

TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY

CHAPTER 15. ANIMAL INDUSTRY

SUBCHAPTER 13. TESTING AND INSPECTION FOR DISEASE AND RELEASE OF LIVESTOCK AT AUCTION MARKETS

35:15-13-3. General requirements for a livestock auction market

- (a) Any person owning, operating, conducting, or maintaining a livestock auction market shall be required to employ a livestock auction market veterinarian for auctions selling cattle, horses, swine, or other species as determined by the state veterinarian.
- (b) The buyer's invoice shall include the buyer's name and address and a description of the livestock as to age, color, and sex.
- (c) The seller's invoice shall include the seller's name and address and a description of the livestock as to age, color, and sex.
- (d) The livestock auction market veterinarian or sale company shall not be responsible for results of any tests that are conducted properly or for any reactor animals or responder animals found in the market.
- (e) Refusal or failure to comply with Department rules shall be just cause for the revocation or suspension of the livestock auction market license.
- (f) No person owning, operating, conducting, or maintaining a livestock auction market shall allow any of the following animals to leave the livestock auction market unless it is individually identified by an official identification with an exception for weak cattle or cattle that pose a greater than normal risk of being injured or injuring a person:
 - (1) All beef cattle eighteen (18) months of age or older, except terminal fed steers and heifers, going directly to a feedlot or slaughter which will not be reintroduced into the breeding herd;
 - (2) All dairy cattle;
 - (3) All "M" branded cattle including any commingled cattle, and
 - (4) All roping, exhibition, event, and rodeo cattle.
 - (5) All swine
 - (6) All sheep and goats
 - (7) All cervid species
- (g) Weak cattle or cattle that pose a greater than normal risk of being injured or injuring a person may be sold with a back tag and slaughter only tag to be transported directly to slaughter.
- (h) The owner or operator of the livestock auction market shall keep records of each animal consigned or delivered to the livestock auction market for a period of five (5) years for disease traceback purposes, including but not limited to, the following:
 - (1) "Drive-in" or any other documents identifying the backtag, owner's name and address, and license tag of mode of transportation;
 - (2) Any records kept pursuant to the Livestock Auction Market Act;
 - (3) Records of any official identification applied to the animal or already existing with the animal;
 - (4) Any records available regarding the purchaser of the animals; and

- (5) Records of official identification that are sufficiently legible and accurate to facilitate successful tracebacks.
- (i) Each livestock auction market shall sign and have on record with the Department the most current livestock market contract for each of the species sold at the market. Markets shall sell only species approved to be handled, sold, or exchanged pursuant to their livestock auction market license.
- (j) The livestock auction market shall make the above records available to Department personnel when requested on non-sale days. In an emergency, records may be requested and shall be made available to Department personnel regardless of sale schedule.
- ~~(i) Each livestock auction market shall sign and have on record with the Department the most current livestock market contract for each of the species sold at the market.~~
- (k) Routine Livestock Auction Markets shall not be scheduled on Sundays. Sunday sales shall require special permission of the State Veterinarian.

SUBCHAPTER 15. EQUINE INFECTIOUS ANEMIA (EIA)

PART 7. REQUIREMENTS FOR APPROVED MARKETS

35:15-15-71. Movement of Equidae through approved markets

(a) All test eligible Equidae offered for sale or sold at any market shall meet one of the following requirements:

- (1) Be accompanied by a record of an official negative test for EIA conducted by an approved laboratory within twelve (12) months of the date of the sale. If the market veterinarian is unable to verify the authenticity of the test record, the market veterinarian shall complete a new test chart and test the Equid for EIA.
- (2) Have a blood sample collected by an accredited veterinarian or authorized agent of the Board at the market and obtain official negative test results for EIA from an approved laboratory before the animal leaves the market.
- (3) Have a blood sample collected by an accredited veterinarian or authorized agent of the Board at the market and be quarantined to the market or to an Oklahoma premises until negative results are received from an approved laboratory.

(A) The market veterinarian shall ensure that the sample reaches an approved EIA laboratory within five (5) business days of the sale.

(B) The market veterinarian shall report the test results to the purchaser within 10 business days of the sale.

~~(b) A copy of a VS Form 10-11 shall not be considered an official test record.~~

~~(e)(b)~~ All Equidae consigned to an approved market shall be released by the market veterinarian to meet the requirements of this subchapter and the state of destination.

