

**Title 7**  
**AGRICULTURE AND ANIMALS**  
**Part XXI. Animals and Animal Health**

**Chapter 1. General Provisions;  
Administrative Matters**

**Subchapter A. General Provisions**

**§101. Definitions**

*Accredited Herd*—a herd which has passed at least two consecutive annual tuberculin tests and no other evidence of bovine tuberculosis has been disclosed.

*Accredited Veterinarian*—a veterinarian approved by the United States Department of Agriculture (USDA) to perform functions stated in part 161, title 9, *Code of Federal Regulations* (CFR).

*Annual Test*—tests conducted at intervals of not less than 10 months nor more than 14 months.

*APHIS*—the Animal and Plant Health Inspection Service of the United States Department of Agriculture.

*Approved Slaughter Establishment*—any slaughter establishment that is under state or federal meat inspection.

*Aquaculture*—producing, raising, managing, harvesting, or marketing of aquatic livestock under controlled conditions.

*Aquatic Livestock*—finfish species and crawfish produced, raised, managed, or harvested within or from a constructed impoundment in compliance with rules and regulations adopted pursuant to this Part. *Aquatic livestock* shall not include those species of fish excluded from this Part by R.S. 3:559.14.

*Auction Operator*—a person responsible for the operation of a livestock auction market.

*Auction Veterinarian*—an accredited veterinarian employed at an auction market and authorized to carry out the provisions of the livestock auction market regulations.

*Authorized Agent of the Livestock Sanitary Board*—an employee of the Livestock Sanitary Board or the USDA.

*Authorized Buyer*—

1. an employee of a USDA approved slaughtering establishment who buys livestock that move from the auction market directly to the slaughtering establishment with no period of time spent in a holding area of any kind;

2. a buyer who has a permit issued by the Livestock Sanitary Board to operate a quarantine holding area for EIA positive and "S" branded horses; or

3. a permitted livestock dealer.

*Board*—the Livestock Sanitary Board.

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

*Breeding Purpose*—all cattle, purebred or grade, that are sold for stocker, feeding, grazing, dairy and/or reproductive purposes.

*Breeding-Type Cattle*—all cattle 20 months of age and over for dairy breeds and 24 months of age and over for beef breeds as evidenced by the presence of the first pair of permanent incisor teeth, including animals under these ages which are parturient or post-parturient, other than steers and spayed heifers offered for sale for any purpose other than immediate slaughter. This includes dairy, stocker, feeder-grazer and purebred animals.

*Brucellosis*—a disease of livestock capable of being transmitted to man and caused by *Brucella* organisms, commonly called "Bang's disease" in cattle and "undulant fever" in man.

*Brucellosis Exposed Herd*—a herd of cattle that has intermingled with *Brucellosis* infected cattle or otherwise been exposed to *Brucellosis* infected animals which includes:

1. cattle whose premises are adjacent to that of known infected cattle even though a roadway, waterway, or any right of-way or servitude is between the premises and if deemed necessary by the state veterinarian and the designated epidemiologist, the premises are considered to be adjacent;

2. cattle herds where there is direct drainage from *Brucellosis* quarantined premises; or

3. cattle herds in common range with *Brucellosis* infected herds.

NOTE: All herds, other than dairies, negative to the *Brucellosis* ring test (BRT) and certified *Brucellosis* free herds, tested within the past 12 months, owned by an individual, partnership, corporation, or association, that are within 50 miles of an infected herd owned by such individual, partnership, corporation, or association.

*Brucellosis Herd Test*—a *Brucellosis* test of all cattle in a herd over six months of age, except:

1. steers;

2. spayed heifers;

3. dairy animals that are official *Brucellosis* calthood vaccinates under 20 months of age, which are not parturient or preparturient (springers);

4. beef animals that are official *Brucellosis* calfhooed vaccinates under 24 months of age which are not parturient or preparturient (springers).

*Brucellosis Infected Herd*—

1. a herd will be considered infected if an official *Brucellosis* blood test of the herd reveals one or more reactors;

2. a herd to which one or more *Brucellosis* reactors in a consignment, tested in the market cattle testing program, (tested on the physical premises of the auction market or slaughter establishment), has been traced. The herd shall be considered infected and under quarantine until the entire herd of origin has had two official negative blood tests, the second test being not less than 180 days from the date the last reactor was removed from the herd and the premises. The second test may be dispensed with upon concurrence by the state veterinarian, the designated epidemiologist and the state/federal area veterinarian, based on the history and epidemiology of the herd;

3. a dairy herd that has had a positive milk ring test. The herd shall be considered infected and handled as such until the entire herd has been officially blood tested. The status of the herd will then be determined by the results of the herd blood test.

*Brucellosis Qualified Herd*—a herd located in a *Brucellosis* quarantined area that has been tested and found negative to *Brucellosis* within the last 12 months.

*Brucellosis Quarantined Area*—an area or state that is under USDA *Brucellosis* quarantine.

*Brucellosis Quarantined Herd*—a *Brucellosis* infected herd that has not successfully completed the testing requirements for negative status; or an exposed herd that has been placed under quarantine to be tested until such time as it has been declared *Brucellosis* negative.

*Brucellosis Reactor*—any animal which is positive to one or more *Brucellosis* tests which indicate the animal is infected with *Brucellosis*.

*Brucellosis Test Eligible*—all cattle which are one year of age and older except:

1. steers;
2. spayed heifers;
3. dairy cattle that are official *Brucellosis* calfhooed vaccinates less than 20 months of age which are not parturient or preparturient (springers);
4. beef cattle that are official *Brucellosis* calfhooed vaccinates less than 24 months of age which are not parturient or preparturient (springers).

*Bull*—an uncastrated male of domestic cattle.

1. *Breeding Bull*—a bull less than 24 months of age in which there is no presence of both permanent central incisor teeth in wear if the bull has been commingled with breeding females; a bull less than 24 months of age in which there is

the presence of both permanent central incisor teeth in wear; and a bull that is 24 months of age or older.

2. *Virgin Bull*—a bull less than 24 months of age in which both permanent central incisor teeth in wear are not present and that has never been commingled with breeding females.

*Buyer*—any individual, partnership, corporation or association which handles EIA positive and/or "S" branded horses.

*Certificate of Approval*—a document issued to a commercial poultry producer by the Board of Animal Health approving a specific method of disposing of dead poultry to be used by the commercial poultry producer.

*Certificate of Veterinary Inspection (CVI)*—a record of an animal's health recorded on an official form. These certificates are valid for 30 days only unless an extension is allowed by the Board of Animal Health.

*Certified Brucellosis Free Herd*—a herd that meets the requirements as outlined in the federal uniform methods and rules (*Brucellosis* eradication).

*Commercial Poultry Producer*—any person, firm or corporation engaged in the production of broilers, pullets, turkeys, game birds, commercial eggs or hatching eggs for wholesale or retail purposes.

*Commissioner*—the *commissioner* of agriculture and forestry.

*Complete Negative Brucellosis Herd Test*—a negative *Brucellosis* test of all cattle, as defined in *Brucellosis herd test*. Such tests must be accompanied by a statement signed by the herd owner, or his representative, certifying that the provisions constituting a herd and *Brucellosis herd test*, as defined in §101, have been met prior to the sale of non-*Brucellosis* vaccinated female cattle from such herds other than to slaughter or to a quarantined feedlot.

*Delinquent Herd*—any infected herd not tested within a period of 120 days is considered delinquent.

*Department*—the Department of Agriculture and Forestry.

*Depopulation*—the removal of all animals in a herd, flock or group by extermination and proper disposal of the carcasses.

*Destroyed*—condemned under state or federal authority and put to death by consignment to slaughter or by humane euthanasia.

*Direct to Slaughter*—the shipment of cattle or poultry from the premises of origin directly to a slaughter establishment without diversion to assembly points, such as auctions, public stockyards and feedlots.

*Equipment*—capable of delivering required temperature as a unit designed by Floyd Rush Corporation patent or comparable equipment.

*Executive Secretary* and/or *State Veterinarian*—an appointee representing the board to serve in said capacity.

*Federal Inspector*—an inspector or veterinary medical officer of the Animal and Plant Health Inspection Service, United States Department of Agriculture.

*Flock Plan*—a written agreement, between the owner of the flock and a veterinarian employed by the LDAF or USDA, APHIS, VS, approved by the state veterinarian to control scrapie in sheep and goats.

*Form VS 1-27*—a form which must be secured from state or federal personnel before cattle may be moved from the premises. This document will be valid for 15 days from the date of issuance.

*Garbage*—all animal and vegetable waste resulting from the handling, preparation and cooking of food; unconsumed food in all public and private establishments and residences; and the offal and carcasses of dead animals and poultry.

*Herd*—such animals of the same species (such as cattle, swine, or bison), which have been on a farm or ranch for 120 days or longer. If a farm or ranch has animals of the same species, which have been on the farm or ranch less than 120 days, none of the animals of that species, can be considered a *herd* or part of a *herd*.

*Herd Depopulation*—the removal of all cattle in the herd direct to slaughter prior to any restocking of the premises with cattle.

*Hog Cholera*—the contagious, infectious, and communicable disease of swine.

*Individually Identified*—cattle identified with an official ear tag, as defined in the *Brucellosis* uniform methods and rules, individual animal registration tattoo, or individual animal registration brand.

*Infectious or Contagious Disease*—any disease capable of being transmitted from one animal to another, either directly or indirectly.

*Livestock*—cattle, sheep, swine, goats, horses, mules, burros, asses or other farm animals of all ages including poultry.

*Livestock Auction Market*—a livestock auction in which sales are held at regular intervals. This does not apply to breeders' association sales, livestock show sales and livestock owners' sales, which are governed by other regulations.

*Livestock Auction Market Permit*—an official document issued by the board annually authorizing a person to operate a livestock auction.

*Livestock Dealer*—any person engaged in the buying and selling of livestock. Any person who buys and sells the same livestock within 30 days and has engaged in five or more purchases and/or sales of the same livestock within any 12-month period, is said to be engaged in the business of buying and selling livestock.

*Mexican Cattle*—cattle that were born in Mexico or have been in Mexico at some time in their lives.

*Modified Accredited Area*—a state or portion thereof which is actively participating in the eradication of tuberculosis and maintains its status.

*Mortgage*—any *mortgage*, lien or other security or beneficial interest held by any person other than the one claiming indemnity.

*Moved*—shipped, transported or otherwise *moved*, or delivered or received for movement, by any person, via land, water or air.

*National Poultry Improvement Plan (NPPI)*—cooperative industry, state, and federal program that offers poultry management, sanitation, testing, and monitoring procedures to improve poultry and poultry products in the U.S.

*Negative Herd*—

1. a herd not under quarantine in which, on the initial test, no reactors were revealed;

2. a commercial dairy herd that has passed four consecutive negative milk ring tests within the last 12 months, the tests being no less than two months or more than four months apart;

3. infected herds that have passed one completely negative test no less than 30 days following the date the last reactor was removed from the herd and the premises, and in addition, passed a second negative herd test no less than 90 days from the date of the first *negative herd* test;

4. a herd to which one *Brucellosis* reactor in a consignment tested in market cattle testing program (tested on the physical premises of the auction market or slaughter establishment) has been traced, and the herd of origin has been blood tested not less than 30 days from the date the reactor was detected and found negative;

5. an exposed herd which on initial test reveals no reactors and where there has been no direct contact (including across-fence contact) with the infected herd within 120 days. If contact has occurred within 120 days of the negative test (including across-fence contact) such herd must pass a second negative test no less than 90 days from the date of the first negative test.

*No Gross Lesion (NGL) Animal*—an animal in which a lesion(s) of tuberculosis is not found during slaughter inspection. (An animal with skin lesions only will be considered in the same category as an NGL.)

*Official Brucellosis Vaccinates*—calfhood or adult vaccinates as outlined in §723.E and F.

*Official Identification for Scrapie*—an electronic identification, state or federally approved tamper-resistant ear tag, or a flank or ear tattoo, which has been recorded in a book of record of a sheep or goat registry or association. When an animal is identified by an ear or flank tattoo either a registration certificate or a certificate of veterinary inspection shall accompany the animal. In the case of goats registered with the American Dairy Goat Association, the tattoo may be applied at the tail web.

*Official Pseudorabies Serological Test*—a test conducted at an approved laboratory and shall include the enzyme-linked immunosorbent assay (ELISA) test, the latex agglutination test (LAT), and the micro titration serum-virus neutralization test (SN).

*Official Random Sample Test*—a sample test of swine in a herd which provides a 95 percent probability of detecting infection in a herd. Each segregated group of swine on an individual premises is considered a separate herd and sampled as follows.

Less than 100 head	Test 25
100-200 head	Test 27
201-999 head	Test 28
1000-and over	Test 29

*Official State Agency*—the state authority recognized by the USDA to cooperate in the administration of the NPIP.

*Official Test for Equine Infectious Anemia*—any test approved by the United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services, for testing equidae for equine infectious anemia.

*Official Tuberculin Test*—a tuberculin test which has been applied by a veterinarian employed in a full-time capacity by the state, USDA (Animal and Plant Health Inspection Service), or by an accredited veterinarian. All tuberculin tests are official tests. A report of all tuberculin tests, including a record of all responses, shall be submitted in accordance with the requirements of the cooperating state and federal authorities. These officials reserve the right to supervise any tests conducted by an accredited veterinarian.

*Passed Herd*—a herd in which no animals were classified as reactors or suspects on the herd test.

*Permit*—a license issued annually by the Livestock Sanitary Board.

*Person*—any natural person and/or persons, partnership, corporation, unincorporated association and/or any legal entity whatsoever.

*Poultry*—chickens, ducks, turkeys, pigeons, guinea fowl, geese, peafowl and pheasants and other domestic feathered life, including hatched eggs or fertilized eggs.

*Quarantined Feedlot*—a confined area under the direct supervision and control of the state livestock official who shall establish procedures for accounting of all animals entering or leaving such *quarantined feedlot*. The quarantined feedlot shall be maintained for finish feeding of animals in dry lot with no provision for pasturing and grazing. All animals leaving such feedlot must move only to slaughter in accordance with established procedures for handling quarantined animals.

*Quarantined Holding Area*—an area where EIA positive and/or "S" branded horses are kept and where such horses are separated by at least 440 yards from all other horses.

*Recognized Slaughter Establishment*—a slaughter establishment maintaining state or federal meat inspection.

*Rendering Plant*—any establishment equipped to render by heat, steam or dry method any animal or fowl dead from any cause. This shall also include rendering offal from slaughtering establishments or butcher shops.

*Scrapie Affected Animal*—any animal that tests positive for scrapie on an APHIS-approved live animal screening test is considered an affected animal.

*Screwworms*—the communicable disease (myiasis) of livestock caused by the presence of the *screwworms* (*Cochliomyia hominivorax*).

*Slaughter Permit*—an official document issued by an authorized agent of the department, a representative of APHIS veterinary services, or an accredited veterinarian that is required to accompany any animal that is a reactor, or suspect or exposed to a disease, and the animal is required to be taken to slaughter. The *slaughter permit* shall list the tag number of all reactors, the official ear tag number of all suspect or exposed animals, the owner's name and address, the origin and destination locations, number of animals covered, and the purpose of the movement. If a change in destination becomes necessary, a new permit shall be issued by authorized personnel. No diversion from the destination on the permit is allowed.

*Source Flock*—a flock in which one animal diagnosed as scrapie positive at the age of 72 months or less was born.

*State Inspector*—an inspector regularly employed by the Livestock Sanitary Board and authorized to perform the function involved in connection with the inspections and certification of animals.

*State Veterinarian*—the executive secretary of the Livestock Sanitary Board.

*State-Federal Quarantined Feedlot*—a feedlot that has obtained a permit from the Livestock Sanitary Board to operate as outlined in §705.

*Sterilized and Dehydrated Foods*—waste food which has been subjected to sufficient dry heat, 325°F minimum, for the purpose of extraction of fluids, 12 percent moisture or below permissible, and for the destruction of any organism from such matter.

*Surveillance*—all measures used to detect the presence of tuberculosis in the cattle population.

*Trichomoniasis*—a venereal disease of cattle caused by *Trichomonas foetus*, a protozoal parasite.

*Tuberculosis Exposed Herd*—a herd of cattle that are intermingled with tuberculosis infected cattle or otherwise been exposed to tuberculosis infected animals which include:

1. cattle separated from known infected cattle by a single fence;
2. cattle herds on common range with tuberculosis infected herds; and
3. all herds owned by an individual, partnership, corporation or association that are within 50 miles of an

infected herd owned by such individual, partnership, corporation or association.

*Tuberculosis Infected Herds*—a herd in which one or more *Mycobacterium bovis* infected animals are found. Cattle will be considered infected with *Mycobacterium bovis* when compatible pathologic lesions are found and confirmed to be infected with *Mycobacterium bovis* organisms by bacteriological culturing at the National Animal Disease Laboratory.

*Tuberculosis Quarantined Herd*—a tuberculosis infected herd that has not successfully completed the testing requirements for negative status; or a tuberculosis exposed herd that has been placed under quarantine to be tested until such time as it has been declared tuberculosis negative.

*U.S. Pullorum-Typhoid Clean Flock*—a flock in which freedom from pullorum and typhoid has been demonstrated by one of the following:

1. all breeding age birds have been blood tested negative within the past 12 months;
2. it is a flock composed entirely of birds that originated from *U.S. pullorum-typhoid clean breeding flocks*;
3. 25 percent of the birds have been tested negative within the past 12 months, provided the percentage of birds tested may be reduced 5 percentage points following each year there is no evidence of infection and provided that testing shall include at least 500 birds the first year, 400 birds the second year, 300 birds the third year, 200 birds the fourth year, and 100 birds the fifth year.

*Valid 30-Day Negative Brucellosis Test*—an official *Brucellosis* negative card test.

*Valid 30-Day Negative Brucellosis Test Certificate*—a certificate on which the official test has been recorded. This may be an official health certificate completed by an accredited veterinarian; the official *Brucellosis* test charts from the state-federal laboratory; an individual *Brucellosis* test certificate issued at the auction market; or a special certificate issued by the state-federal laboratory at the request of the owner.

*Veterinary Medical Officer* and/or *Supervisory Veterinary Medical Officer* (also referred to as *Area Veterinarian*)—a veterinarian employed by the Livestock Sanitary Board or the United States Department of Agriculture, Animal and Plant Health Inspection Service.

*Veterinary Services*—the Animal and Plant Health Inspection Service, United States Department of Agriculture.

*Waste Food Processor*—any person, partnership, firm, corporation, institution or entity processing waste food for livestock feed. This includes all state and private institutions and commercial establishments manufacturing waste foods into livestock feed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:230 (March 1985), amended LR 11:615 (June 1985), LR 12:289 (May 1986), amended by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 12:498 (August 1986), LR 14:217 (April 1988), LR 15:811 (October 1989), LR 16:391 (May 1990), LR 17:29 (January 1991), LR 18:840 (August 1992), LR 23:949 (August 1997), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 24:1677 (September 1998), LR 28:1170 (June 2002), amended by the Department of Agriculture and Forestry, Board of Animal Health, LR 34:2336 (November 2008), LR 35:1465 (August 2009), amended by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Board of Animal Health, LR 39:3246 (December 2013), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:935 (May 2014), amended LR 43:1276 (July 2017).

### §103. Official Permanent Animal Identification

A. Official, permanent animal identification consists of any Department of Agriculture and Forestry or United States Department of Agriculture, Veterinary Services approved identification ear tag that conforms to the nine-character or seven-character alphanumeric National Uniform Ear Tagging System. This includes, but is not limited to, the official metal identification ear tag, the special orange-colored metal ear tag used to identify *Brucellosis* calfhood vaccinates, and the special plastic bangle ear tag used to identify *Brucellosis* adult vaccinates.

B. It shall be a violation of this regulation for anyone to remove official, permanent animal identification from any animal and it will be a separate violation for each animal that has had its official, permanent animal identification removed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 15:812 (October 1989), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:938 (May 2014).

### §105. Requiring the Reporting of Contagious Diseases (Formerly §121)

A. All veterinarians practicing veterinary medicine in this state shall report any of the diseases listed in this Section to the state veterinarian within 24 hours after making a diagnosis or tentative diagnosis of any such disease. The report may be made by telephone, fax, or electronic mail. The reportable diseases are: classical swine fever (hog cholera), anthrax, vesicular conditions, all equine encephalomyelitis conditions, transmissible spongiform encephalopathies (including chronic wasting disease, scrapie, bovine spongiform encephalopathy), pseudorabies (Aujeszky's disease), tuberculosis, *Brucellosis*, rabies, strangles (*Streptococcus equi equi*), equine herpes virus 1, equine viral arteritis, spring viremia of carp, viral hemorrhagic septicemia, Newcastle disease and other paramyxovirus infections, avian influenza (highly pathogenic), ornithosis (chlamydiosis, psittacosis), Salmonellas (pullorum disease or fowl typhoid), infectious laryngotracheitis (other than vaccine induced),

trichomoniasis, any disease classified by USDA as a foreign animal disease, or any other disease condition which may seriously threaten the any animal population of this state.

B. Reports should include the:

1. name, address and phone number of the owner;
2. location of the premises;
3. morbidity and mortality rate at the time of reporting;
4. number of susceptible animals in the immediate area; and
5. approximate number of animals or poultry exposed.

C. Reports of disease outbreaks will be coordinated by the state veterinarian.

D. Livestock owners who suspect the occurrence of contagious disease should immediately contact the local practicing veterinarian, area regulatory veterinarian or county agent who, in turn, will be responsible for reporting to the state veterinarian.

E. An investigation of the reported contagious disease will be made by representatives of the Livestock Sanitary Board, preferably with the veterinarian or county agent reporting the disease. If necessary to protect the animal and poultry populations, a quarantine may be imposed on involved and exposed animals and areas. The quarantine will remain in effect until the threat has been removed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093, R.S. 3:2094 and R.S. 3:2095.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:234 (March 1985), amended LR 11:615 (June 1985), amended by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 15:813 (October 1989), LR 16:391 (May 1990), LR 23:197 (February 1997), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 28:1170 (June 2002), LR 29:1460 (August 2003), amended by the Department of Agriculture and Forestry, Board of Animal Health, LR 34:2337 (November 2008), LR 35:1466 (August 2009), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:939 (May 2014).

**§107. Intrastate Manufacture, Sale or Distribution of Animal Vaccines (Formerly §123)**

A. No person, firm, association or corporation shall manufacture, sell or distribute any animal vaccine within the state of Louisiana unless such person, firm, association or corporation can prove to the board that he is currently the holder of a valid federal license to manufacture, sell or distribute such animal vaccine, except as provided hereinafter.

B. The board shall authorize the intrastate manufacture, sale or distribution of animal vaccines on an individual basis to meet emergency situations within the state of Louisiana under special permit of the state veterinarian, provided that no special permit for the intrastate manufacture, sale or

distribution of animal vaccines shall be issued by the state veterinarian except under the authorization of the board.

C. The board reserves the right to prohibit the intrastate manufacture, sale or distribution of animal vaccines which, in the judgment of the board, would be detrimental to any phase of the livestock and/or animal health industries of the state.

D. The board shall distribute, through the state veterinarian, on an annual basis, no later than December 31 of each year, a complete list of all vaccines which are prohibited for use within Louisiana, and such list shall be available to any interested person who makes request therefor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:235 (March 1985), amended LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:939 (May 2014).

**§109. Tuberculin Tests (Formerly §125)**

A. Report of Tuberculin Tests. A report of all tuberculin tests, including the individual identification of each animal by ear tag number or tattoo, age, sex and breed, and a record of the size of the responses, shall be submitted in accordance with the requirements of the cooperating state and federal officials.

B. Tuberculin Test Interpretation

1. Reactor R: animals showing a circumscribed swelling 5 mm in diameter (3/16 of an inch)(P1) or a diffuse swelling twice as thick as the normal caudal fold (X2) or greater response to tuberculin on routine test should be classified as reactors unless in the professional judgment of the testing veterinarian a suspect classification is justified.

