

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 1815

(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 16.86WAC, 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. filed with the code reviser on 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, M. Keith Ellis, 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:

Brucellosis is a highly infectious disease which causes female cattle to abort. Several infected dairy breed cattle have recently been identified after their importation into Washington. The extent of this newly discovered outbreak is unknown which makes it imperative that all dairy breed cattle in Washington be tested for brucellosis prior to any change of ownership. A hearing has been held and the permanent order will soon be effective. This emergency is filed to cover the period 3/30/84 until permanent order. These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser. in effect.

(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 16.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON

FILED

APPROVED AND ADOPTED

March 30 19 84

MAR 30 1984

By

Director

CODE REVISER'S OFFICE WSR 84-08-038

Title

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.

((d)) (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.