~~(d)(c)~~ Known positive or exposed Equidae shall not be consigned for sale at approved markets.

~~(e)(d)~~ Equidae found to be ~~positive~~ non-negative or exposed through testing conducted at an approved market shall be quarantined ~~maintained~~ at the premises of origin or at the sale facility in quarantine pens, isolated as far as possible from all other Equidae in the sale facility, ~~and~~ the the quarantine pen or pens shall be clearly identified, by sign or paint, with the word "Quarantined."

SUBCHAPTER 19. POULTRY REGULATIONS

35:15-19-1. Definitions

The following words and terms when used in this Subchapter shall have the following meaning unless the context clearly indicates otherwise:

"Baby poultry" means newly hatched poultry that have not been fed or watered.

"Check testing" means the process of collecting blood samples from birds in a flock by state inspectors to verify compliance with rules and testing procedures used by permitted testers.

"Custom hatching" means a process in which a person incubates eggs, through mechanical means, for another person.

"Dealer" means a person other than a flock owner or hatchery who offers poultry products for sale or trade.

"Domesticated" means propagated and maintained under the control of a person.

"Exhibition poultry" means domestic fowl bred for purposes of meat or egg production and competitive or noncompetitive showing.

"Flock" means:

(A) As applied to breeding, all poultry of one kind of mating (breed and variety or combination of stocks) and one classification on one farm.

(B) As applied to disease control, all the poultry on one farm except that, at the discretion of the Official State Agency, any group of poultry segregated from another group and has been segregated for a period of at least 21 days may be considered a separate flock.

"Fowl typhoid" or **"typhoid"** means a disease of poultry caused by *Salmonella gallinarum*.

"Hatchery" means hatchery equipment on one premise operated or controlled by any person used for the incubation of eggs with the intention of:

(A) Selling or dispensing of hatched chicks before they reach sixteen (16) weeks of age, or

(B) Custom hatching.

"Infected flock" means a flock in which one or more birds have been diagnosed by an approved test or isolation of a reportable salmonella group.

"Laboratory" means a laboratory approved by the Board for performing approved serological testing procedures and bacteriological culture techniques.

"Negative test result" means an approved testing procedure in which the blood or serum antigen mixture fails to agglutinate.

"Official leg band" or **"wing band"** means an individual identification device for poultry approved by the State Veterinarian.

"Official State Agency" means the Department.

"Official test" means the official blood tests for pullorum-typhoid shall be the standard tube agglutination test, the microagglutination test, the rapid serum test, or the stained antigen, rapid whole-blood test for all classes of poultry.

"Permitted tester" means a person qualified and authorized by the State Veterinarian or the poultry disease control authority of the state of origin to collect and test blood samples for the pullorum-typhoid eradication program.

"Positive test result" means an approved testing procedure in which there is complete or nearly complete agglutination.

"Poultry" means domesticated fowl, including chickens, turkeys, ostriches, emus, rheas, cassowaries, waterfowl, and game birds, except doves and pigeons, which are bred for the primary purpose of producing eggs or meat.

"Poultry auction" means a regularly scheduled event in which poultry are sold to the highest bidder.

"Poultry house" or "house" means any building used to house poultry.

"Poultry special sale" means an event that is held intermittently, in which poultry are sold to the highest bidder.

"Poultry swap meet" means an event in which individuals come together to buy, sell, and trade poultry.

"Products" means poultry breeding stock, hatching eggs, baby poultry, and started poultry.

"Pullorum disease" or "pullorum" means a disease of poultry caused by Salmonella pullorum.

"Quarantine" means, but is not limited to, any order, hold, affected area, quarantine, infected premise or area, movement restrictions of any kind, or notice issued by any state or federal entity specifying boundaries or conditions of the quarantine.

"Started poultry" means young poultry that have been fed and watered and are less than sixteen (16) weeks of age.

"State" means any state, the District of Columbia, the Virgin Islands, or Puerto Rico.

"State Inspector" means any person employed by the Official State Agency to supervise the selecting and testing of participating flocks and to perform the official inspections and tests necessary to verify compliance with the requirements of the National Poultry Improvement Plan.

