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

CHAPTER 15. ANIMAL INDUSTRY

SUBCHAPTER 3. ANIMAL HEALTH REPORTABLE DISEASES

35:15-3-2. Oklahoma reportable disease list

The State Veterinarian shall develop and maintain a list of reportable diseases which may be accessed ~~at the internet address: www.ag.ok.gov/ais~~ on the Oklahoma Department of Agriculture, Food, and Forestry webpage.

SUBCHAPTER 5. BIOLOGICAL PRODUCTS AND LABORATORIES

35:15-5-1. Biological products

(a) No biological product used in the treatment of livestock or any other species of animals shall be manufactured, produced, transported, distributed, sold, offered for sale, or used in Oklahoma unless the biological product has been:

(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 by any person solely for the treatment of livestock or any other species of animals of such person or prepared solely for treatment of livestock or any other species of animals under a veterinary-client-patient relationship ~~in the course of~~ during the state licensed professional practice of veterinary medicine by such person shall be exempt from (a) and (d) of this section if used as follows:

(1) Permission is obtained from the State Veterinarian in the form of a one (1) year memorandum of understanding between the Department and the persons owning the livestock or any other species of animals;

(2) An authorized agent of the Board may inspect and monitor the application of the product and verify the proper handling, cleaning, and disinfection of equipment utilized in the application.

(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.

(3) Autogenous biologics shall be registered individually by the specific microorganisms (seed) which make up the composition of the vaccine.

(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 be used with prior written notice to the Department. Notice shall be provided for each day the person intends to utilize the biological product and shall contain the name of the person prescribing the biological product, the specific location where the biological product will be used, and the reason for using the biological product.~~

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

~~(k)~~)j)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 livestock or any other species 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 livestock or any other species 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 livestock or any other species 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 livestock or any other species of animals through appearance, packaging, labeling, claims (either oral or written), representations, or through any other means.

~~(l)~~ (k) The term "treatment" shall mean the prevention, diagnosis, management, or cure of diseases of livestock or any other species of animals.

~~(m)~~ (l) 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.

~~(n)~~ (m) The term "expired biological product" shall mean a biological product which exceeds the expiration date established by the manufacturer.

SUBCHAPTER 9. LIVESTOCK SPECIAL SALES

PART 3. LIVESTOCK SPECIAL SALES

35:15-9-9. Submission of record sales

The permit holder shall submit to the ~~Board~~ Department within fifteen (15) days after the special sale a record identifying each animal consigned. The record shall include the name, mailing address, and telephone number of the consignor or representative, and the name, mailing address, and telephone number of the purchaser or, if a minor, the representative of the purchaser.

SUBCHAPTER 11. IMPORTATION AND EXPORTATION OF ANIMALS

PART 1. GENERAL

35:15-11-1. General importation and exportation requirements

(a) All persons importing livestock, as defined in 2 O.S. § 6-150, shall have a certificate of veterinary inspection with the following exceptions:

(1) Livestock transported as part of a commuter herd with a copy of the commuter herd agreement;

(2) Livestock transported directly to an Oklahoma veterinarian for treatment if returned to the premises of origin within two (2) days following cessation of treatment;

(3) Livestock transported from a premises of origin in another state to an approved tagging site or approved livestock market and they are accompanied by an owner-shipper statement;

(4) Livestock transported from a premises of origin in another state directly to a slaughtering establishment and they are accompanied by an owner-shipper statement or a completed Drive-In document; or

(5) Livestock transported as a restricted movement accompanied by a VS form 1-27.

(6) Livestock being exported from Oklahoma shall meet the requirements of the state of destination. The buyer, seller, and transporter shall be equally responsible for ensuring that all requirements are met.

(b) The Commissioner of Agriculture or the State Veterinarian may impose pre-entry test requirements on any species if it becomes known that the threat of disease exists which could place the livestock industries of Oklahoma at risk or could become a public health hazard.
(c) Import requirements of this section may be in addition to import requirements for a species or disease found in this subchapter.
(d) The owner of the livestock, the shipper, and the operator of the vehicle transporting the livestock shall be equally and individually responsible for meeting all requirements regarding certificates of veterinary inspection (health certificate), permits, and the movement of livestock into this state.

~~PART 13. EQUINE PIROPLASMOSIS~~ [REVOKED]

~~35:15-11-51. Purpose~~ [Revoked]

~~Equine Piroplasmosis is a parasitic infection of horses, donkeys, mules, and zebras. It can be spread either naturally by ticks or through contaminated needles, syringes, dental equipment, and surgical equipment. These rules allow the State Veterinarian to issue interstate stop movement orders or quarantines of Equine Piroplasmosis reactors. In managing any premises that houses negative, positive, or reactor equids, exposing a negative equid to the blood or blood products of a positive or reactor equid shall be avoided. Proper handling of infected needles, surgical instruments, dental equipment, blood or blood products collected from positive or reactive equids, or other blood contaminated fomites, including blood contaminated semen collected for artificial insemination is essential, as Equine Piroplasmosis may also be transmitted through these routes.~~

~~35:15-11-52. Definitions~~ [Revoked]

~~The following words and phrases shall have the following meanings:~~

~~**"Equine Piroplasmosis reactor"** means any Equidae that tests positive for Equine Piroplasmosis from either B. caballi or T. equi but has not been confirmed by NVSL.~~

~~**"Exposed"** means all Equidae in the same herd as a Prioplasmosis positive animal or had recent direct and sustained contact with a Piroplasmosis animal.~~

~~**"High risk premises"** means premises where transmission of Equine Piroplasmosis is known or suspected to have occurred or has the potential to occur, through either natural tick borne transmission or high risk management practices and as determined by the State Veterinarian.~~

~~**"Low risk premises"** means premises where transmission of Equine Piroplasmosis has not been demonstrated or suspected to have occurred and has a low potential to occur, through either natural tick borne transmission or management practices and as determine by the State Veterinarian risk.~~

~~**"Negative Equidae"** means Equidae that show a negative result to a competitive enzyme-linked immunosorbent assay (c-ELISA) test for Equine Piroplasmosis or have been classified negative by the designated epidemiologist, based on history, supplemental tests, or other epidemiological evidence.~~

~~**"Positive Equidae"** means Equidae that show a positive result to for Equine Piroplasmosis by the National Veterinary Services Laboratories (NVSL) on the complement fixation (CF) test or competitive enzyme-linked immunosorbent assay (c-ELISA) test.~~

~~**"Racetrack facility"** means a premises used to conduct live horse racing events and is not limited to facilities licensed by the Oklahoma Horse Racing Commission.~~

~~**"Suspect case"** means an Equidae with clinical signs consistent with Equine Piroplasmosis, a history of exposure, or an inconclusive test.~~

~~35:15-11-53. Testing for Equine Piroplasmosis~~ [Revoked]

~~(a) All racing Quarter horses, Paint horses, and Appaloosas entering a racetrack facility shall have proof of a negative Piroplasmosis test (T. equi) within the past twelve (12) months.~~

~~(b) All official samples collected from Equidae for Piroplasmosis testing shall be collected by a state or federal veterinarian, an accredited veterinarian, or an authorized agent of the Board.~~

~~(1) The State Veterinarian, a state or federal veterinarian, an authorized agent of the Board, or an accredited 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 Piroplasmosis.~~

~~(2) 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.~~

~~(3) The State Veterinarian may provide and require supervision for collection of test samples submitted by an accredited veterinarian.~~

~~(4) Any person providing erroneous or fictitious information shall be in violation of these rules.~~

~~(5) Any person altering, defacing, or falsifying information on a test chart, permit, certificate of veterinary inspection, or any form associated with the Piroplasmosis program shall be in violation of these rules.~~

~~(c) All Equidae epidemiologically determined to have been exposed to a Piroplasmosis positive animal shall be quarantined and tested by a state or federal veterinarian, an accredited veterinarian, or an authorized agent of the Board.~~

~~(1) Test results for suspect cases and reactor Equidae shall be confirmed by NVSL.~~

~~(2) Positive results shall be confirmed by NVSL.~~

~~(3) Exposed Equidae that test negative shall be retested at least thirty (30) calendar days from last exposure to a Positive Equidae.~~

~~(4) Epidemiologic data may be considered in the testing requirements for Exposed Equidae and affected herds.~~

~~(d) Release of quarantine.~~

~~(1) No Equidae held under quarantine shall be moved or released until a written permit or quarantine release signed by an authorized agent has been executed.~~

~~(2) Exposed Equidae may be released from quarantine after obtaining a negative test a minimum of thirty (30) calendar days from the last exposure.~~

~~(3) Epidemiologic data may be considered in the release of the quarantine.~~

~~(e) Foals born to positive mares are considered exposed and shall be tested because Equine Piroplasmosis hemoparasites may be transmitted in utero or at parturition.~~

~~(1) Foals under six (6) months of age may carry maternal antibodies to infection but may not be infected. Therefore, seropositive foals without other evidence of infection via PCR or blood smears shall be retested after waning of maternal antibodies.~~

(2) Foals shall be kept in quarantine until weaned or separated from the mare and until tested negative for Equine Piroplasmosis (at a minimum of six (6) months of age) at NVSL.

