

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Agriculture
(agency name)

Administrative Order No. 1964

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

do promulgate and adopt at Olympia, Washington
(place)

the annexed rules relating to:

Chapter 16-28 WAC Commercial Registered Feedlots - REPEALED

Chapter 16-30 WAC Quarantined Registered Feedlots

Chapter 16-54 WAC Rules Relating to the Importation of Animals into the State of Washington

Chapter 16-86 WAC Rules Relating to Brucellosis and Tuberculosis in Cattle and Goats

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

This action is taken pursuant to Notice No. 88-01-123
filed with the code reviser on 12-23-87. 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 34.04.026¹ 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 February 5 1988

FEB 5 1988

By [Signature]
Deputy Director, Department of Agric.

Title

CODE REVISER'S OFFICE
WSR 88-05-003

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 16-28-010 Definition.
- WAC 16-28-020 Licensed quarantined registered feed lots included.
- WAC 16-28-030 Applications for.
- WAC 16-28-040 Duration of Licenses.
- WAC 16-28-050 Lot Size.
- WAC 16-28-060 Drainage Requirements.
- WAC 16-28-069 Screenings, Screenings Waste or Screening Refuse, Defined--Established Tolerances.
- WAC 16-28-070 Destroying viable weed seeds.
- WAC 16-28-080 Transportation of Screenings Containing Weed Seeds.
- WAC 16-28-090 Sale of Animal Droppings.

Chapter 16-30 WAC

~~((QUARANTINED-REGISTERED))~~ RESTRICTED FEEDLOTSAMENDATORY SECTION (Amending Order 955, filed 8/31/64)

WAC 16-30-010 DEFINITION. A ~~((quarantined---registered))~~ restricted feedlot shall mean a dry feed yard where ~~((heavy--proportions--of--concentrates--are--fed--to--put--a--finish--on--cattle;--and--where--cattle--are--identified--and--held--under--quarantine--to--prevent--the--spread--of--disease--in--cattle.---Further,--a--quarantined--registered--feed--lot--shall--mean--a--dry--feed,--or--garbage--feed--yard--where--heavy--portions--of--concentrates,--or--garbage,--are--fed--to--put--a--finish--on--swine,--and--held--under--quarantine--to--prevent--the--spread--of--disease--in--swine))~~ cattle not known to be exposed to brucellosis and not vaccinated against brucellosis are restricted to prevent their sale for breeding purposes.

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

WAC 16-30-020 PERMIT APPLICATIONS. ~~((applications-for-quarantined-registered-feed-lot-permits-will-be-furnished-on-request-by--the--department--of--agriculture,--Each))~~ 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.
- (4) Number of native cattle ~~((or--swine))~~ on farm.
- (5) Operations in livestock other than the feeding of cattle ~~((or swine))~~.

AMENDATORY SECTION (Amending Order 1790, filed 3/14/83)

WAC 16-30-030 CERTIFIED STATEMENTS REQUIRED. In addition to the information furnished in the application each applicant must certify to the following:

- (1) That there shall be no contact with other ~~((female-and-male))~~ animals not also similarly and commonly ~~((quarantined))~~ restricted.
- (2) 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 ~~((---PROHIBITED,--That--swine--will--not--be--moved--from--a--feed--yard--except--to--a--licensed--slaughterer--with--no--diversion--enroute))~~.
- (3) That the yard will be maintained in a sanitary condition.
- (4) That the department of agriculture will be notified immediately of any outbreak of any infectious or contagious disease.
- (5) That the disposition of dead animals will be in accordance with the laws relating to the disposal of dead animals.
- (6) That accurate records will be kept accounting for all animals entering the feedlot.

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

WAC 16-30-040 EXPIRATION AND REVOCATION OF PERMITS. All permits for ((quarantined-registered)) restricted feedlots shall expire on the 30th day of June next subsequent to the date of issue and may be sooner revoked or suspended by the director of agriculture upon reasonable notice to the permittee for violations of the disease control or brand inspection laws of this state or any lawful regulations issued and promulgated by the director of agriculture under said laws. Any permittee shall have the right to request a hearing before a revocation is made permanent.

