35:15-1-2. Definitions

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

"Accredited veterinarian" means a veterinarian approved by the United States Department of Agriculture (USDA) to perform functions required for state or cooperative state and federal animal disease control and eradication programs.

"Animal disease traceability" means the ability to trace an animal to its site of application of official identification and/or premises of origin as set out in 9 CFR Parts 71, 77, 78, 86, et al. Traceability for Livestock Moving Interstate; Final Rule.

"Approved tagging site" means a premises, authorized by APHIS, State, or Tribal animal health officials, where livestock may be officially identified on behalf of their owner or the person in possession, care, or control of the animals when they are brought to the premises.

"Backtag" means a USDA approved identification system consisting of a tag of special tough paper, bearing identification codes relating to origin of animals, which are stuck to animals a few inches from the midline and just behind the shoulder with very strong glue. The backtag is designed as temporary identification for easy reading in livestock auction markets to help trace the origin of livestock in Department investigations.

"Certificate of veterinary inspection" means an official document or its electronic equivalent approved by the chief livestock official of the state of origin issued by an accredited veterinarian at the point of origin of a shipment of animals that includes the name and address of the consignor; the name and address of the consignee; the entry permit number, if applicable; the age, sex, number, and breed of the animal; sufficient identifying marks or tags to positively identify each animal; purpose of shipment; and the results of all required tests. It shall also include a record of a physical examination of the animal verifying that each animal is free from visible evidence of any contagious, infectious, or communicable diseases and that the animals do not originate from an area of quarantine, infestation, or infection. A certificate of veterinary inspection is valid for thirty (30) days after the date of issuance. The term certificate of veterinary inspection shall also include an official health certificate, an official certificate, or a certificate.

"Commuter herd" means all cattle under common ownership or supervision, that are located on one (1) or more premises in two (2) or more states and there is an interchange or interstate movement of animals between premises in those states as part of the normal farming, breeding or ranching operation without a change of ownership. A commuter herd agreement shall be completed and approval of commuter herd status shall be obtained from each chief animal health official of all states in which the herd resides.

"Designated epidemiologist" means an epidemiologist selected by the State Veterinarian who has been designated to perform those functions necessary for the classification of livestock suspected to be infected with a particular disease, based on an evaluation of test results and consideration of the animal and herd history, as well as other epidemiological factors.
"Livestock Special Sale" means a consignment, production, or farm sale, other than a regular livestock auction, where livestock are sold.

"Official identification" means any official method of identification approved by USDA, as described by 9 C.F.R. § 86.1, or the State Veterinarian. Official identification for specific species may be further defined within the applicable section of the Oklahoma Administrative Code. Backtags shall not be considered official identification unless the animal is shipped directly to slaughter. The term "official ear tag" is synonymous with "official identification."

"Owner-Shipper statement" means a statement signed by the owner or shipper of the livestock being moved stating the location from which the animals are moved interstate; the destination of the animals; the number of animals covered by the statement; the species of animal covered; the name and address of the owner at the time of the movement; the name and address of the shipper; and the identification of each animal, as required by the regulations, unless the regulations specifically provide that the identification does not have to be recorded.

"Quarantine" means a written notice or order issued by an authorized agent of the Department showing the boundaries of the area or premises affected, the animals restricted, and conditions, if any. No livestock held under quarantine may be moved or released without a written permit or quarantine release signed by an authorized agent.

"Resident herd of origin" means a group of livestock that have been maintained as a herd or flock on the same premises for at least four (4) months.

“Special sale permit” means a permit from the Animal Industry Services Division to hold a consignment, production, farm, or special sale.

"State animal health official" means the state animal health official, or designee, who is responsible for the livestock and poultry disease control and eradication programs in a state.

SUBCHAPTER 5. BIOLOGICAL PRODUCTS AND LABORATORIES

35:15-5-1. Biological products
(a) No biological product, including antigens, used to immunize, test, or treat in the treatment of livestock or any other species of animals shall be manufactured, produced, transported, distributed, sold, or offered for sale, or possessed used in Oklahoma unless the biological product has been: licensed or permitted by and produced in an establishment licensed by the United States Veterinary Biologics Division of the United States Department of Agriculture, and approved by the Oklahoma Department of Agriculture, Food, and Forestry.

Exemption: Autogenous vaccines and/or bacterins when prepared for use on individual premises or animals may be prepared in laboratories approved by the Department.

(1) licensed or permitted by the United States Veterinary Biologics Division of the United States Department of Agriculture;

(2) produced in an establishment licensed by the United States Veterinary Biologics Division of the United States Department of Agriculture; and

(3) approved by the Oklahoma Department of Agriculture, Food, and Forestry.

(b) Biological products prepared in laboratories approved by the Oklahoma Department of Agriculture, Food, and Forestry when prepared by any person solely for the treatment of animals of such person or prepared solely for treatment of animals under a veterinarian-client-patient relationship in the course of the state licensed professional practice of veterinary medicine by such person shall be exempt from (a)(2) of the section.
(c) Johne's (Paratuberculosis) vaccine is expressly prohibited in Oklahoma without prior approval of the Department. This approval may be obtained only after a written agreement is developed between the producer, attending veterinarian, and state regulatory officials. A plan of herd management, vaccination, and any restrictions shall be a part of this agreement.