35:15-11-54. Management and disposition of Positive Equidae [Revoked]

(a) Any Equidae confirmed positive for Equine Piroplasmosis shall be officially identified by the Department or regulatory personnel acting under the authority of the State Veterinarian, unless already electronically identified.

(b) Options for managing Positive Equidae include quarantine, quarantine with treatment, export, and euthanasia. Conditions for quarantine shall be outlined in a compliance agreement established between the owner and the State Veterinarian. Standards for quarantine shall differ for high risk and low risk premises.

(c) Management of Positive Equidae shall be conducted under the direct supervision of the State Veterinarian.

(1) Quarantine on high risk premises:

(A) Positive Equidae shall be housed in a tick free facility on any premises approved by the State Veterinarian.

(B) If no tick free facility is available, the Positive Equidae shall be housed at a predetermined safe distance from other Equidae. The State Veterinarian shall determine the predetermined distance with the goal of reducing the risk of tick borne transmission and shall take into account tick species in the area, natural geographical barriers, seasonal variation, the potential role of wildlife in tick movement, and other factors.

(C) A tick free facility may be of any size but shall be surrounded by two (2) fences a minimum of thirty (30) feet apart, with the zone between the fences free of vegetation and animals.

(D) Prior to moving Positive Equidae into a facility, theEquidae, the facility, and the thirty (30) foot barrier zone shall be treated to eliminate ticks using an approved acaricide.

(i) Positive Equidae shall be maintained on a fourteen (14) to eighteen (18) day acaricide treatment interval to minimize tick infestations.

(ii) Acaricides used shall be labeled as effective against and approved for use on Equidae or on the environment (i.e., pasture, stall, soil, etc.).

(E) Unless approved by the State Veterinarian, only positive Equidae are allowed in the tick-free facility. Dogs, other domestic animals, or livestock shall not be allowed to enter the facility unless maintained on acaricide treatment and remain tick free at all times.

(F) Facility inspections shall be conducted pursuant to the following schedule:

(i) The State Veterinarian shall make at least two (2) unannounced inspections of the facility within the first sixty (60) calendar days of quarantine to ensure no unauthorized animals are moving to or from the facility, the thirty (30) foot zone is free of vegetation and animals, and the Positive Equidae are not tick infested.

(ii) During the first year of quarantine, premises shall be inspected at least quarterly, or more frequently as determined by the State Veterinarian, to assess compliance. At least one of these inspections shall be unannounced.

(iii) After the first year of quarantine, there shall be a minimum of two (2) intensive premises inspections per year for premises that repeatedly demonstrate complete compliance. These inspections may be scheduled or unannounced at the discretion of the State Veterinarian.

(iv) Frequency of inspections shall be increased in cases where the State Veterinarian has identified the potential for noncompliance.

(G) Working, exercising, or allowing other contact between Positive and Negative Equidae shall not be allowed except in the following circumstances:

(i) Any contact with other animals shall only occur on the quarantined premises.

(ii) Both Positive and Negative Equidae shall be treated with an approved acaricide not less than twenty four (24) hours and not more than fourteen (14) days prior to any contact.

(iii) Equidae shall not be left unattended in pastures. When acaricide treated Positive Equidae are not being ridden, they shall be placed in a trailer or kept a minimum of ten (10) feet from acaricide treated Negative Equidae.

(iv) Trailers used to transport Positive Equidae within the quarantined premises shall be treated with acaricide after each use.

(v) Premises where Positive and Negative Equidae have any contact shall be subject to more frequent inspections by the State Veterinarian.

(2) Quarantine on low risk premises:

(A) Positive Equidae shall be housed in separate pens or pastures away from Negative Equidae.

(i) There shall be a minimum ten (10) foot separation maintained between Positive Equidae and Negative Equidae on the same or adjacent low risk premises, with vegetation kept no higher than four (4) inches tall in the intervening space.

(ii) If the ten (10) foot separation is not possible due to facility size or other limiting factors, the State Veterinarian shall evaluate the facilities on a case-by-case basis to determine if sufficient space and barriers are available to establish and maintain the necessary isolation of Positive Equidae.

(B) Inspections shall occur on the same schedule as for Positive Equidae quarantined on high risk premises.

(3) Quarantine and enrollment in an approved Equine Piroplasmosis treatment research program shall be available upon the approval of the State Veterinarian.

(A) Any associated costs for an approved Equine Piroplasmosis treatment research program shall be the owner's responsibility.

(B) Management of Positive Equidae enrolled in an approved Equine Piroplasmosis treatment program shall be in accordance with the standards specified in this section.

(C) If an Equidae completes an approved treatment research program, effectively demonstrates freedom from the organism, and no longer meets the confirmed positive case definition for Equine Piroplasmosis, the Equidae may be eligible for quarantine release at the discretion of the State Veterinarian.

(4) It shall be the owner's responsibility to coordinate with authorities in the destination country for the export of an Equine Piroplasmosis Positive Equidae and to arrange for transportation. The Positive Equidae shall be transported to the export facility under an APHIS movement permit and official seal.

(5) Euthanasia and disposal:

(A) Both euthanasia and disposal shall be documented and conducted pursuant to the supervision of the State Veterinarian.

(B) Federal and State indemnity shall not be available.

35:15-11-55. Release and removal options for Exposed Equidae [Revoked]

(a) On high risk premises where Positive Equidae remain,equids Exposed Equidae may be released from quarantine and removed from the premises under the following conditions:

(1) NVSL tests the Exposed Equidae and determines they are negative.

(2) The Negative Equidae are treated for ticks using an approved acaricide.

(3) Exposed Equidae are confined to a negative equine facility (e.g., pen, paddock, stall):

(A) The negative facility shall contain no vegetation and shall have been treated with an approved acaricide;

(B) The facility is surrounded by two fences a minimum of thirty (30) feet apart with a zone free of vegetation between the fences or barriers;

(C) The thirty (30) foot zone around the facility is kept free of vegetation and treated with an acaricide approved for treating facilities to eliminate ticks. Treatments shall be repeated as often as necessary according to label instructions to maintain a zone with no ticks. If thirty (30) feet of separation is not possible, the State Veterinarian shall evaluate the facilities on a case-by-case basis to determine whether sufficient space and barriers are available for isolating the Negative Equidae; and

(D) No equipment, tack, hay, feed, bedding, manure, clothing, or other items have been brought into the negative facility from any Positive Equidae premises.

(4) After the animals are confined, they are retreated with an acaricide at fourteen (14) to eighteen (18) day intervals.

(5) The Negative Equidae are inspected for ticks ("scratched") and retested by the NVSL not less than thirty (30) days following entry into the negative equine facility. Exposed Equidae that are negative on the retest and free of ticks may be released from the quarantine if treated with an approved acaricide and removed from the premises while still wet with the acaricide.

(6) Dogs, other domestic animals, or livestock that have access to a negative equine facility shall be treated to prevent tick transmission to the facility.

(b) After all Positive Equidae have been removed from high risk premises, the remaining Equidae may be released from quarantine through the following process based on the presence of vegetation on the premises:

(1) Premises with no vegetation:

(A) After all Positive Equidae leave the premises, theNegative Equidae shall be treated for ticks using an approved acaricide.

(B) Treat the premises with an approved acaricide.

(C) Retest the negative Exposed Equidae at NVSL no less than thirty (30) days after removing the Positive Equidae.

(D) If the Equidae are negative on the retest, the quarantine may be released by the State Veterinarian.

(2) Premises with vegetation:

(A) After all Positive Equidae leave the premises, theNegative Equidae shall be treated for ticks using an approved acaricide.

(B) The vegetation shall be mowed to less than four (4) inches, residual grass clippings shall be removed, and the premises shall be treated with a registered acaricide effective against ticks and approved for grazing pastures. While spraying pastures, animals shall be kept in stalls, sheds, trailers, or other areas until the forage is safe for ingestion, per acaricide label directions.

(C) The Negative Exposed Equidae shall be retested by NVSL no less than thirty (30) days after removing Positive Equidae.

(D) If the Equidae are negative on the retest, the quarantine may be released by the State Veterinarian.

(E) If premises are too large to treat all vegetation, the Equidae may be kept on the premises under quarantine until they test negative at least twelve (12) months after removing the Positive Equidae. During that twelve (12) month period, the Equidae may attend functions off premises if they test negative within thirty (30) days prior to the function and are treated with an approved acaricide within seventy two (72) hours of movement. The Equidae shall be returned to the premises within ten (10) days of their departure.

(F) Dates of treatment shall be recorded on a treatment record maintained by the owner.

(G) The State Veterinarian shall review records regularly for the duration of the quarantine period.

(c) Exposed Equidae on low risk premises may be released from quarantine order under the following conditions:

(1) NVSL tests the Exposed Equidae and finds them negative for Equine Piroplasmosis.