2. Suspect S: animals showing a response to tuberculin not classified as reactor with the exception noted below.

3. Negative N: animals showing no response to tuberculin.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:235 (March 1985), amended LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:939 (May 2014).

**§111. Conditions for Issuing a Quarantined Feedlot Permit (Formerly §131)**

A. The operation must not constitute a health hazard to livestock on surrounding premises, or create a public nuisance.

B. The operator must agree to abide by the provisions of this regulation and all other regulations of the board and

United States Department of Agriculture governing such operations and movements.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:2093.

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:235 (March 1985), amended LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:940 (May 2014).

**§113. Source and Amount of Indemnification  
(Formerly §133)**

A. Indemnities may be paid by either the state or federal government. When indemnities are paid by the state of Louisiana, the amount of the payments shall be set by motion of the board and information concerning the level of indemnification shall be made available to all producers of livestock and dairymen.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:2093 and R.S. 3:2224.

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:235 (March 1985), amended LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:940 (May 2014).

**§115. Repeal Rules and Regulations Previously  
Adopted by the Livestock Sanitary Board  
(Formerly §2901)**

A. All rules and regulations which were previously adopted by the Livestock Sanitary Board are hereby repealed in their entirety.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:2093.

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:940 (May 2014).

**§§117-119.Reserved.**

## **Subchapter B. Board of Animal Health**

**§121. Administration of the Affairs of the Board  
(Formerly §105)**

A. The members of the board shall elect a chairman, vice-chairman and a secretary-treasurer from the membership of the board, who shall serve for terms of one year, but may be elected for an indefinite number of terms. After the initial election the officers shall be elected at the board's regular meeting during the first quarter of each year. In the absence of the chairman at any meeting of the board, the vice-chairman shall preside.

B. The board shall meet quarterly and may meet on the call of the chairman or upon the request of any three members. The board shall not meet more than 12 times in any calendar year.

C. Meetings of the board shall normally be held in its domicile, but may be held at other locations upon the determination of the chairman or the will of the commission.

D. For the transaction of business, the quorum of the board shall be seven members.

E. An affirmative vote of a minimum of seven members shall be required for the adoption of any motion.

F. Members of the board may designate representatives to attend meetings of the board. Members who appoint representatives shall provide notice to the board of such action. Representatives shall present written authorization, signed by a member, to the board prior to attending a meeting. Representatives shall not have voting rights.

G. Rules and regulations of the board, and amendments thereto, shall be noticed, adopted, and promulgated as required by the Louisiana Administrative Procedure Act.

H. The chairman shall designate a hearing officer, who may or may not be a member of the board, to preside at all adjudicatory proceedings of the board. The chairman may, if he so desires, serve as hearing officer at any adjudicatory proceedings.

I. The board shall serve as the hearing body in all adjudicatory proceedings and shall make the final determination with regard to the disposition of all matters coming to adjudication.

J. No member of the board shall participate in any discussion or vote concerning any matter before the board in which such member has a personal or commercial interest.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:2091 and R.S. 3:2093.

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:940 (May 2014).

**§§123-129. Reserved.**

## **Subchapter C. State Veterinarian**

**§131. Cooperation with USDA, APHIS, Veterinary  
Services  
(Formerly §127)**

A. Upon determination by the state veterinarian of the existence of any infectious and contagious diseases, he is authorized to cooperate with the United States Department of Agriculture, APHIS, Veterinary Services, in the eradication of such diseases.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:2224.

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:235 (March 1985), amended LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:940 (May 2014).

## Chapter 3. Livestock Auction Markets; Market Agencies; Dealers

### §301. Livestock Auction Market Requirements (Formerly §111)

A. No person shall operate a livestock auction without first obtaining a livestock auction market permit from the board. Any person operating a livestock auction market without a valid livestock auction permit will be in violation of this regulation and subject to prosecution.

B. Conditions for Issuing a Livestock Auction Market Permit

1. That proper bond has been posted with the board as required by R.S. 3:565, or it is properly bonded under the U.S. Packers and Stockyards Act.

2. The livestock auction market must provide the following:

a. adequate and sanitary housing for use of state-federal personnel to conduct tests, including the rivanol test for *Brucellosis*. This will include running water, adequate lighting, sanitary plumbing facilities, heating and cooling when necessary and refrigeration for biologics if the quantity to be kept on hand will warrant it. Otherwise, state or federal personnel will furnish his own portable refrigeration;

b. separate pens for holding *Brucellosis* reactors;

c. adequate facilities and personnel to separate and restrain livestock to enable the auction veterinarian and/or representatives of the Livestock Sanitary Board to carry out the requirements of this regulation.

3. The auction operator agrees to operate the sale in conformity with the requirements of this regulation.

4. The day of the week approved by the board for the conduct of the sale must be established prior to the issuance of the charter.

a. In the application for charter, the applicant shall specify the day(s) of the week on which he desires to conduct sales.

b. No requested sales day shall be approved for any applicant if any established, chartered auction market(s) located within a 50-mile radius of the applicant has received prior board approval for the conduct of a sale on the same day of the week, provided that the board may approve more than one sale on the same day of the week within 50 miles of each other if the board finds that the types of livestock being sold at each sale are substantially different and neither sale would adversely affect the other.

c. Whenever any established, previously chartered auction market desires to change the day of the week approved by the board for the conduct of his sale, the operator shall submit a request for a change of approved sales days at least 15 days prior to the desired change, which request shall include, but not be limited to, the following information:

i. day of the week previously approved for the sale;

ii. day of the week for which approval is sought; and

iii. statement identifying reasons for the requested change, specific benefits which are expected to accrue to producers and buyers, and proposed allocation of board personnel to handle the change of sales day. If the established market desires to change the approved sales day to the same day previously approved for another established auction market within a 50-mile radius, the operator shall submit the same statement as required by §131.B.4.b.

d. In any case where two or more chartered markets located within a 50-mile radius desire to conduct sales on the same day of the week, and the statement required under §131.B.4.b is not filed by all such chartered operators, the board shall establish the day of the week on which each operator shall conduct his sale.

C. Duration of Livestock Auction Market Permit. A livestock auction market permit shall be renewable on January 1 of each year, provided proper and adjusted bonds are kept in full force and effect and the livestock auction market is being operated in full compliance with the provisions of §305, as determined by the board.

D. Cancellation of Livestock Auction Market Permit. A livestock auction market permit may be canceled upon notice from the board if the operation does not meet the requirements of §305.

E. Duties of an auction veterinarian and/or state-federal personnel:

1. to represent the board in the enforcement of §305;

2. to observe all livestock being offered for sale and to detect any showing or visible symptoms of disease so that these animals may be observed by a veterinarian and could be rejected and returned to the owner's premises;

3. to draw blood samples on all cattle for testing by state-federal personnel for *Brucellosis* as provided for in this regulation;

4. to vaccinate all livestock as provided for in this regulation;

5. to examine certificates covering livestock to be sold or exchanged through the livestock auctions when such certificates are required;

6. to make such reports as may be required by the state veterinarian to the board;

7. it will be the responsibility of the auction market to employ an accredited veterinarian to issue health certificates as required;

8. the auction veterinarian and/or state-federal personnel may determine the age of cattle tested for *Brucellosis* and sold through livestock auctions and auction market personnel will indicate by paint mark on the hip, as follows:



- a. 1 through 5;
- b. F (full mouth) or FM;
- c. S (smooth mouth);
- d. O (broken mouth).

F. Sanitary Requirements

1. After the occurrence of an infectious or contagious disease in a livestock auction market, it must be cleaned and disinfected in an approved manner with a disinfectant before livestock will be permitted to enter the establishment for any purpose.

2. Representatives of the board shall have full authority to require auction operators to make specific changes to improve sanitation.

3. Floors of all swine pens and runs must be of concrete and properly drained and must be thoroughly cleaned and disinfected with an approved disinfectant after each sale.

G. General Livestock Health Requirements

1. All livestock auction markets shall be prohibited from selling or offering for sale any animal that manifests symptoms of illness unless such animal is to be sold for immediate slaughter. These diseased and exposed animals, except *Brucellosis* reactors which are specifically governed by §111.G.2, shall be immediately isolated, and identified and returned, under quarantine, directly to the premises of the original owner at the owner's expense; consigned directly to a recognized slaughter establishment maintaining meat inspection; or consigned directly to a rendering plant.

2. All brucellosis reactor cattle shall be branded with the letter B on the left jaw and all brucellosis exposed cattle shall be identified with a 3 inch hot brand on the tail head with the letter S. All reactor and exposed cattle shall be separated from other cattle, placed in separate quarantine pens or stalls identified by quarantine sign. Reactor cattle shall be sold to an approved slaughter establishment for immediate slaughter only. Exposed cattle may be sold to state-federal approved quarantined feedlots or to an approved slaughter establishment for immediate slaughter.

3. The Livestock Sanitary Board, U.S. Department of Agriculture, auction operator and auction veterinarian are not responsible for losses or injury incurred by livestock while carrying out the requirements of this regulation at livestock auction markets.

4. Livestock purchased for immediate slaughter only, and thereby exempted from one or more health requirements of this regulation cannot be diverted for any other purpose. Any person who violates this provision is subject to prosecution.

5. Auction operators will be in violation of the board's regulations if livestock that is to be sold for immediate slaughter is sold to anyone other than authorized buyers.

H. Livestock auction markets must maintain complete records of all transactions for a period of 12 months. The

records must be kept in such a manner that all livestock can be traced from the seller to the purchaser, and include the name and complete address of the seller and purchaser. The records must also include the weight, backtag number, and price of the livestock. These records shall be made available to representatives of the Livestock Sanitary Board upon request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:662, R.S. 3:665, R.S. 3:2221, and R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:233 (March 1985), amended LR 11:615 (June 1985), amended by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 17:30 (January 1991), LR 31:419 (February 2005), amended by the Department of Agriculture and Forestry, Board of Animal Health, LR 34:2336 (November 2008), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:940 (May 2014).

**§303. Livestock Video Auction Market Requirements (Formerly §113)**

A. No person, partnership, corporation, or other legal entity, shall operate a market agency (livestock video auction) in Louisiana, without first obtaining a permit from the Livestock Sanitary Board. Any legal entity selling Louisiana livestock on a livestock video auction, without a valid livestock video auction permit, will be in violation of this regulation and subject to adjudication by the Livestock Sanitary Board.

B. Any applicant applying for a permit to conduct video sales of Louisiana livestock must submit an application to the Livestock Sanitary Board which must include the following information:

- 1. the name and complete address of the applicant;
- 2. a financial statement of assets and liabilities;
- 3. proof that the registration requirements of the Packers and Stockyards Administration, United States Department of Agriculture, have been met;
- 4. a statement, in writing, assuring the Livestock Sanitary Board that the livestock video auction will be operated in compliance with the Livestock Sanitary Board's laws, rules and regulations;
- 5. a statement, in writing, telling how the Louisiana livestock industry will benefit from the proposed sale of livestock by the applicant;
- 6. an application fee of \$250, which will be retained by the Department of Agriculture and Forestry, whether or not the permit is granted;
- 7. the livestock video auction applicant must agree to establish a custodial account for seller's proceeds, which must meet the following requirements:

- a. accounts. Each market agency shall establish and maintain a separate bank account designated as "Custodial Account for Shipper's Proceeds," or by some similar identifying designation, under terms and conditions with the bank where established, to disclose that the depositor is

acting as a fiduciary with respect thereto and that the funds in the account are trust funds;

b. trust funds. Each payment made by a livestock buyer to a market agency, is a trust fund until the market agency's custodial account has been paid in full in connection with such purchase. Funds deposited in a custodial account are also trust funds, under both the gross proceeds and net proceeds methods of maintaining the custodial account. The market agency is a fiduciary with respect to the custodial account;

c. deposits:

i. gross proceeds method. Under the gross proceeds method, before the close of the next banking day, after livestock is sold, the market agency shall deposit in its custodial account, the proceeds from sale of livestock that are collected and received on the day of sale, and an amount equal to the proceeds receivable from the sale of livestock that are due from:

(a). the market agency;

(b). any owner, officer, or employee of the market agency; or

(c). any buyer to whom the market agency has extended credit;

NOTE: On or before the seventh day following the sale of livestock, the market agency shall deposit in the custodial account, an amount equal to all the proceeds receivable from the sale of livestock, whether or not such proceeds have been collected or received by the market agency.

ii. net proceeds method. In lieu of the gross proceeds method, any market agency may adopt, and thereafter continuously follow, a net proceeds method for making deposits in its custodial account. Under the net proceeds method, the market agency shall make the same deposits, at the same time as required under the gross proceeds method, but shall retain and not deposit the marketing charges, which are due the market agency;

d. withdrawals. The custodial account shall be drawn on only for payment of the net proceeds to the consignor or shipper, or such other person or persons who the market agency has knowledge is entitled thereto, to pay all legal charges against the consignment of livestock which the market agency may, in its capacity as agent, be required to pay for, and on behalf of the consignor or shipper, and when the account is not kept on a net proceeds basis, to obtain therefrom, the sums due the market agency as compensation for its services;

e. accounts and records. Every market agency shall keep such accounts and records as will, at all times, disclose the handling of the funds in the custodial account referred to in this Section, including without limitations, such accounts and records as will, at all times, disclose the names' of the consignors and the amount due and payable to each, from funds in the custodial account for shipper's proceeds. These records shall be made available to the Livestock Sanitary Board under such rules and regulations as the board may provide;

f. insured banks. Custodial accounts required by this Section, shall be established and maintained in banks whose deposits are insured by the Federal Deposit Insurance Corporation;

g. certificates of deposit. Any market agency which has established and maintains the separate custodial account referred to in this Section, may invest in certificates of deposits issued by the bank in which such an account is kept, such portion of the custodial funds as will not impair the market agency's ability to meet its obligations to its consignors. Such certificates of deposit shall be made payable to the market agency in its fiduciary capacity as trustee of the custodial funds;

h. custodial accounts required by the Livestock Sanitary Board will be subject to periodic audits by representatives of the Livestock Sanitary Board.

C. The Livestock Sanitary Board, at a public hearing, is to consider the following factors when considering whether a permit should or should not be granted to an applicant wishing to receive a permit to sell Louisiana livestock on livestock video auctions:

1. the financial stability, business integrity and fiduciary responsibility of the applicant;

2. the present market services available in the state;

3. whether the proposed livestock video market would be permanent and continuous;

4. the benefits to be derived by the livestock Industry from the establishment and operation of the proposed livestock video auction;

5. the economic feasibility of the proposed livestock video auction.

D. Livestock video auction companies must maintain complete records of all transactions for a period of 12 months. The records must be kept in such a manner that all livestock can be traced from the seller to the purchaser and include the name and complete address of the seller and purchaser. The record must also include the weight, number, and price of the livestock. These records shall be made available at the request of representatives of the Livestock Sanitary Board, any time during normal working hours.

E. All sales of cattle by livestock video auctions must meet the requirements of §713.

F. The livestock video auction company must notify the Louisiana Livestock Brand Commission of all delivery dates, as soon as the dates are established.

G. The Livestock Sanitary Board may cancel the permit of a livestock video auction after an adjudicatory hearing, for any one or more of the following reasons:

1. fraudulently misrepresenting the ownership, brands, or weights of livestock, the charges at a sale, the proceeds of a sale, or any other information with respect to a sale;

2. the applicant is unable to meet the registration requirements of the Packers and Stockyards Administration;

3. the applicant has violated the provisions with respect to the custodial account;

4. the applicant has violated any state or federal law or regulation governing livestock video auctions;

5. the applicant has not conducted any sales for a period of one year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093, R.S. 3:2221, and R.S. 3:2228.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 15:813 (October 1989), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:942 (May 2014).

### **§305. Livestock Dealer General Requirements (Formerly §115)**

A. Louisiana livestock dealers may become permitted, provided the following requirements are met:

1. the facilities are adequate and maintained in a satisfactory condition;

2. the dealer agrees to clean and disinfect the facilities at least once each month with an approved disinfectant;

3. records of all sales and purchases must be maintained for at least 12 months. The records shall contain the complete name and address of the seller, the permanent identification number of any *Brucellosis* test eligible animals, the weight and price of the animals, and the complete name and address of the purchaser. These records shall be made available to representatives of the Livestock Sanitary Board upon request. Livestock dealers who are not permitted will be governed by §311 for cattle.

B. Livestock dealers shall furnish the purchaser with the appropriate documents (health certificate, herd test, negative 30-day test record, negative equine infectious anemia test), which indicate the animals meet the specific requirements stated in the regulations of the Livestock Sanitary Board.

C. All livestock moving into the state of Louisiana must meet federal interstate requirements, the requirements of §107, governing the admission of livestock into the state; and the requirements of the state of destination.

D. Failure of a permitted livestock dealer to meet the requirements of this and other regulations of the board, will result in the revoking of his permit and he will be subject to prosecution, as provided in R.S. 3:2096.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:562, R.S. 3:563 and R.S. 3:564.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:234 (March 1985), amended LR 11:615 (June 1985), amended by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 14:219 (April 1988), LR 17:30 (January 1991), LR 17:873 (September 1991), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:943 (May 2014).

## **Chapter 5. Entry Requirements to admit Animals into this State and into Events**

### **Subchapter A. General Entry Requirements**

#### **§501. General Health Requirements Governing Admission of Livestock and Poultry (Formerly §107)**

A. All livestock brought into the state shall be accompanied by an official health certificate stating that the animals are healthy, free from signs of infectious or contagious diseases and signs of internal and/or external parasites, and meet the specific requirements stated in this regulation. Health certificates are valid for 30 days only. Livestock consigned to an approved slaughter establishment or an approved livestock auction market are exempt from this requirement. No livestock affected with, or carrying the contagion of, screwworms shall be moved into Louisiana for any purpose.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:232 (March 1985) amended LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:944 (May 2014).

#### **§503. Admittance of Livestock to Fairs, Livestock Shows, Breeders' Association Sales, Rodeos and Racetracks (Formerly §109)**

A. All interstate movements of livestock consigned to Louisiana fairs, livestock shows, breeders' association sales, rodeos and racetracks must meet federal interstate requirements and the requirements of §501.

B. All livestock to be admitted to fair grounds, livestock show grounds, breeders' association sale grounds, rodeos or racetracks must be accompanied by an official health certificate, issued by an accredited veterinarian, asserting that the animals are showing no evidence of infectious, contagious or parasitic disease and are apparently healthy and have met all the specific requirements of this regulation. However, horses not congregated overnight are exempt from being accompanied by a health certificate, but must meet the requirements as stipulated in equine requirements §523.

C. Upon inspection, all livestock revealing symptoms of infectious, contagious or parasitic diseases, including external parasites such as mange mites, lice, etc., shall (at the discretion of the board's representative) be either separated and held in isolation or removed from the fair ground, livestock show grounds, breeders' association sale grounds, rodeos or racetracks and returned to the owner's premises under quarantine.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:233 (March 1985) amended LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:944 (May 2014).

§§505-509. Reserved.

## Subchapter B. Specific Entry Requirements for Cattle, Bison, and other Bovines

### §511. Admission of Cattle into Louisiana (Formerly §301)

A. All cattle entering the state must meet the general requirements of §501 and the following specific requirements.

1. Tuberculosis Requirements. All cattle over one year of age must show a negative test for tuberculosis within 30 days prior to entry. The date and results of the test and the individual identification of each animal must be recorded on the health certificate. The following are exempt from this requirement:

a. cattle that originate from a tuberculosis free accredited herd; however, they must be individually identified and the accredited herd number furnished on the health certificate;

b. beef cattle that originate from a tuberculosis free state or from a herd, not under quarantine, in a modified accredited tuberculosis free state or area;

c. cattle consigned to a recognized slaughter establishment or to an approved livestock auction market to be sold directly for immediate slaughter only.

#### 2. *Brucellosis*

a. In addition to the above requirements, cattle entering Louisiana must meet the *Brucellosis* requirements found in part 78 of the *Code of Federal Regulations*.

b. No cattle from *Brucellosis* quarantined herds may move into Louisiana except those cattle moving to an approved livestock auction market or to an approved slaughter establishment and accompanied by the required federal form VS 1-27.

c. In addition to the requirements of §511.A.2.a, cattle must meet the following requirements.

i. Heifers between the ages of 4 and 12 months of age must be official *Brucellosis* calfhood vaccinates to be eligible to be brought into Louisiana. Exceptions to this Subparagraph are:

(a). heifers moving from a farm to an approved stock-yard or an approved slaughter establishment;

(b). individually identified heifers, less than 12 months of age, entering the state for exhibition purposes and returning to the state of origin.

ii. Effective January 1, 1989, all heifers and cows over 12 months of age, entering Louisiana, must be official *Brucellosis* vaccinates or originate from a herd that has had a complete negative herd test within the previous 12 months. A copy of the herd test record, which includes the animal(s) entering the state, must accompany the health certificate. Exceptions to this Subparagraph are:

(a). heifers and cows moving directly from a farm to an approved stockyard or an approved slaughter establishment;

(b). individually identified heifers and cows entering the state for exhibition purposes and returning to the state of origin;

(c). individually identified heifers and cows originating from a certified *Brucellosis* free herd, a *Brucellosis* class free state, or a *Brucellosis* class A state.

d. All intact male and female cattle over 12 months of age moving into the state of Louisiana from class B states must have a permit for entry prior to coming into Louisiana. These test eligible cattle must be quarantined and retested 45 to 120 days after movement into Louisiana. The following are exempt from this requirement:

i. individually identified, officially calfhood vaccinated females under 20 months of age for dairy breeds and under 24 months of age for beef breeds which are not preparturient (springers) or post-parturient, and the herd of origin is not known to be infected with *Brucellosis*;

ii. individually identified cattle originating from a certified *Brucellosis*-free herd or certified *Brucellosis*-free area, and moving directly to a Louisiana farm. The certified herd number must be recorded on the health certificate;

iii. cattle accompanied by a waybill to a recognized slaughter establishment for immediate slaughter only or to an approved livestock auction market for sale for immediate slaughter, for sale to a quarantined feedlot;

iv. steers and spayed heifers;

v. test-eligible cattle moving directly to a Louisiana auction market must have a permit for entry.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093 and R.S. 3:2221.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:236 (March 1985), amended LR 11:615 (June 1985), amended by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 13:555 (October 1987), LR 17:354 (April 1991), LR 18:835 (August 1992), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:944 (May 2014).

### §513. Admittance of Louisiana Cattle to Fairs, Livestock Shows, Breeders' Association Sales and Rodeos Held in Louisiana (Formerly §303)

A. All cattle consigned to fairgrounds, livestock show grounds, sale grounds, and rodeos must meet the general

requirements of §503 and the following specific requirements.

NOTE: The word "cattle" as used in this regulation refers to cattle for exhibition and/or sale and the nurse cows that may accompany them.

1. *Brucellosis*

a. No cattle from *Brucellosis* quarantined herds or *Brucellosis* quarantined areas are allowed to be exhibited in the state of Louisiana or consigned to breeders' association sales in Louisiana.

b. All heifers between four and 12 months of age, must be official *Brucellosis* calfhood vaccinates to be eligible to be shown in Louisiana.

c. All heifers and cows over 12 months of age must be official *Brucellosis* vaccinates or be from a herd that has had a complete negative herd test within the past 12 months and be tested negative to the *Brucellosis* card test within 30 days prior to admission to fairs, livestock shows, and breeders' association sales. A copy of the herd test record, which includes the animal(s) on the health certificate, must accompany the health certificate. Exceptions to this paragraph are:

i. individually identified, official *Brucellosis* calfhood vaccinates under 20 months of age for dairy breeds and under 24 months of age for beef breeds, which are not pre-parturient (springers) or post-parturient. The vaccination tattoo must be recorded on the health certificate;

ii. individually identified heifers and cows originating from a Louisiana farm, which have been tested within 60 days prior to admission to fairs and livestock shows and are official *Brucellosis* vaccinates or have been part of a complete negative herd test, conducted in the past 12 months. A copy of the herd test record, which includes the animal(s) on the health certificate, must accompany the health certificate;

iii. individually identified cattle, moving directly from a certified *Brucellosis* free herd. The certified herd number must be recorded on the health certificate;

iv. individually identified heifers and cows entering the state for exhibition purposes and returning to the state of origin.

d. Individually identified cattle originating in and moving directly from a certified herd. The certified herd number must be recorded on the health certificate.

e. All bulls, 12 months of age and over, must be tested negative to the *Brucellosis* card test, within 30 days prior to admission to all fairs, livestock shows, breeders' association sales, and rodeos. All bulls must be accompanied by a current health certificate.

