

Chapter 16-30 WAC

RESTRICTED HOLDING FACILITIES

WAC

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effective 7/19/61.] Repealed by WSR 10-20-091, filed 9/30/10, effective 10/31/10. Statutory Authority: Chapters 16.36 and 34.05 RCW.

Lot size. [Statutory Authority: RCW 16.36.040 and 16.36.050. WSR 88-05-003 (Order 1964), § 16-30-080, filed 2/5/88; Order 955, Regulation 8, filed 8/31/64; Order 851, Regulation 8, effective 7/19/61.] Repealed by WSR 08-01-095, filed 12/17/07, effective 1/17/08. Statutory Authority: Chapters 16.36 and 34.05 RCW.

16-30-090

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16-30-100

Criminal penalty—Civil injunction. [Statutory Authority: RCW 16.36.040 and 16.36.050. WSR 89-06-014 (Order 1995), § 16-30-100, filed 2/23/89; Order 955, Regulation 10, filed 8/31/64; Order 851, effective 7/19/61.] Repealed by WSR 99-14-032, filed 6/29/99, effective 7/30/99. Statutory Authority: Chapter 16.36 RCW.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

16-30-001

Promulgation. [Order 955, Promulgation, filed 8/31/64; Order 851, Promulgation, effective 7/19/61.] Repealed by WSR 99-14-032, filed 6/29/99, effective 7/30/99. Statutory Authority: Chapter 16.36 RCW.

16-30-020

Permit applications. [Statutory Authority: RCW 16.36.040 and 16.36.050. WSR 89-06-014 (Order 1995), § 16-30-020, filed 2/23/89; WSR 88-05-003 (Order 1964), § 16-30-020, filed 2/5/88; Order 955, Regulation 2, filed 8/31/64; Order 851, Regulation 2, effective 7/19/61.] Repealed by WSR 08-01-095, filed 12/17/07, effective 1/17/08. Statutory Authority: Chapters 16.36 and 34.05 RCW.

16-30-025

Restricted feedlots. [Statutory Authority: Chapters 16.36 and 34.05 RCW. WSR 10-20-091, § 16-30-025, filed 9/30/10, effective 10/31/10; WSR 08-01-095, § 16-30-025, filed 12/17/07, effective 1/17/08. Statutory Authority: RCW 16.36.040 and 16.36.050. WSR 89-06-014 (Order 1995), § 16-30-025, filed 2/23/89.] Repealed by WSR 19-02-071, filed 12/31/18, effective 1/31/19. Statutory Authority: RCW 16.36.040.

16-30-030

Conditions of permit to operate a restricted feedlot. [Statutory Authority: Chapters 16.36 and 34.05 RCW. WSR 10-20-091, § 16-30-030, filed 9/30/10, effective 10/31/10; WSR 09-03-018, § 16-30-030, filed 1/9/09, effective 2/9/09; WSR 08-01-095, § 16-30-030, filed 12/17/07, effective 1/17/08. Statutory Authority: RCW 16.36.040 and 16.36.050. WSR 89-06-014 (Order 1995), § 16-30-030, filed 2/23/89; WSR 88-05-003 (Order 1964), § 16-30-030, filed 2/5/88. Statutory Authority: Chapter 16.36 RCW. WSR 83-07-028 (Order 1790), § 16-30-030, filed 3/14/83; Order 955, Regulation 3, filed 8/31/64; Order 851, Regulation 3, effective 7/19/61, but corrected for clerical error by filing dated 7/20/61.] Repealed by WSR 19-02-071, filed 12/31/18, effective 1/31/19. Statutory Authority: RCW 16.36.040.

16-30-050

Brands. [Statutory Authority: Chapters 16.36 and 34.05 RCW. WSR 08-01-095, § 16-30-050, filed 12/17/07, effective 1/17/08. Statutory Authority: RCW 16.36.040 and 16.36.050. WSR 89-06-014 (Order 1995), § 16-30-050, filed 2/23/89; WSR 88-05-003 (Order 1964), § 16-30-050, filed 2/5/88; Order 955, Regulation 5, filed 8/31/64; Order 851, Regulation 5, effective 7/19/61.] Repealed by WSR 10-20-091, filed 9/30/10, effective 10/31/10. Statutory Authority: Chapters 16.36 and 34.05 RCW.

