

TRANSMITTAL OF RULES ADOPTED

FROM: DEPARTMENT OF AGRICULTURE (Name of Agency)

TO: CODE REVISER LEGISLATIVE BLDG. (Southwest Corner, Ground Floor) Olympia 98504

The enclosed rules Permanent rules [] / Emergency rules [x], being Order No. 1537 relating to (Name of rules or description of subject matter)

The importation and movement of animals into and within the State of Washington

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. [] filed with the code reviser on [] (date) were regularly adopted as permanent rules of this agency at [] (place) on [] (date) and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be [] .3

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding in the attached administrative order, that the immediate adoption of these rules 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 the public interest, were regularly adopted as emergency rules of this agency at Olympia, Washington on July 25, 1977 (place) (date) and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter 34.04 RCW and of the Open Public Meetings Act of 1971, chapter 42.30 RCW have been fulfilled.

Dated this 25 day of July 19 77

STATE OF WASHINGTON FILED

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CODE REVISER'S OFFICE DOCKET #8332 FILE # 30

DEPARTMENT OF AGRICULTURE (AGENCY)

[Signature]

By Ivan C. Packard Deputy Director

Title

NOTES:

1Notice number as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use no. of last notice) 2Stamped date as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use date of last notice) 3Unless a later date is specified in this order or is prescribed in another statute, rules are effective 30 days after filing: RCW 34.04.040. Leave this space blank except in such special cases.

State of Washington

DEPARTMENT OF AGRICULTURE

(agency name)

Administrative Order No. 1537

(1) I, GARY F. STROHMAIER, director of THE DEPARTMENT OF AGRICULTURE of the State of Washington,

ALTERNATIVE A. Use only for Adoption of Permanent Rules.

after due notice and in a meeting open to the public, held at _____ on _____, as required by chapters 34.04 and 42.30 RCW, do promulgate and adopt as permanent rules of this agency, the annexed rules:

ALTERNATIVE B. Use only for Adoption of Emergency Rules.

do promulgate and adopt as emergency rules of this agency, the annexed rules:

Relating to the importation and movement of animals into and within the State of Washington

I, GARY F. STROHMAIER, find that an emergency exists and that the foregoing 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 such emergency is:

necessary for the immediate protection of the public health and the general health of the cattle population of the state.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(2) Pursuant to the requirements of RCW 34.04 (1977 c 19 § 2) 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 _____ 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 Department of Agriculture (agency) as authorized in RCW 16.38.020 and 16.36.040

(3) This order after being first recorded in the order register of this agency shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED July 25, 1977

By Ivan C. Packard

Ivan C. Packard Deputy Director Title

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

EMERGENCY ORDER NO. 1537
AMENDING WAC 16-54-081

REGULATIONS RELATING TO THE IMPORTATION AND
MOVEMENT OF ANIMALS INTO AND WITHIN
THE STATE OF WASHINGTON

Because of the identification of increased numbers of brucellosis infected cattle, the adoption of this Emergency Amendment to Order 1488, WAC 16-54-081, declaring a quarantine and establishing certain restrictions on the importation and movement of cattle into and within the state of Washington, is necessary for the immediate protection of the public health and the general health of the cattle population of the state. It is necessary that this amendment become effective immediately.

Now, therefore, I, Gary F. Strohmaier, director of agriculture of the state of Washington, by virtue of the authority vested in me under chapter 16.36 RCW and 16.40 RCW, adopt the following emergency amendment to Order No. 1488, WAC 16-54-081.

AMENDATORY SECTION

WAC 16-54-081 DOMESTIC BOVINE ANIMALS. All domestic bovine animals (including bison), shall be accompanied by a health certificate (WAC 16-54-030 this order) and 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. (a.) ~~((All-beef-and-dairy-breeding-cattle entering-the-state-shall-have-been-brucellosis-tested-negative within-thirty-(30)-days-of-entry.--Beef-and-dairy-cattle-origi nating-from-a-modified-certified-area-will-be-quarantined-upon arrival-and-retested-30-60-days-after-arrival-at-owner's-expense-))~~
~~((Provided-that-cattle-in-certain-instances-will-be-exempt from-the-foregoing-provisions-as-follows-))~~

~~((i) Cattle-from-certified-brucellosis-free-herds-are exempt-from-test-requirements-))~~

~~((ii) Beef-and-dairy-breeding-animals, certified-by-the state-of-Idaho-as-originating-from-herds-under-MCI-and/or-BRT surveillance-and-said-herds-are-known-not-to-be-brucellosis infected,-north-of-the-Salmon-River-in-Idaho.))~~

~~((iii) Beef-and-dairy-cattle-certified-by-the-state-of Oregon-as-originating-from-herds-under-MCI-and/or-BRT-surveillance and-said-herds-are-known-not-to-be-brucellosis-infected-north-of Highway-20-and-west-of-Highway-97-in-Oregon-))~~

~~((iv) Calves-under-six-(6)-months-of-age,-steers-and-spayed heifers,-officially-vaccinated-dairy-cattle-under-twenty-(20) months-and-officially-vaccinated-beef-cattle-under-twenty-four (24)-months-from-herds-or-area-not-under-quarantine-are-exempt from-test-requirements-))~~