2. Tuberculosis. All cattle must originate from herds not under quarantine for tuberculosis.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2221 and R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:236 (March 1985),

amended LR 11:615 (June 1985), amended by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 12:500 (August 1986), LR 13:556 (October 1987), LR 17:29 (January 1991), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:945 (May 2014).

§§515 -519. Reserved.

## Subchapter C. Specific Entry Requirements for Horses and other Equine

### §521. General Requirements Governing the Admission of Equine (Formerly §501)

A. All equine imported into the state shall meet the general requirements of §501 and the following specific requirements.

1. All equine moving into Louisiana for any purpose other than consignment to an approved Louisiana livestock auction market or an approved slaughter establishment for immediate slaughter shall be accompanied by a record of a negative official test for equine infectious anemia (EIA) conducted within the past 12 months. The official test shall be conducted by an approved laboratory. The name of the laboratory, the case number and the date of the official test shall appear on the health certificate as required in §523.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2053.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health Services, Livestock Sanitary Board, LR 11:242 (March 1985), amended LR 11:615 (June 1985), LR 14:222 (April 1988), LR 20:405 (April 1994), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:945 (May 2014), LR 43:1272 (July 2017).

### §523. Admission of Equine to Fairs, Livestock Shows, Breeders Association Sales, Rodeos and Racetracks (Formerly §503)

A. All equine moving into and within the state of Louisiana to fairs, livestock shows, breeder's association sales, rodeos, racetracks or any other concentration point, must meet general requirements of §503 and shall be accompanied by a record of a negative official test for equine infectious anemia (EIA), conducted within the past 12 months. The official test shall be conducted at an approved laboratory and the name of the laboratory, the case number, and the date of the official test shall appear on the record.

B. Representatives of the Board of Animal Health may inspect equine at the shows periodically, and any equine showing evidence of a contagious or infectious disease shall be isolated and/or removed from the show.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Office of Animal Health Services, Livestock Sanitary Board, LR 11:242 (March 1985), amended LR 11:615 (June 1985),

amended by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 14:222 (April 1988), LR 20:405 (April 1994), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:946 (May 2014), LR 43:1272 (July 2017).

**§525. Movement of Equine in Louisiana by Livestock Dealers (Formerly §505)**

A. All equine which are sold or offered for sale by livestock dealers, must meet the general requirements of §305 and the following specific requirements.

1. All equine sold or offered for sale by permitted Louisiana livestock dealers must be accompanied by an official record of a negative official test for equine infectious anemia, conducted at an approved laboratory, within the past 12 months. The record shall include the name of the laboratory, the case number and the date of the official test.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:502.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Office of Animal Health Services, Livestock Sanitary Board, LR 11:243 (March 1985), amended LR 11:615 (June 1985), amended by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 14:223 (April 1988), LR 20:406 (April 1994), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:946 (May 2014), LR 43:1272 (July 2017).

**§§527-529. Reserved.**

## **Subchapter D. Specific Entry Requirements for Poultry and Other Birds**

**§531. Health Requirement Governing Admission of Poultry (Formerly §701)**

A. All poultry entering the state must meet the general requirements of §501 and the following specific requirements.

1. All out of state poultry or poultry eggs for hatching, shall not be imported into Louisiana unless they originate from pullorum/typhoid negative tested flocks under the supervision of the national poultry improvement plan (NPIP) or in flocks that have passed a negative blood test for pullorum/typhoid disease, under the supervision of the proper official state agency, within 30 days prior to entry.

2. All out of state poultry consigned to a recognized slaughter establishment may enter the state on a waybill, which must include the name and address of the consignor (seller), the number of birds, and the name and address of the slaughter establishment. If, in the opinion of an authorized agent of the Board of Animal Health, poultry consigned to a recognized slaughter establishment is of questionable health, the entire shipment will be quarantined immediately, and consigned to a poultry establishment maintaining federal inspection for wholesomeness, or be returned to the state of origin.

3. The state veterinarian may prohibit the entry of birds, eggs, or poultry by-products into Louisiana from any state which has an area under quarantine due to a contagious and/or infectious disease which, in his/her opinion, may seriously threaten the health of Louisiana poultry.

4. All pet stores or vendors selling psittacines must report any increased mortalities to the office of the state veterinarian to determine if birds/samples should be examined for evidence of chlamydiosis.

5. Birds determined to be infected with, or exposed to, exotic new-castle disease, shall be destroyed without compensation to the owner.

6. All poultry brought into Louisiana shall be accompanied by a VS Form 9-2 or 9-3, indicating the flock of origin is under the national poultry improvement plan and is free of *Salmonella pullorum* (pullorum) and *Salmonella gallinarum* (typhoid) or a certificate of veterinary inspection (CVI) that reports those negative results. If the flock of origin is not under the national poultry improvement plan, the birds must be accompanied by a test report (9-2) from an approved laboratory or official state agent, or CVI indicating the birds were tested negative for *Salmonella pullorum/typhoid* within 30 days prior to entry into Louisiana. See §533 for show, fair, trade days, and swap meet requirements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:244 (March 1985), amended LR 11:615 (June 1985), LR 14:224 (April 1988), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:946 (May 2014), amended LR 43:1277 (July 2017).

**§533. Admittance of Poultry to Fairs, Livestock and Poultry Shows, Trade Days and Swap Meets (Formerly §703)**

A. All poultry of Louisiana origin going to Louisiana fairs, livestock and poultry shows, trade meets, and swap meets shall be accompanied by a Form VS 9-2 or CVI, indicating the flock of origin is a participant under the NPIP and has tested free of *Salmonella pullorum* (pullorum) and *Salmonella gallinarum* (typhoid). If the flock of origin is not a participant under the NPIP, the birds of breeding age must be accompanied by a Form VS 9-2 or CVI indicating the birds were tested negative for pullorum/typhoid (P/T) within 60 days prior to admittance to in-state fairs, livestock and poultry shows, trade days, or swap meets. These birds must have leg or wing band identification or a group/lot identification number recorded on a CVI.

B. All poultry from states other than Louisiana, going to Louisiana fairs, livestock and poultry shows, trade meets, and swap meets shall be accompanied by a Form VS 9-2, 9-3, or CVI indicating the flock of origin is a participant under the NPIP and has tested free of *Salmonella pullorum* (pullorum) and *Salmonella gallinarum* (typhoid). If the flock of origin is not a participant under the NPIP, the birds of breeding age must be accompanied by a Form VS 9-2, 9-3,

or CVI indicating the birds were tested negative for pullorum/typhoid (P/T) within 30 days prior to admittance to Louisiana fairs, livestock and poultry shows, trade days, or swap meets. These birds must have leg or wing band identification or a group/lot identification number recorded on a CVI.

C. All sanctioned American Poultry Association and American Bantam Association shows held in Louisiana may provide a licensed, accredited private veterinarian to inspect birds at coop-in at these shows, at the expense of the sponsoring club, in lieu of a CVI. They must show proof of test negative status for P/T as stated in Subsection A of this Section. Any bird showing signs of illness will be quarantined or barred from entry if suspected to have a contagious disease (at the sole discretion of the veterinarian). No bird without proof of negative P/T status will be allowed to show. The event sponsor should call the state veterinarian office at (225) 925-3980 to ensure there are no travel restrictions for entry into Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 12:503 (August 1986), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:947 (May 2014), amended LR 43:1278 (July 2017).

§§535-539. Reserved.

## Subchapter E. Specific Entry Requirements for Swine

### §541. Health Requirements Governing Admission of Livestock (Formerly §901)

#### A. General Swine Requirements

1. All swine imported into Louisiana must meet the general requirements of §501 and the specific requirements of this Section.

2. No swine originating from an out-of-state livestock auction market, feeder pig sale or concentration point are eligible to move to a Louisiana livestock auction market, feeder pig sale or concentration point.

3. All swine consigned to Louisiana for feeding or breeding purposes or for exhibition must be permanently identified to the herd of origin by ear tag or tattoo (unless prohibited by federal regulation). Ear notch identification will be accepted in lieu of tag or tattoo on registered, purebred animals.

4. Feeding and/or breeding swine moving into Louisiana from an out-of-state specifically approved livestock auction market, feeder pig sale or concentration point, shall move to a Louisiana farm.

5. All eligible swine moving into Louisiana for slaughter purposes must be consigned to a specifically approved slaughter establishment maintaining state or federal meat inspection or livestock auction market

specifically approved to handle slaughter hogs from out-of-state.

B. *Brucellosis*. In addition to the general requirements of §121 and the swine requirements of this Section, all swine for breeding purposes must show an official, negative test for *Brucellosis* in the 1:25 dilution or a negative swine *Brucellosis* card test within 30 days prior to date of shipment. Each animal must be individually identified to herd of origin by ear tag or tattoo unless prohibited by federal regulations (ear notch identification will be accepted in lieu of tag or tattoo on registered, purebred animals), and this identification must be recorded on the health certificate. An exception to this Section are swine from a validated *Brucellosis* free herd. The validated herd number and individual identification of each animal must appear on the health certificate.

#### C. Pseudorabies Requirements

1. All swine moving into Louisiana must originate from herds not known to be infected with pseudorabies. A permit is required for all swine entering the state for breeding or feeding purposes. The permit number is valid for 15 days and must be recorded on the health certificate. All breeding swine, entering the state on a permit, will be quarantined at destination, to be retested in 30 to 60 days at the owner's expense.

2. Swine moving into Louisiana for breeding or exhibition must:

a. originate from herds not known to be infected with pseudorabies, and are negative to an official test for pseudorabies within 30 days of movement; or

b. originate from a qualified pseudorabies herd. The qualified herd number must be recorded on the health certificate; or

c. be shipped directly from the farm of origin in a State IV or Free State.

3. Swine moving into Louisiana for feeding purposes, must meet one or more of the following requirements:

a. pass a negative official pseudorabies serologic test within 30 days prior to interstate shipment; or

b. originate in a pseudorabies qualified negative herd; or

c. originate in a pseudorabies monitored feeder pig herd; or

d. be shipped directly from the farm of origin in a state III, IV, or free state; or

e. be sold at an approved all class market or approved slaughter market and imported for feeding in a quarantined feedlot; or

f. be sold at an approved feeder pig market and imported for feeding without restrictions.

4. Slaughter hogs moving into Louisiana, in addition to a waybill, must move:

- a. directly to a recognized slaughter establishment;  
or
- b. directly to an approved slaughter market or approved all class market, and then directly to another approved slaughter market, or to a recognized slaughter establishment or quarantined feedlot; or
- c. directly to an approved slaughter market and then to a quarantined feedlot.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:2093.

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 11:244 (March 1985), amended LR 11:615 (June 1985), LR 16:391 (May 1990), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:947 (May 2014).

**§543. Admittance of Livestock to Fairs, Livestock Shows, Breeders' Association Sales (Formerly §903)**

A. All swine consigned to fairs, livestock shows and/or breeders' association sales must meet state and federal interstate requirements if they move in interstate commerce. Louisiana swine must meet the general requirements of §503 and the specific requirements outlined in this Section.

B. All swine consigned for exhibition or sale must be permanently identified as to the herd of origin by official ear tag or tattoo, (ear notch identification will be accepted in lieu of ear tag or tattoo on registered, purebred animals), and this identification must be shown on the health certificate which accompanies the animals.

C. Swine *Brucellosis*. All breedings age swine moving within the state to fairs, livestock shows, or breeders' association sales must show an official negative card test for *Brucellosis* within 60 days prior to arrival at the fairgrounds or livestock show grounds, and within 30 days prior to arrival at breeders' association sale grounds. Swine moving to shows within the state that were purchased from validated or monitored herds are exempt from this testing requirement. Proof of purchase and validated/monitored herd numbers of the swine herd will be required.

D. Pseudorabies Requirements. All swine moving within the state to fairs, livestock shows, or breeders' association sales must show an official test for pseudorabies within 60 days prior to arrival at the fairgrounds or livestock show grounds, and within 30 days prior to arrival at breeder's association sale grounds. Swine moving to shows within the state they were purchased from qualified or monitored herds are exempt from this testing requirement. Proof or purchase and qualified/monitored herd numbers of the swine herd will be required.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:2093.

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 11:245 (March 1985), amended LR 11:615 (June 1985), LR 16:392 (May 1990), LR 20:1258 (November 1994), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health

and Food Safety and the Board of Animal Health, LR 40:947 (May 2014).

**§§545-549. Reserved.**

## Subchapter F. Specific Entry Requirements for Sheep and Goats

**§551. Health Requirements Governing Admission of Livestock (Formerly §1101)**

A. All sheep entering the state must meet the general requirements of §501. In addition, all sheep entering Louisiana from a state in which scabies is known to exist must be dipped within 15 days prior to shipment in a dip preparation approved for this purpose by the United States Department of Agriculture. The date and name of the dip must be recorded on the health certificate covering this movement.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:2093.

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:247 (March 1985), amended LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:948 (May 2014).

**§553. Admission of Livestock to Fairs, Livestock Shows, Breeders' Association Sales and Rodeos (Formerly §1103)**

A. All sheep consigned to fairgrounds, livestock showgrounds, sale grounds and rodeos must meet the general requirements of §503. In addition, all sheep to be admitted to fairgrounds, livestock show grounds, salegrounds or rodeos must be accompanied by an official health certificate, issued by an accredited veterinarian, stating the animals are healthy and free from infectious, contagious or parasitic disease.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:2093.

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:247 (March 1985), amended LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:948 (May 2014).

**§555. Health Requirements Governing Admission of Livestock (Formerly §1301)**

A. All goats imported into the state must meet the general requirements of §501. In addition, dairy goats must meet the *Brucellosis* and tuberculosis requirements stipulated for cattle.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:2093.

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:247 (March 1985), amended LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:948 (May 2014).



§§557-559. Reserved.

### **Subchapter G. Specific Entry Requirements for White-Tailed Deer and Captive Cervids. Reserved.**

§§561-569. Reserved.

### **Subchapter H. Specific Entry Requirements for Dogs and Cats**

#### **§571. Health Requirements Governing Admission (Formerly §1901)**

A. All dogs and cats imported into Louisiana for any purpose must meet the general requirements of §501 and must be accompanied by an official health certificate, issued by an accredited veterinarian, showing they have been immunized against rabies within 12 months prior to entry. Exceptions to this Section are dogs and cats which are 3 months of age or younger are exempt from the rabies vaccination requirement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:247 (March 1985), amended LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:948 (May 2014).

§§573-579. Reserved.

### **Subchapter I. Specific Entry Requirements for Wild Animals**

#### **§581. Health Requirements Governing Admission (Formerly §2101)**

A. Wild or semi-wild animals, under domestication or in custody, may be imported into the state of Louisiana provided that these animals meet the general requirements of §501 and a report of the number of animals to be imported are made to state veterinarian of Louisiana within 10 days of the date of shipment and immediate opportunity for examination is afforded a representative of the Livestock Sanitary Board to determine the health status of such animals.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:247 (March 1985), amended LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:948 (May 2014).

## **Chapter 7. Cattle, Bison, and other Bovines (Formerly Chapter 3)**

### **Subchapter A. General Provisions**

§§701-703. Reserved.

#### **§705. Quarantined Cattle Feedlots (Formerly §325)**

A. Permit Required. No person may operate a quarantined cattle feedlot without first obtaining a permit from the Livestock Sanitary Board. Any person operating a cattle feedlot without a valid permit will be in violation of this regulation and subject to prosecution.

##### **B. Conditions for Issuing a Quarantined Feedlot Permit**

1. The operation must not constitute a health hazard to livestock on surrounding premises, or create a public nuisance.

2. The operator must agree to abide by the provisions of this regulation and all other regulations of the Livestock Sanitary Board and United States Department of Agriculture governing such operations and movements.

##### **C. Requirements for Operation of Quarantined Feedlots**

1. All cattle must be maintained separately and apart from all other cattle. There can be no fence line contact with cattle not in the quarantined feedlot. An exception to this regulation are steers and spayed heifers.

2. Complete records must be maintained on all transactions showing dates, identification, origin and disposition of each animal. These records shall be made available to state-federal personnel upon receipt.

3. All male and female cattle except steers and spayed heifers must be "S" branded prior to or on arrival at the feedlot.

4. Necessary facilities and personnel shall be provided to enable state-federal personnel to "S" brand cattle and to determine the identification of animals that are being permitted to a slaughter establishment, quarantined feedlot, or to a stockyard to be sold for slaughter or to another quarantined feedlot.

5. All cattle movements from a quarantined feedlot must be on a Form VS 1-27 or similar document issued by state-federal personnel and shall be consigned directly to a slaughtering establishment operating under approved state or federal meat inspection, to a quarantined feedlot, to a stockyard to be sold to a slaughter establishment or to a quarantined feedlot.

6. All tuberculosis exposed animals shall be fed and maintained as a group and shall not be allowed to mix with other animals in the feedlot.

7. Feeder calves under 12 months of age from tuberculosis quarantined herds will be required to be

negative to a tuberculin test within 60 days prior to shipment to the feedlot.

8. Animals will be permitted to Louisiana livestock auction markets for sale for slaughter or to a quarantined feedlot provided no tuberculosis exposed animals are received or fed on feedlot premises.

D. Cancellation of Quarantined Feedlot Permit. A quarantined feedlot permit may be canceled upon written notice that the operation does not meet the requirements of this regulation, or has violated one or more provisions of this regulation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:241 (March 1985), amended LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:949 (May 2014).

§§707-709. Reserved.

## Subchapter B. *Brucellosis* Regulations

### §711. Livestock Auction Market Requirements (Formerly §307)

A. All cattle which are sold or offered for sale in livestock auction markets must meet the general requirements of §111 and the following specific requirements.

#### 1. *Brucellosis*

a. Cattle from quarantined herds or from non-qualified herds from quarantined areas are not eligible for sale in the state of Louisiana except as provided in §727, which governs *Brucellosis* quarantined herds.

b.i. All cattle that are offered for sale through Louisiana livestock auction markets, which are *Brucellosis* test eligible, must be identified by an official back tag; those animals two years of age or older, shall have this official back tag placed immediately behind the shoulder of the animal. The market shall furnish the Livestock Sanitary Board's official representative a copy of each check-in slip, showing the name of the auction market, the date, the name and complete address of each consignor, and the official back tag numbers applied to the consignor's livestock. The check-in slip shall be made available to the Livestock Sanitary Board's official representative, before the animals can be tested for *Brucellosis*.

ii. It shall be a violation of this regulation for anyone to consign livestock to a Louisiana livestock auction market and give a name and address that are not the name and address of the owner consigning the livestock to the auction market.

c. All cattle over 12 months of age are subject to the following provisions regarding testing for brucellosis.

i. Cattle that are required to be tested for brucellosis prior to sale are those which:

(a). are eligible to be returned to a farm after sale;

(b). originate from a state declared brucellosis free less for than 5 years prior to the sale date; and

(c). are tested for brucellosis are to be identified by an official metal ear tag and official back tag.

ii. Cattle that are not required to be tested for brucellosis are those that are:

(a). steers and spayed heifers;

(b). "S" branded and listed on a permit prior to shipment from a quarantine feedlot to an auction barn;

(c). individually identified cattle which are less than 24 months of age for beef breeds and less than 20 months of age for dairy breeds, that have received an official brucellosis calthood vaccination and which are not preparturient or post-parturient;

(d). individually identified cattle originating in and moving directly from a certified brucellosis free herd and accompanied by a copy of the last herd test record which includes the animal or animals being offered for sale;

(e). consigned to slaughter. These cattle are to be identified by an official back tag.

d. All heifer calves, between 4 and 12 months of age not vaccinated for *Brucellosis* must be vaccinated with USDA approved *Brucellosis* vaccine prior to being sold. Failure to accomplish this vaccination shall be a violation of this regulation and violators shall be subject to penalties which may be imposed by the Louisiana Livestock Sanitary Board as granted in R.S. 3:2093.

i. All nonvaccinated heifer calves, between 4 and 12 months of age, must be vaccinated with USDA approved *Brucellosis* vaccine prior to being sold or at the first point of sale, but in no case shall any heifer calf 4 to 12 months of age remain unvaccinated for *Brucellosis* more than 15 days after the date of sale. Exceptions to this Clause are heifer calves 4 to 12 months of age which are transported out of the state within 15 days of the date of their sale.

e. Disposition of Animals Tested at an Auction Market

i. Reactor animals vaccinated or non-vaccinated, disclosed must be branded with a 3-inch hot brand on the left jaw, tagged and removed to slaughter with a properly executed VS Form 1-27.

ii. Suspect animals, adult vaccinated or calthood vaccinated animals, which are card test positive and either rivanol test negative or have a CITE test reaction, which is in the suspect range established by a designated epidemiologist, can be "S" branded and sold for slaughter or, at the choice of the owner, returned to the farm of origin under quarantine for retest in no less than 30 days. Additional animals in the same consignment with the

vaccinated suspect(s), which are negative on the *Brucellosis* test, may move without restriction, provided they are in compliance with other appropriate regulations.

iii. All exposed animals in a consignment must be "S" branded for removal to slaughter or, at the choice of the owner, can be returned to the farm of origin under quarantine.

f. Cattle originating from *Brucellosis* quarantined herds shall be identified by ear tag and branded with a 3-inch hot "S" brand on the left jaw and accompanied by a properly executed VS Form 1-27. The branding and the issuance of VS Form 1-27 will be completed on the farm of origin prior to movement. The VS Form 1-27 will be delivered to authorized representatives at the livestock auction market. In cases where it is impractical to have the exposed cattle branded on the farm of origin, the state Veterinarian can authorize the movement of the cattle to the livestock auction market and the branding will be accomplished at this point.

i. Cattle from *Brucellosis* quarantined areas may be moved to Louisiana livestock auction markets on a permit. These animals will be "S" branded after arrival at the Louisiana livestock auction market.

ii. Cattle from quarantined areas and from *Brucellosis* quarantined herds must be sold to approved slaughtering establishments or to approved quarantined feedlots. Exceptions to §307.A.1.f.ii are:

(a). steers and spayed heifers;

(b). heifer calves eight months of age or less, from *Brucellosis* quarantined beef herds and heifer calves 6 months of age or less, from *Brucellosis* quarantined dairy herds, provided the herd is participating in an approved herd plan to eliminate *Brucellosis* from the herd;

(c). bull calves under 6 months of age, that are nursed by *Brucellosis* reactor or exposed cows, may move from the quarantined premises under permit, provided they have been weaned for not less than 30 days immediately preceding movement;

(d). exceptions Clauses ii and iii above will be deleted when part 78 of the *Code of Federal Regulations* is amended to restrict the movement of all sexually intact heifer calves from *Brucellosis* quarantined herds.

g. When *Brucellosis* reactors are found in a consignment, all remaining negative cattle in the consignment are considered exposed and shall be handled by one of the following ways.

i. The exposed cattle shall be identified by a 3-inch, hot brand on the left jaw with the letter "S" and sold directly to a recognized slaughter establishment for immediate slaughter or to a state-federal approved quarantined feedlot and shall be accompanied by a VS Form 1-27.

ii. The exposed cattle may be identified by a yellow paint mark on the left ear and returned to the original owner's premises under quarantine. All such movements will

be accompanied by a quarantine notice listing the ear tag and auction tag identification numbers of the animals moving to Louisiana farms.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093, R.S. 3:2221, and R.S. 3:2228.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:237 (March 1985), amended LR 11:615 (June 1985), LR 12:501 (August 1986), LR 12:598 (September 1986), LR 13:556 (October 1987), LR 14:220 (April 1988), LR 14:695 (October 1988), LR 15:810 (October 1989), LR 17:31 (January 1991), LR 18:837 (August 1992), LR 22:960 (October 1996), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 24:1677 (September 1998), LR 25:1083 (June 1999), LR 27:182 (February 2001), amended by the Department of Agriculture and Forestry, Board of Animal Health, LR 34:2337 (November 2008), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:949 (May 2014).