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

WAC 16-30-050 BRANDS. Before a permit is issued for a ((quarantined-registered)) restricted feedlot the operator or owner must have recorded with the state department of agriculture a brand to be used exclusively within said feedlot. 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 ((quarantined--registered)) restricted feedlots((~~!--PROVIDED-FURTHER,--That this-regulation-will-not-apply-to-a-quarantined--registered--feed--lot feeding-swine~~)).

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

WAC 16-30-060 BRAND TIME. For the purpose of proper identification, all cattle, except steers and spayed heifers, arriving at a ((quarantined-registered)) restricted feedlot must be branded with the aforementioned "F" brand within ((48)) forty-eight hours after arrival. Use of such brands on steers and properly identified spayed heifers shall be optional((~~!--PROVIDED,--That-this-regulation-will--not apply-to-a-quarantined-registered-feed-lot-feeding-swine~~)).

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

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 in front of or below the existing brand, but must not deface the existing brand: PROVIDED, The ((quarantined-registered)) 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((~~!--PROVIDED-FURTHER,--That-this-regulation-will-not-apply-to-a-quarantined registered-feed-lot-feeding-swine~~)).

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

WAC 16-30-080 LOT SIZE. The size of the ((~~quarantined-registered~~)) restricted feedlot shall be in keeping with the number of cattle ((~~or-swine~~)) on feed.

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

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

(1) That there shall be no contact with other ((~~females-and-males~~)) animals not also similarly and commonly ((~~quarantined~~)) 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 ((~~for-vaccination-and-for-holding-imports-separate-until-identified-and-deemed-safe-to-commingle-in-swine-feed-lots~~)).

(4) There shall be no regular stream or drainage therefrom to any area where ((~~nonquarantined~~)) nonrestricted females or males are held.

((~~5~~)) In swine quarantined-registered feed-lots the schedule of vaccination and/or identification may be prescribed by the director of agriculture and be set forth in the permit.

AMENDATORY SECTION (Amending Order 1838, filed 7/24/84)

WAC 16-54-010 DEFINITIONS. For purposes of this chapter:

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

(2) "Breeding cattle" shall be those females and bulls not consigned to a federally inspected slaughter establishment or a ((~~registered-guarantined~~)) restricted feedlot.

(3) "Official brucellosis test" means blood samples are to be tested only by cooperating state-federal laboratories or by such persons as may be authorized by state of origin animal health officials to conduct the standard agglutination tests or the card test. All samples initially tested at other than cooperating state-federal laboratories shall be promptly submitted and confirmed at the cooperating state-federal laboratory.

(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) "Class free and Class A, B, and C states" means states as classified by the current federal brucellosis eradication uniform methods and rules.

AMENDATORY SECTION (Amending Order 1918, filed 3/25/87)

WAC 16-54-082 DOMESTIC BOVINE ANIMALS. All domestic bovine animals (including bison) entering Washington shall be moved on a permit issued by the office of the state veterinarian. All domestic bovine animals (including bison) shall meet the following requirements:

(1) Tuberculosis. All beef and dairy cattle must originate from herds not under quarantine in a not less than modified accredited area.

(2) Brucellosis health certificate requirements. All domestic bovine animals (including bison), except those consigned to ((~~quarantined-registered~~)) restricted feedlots, or to federally inspected slaughter plants for immediate slaughter, or beef breed cattle or slaughter only dairy breed cattle consigned to a state-federal approved livestock market, shall be accompanied by an official interstate health certificate and shall meet the following requirements:

(a) Brucellosis test.

(i) Cattle from class free and A states.

(A) Sexually intact heifers from brucellosis quarantined herds in class free and A states shall not be imported into the state of Washington except for immediate slaughter at a federally inspected slaughter plant ((~~or-to-a-quarantined-feedlot~~)).

(B) Cattle other than those referred to in (a) (i) (A) of this subsection from class free or A states which are test eligible, unless destined for a ((~~quarantined~~)) restricted feedlot or for immediate slaughter at a federally inspected slaughter establishment, must be negative to an official brucellosis test conducted within thirty days prior to date of entry. Cattle not considered test eligible include:

(I) Calves under six months of age.