16-30-060

Brand time. [Statutory Authority: Chapters 16.36 and 34.05 RCW. WSR 08-01-095, § 16-30-060, filed 12/17/07, effective 1/17/08. Statutory Authority: RCW 16.36.040 and 16.36.050. WSR 89-06-014 (Order 1995), § 16-30-060, filed 2/23/89; WSR 88-05-003 (Order 1964), § 16-30-060, filed 2/5/88; Order 955, Regulation 6, filed 8/31/64; Order 851, Regulation 6, effective 7/19/61.] Repealed by WSR 10-20-091, filed 9/30/10, effective 10/31/10. Statutory Authority: Chapters 16.36 and 34.05 RCW.

16-30-070

Place of brand. [Statutory Authority: Chapters 16.36 and 34.05 RCW. WSR 08-01-095, § 16-30-070, filed 12/17/07, effective 1/17/08. Statutory Authority: RCW 16.36.040 and 16.36.050. WSR 89-06-014 (Order 1995), § 16-30-070, filed 2/23/89; WSR 88-05-003 (Order 1964), § 16-30-070, filed 2/5/88; Order 955, Regulation 7, filed 8/31/64; Order 851, Regulation 7,

WAC 16-30-010 Definitions. In addition to the definitions found in RCW 16.36.005, the following definitions apply to this chapter:

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

"Designated surveillance area" means a disease surveillance area in the Greater Yellowstone Area within the states of Idaho, Montana, and Wyoming where brucellosis positive elk are known or suspected to exist. In these areas, commingling of elk and livestock, and livestock exposure to tissue containing *Brucella*, is possible.

"Director" means the director of the department of agriculture or the director's authorized representative.

"Official individual identification" means official United States Department of Agriculture (USDA) approved individual identification tag.

Note: Official USDA ear tags are imprinted with an individual identification number, bears the official U.S. shield, and are tamper proof.

"Restricted animals" means animals being held in a restricted holding facility.

[Statutory Authority: RCW 16.36.040. WSR 19-02-071, § 16-30-010, filed 12/31/18, effective 1/31/19. Statutory Authority: Chapters 16.36 and 34.05 RCW. WSR 10-20-091, § 16-30-010, filed 9/30/10, effective 10/31/10; WSR 08-01-095, § 16-30-010, filed 12/17/07, effective 1/17/08. Statutory Authority: Chapter 16.36 RCW. WSR 99-14-032, § 16-30-010, filed 6/29/99, effective 7/30/99. Statutory Authority: RCW 16.36.040 and 16.36.050. WSR 89-06-014 (Order 1995), § 16-30-010, filed 2/23/89; WSR 88-05-003 (Order 1964), § 16-30-010, filed 2/5/88; Order 955, Regulation 1, filed 8/31/64; Order 851, Regulation 1, effective 7/19/61.]

WAC 16-30-035 Types of restricted holding facilities.

(1) Restricted holding facilities are isolated areas approved and licensed by the director, as advised by the state veterinarian. Fees associated with restricted holding facilities are referenced under chapter 16-91 WAC.

(2) There are three categories of restricted holding facilities.

(a) A category 1 restricted holding facility is a facility where imported animals are held in quarantine until they meet animal health import requirements prior to movement.

(b) A category 2 restricted holding facility is a feed yard where livestock are fed and destined for slaughter only. Livestock are confined for feeding as designated by a diagram of the restricted holding facility per WAC 16-30-039 (2)(c). Livestock in a category 2 restricted holding facility must remain in slaughter channels and move only to a federally inspected slaughter plant or other restricted facilities of like status.

(c) A category 3 restricted holding facility is a holding facility for permanently quarantined animals.

[Statutory Authority: RCW 16.36.040, WSR 19-02-071, § 16-30-035, filed 12/31/18, effective 1/31/19. Statutory Authority: Chapters 16.36 and 34.05 RCW, WSR 10-20-091, § 16-30-035, filed 9/30/10, effective 10/31/10; WSR 08-01-095, § 16-30-035, filed 12/17/07, effective 1/17/08.]

WAC 16-30-038 Conditions to operate restricted holding facilities. (1) The following requirements are applicable to all categories of restricted holding facilities:

(a) The restricted holding facility area shall house restricted animals separate and apart from all other nonrestricted animals. There may be no contact between animals not also similarly restricted and no commingling between separate shipments of animals.

(b) The restricted holding facility will be maintained in a sanitary condition to mitigate disease risk.

(c) The state veterinarian will be notified immediately of any outbreak of any infectious or contagious disease or of any significant morbidity/mortality event.

(d) Milk from restricted animals may not be used for human consumption.

