-the-department-to--accredited-veterinarians--for--official-brucellosis--calfhood-vaccination-shall-be-at-a-rate-prescribed-by-the-director-not-to-exceed-one-dollar-per-animal.))~~)

(1) An official vaccination report (~~((-))~~) of calfhood vaccinations must be ~~((reported))~~ made to the department within thirty days of occurrence on an approved report form (AGRI 030-3003) issued by the ~~((Washington-state))~~ department (~~((of-agriculture))~~) for the purpose of identifying and recording by official calfhood vaccination ~~((eartag))~~ ear tag or registry tattoo calves officially (~~((brucella))~~) brucellosis vaccinated.

(2) (~~((Accredited-veterinarians-in-private-practice-may-make-claim-to-the-department-for-each-beef-breed-or--dairy--breed--female--bovine-calf-they-officially-vaccinate-in-the-state-of-Washington.~~

~~((a))--No--claim--for--payment--shall--be--made--except--for--those--officially-calfhood-vaccinated.~~

~~((b))--No-claim-for-payment-shall-be-made-unless--an--approved--brucella-vaccine-is-used-for-official-calfhood-vaccination.~~

~~((c))--No-claim-for-payment-shall-be-made-prior-to-submitting-to-the-department--the-official-calfhood-vaccination-report,-countersigned-by-the-owner-of-the-animal,-identifying-by-official-calfhood--vaccination-eartag--or-registry-tattoo-each-individual-calf-vaccinated.))~~ All vaccination must be done by a licensed accredited veterinarian or federal or state employed veterinarian. Vaccinated animals must be permanently identified as vaccinates by a vaccination tattoo in the right ear. An official vaccination ear tag or registry tattoo shall be used for individual animal identification.

(3) All brucellosis vaccinations shall be reported to the department before becoming official.

AMENDATORY SECTION (Amending Order 1785, filed 2/17/83)

WAC 16-86-015 WASHINGTON CATTLE SALE REQUIREMENTS. (1) ((No breeding)) Effective January 1, 1984, within thirty days prior to any change of ownership and in a manner prescribed by the state veterinarian, all dairy breed cattle ((may be sold in this state unless within the thirty days immediately preceding the change of ownership the animal has been)) shall be tested negative for brucellosis ((and the result of that test is negative)). ((Except)) The following classes of cattle are exempt from this test requirement:

(a) Calves under ((twelve)) four months of age.

(b) Cattle sold or consigned to a quarantined registered feed lot.

(c) Cattle sold or consigned to ((an official)) a federally inspected slaughter ((establishment for slaughter within fourteen days)) plant.

(d) Steers and spayed heifers.

(e) ((Officially)) Official calfhood ((vaccinated dairy cattle)) vaccinates under twenty months of age ((and officially vaccinated beef cattle under twenty-four months of age from herds not under quarantine)) and not parturient or post parturient.

(2) ((The department shall review operation of WAC 16-86-015(1) in August 1982 to determine the results of the testing program in terms of the numbers of suspects and reactors discovered and the status of the brucellosis situation in the state. The purpose of the review is to assess the need for changes.

Unless after a hearing renewal is determined to be necessary, WAC 16-86-015(1) shall expire on August 1, 1983.

(3)) No female cattle may be sold, or introduced into any herd, in the state of Washington unless they are properly identified as official brucellosis vaccinates; except the following classes of cattle are exempt from this requirement:

(a) Calves under four months of age: PROVIDED, That female calves under four months acquired by any herd and natural female additions must be officially brucellosis calfhood vaccinated and identified before the age of twelve months.

(b) ((In Washington herds, female dairy breed cattle, after January 1, 1983, over six years of age.

(c) In Washington herds)) Female beef breed cattle ((after January 1, 1984, over twelve months of age; after January 1, 1985, over two years of age; after January 1, 1986, over three years of age; after January 1, 1987, over four years of age; after January 1, 1988, over five years of age; after January 1, 1989, over six years of age)) born before January 1, 1983.

((a)) (c) Cattle sold or consigned to a quarantined registered feed lot.

((e)) (d) Cattle sold or consigned to a federally inspected slaughter plant.

((f)) (e) Cattle sold or consigned to a public livestock market for ((immediately)) immediate slaughter only.

((g)) (f) Spayed heifers.

(3) Any dairy breed female cattle not exempted in subsection (2) of this section but found not to be vaccinated for brucellosis upon consignment to a public livestock market, shall be identified by the department by branding with an "S" brand on the left hip prior to sale and released from the market only when such cattle have been specifically destined by the buyer to one of the following:

(a) A quarantined registered feed lot.

(b) A federally inspected slaughter plant.

(c) Another public livestock market for immediate slaughter only.

(4) Any dairy breed female cattle consigned to a public livestock market for probable slaughter, but whose status is later changed by the buyer, shall be identified by "S" branding and released by the department only as set forth in subsection (3) of this section, if found not to be vaccinated for brucellosis. Any buyer who fails to deliver "S" branded cattle to the destination declared by the buyer or his agent shall be guilty of a violation of this chapter. Whenever

necessary, the department shall make the final determination of the vaccination status of any eligible cattle.

((4)) (5) All Washington cattle shall be individually identified and permanently recorded as to herd of origin prior to being sold or consigned for slaughter. Such identity shall be transferred to the blood sample taken for MCI test purposes. These records shall be made available to the department upon request. Except the following classes of cattle shall be exempt from this requirement:

- (a) Cattle under twenty-four months of age. (Not parturient or post parturient.)
- (b) Steers and spayed heifers.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 16-86-006 DEPARTMENT DEFINED.
- (2) WAC 16-86-007 DEFINITION--ACCREDITED VETERINARIAN.
- (3) WAC 16-86-009 DEFINITION--COMMERCIAL DAIRY HERD. *UN*
- (4) WAC 16-86-011 DEFINITION--OFFICIAL CALFHOOD VACCINATION.
- (5) WAC 16-86-012 DEFINITION--APPROVED BRUCELLA VACCINE. *bp*