(2) Negative Equidae on the premises or adjacent premises are separated from Positive Equidae by a minimum of ten (10) feet, with vegetation kept below four (4) inches tall in the intervening space.

(3) If ten (10) feet of separation is not possible due to facility size or other limiting factors, the State Veterinarian shall evaluate the facilities on a case-by-case basis to determine whether sufficient space is available to isolate Positive Equidae.

(4) At the time they are tested, all Equidae shall undergo an initial treatment for ticks with an approved acaricide.

(5) Negative Equidae shall be retreated fourteen (14) to eighteen (18) days following initial treatment, according to product label instructions, and kept free of ticks until retested.

(6) Negative Equidae shall be inspected for ticks (scratched) and retested negative by NVSL not less than thirty (30) days following the initial treatment and separation from Positive Equidae.

(7) If Exposed Equidae are removed from the premises within thirty (30) days of a verified negative status (i.e., the releasing test) and within fourteen (14) days of a treatment, no additional testing or treatment shall be required.

(8) If the State Veterinarian identifies possible pasture contamination after removal of a Positive Equidae, the following steps shall be taken for twelve (12) months after removal:

(A) Apply an acaricide treatment each time the Negative Equidae is moved from the premises;

(B) Within thirty (30) days prior to movement, retest theNegative Exposed Equidae, and confirm their negative status; and

(C) Conduct a final negative test at the end of the twelve (12) month period for all remaining Negative Exposed Equidae.

(9) If a Negative Exposed Equidae on a low risk premises subsequently tests positive for Equine Piroplasmosis, the classification of the premises shall be reevaluated by the State Veterinarian. Epidemiological evidence of disease transmission shall elevate the classification of the premises to high risk.

35:15-11-56. Long term maintenance of Negative Exposed Equidae [Revoked]

(a) On premises where Negative and Positive Equidae remain long term, management practices shall minimize the risk of Equine Piroplasmosis transmission.

(b) Long term maintenance of Negative Exposed Equidae on high risk premises that have Positive Equidae shall meet the following:

(1) The owner shall complete all requirements found in these rules, except instead of confining the Negative Equidae to a prescribed facility, thePositive Equidae shall be confined to an enclosure with the same restrictions and requirements.

(2) The Negative Equidae shall be retested for Equine Piroplasmosis annually and within thirty (30) days prior to any movement from the premises or change of ownership.

(3) Immediately prior to moving any Negative Equidae, the State Veterinarian shall inspect (scratch) the Negative Equidae for ticks and require treatment of the Equidae with an approved acaricide. The animals shall not be moved unless the inspection reveals no ticks and the animals move off the premises while still wet with acaricide.

(c) Long term maintenance of Negative Exposed Equidae on low risk premises that have Positive Equidae shall comply with the following:

(1) Negative and Positive Equidae shall be kept separated.

(2) Negative Equidae shall be retested and found negative within thirty (30) days prior to movement off the premises.

(3) The owner shall treat Negative Equidae with an approved acaricide not less than twenty four (24) hours and not more than fourteen (14) days prior to moving them from the premises.

(4) Dates of acaricide treatment shall recorded on a treatment record maintained by the owner.

(5) Negative Exposed Equidae shall receive annual retests as long as Positive Equidae remain on the premises.

(6) If a Negative Exposed Equidae on a low risk premises subsequently tests positive for Equine Piroplasmosis, the classification of the premises shall be reevaluated by the State Veterinarian. Epidemiological evidence of disease transmission shall elevate the classification of the premises to high risk.

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.

(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.

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 shall include documents that are incomplete as to official identification numbers and descriptions of the animals they represent. 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~~ Cattle that are required 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) Restricted cattle shall be tagged with a slaughter only tag except in instances where the cattle have been tested for the disease of concern.

(e) Cattle tagged with a Slaughter Only Tag shall not be diverted from slaughter channels and shall be transported to an approved livestock facility within seven (7) days of sale.

(f) It shall be a violation of the Oklahoma Administrative Code to remove a Slaughter Only Tag from an animal.

(g) 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.

35:15-13-7. Specific approval of livestock auction markets

(a) No livestock auction market shall be specifically approved until proper application is made and a determination is made by the State Veterinarian that Department regulations and standards are met.

(b) All animals received at the livestock auction market shall be considered in interstate commerce and be handled in accordance with interstate regulations.

(c) All cattle, bison, horses, swine, or other species, as determined by the State Veterinarian, shall be visually inspected by the livestock auction market veterinarian prior to sale for diseased conditions such as cattle scab, sheep scab, Actinomycosis (lump jaw), Carcinomas (cancer eye), Infectious Rhinitis (bull nose) or any other infectious, contagious, or communicable disease.

(d) Any animal determined to be diseased by the livestock auction market veterinarian shall be sold direct to slaughter or quarantined for treatment pursuant to the judgment of the livestock auction market veterinarian.

(e) Each market shall furnish and maintain in good repair sufficient equipment suitable for restraining animals for careful inspection, testing, tagging, branding, and other treatments and procedures ordinarily required in providing livestock sanitary service at markets. The equipment shall be covered or housed so that necessary work can take place during inclement weather.

(f) The appointment and termination of the livestock auction market veterinarian by the livestock auction market is subject to approval of both state and federal officials.

(g) Failure or neglect to perform any of the functions in this section shall be cause for withdrawal of the approval.

(h) Each livestock auction market shall sign and have on record with the Board 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.

(i) Routine Livestock Auction Markets shall not be scheduled on Sundays. Sunday sales shall require special permission of the Board of Agriculture or the State Veterinarian.

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, movement, 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.

"Extended Equine Certificate of Veterinary Inspection" means an electronic document issued by an accredited veterinarian 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.

"Official test record" means an original yellow copy of the VS Form 10-11 or a clear and legible printout of an electronic EIA test chart.

"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 3. PROCEDURES

35:15-15-33. Submission of sample and test charts

(a) All blood samples submitted for official tests shall be accompanied by a properly completed VS Form 10-11 ~~Equine Infectious Anemia Laboratory Test~~ or a USDA approved EIA test chart that ~~listing~~ lists the following:

(1) Description of the Equidae, including the age, breed, color, sex, animal's name, any registration number, all distinctive markings, including color patterns, brands, tattoos, scars, or blemishes. In the absence of any distinctive color markings or visible permanent identifications, the Equidae shall be identified by indicating the location of all hair whorls, vortices, or cowlicks with an "X" on the illustration provided on the VS Form 10-11.

(2) Test charts shall include a drawing or a photograph with three views (head, left side, right side).

(3) Owner's name, address, and telephone number.

~~(3)~~ (4) The animal's home premise and county.

~~(4)~~ (5) The name, address, and telephone number of the authorized person collecting the test sample.

~~(5)~~ (6) The laboratory and the person conducting the test.

(b) All blood samples taken from the animal listed on the VS Form 10-11 shall be submitted in approved tubes and the tubes shall be identified with the same animal name, registration number, tattoo, or other identification as recorded on the VS Form 10-11.

(c) Samples submitted without proper identification and proper test charts shall not be classified.

(d) Authorized personnel shall use only one chart or VS Form 10-11 for each Equidae to be tested.

35:15-15-34. Requirements for approved EIA testing laboratories

(a) No person shall operate an EIA testing laboratory without first obtaining approval from the Board.

(b) Conditions of approval.

(1) Submit a complete application to the office of the State Veterinarian.

(2) Upon receipt of an application, the facility shall be inspected by an authorized agent of the USDA.

(3) A report of the inspection shall be submitted to the State Veterinarian and identify the EIA testing laboratory's compliance with the minimum standards for facilities, equipment, and personnel.

(4) The applicant shall agree in writing to operate the laboratory in conformity with the Department rules and the requirements of the USDA and shall continually meet all requirements during operation of the laboratory.

(5) A determination by the Department that an additional EIA laboratory is necessary in the area.

(c) Operating requirements.

(1) All personnel conducting an official test at an approved laboratory shall receive training prescribed by the National Veterinary Services Laboratories (NVSL).

(2) Approved laboratories shall use USDA licensed ELISA test kits and follow standard test protocols prescribed by NVSL.

(3) Approved laboratories shall maintain a work log clearly identifying each individual sample and test results.

(4) Approved laboratories shall maintain a work log and a file of all submission forms for a period of not less than two (2) years.

(5) All approved laboratories shall report all positive results to an official test for EIA to the State Veterinarian's office within twenty four (24) hours.

(6) A copy of all test charts for positive Equidae shall be sent to the State Veterinarian's office within seventy two (72) hours.
(7) ~~Negative results shall be reported to the office of the State Veterinarian on a monthly basis.~~
~~(8)~~ Approved laboratories shall not test samples until an officially completed test chart is received.