35:15-19-4. ~~Import and exhibition~~ Poultry imports, exhibitions, and sales

(a) ~~Domesticated fowl including chickens, turkeys, game chickens, game birds, or waterfowl~~ Poultry over four (4) months of age and intended for breeding, meat, ~~or egg production, or hunting~~ purposes shall not be imported into the state unless they:

(1) Have originated from a National Plan source which is U.S. pullorum-typhoid clean or equivalent with a NPIP 9-3, or

(2) Have passed a negative agglutination test for reportable salmonella groups within ninety (90) days prior to import and have received a Certificate of Veterinary Inspection within thirty (30) days, and be individually identified by a leg or wing band.

(b) ~~All~~ Poultry under four (4) months of age, ~~including baby chicks, started chicks, turkey poults, started poults, other newly hatched domestic poultry, game chickens, game birds, waterfowl, and hatching eggs shall not be imported into the state unless they shipped, brought into, or offered for sale in Oklahoma, except those intended for immediate slaughter, shall:~~

(1) Have originated from a NPIP Pullorum-Typhoid clean breeder flock and shall be accompanied by a NPIP VS Form 9-3 or an APHIS VS form 17-6;

(2) Have an approved commuter flock agreement on file with the state of origin and ODAFF; or

(3) Have obtained an entry permit prior to shipment.

(c) Exhibition poultry are subject to the following:

(1) Any poultry or other domestic fowl being exhibited in Oklahoma shall be free of visible evidence of disease, and

- (2) Have passed a negative test for reportable salmonella groups within ninety (90) days prior to exhibition, with the results recorded on an official form from the state of origin certifying that the testing was done by a permitted tester of that state, or
- (3) Have originated from negative or clean flocks authoritatively participating in the disease control and eradication phases of the National Poultry Improvement Plan or NPIP approved state plan, and
- (4) Be from flocks not known to be infected with reportable salmonella groups.
- (5) Poultry qualifying under 2 or 3 may be imported without an official health certificate if accompanied by an approved state or NPIP form.
- (6) All exhibition poultry shall be identified by an official leg or wing band unless they originate from a negative or clean flock authoritatively participating in the National Poultry Improvement Plan or NPIP approved state plan.
- (7) Application of official leg or wing bands shall not be required for birds tested on the exhibition premise for a specific event. Birds tested and not identified with an official leg or wing band shall be tested prior to entering any future exhibitions.
- (d) All persons holding poultry exhibitions in Oklahoma shall obtain a permit from the State Veterinarian prior to the exhibition. Those persons holding multiple exhibitions at the same location may apply for a permit by listing the dates and times of all exhibitions scheduled during a fiscal year beginning July 1 and ending June 30. The permittee shall be responsible for maintaining a list of the names and addresses of all exhibitors for each exhibition. The permittee shall keep these records and make them available to any authorized agent for inspection or photocopying for at least one (1) year after the date of the exhibition.
- (e) Managers of regular poultry auctions, special sales, and swap meets shall verify that:
 - (1) The poultry are free of visible evidence of disease.
 - (2) If imported from out of state, have met the requirements of 35:15-19-4 (a) and (b).
 - (3) Managers of poultry auctions, sales and swap meets shall have the most current version of the poultry auction or poultry special sale/swap meet agreement signed and in their possession.

35:15-19-5. Live bird imports from Avian Influenza or Virulent Newcastle Disease affected quarantined states

- (a) No person shall import poultry, other avian species, products of poultry, or products of other avian species originating from or transported through an area under quarantine by any state or federal animal health official for Avian Influenza or Virulent Exotic Newcastle Disease. The State Veterinarian or designee may grant a written exception to this rule and shall base the decision to grant an exception on current science and published guidelines.
- (b) Poultry or other avian species determined to be infected with or exposed to Avian Influenza or Virulent Exotic Newcastle Disease shall be destroyed.

SUBCHAPTER 36. SCRAPIE

35:15-36-3. Requirements for identification

- (a) All sheep and goats imported into Oklahoma shall be identified by a USDA approved official identification device.
- (b) All sheep and goats shall be officially identified prior to movement for sale or exhibition.

(1) Owner-shipper statements with official sheep/goat identification tag numbers listed are required.