(d) Each biological product manufactured, produced, distributed, sold, offered for sale or used in Oklahoma or delivered for transportation or transported in intrastate or interstate commerce shall be registered with the Department on an annual basis.

(e) Each person registering biological products shall pay an annual registration fee of Two Hundred Dollars ($200.00) for each biological product registered.

   (1) The Department may require the submission of the complete formula of any biological product.
   (2) Trade secrets and formulations submitted with the registration shall be kept confidential.

(f) If it appears to the Department that the composition of the biological product is adequate to warrant the proposed claims and if the biological product, its labeling, and other material required to be submitted comply with the requirements of this section, then the biological product shall be registered.

(g) Additional registration of a biological product shall not be required in the case of a biological product shipped from one location within Oklahoma to another location within Oklahoma if the location is operated by the same person.

(h) All biological product registrations shall expire on March 20 of each year but may be renewed by the Department. Any person who fails to renew a biological product by March 20 of each year shall pay a penalty of an additional Two Hundred Dollars ($200.00).

(i) Any biological product that contains any living organism and is produced pursuant to subsection (b) may only be used on the following swine with prior written approval of the Department:

   (1) the swine from which the cultures were obtained to create the biological product, or
   (2) swine that belong to the same resident herd of origin as the swine from which the cultures were obtained to create the biological product.

(j) The prior written approval described in subsection (i) shall be obtained by submitting a request on a form provided by the Department. Upon written approval by the Department, the period of approval shall not exceed twelve (12) months from the date of the Department’s approval.

(k) No person shall sell or offer for sale an unregistered biological product or an expired biological product.

(l) The term "biological product" shall mean all viruses, serums, toxins (excluding substances that are selectively toxic to microorganisms, including antibiotics), or analogous products at any stage of production, shipment, distribution, or sale, which are intended for use in the treatment of animals and which act primarily through the direct stimulation, supplementation, enhancement, or modulation of the immune system or immune response. The term biological products includes but is not limited to vaccines, bacterins, allergens, antibodies, antitoxins, toxoids, immunostimulants, certain cytokines, antigenic or immunizing components of live organisms, and diagnostic components that are of natural or synthetic origin, or that are derived from synthesizing or altering various substances or components of substances such as microorganisms, genes or genetic sequences, carbohydrates, proteins, antigens, allergens, or
antibodies. The term shall not include any product identified and regulated as a pesticide by the Department.

1. A product’s intended use shall be determined through an objective standard dependent upon factors such as representations, oral or written claims, packaging, labeling, or appearance.

2. The term "analogous products" shall include the following:
   A) Substances, at any stage of production, shipment, distribution, or sale, which are intended for use in the treatment of animals and which are similar in function to biological products in that they act, or are intended to act, through the stimulation, supplementation, enhancement, or modulation of the immune system or immune response;
   B) Substances, at any stage of production, shipment, distribution, or sale, which are intended for use in the treatment of animals through the detection or measurement of antigens, antibodies, nucleic acids, or immunity; or
   C) Substances, at any stage of production, shipment, distribution, or sale, which resemble or are represented as biological products intended for use in the treatment of animals through appearance, packaging, labeling, claims (either oral or written), representations, or through any other means.

m) The term “treatment” shall mean the prevention, diagnosis, management, or cure of diseases of animals.

n) The term "unregistered biological product" shall mean a biological product that has not been registered with the Department or a biological product that has been previously registered with the Department but the registration has lapsed.

o) The term "expired biological product" shall mean a biological product which exceeds the expiration date established by the manufacturer.

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

35:15-13-6. Movement of livestock through livestock auction markets

a) All certificates of veterinary inspection, permits, and other documents, including out-of-state documents accompanying livestock into Oklahoma livestock auction markets, that are incomplete or have been altered in any way are void and shall not be accepted. This includes documents that are incomplete as to official identification number and description of animal it represents. In order to be accurate and acceptable, the prefix of each official identification number shall be recorded.

b) All livestock shipped or exported from the State of Oklahoma shall meet the state of destination importation requirements.

c) Dairy cattle or Mexican cattle to be tuberculosis tested after change of ownership that are not held at the livestock auction for testing shall be consigned to the purchaser's accredited veterinarian of choice accompanied by a VS 1-27 form to verify the arrival of the animal for testing.

d) Cattle tagged with a Slaughter Only Tag shall not be diverted from slaughter channels and shall be transported to a slaughter establishment or an approved feedlot within seven (7) days of sale.
(e) It shall be a violation of the Oklahoma Administrative Code to remove a Slaughter Only Tag from an animal or to re-consign an animal tagged with a Slaughter Only Tag to another livestock auction market.
(f) It shall be a violation of the Oklahoma Administrative Code to present feral swine to a livestock auction market or to sell feral swine at livestock auction markets.

SUBCHAPTER 15. EQUINE INFECTIOUS ANEMIA (EIA)

PART 1- GENERAL PROVISIONS

35:15-15-4. Definitions
The following words or terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Adjacent herds" means a group or groups of Equidae sharing common pasture or having any direct contact with an affected herd or positive animal and includes any herd containing an animal purchased from or exchanged with the affected herd. Herds separated by a distance of less than two hundred (200) yards are adjacent herds.

"Affected herd" means a herd of Equidae that contains or has contained one or more animals infected with equine infectious anemia and that has not passed all tests required for release from quarantine.

