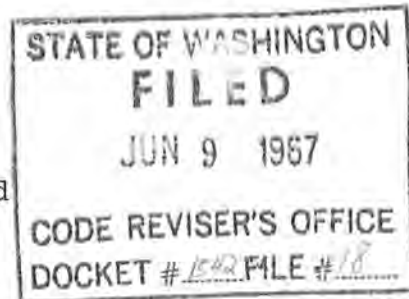


STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
Olympia, Washington

EMERGENCY ORDER NO. 1056

(Superseding Order No. 958 and
Order No. 1025)

Effective June 9, 1967



PROPOSED HEALTH, BRANDS AND WEIGHTS AND MEASURES REGULATIONS
PERTAINING TO PUBLIC LIVESTOCK MARKETS

The adoption of this Emergency Order No. 1056, to become effective immediately, amending rules relating to health, brands, and weights and measures applicable to livestock handled at and through public livestock markets is necessary for the immediate preservation of the public health, safety, and general welfare.

NOW THEREFORE, I, Donald W. Moos, Director of Agriculture of the State of Washington by virtue of the authority vested in me under Chapters 16.36 RCW, 16.57 RCW, 16.65 RCW, 19.93 RCW, 16.40 RCW, and 34.04 RCW, do promulgate the following regulations:

Regulation 1. Definitions: For the purposes of this order:

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

Section 2. "Department" means the department of agriculture of the State of Washington.

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

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

Section 5. "Livestock" except as used in the Brand Inspection Regulations of this order means all cattle, horses, mules, swine, sheep, goats, poultry and rabbits.

Section 6. "Livestock" as used in the Brand Inspection Regulations of this order means all cattle of whatever species, breed or age.

Regulation 2. Brand Inspection Regulations.

Section 1. All livestock before being offered for sale at any market shall be brand inspected by a regulatory officer of this state.

Section 2. Whenever any livestock is offered for sale at

a market and not sold, the identical animals may be offered for sale at the same market within eight days of the original inspection date without being required to pay a second brand inspection fee, upon presentation of the prior brand inspection certificate. In any such instance the unsold livestock must be presented for brand inspection without any animals having been taken from, or other animals having been added to, such lot or group of livestock and must be retained on the premises where first offered for sale within the time limit specified above.

Section 3. It shall be the responsibility of the licensee to identify each head of cattle consigned to a market by placing a numbered tag approved by the Director on each animal before the livestock are brand inspected, except certain lots of one brand cattle may be exempted by the regulatory officer. The licensee shall provide the regulatory officer with a sale ticket or sales sheet immediately after the animal is sold which shall show the name of the new buyer and the number identifying the animal.

Section 4. Adequate facilities and space shall be provided for inspection for brands or other identifying characteristics, such facilities to be approved by the director. The market or the consignor shall at the request of the regulatory officer make visible the brand or brands on the animal. Brand inspection facilities shall be approved by the Director and shall consist of:

- (a) Adequate covered chute or chutes and work space adjacent;
- (b) Adequate office facilities;
- (c) Electrical outlets for clippers at chutes;
- (d) Adequate lighting of chutes.

Section 5. No person shall remove any livestock from the premises of any market without first obtaining a signed release from the licensee. PROVIDED, The licensee or any agent or employee thereof shall not allow the removal of any livestock from the premises of the market without first obtaining a brand inspection clearance of the livestock to be removed: PROVIDED FURTHER, that horses, swine, sheep, poultry and rabbits will be exempt from the brand inspection requirements of this regulation.

Regulation 3. Facilities - Sanitation.

Section 1. 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 sewage 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 materials 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.
- (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.
- (6) All swine pens, when used, shall be cleaned and disinfected no later than the day subsequent to each sale.
- (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.
- (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:
 - (a) hard surfaced with concrete or similar impervious material and shall be kept in good repair;
 - (b) provided with separate watering facilities;
 - (c) painted white with the word "quarantine" painted in red letters not less than four inches high on such quarantine pen's gate;
 - (d) provided with a tight board fence not less than five and one-half feet high.
 - (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.