**§713. Governing the Sale of Cattle in Louisiana by Livestock Dealers (Formerly §309)**

A. All cattle which are sold or offered for sale by livestock dealers must meet the general requirements of §305 and the following specific requirements.

1. *Brucellosis*

a. No cattle may be sold or purchased from *Brucellosis* quarantined herds, except as provided for in §729.

b.i. All cattle 12 months of age are to be *Brucellosis* test negative 30 days prior to sale. Exceptions are:

(a). steers and spayed heifers;

(b). individually identified official *Brucellosis* calfhood vaccinated heifers under 20 months of age for dairy breeds and under 24 months of age for beef breeds, which are not parturient or post-parturient, that originate in and move directly from, a herd known not to be infected. The vaccination tattoo must be recorded on the health certificate;

(c). individually identified cattle originating in and moving directly from a *Brucellosis* certified free herd. The certified herd number must be recorded on the health certificate;

(d). bulls less than 18 months of age.

(e). those consigned to slaughter. An official back tag shall be applied prior to sale.

ii. In instances where *Brucellosis* reactors are found, the reactor animals must be branded with a 3-inch hot brand on the left jaw with the letter "B" and a *Brucellosis* reactor tag must be placed in the left ear. The branding of reactors and placement of reactor tags must be accomplished immediately after the animals are found to be *Brucellosis* reactors. All other cattle that have been commingled with the reactor animals for more than 24 hours are considered exposed and must be branded on the left jaw or high on the tail head by a 3-inch hot brand with the letter "S." The

reactor and exposed cattle shall be separated from all other cattle immediately and placed in quarantine pens, identified as such by conspicuously placed signs. The movement of such cattle shall be restricted to:

(a). the reactor cattle must be sold directly to an approved slaughter establishment or to an approved livestock auction market for sale to an approved slaughter establishment. These animals must be accompanied by a VS Form 1-27;

(b). the exposed cattle may be moved to an approved slaughter establishment or to a state-federal approved quarantine feedlot, or to an approved livestock auction market to be sold to an approved slaughter establishment or to an approved quarantine feedlot. These animals must move on a VS Form 1-27. The exceptions to these restrictions are steers and spayed heifers.

c.i. All heifer calves between 4 and 12 months of age must be vaccinated with USDA approved *Brucellosis* vaccine prior to being sold or at the first point of sale but in no case shall any heifer calf 4 to 12 months of age remain unvaccinated for *Brucellosis* more than 15 days after the date of sale. Exceptions to this paragraph are heifer calves 4 to 12 months of age which are transported out of the state within 15 days of the date of their sale.

ii. Until Louisiana is officially classified as *Brucellosis* class A in the *Code of Federal Regulations* by the USDA Animal and Plant Health Inspection Service, Veterinary Services, all heifers and cows over 12 months of age, must be official *Brucellosis* vaccinates, (calfhood or adult), or be from a producer's herd, (not a herd owned by the dealer), that has had a complete negative *Brucellosis* herd test conducted in the past 12 months, be negative to a *Brucellosis* test within 30 days prior to, or at the time of purchase by the dealer and the animals do not come in contact with animals other than those from the herd of origin. The dealer must keep a copy of the complete negative *Brucellosis* herd test with his records, to show that the animals have met the above requirements.

iii. All livestock dealers must do the following with all of their cattle herds in order for them to be in compliance with this regulation and before they can sell any heifers and cows over 12 months of age from cattle herds owned by them.

(a). All livestock dealers must identify and record with the Livestock Sanitary Board all of their cattle herds.

(b). All livestock dealers must test all of their cattle herds annually.

(c). All permitted livestock dealers must maintain records and appropriate documents to show that purchased heifers and cows added to their herds met the *Brucellosis* testing requirements in effect at the time of purchase.

d. Cattle over 6 months of age originating in *Brucellosis* quarantined areas must originate from a qualified

herd (known not to be infected), and must be *Brucellosis* test negative not less than 30 days from the date of herd qualification and within 30 days of the date of sale. The date and results of the test and individual identification of each animal must be recorded on the official health certificate.

e. All cattle over 12 months of age must be *Brucellosis* test negative within 30 days prior to purchase from herds not under quarantine for *Brucellosis*. The official test chart, health certificate, or a certificate of veterinary inspection, or an individual *Brucellosis* test record, must be kept for a period of 24 months following the purchase of any *Brucellosis* tested cattle. Exceptions to this Paragraph are:

i. steers and spayed heifers;

ii. individually identified official *Brucellosis* calfhood vaccinated heifers under 20 months of age for dairy breeds and under 24 months of age for beef breeds;

iii. individually identified cattle originating in and moving directly from a certified *Brucellosis* free herd;

iv. test eligible cattle may be moved from a producer's premises to a dealer's premises en route to an approved stockyard or approved slaughter establishment without being tested for *Brucellosis*, provided the test is completed within 72 hours of movement from the producer's premises and records are maintained to identify the animals and identify the herd of origin. Contact with other cattle is not permitted.

v. those consigned to slaughter. An official back tag shall be applied prior to sale.

2. Tuberculosis. No cattle shall be purchased from tuberculosis quarantined herds unless moving directly to slaughter and must be "S" branded and accompanied by a VS Form 1-27.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:562, R.S. 3:2221 and R.S. 3:2228.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 11:237 (March 1985), amended LR 11:615 (June 1985), LR 12:502 (August 1986), LR 13:558 (October 1987), LR 14:221 (April 1988), LR 17:31 (January 1991), LR 18:838 (August 1992), LR 22:960 (October 1996), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 24:1678 (September 1998), LR 25:1083 (June 1999), LR 27:182 (February 2001), amended by the Department of Agriculture and Forestry, Board of Animal Health, LR 34:2337 (November 2008), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:950 (May 2014).

**§715. Governing the Sale of Purchases, within Louisiana, of all Livestock not Governed by Other Regulations (*Brucellosis* Requirements) (Formerly §311)**

A. It is a violation of this regulation to sell or purchase cattle, not governed by other regulations of the Livestock Sanitary Board, in Louisiana, for any purpose other than immediate slaughter, unless they meet one of the following requirements.

1.a. Heifers 4 to 12 months of age, are to be official *Brucellosis* calfhood vaccinates prior to being sold or be vaccinated at the first point of sale but in no case shall any heifer 4 to 12 months of age remain unvaccinated for *Brucellosis* more than 15 days after the date of sale. Exceptions to this paragraph are:

- i. heifers sold to move directly to slaughter;
- ii. heifers sold to be moved directly to a quarantine feed lot;
- iii. heifers which are transported out of Louisiana within 15 days of the date of their sale.

b. Any person found in violation of Subparagraph 1.a of this regulation shall be fined no less than \$1,000 or more than \$5,000 for each count. Each nonvaccinated heifer shall be considered a separate violation and each day on which the violation occurs shall be considered a separate count.

c. Any person who has knowledge of and does not report to the LDAF any violation of Subparagraph 1.a of this regulation shall be considered in violation of this regulation and subject to the same penalties as stated in Subparagraph 1.b of this regulation.

2. Effective while Louisiana is officially classified as *Brucellosis* class B in the *Code of Federal Regulations* by the USDA Animal and Plant Health Inspection Service, Veterinary Services, all heifers and cows over 12 months of age must originate from a herd not quarantined for *Brucellosis* and must be official *Brucellosis* vaccinates (calfhood or adult) or part of a herd that has had a complete negative *Brucellosis* test, conducted within the previous 12 months and be tested negative for *Brucellosis* 30 days prior to, or at the time of, being sold or purchased. Exceptions to this Paragraph are:

a. individually identified official *Brucellosis* calfhood vaccinated heifers, under 20 months of age for dairy breeds and under 24 months of age for beef breeds, that are not preparturient (springers) or post-parturient;

b. individually identified heifers and cows, originating in and moving directly from a certified *Brucellosis* free herd.

3. Effective after Louisiana is officially classified as *Brucellosis* class A in the *Code of Federal Regulations* by the USDA Animal and Plant Health Inspection Service, Veterinary Services, all heifers and cows over 12 months of age must originate from a herd not quarantined for *Brucellosis* and be tested negative for *Brucellosis* 30 days prior to, or at the time of being sold or purchased. Exceptions to this Paragraph are:

a. individually identified official *Brucellosis* calfhood vaccinated heifers, under 20 months of age for dairy breeds and under 24 months of age for beef breeds, that are not preparturient (springers) or post-parturient;

b. individually identified heifers and cows, originating in and moving directly from a certified *Brucellosis* free herd.

4. Bulls over 12 months of age must be *Brucellosis* test negative 30 days prior to, or at the time of sale or purchase. Exception to this Subsection is individually identified bulls originating in and moving directly from a certified *Brucellosis* free herd.

5. Steers and spayed heifers may move unrestricted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093, R.S. 2221 and R.S. 3:2228.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:238 (March 1985), amended LR 11:615 (June 1985), 12:502 (August 1986), LR 13:559 (October 1987), LR 17:29 (January 1991), LR 18:837 (August 1992), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 24:1678 (September 1998), LR 25:1083 (June 1999), LR 27:182 (February 2001), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:951 (May 2014).

**§717. Testing of Cattle for *Brucellosis* (Formerly §313)**

A. The testing of any cattle for *Brucellosis* shall be done by:

1. a USDA accredited veterinarian;
2. an employee of the Department of Agriculture and Forestry, Livestock Sanitary Board; or
3. an employee of the USDA, Animal and Plant Health Inspection Service, Veterinary Services.

B. All cattle tested for *Brucellosis* shall be individually identified by an official USDA ear tag, individual brand, or individual tattoo. The identification shall be recorded on the official *Brucellosis* test chart (Form VS 4-33).

C. All blood samples drawn for *Brucellosis* testing shall be submitted to the state/federal laboratory. Each sample shall be identified and the identity recorded on the official *Brucellosis* test chart. The test chart shall accompany the blood sample(s) to the state/federal laboratory.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2221 and R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 18:836 (August 1992), repromulgated LR 18:1115 (October 1992), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:951 (May 2014).

**§719. Sale and Use of *Brucella abortus* Antigen (Formerly §315)**

A. The sale of *Brucella* antigen, manufactured for the purpose of detecting *Brucellosis* in food producing animals, shall be restricted, in Louisiana, to either the Department of Agriculture and Forestry, Livestock Sanitary Board or the USDA Animal and Plant Health Inspection Service, Veterinary Services.

B.1. The use of *Brucella* antigen manufactured for the purpose of detecting *Brucellosis* in food producing animals is restricted, in Louisiana, to authorized accredited veterinarians; authorized employees of the Department of Agriculture and Forestry, Livestock Sanitary Board; authorized employees of the USDA, Animal and Plant Health Inspection Service, Veterinary Services, and research projects approved by the state veterinarian.

2. It is a violation of the regulation for anyone other than authorized individuals to use and/or possess *Brucella* antigen. Accredited veterinarians; employees of the Department of Agriculture and Forestry, Livestock Sanitary Board; and employees of USDA Animal and Plant Health Inspection Service, Veterinary Services, are considered authorized to use *Brucella abortus* antigen to conduct a *Brucellosis* test only when proper documentation of the test (VS Form 4-33) and all blood samples are submitted to the state/federal laboratory.

3. Use and/or possession of *Brucella* antigen shall include any person that is present at the time an unauthorized test for *Brucellosis* is conducted.

C.1. All cattle tested for *Brucellosis* shall be individually identified by official ear tag, individual brand number or individual tattoo (identification such as chain numbers is not acceptable).

2. The individual identification shall be recorded on the official test chart (Form VS 4-33) and be submitted to the state/federal laboratory with the blood samples taken from each of the individually identified animal(s).

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:239 (March 1985), amended LR 11:615 (June 1985), amended by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 13:559 (October 1987), LR 18:838 (August 1992), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:951 (May 2014).

**§721. Identification and Movement of Cattle Reacting to the *Brucellosis* Test (Formerly §317)**

A. All cattle showing a positive reaction to the *Brucellosis* test shall be immediately branded on the left jaw with a hot B brand no less than 3 inches in height. In addition, a reactor tag shall be placed in the left ear. (Reactors should be slaughtered as soon as possible; however, slaughter may be delayed for 45 days after the date of test provided the animals have been identified and branded and separated from the remainder of the herd. A 45-day delay in slaughter of *Brucellosis* reactors nullifies owner's eligibility for federal indemnity which requires slaughter within 15 days from the date the animal is tagged and branded as a reactive.)

B. All *Brucellosis* reactors moving from the quarantined premises must be accompanied by Form VS 1-27. These movements shall be limited to slaughter establishments

specifically approved to handle *Brucellosis* reactors or to approved livestock auction markets to be offered for sale specifically approved slaughter establishments only.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093, R.S. 3:2226 and R.S. 3:2227.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:239 (March 1985), amended LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:952 (May 2014).

**§723. Sale and Use of *Brucella abortus* Vaccine (Formerly §319)**

A. The sale and use of *Brucella abortus* vaccine shall be restricted to Louisiana accredited veterinarians and to Livestock Sanitary Board approved non-veterinary personnel who administer the vaccine under the supervision of state-federal veterinarians.

B. Biological supply houses and their distributors are hereby required to send to the Livestock Sanitary Board a copy of the invoices on all shipments of *Brucella abortus* vaccine into and within, the state of Louisiana.

C. Veterinarians, drug stores, biological houses, and all other wholesale and retail distributors of *Brucella abortus* vaccine, who sell *Brucella abortus* vaccine to persons other than Louisiana accredited veterinarians, shall be prosecuted as prescribed by state law.

D. *Brucella abortus* vaccine will be administered in accordance with the method approved by the United States Department of Agriculture.

E. All heifer calves between 4 and 12 months of age must be official *Brucellosis* calfhood vaccinated, prior to being sold.

**F. Adult Vaccination of Cattle**

1. Adult vaccination of female cattle 12 months old or older, for *Brucellosis*, may be performed on an individual herd plan by state or federal veterinarians, provided the owner signs the official agreement to comply with the following provisions:

a. test of entire herd and removal of *Brucellosis* reactors with *Brucellosis* vaccination completed within 10 days following herd test and removal of *Brucellosis* reactors;

b. all animals vaccinated as adults will be identified with an official AV tattoo in the right ear, preceded by the quarter of the year and followed by the last digit of the year, as well as the official metal ear tag (or individual animal registration tattoo or individual animal registration brand) and plastic bangle tag, which are to be correlated on test records with the official ear tag;

c. animals so vaccinated will be quarantined and tested on the schedule established in the herd plan. The quarantine will be released when the herd has a negative test, at least 180 days after the last reactor is removed from the herd. Exceptions to this regulation are steers and spayed heifers over 6 months of age.

2. Guidelines to conduct a referendum which would make *Brucellosis* testing and *Brucellosis* vaccination of all adult cows mandatory on a parish-wide basis.

a. The referendum shall be conducted by the Livestock Sanitary Board, in conjunction with the cattle producers' organizations. The referendum will be held within 90 days after issuance of the call for the referendum. All producers of cattle in the affected area shall be eligible to participate in the referendum.

b. The referendum would give all producers of cattle in the parish an opportunity to vote for or against the referendum, which would require all cattle to be tested for *Brucellosis* and any herd which has one or more reactors, on more than one herd test, would have to be adult vaccinated for *Brucellosis* and tested according to the herd plan and adult vaccination agreement. In the absence of a herd plan, the herd would have to be tested at intervals of 180 days or less.

c. If a majority of the eligible cattle producers vote in favor of the referendum, all producers of cattle in the area shall be required to test all their cattle and adult vaccinate any infected herds as described in §723.F.1.

d. The following herds would be exempt from the testing requirements:

- i. certified *Brucellosis* free herds; and
- ii. dairy herds identified as having negative *Brucellosis* ring test.

e. The following infected herds would be exempt from mandatory adult vaccination:

- i. herds of registered cattle; and
- ii. herds of cattle comprised of all calfhood vaccinated cows.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:239 (March 1985), amended LR 11:615 (June 1985), LR 12:289 (May 1986), LR 14:222 (April 1988), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:952 (May 2014).

**§725. Establishing the Official Tests for *Brucellosis* in Cattle (Formerly §321)**

**A. Screening Test**

1. Milk Ring Test (BRT). This test is conducted by the state-federal laboratory on a composite sample of milk collected at dairy farms. A follow-up individual serological test shall be conducted on all cattle represented in a composite sample which reacts to the test.

a. A commercial dairy herd that has passed four consecutive, negative milk ring tests within the last 12 months, the tests being no less than two months or more than four months apart, will be considered a negative herd and will not be required to be blood tested as long as the herd

continues to have milk ring tests four times each year, the tests being no less than two months or more than four months apart, and the results of the tests remain negative.

b. A commercial dairy herd showing a positive milk ring test will be considered *Brucellosis* infected and will be quarantined and blood tested. The *Brucellosis* status of the herd will then be determined by the results of the blood test which shall be conducted within 30 days of official notification.

2. Card Test. This test will be used by approved personnel to classify cattle negative on surveillance samples collected at slaughter or at livestock auction markets on routine samples collected on farms and on tests of suspicious and infected herds. Positive samples from *Brucellosis* vaccinated animals will be given supplemental testing when possible to aid in classification of cattle as reactors.

**B. Supplemental Tests**

1. Standard Plate Agglutination Test. This test may classify as negative, suspect or reactors.

2. Rivanol Test. This test may classify cattle as negative or reactor.

3. Complement Fixation Test. This test may classify cattle as negative, suspect or reactor.

4. Particle Concentration Fluorescence Immunoassay Test (PCFIA). This test may classify as negative, suspect, or reactor.

5. Concentration Immunoassay Technology Test (CITE). This test may classify as negative or reactor.

6. Any test officially approved by the USDA and recommended by the state veterinarian and the designated epidemiologist.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2221 and R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:240 (March 1985), amended LR 11:615 (June 1985), amended by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 18:836 (August 1992), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:953 (May 2014).

**§727. Testing and Vaccination of Cattle and the Movement of Cattle from *Brucellosis* Quarantined Herds (Formerly §323)**

**A. Testing of Cattle in Quarantined Herds**

1. Within six months of the date the quarantine was issued, an exposed herd will be tested at a date agreed upon by the owner or his representative and an authorized agent of the Livestock Sanitary Board. If a date to test an exposed herd cannot be agreed upon, the state veterinarian will establish a date to test the exposed herd and notify the owner in writing 30 days prior to the date established. An exposed herd will remain under quarantine and be tested until it has passed one complete negative test. When more than one herd

test is required to obtain a complete negative test, the test date will be established by the procedures used to establish the initial herd test.

2.a. An infected herd will be tested on a schedule established in an approved herd plan or be tested at intervals of 60 days or less. The adult herd will be tested and continue to be classified as infected and under quarantine until it has passed one complete negative herd test, not less than 30 days following the date the last reactor was removed from the herd, and, in addition, a second negative herd test, no less than 180 days from the date the last reactor was removed from the herd. In addition, all infected herds must be tested six to 12 months following their release from *Brucellosis* quarantine, provided that some or all of their herd is still intact;

b. heifer calves weaned after 8 months of age, from a known *Brucellosis* infected herd, must be quarantined and held separate and apart from the known infected adult herd until they test negative for *Brucellosis* following their first calving; or

c. if heifer calves remain in a *Brucellosis* infected adult herd, the entire herd shall remain under quarantine until all the heifer calves have calved and the entire herd is tested negative for *Brucellosis*.

3. Any *Brucellosis* infected herd which has one or more reactors on more than one herd test, would be required to be adult vaccinated against *Brucellosis* and will be tested on a schedule established in an approved herd plan or be tested at intervals of 60 days or less. The herd will be tested and continue to be classified as infected and under quarantine until it has passed one complete negative test, not less than 30 days following the date the last reactor was removed from the herd and a second negative herd test, not less than 180 days from the date the last reactor was removed from the herd. In addition, the herd must be tested six to 12 months following its release from *Brucellosis* quarantine, provided that some or all of the herd is still intact.

#### B. Movement of Cattle from Quarantined Herds

1. *Brucellosis* reactors disclosed in a quarantined herd will be:

- a. "B" branded on the left jaw;
- b. identified with a reactor tag; and
- c. removed from the herd and sold directly to slaughter or to an approved stockyard for sale to slaughter within 45 days from the date the animal is classified as a *Brucellosis* reactor.

2.a. All cattle over 6 months of age in beef herds, will be "S" branded and identified prior to movement from the quarantined premises by an authorized agent of the Livestock Sanitary Board. In cases where it is impractical to have exposed cattle branded on the farm of origin, the state veterinarian can authorize the movement of cattle from quarantined herds to a livestock auction market for branding and identification. Exceptions to this Subparagraph are:

- i. steers and spayed heifers;
- ii. official *Brucellosis* calfhood vaccinated heifers, no more than 8 months of age and in a herd participating in an approved herd plan to eliminate *Brucellosis* from the herd.

b. All cattle over 6 months of age in dairy herds, will be "S" branded and identified prior to movement from the quarantined premises by an authorized agent of the Livestock Sanitary Board. Exceptions to this Subparagraph are:

- i. steers and spayed heifers;
- ii. calves, no more than 6 months of age which were separated from the dam at no more than seven days of age, held separate and apart from the infected herd for at least 30 days, and be identified with an official ear tag prior to movement from the premises. In addition, they must be from a herd participating in an approved herd plan to eliminate *Brucellosis*.

3. When part 78, of the *Code of Federal Regulations*, is amended to restrict the movement of all sexually intact heifer calves from *Brucellosis* quarantined herds, all cattle, regardless of age or vaccination status, will be "S" branded and identified prior to movement from any *Brucellosis* quarantined premises by an authorized agent of the Louisiana Livestock Sanitary Board. In cases where it is impractical to have exposed cattle branded on the farm of origin, the state veterinarian can authorize the movement of cattle from quarantined herds to a livestock auction market for branding and identification. Exceptions are steers and spayed heifers.

C. All movements from *Brucellosis* quarantined herds must be accompanied by a VS Form 1-27, listing the individual identification of each animal to be moved. This form must be delivered to an authorized representative at destination. These permits will be issued by an agent of the Livestock Sanitary Board.

D. All intrastate and interstate movements from *Brucellosis* quarantined herds are restricted to an approved slaughtering establishment for immediate slaughter, directly to an approved quarantined feedlot, or to an approved livestock auction market for sale to an approved slaughtering establishment or quarantined feedlot. (*Brucellosis* reactors must be sold for slaughter only, either directly to an approved slaughtering establishment or through an approved livestock auction market for sale to such establishment.) Exceptions to §727.D are:

1. steers and spayed heifers over 6 months of age;
2. heifer calves under 12 months of age that are official calfhood vaccinates, and they originate from herds participating in an approved herd plan to eliminate *Brucellosis* from the herd.

E. Bull calves under 6 months of age that are nursed by *Brucellosis* reactor or exposed cows, may move from the quarantined premises under permit, provided they have been



weaned for not less than 30 days immediately preceding movement. Exceptions to this Subparagraph are:

1. steers and spayed heifers;
2. heifer calves from beef herds that are no more than eight months of age and are in a herd participating in an approved herd plan to eliminate *Brucellosis* from the herd;
3. calves from dairy herds that are not more than 6 months of age which were separated from the dam at no more than 7 days of age, held separate and apart from the infected herd for at least 30 days, and be identified with an official ear tag prior to movement from the premises. In addition, they must be from a herd participating in an approved herd plan to eliminate *Brucellosis*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093 and R.S. 3:2221.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:240 (March 1985), amended LR 11:615 (June 1985), amended by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 12:289 (May 1986), LR 13:559 (October 1987), LR 14:696 (October 1988), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:953 (May 2014).

#### **§729. Payment of Indemnities (Formerly §331)**

A. In addition to the general requirements stipulated in §113, the following are specific requirements for the payment of indemnities.

1. Eligibility for Payment. Producers of registered and grade cattle found to be infected with *Brucellosis* and dairymen whose herds are found to be infected with *Brucellosis* shall be eligible for an indemnity payment for each infected animal slaughtered regardless of the point of concentration where the *Brucellosis* is first identified.