"Approved laboratory" means a laboratory approved prior to operating by the State Veterinarian and the Federal Area Veterinarian In Charge to conduct an official test for equine infectious anemia.

"Approved market" means a stockyard, livestock market, or other premises approved by the Board, where horses or other Equidae are assembled for sale purposes.

"Direct shipment to slaughter" means the shipment of equine infectious anemia positive or exposed Equidae from the premises of origin or a quarantined holding facility to a slaughter establishment operated under state or federal inspection without diversion of any type.

"Equidae" means a family of perissodactyl ungulate mammals containing a single genus Equus, which includes but is not limited to horses, asses, jacks, jennies, hennies, mules, donkeys, burros, ponies, and zebras.

"Equine infectious anemia (EIA)" means a blood borne viral infection of Equidae.

"Exposed animals" means Equidae that have been in contact with, associated with, or adjacent to animals known to be equine infectious anemia positive. Untested animals sold for slaughter at approved markets shall be considered exposed.

"Herd" means one or more Equidae maintained on common ground and includes all Equidae under single or multiple ownership or supervision that are geographically separated but can have an interchange or movement without regard to health status.

"Herd plan" means a herd management and testing agreement designed by a state or federal veterinarian and a herd owner to control and eradicate equine infectious anemia from an affected, adjacent, or exposed herd of Equidae.

"Livestock dealer" means any person engaged in the business of buying or selling Equidae in commerce or any person registered and bonded under the provisions of the Federal Packers and Stockyards Act of 1921, as amended, who buys Equidae. The term livestock dealer shall not include a farmer or rancher who buys or sells Equidae in the ordinary course of their
farming or ranching operation, unless they are registered and bonded under the Federal Packers and Stockyards Act of 1921, as amended.

"Market veterinarian" means any accredited veterinarian who has entered into a written agreement to work a specified market.

"Negative animals" means Equidae that show a negative response to an official test for equine infectious anemia or have been classified negative by the designated epidemiologist, based on history, supplemental tests, or other epidemiological evidence.

"Official Equine Passport" or "Equine Interstate Event Permit Extended Equine Certificate of Veterinary Inspection" means an approved electronic document issued by an accredited veterinarian at the point of origin of a shipment of equine originating in a state with an equine passport agreement or equine interstate event permit which allows a horse to be transported for up to six (6) months between states with an Extended Equine Certificate of Veterinary Inspection agreement.

"Official in charge" means any manager, superintendent, secretary, or other person responsible for an equine exhibition.

"Official test" means the agar gel immunodiffusion (AGID) or "Coggins" test, the enzyme-linked immunosorbent assay (ELISA) test, or any other diagnostic test approved by the State Veterinarian.

"Owner" means any person with the legal right of possession or having control over any Equidae, and shall include but not be limited to agents, caretakers, and other persons acting on behalf of that person.

"Permit" means an official document that shall accompany positive or exposed Equidae to a quarantined holding facility, an approved slaughter establishment, or approved quarantined premise. The permit shall be issued by the Board, a representative of USDA, or an accredited veterinarian. The permit shall list the name, breed, any registration number, any tattoo, any brand, sex, age, color, and markings sufficient to positively identify each Equidae listed on the form and shall also include the owner's name and address, origin and destination locations, and the purpose of the movement.

"Positive" means any Equidae which discloses a positive reaction to an official test for equine infectious anemia.

"Quarantined holding facility" means a quarantined premise approved by the Board to handle positive or exposed Equidae for a period of not more than thirty (30) days prior to direct shipment to an approved slaughter establishment.

"State or federal veterinarian" means any veterinarian employed by a state or federal regulatory agency.

"Test eligible" means all Equidae other than foals less than six (6) months of age accompanied by their negative tested dam.

"VS Form 10-11" means the official USDA Equine Infectious Anemia Laboratory Test form labeled VS Form 10-11 or an approved electronic version.

PART 11 - REQUIREMENTS FOR EQUIDAE ENTERING OKLAHOMA

35:15-15-111. General requirements for Equidae entering Oklahoma
(a) All test eligible Equidae entering Oklahoma for any purpose other than consignment to a veterinarian's clinic or an approved slaughter facility or livestock auction market shall be accompanied by one of the following:
(1) An Official Equine Passport A record of a negative official test for EIA conducted within the previous twelve (12) months and an Extended Equine Certificate of Veterinary Inspection.
(2) A record of a negative official test for EIA conducted within the previous twelve (12) months and a certificate of veterinary inspection.
(3) An equivalent certificate as approved by the State Veterinarian.
(4) A copy of a VS Form 10-11 shall be considered an official record of test when accompanied by a properly completed certificate of veterinary inspection.
(5) An exception to import test requirements may be issued by the Department. To qualify for the exception, the person seeking the exception shall:
   (A) Apply for an entry permit during the Department's office hours.
   (B) Obtain a certificate of veterinary inspection issued no more than thirty (30) calendar days prior to entry;
   (C) Test the Equidae for EIA within thirty (30) days after entry; and
   (D) Immediately quarantine the Equidae entering Oklahoma pursuant to this subsection until the Equidae is tested negative for EIA.