~~((v) Immediate slaughter cattle in accordance with USDA CFR Title 9 requirements consigned directly to a federally inspected slaughtering establishment.))~~

~~((b) Cattle from exempt areas shall not be commingled with any other cattle, except cattle specifically exempted under the provisions of this WAC Chapter 16-54, while being transported from such exempt area into the state of Washington. If cattle from exempt area are commingled with cattle subject to tests, as herein provided for, while being transported to the state of Washington, then all such cattle shall become subject to the testing requirements provided for herein.))~~

~~((c) Feeder cattle shall be accompanied by an official health certificate. Brucellosis test requirements will apply to all eligible cattle consigned to a feed lot, provided that such brucellosis test requirements shall not apply to female cattle consigned to a registered quarantined feed lot or a certified quarantined feed lot.))~~

~~((i) Feeder cattle entering a registered quarantined feed lot will be accompanied with a health certificate indicating the name, location and official registration number (F-brand) of the registered quarantined feed lot. The cattle will be branded with the (F-brand) assigned to that registered quarantined feed lot as they enter and may be released for slaughter only.))~~

~~((ii) Cattle entering a certified quarantined feed lot will be accompanied with a health certificate indicating the name, location and official registration number of the certified quarantined feed lot, such number to be assigned to certified quarantined feed lots by the Department of Agriculture.))~~

Cattle originating from states other than Washington:

All domestic bovine animals (including bison) moving into Washington, except those consigned to registered quarantined feedlots, or to federally inspected slaughter establishments for immediate slaughter, shall be moved on a permit issued by the animal health division of the department of agriculture and an official interstate health certificate, and shall meet the following requirements:

(i) All cattle must be negative to an official brucellosis test conducted within thirty days prior to date of entry and will be quarantined on the premises of destination and kept separate from all other cattle for retest not less than thirty nor more than sixty days from the date of previous test, except that the following classes of cattle are exempt from these test requirements:

(A) Calves under six months of age.

(B) Steers and spayed heifers.

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

(D) Immediate slaughter cattle going directly to a federal inspected slaughter establishment.

(E) Cattle consigned directly to a registered quarantined feedlot.

(b.) Washington cattle:

(i) All Washington cattle sold through livestock markets for return to farms and those changing ownership by private treaty will be tested negative to brucellosis within thirty days prior to date of sale, except that the following classes of cattle are exempt from this test requirement:

(A) Calves under six months of age.

(B) Those cattle consigned directly to a federal inspected slaughter plant.

(C) Those cattle consigned directly to a registered quarantined feedlot.

(D) Steers and spayed heifers.

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

(ii) Washington cattle herd owners desiring to move cattle interstate for grazing purposes and return to Washington shall request a permit for such movement from the animal health division of the department of agriculture. The state to which the animals are to be moved for grazing must approve the movement. Animals grazing on closed pasture area with no change of ownership and certified by state of destination animal health officials as not commingled with other non-Washington cattle will be eligible for return to Washington without brucellosis testing. Animals grazed in counties in which brucellosis has been diagnosed during the grazing period shall, upon returning to Washington, be held separate from all other cattle and brucellosis tested at owner's expense.

(c.) All feedlot operators will maintain adequate records to identify animals to herd of origin should a MCI positive animal be disclosed from said feedlot.

(e) Animals-will-not-be-allowed-to-leave-a-certified quarantined-feed-lot-for-other-than-slaughter-purposes-except under-the-following-exceptions:))

((i) Calves-under-thirty-(30)-days-of-age-may-leave-a certified-quarantined-feed-lot-without-testing.))

((ii) Female-animals-over-thirty-(30)-days-of-age, main- tained-in-a-certified-quarantined-feed-lot-may-leave-that-lot-for other-than-slaughter-purposes-subject-to-the-following-procedure:))

((iii) They-shall-be-individually-identified-by-an-official identification-tag.))

((iv) A-brucellosis-test-shall-be-conducted-by-an-accredited veterinarian-retained-by-the-management-of-the-certified-quarantined-feed-lot-and-the-test-shall-result-in-a-negative-finding.))

((v) Animals-so-tested-shall-be-isolated-and-kept-separate and-apart-from-other-animals-and-retested-negative-to-brucellosis thirty-(30)-to-sixty-(60)-days-after-the-original-test.))

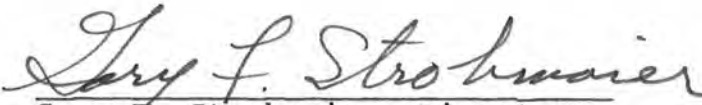
((vi) Female-animals-passing-the-above-qualifications-and made-eligible-for-release-from-the-certified-quarantined-feed-lot will-be-branded-"SIW"-on-the-right-shoulder-by-a-veterinarian assigned-to-the-animal-health-division-of-the-department-of-agri- culture-before-being-moved-from-the-premises-at-which-last-tested.))

(d.) Official calfhooD vaccination of all female calves in the state of Washington is recommended.

REPEAL

Order No. 1536 (amending WAC 16-54-081) filed July 22, 1977, is hereby repealed.

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


Gary F. Strohmaier, Director
Department of Agriculture
State of Washington

Signed at Olympia, Washington

Date: July 25, 1977