Section 2. For the purpose of tracing dealer consigned livestock to herds of origin for health purposes, the Certificate of Permit (S.F. #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 cattle under 30 months of age that are neither springing nor fresh.

Regulation 4. Health Regulations.

Section 1. The Director shall require such testing, treating, identifying, examining and record keeping of livestock by a deputy state veterinarian 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 the livestock of this state.

Section 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 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 arrange with private veterinary practitioners to perform animal health inspections, issue health certificates, perform private treaty work, etc. Departmental inspectors will work in cooperation with

any such private veterinary practitioners in performing yard inspections.

Section 3. Markets handling swine shall be required to provide veterinary health inspection of all swine received, handled or sold. This action is required under the Joint State-Federal Cooperative Program for the eradication of hog cholera and to maintain the status as a hog cholera free state.

Section 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.

Section 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 state of destination.

Section 6. 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.

Section 7. Brucellosis.

- (a) All cattle originating from a brucellosis free herd, area, or state, are exempt from the brucellosis requirements.
- (b) All Washington cattle and goats originating from Modified Certified Brucellosis area, if under 30 months of age, may be released from the market without brucellosis test or vaccination.
- (c) All female cattle and bulls over 30 months of age, except those originating from a Brucellosis Free herd, area, or state and all goats must be negative to brucellosis test within thirty days before being released from the market unless

consigned to licensed slaughter establishment, registered quarantined feed lot, or another market for sale for immediate slaughter. Steers and spayed heifers need not be tested for brucellosis.

- (d) Heifer calves 4 - 8 months of age may be vaccinated at the market for brucellosis upon request at no state-federal expense.
- (e) Cattle shipped into Washington to markets specifically approved for brucellosis under Title 9, Part 78, Code of Federal Interstate Regulations in effect at time of movement of livestock may enter the market providing they are accompanied by a health certificate in compliance with Federal Regulations, but must meet Washington requirements before leaving the market.
- (f) Animals may be released from market to specifically approved markets or approved slaughter establishments or Federal yards out-of-state if accompanied by a health certificate in compliance with Federal Interstate Regulations. Animals may be released to other destinations out-of-state if accompanied by a health certificate in compliance with Federal Interstate Regulations and import requirements of receiving state.

Section 8. Immediate Slaughter Livestock.

- (a) Livestock purchased through a market for slaughter in the State of Washington may be consigned only to licensed slaughtering establishment, registered quarantined 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 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 points 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.

Section 9. Reactors to the brucellosis test shall be handled in the following manner:

- (a) Tagged with reactor identification tags in the left ear and branded "B" on the left jaw.
- (b) Placed in a "Quarantine Pen".
- (c) Sold at the close of the regular sale to licensed slaughterers or their designated agent operating under Federal or State inspection.
- (d) The veterinarian shall issue ADE Form 1-27 on all reactors immediately after their sale and the pink copy (duplicate) must accompany the animals to slaughter. The original copy is to be mailed immediately to the Supervisor of Animal Industry, Olympia, and the triplicate

mailed to the veterinary meat inspector in charge of the slaughtering establishment to which the reactors are consigned.

- (e) All brucellosis or tuberculosis 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 or Federal Supervision.

Section 10. Health of swine - hog cholera:

- (a) Covered facilities shall be provided for swine.
- (b) Intrastate consignments of swine at markets in Washington:
 - (1) Washington swine that are healthy and unexposed and not under quarantine may enter and leave any market in this state without restriction.
 - (2) Washington swine vaccinated at seller or buyer's request with killed or inactivated tissue vaccine at the market may leave the market without restriction for any destination within the State of Washington.
 - (3) A certificate showing official vaccination issued by the veterinarian must accompany all swine vaccinated at the market.
- (c) Interstate consignments of swine at markets in Washington.
 - (1) 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 or vaccination to a recognized slaughtering center, public stockyards under federal supervision or public livestock market specifically approved under Part 76, Title 9, Code of Federal Regulations, and amendments thereto for immediate slaughter and may not be diverted enroute for any purpose. The waybills or certificates for movement must state "for slaughter only".