(b) An Official Equine Passport shall include the following:
(1) The name, breed, sex, age, color, and an electronic identification, a unique brand, or a tattoo to positively identify each Equidae listed on the form, provided that any owner using electronic identification shall carry and maintain a functional reader or scanner.
(2) A record of a physical examination of each Equidae verifying freedom from visible evidence of any contagious, infectious, or communicable diseases at the time of the examination.
(3) The negative test results of an official test for EIA, including the name of the approved laboratory, the case or accession number, and the date of the most recent test.
(4) A VS Form 10-11 or equivalent EIA test chart for each animal.

(c) The Official Equine Passport shall be valid and meet import requirements for a period of six (6) months when accompanied by proof of an official negative VS Form 10-11 or equivalent EIA test chart. In no instance shall a permit expiration date exceed twelve (12) months after the date of a negative EIA test.

(d) An Official Equine Passport An Extended Equine Certificate of Veterinary Inspection shall be accepted from states approved by the State Veterinarian participating in the Extended Equine Certificate of Veterinary Inspection program.

35:15-15-113. Entry requirements to an approved slaughter facility [REVOKED]
(a) All Equidae consigned to an approved slaughter facility shall be properly and individually identified and accompanied by a waybill, bill of lading, permit, or certificate of veterinary inspection.
(b) Known positive EIA Equidae shall be branded and known exposed animals shall be properly identified.
(c) Known positive and exposed EIA animals shall be accompanied by a permit.

SUBCHAPTER 16. CONTAGIOUS EQUINE METRITIS

35:15-16-1. Incorporation by reference
(b) All words and terms defined or used in the federal regulation incorporated by reference by the Department shall mean the state equivalent or counterpart to those words or terms.

SUBCHAPTER 22. SWINE PSEUDORABIES AND BRUCELLOSIS

35:15-22-4. Requirements for livestock auction markets
(a) All Except for swine purchased for immediate slaughter, all swine consigned to a livestock auction market shall have: an official identification for each pig. The market operator shall maintain a record of each official identification, consignee’s name and address, and premise of origin.
(1) official identification already in place and the official identification shall be recorded by the livestock auction market; or
(2) official identification applied and the official identification shall be recorded by the livestock auction market.
(b) The market operator shall maintain a record of all official identifications and the corresponding consignee’s name and address.
(e) All swine over six (6) months of age not purchased or reconsigned as direct to slaughter shall be tested for brucellosis and pseudorabies prior to leaving the livestock auction market.

SUBCHAPTER 34. FERAL SWINE

35:15-34-2. Definitions
The following words and terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:
"Captive feral swine hunter" means a person of any age who procures a hunt at any of the licensed feral swine hunting facilities in Oklahoma.
"Feral swine" means any hog, pig, or swine domestic or wild animal of the species (Sus scrofa) including, but not limited to, Russian and European wild boar Sus scrofa that are running at large, free roaming, or wild upon public or private lands in this state, or has been captured, hunted, maintained, utilized, or released for any sporting purpose and shall also include any hog, pig, or swine species that has lived any part of its life running at large, free roaming, or wild. The term feral swine shall also include any feral phenotype swine, whether or not running at large, free roaming, or wild. The term feral swine shall denote live feral swine and not feral swine carcasses unless otherwise specified.
"Feral swine facility" means a handling facility or sporting facility.
"Feral Swine Free Zone" means any region of the state defined by the Board of Agriculture where hunting feral swine or taking feral swine from the region is restricted and the licensing of feral swine facilities or movement of feral swine into or across the region is prohibited.
"Handling facility" means any premises maintaining feral swine in captivity for the purpose of temporary holding, breeding, slaughter, re-sale, dog training, competition, exhibition, personal use, or any other purpose. Commercial hunting is not permitted in a handling facility.
"Sealed trailer" means a trailer or container holding feral swine that an Oklahoma Department of Agriculture, Food, and Forestry or United States Department of Agriculture
employee has affixed a seal for special purpose movement displaying a serial number listed on the
VS 1-27 form accompanying the transport.

"Sporting facility" means any premises maintaining feral swine in captivity intended
for hunting and feral swine are only removed from the premises through hunting.

"Transport" means intrastate or interstate movement of one or more feral swine.