(d) Inspections, proficiency tests, and licenses.
(1) The USDA APHIS VS shall randomly and without prior notification collect samples and inspect the facilities and records of all EIA laboratories in Oklahoma at least one (1) time per year.
(2) All records required to be maintained by approved laboratories shall be open to inspection by state or federal employees during normal business hours.
(3) All approved laboratories shall pass annual proficiency test requirements administered by the NVSL.
~~(4) All approved laboratories shall pass any additional proficiency test requirements administered by the Board.~~
~~(5) The Board shall charge a fee to the approved laboratory for administering each additional proficiency test in the amount of Fifty Dollars ($50.00).~~
(6) Each approved laboratory shall obtain a license on an annual basis.
(A) The annual license fee shall be Two Hundred Fifty Dollars ($250.00).
(B) The annual license shall expire on January 31 of each calendar year.
(C) The renewal license application shall be submitted no later than January 31 of each calendar year.
(D) A renewal application received or postmarked after January 31 shall be in violation of these rules.
(E) Failure to renew may result in disapproval of the laboratory.
(F) A fee waiver may be granted to an EIA laboratory at a university or state agency.

(e) An EIA laboratory may have its approval cancelled if the ~~Board~~ Department finds that the laboratory has failed to meet the requirements or has falsified records or reports.
(f) Any action taken by the ~~Board~~ Department to cancel laboratory approval shall conform to the Administrative Procedures Act.
(g) The Department may deny the application of any EIA laboratory if it fails to meet any criteria required by the Department.
(h) Approved laboratories shall only perform the ELISA test.
(i) The Department may at its discretion in limited and approved circumstances grant approved laboratories the ability to perform the AGID test for equine ~~being exported from Oklahoma to a foreign country or for horses not residing in Oklahoma~~. The limited exception shall be detailed in a written agreement between the Department and the approved laboratory.
(j) Any approved EIA laboratory shall resubmit all application information for approval by the Department upon a change in ownership of the facility or a change in location of the facility.

35:15-15-36. Classification of Equidae tested

(a) All Equidae tested for EIA pursuant to an official test shall be classified as negative or positive.
(b) Positive Equidae and retests.

(1) A positive is any Equidae which discloses a positive reaction to an official test.
(2) Equidae classified as positive may be retested prior to branding upon the owner's written request to the State Veterinarian no more than fifteen (15) days following the date of the original test.
(3) All retest samples shall be collected by a state or federal veterinarian, an accredited veterinarian, or an authorized agent of the Board and submitted to the ~~Oklahoma Department of Agriculture, Food, and Forestry Laboratory Services~~ National Veterinary Services Laboratory or an approved laboratory as designated by the State Veterinarian.
(4) The owner shall provide documentation verifying the equine tested is the same animal identified as positive on the original test document.
(5) All positive Equidae shall be held in isolation and under quarantine until the retest results are received.
(6) All other Equidae on the premise shall be held under quarantine until the retest results are received.
(7) Retest results from the ~~Oklahoma Department of Agriculture, Food, and Forestry Laboratory Services~~ National Veterinary Services Laboratory or an approved laboratory designated by the State Veterinarian shall be the official retest results. Results from other approved laboratories shall not be official when conducted as retests of positive animals.

(c) All Equidae that show a negative response to an official test shall be classified negative by the approved laboratory.
(d) The designated epidemiologist may deviate from the positive or negative classification so long as the reasons to do so are documented.

35:15-15-38. Identification of positive Equidae

(a) Any Equidae with a positive result to an official test for EIA shall be permanently identified by branding with a "73A" on the left shoulder and an implant of an official microchip no more than thirty (30) days after the date of the official test.
(b) The brand shall be clearly visible and permanently applied by an authorized agent of the Board using a hot iron brand or freeze brand marking no less than two (2) inches high.
(c) Any Equidae destroyed prior to branding or microchipping shall be described in a written statement by the accredited veterinarian or authorized agent certifying the destruction.
(d) The certification shall be submitted to the State Veterinarian's office within ten (10) days of the date the animal is destroyed.
(e) It shall be a violation of these rules for any person to conceal, alter, or remove the "73A" brand or official microchip on any positive animal.

35:15-15-39. Quarantines

(a) Any Equidae testing positive to an official test shall be quarantined to the premise of origin or other approved ~~premise~~ premises until natural death~~,~~ or disposition by euthanasia ~~or slaughter, or movement to a quarantined holding facility~~.
(b) The quarantine shall include the positive Equidae, all other Equidae on the premise, and all Equidae epidemiologically determined to have been exposed to an EIA positive animal.
(c) The owner shall maintain isolation of all positive Equidae on an affected premise a minimum of two hundred (200) yards from all other negative Equidae and Equidae of unknown status on adjacent premises.

(d) In addition to a quarantine, the owner may enter into a herd plan for an affected herd that specifies testing and movement details, in addition to any exceptions to the specifications of the quarantine.
(e) The owner of an adjacent or exposed herd may enter into a herd plan in addition to or in lieu of a quarantine, pursuant to an agreement with the State Veterinarian.
(f) ~~The issuance of a quarantine may be waived if the Board or the State Veterinarian enters into a formal memorandum of understanding with the owner that controls the movement of animals and the disease condition.~~
~~(g)~~ Release of quarantine.

(1) No Equidae held under quarantine shall be moved or released ~~until~~ without a ~~written~~ permit or quarantine release ~~signed~~ issued by an authorized agent ~~has been executed.~~
(2) The EIA quarantine may be released by an authorized agent after all quarantined Equidae in the affected herd ~~test negative to an official test conducted at the Oklahoma Department of Agriculture, Food, and Forestry no less than sixty (60) days nor more than one hundred twenty (120) days following the identification and removal of the last EIA positive animal~~ or the specifications of the quarantine and herd plan have been met pursuant to agreement of the State Veterinarian.
(3) The EIA quarantine on exposed, contact, or adjacent herds may be released by an authorized agent after all quarantined Equidae have met the testing requirements in this part or the specifications of the quarantine and herd plan have been met pursuant to agreement of the State Veterinarian.
(4) Epidemiologic data ~~may~~ shall be considered in the release of the quarantine.

35:15-15-42. Movement of positive and exposed animals

(a) All positive and exposed Equidae shall be accompanied by a permit when moved from any quarantined premises.
(b) ~~All movement of positive or exposed Equidae shall be direct to an approved slaughter facility, to a quarantined holding facility prior to movement to an approved slaughter facility, or to a research facility approved by the State Veterinarian.~~
~~(c)~~ An owner who intends to change the location of positive or exposed Equidae to an alternate quarantined premise shall request approval ~~at least thirty (30) days in advance~~ and shall only move the animal following an epidemiological investigation by a state or federal veterinarian.
~~(d)~~ (c) No diversion from the destination identified on the permit is allowed.
~~(e)~~ (d) If a change in destination is necessary, a new permit shall be issued.

~~**35:15-15-43. Requirements for quarantined holding facilities**~~

~~(a) Any licensed livestock dealer desiring to operate an equine quarantined holding facility shall file an application for approval of the facility on forms provided by the Board prior to operation.~~
~~(b) The quarantined holding facility shall isolate or confine equine testing positive to an official EIA test and exposed Equidae at least four hundred forty (440) yards from all other Equidae at all times.~~
~~(c) The quarantined holding facility shall be inspected by the Board prior to approval.~~
~~(d) Failure to maintain animals in confinement and isolation at least four hundred forty (440) yards at a quarantined holding facility from all other Equidae at all times shall be a violation of these rules.~~

~~(e) Animals held in a quarantined holding facility shall be shipped directly to an approved slaughter facility without diversion and shall not go through a market prior to shipment to slaughter.~~
~~(f) All Equidae entering or leaving a quarantined holding facility shall be accompanied by a permit.~~

PART 5. CHANGE OF OWNERSHIP OF EQUIDAE

35:15-15-51. Testing requirements for change of ownership

(a) All test eligible Equidae sold, bartered, traded, or offered for sale within Oklahoma shall be accompanied by a record of a negative official test for EIA conducted at an approved laboratory within the previous twelve (12) months and naming the seller as the Equidae's owner.
(b) The record shall include the name of the laboratory, ~~case~~ test accession number, and the date of the official test.
(c) A copy of a VS Form 10-11 shall not be considered an official record of test.
(d) Printed versions of electronic test charts shall be clear and legible. Printed versions that do not meet the requirements shall be considered non-official and the equid shall be re-tested.
(e) On all private sales, trades, barters, or any sale other than through an approved market, the seller shall be solely responsible for meeting EIA testing requirements prior to sale.

~~**35:15-15-52. Intrastate movement**~~

~~Positive or exposed Equidae shall not be moved intrastate unless accompanied by a permit.~~

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 premise until negative results are received from an approved laboratory.
(b) A copy of a VS Form 10-11 shall not be considered an official test record.
(c) 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) Known positive or exposed Equidae shall not be consigned for sale at approved markets.
(e) Equidae found to be positive or exposed through testing conducted at an approved market shall be maintained in quarantine pens, isolated as far as possible from all other Equidae in the

sale facility, and the quarantine pen or pens shall be clearly identified, by sign or paint, with the word "Quarantined."

