

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

SUBCHAPTER 1. GENERAL PROVISIONS

35:15-1-2. Definitions

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

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

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

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

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

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

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

"Designated epidemiologist" means an epidemiologist selected by the State Veterinarian who has been designated to perform those functions necessary for the classification of livestock suspected to be infected with a particular disease, based on an evaluation of test results and consideration of the animal and herd history, as well as other epidemiological factors.

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

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

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

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

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

35:15-1-7. Change of ownership for cattle within Oklahoma

(a) The following cattle shall be individually identified by official identification:

- (1) All beef cattle eighteen (18) months of age or older;
- (2) All dairy cattle;
- (3) All "M" branded cattle including any commingled domestic cattle; and
- (4) All roping, exhibition, event, and rodeo cattle.

(b) Records shall be maintained by the person who applies the official identification ear tag for at least five (5) years and the records shall be made available to Department personnel upon request in a disease trace back or cattle theft case.

(c) Cattle that are sold or consigned to move from a resident herd of origin to a state or federally approved slaughter establishment within seven (7) days of the change of ownership, where they are harvested within three days of arrival at the establishment, are exempt from the requirement of subsection (a) of this section.

SUBCHAPTER 11. IMPORTATION OF LIVESTOCK, POULTRY, AND PETS

PART 1. GENERAL

35:15-11-1. General import requirements

(a) All persons importing livestock, as defined in 2 O.S. ~~Section~~ § 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.
- (b) The Commissioner of Agriculture or the State Veterinarian ~~shall be authorized to~~ 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 ~~person responsible for arranging transportation~~ 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.

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

35:15-13-5. Approval and responsibilities of veterinarians in livestock auction markets

- (a) The veterinarian shall make application for approval to the Department and shall be examined as to his or her ability to function as a livestock auction market veterinarian.
- (b) The livestock auction market veterinarian shall inspect cattle, bison, horses, swine, or other species as determined by the State Veterinarian at the livestock auction market for the purposes of determining the condition of health and freedom from infectious or contagious diseases.
- (c) The livestock auction market veterinarian shall arrive at the market in sufficient time to do all required testing, official identification, and inspection prior to the beginning of the sale.
- (d) The livestock auction market veterinarian is responsible for completion of state and federal forms necessary for the release of livestock from markets and other state and federal forms required for disease traceability, control, and eradication programs. These state and federal forms shall be sufficiently legible and accurate to facilitate successful tracebacks.
- (e) The livestock auction market veterinarian shall submit the identification of cattle required by OAC 35:15-13-3 (f) electronically to the Department within two (2) business days of the date of the sale using a software program designed for livestock auction market operations.
- ~~(e)~~(f) In the event that an official identification is already present in the animal being tested, the livestock auction market veterinarian shall use this tag instead of retagging, and include all prefixes and numbers in recording the tag on test charts and official documents.
- ~~(f)~~(g) The livestock auction market veterinarian shall use separate bleeding needles or separate syringes for each animal. The use of the same syringe or needle for multiple animals is prohibited.
- ~~(g)~~(h) If the livestock auction market veterinarian cannot determine the class of livestock to be shipped by the description on the purchaser's invoice, the livestock auction market veterinarian shall look at each shipment prior to release.

- ~~(h)~~(i) All reactor or responder cattle received for sale shall be examined as to official identification by the livestock auction market veterinarian prior to sale.
- ~~(i)~~(j) Copies of all forms shall be forwarded to the office of the State Veterinarian by the livestock auction market veterinarian immediately after sale.
- ~~(j)~~(k) All official ear tags, forms, certificates of veterinary inspection, or documents and official stamps and signature stamps, shall be kept in the exclusive possession of the livestock auction market veterinarian and shall be dated and signed by him or her only at the time it is filled out and issued. Under no circumstances shall any official document be pre-signed or pre-stamped by the livestock auction market veterinarian. Use of any official stamp by persons other than the livestock auction market veterinarian or a state or federal employee is expressly prohibited. The livestock auction market veterinarian shall be solely responsible for the unauthorized or improper issuance of any official document or the use of any official stamp or signature stamp.
- ~~(k)~~(l) The livestock auction market veterinarian shall ensure another livestock auction market veterinarian is available at the market when the regular livestock auction market veterinarian is absent from the market.
- ~~(l)~~(m) The livestock auction market veterinarian shall not resign his duties without written notice to the sale company and State Veterinarian's office at least ten (10) days prior to resignation.
- ~~(m)~~(n) The livestock auction market veterinarian's failure or neglect to perform any of the functions in this Section shall be cause for disapproval and immediate removal from the livestock auction market.