(e) Restricted holding facilities must be clearly identified as such by signs permanently affixed at all corners stating "restricted holding facility" in letters a minimum of six inches in height.

(f) The disposition of dead animals will be in accordance with the laws relating to the disposal of dead livestock and in accordance with chapter 16-25 WAC.

(g) Accurate records will be kept for six years to account for all animals entering and leaving the restricted holding facility. Records must be open for review by authorized department of agriculture personnel during normal business hours, and must be provided to the department upon the director's or state veterinarian's request.

(h) The state veterinarian has the authority to enter the restricted holding facility at any reasonable time to conduct tests, examinations, and inspections.

(2) **Additional requirements for a category one restricted holding facility.** In addition to the requirements of subsection (1) of this section for all types of restricted holding facilities, the operator of a category one restricted holding facility must abide by the following conditions:

(a) All animals entering a category one restricted holding facility must have official individual identification listed on the certificate of veterinary inspection.

(b) No animals may be removed from the category one restricted holding facility until they meet state and federal import regulations.

(c) The state veterinarian must be notified when animals in a category one restricted holding facility have met state and federal import regulations by submitting animal testing and vaccination records prior to movement of the animal.

(d) Animals may be removed from the restricted holding facility without meeting state and federal import regulations if they are sent to a federally inspected slaughter plant and have not commingled with any other animals not also similarly restricted. Category one restricted holding facilities must report to the state veterinarian the official individual identification of any animals that move out of the facility to a federally inspected slaughter plant or to a category two restricted holding facility prior to movement of the animals. Animals that have commingled with others not also similarly restricted will be quarantined and must be tested negative for disease as determined by the state veterinarian within thirty days before being released from the holding facility.

(e) Notifications of animal movement shall be submitted to:

Washington State Department of Agriculture
Animal Services Division
1111 Washington St. S.E.
P.O. Box 42577
Olympia, WA 98504-2577
Email: ahealth@agr.wa.gov

(f) The state veterinarian will conduct at least two and up to four random, unannounced audits during each licensing period. The rate for audits is established in WAC 16-91-040. The audits will consist of a physical inspection.

(g) Subsection (2)(f) of this section shall not limit the number of inspections necessary to investigate potential violations or limit the number of inspections to ensure compliance after a violation is found.

(3) **Additional requirements for a category two restricted holding facility.** In addition to the requirements of subsection (1) of this section for all types of restricted holding facilities, the operator of a category two restricted holding facility must abide by the following conditions:

(a) All livestock that enter Washington state destined to a category two restricted holding facility must enter with a certificate of veterinary inspection that includes the entry permit number.

(b) Cattle imported from Canada are required to have individual official identification and must be confined to the initial category two restricted holding facility until moved to a federally inspected slaughter plant.

(c) Category two restricted holding facilities may purchase and import cattle from a designated surveillance area if the cattle do not originate from a herd known to be exposed to brucellosis. Female cattle entering a category two restricted holding facility from a designated surveillance area must be:

(i) Officially brucellosis vaccinated; or
(ii) Brucellosis tested negative within thirty days prior to movement.

(d) All livestock in a category two restricted holding facility must remain in slaughter channels.

(e) There may be no contact between livestock not also similarly restricted.

(f) Livestock may be removed from the restricted holding facility without meeting state and federal import regulations if they are sent immediately to a federally inspected slaughter plant or moved to a facility of like status. Category two restricted holding facilities that move livestock to a facility of like status must report to the state veterinarian the number of livestock being moved, the official individual identification if applicable, the date the livestock will be moved, and the physical address of where the livestock will be moving to, prior to movement of the livestock.

(g) Notifications of animal movement shall be submitted to:

Washington State Department of Agriculture
 Animal Services Division
 1111 Washington St. S.E.
 P.O. Box 42577
 Olympia, WA 98504-2577
 Email: ahealth@agr.wa.gov

(h) There must be a minimum of thirty feet between the restricted holding facility and other lots and facilities.

(i) No common fences and gates may be used.

(j) Livestock in the restricted holding facility must not share water or feeding facilities accessible to other areas.

(k) The state veterinarian will conduct at least two and up to four random, unannounced audits during each licensing period. The audits will consist of a physical inspection. The licensee is also required to periodically confirm with the department livestock shipments identified on state entry permits and certificate of veterinary inspections as destined to the restricted holding facility by telephone or email. The rate for audits is established in WAC 16-91-040, but the total amount charged per licensed restricted holding facility shall not exceed one thousand five hundred dollars in a calendar year.