PART 9. EQUINE EXHIBITIONS

35:15-15-91. Requirements of Equidae entering equine exhibitions

(a) All Equidae moving within the state to equine exhibitions, including but not limited to, fairs, livestock shows, breed association shows, rodeos, racetracks, or other equine gatherings shall be accompanied by a record of a negative official test for EIA conducted within the previous twelve (12) months. The official test shall be conducted by an approved laboratory and the name of the laboratory, the ~~case~~ test accession number, and the date of the test shall appear on the official test record.

(b) The official in charge shall be responsible for verifying that all Equidae entering an equine exhibition meet all recordation requirements.

(1) An official in charge of an equine exhibition shall not be held responsible for recording or accepting falsified or erroneous information provided by an owner.

(2) Any person providing erroneous or fictitious information shall be in violation of these rules.

(c) Any official in charge who knowingly, negligently, or willfully allows an untested or positive animal to enter an equine exhibition shall be in violation of these rules and the official in charge and the owner of the positive or untested animal shall be equally and individually in violation of these rules.

SUBCHAPTER 17. BOVINE AND BISON BRUCELLOSIS

PART 1. DEFINITIONS AND GENERAL PROVISIONS

35:15-17-3. Identification of vaccinates

Brucellosis vaccinates may be calfhood vaccinated animals or adult vaccinated animals.

(1) Calfhood vaccinated animals are to be permanently identified as vaccinates by tattoo and by official ~~vaccination~~ eartag. Brands, registration tattoos, or other official identification may be used in lieu of official vaccination eartag. For Brucella abortus Strain RB51 vaccinates, the tattoo will include the U.S. Registered Shield and "V", which will be preceded by a letter "R" and followed by a number corresponding to the last digit of the year in which the vaccination was done. Official ~~vaccination eartags and tattoo~~ tattoos shall be applied to the right ear. ~~The eartag will include the state prefix and a "V," "S," "T," "U" or "W" followed by two (2) letters and four (4) numbers officially identifying the vaccinated animal.~~

(2) Adult vaccinated animals are to be permanently identified as vaccinates by tattoo and by official ~~vaccination~~ eartag. For Brucella abortus Strain RB51 vaccinates, the tattoo will include the U.S. Registered Shield and "V", which shall be preceded by the letter "A" and followed by a number corresponding to the last digit of the year in which the vaccination was performed. The accompanying VS Form 4-26 (Calfhood Vaccination Record) should be clearly marked "Adult Vaccination."

SUBCHAPTER 18. EQUINE PIROPLASMOSIS

35:15-18-1. Purpose

Equine Piroplasmosis is a parasitic infection of horses, donkeys, mules, and zebras. It can be spread either naturally by ticks or through contaminated needles, syringes, dental equipment, and surgical equipment. These rules allow the State Veterinarian to issue stop movement orders or quarantines of Equine Piroplasmosis reactors. In managing any premises that houses negative, positive, or reactor equids, exposing a negative equid to the blood or blood products of a positive or reactor equid shall be avoided. Proper handling of infected needles, surgical instruments, dental equipment, blood, or blood products collected from positive or reactive equids, or other blood contaminated fomites, including blood contaminated semen collected for artificial insemination is essential, as Equine Piroplasmosis may also be transmitted through these routes.

35:15-18-2. Definitions

The following words and phrases shall have the following meanings:

"Equine Piroplasmosis reactor" means any Equidae that tests positive for Equine Piroplasmosis from either B. caballi or T. equi but has not been confirmed by NVSL.

"Exposed" means all Equidae in the same herd as a Piroplasmosis positive animal or had recent direct and sustained contact with a Piroplasmosis animal.

"High risk premises" means premises where transmission of Equine Piroplasmosis is known or suspected to have occurred or has the potential to occur, through either natural tick borne transmission or high risk management practices and as determined by the State Veterinarian.

"Low risk premises" means premises where transmission of Equine Piroplasmosis has not been demonstrated or suspected to have occurred and has a low potential to occur, through either natural tick borne transmission or management practices and as determine by the State Veterinarian.

"Negative Equidae" means Equidae that show a negative result to a competitive enzyme-linked immunosorbent assay (c-ELISA) test for Equine Piroplasmosis or have been classified negative by the designated epidemiologist, based on history, supplemental tests, or other epidemiological evidence.

"Positive Equidae" means Equidae that show a positive result to for Equine Piroplasmosis by the National Veterinary Services Laboratories (NVSL) on the complement fixation (CF) test or competitive enzyme-linked immunosorbent assay (c-ELISA) test.

"Racetrack facility" means a premises used to conduct live horse racing events and is not limited to facilities licensed by the Oklahoma Horse Racing Commission.

"Suspect case" means an Equidae with clinical signs consistent with Equine Piroplasmosis, a history of exposure, or a non-negative test.

35:15-18-3. Testing for Equine Piroplasmosis

(a) All racing Quarter horses, Paint horses, and Appaloosas entering a racetrack facility shall have proof of a negative Piroplasmosis test (T. equi) within the past twelve (12) months.

(b) All official samples collected from Equidae for Piroplasmosis testing shall be collected by a state or federal veterinarian, an accredited veterinarian, or an authorized agent of the Board. Samples shall be submitted to an approved lab within 30 days of collection.

(1) The State Veterinarian, a state or federal veterinarian, an authorized agent of the Board, or an accredited 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 Piroplasmosis.

(2) 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.

(3) The State Veterinarian may provide and require supervision for collection of test samples submitted by an accredited veterinarian.

(4) Any person providing erroneous or fictitious information shall be in violation of these rules.

(5) Any person altering, defacing, or falsifying information on a test chart, permit, certificate of veterinary inspection, or any form associated with the Piroplasmosis program shall be in violation of these rules.

(6) Equine piroplasmosis laboratory results shall include a description of the horse.

(c) All Equidae epidemiologically determined to have been exposed to a Piroplasmosis positive animal shall be quarantined and tested by a state or federal veterinarian, an accredited veterinarian, or an authorized agent of the Board.

(1) Test results for suspect cases and reactor Equidae shall be confirmed by NVSL.

(2) Positive results shall be confirmed by NVSL.

(3) Exposed Equidae that test negative shall be retested at least thirty (30) calendar days from last exposure to a Positive Equidae.

(4) Epidemiologic data may be considered in the testing requirements for Exposed Equidae and affected herds.

(d) Release of quarantine.

(1) No Equidae held under quarantine shall be moved or released without a permit or quarantine release signed by an authorized agent has been executed.

(2) Exposed Equidae may be released from quarantine after obtaining a negative test a minimum of thirty (30) calendar days from the last exposure.

(3) Epidemiologic data may be considered in the release of the quarantine.

(e) Foals born to positive mares are considered exposed and shall be tested because Equine Piroplasmosis hemoparasites may be transmitted in utero or at parturition.

(1) Foals under six (6) months of age may carry maternal antibodies to infection but may not be infected. Therefore, seropositive foals without other evidence of infection via PCR or blood smears shall be retested after waning of maternal antibodies.

(2) Foals shall be kept in quarantine until weaned or separated from the mare and until tested negative for Equine Piroplasmosis at NVSL.

35:15-18-4. Management and disposition of Positive Equidae

(a) Any Equidae confirmed positive for Equine Piroplasmosis shall be officially identified by the Department or regulatory personnel acting under the authority of the State Veterinarian, unless already electronically identified.

(b) Options for managing Positive Equidae include quarantine, quarantine with treatment, export, and euthanasia. Conditions for quarantine shall be outlined in an established herd plan between the owner and the State Veterinarian. Standards for quarantine shall differ for high risk and low risk premises.

(c) Management of Positive Equidae shall be conducted under the direct supervision of the State Veterinarian.

(1) Quarantine on high risk premises:

(A) Positive Equidae shall be housed in a tick free facility on any premises approved by the State Veterinarian.

(B) If no tick free facility is available, the Positive Equidae shall be housed at a predetermined safe distance from other Equidae. The State Veterinarian shall determine the predetermined distance with the goal of reducing the risk of tick borne transmission and shall consider tick species in the area, natural geographical barriers, seasonal variation, the potential role of wildlife in tick movement, and other factors.

(C) A tick free facility may be of any size but shall be surrounded by two (2) fences a minimum of thirty (30) feet apart, with the zone between the fences free of vegetation and animals.

(D) Prior to moving Positive Equidae into a facility, the Equidae, the facility, and the thirty (30) foot barrier zone shall be treated to eliminate ticks using an approved acaricide.

(i) Positive Equidae shall be maintained on an acaricide treatment interval pursuant to label directions of an approved product to minimize tick infestations.

(ii) Acaricides used shall be labeled as effective against and approved for use on Equidae or on the environment (i.e., pasture, stall, soil, etc.).

(E) Unless approved by the State Veterinarian, only positive Equidae are allowed in the tick-free facility. Dogs, other domestic animals, or livestock shall not be allowed to enter the facility unless maintained on acaricide treatment and remain tick free at all times.

(F) Facility inspections shall be conducted pursuant to the following schedule:

(i) The State Veterinarian shall make at least two (2) unannounced inspections of the facility within the first sixty (60) calendar days of quarantine to ensure no unauthorized animals are moving to or from the facility, the thirty (30) foot zone is free of vegetation and animals, and the Positive Equidae are not tick infested.

