

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Agriculture
(agency name)

Administrative Order No. 1917

(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 16-86 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. 87-04-052 filed with the code reviser on 2-4-87. These rules shall take effect: [X] 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 34.04.026 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 16.36.040 & 16.36.050 Jap and is intended to administratively implement that statute.

[] (b) This rule is promulgated pursuant to RCW which directs that the

has authority to implement the provisions of (agency) (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.

APPROVED AND ADOPTED March 25 19 87

By [Signature] Deputy Director, Department of Agriculture Title

STATE OF WASHINGTON FILED MAR 25 1987

CODE REVISER'S OFFICE WSR 87-08-020

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

WAC 16-86-005 DEFINITIONS. For purposes of this chapter:

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

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

(3) "Accredited veterinarian" means a veterinarian licensed to practice veterinary medicine, surgery, and dentistry in the state of Washington and approved by the United States department of agriculture veterinary services to participate in state-federal cooperative programs.

(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) for beef breed cattle and between the ages of four and eight months (one hundred twenty days to two hundred forty days) for dairy breed cattle with an approved brucella vaccine.

(5) "Approved brucella vaccine" means only those biological products that are approved by and produced under license of the United States department of agriculture for injection into cattle for the purpose of enhancing their resistance to brucellosis.

(6) "Registry tattoo" means a tattoo identifying the individual as a registered animal within the breed association.

(7) "Vaccination tattoo" means the United States registered shield and V preceded by a number indicating the quarter of the year and followed by a number corresponding to the last digit of the year in which vaccination was done.

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

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 feed lot.

(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) ~~((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))~~ 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 ~~((;--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)) 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 feed lot.

(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 ((but)) and which are found not to be vaccinated ((for)) against 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)). 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 feed lot.

(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.