(l) Subsection (3)(k) of this section shall not limit the number of inspections necessary to investigate potential violations or limit the number of inspections or total amount charged to ensure compliance after a violation is found. Category two restricted holding facilities that have been found to be in violation of animal health or import regulations may be charged for audits and inspections in excess of the one thousand five hundred dollar limit in (k) of this subsection. This section shall not limit the department from charging the time and mileage fee for inspecting livestock and related records during an investigation of a proven violation of RCW 16.36-140.

(4) Additional requirements for category three restricted holding facilities. In addition to the requirements of subsection (1) of this section for all types of restricted holding facilities, the operator of a category three restricted holding facility must abide by the following conditions:

(a) The operator of a category three restricted holding facility must abide by quarantine conditions set forth by the state veterinarian.

(b) Accurate records will be kept accounting for all animals entering the category three restricted holding facility for the length of the quarantine.

(c) An animal in a category three restricted holding facility may be legally removed from the facility only upon the animal's death or if the animal is moved from the location by permit from the state veterinarian's office on a United States Department of Agriculture VS form 1-27 for the movement of restricted or quarantined animals to another category three restricted holding facility.

(d) If an animal dies or is moribund in a category three restricted holding facility, the operator of the holding facility will immediately notify the state veterinarian of the animal's condition. The state veterinarian may require inspection and testing of the animal before disposal.

(e) The state veterinarian will conduct at least two and up to four random, unannounced audits during each licensing period. The rate for audits is established in WAC 16-91-040. The audits will consist of a physical inspection.

(f) Subsection (4)(e) of this section shall not limit the number of inspections necessary to investigate potential violations or limit the number of inspections to ensure compliance after a violation is found.

[Statutory Authority: RCW 16.36.040, WSR 19-02-071, § 16-30-038, filed 12/31/18, effective 1/31/19. Statutory Authority: Chapters 16.36 and 34.05 RCW, WSR 10-20-091, § 16-30-038, filed 9/30/10, effective 10/31/10; WSR 08-01-095, § 16-30-038, filed 12/17/07, effective 1/17/08.]

WAC 16-30-039 Applications for a restricted holding facility. (1) Application forms to establish a restricted holding facility may be obtained from:

Washington State Department of Agriculture
 Animal Services Division
 1111 Washington St. S.E.
 P.O. Box 42577
 Olympia, Washington 98504-2577
 Phone: 360-902-1878
 Email: ahealth@agr.wa.gov

(2) Applicants for restricted holding facilities must provide the following information on the application form:

- (a) Name and address of applicant;
- (b) Location of the restricted holding facility; and
- (c) Diagram of the restricted holding facility.

[Statutory Authority: RCW 16.36.040, WSR 19-02-071, § 16-30-039, filed 12/31/18, effective 1/31/19. Statutory Authority: Chapters 16.36 and 34.05 RCW, WSR 10-20-091, § 16-30-039, filed 9/30/10, effective 10/31/10; WSR 08-01-095, § 16-30-039, filed 12/17/07, effective 1/17/08.]

WAC 16-30-040 Expiration and revocation of restricted holding facility licenses. (1) All licenses for restricted holding facilities expire on the 30th day of June of the year following the date of issue. Restricted holding facilities must be inspected annually upon renewal and at any other time as determined by the director. Renewal of a restricted holding facility license is contingent upon accurate recordkeeping.

(2) Any violation of chapter 16.36 RCW or any of the rules adopted under that chapter is sufficient cause for the suspension or revocation of any license to operate a restricted holding facility. In all proceedings for suspension or revocation of a restricted holding facility license, the owner or manager has the right to request a hearing before revocation is made permanent. Any action shall be taken under the provi-

sions of chapter 34.05 RCW, the Administrative Procedure Act.

[Statutory Authority: RCW 16.36.040. WSR 19-02-071, § 16-30-040, filed 12/31/18, effective 1/31/19. Statutory Authority: Chapters 16.36 and 34.05 RCW. WSR 10-20-091, § 16-30-040, filed 9/30/10, effective 10/31/10; WSR 08-01-095, § 16-30-040, filed 12/17/07, effective 1/17/08. Statutory Authority: RCW 16.36.040 and 16.36.050. WSR 88-05-003 (Order 1964), § 16-30-040, filed 2/5/88; Order 955, Regulation 4, filed 8/31/64; Order 851, Regulation 4, effective 7/19/61.]