(ii) During the first year of quarantine, premises shall be inspected at least quarterly, or more frequently as determined by the State Veterinarian, to assess compliance. At least one of these inspections shall be unannounced.

(iii) After the first year of quarantine, there shall be a minimum of two (2) intensive premises inspections per year for premises that repeatedly demonstrate complete compliance. These inspections may be scheduled or unannounced at the discretion of the State Veterinarian.

(iv) Frequency of inspections shall be increased in cases where the State Veterinarian has identified the potential for noncompliance.

(G) Working, exercising, or allowing other contact between Positive and Negative Equidae shall not be allowed except in the following circumstances:

(i) Any contact with other animals shall only occur on the quarantined premises.

(ii) Both Positive and Negative Equidae shall be treated with an approved acaricide not less than twenty four (24) hours and not more than fourteen (14) days prior to any contact.

(iii) Equidae shall not be left unattended in pastures. When acaricide treated Positive Equidae are not being ridden, they shall be placed in a trailer or kept a minimum of ten (10) feet from acaricide treated Negative Equidae.

(iv) Trailers used to transport Positive Equidae within the quarantined premises shall be treated with acaricide after each use.

(v) Premises where Positive and Negative Equidae have any contact shall be subject to more frequent inspections by the State Veterinarian.

(2) Quarantine on low risk premises:

(A) Positive Equidae shall be housed in separate pens or pastures away from Negative Equidae.

(i) There shall be a minimum ten (10) foot separation maintained between Positive Equidae and Negative Equidae on the same or adjacent low risk premises, with vegetation kept no higher than four (4) inches tall in the intervening space.

(ii) If the ten (10) foot separation is not possible due to facility size or other limiting factors, the State Veterinarian shall evaluate the facilities on a case-by-case basis to determine if sufficient space and barriers are available to establish and maintain the necessary isolation of Positive Equidae.

(B) Inspections shall occur on the same schedule as for Positive Equidae quarantined on high risk premises.

(3) Quarantine and enrollment in an approved Equine Piroplasmosis treatment program shall be available upon the approval of the State Veterinarian.

(A) Any associated costs for an approved Equine Piroplasmosis treatment program shall be the owner's responsibility.

(B) Management of Positive Equidae enrolled in an approved Equine Piroplasmosis treatment program shall be in accordance with the standards specified in this section.

(C) If an Equidae completes an approved treatment program, effectively demonstrates freedom from the organism, and no longer meets the confirmed positive case definition for Equine Piroplasmosis, the Equidae may be eligible for quarantine release at the discretion of the State Veterinarian.

(4) It shall be the owner's responsibility to coordinate with authorities in the destination country for the export of an Equine Piroplasmosis Positive Equidae and to arrange for transportation. The Positive Equidae shall be transported to the export facility under an APHIS movement permit and official seal.

(5) Euthanasia and disposal:

(A) Both euthanasia and disposal shall be documented and conducted pursuant to the supervision of the State Veterinarian.

(B) Federal and State indemnity shall not be available.

35:15-18-5. Release and removal options for Exposed Equidae

(a) On high risk premises where positive Equidae remain, exposed Equidae may be released from quarantine and removed from the premises under the following conditions:

(1) NVSL tests the Exposed Equidae and determines they are negative.

(2) The Negative Equidae are treated for ticks using an approved acaricide.

(3) Exposed Equidae are confined to a negative equine facility (e.g., pen, paddock, stall):

(A) The negative facility shall contain no vegetation and shall have been treated with an approved acaricide;

(B) The facility is surrounded by two fences a minimum of thirty (30) feet apart with a zone free of vegetation between the fences or barriers;

(C) The thirty (30) foot zone around the facility is kept free of vegetation and treated with an acaricide approved for treating facilities to eliminate ticks. Treatments shall be repeated as often as necessary according to label instructions to maintain a zone with no ticks. If thirty (30) feet of separation is not possible, the State Veterinarian shall evaluate the facilities on a case-by-case basis to determine whether sufficient space and barriers are available for isolating the Negative Equidae; and

(D) No equipment, tack, hay, feed, bedding, manure, clothing, or other items have been brought into the negative facility from any Positive Equidae premises.

(4) After the animals are confined, they are retreated with an acaricide pursuant to the product label requirements.

(5) The Negative Equidae are inspected for ticks ("scratched") and retested by the NVSL not less than thirty (30) days following entry into the negative equine facility. Exposed Equidae that are negative on the retest and free of ticks may be released from the quarantine if treated with an approved acaricide and removed from the premises.

(6) Dogs, other domestic animals, or livestock that have access to a negative equine facility shall be treated to prevent tick transmission to the facility.

(b) After all Positive Equidae have been removed from high risk premises, the remaining Equidae may be released from quarantine through the following process based on the presence of vegetation on the premises:

(1) Premises with no vegetation:

(A) After all Positive Equidae leave the premises, the Negative Equidae shall be treated for ticks using an approved acaricide.

(B) Treat the premises with an approved acaricide.

(C) Retest the negative Exposed Equidae at NVSL no less than thirty (30) days after removing the Positive Equidae.

(D) If the Equidae are negative on the retest, the quarantine may be released by the State Veterinarian.

(2) Premises with vegetation:

(A) After all Positive Equidae leave the premises, the Negative Equidae shall be treated for ticks using an approved acaricide.

(B) The vegetation shall be mowed to less than four (4) inches, residual grass clippings shall be removed, and the premises shall be treated with a registered acaricide effective against ticks and approved for grazing pastures. While spraying pastures, animals shall be kept in stalls, sheds, trailers, or other areas until the forage is safe for ingestion, per acaricide label directions.

(C) The Negative Exposed Equidae shall be retested by NVSL no less than thirty (30) days after removing Positive Equidae.

(D) If the Equidae are negative on the retest, the quarantine may be released by the State Veterinarian.

(E) Dates of treatment shall be recorded on a treatment record maintained by the owner.

(F) The State Veterinarian shall review records regularly for the duration of the quarantine period.

(c) Exposed Equidae on low risk premises may be released from quarantine order under the following conditions:

(1) NVSL tests the Exposed Equidae and finds them negative for Equine Piroplasmosis.

(2) Negative Equidae on the premises or adjacent premises are separated from Positive Equidae by a minimum of ten (10) feet, with vegetation kept below four (4) inches tall in the intervening space.

(3) If ten (10) feet of separation is not possible due to facility size or other limiting factors, the State Veterinarian shall evaluate the facilities on a case-by-case basis to determine whether sufficient space is available to isolate Positive Equidae.

(4) At the time they are tested, all Equidae shall undergo an initial treatment for ticks with an approved acaricide.

(5) Negative Equidae shall be retreated following initial treatment, according to product label instructions, and kept free of ticks until retested.

(6) Negative Equidae shall be inspected for ticks (scratched) and retested negative by NVSL not less than thirty (30) days following the initial treatment and separation from Positive Equidae.

(7) If Exposed Equidae are removed from the premises within thirty (30) days of a verified negative status (i.e., the releasing test) and within fourteen (14) days of a treatment, no additional testing or treatment shall be required.

(8) If the State Veterinarian identifies possible pasture contamination after removal of a Positive Equidae, the following steps shall be taken for twelve (12) months after removal:

(A) Apply an acaricide treatment each time the Negative Equidae is moved from the premises;

(B) Within thirty (30) days prior to movement, retest the Negative Exposed Equidae, and confirm their negative status; and

(C) Conduct a final negative test at the end of the twelve (12) month period for all remaining Negative Exposed Equidae.

(9) If a Negative Exposed Equidae on a low risk premises subsequently tests positive for Equine Piroplasmosis, the classification of the premises shall be reevaluated by the State Veterinarian. Epidemiological evidence of disease transmission may elevate the classification of the premises to high risk.

35:15-18-6. Long term maintenance of Negative Exposed Equidae

(a) On premises where Negative and Positive Equidae remain long term, management practices shall minimize the risk of Equine Piroplasmosis transmission.

(b) Long term maintenance of Negative Exposed Equidae on high risk premises that have Positive Equidae shall meet the following:

(1) The owner shall complete all requirements found in these rules, except instead of confining the Negative Equidae to a prescribed facility, the Positive Equidae shall be confined to an enclosure with the same restrictions and requirements.

(2) The Negative Equidae shall be retested for Equine Piroplasmosis annually and within thirty (30) days prior to any movement from the premises or change of ownership.

(3) Immediately prior to moving any Negative Equidae, the State Veterinarian shall inspect (scratch) the Negative Equidae for ticks and require treatment of the Equidae with an approved acaricide. The animals shall not be moved unless the inspection reveals no ticks and the animals move off the premises with acaricide.

(c) Long term maintenance of Negative Exposed Equidae on low risk premises that have Positive Equidae shall comply with the following:

(1) Negative and Positive Equidae shall be kept separated.