35:15-34-6. Sporting facilities
(a) No new sporting facilities shall be licensed by the Department. The Department may issue a
license to an unlicensed sporting facility in operation prior to January 27, 2015 and holding a
Commercial Hunting Area license issued by the Oklahoma Department of Wildlife Conservation.
Licenses for existing sporting facilities shall be renewable and transferable.
(b) The owner or operator of a sporting facility shall comply with the following requirements:
   (1) The owner or operator of a sporting facility shall maintain a perimeter fence at least
       forty-eight (48) inches tall made of solid walls, game fence, or other material constructed
       in a manner adequate to reasonably prevent the escape of enclosed feral swine, and the
       unsolicited additions of feral swine from outside the enclosure.
   (2) The owner or operator of a sporting facility shall keep the following records using
       forms provided by the Department:
       (A) The name, 24-hour permit number, and license number for each consignor
           releasing feral swine into the sporting facility with the corresponding date and
           number of feral swine released; and
       (B) The name of each captive hog hunter killing a feral hog at the sporting facility
           with the corresponding date and number of feral swine killed.
   (3) Any person renewing or procuring a sporting facility license shall provide the
       following information on a form prepared by the Department:
       (A) Name, mailing address, email address, and telephone number of the owner;
       (B) Name, mailing address, email address, and telephone number of the operator,
           if different from the owner;
       (C) Name, physical address, and county of the sporting facility;
       (D) Legal description to the nearest quarter section and GPS coordinates, if
           available, of the sporting facility;
       (E) A map showing topography of the area with a diagram of the facility
           structures, fencing plan, and perimeter clearly marked;
       (F) Whether the applicant has been convicted of a felony, misdemeanor,
           administrative, or civil violation of any natural resources requirements, including
           but not limited to wildlife, forestry, fisheries, environment, or animal health within
           the past three (3) years in Oklahoma or any other jurisdiction;
       (G) Whether the property where the sporting facility is located is owned or leased;
       (H) Driving directions from the nearest town; and
       (I) Signature under oath "I certify under penalty of law this document, all
           attachments, and information submitted are to the best of my knowledge and belief,
           true, accurate, and complete. I am aware there are significant penalties for
           knowingly submitting false, inaccurate, or incomplete information, including the
           possibility of fines for each violation."
   (4) The owner or operator of a sporting facility shall submit a report describing all feral
       swine released into or killed at the sporting facility in a month and any other information
required by the Department by the 10th day of the following month using forms provided by the Department.

(e) Sporting facilities may have a gate device installed in the perimeter fence that allow for the ingress of additional feral swine but does not allow the egress of captive feral swine. These devices shall be inspected and approved by the Department within seven (7) days of installation.

(d) Sporting facilities shall be licensed for one year terms beginning July 1 of each calendar year and ending on June 30 of the following calendar year. Applications for the renewal of a sporting facility license shall be due on April 1 of each calendar year.

(e) Feral swine shall not be commingled with any domestic livestock species in any sporting facility. Common pens, water sources or food sources accessible by both domestic livestock species and feral swine shall be prohibited. This subsection is not intended to prohibit a licensee from constructing a feral swine facility along the licensee's property line.

(f) Live feral swine shall not be transported from a sporting facility to any other location.

(g) The owner or operator of a sporting facility shall verify that each person who hunts feral swine on the facility has a valid Oklahoma feral swine hunter's license prior to hunting. If the owner or operator of a sporting facility cannot verify that a person has a feral swine hunter's license prior to hunting, the owner or operator shall collect a captive hog hunter's fee from each hunter using the sporting facility and remit fees collected to the Department on the 10th day of the month following the hunter's visit. The captive hog hunter's fee:

1. Shall be collected only once from each hunter during a calendar year;
2. Shall be valid for the calendar year in which it is purchased;
3. Shall not restrict the number of feral swine the hunter is permitted to kill; and
4. Shall not restrict the number of visits a hunter may make to any sporting facility.

(h) Any person may apply for a captive feral swine hunter's license by using an online system provided by the Department or by phone during regular business hours.

**SUBCHAPTER 35. GARBAGE FEEDING**

35:15-35-1. Permits [REVOKED]

No person shall feed garbage to swine unless a permit therefor has first been obtained from the State Board of Agriculture. Applications for such permits shall be on a form prescribed by the Board. The State Veterinarian may refuse to issue such permit or suspend any permit that has been issued if the applicant fails to comply with or violates any of the laws or rules of the Board pertaining to the feeding of garbage. The Board may revoke any permit if they find any operator guilty of violating the laws or rules.

35:15-35-2. Cooking of garbage [REVOKED]

(a) A direct fire cooker shall be constructed over a fire box with the bottom of the cooker at least 15 inches above the ground. The cooker shall have a hinged lid completely covering the cooker opening to hold heat.

(b) The fire box shall be constructed of brick, stone or heavy gauge steel that will not burn out. The fire box shall have a hinged door and smoke stack.

(c) The cooker shall be separated from any feeding area by a hog tight fence.

(d) An adequate fuel supply shall be exhibited at all times.

(e) Cooking on a kitchen or restaurant stove is prohibited.
(f) Cooker must be sheltered by a roof in order to facilitate cooking during inclement weather. (Does not apply to a steam cooker.)

(g) A definite schedule for cooking garbage shall be established and filed with the State Veterinarian. (Days and time of day that the cooker will be in operation.) The schedule may be changed by notifying the inspector or the State Veterinarian’s office.

(h) A thermometer shall be supplied by the permit holder, and used to determine the temperature of the garbage being cooked. All garbage, regardless of previous processing, shall, before being fed, be thoroughly heated to at least 212°F., and said temperature shall be maintained for at least thirty (30) minutes, unless treated in some manner approved in writing by the Board or authorized agent of the Board as being equally effective for the protection of animal and human health.

35:15-35-3. Premise and equipment [REVOKED]
(a) If feeding platforms are used, the platform will constitute at least three (3) square feet for each hog to be fed.
(b) If troughs are used, at least one (1) linear foot will be supplied for each hog to be fed.
(c) Excess garbage shall be removed from the premises, and is not to remain on premise over thirty-six (36) hours in warm weather. Unused, excess or spoiled garbage shall be buried or burned, and shall under no circumstances be poured or dumped in the feeding or cooking area.
(d) Premise shall be kept free of all waste materials such as cans, boxes and paper.
(e) Premise is to be sprayed a minimum of one (1) time each week for fly control during the seasons that flies are active. Effective rodent control measures shall be used.
(f) Containers used to transport or store garbage are to be closed and shall be sufficiently sealed to prevent access by rodents or insects. These containers are to be kept clean and free from accumulation of grease and foreign matter.