2. Source and Amount of Indemnification. Indemnities may be paid by either the state or federal government. When indemnities are paid by the state of Louisiana, the amount of the payments shall be set by motion of the Livestock Sanitary Board and information concerning the level of indemnification shall be made available to all producers of livestock and dairymen.

3. Cattle Owners Not Eligible for Indemnification. No indemnity shall be paid to livestock owners who do not own the cattle 120 days prior to the testing. The owner must prove ownership of the cows tested.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093 and R.S. 3:2224.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:242 (March 1985), amended LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:955 (May 2014).

## **Subchapter C. Tuberculosis**

### **§731. Testing of Cattle and the Movement of Cattle from Tuberculosis Quarantined Herds and the Establishment and Maintenance of All Tuberculosis Accredited Herds (Formerly §327)**

A. Quarantine Procedures and Disposition of Movement from Quarantined Herds

1. All herds in which reactor animals are disclosed shall be quarantined. All animals in a *Mycobacterium bovis* herd shall be tested.

2. Reactors must remain on the premises where disclosed until a state or federal permit has been obtained. Movement for immediate slaughter must be direct to a slaughter establishment where approved state or federal inspection is maintained within 15 days of classification. Upon delivery to the slaughtering establishment, reactors shall be slaughtered as soon as practicable.

3. No animals classified as a reactor shall be retained.

4. Suspects to the tuberculin test shall be quarantined to the herd where found or shipped under permit to slaughter in accordance with the state and federal laws and regulations. Suspects to the caudal fold tuberculin test shall be quarantined to the premises where found until:

a. retested by the comparative-cervical tuberculin test within 10 days of the caudal fold injection;

b. retested by the comparative-cervical tuberculin test after 60 days; or

c. shipped under permit direct to slaughter in accordance with state and federal laws and regulations.

5. Exposed animals must remain on the premises where disclosed unless a state or federal permit has been obtained. Movement for immediate slaughter must be direct to a slaughtering establishment where approved state or federal inspection is maintained.

6. Sale of feeder calves from quarantined herds will be restricted. Feeder calves under 12 months of age that have passed a tuberculin test within 60 days of movement may be permitted to move intrastate to a quarantined feedlot.

7. Herds in which *Mycobacterium bovis* infection has been disclosed shall remain under quarantine and must pass two tuberculin tests at intervals of at least 60 days and one additional test after six months. The minimum quarantine period shall be 10 months from slaughter of lesion reactors.

8. Herds in which NGL reactor(s) only occur and no evidence of *Mycobacterium bovis* infection has been disclosed may be released from quarantine after a 60 day retest on the entire herd.

9. In herds where *Mycobacterium bovis* infection has been confirmed but the herd not depopulated, five annual tests on the entire herd followed by two tests at three year intervals shall be applied following the release of quarantine.

10. In herds with history lesions suspicious of bovine tuberculosis (not confirmed), two complete annual herd tests shall be applied after release of quarantine; the first test to be applied approximately one year after release of quarantine.

11. In a newly assembled herd on a premises where a tuberculous herd has been depopulated, two annual herd tests shall be applied to all cattle, the first test to be applied approximately six months after assembly of the new herd. These tests shall be followed by two complete herd tests at three year intervals.

**B. Accredited Herd Plan**

1. Testing of herds for accreditation or re-accreditation shall include all cattle over 24 months of age and any animals other than natural additions under 24 months of age. All natural additions shall be individually identified and recorded on the test report as members of the herd at the time of the annual test.

2. Herd additions must originate directly from one of the following:

- a. accredited herd;
- b. herd in an accredited free state;
- c. herd in a modified accredited area that has passed a herd test of all animals over 24 months of age within 12 months and the individual animals for addition were negative to the tuberculin test conducted within 60 days; or
- d. herd in a modified accredited area not meeting requirements of Subparagraph B.2.a, b, or c of this Section, individual animals for addition must pass a negative test within 60 days prior to entering the premises of the accredited herd and must be kept in isolation from all members of the accredited herd until negative to a test conducted after 60 days of date of entry. Animals added under Subparagraph B.2.b, c, or d of this Section shall not receive accredited herd status for sale purposes until they have been members of the herd at least 60 days and are included in a herd retest.

3. To qualify for accredited herd status, the herd must pass at least two consecutive annual tuberculin tests with no evidence of bovine tuberculosis disclosed. All animals must be bonafide members of the herd. Qualified herds may be issued a certificate by the local state and federal officials. The accreditation period will be 12 months (365 days) from the anniversary date and not 12 months from the date of the re-accreditation test. To qualify for re-accreditation, the herd must pass an annual test within a period of 10 to 14 months of the anniversary date.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:2093.

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:615 (June 1985), amended LR 12:289 (May 1986), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:956 (May 2014).

**§733. Tuberculosis Testing of Mexican Cattle; Documentation (Formerly §341)**

A. Mexican cattle which are used, or intended to be used, at rodeos, timed events, team events, or other similar events or as roping stock.

1. Mexican cattle in this category entering Louisiana from another state shall be accompanied by the following documents:

- a. a certificate of veterinary inspection (CVI) that includes, in legible marking:
  - i. an official identification eartag (840 RFID tag or metal brite tag); and
  - ii. an official entry permit number issued by the department;
- b. proof of a negative test for bovine tuberculosis taken within 60 days prior to the cattle entering the state;
- c. the original or a certified copy of the tuberculosis test chart.

2. Mexican cattle in this category entering Louisiana directly from Mexico shall be accompanied by the documents listed in Paragraph A.1 of this Section and shall:

- a. enter into quarantine at the first destination premises in the state;
- b. test negative for tuberculosis within 60-120 days of arrival in this state, with all testing to be at the expense of the owner of the cattle;
- c. not move from quarantine except with specific permission from the department and then only to events or activities where commingling with other cattle will not occur until confirmation of a negative post entry re-test for tuberculosis is obtained.

B. Mexican cattle that are under 18 months of age and which are brought into this state, either from another state or directly from Mexico, for grazing purposes prior to shipment to a feedlot or to slaughter shall be:

- 1. accompanied by a certificate of veterinary inspection (CVI);
- 2. moved under permit from the department only to a pasture or pen which has fencing sturdy enough to contain the cattle and to prevent co-mingling with other cattle and which pasture or pen has been approved by the department; and
- 3. subsequently moved from the pasture or pen only to a feedlot prior to going directly to slaughter or to a stockyard for sale for slaughter only.

C. At any time Mexican cattle enter the state and any time they are in the state, the latest tuberculosis test chart shall be, upon request, presented for inspection to a duly authorized officer, employee, or agent of the department or APHIS.

D. All Mexican cattle permanently located in this state shall be retested annually for tuberculosis at the expense of their owner.

E. All tuberculosis tests shall be conducted by a USDA accredited veterinarian, the test records shall be maintained with the cattle and, upon request, presented for inspection to a duly authorized officer, employee, or agent of the department or APHIS.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093 and 3:2135.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Board of Animal Health, LR 39:3246 (December 2013), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:956 (May 2014).

§§735-739. Reserved.

## Subchapter D. Mycoplasma in Dairy Cattle Regulations

### §741. Routine Testing of Dairy Herds (Formerly §333)

A. All dairy herds in Louisiana shall be tested for *Mycoplasma bovis*, ("Mycoplasma"), which causes an incurable form of mastitis in dairy cattle, in accordance with the following provisions.

1. The Louisiana Department of Agriculture and Forestry, ("department"), shall collect milk samples from a bulk tank sample collected by the milk hauler.

2. The department shall forward the samples to the Mastitis Lab at the Hill Farm Research Station ("HFRS") in Homer, Louisiana for testing.

3. HFRS shall forward the test report for each dairy herd to the department and to the owner of the dairy herd.

B. If a sample from a dairy herd tests positive for *Mycoplasma mastitis* the department shall collect a second sample directly from the bulk tank holding the dairy herd's milk and send the sample to HFRS for testing. HFRS will send the test result directly to the department, who will then notify the dairy herd's owner of the test results.

C. All dairy herds shall be tested monthly for 12 months. Any dairy herd that tests negative each month for 12 months will then be tested quarterly so long as each test is negative for *Mycoplasma mastitis*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093 and R.S. 3:2224.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 30:1141 (June 2004), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:957 (May 2014).

### §743. Restrictions on Dairy Herds Testing Positive for Mycoplasma Mastitis (Formerly §335)

A. If the second sample from a dairy herd tests positive for *Mycoplasma mastitis* then that dairy herd shall be placed on a "Mycoplasma restricted list."

1. Individual members, male and female, of any dairy herd placed on the Mycoplasma restricted list shall be tested to identify infected animals.

2. Any animal found to be infected with Mycoplasma shall be either immediately sold for slaughter or branded with a mark acceptable to the department to show that the animal can only be sold for slaughter. If any such animal is sold at a livestock auction market, it shall be kept in quarantine separate from any other cattle.

3. No animal from a dairy herd that is on the Mycoplasma restricted list shall be sold or moved for any purpose other than slaughter unless accompanied by a health certificate showing that the animal has had a negative test for Mycoplasma within the 30 days prior to the date of sale or movement.

B. Any dairy herd found to be infected with Mycoplasma shall remain on the Mycoplasma restricted list until all infected animals are removed and bulk tank samples test negative for six months.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093 and R.S. 3:2224.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 30:1141 (June 2004), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:957 (May 2014).

### §745. Fees (Formerly §337)

A. The department shall collect from each owner of a dairy herd a fee of no more than \$15 per milk sample to defray the cost of the testing and quarantine programs necessary to prevent, control or eradicate Mycoplasma in dairy cattle.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093 and R.S. 3:2224.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 30:1141 (June 2004), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:957 (May 2014).

§§747-749. Reserved.

## Subchapter E. Trichomoniasis

### §751. Trichomoniasis Testing and Movement Requirements for Cattle (Formerly §339)

A. Every bull moved into this state and every bull within this state which is sold, exchanged, leased, rented, sold, or otherwise transferred in ownership or possession (hereafter

collectively referred to as “transferred”) from one person to another shall be accompanied by a test result showing that the bull is free from Trichomoniasis (hereafter referred to as “negative test result” or “testing negative”) except for the following bulls.

1. Exhibition and rodeo bulls that are temporarily in the state only for the purpose of the event and will be leaving the state immediately after the event.

2. Bulls going direct to slaughter or being sold to go direct to slaughter.

3. Virgin bulls accompanied by a certification of virgin status signed by the owner of the bull, or the owner's representative or an accredited veterinarian and including the bull's individual identification.

4. Bulls being transported through this state in interstate commerce unless offloaded and comingled with female cattle already in this state that are not going direct to slaughter.

B. Every bull required to be accompanied by a negative test result shall be tested no later than 30 days prior to being moved into the state or the date of transfer, except for bulls that are in a trichomoniasis-free certification program or a semen certification program, recognized by the state veterinarian.

C. Every bull moved into this state and every bull within this state which is transferred from one person to another, except for the bulls listed in Paragraphs 1-4 of Subsection A of this Section, shall be identified by one or more of the following means:

1. *Brucellosis* ear tag;
2. official 840 radio frequency identification device (RFID);
3. official 840 flap or bangle tag;
4. official individual animal breed registry brand;
5. official individual animal breed registry tattoo; or
6. an official state of origin trichomoniasis tag.

D. The requirements for testing a bull for trichomoniasis are as follows.

1. All test samples shall be drawn by an accredited veterinarian.

2. The testing of samples shall be through the use of a test approved by the state veterinarian or by USDA APHIS VS that is performed at an official laboratory or by an accredited veterinarian qualified to test for trichomoniasis.

3. Test results that show that the tested animal has trichomoniasis (hereafter referred to as “positive test results” or “testing positive”) shall immediately cause the tested animal to be classified as trichomoniasis infected and subject to the restrictions set out in this Section.

4. An additional test to confirm the presence of trichomoniasis may be requested in the event of an initial

positive test result, but the request for the confirmatory test must be made to the state veterinarian within 5 business days of notification of the positive test result.

a. If the confirming test comes back negative then the tested animal is considered negative for trichomoniasis and may be moved as such.

b. If the confirming test comes back positive then the tested animal shall be subject to the restrictions set out in this Section.

5. A bull being tested for trichomoniasis shall be kept separate from female cattle at all times during the entire test period from the taking of samples until receipt of the results of the initial test results. A bull testing negative on the initial test may be comingled with female cattle upon receipt of the test results while a bull testing positive shall be immediately subject to the restriction on trichomoniasis infected bulls set out in this Section.

6. All test results for trichomoniasis, whether negative or positive, shall be reported to the state veterinarian within 24 hours after receipt of the results.

7. When a positive test result is received the treating veterinarian shall consult with the state veterinarian on the first business day after receipt of the test results to determine a plan of action regarding the animal testing positive.

E. Bulls that are required to be tested for trichomoniasis prior to being moved into this state or prior to being transferred from one person to another but which have not been tested shall be kept separate from breedable-type cattle until tested and a negative result is obtained.

F. Bulls, except for virgin bulls, that are not required to be tested for trichomoniasis prior to being moved into this state or prior to being transferred from one person to another shall, at all times, be kept separate from female cattle until tested and a negative result is obtained. However, a bull being moved direct to slaughter or sold to go direct to slaughter may be comingled with breedable-type cattle also being moved direct to slaughter or being sold to go direct to slaughter.

G. Bulls testing positive for trichomoniasis are subject to the following restrictions.

1. No known trichomoniasis infected bull shall be moved into or within this state or transferred within this state from one person to another, unless the bull is going direct to slaughter or being sold to go direct to slaughter.

2. No known trichomoniasis infected bull, whether being moved into or within this state, shall be used for breeding purposes and shall be kept separate from female cattle, from the time the first positive test result is received.

3. A trichomoniasis infected bull shall be moved direct to slaughter, or sold to go direct to slaughter within 30 days from receipt of the positive results of the original test or the results of the confirming test, whichever is later.

4. A trichomoniasis infected bull may be moved only after a VS 1-27 permit is issued by the testing veterinarian or

the state veterinarian or his representative. The VS 1-27 permit shall accompany the bull upon movement of the animal.

H. If a trichomoniasis infected bull has been in a herd with female cattle then the infected bull and the other bulls in the herd are subject to the following requirements.

1. The trichomoniasis infected bull shall be immediately separated from the herd and all other bulls in the herd and shall be moved or transferred only as allowed by this Section.

2. If there is any other bull or bulls in the herd then all other such bulls shall be immediately separated from, and kept separate from all female cattle.

3. Each such bull shall be tested for trichomoniasis as soon as possible. Test samples shall not be pooled.

4. A bull testing negative shall be immediately removed from all other bulls that have not been tested or for which the test results have not been received and shall be considered to be a negative bull for all purposes.

5. A bull testing positive shall immediately be classified as a trichomoniasis infected bull and shall be subject to the restrictions imposed in this Section on such bulls.

6. An additional test to confirm the presence of trichomoniasis may be requested in the event of an initial positive test result, but the request for the confirmatory test must be made to the state veterinarian within five business days of notification of the positive test result.

a. If the confirming test comes back negative then the bull shall be considered negative for trichomoniasis.

b. If the confirming test comes back positive then the bull shall be considered to be infected with trichomoniasis and subject to the restrictions imposed in this Section on such bulls.

I. A trichomoniasis infected herd is a herd known to contain or have contained a trichomoniasis infected bull or cow. If a virgin bull or bull that has tested negative for trichomoniasis is comingled with female cattle from a trichomoniasis infected herd then the virgin bull or bull with negative test results shall be tested for and found to be free of trichomoniasis before being moved, placed into another herd, or transferred from one person to another.

J. A cow is not required to be tested for trichomoniasis before being moved into this state or transferred from one person to another but if a cow is tested then the same procedure set out in this Section for testing a bull shall apply to the testing of a cow.

K. A cow testing positive for trichomoniasis shall be subject to the following restrictions:

1. A cow testing positive for trichomoniasis shall not be moved into this state, except to go direct to slaughter or to be sold to go direct to slaughter.

2. A cow within this state that has tested positive for trichomoniasis shall be immediately separated from, and kept separate from all bulls.

a. The cow shall be moved direct to slaughter or sold to go direct to slaughter within 30 days from receipt of the positive result of the original test or the confirming test, whichever is later, unless placed under a quarantine program approved by the state veterinarian.

b. If the cow is quarantined then it may not be moved from quarantine until the quarantine is released in writing by the state veterinarian. The cow may be released from quarantine only if the cow is subsequently tested and found to be free from trichomoniasis or if the cow is to be moved direct to slaughter or to be sold to go direct to slaughter.

3. A trichomoniasis infected cow may be moved only after a VS 1-27 permit is issued by the testing veterinarian or the state veterinarian or his representative. The VS 1-27 permit shall accompany the cow upon movement of the animal.

#### L. Quarantine Facilities

1. A livestock owner or lessor, livestock dealer, and a public livestock market facility may, with the written approval of the state veterinarian, establish a quarantine facility to hold bulls being moved into this state or being sold in this state until they can be tested for trichomoniasis.

2. The quarantine facility shall be inspected and approved by the state veterinarian or his representative prior to being placed into use.

3. The fencing or railing of the quarantine facility must be of material that will keep a bull from being able to breed with a cow located in an adjacent pen or pasture and of sufficient strength to keep a bull from escaping the quarantine facility.

4. A bull in a quarantine facility testing positive for trichomoniasis shall be immediately separated from, and kept separate from, all female cattle and shall be subject to the restrictions imposed by this Section on a trichomoniasis infected bull.

M. The state veterinarian may grant a written exception or variance to the provisions of this Section, with such conditions as the state veterinarian may impose, if such action is necessary to provide for unforeseen situations or circumstances. Any such exception or variance shall balance the need to protect cattle from trichomoniasis with the need to allow cattle to move in commerce.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093, 3:2095, and 3:2097.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Board of Animal Health, LR 35:1466 (August 2009), amended LR 36:2518 (November 2010), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:958 (May 2014).

§§753-759. Reserved.

## Subchapter F. Slaughterhouse Requirements for Identification, Sampling, and Records

### §761. Identification of Cattle with Official Backtags and the Collection of Blood Samples from Officially Backtagged Cattle at Slaughter Establishments under State or Federal Meat Inspection (Formerly §329)

#### A. Official Backtagging of Cattle

1. All cattle over 24 months of age that are not officially backtagged when received by a slaughter establishment under state or federal meat inspection shall be identified by official backtag, properly placed. The name and address of the consignor, and the name and address of the owner of the herd of origin, if different from that of the consignor, shall be recorded, along with the official backtag numbers, on forms provided for this purpose. A copy shall be retained by the slaughter establishment for their records; the original is to be furnished the meat inspector to accompany blood samples to the laboratory.

2. The slaughter establishment shall be responsible for the identification of the animals and for maintaining required records.

#### 3. Exemptions from this regulation are:

- a. steers and spayed females;
- b. *Brucellosis* branded animals; or
- c. *Brucellosis* exposed ("S" branded) animals.

B. Records. All records pertaining to the identification of the cattle, name and address of consignor and the name and address of the owner of the herd of origin, if different from that of the consignor, shall be maintained and made available to representatives of the Livestock Sanitary Board upon request.

C. Blood Sample Collection. A blood sample shall be collected from each head of backtagged cattle over 24 months of age, except steers, spayed females and branded *Brucellosis* reactors. State and federal meat inspection personnel shall be responsible for the collection of the blood samples; the identification of the samples; and the packaging and mailing of the blood samples, corresponding backtags and forms to the state-federal livestock diagnostic laboratory in Baton Rouge, Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:242 (March 1985), amended LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:959 (May 2014).

## Chapter 9. Horses and other Equines (Formerly Chapter 5)

### Subchapter A. General Provisions

§901. Reserved.

### §903. Definitions (Formerly §511)

A. Wherever in these EIA rules and regulations the masculine is used, it includes the feminine and vice versa; wherever the singular is used, it includes the plural and vice versa.

*Approved EIA Testing Laboratory*—a laboratory which is authorized by the board to conduct the EIA test analysis on equine blood samples.

*Board*—the Louisiana State Livestock Sanitary Board.

*Buyer*—any person who purchases EIA positive or S branded equine for slaughter.

*Direct to Slaughter*—for shipment or movement from the premises of origin directly to an approved slaughter establishment for the purpose of slaughter without any stopping or diversion except as is necessary or incidental to such shipment.

*EIA Negative Equine*—equine that is currently tested for EIA with a negative test result in accordance with these EIA rules and regulations.

*EIA Positive Equine*—an equine that has completed an EIA test with a positive ELISA test result, confirmed with a positive AGID test result at Louisiana Animal Disease Diagnostic Laboratory or National Veterinary Services Laboratory.

*EIA Quarantine*—the secure and physical isolation of EIA positive equine, S branded equine or both in a specific confined area the perimeter of which is at all times at least 200 yards away from all other equine.

*EIA Test*—has the same meaning as *test for EIA* defined hereinafter.

*Equine*—any member of the family of *Equidae* including horses, mules, burros, donkeys, asses, and zebra.

*Equine Infectious Anemia*—a contagious and infectious disease of equine caused by a lentivirus the symptoms of which can include intermittent fever, depression, weakness, edema, anemia and sometimes death. The disease is also known as swamp fever and is sometimes referred to herein as "EIA."

*Equine Quarantined Holding Area*—an area where the secure and physical isolation of only EIA positive equine, S branded equine, or both are confined, the perimeter of which provides for separating by at least 440 yards from all other equine that are not EIA positive equine, S branded equine, or both.

*Exposure to EIA*—in the presence of an EIA positive equine.

*Foal*—an equine less than one year old.

*In the Presence of*—coming within 200 yards of the animal or object referred to.

*Livestock Dealer*—any person engaged in the buying and selling of livestock permitted by the board. Any person, who buys and sells the same livestock within 30 days and has engaged in five or more purchases and/or sales of the same livestock within any 12-month period, is said to be engaged in the business of buying and selling livestock.

*Owner*—any person who, in any form, possesses, has custody of, or has an ownership interest in an equine. A person is an owner during the period of time of the described relationship. A parent or tutor of an owner who is a minor is also an owner during the period of time that the owner-parent or tutor's minor resides with the parent or tutor. A curator of an owner who has been interdicted is an owner during the period of time that the interdict is an owner.

*Permanent Individual Equine Identification*—one of the following methods of identifying equine:

- a. operational implanted electronic identification transponder with individual number;
- b. legible individual lip tattoo; or
- c. legible individual hot brand or freeze brand other than the brand S or 72A on the left shoulder.

*Person*—any natural *person*, partnership, limited partnership, limited liability company, corporation, association or any legal entity whatsoever.

*Premises*—any immovable or movable property in which or upon which an equine is, was or could be located.

*Public Livestock Market*—any place, establishment or facility commonly known as a "livestock market," "livestock auction market," "sales ring," "stockyard," or the like, operated for compensation or profit as a public market for livestock, consisting of pens, or other enclosures, and their appurtenances, in which livestock are received, held, sold, or kept for sale or shipment.

*Quarantine*—the secure and physical isolation of equine in a specific confined area the perimeter of which is at all times at least 200 yards away from other equine.

*S Branded Equine*—an equine which has been branded with the letter S at least 3 inches in height on the left shoulder.

*Stall Barn*—a building in which equine are customarily housed.

*Test for EIA*—a test, approved by the United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services, for scientifically testing equine for the presence of EIA. The *test for EIA* is also sometimes herein referred to as the "EIA test."

*Testing Veterinarian*—a veterinarian accredited by the United States Department of Agriculture who draws an equine's blood for an EIA test and who submits the blood sample to an approved EIA testing laboratory.

*Verification*—a written statement signed by each owner which includes the name, address, telephone number of each owner, the name of the equine, if any, the permanent individual identification of the equine, and an affirmative attestation of the date, place and the manner of ending the life of the equine.

*VS Form 10-11*—the form provided by the board or the United States Department of Agriculture utilized in EIA testing which provides for information including the name of the laboratory, the case number, the date of completion of the EIA test, the equine owner's name, address, telephone number and the permanent individual identification of the equine and the test results.