(2) Negative Equidae shall be retested and found negative within thirty (30) days prior to movement off the premises.

(3) The owner shall treat Negative Equidae with an approved acaricide not less than twenty four (24) hours and not more than fourteen (14) days prior to moving them from the premises.

(4) Dates of acaricide treatment shall recorded on a treatment record maintained by the owner.

(5) Negative Exposed Equidae shall receive annual retests if Positive Equidae remain on the premises.

(6) If a Negative Exposed Equidae on a low risk premises subsequently tests positive for Equine Piroplasmosis, the classification of the premises shall be reevaluated by the State Veterinarian. Epidemiological evidence of disease transmission may elevate the classification of the premises to high risk.

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 ~~of~~ 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, ~~game chickens,~~ and game birds, except doves and pigeons, which are bred for the primary purpose of producing eggs or meat.

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

35:15-19-2. Applicability and scope

The rules in this Subchapter shall apply to all persons producing hatching eggs, hatching, selling, or exhibiting domesticated poultry within the State of Oklahoma. The National Poultry Improvement Plan regulations found in Title 9 of the Code of Federal Regulations, Sections 145-147, are hereby adopted in their entirety.

SUBCHAPTER 22. SWINE PSEUDORABIES AND BRUCELLOSIS

PART 1. GENERAL PROVISIONS

35:15-22-1. Definitions

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

"Breeding swine" means all sexually intact swine six (6) months of age or older as determined by an accredited veterinarian.

"Brucellosis" means the contagious infection and communicable disease caused by the bacteria of the genus *Brucella*.

"Commercial production swine" means swine that are continuously managed and have adequate facilities and practices to prevent exposure to either transitional production or feral swine.

"Commuter herd" means two or more groups of swine under common ownership or supervision that are located on more than one premise in more than one state and that have an interchange or movement of swine between the premises in those states as part of the normal feeding, breeding, or growing operation without a change of ownership.

"Commuter herd agreement" means a written herd management and testing agreement made by the chief animal health officials of all states where the commuter herd resides and the herd owner.

"Entry permit" means official permission from the State Veterinarian obtained prior to moving swine into Oklahoma valid for thirty (30) days after the date of issuance that may be obtained by telephone by providing the following information: name and address of the consignor; name and address of the consignee; and the number, age, sex, and breed of the swine to be imported.

"Exposed swine" means swine that have been in contact with, associated with, or adjacent to any animal known to be pseudorabies or brucellosis positive.

"Farm of origin" means the farm where the swine were born or where the swine have resided for at least the previous ninety (90) consecutive days.

"Feeder swine" means swine intended to be fed to a finished slaughter weight and not intended for breeding or exhibition.

"Feral swine" means any hog, pig, or swine species (Sus scrofa) including, but not limited to, Russian and European wild boar that are running at large, free roaming, or wild upon public or private lands in this state, 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.

"Herd" means one or more swine maintained on common ground and includes all swine under common ownership or supervision that are geographically separated but have an interchange or movement of swine between the groups.

"Infected herd" means a herd in which an animal has been determined by the designated epidemiologist to be infected with pseudorabies or brucellosis using an official test.

"Isolation" means separation of swine by a physical barrier so that other swine do not have access to the isolated swine's body, excrement, or discharges and the swine do not share a building with a common ventilation system with other swine and are kept at a distance from other swine as determined by the designated epidemiologist.

"Livestock auction market" means a stockyard, livestock market, or other premises approved by the Department where livestock are assembled for sale.

"Monitored Swine Herd" means a commercial production swine herd that undergoes regular testing for pseudorabies and brucellosis.

"Premium Sale" means an auction held in conjunction with a livestock show in which exhibitors are awarded prizes for the work they have done to show their animals.

"Official Blood Sample" means a blood sample obtained and submitted by a state or federal regulatory official, an accredited veterinarian, or individuals under the supervision of an accredited veterinarian for pseudorabies or brucellosis testing of Oklahoma origin swine. No other blood samples submitted for testing shall be considered an official sample. Costs of blood sample collection and submission shall be paid by the owner. In the event funds are made available by the United State Department of Agriculture or the State Board of Agriculture for blood sample collection or submission or for laboratory fees, these funds may be used without interruption or change in any other program functions or policies.

"Official test" means a test approved by the USDA to be conducted on swine for the diagnosis of pseudorabies or brucellosis and performed in a laboratory listed in a Veterinary Services Notice.

"Official 95/10 random sample test" means a sampling protocol utilizing official pseudorabies and brucellosis tests that provide a ninety-five (95) percent probability of detecting infection in a herd in which at least ten (10) percent of the swine are seropositive for pseudorabies or brucellosis. Each segregated group of swine shall be considered a separate herd and sampled as follows:

(A) less than 100 head - test 25.
(B) 100-200 head - test 27.
(C) 201 - 999 head - test 28.
(D) 1,000 head and over - test 29.

"Owner-shipper statement" means a statement signed by the owner or shipper of swine which includes the number of swine to be moved, the points of origin and destination, the names of the consignor and consignee, and any additional required information.

"Pseudorabies" means the infectious and communicable disease of livestock and other animals also known as Aujeszky's disease, mad itch, or infectious bulbar paralysis.

"Slaughter swine" means swine consigned directly to a slaughter establishment.

"Swine Exhibition" means any swine gathering that allows opportunity for commingling of swine under separate ownership, including but not limited to fairs, livestock shows, breed association shows, or sales.

"Transitional production swine" means any swine that are bred, raised, or intended for exhibition, any swine that has outdoor exposure during any portion of its production cycle, or any other swine that have reasonable opportunities to be exposed to feral swine.

"Validated / Qualified Herd or V/Q Herd" means a herd of breeding swine maintained under a surveillance program whereby twenty five percent (25%) of the herd tests negative for pseudorabies and swine brucellosis on a quarterly basis.

PART 5. REQUIREMENTS FOR A VALIDATED/QUALIFIED HERD

35:15-22-53. V/Q herd maintenance

(a) V/Q herd status shall be maintained by subjecting all swine six (6) months of age or older to brucellosis and pseudorabies tests at least once each testing year.

(1) The herd owner shall test negative twenty five percent (25%) of swine six (6) months of age and older every quarter.

(2) Quarterly testing dates shall be assigned by the Department.

(b) No swine shall be tested twice in a single twelve (12) month period to comply with the twenty five percent (25%) requirement unless a V/Q herd consists of less than four (4) test eligible swine. If the herd consists of less than four (4) test eligible swine, one or more of the animals shall be repeat tested during the same twelve (12) month testing period and quarterly tests shall not be missed.

(c) All swine six (6) months of age and older within a V/Q herd shall be tested at least once in any twelve (12) month period, even if the testing exceeds the twenty five percent (25%) requirement.

(d) If any quarterly tests are missed, late, incomplete, inaccurate, or do not meet V/Q herd standards, the V/Q herd status may be suspended or revoked. A ~~past~~ history of noncompliance by the herd owner may result in prevention of the herd's participation in the program.

(e) The herd owner shall submit a completed renewal application and ~~inventrory~~ inventory with the first quarterly herd test each testing year.

PART 7. REQUIREMENTS FOR SWINE EXHIBITIONS

35:15-22-71. Exhibition requirements

(a) Each person who presents swine for a swine exhibition, special sale, or show shall provide verification of one of the following:

(1) A federal premises identification number; or

(2) A state location identification number.

(b) Swine shall be individually identified at the time of testing with both ear notches and an 840 button-type electronic official identification ~~ear tag~~. Untested exhibition swine originating from a V/Q herd shall be similarly identified prior to exhibition.

(c) All swine shall meet one of the following testing requirements:

(1) Oklahoma origin swine shall have a negative brucellosis and pseudorabies test after May 15 each year for summer fall exhibitions and after November 10 each year for winter and spring exhibitions. These tests are valid for the entire respective exhibition season, unless in the opinion of the designated epidemiologist the swine have been exposed to pseudorabies or brucellosis. The swine shall also be accompanied by a copy of the official test chart or a certificate of veterinary inspection listing the test results, laboratory name, laboratory accession number, and individual identification.

(2) Swine originating from outside of Oklahoma shall meet the requirements of OAC 35:15-22-33(a) - (c).

(3) Each swine shall originate from a V/Q herd and only be exhibited by an immediate family member of the VQ herd owner. The V/Q herd number, most recent quarterly test date, and official identification of all swine being exhibited shall be listed on the certificate of veterinary inspection.