(II) Steers and spayed heifers.

(III) Officially vaccinated dairy cattle under twenty months of age and officially vaccinated beef cattle under twenty-four months of age.

(IV) Cattle from a certified brucellosis free herd.

(V) Cattle from selected brucellosis free states designated by the Washington state veterinarian.

(ii) Cattle from Class B or C states.

(A) Sexually intact heifers from other than certified brucellosis free herds in states classified B or C by the USDA shall not be imported into the state of Washington except for immediate slaughter

at a federally inspected slaughter establishment ((or-to-a-quarantined feedlot)).

(B) Cattle other than those referred to in (a)(ii)(A) of this subsection from Class B states which are test eligible, unless destined for a ((quarantined)) restricted feedlot or for immediate slaughter at a federally inspected slaughter establishment, must be negative to an official brucellosis test conducted within thirty days prior to date of entry and held on the premises of destination and kept separate from all other cattle for retest not less than forty-five nor more than one hundred twenty days from the date of the preentry test. Cattle not considered test eligible include:

- (I) Calves under six months of age.
- (II) Steers and spayed heifers.
- (III) Cattle from a certified brucellosis free herd.

(C) Cattle other than those referred to in (a)(ii)(A) of this subsection from Class C states which are test eligible must be negative to two official brucellosis tests conducted prior to entry at least sixty days apart, the second test to be conducted within thirty days of entry. Those cattle shall be held on the premises of destination and kept separate from all other cattle for retest not less than forty-five nor more than one hundred twenty days from the date of the second negative preentry test. Cattle not considered test eligible include:

- (I) Calves under six months of age.
- (II) Steers and spayed heifers.
- (III) Cattle from a certified brucellosis free herd.

(iii) Beef cattle eligible for brucellosis testing coming from class free or A states may be moved to state-federal approved livestock markets in Washington to meet entry health requirements.

(iv) Should brucellosis infection occur in the state of Washington as a result of importation of infected animals, all future importations from the state of origin shall be required to meet import regulations of the next lower classification. State regulatory officials of that state shall be notified and the lower classification entry requirement will be in effect for twelve months following notification to the state of origin.

(b) Brucellosis calfhood vaccinates--female dairy cattle. All female dairy cattle must be identified as official brucellosis calfhood vaccinates before entry. Except the following classes of cattle are exempt from this requirement:

- (i) Calves under four months of age.
- (ii) Those cattle consigned directly to a federally inspected slaughter plant.

(iii) Those cattle consigned directly to a ((quarantined-registered)) restricted feedlot.

- (iv) Spayed heifers.

(c) Brucellosis calfhood vaccinates--female beef cattle. All female beef breed cattle must be identified as official brucellosis vaccinates before entry, except the following classes of cattle are exempt from this requirement:

- (i) Calves under four months of age.
- (ii) Female beef breed cattle born before January 1, 1983.
- (iii) Cattle sold or consigned to a ((quarantined-registered)) restricted feedlot.

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

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

- (vi) Spayed heifers.

(vii) Cattle from a certified brucellosis free country where vaccination is prohibited by law: PROVIDED, That the state veterinarian, upon being assured that to allow such cattle to enter would not create any jeopardy to the livestock industry of the state of Washington, may issue a special permit for such entry.

(3) Scabies. The office of the state veterinarian may require that any cattle from a known infected area be dipped at an official dipping facility within ten days of entry and, except those consigned

to a federally inspected slaughter plant for immediate slaughter within fourteen days, be accompanied by an official interstate health certificate. Ivermectin may be used as an alternative to the dipping procedure for beef and nonlactating dairy animals.

(4) Vesicular stomatitis. The office of the state veterinarian may require that:

(a) Any cattle be accompanied by an official interstate health certificate except those consigned to a federally inspected slaughter plant for immediate slaughter within fourteen days;

(b) Dairy breed cattle be held separate and apart from all other cattle for a period of seven days at the point of destination and rechecked by an accredited veterinarian at the end of that period; except that dairy breed cattle from known infected areas shall not be allowed entry into the state; and

(c) Beef breed cattle from known infected areas be held separate and apart from all other cattle for a period of thirty days either prior to entry or at the point of destination or both.