*VS Form 1-27 Permit*—a form provided, completed and issued by the board or the United States Department of Agriculture which is required before certain livestock may be moved from the premises of origin.

*Written Proof of EIA Test*—the VS Form 10-11 or electronic equivalent, approved by the board, completed by an approved EIA testing laboratory which, when completed, provides the name of the laboratory, the case number, the date of completion of the EIA test, the equine owner's name, address, telephone number and permanent individual identification of the equine and the test results.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2091-2097.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health Services, Livestock Sanitary Board, LR 23:943 (August 1997), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:960 (May 2014), LR 43:1272 (July 2017).

§§905-909. Reserved.

## **Subchapter B. Equine Infectious Anemia (EIA)**

### **§911. Statement of Purpose (Formerly §513)**

A. The purpose of these EIA rules and regulations is to better identify and control EIA infected equine and to remove EIA infected equine from the population in order to prevent the spread of EIA. Due to the persistent incidence of EIA in the equine population, a more stringent eradication program for removal of infected equine, which includes ending the life of EIA infected equine, is necessary. These EIA rules and regulations should be liberally construed in favor of ending the life of EIA infected equine. The authority granted therein is to be exercised only in carrying out this necessary EIA eradication program.

B. It is understood that title to an equine can be difficult to discern, that custodians and possessors are frequently the only persons exercising authority over nontitled equine and,

therefore, effective enforcement of these EIA rules and regulations requires that possessors, custodians, and owners of equine share responsibility for eradication of a disease that has proven destructive to the industry and to equine. It is further understood that if in the board's view effective enforcement would not be jeopardized, the board should direct enforcement against titled owners over custodians and custodians over possessors. Notwithstanding the foregoing, the board may direct enforcement against any or all owners as defined in these EIA rules and regulations in any given case as it shall deem fit in its sole and exclusive judgment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2091-2097.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health Services, Livestock Sanitary Board, LR 23:944 (August 1997), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:961 (May 2014).

**§913. Equine Infectious Anemia  
(Formerly §§507, 917 and 919)**

A. Identification. Beginning February 1, 1994, all equine prior to an official test for equine infectious anemia (EIA) shall be individually and permanently identified by one of the following means:

1. implanted electronic identification transponder with individual number;
2. individual lip tattoo;
3. individual hot brand or freeze brand.

B. Equine Required to be Tested

1. All equine residing in Louisiana shall be tested for EIA at least every 12 months. It shall be the responsibility of the owner to ensure any and all testing of equine in their possession.

2. All equine moving into the state of Louisiana for any purpose other than immediate slaughter, shall be accompanied by a record of a negative official test for EIA, conducted within the past 12 months. The official test shall be conducted by an approved laboratory. The name of the laboratory, the case number, and the date of the official test shall appear on the health certificate, as required in §523 except nursing foals under 7 months of age accompanying its dam.

3. All equine within the state or moving within the state to fairs, livestock shows, breeder's association sales, rodeos, racetracks, or to any other concentration point, shall be accompanied by a record of a negative official test for EIA, conducted within the past 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 record of the test.

4. All equine, except nursing foals under 7 months of age accompanying its dam, sold or purchased in Louisiana shall have been officially tested negative for EIA within 12 months of the date of the sale or shall be officially tested

negative for EIA at the time of sale or purchase. The official test shall be conducted at an approved laboratory. The official test record shall accompany the horse at the time of the sale or purchase and the name of the laboratory, the case number, and the date of the test shall appear on the official record of the test, except as provided in this Subsection.

a. An equine offered for sale at a Louisiana public livestock auction market shall be tested for EIA at the auction market prior to sale if the equine has not been tested or is not accompanied by a current negative official EIA test record. The blood sample for the EIA test shall be drawn by an accredited veterinarian and submitted for an official EIA test in accordance with these regulations. The veterinarian's fee for this service shall be collected from the seller by the auction market and paid directly to the veterinarian. An equine without a current negative official EIA test record that is sold at an auction market may be moved to the buyer's premises under a Board of Animal Health quarantine after the blood sample is taken and the veterinarian and identification fees are paid. The equine shall remain under quarantine until the official test results show that the animal is an EIA negative equine.

C. Equine Positive to the Official EIA Test

1. With the exception of the equine stabled at a racetrack regulated by the state Racing Commission, all equine testing positive to the official test for EIA shall be quarantined to the owner's premises and shall be destroyed or sold for immediate slaughter within 20 days of the date of the official test for EIA. If destroyed, verification of said destruction by written and signed statement must be furnished to the office of the state veterinarian. If sold for slaughter, the equine shall be accompanied by a VS Form 1-27 permit issued by Board of Animal Health personnel from the owner's premises to an approved Louisiana livestock auction market or to an approved slaughter facility. The owner or trainer of all equine stabled at a racetrack regulated by the state Racing Commission testing positive to an official EIA test shall be notified immediately by the testing veterinarian, or by racetrack officials, or by Board of Animal Health personnel and the equine testing positive shall be removed from the racetrack premises immediately. Exceptions are:

a. upon request by the owner, any female equine testing positive to the official test for EIA that is at least 270 days pregnant or has a nursing foal no more than 120 days of age at her side may be quarantined to the owner's premises and kept at least 200 yards away from any other equine. The female equine shall be identified with a "72A" brand at least 3 inches in height on the left shoulder. The female equine may remain in quarantine until her foal dies or reaches an age of 120 days at which time the female equine shall be destroyed or sold for immediate slaughter within 20 days. If destroyed, verification of said destruction by written and signed statement must be furnished to the office of the state veterinarian. If sold for slaughter, the female equine shall be accompanied by a VS Form 1-27 permit issued by Board of Animal Health personnel from the owner's premises to an



approved Louisiana livestock auction market or to an approved slaughter facility;

b. any foal kept in quarantine with its EIA positive dam shall be officially tested for EIA no later than 150 days after it is weaned.

2. All equine stabled at a racetrack regulated by the state Racing Commission, testing positive to the official EIA test and immediately removed from the racetrack shall be quarantined to the premises to which they are moved and shall be destroyed or sold for immediate slaughter within 20 days of the date of the official test for EIA. If destroyed, verification of said destruction by written and signed statement must be furnished to the office of the state veterinarian. If sold for slaughter, the equine shall be accompanied by a VS Form 1-27 permit issued by Board of Animal Health personnel from the owner's premises to an approved Louisiana livestock auction market or to an approved slaughter facility.

3. With the exception of the equine stabled at a racetrack regulated by the state Racing Commission, the following shall be quarantined and officially tested for EIA no sooner than 30 days after the positive equine has been removed:

a. all equine on the same premises as an equine testing positive to the official EIA test;

b. all equine on all premises within 200 yards of the premises of the equine testing positive to the official EIA test; and

c. all equine which have been on these aforementioned premises within the past 30 days at the time the equine which is positive to the official EIA test was tested.

4. All equine stabled at a racetrack regulated by the state Racing Commission which are stabled in the same barn or in a directly adjacent barn of an equine which tests positive to the official EIA test shall be quarantined until the positive equine is removed and all other horses in the aforementioned barns are tested negative to the official EIA test.

5. Equine which are required to be officially tested for EIA as a result of being quarantined due to the circumstances described in Paragraphs 3 and 4 of this Subsection may be tested by an accredited veterinarian chosen by the owner or by a state employed veterinarian if requested by the owner of the quarantined equine. In the event that the official testing for EIA is done by a state employed veterinarian, the official record (VS Form 10-11) will not be made available to the owner.

6. Equine positive to the official test for EIA shall be identified with a "72A" brand on the left shoulder at least 3 inches in height, by Board of Animal Health personnel. Equine positive to the official test for EIA will be retested prior to identification by branding upon request by the owner, by Board of Animal Health personnel and the blood

sample submitted to the Louisiana Veterinary Medical Diagnostic Laboratory for confirmation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2091-2097.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Office of Animal Health Services, Livestock Sanitary Board, LR 11:243 (March 1985), amended LR 11:615 (June 1985), LR 14:223 (April 1988), LR 14:697 (October 1988), LR 20:406 (April 1994), LR 20:1257 (November 1994), amended by the Department of Agriculture and Forestry, Board of Animal Health, LR 35:406 (March 2009), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:961 (May 2014), LR 43:1273 (July 2017).

#### **§915. Equine Quarantine Holding Area (Formerly §931)**

A. Any person desiring to operate an equine quarantined holding area must file a written application for approval of the facility to the board and shall have:

1. the equine quarantined holding facility and area inspected and approved by the board; and

2. agreed, in writing, to comply with these EIA rules and regulations.

B. No other equine except equine consigned for slaughter shall be kept in an equine quarantined holding area and all equine held therein shall be "S" branded.

C. No equine shall be kept in the equine quarantined holding area longer than 60 days by which time the life of any such equine shall be ended.

D. No equine shall be released from an equine quarantined holding area except to be delivered direct to slaughter.

E. The equine quarantined holding area shall be an area where EIA positive equine, "S" branded equine or both are kept at least 440 yards from all other equine at all times.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2091-2097.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health Services, Livestock Sanitary Board, LR 23:947 (August 1997), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:967 (May 2014), LR 43:1274 (July 2017).

#### **§917. Approved Equine Infectious Anemia Testing Laboratories (Formerly §915)**

A. No person shall operate an approved EIA testing laboratory without first obtaining approval from the United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services, and from the Board of Animal Health.

B. The conditions for approving an EIA testing laboratory are as follows.

1. Any person applying for an EIA testing laboratory approval must submit a written application for approval by the board to the office of the state veterinarian.

2. An inspection of the facility must be made by a representative of the Office of the State Veterinarian or the USDA/APHIS/VS who shall submit a report to the board indicating whether or not the person applying for an EIA testing laboratory approval has the facilities and equipment which are called for by the United States Department of Agriculture, Veterinary Services. Any person or laboratory that performs an official EIA test must meet and be in compliance with the requirements found in title 9, CFR 75.4(c) and with protocols in the latest USDA VS EIA laboratory guidance.

3. If the application is given preliminary approval by the board, the person applying will proceed with successful completion of training, examination, and inspection by the United States Department of Agriculture.

#### C. Conditions for Maintaining Equine Infectious Anemia Testing Laboratory Approval

1. Approved EIA testing laboratories must maintain a work log clearly identifying each individual blood sample, EIA test result and VS Form 10-11 or electronic equivalent approved by the board, all of which must be preserved and available for inspection, for a period of time of not less than 24 months from the date of the EIA test.

2. Approved EIA testing laboratories must maintain on file and make available for inspection a copy of all VS 10-11 forms or electronic equivalent approved by the board, for a period of 24 months.

3. Approved EIA testing laboratories shall immediately report by telephone and facsimile or email all positive EIA test results to the state veterinarian's office within 24 hours of detection.

4. The state veterinarian shall renew the approval of approved EIA testing laboratories in January of each year, provided the approved EIA testing laboratories maintain the standards required by this regulation and by the United States Department of Agriculture requirements found in 9 CFR 75.4(c) and with protocols in the latest USDA VS EIA laboratory guidance.

5. Approved EIA testing laboratories must submit a report of all positive and negative testing numbers to the Office of the State Veterinarian each month in a reporting format as prescribed by the board.

6. Approved EIA testing laboratories must submit the white original of each VS Form 10-11 or electronic equivalent approved by the board each month to the Office of the State Veterinarian.

7. Approved EIA testing laboratories may charge a fee to the testing veterinarian for conducting an EIA test.

D. All records of EIA tests conducted by an approved EIA testing laboratory shall contain the name of the approved EIA testing laboratory.

E. An approved EIA testing laboratory may have its approval canceled if the board finds that the approved laboratory has failed to meet the requirements of the EIA rules and regulations, has falsified its records or reports, or has failed to maintain the standards required by this regulation and by the United States Department of Agriculture requirements found in title 9, CFR 75.4(c) and with protocols in the latest USDA VS EIA laboratory guidance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2091-2097.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health Services, Livestock Sanitary Board, LR 23:945 (August 1997), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:964 (May 2014), LR 43:1274 (July 2017).

#### **§919. Penalties (Formerly §923)**

A. The penalty for a violation of these EIA rules and regulations shall be a fine of up to \$1,000 for each violation. With regard to continuing violations, whether acts or omissions, each day a violation occurs or continues shall be a separate violation.

B. Any person, whom knowingly falsifies information on an official EIA document, alters an official EIA document or uses falsified/altered EIA documents for the purpose of fraud shall be in violation of these regulations and subject to a fine of up to \$1,000 for each violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2091-2097.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health Services, Livestock Sanitary Board, LR 23:947 (August 1997), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:966 (May 2014), LR 43:1275 (July 2017).

#### **§921. Enforcement (Formerly §925)**

A. In addition to those relevant provisions of law, the board may do the following, as is necessary, to carry out the board's powers and duties and to accomplish the purpose of the EIA eradication program.

1. The board may brand and permanently, individually identify equine.

2. The board may quarantine equine, EIA-positive equine and equine in their presence, cause euthanization of EIA-positive equine, euthanize the EIA-positive equine or cause the sale of EIA-positive equine for slaughter.

3. An authorized agent of the board may enter any premises or place where equine are present during reasonable hours with or without prior notice for the purpose of determining whether these EIA rules and regulations have been violated and to inspect the equine for the presence of EIA and exposure related to EIA. A testing veterinarian employed by the board may draw blood samples from the equine present for the EIA test.

4.a. Any authorized agent of the board shall have access to, and may enter at all reasonable hours, all places of business dealing in or with equine and all places of business where books, papers, accounts, records, or other documents related to equine are maintained.

b. The board may subpoena, and any authorized agent of the board may inspect, copy, audit or investigate any of the books, papers, accounts, records, or other documents pertaining to equine, all for the purpose of determining whether there is compliance with the provisions of R.S. 3:2091-2100, and with these EIA rules and regulations.

c. The authority granted in Subparagraph b of this Paragraph shall also extend to books, papers, accounts, records, or other documents of persons doing business with the above referenced places of business.

5. The board may apply to a court of competent jurisdiction for a warrant to conduct any reasonable searches and seizures as is necessary to carry out the board's powers and duties not already provided for in these EIA rules and regulations.

6. The board may issue written orders in preventing, controlling or eradicating EIA, and a violation of any such order shall constitute a violation of these EIA rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2091-2097.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health Services, Livestock Sanitary Board, LR 23:947 (August 1997), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:966 (May 2014), LR 43:1275 (July 2017).

**§923. Severability  
(Formerly §935)**

A. If any part of these EIA rules and regulations is declared to be invalid for any reason by any court of competent jurisdiction, said declaration shall not affect the validity of any other part not so declared.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2091-2097.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health Services, Livestock Sanitary Board, LR 23:949 (August 1997), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:968 (May 2014), LR 43:1275 (July 2017).

**Chapter 11. Poultry and Other Birds  
(Formerly Chapter 7)**

**§1101. Reserved.**

**§1103. Slaughter and Testing of Poultry of Questionable Health (Formerly §705)**

A. Poultry of questionable health in the opinion of an authorized agent of the Board of Animal Health that are consigned to a recognized slaughter establishment within

Louisiana will be quarantined and the entire shipment reconsigned to a slaughter establishment maintaining federal inspection for wholesomeness, or returned to the place of origin.

B. All hatcheries and hatchery supply flocks within the state must be qualified as U.S. pullorum/typhoid clean or have met equivalent requirements for pullorum/typhoid control under official state supervision. If other domesticated fowl, with the exception of waterfowl, are maintained on the same premises as the participating flock, freedom from pullorum/typhoid infection shall be demonstrated by an official blood test of each of these fowl.

C. All flocks which test positive for *Salmonella pullorum* or *Salmonella galinarum* shall be followed by an investigation by the official state agency to determine the origin of the infection.

D. All flocks found to test positive for pullorum or typhoid shall be quarantined until marketed or destroyed under the supervision of the official state agency or until subsequently blood tested at intervals of at least 21 days and until two consecutive negatives tests are obtained.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:244 (March 1985), amended LR 11:615 (June 1985), amended by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 15:812 (October 1989), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:968 (May 2014), amended LR 43:1278 (July 2017).

**§1105. Sanitary Disposal of Dead Poultry  
(Formerly §707)**

A. All commercial poultry producers are required to obtain a certificate of approval for their disposal method from the Louisiana Department of Agriculture and Forestry (LDAF). Failure to obtain a certificate shall be considered a violation of this regulation. Certificates of approval are continuous, but subject to review and cancellation should the poultry producer fail to dispose of dead poultry in accordance with this regulation.

B. Dead poultry must be removed from the presence of live poultry within 24 hours after death. The carcasses, parts of carcasses and offal must be held in covered containers until disposal is made by one of the approved methods. In no instance, however, will the storage of dead poultry be allowed to create sanitary problems. Commercial poultry producers shall be required to dispose of dead poultry by one of the following methods.

1. Incinerators. Incinerators shall be constructed in a manner and design capable of providing a method of disposal of dead poultry to prevent the spread of diseases. The design and construction must be approved by an authorized representative of the Board of Animal Health.

2. Rendering Plant. Dead poultry, parts of carcasses and poultry offal may be transported in covered containers to

approved rendering plants. Poultry carcasses may be held on the premises of commercial poultry producers for up to 24 hours as long as the storage does not create a sanitary problem. All such methods of storage and transportation of dead poultry to approved rendering plants must be approved by an authorized representative of the Board of Animal Health.

3. Composting. The design, construction, and use of compost units such as sheds or drums must be approved by an authorized representative of the Board of Animal Health.

C. Burial. In the event of the death of more than 1 percent of broilers or 0.5 percent of pullets or breeders over four weeks of age on the same premises within a 24-hour period of time, the dead poultry may be disposed of by on-site burial. The state veterinarian's office must be notified immediately by telephone or facsimile in the event of excessive mortality requiring on-site burial. An exemption waiver will be submitted to the grower, LDAF and commercial poultry management once a burial site has been inspected and approved by the LDAF representative.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:244 (March 1985), amended LR 11:615 (June 1985), LR 17:874 (September 1991), LR 18:1355 (December 1992), LR 20:863 (August 1994), LR 23:949 (August 1997), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:968 (May 2014), amended LR 43:1278 (July 2017).

## Chapter 13. Swine (Formerly Chapter 9)

### Subchapter A. General Provisions

#### §1301. Definitions

A. For purposes of this Chapter, the following words shall have the following meanings unless the context clearly indicates otherwise.

*Approved Holding Facility*—a pen or pens approved by LDAF to temporarily hold feral swine pending movement to a recognized slaughter facility or reclassification.

*Domestic Swine*—swine (*Sus scrofa*) other than feral swine.

*Feral Swine*—any hog, pig, or swine species (*Sus scrofa*) including, but not limited to, Russian and European wild boar and their hybrids 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.

*Feral Swine Authorized Transporter*—a person authorized by the Board of Animal Health to transport live feral swine to state or federally inspected slaughter facilities,

quarantine swine feedlots and feral swine approved holding facilities.

*Recognized Slaughter Facility*—a slaughter facility operated under the state or federal meat inspection laws and regulations.

*Swine-Proof Fence*—a fence constructed to sufficient construction standards; with materials of hog-proof net, woven or welded wire and wood, metal or other approved posts and, be maintained to prevent egress of swine over, through, or under the fence.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Board of Animal Health, LR 42:391 (March 2016).

§§1303-1309. Reserved.

### Subchapter B. Brucellosis and Pseudorabies

#### §1311. Quarantining, Vaccinating and Testing Swine for Brucellosis and Pseudorabies (Formerly §905)

A. The state veterinarian or his representative shall have the authority to conduct epidemiologic investigations and quarantine of:

1. swine herds in which one or more of the animals are found to be positive to brucellosis or pseudorabies, as determined by the epidemiologist, based on the interpretation of official tests;

2. the herd of origin of swine that have been added to a herd that becomes quarantined because of brucellosis or pseudorabies, if swine have been acquired from said herd of origin within the last 12 months;

3. herds which have received swine from herds found to have brucellosis or pseudorabies.

B. Herds of swine including feedlots, within a 1.5-mile radius of the quarantined herd, will be monitored in accordance with the recommendation of the state veterinarian and/or epidemiologist by either a test of all breeding swine or by an official random sample test.

C. A herd plan and epidemiology report must be completed within 30 days from the date an animal that originated from the herd was found to be a reactor at slaughter. A herd test must be completed within 45 days from the date an animal that originated from the herd was found to be a reactor at slaughter.

D. To be eligible for release from quarantine due to positive pseudorabies, a swine herd must meet the following requirements.

1. All swine positive to an official pseudorabies test must be tagged with an official reactor tag in the left ear and permitted on Form VS 1-27 to recognized slaughter establishment, rendering plant, or disposed of on the herd

premises or other "approved" location by disposal means authorized by applicable state laws within 15 days. All swine, over 6 months of age and a random sampling of any growing/finishing swine which remain in the herd, must be tested negative 30 days or more after removal of reactors. No livestock on the premises shall have shown signs of pseudorabies after removal of reactors.

2. Whole Herd Depopulation. All swine on the premises must be tagged with an official reactor tag in the left ear and permitted on a Form VS 1-27 to a recognized slaughter establishment, rendering plant, or disposed of on the herd premises or other "approved" location by disposal means authorized by applicable state laws. The premises must remain depopulated for 30 days and the herd premises must be cleaned and disinfected with an approved disinfectant prior to putting swine back on the premises.

E. To be eligible for release from quarantine due to positive brucellosis, a swine heard must meet one of the following requirements.

1. All swine positive to an official brucellosis test must be tagged with an official reactor tag in the left ear and permitted on Form VS 1-27 to a recognized slaughter establishment, rendering plant, or disposed of on the herd premises by disposal means authorized by applicable state laws within 15 days.

a. All swine over six months of age which remain in the herd, must be tested according to an approved herd plan.

b. A herd may be released from quarantine upon completion of three negative complete herd tests (CHT):

i. the first test must be completed at least 30 days after removal of the last reactor;

ii. a second CHT must be conducted 60-90 days following the first CHT;

iii. a third CHT is required 60-90 days following the second CHT;

iv. a fourth CHT is required six months after the third CHT.

2. Whole Herd Depopulation

a. All swine on the premises must be tagged with an official reactor tag in the left ear and permitted on a Form VS 1-27 to a recognized slaughter establishment, rendering plant, or disposed of on the herd premises or other "approved" location by disposal means authorized by applicable state laws.

b. The premises must remain depopulated for 30 days and the herd premises must be cleaned and disinfected with an approved disinfectant prior to putting swine back on the premises.

F. All movement from pseudorabies or brucellosis quarantined herds, must be accompanied by a VS Form 1-27, permit for movement of restricted animals, listing the

official, individual identification of each animal to be removed.

1. This form must be delivered to an authorized representative at destination.

2. These permits will be issued by a representative of the Board of Animal Health.

G. All exposed swine moving from quarantined premises in interstate or intrastate commerce, must move directly to a recognized slaughter establishment or to an approved swine quarantined feedlot or rendering plant.

H. The use of pseudorabies vaccine is prohibited, except by permission of the state veterinarian.

I. Reclassification of Feral Swine

1. Free-roaming or feral swine may be qualified for reclassification as domestic swine upon completion of the following test protocol.

a. Three consecutive complete herd tests (CHT) for brucellosis and pseudorabies, with negative results, shall be conducted in order to qualify for reclassification.

b. The first test must be completed at least 30 days after removal of the last reactor.

c. A second CHT must be conducted 60-90 days following the first CHT.

d. A third CHT is required 60-90 days following the second CHT.

e. In addition, any sexually intact female swine must also undergo a brucellosis and pseudorabies test, with negative results, not less than 30 days after their initial farrowing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093 and R.S. 3:2135.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 16:392 (May 1990), amended LR 18:839 (August 1992), LR 20:1258 (November 1994), LR 23:1493 (November 1997), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:969 (May 2014), amended by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Board of Animal Health, LR 42:391 (March 2016), LR 42:2169 (December 2016).