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.

~~**"Certified copy"** means a photocopy or an approved electronic copy of an original VS 10-11 Equine Infectious Anemia Laboratory Test which is stamped or sealed and signed by an authorized official of a state agency, commission, or board approved by the State Veterinarian.~~

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

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

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

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

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

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

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

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

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

"Official Equine Passport" or **"Equine Interstate Event Permit"** means an approved document issued by an accredited veterinarian at the point of origin of a shipment of equine originating in a state with an equine passport agreement or equine interstate event permit 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.

~~**"Oklahoma Certified EIA Laboratory"** means any approved laboratory that has passed additional proficiency tests administered by the Board.~~

"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 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 number, and the date of the official test.
- (c) A copy ~~or a certified copy~~ of a VS Form 10-11 shall not be considered an official record of test.
- (d) On all private sales, trades, barters, or any sale other than through an approved market, ~~the buyer and the seller~~ shall be equally and individually solely responsible for meeting the EIA testing requirements prior to the sale.

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.
 - (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 ~~or a certified 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 number, and the date of the test shall appear on the official test record.

~~(b) A certified copy of a VS Form 10-11 shall be considered an official record of test at equine exhibitions.~~

~~(e)(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.

~~(d)(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.

~~(e)(d) A certified copy of a VS 10-11 shall be acceptable for entry to Oklahoma Horse Racing Commission licensed tracks.~~ The original VS 10-11 for horses offered for sale through claiming races shall be on file with the Racing Secretary.

PART 11. REQUIREMENTS FOR EQUIDAE ENTERING OKLAHOMA

35:15-15-111. General requirements for Equidae entering Oklahoma

(a) All test eligible Equidae entering Oklahoma for any purpose other than consignment to a veterinarian's clinic or an approved slaughter facility or livestock auction market shall be accompanied by one of the following:

(1) An Official Equine Passport.

(2) A record of a negative official test for EIA conducted within the previous twelve (12) months and a certificate of veterinary inspection.

(3) An equivalent certificate as approved by the State Veterinarian.

(4) A copy ~~or a certified copy~~ of a VS Form 10-11 shall be considered an official record of test when accompanied by a properly completed certificate of veterinary inspection.

(5) An exception to import test requirements may be issued by the Department. To qualify for the exception, the person seeking the exception shall:

(A) Apply for an entry permit during the Department's office hours.

- (B) Obtain a certificate of veterinary inspection issued no more than thirty (30) calendar days prior to entry;
 - (C) Test the Equidae for EIA within thirty (30) days after entry; and
 - (D) Immediately quarantine the Equidae entering Oklahoma pursuant to this subsection until the Equidae is tested negative for EIA.
- (b) An Official Equine Passport shall include the following:
- (1) The name, breed, sex, age, color, and an electronic identification, a unique brand, or a tattoo to positively identify each Equidae listed on the form, provided that any owner using electronic identification shall carry and maintain a functional reader or scanner.
 - (2) A record of a physical examination of each Equidae verifying freedom from visible evidence of any contagious, infectious, or communicable diseases at the time of the examination.
 - (3) The negative test results of an official test for EIA, including the name of the approved laboratory, the case or accession number, and the date of the most recent test.
 - (4) A VS Form 10-11 or equivalent EIA test chart for each animal.
- (c) The Official Equine Passport shall be valid and meet import requirements for a period of six (6) months when accompanied by proof of an official negative VS Form 10-11 or equivalent EIA test chart. In no instance shall a permit expiration date exceed twelve (12) months after the date of a negative EIA test.
- (d) An Official Equine Passport shall be accepted from states approved by the State Veterinarian.