35:15-35-4. Records [REVOKED]
A daily log shall be kept by the permit holder giving the amount of garbage collected and cooked, the time of day cooked and the maximum temperature reached, and the length of time cooked. These forms will be furnished by the State Board of Agriculture, and are to be submitted to the inspector or State Board of Agriculture upon request.

SUBCHAPTER 36. SCRAPIE

35:15-36-1. Incorporation by reference of federal regulations
Regulations of the United States Department of Agriculture concerning scrapie in sheep and goats found at 9 CFR Part 79 (2017-2019 Revision) are adopted by reference with the exception of the deleted regulations specified in 35:15-36-2.

35:15-36-2. Deleted regulations
The following sections of the Federal regulations governing scrapie in sheep and goats (9 CFR, Part 79 et seq.) (2017-2019 Revision) of the USDA incorporated by reference under 35:15-36-1 are deleted and are not rules of the Oklahoma Department of Agriculture, Food, and Forestry: 79.6 and 79.7.
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) If moving to a livestock market, identification may be applied by the market before sale.
   (2) The state veterinarian may grant a written exception for the official identification of wethers on an individual basis.

SUBCHAPTER 38. BOVINE TRICHOMONIASIS

35:15-38-1. Definitions
The following words or terms, when used in this Subchapter, shall have the following meaning unless the context clearly indicates otherwise:

"Acceptable specimen" means a specimen determined satisfactory for diagnostic testing by the testing laboratory, including complete documentation.

"Approved feedlot" means a confined animal feeding operation (CAFO) licensed by the Department.

"Approved laboratory" means any laboratory designated and approved by the state veterinarian for examining T. foetus samples.

"Approved veterinarian" means a licensed accredited veterinarian who has complied with all Department regulations and educational requirements, and who has been approved by the Department to conduct necessary tests, vaccinations, inspections, and other duties.

"Bovine" means any sexually intact male and female animal of the genus bos.

"Change of ownership" means control of an animal being transferred between two (2) persons by sale, lease, or lending.

"Commingle" means animals of opposite sex and/or belonging to different owners in the same enclosure or pasture with a reasonable opportunity for sexual contact.

"Exposed bull" means an untested bull that has had an opportunity to breed exposed female cattle.

"Exposed female" means a female bovine animal that is sexually intact and sexually mature that could have been exposed to a positive T. foetus bull.

"Herd" means the group of animals consisting of all male and female bovines over twelve (12) months of age that have commingled during the last twelve (12) months.

"Negative T. foetus bull" means a bull that qualifies by one of the following:
   (A) originate from a herd not known to be infected and has had a negative official T. foetus bull test within the last year; 
   (B) originate from a positive herd but has a series of three negative official T. foetus bull tests at intervals of at least one week; or 
   (C) a negative official T. foetus bull test within sixty (60) days prior to entry with no sexual activity for one (1) week prior to the test and between the test and movement.

"Official T. foetus laboratory testing" means the laboratory procedures that shall be approved by the state veterinarian for culture and identification of T. foetus.

"Official T. foetus bull test" means the sampling of the preputial content of a bull by a licensed, accredited and trichomoniasis certified veterinarian or a veterinarian from the Oklahoma
Department of Agriculture, Food, and Forestry. The test shall be conducted after a one week separation from all female bovine and the bull and sample shall be officially identified and documented for laboratory submission. The test may consist of three (3) culture tests at least one (1) week apart or one (1) Real Time PCR test. Pooled samples are acceptable.

"Oklahoma trichomoniasis certified free herd" means a herd of cattle that has been determined to be free of bovine trichomoniasis by following the requirements of OAC 35:15-38-4.

"Pooled sample" means a method of sampling where a sample from each bull is submitted in an individual transport pouch and the laboratory mixes aliquots from up to five (5) samples together to economize the test cost.

"Positive T. foetus bull" means a bull that has had a positive T. foetus test.

"Positive T. foetus herd" means the group of all bovines which have had any opportunity for sexual contact in the previous breeding season and in which any male or female animal has had a positive diagnosis for T. foetus.

"Resident herd of origin" means a group of livestock maintained together as a herd or flock on the same premises for at least four (4) months.

"Suspect T. foetus bull" means a bull from a positive T. foetus herd that has not yet had three (3) consecutive negative official T. foetus bull tests.

"Tritrichomas foetus" or "T. foetus" means a contagious venereal protozoan parasite disease of the trichomonas foetus species that frequently results in lifetime infection of male bovidae as an inapparent carrier and causes infertility, pyometra, abortions and reproductive inefficiency in female bovidae.

"Unacceptable sample" means a sample that is deemed not diagnostic by the official testing laboratory.

"Virgin bull" means a sexually intact male bovine less than twelve (12) months of age or a sexually intact male bovine between twelve (12) and eighteen (18) months of age that has had no breeding and no potential breeding contact with females.

"Virgin bull affidavit" means a signed affidavit from the owner, manager, or veterinarian that verifies the bull is between twelve (12) and eighteen (18) months of age and has had no breeding and no potential breeding contact with females.