**§1312. Swine Movement Restrictions and Feral Swine Authorized Transporter Authorization**

A. No person shall import live feral swine into this state unless the live feral swine are going directly to a state or federally inspected slaughter establishment, a quarantine swine feedlot or a feral swine approved holding facility in a sealed trailer accompanied by a USDA VS Form 1-27 permit for the movement of restricted animals.

B. No person shall transport live feral swine within the state of Louisiana without first registering as a feral swine authorized transporter with the Board of Animal Health.

Registration as a feral swine authorized transporter shall not be transferrable and shall be active for a five-year period.

C. Application to become a feral swine authorized transporter shall be on a form prescribed by the Board of Animal Health and shall include the following information:

1. name, mailing address, physical address, email address, and telephone number of the applicant;
2. driver's license number of the applicant;
3. brief statement describing the area and parishes wherein the applicant typically transports feral swine;
4. description of the vehicles used to transport live feral swine including any license tag numbers.

D. Live feral swine shall only be transported to the following:

1. approved holding facilities;
2. quarantine swine feedlot;
3. a state or federally inspected slaughter facility;
4. pursuant to an order issued by the state veterinarian.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2135 and R.S. 3:2137.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Board of Animal Health, LR 42:391 (March 2016).

### **§1313. Operation of Livestock Auction Markets (Formerly §907)**

A. All swine which are sold or offered for sale in livestock auction markets must meet the general requirements of §131 and the following specific pseudorabies/brucellosis requirements.

1. All breeder and feeder swine moving to Louisiana auction markets from farms outside Louisiana must meet the requirements of §131.

2. All swine over six months of age, being sold at Louisiana livestock auction markets must be identified by an official swine back tag, placed on the animals' forehead and an official metal ear tag.

3. The market shall furnish the Board of Animal Health's official representative a copy of each check-in slip, showing the name of the auction market, the date, the name and complete address of each consignor, and the official back tag numbers applied to the consignor's livestock. It shall be a violation of this regulation for anyone to consign livestock to a Louisiana livestock auction market and give a name and address that is not the name and address of the owner consigning the livestock to the auction market.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:245 (March 1985), amended LR 11:615 (June 1985), amended by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 16:392 (May 1990), LR 18:839 (August 1992), LR 23:1494 (November 1997), repromulgated by the Department of Agriculture and

Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:970 (May 2014), LR 42:2170 (December 2016).

§§1315-1319. Reserved.

## **Subchapter C. Quarantine Swine Feedlots and Feral Swine Approved Holding Facilities**

### **§1321. Quarantine Swine Feedlots and Feral Swine Approved Holding Facilities (Formerly §909)**

A. Permit Required. No person may operate a quarantined swine feedlot or feral swine holding facility without first obtaining a permit from the Board of Animal Health. Any person operating a feedlot or holding facility without a valid permit will be in violation of this regulation and subject to prosecution. Approval for a quarantine swine feedlot or feral swine holding facility may be given after initial inspection by an authorized agent of the Board of Animal Health.

B. Requirements for Operation of Quarantined Swine Feedlots and Approved Feral Swine Holding Facilities

1. All swine must be maintained at a minimum 200 yards from all other domestic swine pens.

2. Complete records must be maintained on all transactions as described in Subsection C of this Section. These records shall be made available to state-federal personnel upon request.

3. No feral swine shall be comingled with domestic swine unless the facility is operating as a quarantine swine feedlot and all swine movements from the quarantine swine feedlot facility must be directly to a slaughtering establishment operating under approved state or federal meat inspection.

4. Only feral swine may be placed in an approved feral swine holding facility.

5. Quarantine swine feedlots and approved feral swine holding facilities must be fenced with swine-proof fence to prevent any swine from escaping and the fencing must be continually maintained by the owner/operator to prevent escape of swine.

6. Feral swine shall not be fed garbage as per LAC 7:XXI.2305.

7. Each quarantine swine feedlot or feral swine holding facility shall be inspected at least annually by an authorized agent of the Board of Animal Health.

C. Records

1. records shall be generated and maintained by owner/operators of quarantine swine feedlots and approved feral swine holding facilities. The records shall include the following:

- a. number of swine placed in and removed from the facility quarterly;
- b. trapper/transporter name and license number for feral swine;
- c. weight, color, sex and any applied identification for each animal;
- d. date each animal was placed in and removed from the facility;
- e. parish where feral swine were trapped.

2. All records shall be provided to an authorized agent of the commission upon request. All records shall be maintained for not less than five years.

#### D. Cancellation of Quarantined Swine Feedlot or Approved Feral Swine Holding Facility Permit

1. A quarantined swine feedlot permit may be canceled upon written notice that the operation does not meet the requirements of this regulation, or the operator of such quarantined swine feedlot has violated the provisions of this regulation in any respect.

2. The board shall give written notice of the cancellation of a quarantined swine feedlot permit to the operator thereof.

3. Any operator of a quarantined swine feedlot whose permit is so canceled may appeal the cancellation thereof by written notice to the board within 10 days of receipt of the notice of cancellation. Any operator of a quarantined swine feedlot who appeals cancellation of his permit shall be entitled to a full hearing before the board, and the decision of the board at such hearing will be final unless the operator appeals to a court of competent jurisdiction.

#### 4. Closure of a Quarantine Swine Feedlot or Approved Feral Swine Holding Facility

a. Upon termination of a permit, the owner/operator may take up to 14 days to dispose of all feral swine at the facility.

b. No person shall release feral swine, or any swine species, into the wild.

c. Cleaning and disinfection of the premises shall be completed immediately upon closure of the facility if required by the Board of Animal Health.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:2093 and R.S. 3:2135.

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:247 (March 1985), amended LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:970 (May 2014), amended by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Board of Animal Health, LR 42:392 (March 2016), LR 42:2170 (December 2016).

## Subchapter D. Slaughterhouse Requirements for Identification, Sampling and Records

### §1323. Identification of Swine with Official Backtags and the Collection of Blood Samples from Officially Backtagged Swine at Slaughter Establishments under State or Federal Meat Inspection (Formerly §911)

#### A. Official Backtagging of Swine

1. All swine over six months of age that are not officially tagged when received by a slaughter establishment, under state or federal meat inspection, shall be identified by an official backtag, properly placed. The name and address of the consignor, the name and address of the owner of the herd of origin, (if different from that of the consignor), shall be recorded, along with the official backtag numbers, on forms provided for this purpose. A copy of the completed form shall be retained by the slaughter establishment for their records; the original is to be furnished to the meat inspector to accompany blood samples to the state-federal livestock diagnostic laboratory.

2. The slaughter establishment shall be responsible for the identification of the animals and for maintaining required records.

**B. Records.** All records pertaining to the identification of the swine, the name and address of the owner of the herd of origin, (if different from that of the consignor), shall be maintained and made available to representatives of the Board of Animal Health, upon request.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:2093.

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 16:392 (May 1990), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:970 (May 2014), LR 42:2171 (December 2016).

## Chapter 15. Sheep and Goats (Formerly Chapters 11 and 13)

### Subchapter A. Sheep

#### §1501. Reserved.

#### §1503. Identification of Sheep (Formerly §1105)

**A.** All sheep changing ownership shall be individually identified by means of an official identification for *scrapie* as defined in §101.

**B.** The following sheep shall be individually identified with official identification for scrapie:

1. live scrapie positive sheep;
2. suspect scrapie positive sheep;

3. all sheep considered as high risk for developing scrapie, as defined by USDA;
4. all sheep exposed to scrapie.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093 and 2095.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 31:1971 (August 2005), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:971 (May 2014).

**§§1505-1509. Reserved.**

## Subchapter B. Goats

**§1511. Reserved.**

**§1513. Identification of Goats  
(Formerly §1303)**

A. The following goats shall be individually identified by means of an official identification for scrapie and defined in §101:

1. live scrapie positive goats;
2. suspect scrapie positive goats;
3. all goats considered as high risk for developing scrapie, as defined by USDA;
4. all goats exposed to scrapie.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093 and 2095.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 31:1971 (August 2005), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:971 (May 2014).

## Chapter 17. Alternative Livestock—White-tailed Deer and other Captive Cervids (Formerly Chapter 15)

**§1701. Statement of Authority and Purpose  
(Formerly §1501)**

A. The commissioner of agriculture and forestry heads and directs the Department of Agriculture and Forestry and exercises all functions of the state relating to the promotion, protection and advancement of agriculture and forestry. The commissioner is authorized by law and does hereby adopt these rules and regulations for the purposes of promoting, protecting and advancing agriculture and to implement the laws adopted by the legislature, including those in part I of chapter 19-A of title 3 of the *Revised Statutes*, giving the commissioner the specific power to regulate farm-raised exotic animals, including imported exotic deer and imported exotic antelope, elk and farm-raised white-tailed deer.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3101.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of the Commissioner, LR 24:282

(February 1998), amended LR 24:1671 (September 1998), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:971 (May 2014).

**§1703. Reserved.**

**§1705. Definitions  
(Formerly §1503)**

A. For purposes of these rules and regulations, the following words and phrases shall have the meaning given herein.

*Alternative Livestock*—any imported or domestically raised exotic deer and antelope, elk or farm-raised white-tailed deer.

*Chronic Wasting Disease (CWD)*—a transmissible spongiform encephalopathy of cervids.

*Commissioner*—the commissioner of agriculture and forestry.

*Department*—the Louisiana Department of Agriculture and Forestry.

*Elk*—any animal of the species and genus *Cervus canadensis*.

*Farm*—any area of land or water, regardless of size, used to breed, raise or keep farm-raised alternative livestock for a commercial purpose, including but not limited to breeding *farms* or propagating preserves. This definition does not include areas of land or water which are part of a zoo, game park or wildlife exhibit where the primary purpose is the exhibition of alternative livestock or other animals.

*Farm-Raised*—any alternative livestock born, raised, or kept within a closed circumscribed fenced area for a commercial purpose. This definition does not include alternative livestock which are part of a zoo, game park or wildlife exhibit where the primary purpose is the exhibition of the alternative livestock or other animals.

*Farm-Raised White-Tailed Deer*—any animal of species and genus *Odocoileus virginianus* which is bred, born, raised and/or kept within a closed circumscribed fenced area for the purpose of buying, selling, or trading in commerce. *Farm-raised* white-tailed deer does not include any white-tailed deer which is part of any zoo, game park, or wildlife exhibit where the primary purpose of the same is the exhibition of white-tailed deer and/or other animals.

*Harvesting*—the attempt or act of shooting, wounding or killing farm-raised alternative livestock within the enclosure system of a farm in a manner consistent with those techniques commonly referred to as hunting in title 56 of the *Louisiana Revised Statutes*.

*Imported Exotic Antelope*—any animal of the family *Bovidae* which are not indigenous to North America, except animals of the tribes *Bovine* (cattle) and *Caprine* (sheep and goats).



*Imported Exotic Deer*—any animal of the family *Cervidae* which are not indigenous to North America, including but not limited to red deer, Seika deer and fallow deer.

*LDWF*—the Louisiana Department of Wildlife and Fisheries.

*Person*—any individual, corporation, partnership or other legal entity.

*Quarantine*—the requirement, resulting from an order of the department or the state veterinarian's office, to secure and physically isolate an animal or animals in a specified confined are.

*White-Tailed Deer*—any animal of the species and genus *Odocoileus virginianus*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3101.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of the Commissioner, LR 24:282 (February 1998), amended LR 24:1671 (September 1998), amended by the Department of Agriculture and Forestry, Board of Animal Health, LR 38:961 (April 2012), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:971 (May 2014), amended LR 42:1864 (November 2016).

#### **§1707. Issuance of Farm-Raising License; Renewals (Formerly §1505)**

A. Any person who keeps, breeds, raises, contains, harvests, kills, slaughters, buys, sells, trades, or transfers ownership of any type of farm-raised alternative livestock for commercial purposes shall obtain a farm-raising license, from the department prior to engaging in such activity.

B. The department shall not issue any farm-raising license until the application for the farm-raising license and the information requested, including the required plan for the operation of the farm, is approved by the department and the proposed farm passes the department's requirements and inspection.

C. Any changes in any information submitted in the original application, occurring during or after the application process, shall be submitted in writing to the department. The department must approve, in writing, any change or modification, which shall be in writing, in the written farm operation plan submitted with the original application before such change or modification, may go into effect.

D. A farm-raising license shall be valid for the period beginning with the date of issuance and ending the following June 30 or from July 1 of the year of renewal through the following June 30.

E. A farm-raising license may be renewed each year by the department. A licensee shall submit a written request for renewal, the renewal fee, any proposed modification, which shall be in writing, of the written farm operation plan previously submitted to and approved by the department and any proof requested by the department of compliance by the licensee with part I of chapter 19-A of title 3 of the *Revised*

*Statutes*, these rules and regulations, the written farm operation plan submitted to and approved by the department and any quarantine. If either the written request for renewal or the renewal fee is received by the department after July 31, the farm-raising license shall be deemed expired, *ipso facto*, retroactive to June 30.

F. In the event that the department determines that a farm does not meet the requirements of or was not complying with part I of chapter 19-A of title 3 of the *Revised Statutes*, these rules and regulations, the written farm operation plan submitted to and approved by the department and any quarantine the farm-raising license may not be renewed by the department.

G. The licensee may contest the department's decision not to renew a farm-raising license by filing a written request for an adjudicatory hearing with the department within 15 days from receipt of the notice of nonrenewal. Such a hearing is to be held in accordance with the provisions of the Administrative Procedure Act. Any such hearing shall be held within 30 days of the request, unless continued for good cause.

H. A farm-raising license is non-transferrable without written approval from the department. In the event of a change in ownership of a farm, the new owner or operator shall submit a transfer application to the department. The transfer application shall detail any changes in the approved farm operation plan. The transferee shall meet all requirements set forth in this Chapter in order for the transfer to be approved.

1. Upon receipt of the transfer application and all additional requested information, the department shall issue approval or denial of the transfer request within 30 days. If a transfer is denied, the applicant may, within 7 days of receipt of the denial, file an appeal of the department's decision with the Board of Animal Health. The appeal will be conducted in accordance with the Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3101.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of the Commissioner, LR 24:282 (February 1998), amended LR 24:1672 (September 1998), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:972 (May 2014), amended LR 42:1864 (November 2016).

#### **§1709. Fees (Formerly §1507)**

##### **A. Farm-Raising License Fees**

1. The fee for a new farm-raising license shall be \$250.

2. The farm-raising license renewal fee shall be \$250.

##### **B. Delinquent Fees**

1. Any farm raised license renewal not received by August 31 may be assessed a late fee of \$125.

##### **C. Farm-Raised Alternative Livestock Tag Fee**

1. Each farm-raised alternative livestock harvested or killed shall have a farm- raised harvest tag attached to the left ear or left antler of the carcass at the time of kill and the tag shall remain with the carcass at all times, except as provided in §1709.C.3.

2. The farm-raised alternative livestock tag shall be provided by the department at a cost of \$5 per tag.

3. No farm-raised tag shall be required for farm-raised alternative livestock which are to be taken directly to a state or federally approved slaughter facility or which are sold or traded alive for breeding or stocking purposes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3101 and R.S. 3:3107.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of the Commissioner, LR 24:282 (February 1998), amended LR 24:1672 (September 1998), LR 39:3060 (November 2013), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:972 (May 2014), amended LR 42:1865 (November 2016).

**§1711. Farm-Raising Licensing Requirements (Formerly §1509)**

A. Written Application. Each applicant for a farm-raising license shall submit a completed written application on a form supplied by the department. In addition to any other information that may be requested by the department the applicant shall provide the following information:

1. name, physical address, mailing address and telephone number of the applicant and whether the applicant will own or lease the land. If the land is leased then a copy of the lease shall be provided to the department;

2. the name under which the business will operate, the physical address, mailing address and telephone number of the business, if different than the information provided in §1711.A.1;

3. the business structure, (sole proprietorship, partnership, corporation, limited liability company, joint venture, or otherwise);

4. the name of the person or persons in charge, position (e.g., owner, manager, etc.), residence address and phone number;

5. the physical location and size of the farm;

6. a topographical map of the farm if 50 acres or more;

7. the species of alternative livestock to be farm-raised;

8. the approximate number of animals to be farm-raised;

9. the complete plan for the operation of the farm including:

a. an enclosure system, including fencing the farm, indicating the location, size, nature and extent of the fencing material and of any right of way related to the farm property;

b. systematic inspection of the enclosure system, including the fence, maintenance, repair and replacement of the fence, keeping the fence and any clearance along either side of the fence clear and verification to the department of compliance with this provision;

c. the capture of any farm-raised alternative livestock that may escape from or wild white-tailed deer that may enter the farm through a breach or opening in the enclosure system or fence;

d. removal of white-tailed deer from the farm prior to completion of the enclosure of the farm;

e. controlling farm-raised alternative livestock population;

f. identification by means of an electronic implant of all white-tail deer born, bought, sold, traded or which otherwise become farm-raised white-tailed deer, which shall include the systematic capture of farm-raised white-tailed deer for implantation purposes;

g. the removal and disposal of all alternative livestock in the event that the farm ceases operation for any reason or upon revocation or nonrenewal of the farm-raising license, including a provision for written notice to the department prior to cessation of farming operation;

h. the type of farming operation records that will be kept;

10. a statement that the applicant shall abide by the requirements of part I of chapter 19-A of title 3 of the *Revised Statutes*, these rules and regulations, the written farm operation plan submitted to and approved by the department and any quarantine;

11. a certified statement that all representations contained in the application, the farm operation plan and attachments are true and correct.

B. Farm Inspection. An applicant shall have the proposed farm physically inspected and approved by the department before a farm-raising license may be issued by the department. To obtain department approval a proposed farm shall:

1. be located in a rural area of the state;

2. be securely enclosed by an enclosure system, including fencing, that meets the following specifications:

a. a minimum height, above the relevant ground, of 8 feet;

b. enclose an area of not less than 250 acres to be eligible for harvesting as provided by §1709 of these rules and regulations. Applicants seeking eligibility to harvest on farms with enclosures of less than 300 acres must demonstrate good cause why an enclosure of a different size is not inconsistent with the intent of part I of chapter 19-A of title 3 of the *Revised Statutes*; No farm less than 300 acres will be approved unless more than 60 percent of the farm is wooded or heavy brush.

c. a minimum gauge wire of 12 1/2;

d. fencing material of chain link, woven wire, solid panel or welded panel or, if made with any other material, approved in writing by the department, however, welded wire fences shall not be used unless it was approved by LDWF and installed prior to April 22, 1997, but, such welded wire fences, when replaced or partially replaced, shall be replaced by fencing required by these rules and regulations;

3. have drainage sufficient to leave a majority of the farm free from extended periods of standing water;

4. have adequate space and if the total enclosed area of the farm is less than 50 acres, allow at least 5,000 square feet for the first elk or farm-raised white-tailed deer placed on the farm and at least 2,500 square feet for each subsequent elk or farm-raised white-tailed deer;

5. have no condition which may cause noncompliance with or substantial difficulty in complying with part I of chapter 19-A of title 3 of the *Revised Statutes*, these rules and regulations, the written farm operation plan submitted to and approved by the department and any quarantine;

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3101.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of the Commissioner, LR 24:282 (February 1998), amended LR 24:1673 (September 1998), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:973 (May 2014), amended LR 42:1865 (November 2016).

**§1713. Grounds for Refusal to Issue or Renew a Farm-Raising License (Formerly §1511)**

A. The commissioner may refuse to issue or renew a farm-raising license for any of the following circumstances:

1. the applicant cannot demonstrate to the satisfaction of the commissioner a competency to operate an alternative livestock farm;

2. the applicant has failed to provide all of the information required in or with the farm-raising license or renewal application, or has provided false information to the department;

3. the applicant has previously refused to permit the department to inspect the farm or to inspect farm records or the applicant has otherwise failed to comply with part I of chapter 19-A of title 3 of the *Revised Statutes*, these rules and regulations, the written farm operation plan submitted to and approved by the department and any quarantine;

4. the department does not approve the farm operation plan;

5. the proposed farm does not pass the department's inspection;

6. the applicant has previously been found in violation of either part I of chapter 19-A of title 3 of the *Revised Statutes*, these rules and regulations, the written farm

operation plan submitted to and approved by the department or any quarantine.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3101.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of the Commissioner, LR 24:282 (February 1998), amended LR 24:1673 (September 1998), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:974 (May 2014), amended LR 42:1865 (November 2016).

**§1715. Obligations of the Farm-Raising Licensee (Formerly §1513)**

A. Identification of Farm-Raised Alternative Livestock

1. All farm-raised white-tailed deer shall be identified by means of an electronic implant implanted as follows:

a. the electronic implant shall be implanted into the subcutaneous tissue at the base of the left ear;

b. all farm-raised white-tailed deer being brought into Louisiana shall have the electronic implant implanted before entering this state and prior to being released on the farm;

c. farm-raised white-tailed deer born in this state shall have an electronic implant implanted the first time the farm raised white-tailed deer is captured alive and before the farm-raised white-tailed deer leaves the farm;

d. each electronic implant code shall be listed on the farm-raised white-tailed deer's health certificate and on the bill of sale or certificate of transfer.

2. All farm-raised alternative livestock other than farm-raised white-tailed deer shall be permanently and individually identified as follows:

a. by means of an electronic implant or by a permanent ear tattoo and ear tag;

b. the electronic implant shall be implanted into the subcutaneous tissue at the base of the left ear;

c. prior to entering the state, alternative livestock, other than farm-raised white-tailed deer, shall be identified as required herein;

d. alternative livestock born in this state, other than farm-raised white-tailed deer, shall be identified as required herein, the first time any such animal is captured alive and before any such animal leaves the farm;

e. the identification number or electronic implant code, and the location thereof, shall be listed on the health certificate and the bill of sale or certificate of transfer.

3. Farm-raised alternative livestock, other than farm-raised white-tailed deer, that will be transported directly to a state or federally approved slaughter facility are exempt from this identification requirement.

4. Farm-raised alternative livestock placed on a farm prior to the effective date of these regulations, other than farm-raised white-tailed deer, are not required to be

identified by a permanent ear tattoo and ear tag or electronic implant unless removed alive from the farm.

#### B. Record Keeping

1. Each licensee shall maintain records, for not less than 60 months, of all sales, deaths, kills, trades, purchases, or transfers of any farm-raised alternative livestock. The records shall include:

- a. total number of farm-raised alternative livestock, carcasses, or parts thereof, killed, sold, traded, purchased or transported;
- b. name and address of the person to whom each farm-raised alternative livestock, or any carcass, or parts thereof, was sold, traded, delivered, presented or transported;
- c. the electronic implant code or identification number of the farm-raised alternative livestock;
- d. copies of any health certificates issued;
- e. accurate records showing all inspections, maintenance, repairs and replacement to the enclosure system, including the fence and such records shall include the dates and times of each, names of the persons performing services, the location of any breaches of the enclosure system, including the fence and nature and location of any repairs or replacements made to the fence;
- f. records customarily kept in the normal course of conducting business and those records required by these rules and regulations.

2. Sellers, traders or transferors of farm-raised alternative livestock, any carcass, or any part thereof, shall furnish the purchaser or transferee with a bill of sale or letter of transfer as verification of the farm-raised status. A copy of the bill of sale shall be submitted to the department within 10 business days of the transaction.

3. The furnishing of any false information shall be a violation of these rules and regulations.

#### C. Enclosure System and Fence Inspection and Maintenance

1. Any licensee shall conduct or shall have conducted a visual ground inspection of the enclosure system, including the fence, along the entire perimeter of the fenced area of the farm not less than weekly. An inspection shall be conducted immediately after any major storm or occurrence of any other force of nature that would cause a reasonable person to be concerned about the integrity of the enclosure system, including the fence.

2. Any licensee shall maintain the enclosure system, including the fence in good repair at all times. Good repair means that farm-raised alternative livestock are not able to leave and wild white-tailed deer are not able to enter through the enclosure system, including the fence, or otherwise.

3. Any licensee who discovers a breach or opening in the enclosure system or fence that would allow farm-raised alternative livestock to leave from or wild white-tailed deer to enter into the enclosed area shall notify, orally and in

writing, the department of the breach or opening and the department shall notify LDWF within 12 hours.