SUBCHAPTER 16. CONTAGIOUS EQUINE METRITIS

35:15-16-1. Incorporation by reference

- (a) The contagious equine metritis regulation found in Title 9 of the Code of Federal Regulations (CFR) (~~2016~~ 2017 Revision), Section 93-301 and USDA VS Guidance Document 13406.1 (2013) Revision are hereby adopted in their entirety.
- (b) All words and terms defined or used in the federal regulation incorporated by reference by the Department shall mean the state equivalent or counterpart to those words or terms.

SUBCHAPTER 22. SWINE PSEUDORABIES AND BRUCELLOSIS

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.

"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 ~~intended for or~~ 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 ~~feral swine that are captive or~~ 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.

35:15-22-4. Requirements for livestock auction markets

(a) All swine consigned to a livestock auction market shall have: ~~an official identification for each pig. The market operator shall maintain a record of all official identifications, the consignee's name and address, and the premise of origin, except for swine purchased for immediate slaughter.~~

(1) official identification already in place and the official identification shall be recorded by the livestock auction market; or

(2) official identification applied and the official identification shall be recorded by the livestock auction market.

(b) The market operator shall maintain a record of all official identifications and the corresponding consignee's name and address.

~~(b)(c)~~ All swine over six (6) months of age not purchased or reconsigned as direct to slaughter shall be tested for brucellosis and pseudorabies prior to leaving the livestock auction market.

PART 3. REQUIREMENTS FOR SWINE ENTERING OKLAHOMA

35:15-22-31. Entry requirements for commercial production breeding and feeding swine

(a) ~~A person importing commercial production breeding or feeding swine into Oklahoma shall obtain an entry permit from the Department~~ Commercial production breeding or feeding swine imported into Oklahoma shall:

- (1) Be officially identified;
- (2) Be tested negative for pseudorabies and brucellosis within thirty (30) days prior to entry;
- (3) Be assigned an entry permit number; and
- (4) Be accompanied by a certificate of veterinary inspection

~~(b) and be accompanied by a certificate of veterinary inspection containing the entry permit number. Commercial production breeding or feeding swine entering Oklahoma under a completed and approved commuter herd agreement pursuant to 35:15-22-35 are exempt from subsections (a) provided the swine are not changing ownership. Commercial production breeding or feeding swine entering Oklahoma under a completed and approved commuter herd agreement pursuant to OAC 35:15-22-35 shall exempt from subsection (a) provided the swine are not changing ownership.~~

35:15-22-33. Entry requirements for transitional production swine

(a) A person importing transitional production swine into Oklahoma shall obtain an entry permit from the Department.

(b) Transitional production swine entering Oklahoma shall be accompanied by a certificate of veterinary inspection, containing the following information:

- (1) the entry permit number;
- (2) official identification; and
- (3) if applicable, the V/Q herd number and date of last pseudorabies and brucellosis quarterly test.

(c) Transitional production exhibition and prospective exhibition swine entering Oklahoma shall either:

- (1) be accompanied with a negative official pseudorabies and brucellosis test performed within thirty (30) days prior to entry; or
- (2) originate from a V/Q herd.

~~(d) An exception to import test requirements may be issued by the Department to purchasers of exhibition swine. To qualify for the exception, prospective purchasers of exhibition swine shall:~~

- ~~(1) Apply for an anticipatory entry permit during the Department's office hours prior to traveling to a state where swine for exhibition purposes are proposed to be purchased;~~
- ~~(2) Contact the Department on the next business day following a purchase to report the number of swine purchased and the seller of the swine or to notify the Department no swine were purchased on the anticipatory entry permit;~~
- ~~(3) Obtain a certificate of veterinary inspection issued a maximum of thirty (30) calendar days prior to entry for the movement of the swine; and~~
- ~~(4) Immediately quarantine any swine entering Oklahoma for exhibition purposes pursuant to this subsection until tested negative for brucellosis and pseudorabies within thirty (30) calendar days of entry.~~