35:15-38-2. Import requirements for bulls
(a) All bulls entering Oklahoma shall be accompanied by a certificate of veterinary inspection. All non-virgin bulls shall have a negative official T. foetus test within sixty (60) days prior to entry with no exposure to females from seven (7) days prior to the test to the time of change of ownership.
(b) The pre-entry test shall be conducted at a laboratory approved by the American Association of Veterinary Diagnostic Laboratories or the Oklahoma state veterinarian.
(c) No bull that has ever previously tested positive for T. foetus shall enter Oklahoma unless the bull is consigned directly to slaughter and is individually identified for movement on a VS form 1-27.
(d) No bull from a known positive T. foetus herd shall enter Oklahoma unless the bull has three (3) consecutive negative tests at least a week apart within thirty (30) days prior to entry, in addition to a post entry test and the bulls shall be isolated from all females until the in-state test results are known.
(e) The veterinarian issuing the certificate of veterinary inspection shall list the official identification, date of the test, name of the laboratory, laboratory accession number, type of test, and result of the test for each bull represented on the certificate of veterinary inspection.

(f) Exceptions to the importation requirements are:
   (1) transient rodeo or exhibition bulls that will have no sexual contact with a female bovine and are held in a secure facility to prevent contact, excluding pasture while in Oklahoma;
   (2) bulls consigned direct to slaughter; or
   (3) bulls consigned to a feedlot for feeding and slaughter purposes where they will be isolated from all females; and
   (4) bulls consigned from a resident herd of origin to a livestock auction market.

SUBCHAPTER 40. BOVINE TUBERCULOSIS

PART 1 - DEFINITIONS

35:15-40-1. Definitions
The following words or terms when used in this Subchapter shall have the following meaning unless the context clearly indicates otherwise:

"Accredited free state" means a state that maintains full compliance with all of the provisions of the USDA Uniform Methods and Rules for bovine tuberculosis eradication and where no evidence of bovine tuberculosis has been disclosed for five (5) or more years.

"Accredited herd" means a herd of cattle, bison, or dairy goats that passed at least two (2) consecutive negative caudal fold tuberculin tests at an interval of not less than ten (10) months nor more than fourteen (14) months, has no other evidence of bovine tuberculosis, and meet the standards of this Subchapter.

"Affected herd" means a herd of cattle, bison, or dairy goats that contains, or has recently contained, one (1) or more animals infected with Mycobacterium bovis and has not passed the required tests necessary for release from quarantine.

"Annual tests" means those tests conducted at intervals of not less than ten (10) months nor more than fourteen (14) months.

"Approved feedlot" means a confined dry lot area for the finish feeding of animals on a concentrated feed with no facilities for pasturing or grazing that is licensed as a Concentrated Animal Feeding Operation by ODAFF's the Department’s Agriculture Environmental Management Services Division.

"Auction" means a public sale of cattle, bison, or dairy goats to the highest bidder.

"Bison" means a bovine-like animal (genus Bison) commonly referred to as American buffalo or buffalo.

"Bovine Tuberculosis" means a disease in cattle, bison, or dairy goats caused by Mycobacterium bovis.

"Cattle" means all domestic bovine (genus Bos).

"Caudal Fold Tuberculin Test" or "CFT" means the intradermal injection of 0.1 milliliters of USDA bovine purified protein derivative (PPD) tuberculin into either side of the caudal fold, with reading by visual observation and palpation seventy-two (72) hours (+ or - 6 hours) following injection. Animals or herds of unknown status shall not be subjected to retest at intervals of less than sixty (60) days.
"Commission firm" means a person, partnership, or corporation that buys or sells livestock as a third party and reports to the seller or to the buyer details of the transactions whether or not a fee is charged for the services.

"Comparative Cervical Tuberculin Test" or "CCT" means the intradermal injection of biologically balanced bovine PPD tuberculin and avian PPD tuberculin at separate sites in the cervical area and a determination as to the probable presence of bovine tuberculosis (M. bovis) by comparing the responses of the two (2) tuberculins seventy-two (72) hours (+ or - 6 hours) following injection.

"Dairy cattle" means any typical dairy framed animals and dairy crossbred animals as determined by the inspecting veterinarian.

"Dairy goats" means domestic caprine (genus Capra) kept for the purpose of producing milk for human consumption.

"Dealer" means any person, firm, or partnership engaged in the business of buying or selling cattle, bison, or dairy goats in commerce, either on the dealer's own account or as the employee or agent of the vendor or purchaser, or any person engaged in the business of buying or selling cattle, bison, swine, sheep, or dairy goats in commerce on a commission basis. The term shall not include any person who buys or sells cattle, bison, or dairy goats as a part of their own bona fide breeding, feeding, or dairy operation; is not engaged in negotiating the transfer of cattle, bison, or dairy goats; or receives cattle, bison, or dairy goats exclusively for immediate slaughter on the person's own premise.

"Eradication" means the complete elimination of bovine tuberculosis from cattle and bison in the state so that the disease does not appear unless introduced from another species or from outside the state.

"Exposed animals" means cattle, bison, or dairy goats that have been exposed to bovine tuberculosis by reason of associating with known tuberculous animals.

"Feedlot" means a confined dry lot area for the finish feeding of animals on a concentrated feed with no facilities for pasturing or grazing.

