

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND
FORESTRY
CHAPTER 15. ANIMAL INDUSTRY**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. Animal Health Reportable Diseases [AMENDED]
Subchapter 5. Biological Products and Laboratories [AMENDED]
Subchapter 9. Livestock Special Sales
Part 3. Livestock Special Sales [AMENDED]
Subchapter 11. Importation and Exportation of Animals [AMENDED]
Part 1. General [AMENDED]
Part 13. Equine Piroplasmiasis [REVOKED]
Subchapter 13. Testing And Inspection for Disease and Release of Livestock at Auction
Markets [AMENDED]
Subchapter 15. Equine Infectious Anemia (EIA)
Part 1. General Provisions [AMENDED]
Part 3. Procedures [AMENDED]
Part 5. Change Of Ownership of Equidae [AMENDED]
Part 7. Requirements For Approved Markets [AMENDED]
Part 9. Equine Exhibitions [AMENDED]
Subchapter 17. Bovine and Bison Brucellosis
Part 1. Definitions and General Provisions [AMENDED]
Subchapter 18. Equine Piroplasmiasis [NEW]
Subchapter 19. Poultry Regulations [AMENDED]
Subchapter 22. Swine Pseudorabies and Brucellosis
Part 1. General Provisions [AMENDED]
Part 5. Requirements For a Validated/Qualified Herd [AMENDED]
Part 7. Requirements For Swine Exhibitions [AMENDED]
Subchapter 38. Bovine Trichomoniasis [AMENDED]
Subchapter 40. Bovine Tuberculosis
Part 1. Definitions [AMENDED]
Subchapter 44. Farmed Cervidae [AMENDED]
Subchapter 47. Chronic Wasting Disease (CWD) in Cervids
Part 3. Herd Certification Standards [AMENDED]
Subchapter 49. Miscellaneous Animal Diseases [AMENDED]

SUMMARY:

The proposed rule amendments adds requirements for exportation of animals; relocates Equine Piroplasmiasis from part 13 of subchapter 11 to subchapter 18; requires that a routine livestock auction receive special permission to do auctions on a Sunday; expands tuberculosis tests to all cattle after livestock auctions; removes the definition of direct shipment to slaughter and quarantined holding facility; adds a definition for official test record; expands the EIA test chart to those approved by the USDA; removes the \$50.00 fee for the Board to administer additional proficiency tests for EIA laboratories; requires EIA retests to be submitted to the National Veterinary Services Laboratory or an approved laboratory instead of ODAFF

Laboratory Services; removes the waiver of quarantine; removes the number of days required for release of quarantine for Equidae; adds release of quarantine requirements for exposed, contact or adjacent hers; revokes the requirements for quarantined holding facilities; adds language that the test accession number must be included in change of ownership of Equidae and that the documents must be legible; revokes the intrastate movement language; removes language that ear tags for bovine and bison have the state prefix, letters and numbers; expands the definition of poultry; incorporates by reference Title 9 of the Code of Federal Regulations, Sections 145-147; defines premium sale for swine pseudorabies; adds dates and timeframes for swine exhibition events; updates the definitions for bovine trichomoniasis; defines events for roping cattle; expands cattle intrastate regulations to apply to rodeos or events; adds language for maintaining sherd certification if animal deaths are not tested; incorporates by reference the 2018 Equine Herpes Virus Myeloencephalopathy Incident Guidelines.

AUTHORITY:

Okla. Const., Art. 6, § 31; State Board of Agriculture; 2 O.S. § 2-4(A)(2); 2 O.S. § 6-1 et seq., 2 O.S. § 6-91 et seq., 2 O.S. § 6-121 et seq., 2 O.S. § 6-131 et seq., 2 O.S. § 6-141 et seq., 2 O.S. § 6-281 et seq., 2 O.S. § 6-501 et seq., 2 O.S. § 6-601 et seq., and 2 O.S. § 9-130 et seq.,

COMMENT PERIOD:

Persons may submit written comments to Kiersten Hamill at kiersten.hamill@ag.ok.gov, 2800 North Lincoln Boulevard, P.O. Box 528804, Oklahoma City, Oklahoma 73152-8804 during the period beginning December 1, 2023, and ending January 4, 2024.

PUBLIC HEARING:

A public hearing will be held at 11:00 a.m., January 4, 2024, in the ODAFF Board Room, located at the Oklahoma Department of Agriculture, Food, and Forestry, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts, if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Kiersten Hamill at the address listed above during the period beginning December 1, 2023, and ending January 4, 2024.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained by visiting www.ag.ok.gov/proposedrules or by contacting Kiersten Hamill at the address listed above.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a rule impact statement is available at the address listed above.

CONTACT PERSON:

Kiersten Hamill, (405) 522-5803, e-mail address: at kiersten.hamill@ag.ok.gov.