35:15-22-72. Swine exhibition event requirements

(a) No swine exhibitions shall be held within five (5) working days after the dates in OAC 35:15-22-71(c) to allow time for required testing to be performed. Swine exhibition permits shall not be approved during that time.
(b) Prior to an event, the exhibition official in charge shall obtain one of the following:
(1) A federal premises identification number for the location of the swine exhibition, or
(2) state location identification number.
~~(b)~~ (c) Prior to the event, the exhibition official in charge shall also obtain a swine exhibition permit from the Department by filing an application that at a minimum shall include:
(1) The name of the official in charge,
(2) The name of the exhibition,
(3) The date of the exhibition,
(4) The location of the exhibition,
(5) The federal premises identification number or state location identification number, and
(6) A signature certifying the exhibition official understands and agrees to the requirements for conducting a swine exhibition.
~~(c)~~ (d) The exhibition official in charge shall verify that all swine allowed to enter the exhibition grounds meet all identification, testing, and recordation requirements prior to entry.
~~(d)~~ (e) The exhibition official in charge shall submit, at a minimum, the following records to the Department within fifteen (15) days after the exhibition:
(1) Name, address, telephone number, and federal premise identification number or state location identification number of participants, and
(2) Official identification, age, breed, and sex of swine exhibited.
~~(e)~~ (f) A swine exhibition shall not include a livestock market.
(g) No swine exhibitions shall be conducted after March 1 of each year, except for the Oklahoma Youth Expo until its conclusion.
(1) If a premium sale is conducted after March 1, the swine may not return for the event.
(2) A swine exhibition permit shall not be approved pursuant to (g) above.
(3) If proof exists of a swine being exhibited after March 1, that swine and any other swine from the same premises are prohibited from attending the Oklahoma Youth Expo.

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~~ A negative official T. foetus bull test within ~~the last year~~ the previous sixty (60) days with no exposure to female cattle for one (1) week prior to the test and no exposure to female cattle between the test and change of ownership; or

(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~~ determination of a bovine T. foetus status.

"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 at least one (1) week separation from all female bovine and the bull and sample shall be officially identified and documented for laboratory submission. The test shall consist of one (1) ~~Real Time PCR test~~ approved and validated testing procedure. 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 approved media containers 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~~ Bovidae as an inapparent carrier and causes infertility, pyometra, abortions and reproductive inefficiency in female ~~Bovidae~~ 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.

35:15-38-3. Import requirements for reproductive bovine females

(a) Female cattle or bison may enter Oklahoma with no restrictions unless originating from a known positive T. foetus herd.

(b) A female bovine originating from a known positive T. foetus herd may enter Oklahoma only upon a CVI with a statement that the female is from a known T. foetus infected herd pursuant to one of the following circumstances:

(1) The female bovine has a calf at side and no exposure to other than known negative bulls since parturition;

(2) The female bovine are at least one hundred twenty (120) days pregnant;

(3) The female bovine are known to be virgin heifers;

(4) The female bovine are heifers exposed only to known negative bulls and are not yet one hundred twenty (120) days pregnant;

(5) The female bovine are documented to have had at least one hundred ~~twenty (120)~~ eighty (180) days of sexual isolation; or

(6) The female bovine are consigned directly to slaughter or to a quarantined feedlot.

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 the Department's Agriculture Environmental Management Services ~~Divison~~ 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.

"Event" means a competition in which Mexican roping cattle, US born Corriente cattle, Longhorn cattle used for roping, or other cattle that may have commingled with these cattle are utilized.

"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.

35:15-40-49.2. Mexican <u>and rodeo or event</u> cattle intrastate regulations

(a) Mexican origin steers, spayed heifers, and any commingled cattle shall not be diverted from or separated from the main group within the stocker, feeder, slaughter channel.

(b) Mexican origin steers and spayed heifers shall not be commingled with any cattle other than stocker, feeder, slaughter cattle. Any commingled cattle assume the same status as the Mexican cattle.
(c) Mexican stocker, feeder, slaughter steers, and spayed heifers which are separated from their imported group shall:

(1) Be accompanied by evidence of a negative tuberculosis test no more than sixty (60) days prior to change of ownership;

(2) Be quarantined and tested for tuberculosis within seven (7) days after the change of ownership date;

(3) Be consigned to an approved feedlot; or

(4) Be tagged for slaughter only and transported directly to a slaughter facility or to an approved feedlot.

(d) Mexican origin steers, ~~and~~ spayed heifers, and ~~U.S. origin Corriente~~ non-Mexican cattle utilized as rodeo stock moving within the state shall meet the following requirements:

(1) Be accompanied by a negative tuberculosis test performed by an accredited veterinarian within the previous 365 days;

(2) Be identified with an official identification; and

(3) There is no change of ownership since the date of the last official test.

(e) The official in charge of an event shall be responsible for verifying that all Mexican origin cattle utilized as rodeo stock entering any exhibition meet all testing requirements.

(1) The official in charge of an event shall not be held responsible for recording or accepting falsified or erroneous information provided by an owner.

(2) Any person providing erroneous or fictitious information shall be in violation of these rules.

(f) Any official in charge of an event who knowingly, negligently, or willfully allows an untested or positive animal to enter an exhibition shall be in violation of these rules and the official in charge and the owner of the positive or untested animal shall be equally and individually in violation of these rules.
(g) For the purposes of this section and OAC 35:15-40-49.3, "stocker, feeder, slaughter" means the steps of beef production in which cattle are grazed, finished at an approved feedlot, and sent to a slaughter establishment.

SUBCHAPTER 44. FARMED CERVIDAE

35:15-44-19. Entry and export requirements

(a) Import of ~~cervidae~~ Cervidae shall be accompanied by a Certificate of Veterinary Inspection and a Cervidae Import Permit approved or provided by the Department. A Cervidae Import Permit shall be valid for thirty (30) days from approval.
(b) Cervidae susceptible to chronic wasting disease shall only be imported to a premises with a current license.
(c) Cervidae shall have two forms of identification. One (1) of these two (2) forms of identification shall be official identification.
(d) The State Veterinarian or designee may require a brucellosis test of any ~~cervidae~~ Cervidae subject to the provisions of this subchapter.
(e) All ~~cervidae~~ Cervidae shall meet the tuberculosis testing provisions found at 9 CFR Part 77 (2021 Revision).

(f) All ~~cervidae~~ Cervidae susceptible to chronic wasting disease, within the genera Odocoileus, Cervus, and Alces and their hybrids, shall originate from a chronic wasting disease certified herd ~~from a county where no~~ that is more than twenty-five (25) miles from the nearest case of confirmed chronic wasting disease ~~has been confirmed~~ in native ~~cervidae~~ Cervidae populations.
(g) For the purposes of this section, all ~~cervidae~~ Cervidae that have not been tested and found to be resistant to chronic wasting disease through natural exposure in research projects shall be considered ~~to be cervidae~~ Cervidae susceptible to chronic wasting disease.

SUBCHAPTER 47. CHRONIC WASTING DISEASE (CWD) IN CERVIDS

PART 3. HERD CERTIFICATION STANDARDS

35:15-47-6. Minimum requirements for herd certification

(a) Regulations of the United States Department of Agriculture concerning the control of CWD found at 9 CFR Part 55 (2017 Revision) are adopted by reference.
(b) The Board shall issue a quarantine on any herd that contained a CWD positive cervid. The quarantined herd shall not participate in the herd certification program until all herd plan requirements are completed.
(c) All deaths of cervids twelve (12) months of age or older, regardless of cause of death, shall have the obex and medial retropharyngeal lymph nodes sampled and submitted to an approved laboratory by a certified CWD sample collector. CWD sample collectors shall submit written test results to the Department within seven (7) days after receiving said test results from the laboratory.
(d) If eligible animal deaths are not tested due to a missed sample, improper sample, or untestable sample, ~~an additional live animal over twelve (12) months of age shall be sacrificed for sampling,~~ status shall be suspended~~, status decreased, or combination thereof~~. Status may be maintained by:

(1) An additional live animal over twelve (12) months of age may be sacrificed for sampling; or

(2) Antemortem tests as described in USDA's CWD Program Standards may be conducted.

(e) Freezing animal heads or other acts that delay or inhibit quality sampling and testing may result in the suspension, decrease, or loss of CWD status.
(f) The State Veterinarian may relax the minimum requirements for herd certification for extraordinary circumstances.
(g) Herd owners shall report any animals displaying clinical signs of CWD, which may include but are not limited to, weight loss, behavioral changes, excessive salivation, increased drinking and urination, and depression.
(h) Herd owners shall complete an annual herd inventory with an approved veterinarian during the dates assigned by the Department.

SUBCHAPTER 49. MISCELLANEOUS ANIMAL DISEASES

35:15-49-1. Definitions

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

"Exotic Swine" means swine of the family Suidae, not including swine in the genus sus.

"Malignant catarrhal fever" means alcelaphine herpesvirus-1 (AHV-1), carried asymptomatically by wildebeest.

"Movement" or **"move"** means any transfer of wildebeest from one location to another, and shall include interstate transfer, intrastate transfer, and export.

"Wildebeest" means the animals known as genus Connochaetes, ~~taurinus~~ including both blue and black wildebeest.

35:15-49-6. Exotic swine

(a) No person shall import or possess exotic swine.

(b) The State Veterinarian may grant exceptions for importation and possession by a zoo accredited by the Association of Zoos and Aquariums.

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.

(c) Cases and outbreaks shall be managed according to the Equine Herpes Virus Myeloencephalopathy Incident Guidelines for State Animal Health Officials (January 2018 Revision).