~~(1)~~ (2) If moving to a livestock market, unidentified sheep/goats shall have identification ~~may be~~ applied by the market before sale.

~~(2)~~ (3) The state veterinarian may grant a written exception for the official identification of wethers on an individual basis.

SUBCHAPTER 44. FARMED CERVIDAE

35:15-44-3. Application for license

(a) An application for a farmed cervidae facility shall contain the following complete, accurate, and legible information, in addition to the information required by the Farmed Cervidae Act:

(1) Email addresses, if available, of the applicant.

(2) Name, address, telephone number, and email addresses, if available, of the operator, if different from the applicant.

(3) A list of all names the farmed cervidae facility operates pursuant to, and the address and facility telephone number of each, including but not limited to the Doing Business As (D/B/A), corporate name, or other name. If a corporation, submit the certificate of good standing from the Secretary of State.

(b) The Department shall not issue a license if the applicant had any equivalent license denied, revoked, or suspended by any authority, except in accordance with the provisions of 2 O.S. § 6-514.

(c) The Department may refuse to issue a license for a premises where a previous herd of animals has been infected with a reportable or other disease regulated by the Department.

(d) Using information from the application and from the State's files, the Department shall determine if the proposed facility is adequate and complies with all legal requirements and would not result in harm to native wildlife.

(e) If an applicant is denied a farmed cervidae license, the Department shall notify the applicant in writing by certified mail, return receipt requested, of the denial. The denial shall include the following:

(1) Reasons for the denial;

(2) Steps necessary to meet the requirements for a license, if applicable; and

(3) The opportunity to request an administrative hearing on the denial.

(f) All captive cervid species shall be housed on a licensed farmed cervidae facility, a commercial hunting area licensed by Oklahoma Department of Wildlife Conservation, or a cervidae facility owned or operated for the purpose of exhibition of farmed or captive bred cervidae regulated by the United State Department of Agriculture's Animal Care Division.

35:15-44-22. Chronic Wasting Disease Genetic Improvement Program (CWDGIP)

(a) The CWDGIP is only available to white-tailed deer producers who are Oklahoma Farmed Cervidae licensees.

(b) Producers choosing to participate in the CWDGIP shall register with the Animal Industry Services Division (AIS) of Oklahoma Department of Agriculture, Food, and Forestry (ODAFF or The Department) and remit a fee of \$100 per year, payable no later than January 1.

(c) An inventory of all participating deer shall be submitted to AIS at the time of registration.

(1) Participating deer shall be identified with an official USDA ear tag.

- (2) Genetic testing information for the individual deer shall be submitted at the time of registration.
- (3) Details of the alleles at Codon 96 and the Genetically Estimated Breeding Value (GEBV) of offspring of participating does shall be submitted to AIS upon receipt of the testing results.
- (d) Beginning February 1, 2026 and ending April 15, 2026, white-tailed deer does of any age and bucks that are less than 24 months of age, born and raised in Oklahoma by registered CWDGIP producers may be released onto private land pursuant to the landowner meeting the requirements of Oklahoma Department of Wildlife Conservation's regulations as outlined in Section 1. D. of 2024 Oklahoma House Bill 3462.
 - (1) White-tailed deer shall be released only if:
 - (A) Their genetic testing proves they have the SS alleles at Codon 96;
 - (B) Their GEBV is at or below -0.0560;
 - (C) They are identified with one (1) orange bangle ear tag in each ear that is at least 2" X 1 5/8" in size and the previously applied USDA official ear tag shall remain in place; and
 - (2) The White-tailed deer that meet the genetic traits in (1) of this section may be released during the same time frame in subsequent years.
 - (3) Deer meeting the above specifications shall be exempted from the requirements of 35:15-44-6 (2).
- (e) All White-tailed deer imported into Oklahoma Farmed Cervidae facilities or Oklahoma Department of Wildlife Conservation licensed Commercial Hunt Areas shall have the SS alleles at Codon 96 and have a Genomic Estimated Breeding Value meeting or exceeding -0.056.
 - (1) Male White-tailed deer imported into Oklahoma Department of Wildlife Conservation licensed Commercial Hunt Areas are exempt from the above requirements.
 - (2) A certificate verifying the SS alleles at Codone 96 and the GEBV meeting or exceeding -0.056 shall be attached to the import permit application.