PART 5. REQUIREMENTS FOR A VALIDATED/QUALIFIED HERD

35:15-22-51. Validated/qualified herd establishment

- (a) A person shall establish a swine herd as a V/Q herd status by completing the following:
 - (1) Each pig shall be permanently identified with both ear notches and an 840 button-type electronic official identification ear tag by the time of testing.
 - (2) The herd owner shall submit a completed application and inventory no later than thirty (30) days after a complete herd test for brucellosis and pseudorabies.
 - (A) The application shall include, at a minimum, the herd owner's name, mailing address, telephone number, signature, and date of application.
 - (B) The inventory shall include, at a minimum, animal identification, age, breed, sex, and date of inventory.
 - (3) The herd owner shall test negative all swine six (6) months of age or older to an official brucellosis and pseudorabies test to establish a V/Q herd.
 - (4) A minimum of ninety (90) percent of the swine in the herd shall have been on the premises and a part of the herd for at least ninety (90) days prior to the whole herd test or have entered directly from another V/Q herd.
- (b) Swine maintained outside of the primary herd premises shall not be considered a part of the V/Q herd.
- (c) Herd owners shall have a minimum of four (4) adult sows to be eligible for the V/Q herd program.
- (d) V/Q herd status and herd number shall be issued after completion of the first quarterly test following the whole herd test.
- (e) Only the primary herd owner or an immediate family member may exhibit swine under V/Q herd status.

SUBCHAPTER 33. LIVESTOCK BRANDS

35:15-33-1. Acceptable brands

- (a) ~~The Livestock Brand Division shall refuse to accept for registration any~~ A proposed livestock brand brand defined as a single initial or single unit shall not be accepted for registration.
- (b) Single initial or single unit brands are those brands in which only one letter of the alphabet, numeral, or single character, such as slashes, bars, quarter-circles or half-circles are indicated for use in any of the designated branding positions.
- (c) Combined initials, numerals and ~~or~~ characters and symbols that are joined in one pattern shall be considered to be brands of more than one unit, and shall be acceptable for registration.
- (d) ~~The Livestock Brand Division shall not accept~~ A brand for registration any brand which could be interpreted as an addition to, or an extension of, a brand pattern currently registered, for use on the same position, ~~when and the proposed brand is intended to be used within the same county or adjoining counties~~ shall not be accepted. An addition or extension of a brand pattern may be accepted for registration after the original registrant has been fully advised of the new applicant's request ~~by the Division of Brand Registry and has given his~~ written notice of consent to the addition or extension.

35:15-33-3. Change of ownership

If a dispute arises as to the ownership of a brand after the brand registrant dies, the ownership shall be determined and assigned by the presiding District Judge. ~~Such change in ownership shall be reported on an official Brand Division "Order Directing Transfer of Brand Certificate" form issued under Section 4-11 of the livestock brand statutes.~~

SUBCHAPTER 36. SCRAPIE

35:15-36-1. Incorporation by reference of federal regulations

Regulations of the United States Department of Agriculture concerning scrapie in sheep and goats found at 9 CFR Part 79 (~~2016~~ 2017 Revision) are adopted by reference with the exception of the deleted regulations specified in 35:15-36-2.

35:15-36-2. Deleted regulations

The following sections of the Federal regulations governing scrapie in sheep and goats (9 CFR, Part 79 et seq.) (~~2016~~ 2017 Revision) of the USDA incorporated by reference under 35:15-36-1 are deleted and are not rules of the Oklahoma Department of Agriculture, Food, and Forestry: 79.6 and 79.7.

SUBCHAPTER 40. BOVINE TUBERCULOSIS

PART 3. GENERAL TUBERCULOSIS RULES

35:15-40-49.2. Mexican 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 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.

35:15-40-49.3. Diversion or separation of Mexican origin cattle

If Mexican origin steers, spayed heifers, or any commingled cattle are diverted from or separated from the main group within the stocker, feeder, slaughter channel in violation of OAC 35:15-40-49.2(b), the diverted or separated cattle shall:

(1) Have a negative tuberculosis test performed within ten (10) days after the change of ownership date; or

(2) Be tagged as slaughter only and sent either directly to slaughter or to an approved feedlot.