(2) Feeder and breeder swine - Must be accompanied by official Health Certificate stating they are clinically free from infectious and contagious disease and must portray the official hog cholera vaccination status and be individually identified.

(a) Hog Cholera

1. Official vaccinates - Official vaccinates are those swine that have qualified by the following method:

Vaccinated with killed, or inactivated hog cholera vaccine no less than 21 days nor more than 6 months previous to entry. The dosage of the vaccine to be that recommended on the product label of the licensed manufacturer.

2. Swine vaccinated with live virus or modified live virus vaccine and/or serum alone will not be accepted into salesyards within this state.

3. Swine from states in Phase IV or Hog Cholera Free Status may enter any public livestock market in the State of Washington with no vaccination or quarantine providing Health Certificate portrays the status of said swine and swine are individually identified and listed on the certificate and consignor and consignee are properly listed with exact mailing addresses and destination is clearly shown. Such unvaccinated hogs must not come in contact with hogs from states of unlike status prior to or during shipment and they must be transported in one continuous movement.

(b) Swine brucellosis - All swine over six months of age from out-of-state entering public livestock markets to be sold for breeding purposes must have been tested and found negative to brucellosis within thirty (30) days previous to entry or originate in a Validated Brucellosis-Free Herd. Such swine not in compliance will be quarantined. Such swine found negative but originating from a herd where brucellosis is known to exist will not be admitted.

(d) Handling of all swine at the market:

1. 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:
2. When the health status inspection at the market reveals evidence of cholera in swine,

the entire lot shall be returned to premise of origin under quarantine, if applicable, 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.

Regulation 5. Scale Installation Regulations.

Section 1. Approaches and accessibility for testing.

(a) A convenient unobstructed hard surfaced approach to the livestock scale at the scale deck level must be provided when the scale is inaccessible for a test truck.

(b) Doors and passageways shall be a minimum of six feet in width.

Section 2. The scale deck shall be constructed preferably of reinforced concrete with "Z" bar coping. If cleats are used which are more than 3/4" in thickness, such cleats shall be hinged or readily removable, otherwise a satisfactory covering for such cleats must be provided to allow for proper testing.

Section 3. The stock rack shall be securely fastened to the scale deck. There shall be a minimum clearance of 3" between the rack and surrounding dead construction. Adequate space and visibility shall be provided so that interested parties may observe the weighing operation. All dial scales used by the licensee shall be of adequate size to be readily visible to all interested parties and shall be equipped with a mechanical weight recorder. All beam scales used by the licensee shall be equipped with a balance indicator, a weigh beam and a mechanical weight recorder, all readily visible to all interested parties.

Section 4. The pit and foundation shall be of monolithic construction. Coping iron shall be required on all corners adjacent to the deck. The pit shall be six feet in depth, dry and readily accessible for inspection. Electrical lighting facilities for inspection shall be provided. Exception to the six foot depth may be allowed, upon approval of the Director, when conditions are sufficiently adverse. However, a


minimum of two feet clearance shall always be provided between the lowest scale lever and the pit floor.

Section 5. The recording element shall be adequately housed for protection against wind and weather.

Section 6. No scales are required at markets licensed to handle horses and mules only unless animals are to be sold by weight. When animals are sold by weight, the scale requirements as shown previously shall apply.

Regulation 6. Penalty. The violation of any regulation set forth in this order shall constitute a violation of the applicable statute under which such regulation was adopted.

I hereby certify that the foregoing is a true and correct copy of the regulations promulgated by the Department of Agriculture.


DONALD W. MOOS
Director of Agriculture
State of Washington

Signed at Olympia, Washington

DATE: June 9, 1967