"Herd" means one or more cattle, bison, or dairy goats maintained on common ground or two (2) or more groups of cattle, bison, or dairy goats under common ownership or supervision that are geographically separated but can have an interchange or movement without regard to health status.

"Herd plan" means a herd management and testing plan designed by a state or federal regulatory veterinarian and the herd owner that will control and eventually eradicate bovine tuberculosis from an affected, adjacent, or exposed herd.

"High risk cattle" means cattle from countries, states, or areas that are not considered Bovine Tuberculosis free, including but not limited to, dairy cattle, exhibition cattle, rodeo cattle, and Mexican origin cattle.

"Mexican origin" means cattle that originate or have ever resided in Mexico.

"Modified Accredited Advanced State" means a state that is actively participating in the eradication of bovine tuberculosis and that maintains its status in accordance with the provisions of the USDA Uniform Methods and Rules for Bovine Tuberculosis Eradication.

"Modified Accredited State" means a state that is actively participating in the eradication of bovine tuberculosis and that maintains its status in accordance with the provisions of the USDA Uniform Methods and Rules for Bovine Tuberculosis Eradication.

"Natural additions" means animals born and raised in a herd.
"No Gross Lesion Animals" or "NGL" means any cattle, bison, or dairy goats that do not reveal a lesion of bovine tuberculosis upon postmortem inspection. Any animal with skin lesions alone shall be considered a NGL animal.

"Official in charge" means any manager, superintendent, secretary, or other person responsible for an exhibition.

"Official tuberculin test" means a test for tuberculosis conducted and reported by approved personnel in accordance with this Subchapter and the USDA Uniform Methods and Rules for bovine tuberculosis eradication. The official tuberculin tests are the caudal fold test, the comparative cervical test, the single cervical test, gamma interferon test, or any other test that is approved by the United States Department of Agriculture (USDA).

"Permit" means a VS 127 issued by an authorized agent of the State Board of Agriculture, a representative of USDA APHIS Veterinary Services or an accredited veterinarian that is required to accompany any reactor, suspect, or exposed animals to slaughter.

"Reactor" means any animal that may be classified as a reactor by the designated epidemiologist based on supplemental diagnostic tests results from approved laboratories or other information.

"Rodeo bulls" means sexually intact male cattle kept for the purposes of performances at rodeos, bucking events, exhibition purposes, or for breeding to produce rodeo bulls.

"Suspect" means any cattle, bison, or goats that show a response to the caudal fold tuberculin test and are not classified as reactors, and cattle, bison, or goats that are classified suspects by a comparative cervical test.

"Tuberculin" means a product that is approved by and produced under USDA license for injection into cattle, bison, or goats for the purpose of detecting bovine tuberculosis.

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.
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.

35:15-44-19. Entry and export requirements
(a) Import of cervidae shall be accompanied by a Certificate of Veterinary Inspection and a Cervidae Import Permit approved or provided by the Department.
   (1) The import permit shall be valid for thirty (30) days from approval.
   (2) Cervidae Import Permit applications shall be submitted to the Department no less than three (3) working days prior to the scheduled shipment.
(b) Cervidae shall have two forms of identification. One (1) of these two (2) forms of identification shall be official identification.
(c) The State Veterinarian or designee may require a brucellosis test of any cervidae subject to the provisions of this subchapter.
(d) All cervidae six (6) months or older shall meet one of the following criteria prior to entry:
   (1) Classified negative to two (2) official tuberculosis test that were conducted no less than ninety (90) days apart with the second test conducted no more than ninety (90) days prior to the date of movement and recorded on the Certificate of Veterinary Inspection.
   (2) Originate from a Qualified Herd and test negative to an official tuberculosis test conducted no more than ninety (90) days prior to the date of movement. The Qualified Herd number and date of the qualifying test shall be recorded on the Certificate of Veterinary Inspection.
   (3) Originate from an Accredited Free Herd provided the Accredited Free Herd number and date of last test are recorded on the Certificate of Veterinary Inspection shall meet the tuberculosis testing provisions found at 9 CFR Part 77 (2019 Revision).
(e) All cervidae, with the exception of fallow deer within the genera Odocoileus, Cervus, and Alces and their hybrids, shall originate from a chronic wasting disease certified herd from a county where no chronic wasting disease has been confirmed in native cervidae populations.

SUBCHAPTER 47. CHRONIC WASTING DISEASE (CWD) IN CERVIDS

PART 7 - INTERSTATE MOVEMENT REQUIREMENTS

35:15-47-18. Minimum CWD requirements for interstate movement of cervids
(a) Regulations of the United States Department of Agriculture concerning the interstate movement of cervidae found at 9 CFR Part 81 (2014 2019 Revision) are adopted by reference.
(b) Caribou and Reindeer shall meet all interstate movement regulations that apply to cervidae found at 9 CFR Part 81 (2014 2019 Revision).

SUBCHAPTER 49. MISCELLANEOUS ANIMAL DISEASES

35:15-49-7. Equine Herpes Virus
(a) The State Veterinarian or any state or federal veterinarian acting under authority of the State Veterinarian may cause an official test to be conducted on any Equidae known or suspected to be infected with or exposed to Equine Herpes Virus.
(b) If the owner refuses or neglects to comply with the testing requirements, the Equidae shall be quarantined and the movement of any Equidae from the premises shall be prohibited.