(5) Temporary grazing permits. Herd owners desiring to move cattle into Washington for temporary grazing purposes must obtain a prior permit from the office of the state veterinarian: PROVIDED, That the state veterinarian may, if deemed necessary, require a brucellosis herd test and/or an official health certificate for any cattle entering the state for grazing purposes. Applicants must also file an approved herd plan with the office of the state veterinarian to phase out all brucellosis nonvaccinates in the herd prior to January 1, 1988. Grazing permits shall be for one specified season only and shall be valid for movement to only that destination declared on the permit. A copy of the permit shall accompany any vehicle transporting cattle into the state for such temporary grazing purposes.

AMENDATORY SECTION (Amending Order 1917, filed 3/25/87)

WAC 16-86-015 WASHINGTON CATTLE SALE REQUIREMENTS. (1) 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 shall be tested negative for brucellosis. The following classes of cattle are exempt from this test requirement:

(a) Calves under four months of age.

(b) Cattle sold or consigned to a ((~~quarantined--registered~~)) restricted feedlot.

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

(d) Steers and spayed heifers.

(e) Official calfhood vaccinates under twenty months of age and not parturient or post parturient.

(2) All female cattle shall be officially vaccinated against brucellosis and bear a legible vaccination tattoo prior to being sold or introduced into any herd in the state of Washington. This rule does not apply to the following:

(a) Calves under four months of age. Female calves under four months acquired by any herd and natural female additions must become official calfhood vaccinates, as provided for in this chapter, to be sold for any purpose other than those set forth in (c), (d), (e), or (f) of this subsection.

(b) Female beef breed cattle born before January 1, 1983.

(c) Cattle sold or consigned to a ((~~quarantined--registered~~)) restricted feedlot.

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

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

(f) Spayed heifers.

(3) Any dairy breed female cattle over eight months of age which are not exempted in subsection (2) of this section and which are found not to be vaccinated against brucellosis upon consignment to a public livestock market, shall be identified by branding with an "S" brand on the left hip prior to sale and released from the market. After "S" branding, the nonvaccinated cattle may be released by the director on a VS1-27 Form or other official permit to any of the following destinations:

(a) A ((~~quarantined--registered~~)) restricted feedlot.

(b) A federally inspected slaughter plant.

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

(d) Upon specific approval by the state veterinarian, nonvaccinated cattle "S" branded at a public livestock market may be returned to the farm of origin where they must remain until released by the state veterinarian for consignment to one of the destinations listed under (a), (b), or (c) of this subsection.

(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.

(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.

AMENDATORY SECTION (Amending Order 1791, filed 3/14/83)

WAC 16-86-030 SALE OF QUARANTINED ANIMALS. (1) No person shall sell or offer for sale any cattle from a brucellosis quarantined herd except steers and spayed heifers for other than immediate slaughter (~~(or for consignment to a quarantined registered feed lot or for consignment to a state federal approved sales yard for immediate slaughter or for sale to a quarantined registered feed lot only)~~) or for consignment to a state federal approved sales yard for immediate slaughter: PROVIDED, That prior to consignment to a state federal approved sales yard, the cattle shall be "S" branded and shall only be moved from the brucellosis quarantined herd when accompanied by an official federal form number VS1-27.

(2) Cattle from a tuberculosis quarantined herd shall not be sold or offered for sale except for immediate slaughter.

AMENDATORY SECTION (Amending Order 1814, filed 3/30/84)

WAC 16-86-095 OFFICIAL CALFHOOD VACCINATION. (1) An official vaccination report of calfhood vaccinations must be made to the department within thirty days of occurrence on an approved report form (~~((AGRI--030-3003))~~) VS 4-26) issued by the department for the purpose of identifying and recording by official calfhood vaccination ear tag or registry tattoo calves officially brucellosis vaccinated.

(2) 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.