35:15-40-49.4. Rodeo bulls

(a) Rodeo bulls 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 and the test was performed in the name of the current owner; and

(2) Be identified with an official identification.

(b) The official in charge of an event shall be responsible for verifying that all rodeo bulls 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.

(c) 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.

PART 7. IMPORT REQUIREMENTS

35:15-40-92. Mexican origin cattle

(a) Mexican origin steers and spayed heifers imported as stocker, feeder, slaughter animals may enter Oklahoma provided they test negative for tuberculosis in accordance with the Norma Oficial Mexicana (NOM) within sixty (60) days prior to entry into Oklahoma and a telephone entry permit providing the following information has been obtained prior to entering Oklahoma:

- (1) A certificate of veterinary inspection containing the individual identification and all tag numbers, tuberculosis testing information, statement that the animals are "Mexican Origin Cattle," and complete consignor or consignee information including telephone numbers; and
 - (2) A VS 17-30 form.
- ~~(b) 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.~~
- ~~(c) 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.~~
- ~~(d) Holstein and Holstein cross steers and spayed heifers from Mexico shall not enter Oklahoma regardless of test history.~~
- ~~(e) 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 a change in ownership;~~
 - ~~(2) Be quarantined and tested for tuberculosis within ten (10) 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.~~
- ~~(f)(b) Mexican origin steers and spayed heifers and U.S. origin Corriente cattle utilized as rodeo stock prior to entry into Oklahoma shall obtain an entry permit, provide individual identification and all tag numbers, and be accompanied by a negative tuberculosis test that meets one of the following:~~
- ~~(1) Performed by a U.S. accredited veterinarian within the previous 365 days; or~~
 - ~~(2) Performed in accordance with the Norma Oficial Mexicana (NOM), the animal is accompanied by a VS 17-30 form, and the animal is quarantined upon entry into Oklahoma until retested by a U.S. accredited veterinarian within sixty (60) to one hundred twenty (120) days of the original tuberculosis test.~~
- ~~(g) Mexican origin steers and spayed heifers and U.S. origin Corriente 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.~~
- ~~(h)(c) No sexually intact Mexican origin rodeo stock shall enter Oklahoma unless the animal is accompanied by documentation establishing that USDA requirements for entry of sexually intact Mexican cattle have been completed.~~
- ~~(i) 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.~~

~~(j)~~—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.

~~(k)~~(d) For the purposes of this section and OAC 35:15-40-92.1, "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.

35:15-40-92.1. Diversion or separation of Mexican origin cattle

If Mexican origin steers, spayed heifers, or any commingled cattle are diverted from or separated from the main group within the stocker, feeder, slaughter channel in violation of OAC ~~35:15-40-92(e)~~ 35:15-40-49.2(b), the diverted or separated cattle shall:

- (1) Have a negative tuberculosis test performed within ten (10) days after the change of ownership date; or
- (2) Be tagged as slaughter only and sent either directly to slaughter or to an approved feedlot.

35:15-40-93. Rodeo bulls

(a) Rodeo bulls may move into the State of Oklahoma provided:

- (1) The rodeo bull is accompanied by a negative tuberculosis test performed by an accredited veterinarian within the previous 365 days and the test was performed in the name of the current owner;
- (2) The bull is identified with an official identification;
- (3) A certificate of veterinary inspection accompanies each interstate movement of the bull; and
- (4) A permit for entry is issued for each interstate movement of the bull.

~~(b)~~—Rodeo bulls 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 and the test was performed in the name of the current owner; and
- ~~(2)~~—Be identified with an official identification.

~~(e)~~(b) The official in charge of an event shall be responsible for verifying that all rodeo bulls 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.

~~(d)~~(c) 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.

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 (~~2016~~ 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 suspended, status decreased, or combination thereof.
- (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 [AMENDED]

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 asymptotically 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 Connochaetes taurinus.

35:15-49-6. Exotic Swine [NEW]

(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.