4. In the event of such a breach or opening the licensee shall immediately close the breach or opening and make all reasonable efforts to determine if farm-raised alternative livestock left from or wild white-tailed deer entered into the area enclosed by the fence.

#### D. Other Obligations of the Farm Licensee

1. A licensee shall make all reasonable efforts to remove white-tailed deer from the farm prior to completion of the fencing and enclosure system of the farm. Removal of the white-tailed deer may include the following steps:

- a. upon completion of fencing and enclosure, LDAF shall inspect the enclosure for the presence of native white-tailed deer and inspection of enclosure;
- b. if the inspection reveals the presence of native white-tailed deer, the licensee shall attempt to eradicate the deer concurrent with one legal hunting season:
  - i. the licensee may enroll in LDWF's DMAP for harvest tags to facilitate eradication;
- c. final inspection of the premises for the presence of native white-tailed deer shall be performed by the department, with input from LDWF. The final decision regarding licensure shall be made by the department.

2. A licensee shall control the population of farm-raised alternative livestock on the farm.

3. A licensee shall make all efforts that a reasonable licensee would make to capture any farm-raised alternative livestock that escapes from the fenced area of the farm and to remove wild white-tailed deer that enters the fenced area of the farm.

4. A licensee shall, in writing, notify the department, at least 10 days prior to placing any alternative livestock on the farm if such alternative livestock was not listed on the original application or on any modification previously approved, in writing, by the department.

5. A licensee upon cessation of operations, or upon revocation or nonrenewal of the farm-raising license shall make all reasonable efforts to remove and dispose of all farm-raised alternative livestock on the farm in accordance with the farm operation plan submitted to and approved by the department or in accordance with specific written instructions issued by the department in the event that circumstances warrant removal and disposal of the farm-raised alternative livestock to be made in a manner different from the farm operation plan. Farm-raised alternative livestock on the farm may be transferred to another licensed farm or eradicated concurrent with one legal hunting season. If, at the end of one legal hunting season, farm-raised alternative livestock remain on the property, the licensee may request LDAF harvest tags as needed.

a. Prior to decommissioning of the farm and removal of the enclosure, the licensee shall test 10 percent of

cervids 12 months and older for CWD using a USDA approved method of testing.

b. Prior to decommissioning of the farm and removal of the enclosure, LDWF and LDAF shall conduct a final inspection of the farm to ensure that all reasonable efforts to remove and dispose of all farm-raised alternative livestock on the farm have been made. Final approval for decommissioning of the farm and removal of the enclosure shall be granted by LDAF.

6. A licensee shall be responsible for ensuring that any individual who harvests or kills any farm-raised alternative livestock on the licensee's farm does so in accordance with these rules and regulations.

7. A licensee shall harvest or kill farm-raised alternative livestock in accordance with these rules and regulations.

8. A licensee shall provide that all farm-raised alternative livestock have the necessary health certificates and that the farm-raised alternative livestock meet all applicable health requirements.

9. A licensee shall allow authorized representatives of LDAF to inspect the farm at any time and all books and records at any reasonable time.

10. A licensee shall comply with all provisions of part I of chapter 19-A of title 3 of the *Revised Statutes*, these rules and regulations, the written farm operation plan submitted to and approved by the department and any quarantine.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3101.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of the Commissioner, LR 24:282 (February 1998), amended LR 24:1674 (September 1998), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:974 (May 2014), amended LR 42:1865 (November 2016).

### **§1717. Health Certificates and Health Requirements (Formerly §1515)**

A. Prior to entering Louisiana, all alternative livestock, except those being transported directly to a state or federally approved slaughter facility, shall:

1. meet the general health requirements promulgated in §501 of this Part

2. have an entry permit number issued by the state veterinarian's office no more than 15 days before entry into Louisiana which entry number shall be included on the certificate of veterinary inspection;

3. have written proof of a negative test for *Brucellosis* in accordance with the *Brucellosis Eradication in Cervidae Uniform Methods and Rules* as and when published by the United States Department of Agriculture, Animal and Plant Health Inspection Service. Until such time as the *Brucellosis Eradication in Cervidae Uniform Methods and Rules* are published, all alternative livestock six months of age and older entering Louisiana, except those being transported

directly to a state or federally approved slaughter facility, shall be tested negative for *Brucellosis* within 30 days prior to entry into Louisiana, and written proof thereof shall be provided, unless the alternative livestock originate from a herd which has been officially declared a certified *Brucellosis* free herd by the state of origin;

4. have written proof of a negative tuberculin skin test or a serological test for tuberculosis that meets the following requirements:

a. the tuberculin skin test or serological test for tuberculosis is one of the official tuberculosis tests approved by the U.S. Department of Agriculture for use on the species of alternative livestock for which permission to enter the state is being sought;

b. the test was administered and read in accordance with the USDA requirements for the administering and reading of that test.

B. Any alternative livestock which has been exposed to *Brucellosis* or tuberculosis shall be quarantined and tested for the diseases to which it has been exposed within 60 days of the date of the quarantine. The quarantine shall remain in effect until removed, in writing, by the State Veterinary Office.

C. Elk, black-tailed deer, mule deer, red deer, white-tailed deer, and any imported exotic deer as defined in LAC 7:XXI.1705 (collectively referred to in this Section as "deer") shall not be admitted or readmitted (collectively referred to as "admitted") into this state without specific written authorization from the commissioner or his designee.

1. Deer being transported through this state in interstate commerce shall be exempt from the provisions of this Section if there are no scheduled stops for offloading the deer or if such stops would reasonably place the deer in contact with other deer or cattle.

a. If deer being transported through this state in interstate commerce must be offloaded due to a mechanical breakdown or an emergency situation then the state veterinarian shall be immediately notified of the situation.

b. No deer shall be offloaded without authorization from the state veterinarian to offload the deer.

c. The deer shall be offloaded, confined, and quarantined in strict compliance with the instructions provided by the state veterinarian and shall be kept confined, quarantined and re-loaded under the direct supervision of the state veterinarian's representative.

2. Deer within this state that are moved or transported out of this state, even temporarily, shall not be admitted back into this state without the specific written authorization of the commissioner or his designee.

D. A person must provide the state veterinarian the following documentation or information as to each animal in order to obtain the authorization necessary for admission of the deer into this state.

1. A request stating the number and type of deer to be admitted, the origin of the deer, the destination of the deer, any stops made or anticipated to be made between the origination point and the final destination where the deer will be offloaded or held in proximity to other deer, the name and address of the requestor, the name and address of the owner of the deer and the reason for the admission of the deer.

2. A certificate of veterinary inspection issued within the preceding 30 days by an accredited veterinarian on the deer listed in the written request which includes a permit number obtained from the department's office of animal health services.

3. A statement by the owner of the deer that he will reimburse all costs incurred by the commissioner or the department for feeding, sheltering, caring, and disposing or destroying of any deer seized and quarantined by the department for violation of any conditions, quarantines, or restrictions placed on deer admitted to the state.

4. Written and signed certification, whether signed jointly or separately, by both the owner of the deer and the inspecting veterinarian of the following information:

a. the distance to the nearest confirmed case of CWD if the deer are to be admitted from any state that has reported a CWD case within the last five years;

b. whether the facility the deer are coming from is enclosed by a single fence or double fence;

c. that each deer:

i. is from a herd that has participated in a recognized CWD surveillance and monitoring program for at least 60 months;

ii. has been in the herd from which the deer is being moved for at least 60 months, or has been in the herd for its entire life if younger than 60 months of age, or was placed in the herd from a herd that had participated in a recognized CWD surveillance and monitoring program for at least 60 months prior to the removal of the deer from the second herd and placement in the first herd;

iii. comes from a herd that is not within 25 miles of a confirmed case of CWD occurring within the previous 60 months if the facility that the deer is coming from is a single fenced facility; or

iv. comes from a herd that is not within five miles of a confirmed case of CWD occurring within the previous 60 months if the facility that the deer is coming from is a double fenced facility.

5. Documentation that shows that each deer meets the health requirements set out in LAC 7:XXI.501 and 7:XXI.1717.

E. The commissioner or his designee shall have the discretion to refuse to authorize the admission of deer into this state, even if all the criteria set out in Subsection D have been met, if in his informed opinion based on advice and recommendations from accredited veterinarians on staff with

the department or employed by the federal government or from reliable veterinarian research or other credible information, he believes that admission of the deer may jeopardized the health of the deer population in this state or run the risk of bring CWD into the state.

F. The commissioner or his designee may, at his discretion, impose conditions, quarantines, and restrictions on the admission of any deer into this state if he believes that such conditions, quarantines, and restrictions are necessary to protect the health of this state's deer population or to control the risk of bringing CWD into the state.

1. Deer admitted into the state subject to any condition, quarantine or restriction may be seized by the department and placed in quarantine on order of the commissioner, at the owner's expense, for any violation of any condition, quarantine or restriction.

2. The commissioner, on behalf of the board, may take any legal action necessary to obtain a court order to dispose of or destroy any such deer seized by the department.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:3101.

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture and Forestry, Office of the Commissioner, LR 24:282 (February 1998), amended LR 24:1675 (September 1998), amended by the Department of Agriculture and Forestry, Board of Animal Health, LR 38:961 (April 2012), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 39:3247 (December 2013), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:975 (May 2014), amended LR 42:1866 (November 2016).

**§1719. Harvesting or Killing of Farm-Raised Alternative Livestock (Formerly §1517)**

A. Farm-raised white-tailed deer shall be harvested by killing only from one-half hour before sunrise to one-half hour after sunset during the period of October 1 through January 31 of the following year, as established by the Louisiana Wildlife and Fisheries Commission. Licensees may also harvest at will at any other time from one-half hour before sunrise to one-half hour after sunset upon 48 hours notice to and written approval of the department. Upon receipt of any such notice the department shall, no later than 24 hours before the harvest, notify LDWF.

B. Except for farm-raised white-tailed deer, farm-raised alternative livestock may be harvested or killed at any time from one-half hour before sunrise to one-half hour after sunset unless the commissioner provides otherwise in accordance with the provisions of §1719.C.

C. The commissioner may establish, by written order, other dates and conditions for the harvesting or killing of farm-raised alternative livestock as the commissioner deems necessary to carry out the purposes of part I of chapter 19-A of title 3 of the *Revised Statutes*. Such orders shall be issued by the commissioner in January of each year or as soon thereafter as is practical and published in the January issue

of the *Louisiana Register* or in the first available issue after any such order is issued.

D. Except as provided by §1709.C.3 of these regulations, any farm-raised alternative livestock harvested or killed, shall have a farm-raised tag attached to the left ear or left antler of the carcass at the time of the kill and the tag shall remain with the carcass at all times.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3101.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of the Commissioner, LR 24:282 (February 1998), amended LR 24:1675 (September 1998), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:977 (May 2014), amended LR 42:1867 (November 2016).

**§1721. Prohibitions**  
(Formerly §1519)

A. No farm-raised alternative livestock shall be released into the wild.

B. Farm-raised white-tailed deer meat shall not be bought, sold, traded, or moved in commerce in any way except when taken to state or federally approved slaughter house. Whitetail deer antlers and capes may be sold if the farm of origin is not under quarantine by the department.

C. Farm-raised alternative livestock sold for slaughter, the sale of which is prohibited, shall be handled in accordance with state and federal meat inspection laws and regulations.

D. It is a violation of these regulations to sell, purchase, trade, transport, or otherwise transfer any farm-raised alternative livestock for any purpose other than immediate slaughter at a state or federally approved slaughter facility if such farm-raised alternative livestock originates from a herd which is under quarantine for *Brucellosis* or tuberculosis.

E. Failure to comply with any provision of part I of chapter 19-A of title 3 of the *Revised Statutes*, these rules and regulations, the written farm operation plan submitted to and approved by the department and any quarantine is prohibited and each act or omission or each day of a continuing violation shall constitute a separate violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3101.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of the Commissioner, LR 24:282 (February 1998), amended LR 24:1676 (September 1998), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:977 (May 2014), amended LR 42:1867 (November 2016).

**§1723. Enforcement**  
(Formerly §1521)

A. The department's authorized representatives may, at any time, enter and inspect all farms on which farm-raised alternative livestock are located for the purposes of issuing, renewing or reviewing farm-raising licenses and to insure

compliance with part I of chapter 19-A of title 3 of the *Revised Statutes*, these rules and regulations, the written farm operation plan submitted to and approved by the department and any quarantine.

B. Authorized representatives of the department may inspect, during any reasonable hours, any records regarding or relating to any farm-raised alternative livestock.

C. Farm-raised alternative livestock which escapes from the enclosure system of the farm, if not captured by a licensee within 96 hours of the escape, may be captured or killed by authorized representatives of the department or by LDWF or any law enforcement agency by whatever means deemed necessary by that agency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3101.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of the Commissioner, LR 24:282 (February 1998), amended LR 24:1676 (September 1998), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:977 (May 2014), amended LR 42:1867 (November 2016).

**§1725. Penalties**  
(Formerly §1523)

A. The commissioner may suspend or revoke the farm-raising license of any licensee and the harvesting permit issued to any person found guilty of violating part I of chapter 19-A of title 3 of the *Revised Statutes*, those portions of title 56 of the *Revised Statutes* related to wildlife, these rules and regulations, the written farm operation plan submitted to and approved by the department and any quarantine.

B. The commissioner may, in addition to suspending or revoking any farm-raising license, impose upon any person charged with violating any provisions of part I of chapter 19-A of title 3 of the *Revised Statutes*, these rules and regulations, the written farm operation plan submitted to and approved by the department and any quarantine, a fine for up to \$100 per violation for each violation such person is found guilty.

C. These civil penalties may be assessed only by a ruling of the commissioner based on an adjudicatory hearing held in accordance with the Administrative Procedure Act.

D. Any person or licensee subject to an order or decision made pursuant to these regulations may request and receive an adjudicatory hearing before the department to be held in accordance with the Administrative Procedure Act by making written application for same to the department within 15 days of issuance of such order or decision.

E. The commissioner may seek a restraining order, injunctive relief or other relief in a proper court of law to restrain violations of or to compel compliance with part I of chapter 19-A of title 3 of the *Revised Statutes*, these rules and regulations, the written farm operation plan submitted to and approved by the department or any quarantine or to

enforce any order or ruling made by him in an adjudicatory proceedings.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:3101.

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture and Forestry, Office of the Commissioner, LR 24:282 (February 1998), amended LR 24:1676 (September 1998), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:978 (May 2014), amended LR 42:1867 (November 2016).

## **Chapter 19. Turtles (Formerly Chapter 23)**

### **§1901. Definitions (Formerly §2301)**

A. In addition to the definitions listed below, the definitions in R.S. 3:2358.3 shall apply to these regulations.

*Agent*—an authorized representative of the Department of Agriculture and Forestry.

*Antibiotic*—any bactericide or other organic substance which can kill bacteria such as *Salmonella* and Arizona spp.

*Approved Antibiotic*—an antibiotic approved by the Department of Agriculture and Forestry for use in the egg immersion method.

*Approved Antibiotic Solution*—a dissolved antibiotic at a concentration approved by the Department of Agriculture and Forestry for use in the egg immersion method.

*Bactericide*—any organic or inorganic substance, chemical, or compound that has the capacity to kill microorganisms.

*Baquaicil/Vantacil*—a chemical product classified as a polyhexamethyldme biguamide dissolved in water to give a concentration of 50 ppm or a concentration as approved by the department.

*Certificate of Inspection*—a document that is signed by a Louisiana licensed, accredited, and department approved veterinarian which verifies species, dates of laboratory testing, turtle lot number and utilization of the Siebeling method.

*Certified Turtle Farmer*—a Louisiana individual, partnership, corporation or entity engaged in the collection, hatching, sale or distribution of turtles using the egg immersion method and which have been inspected by the Department of Agriculture and Forestry.

*Chlorine Solution*—a solution of chlorine at a concentration approved by the Department of Agriculture and Forestry.

*Department*—the Department of Agriculture and Forestry.

*Department Issued Guidelines*—a document provided periodically by the Department of Agriculture and Forestry

setting forth detailed procedures designed to implement these regulations.

*Dip Solution*—an approved antibiotic solution as defined above.

*Document*—any form or document deemed necessary by the department for the operation of a Louisiana certified turtle farm.

*Egg Immersion Method*—a sanitization process derived from the Siebeling method developed by Dr. Ronald J. Siebeling and approved by the department whereby pet turtle eggs are cleaned, disinfected and treated with an approved antibiotic solution in order to render the hatchling free from *Salmonella* or other bacteria harmful to humans or other pet turtles.

*Egg Washing Machine*—a machine intended for the washing of turtle eggs, or modified from a machine intended for the washing of eggs of commercial poultry.

*Exporter*—a person who is licensed by the U.S. Fish and Wildlife Service to engage in the business of exporting groups of turtles or groups of turtle eggs.

*Farmer-Exporter*—a licensed pet turtle farmer that is also licensed by the U.S. Fish and Wildlife Service to engage in the business of exporting groups of turtles or groups of turtle eggs.

*Garasol*—an antibiotic (Gentamicin sulfate) dissolved in water to give a concentration of 1,000 ppm or a concentration as approved by the Department of Agriculture and Forestry.

*Health Certificate*—a document issued by a Louisiana licensed, accredited, and department approved veterinarian to turtle farmers verifying a certificate of inspection, attaching a laboratory report and certifying that the veterinarian has inspected the turtles or eggs and that they are free of visible signs of infectious, contagious or communicable disease. The *health certificate* and/or certificate of inspection shall be required before eggs or turtles are shipped or transported and before they are moved from a certified turtle farm into intrastate or interstate commerce.

*Laboratory*—a certified laboratory as defined in R.S. 3:2358.3 and which employs at least one microbiologist.

*Licensed Pet Turtle Farmer*—a Louisiana individual, partnership, corporation or entity engaged in the collection, hatching, sale or distribution of turtles or turtle eggs using the egg immersion method and who has been licensed by the Department of Agriculture and Forestry.

*Pet Turtles*—turtles with a carapace length of less than 4 inches that originates from a Louisiana pet turtle farm operated by a licensed pet turtle farmer.

*Pet Turtle Farm*—any area of land or water used to breed, raise or keep pet turtles.

*Quarantined Area*—any designated area or premises where pet turtle eggs or hatchlings are stored, processed or



hatched which has been designated as quarantined by a Louisiana-licensed, accredited and department-approved veterinarian due to a finding of contamination in a group or lot by *Salmonella*, *Arizona* or other bacteria harmful to other turtles or humans.

*Siebeling Method*—a process by which turtle eggs are cleaned, their surfaces disinfected and a bactericide forced through the pores of the shells without violating and natural, structural integrity of the shell, thereby rendering the hatching *Salmonella* and *Arizona* free.

*Turtle Group*—any amount (multiple or single units) consisting of less than 40,000 turtles or turtle eggs.

*Turtle Lot*—any amount of pet turtles or eggs up to 20,000 in number, and may be used interchangeably with the term turtle group.

*Turtles*—any animals commonly known as turtles, tortoises, terrapins and all other animals of the order *Testudinata*, class *Reptilia* except marine species (families *Dermochelidae* and *Cheloniidae*).

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2358.2.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Office of Animal Health Services, LR 12:224 (April 1986), amended by the Department of Agriculture and Forestry, Office of Animal Health Services, LR 17:350 (April 1991), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 26:1567 (August 2000), amended by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 31:2210 (September 2005), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:978 (May 2014).

### **§1903. Facilities (Formerly §2302)**

A. Effective January 1, 2001, all applicants for initial licensure as licensed pet turtle farmers shall be required to meet, prior to licensure, all standards of construction and operations established by these rules and regulations.

B. All licensed pet turtle farmers that are licensed prior to January 1, 2001, shall be required to meet all standards of construction and operation established by these rules and regulations no later than January 1, 2002.

C. Each facility operated by a licensed pet turtle farmer shall be of sufficient size to contain no less than the following: turtle pond(s), turtle laying area, egg washing area, egg treatment area, hatching area, holding or post-hatching area, and inventory storage area.

D. Each facility shall possess hot and cold water, hand washing facilities, cooling and ventilation capability, be free of rodents and pests, be properly disinfected, utilize stainless steel or non-porous tables, buckets and baskets and have access to restroom facilities.

E. The physical structure shall consist of a free-standing building that is used only for the washing, treating, hatching, incubating, raising, shipping or holding of turtles or turtle eggs. Such building shall be separate and apart from the pond area and the egg laying area. No business activity other

than the activities associated with the raising, treating, hatching, storing and marketing of turtles or turtle eggs shall be conducted within the confines of the building designated for turtle raising, treating, hatching, storing and marketing.

F. All floors in the washing or treating areas shall consist of concrete or non-porous covering with drainage sufficient to prevent the accumulation of water. All surfaces in the washing or treating areas which come in contact with turtles or turtle eggs shall be non-porous.

G. All washing areas and treating areas shall be well lighted and ventilated.

H. The hatching area shall be an identifiable room in which the temperature can be maintained and controlled.

I. The holding or post-hatching area shall be large enough to accommodate all designated groups of turtles that have not been sold. Lighting, ventilation and cooling shall be such so as to insure humane treatment of the turtles.

J. The turtle production area (ponds and laying areas) shall be free of debris, trash and offensive odors.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2358.2.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of the Commissioner, LR 26:1567 (August 2000), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:979 (May 2014).

### **§1905. Monitoring of Turtle Farms for Safety and Sanitization (Formerly §2303)**

A. State-employed veterinarians shall inspect the premises of certified turtle farmers, including those areas involved in the washing, incubation and hatching of turtles, or other operations. At least one inspection shall be performed prior to the start of each egg laying season. Recommendations shall be made to farmers to ensure compliance with these regulations. At the time of inspection, state-employed veterinarians or their designees may randomly select eggs or turtles for submission to a laboratory for microbiological examination. The inspections shall be made to insure the following.

1. The egg immersion method of egg collection and sanitization is being conducted properly and is in accordance with procedures issued by the department.

2. All equipment used in the egg immersion method shall be clean and in working order.

3. Vacuum tanks used for the egg immersion method shall be airtight and constructed of smooth-finished material to facilitate decontamination.

4. The egg immersion method shall be performed in a designated building. Due care shall be applied to maintaining isolation of this area. Operators shall prevent spillage or transfer of the antibiotic solution used in the egg immersion method to any other area or the environment

outside of the building designated for the egg immersion method.

5. Persons implementing the egg immersion method shall wash their hands in disinfectant and remove the garments recommended in department-issued guidelines prior to leaving the isolated area where the method is being performed.

B. State-employed veterinarians shall inspect the premises of turtle farmers to insure that no turtles which have been treated by the egg immersion method or any other method utilizing antibiotics shall be introduced into the environment.

C. State-employed veterinarians or their designees shall inspect the premises of turtle farmers to insure that no turtles or eggs which have been treated by the egg immersion method or any other method utilizing antibiotics are used to stock or restock the ponds of a certified turtle farmer or non-certified turtle farmers.

D. State-employed veterinarians or their designees shall inspect the premises of turtle farmers to insure that no turtles or eggs belonging to different groups are commingled without first receiving health certificates.

E. State-employed veterinarians or their designees shall inspect the premises of turtle farmers to insure that each turtle group is clearly identified and is not improperly commingled with saleable or hatchable eggs of other groups.

F. State-employed veterinarians or their designees shall inspect the records of certified turtle farmers to verify that all documentation required by the department shall be kept current.

G. Samples of water from ponds may be taken by state-employed veterinarians or their designees and shall be transmitted to a laboratory for chemical and microbiological analysis, including, but not limited to pH, antibiotic and pesticide contaminants, and potentially pathogenic bacteria.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2358.2 and 3:2358.9.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Office of Animal Health Services, LR 12:224 (April 1986), amended by the Department of Agriculture and Forestry, Office of Animal Health Services, LR 17:350 (April 1991), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 26:1568 (August 2000), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:979 (May 2014).

**§1907. Collection of Egg and Turtle Samples  
(Formerly §2305)**

A. In order to ensure a representative sample from the turtle group and to prevent cross-contamination the following procedures shall be followed.

1. Licensed turtle farmers shall inform the department in a timely manner of their intention to ship turtle hatchlings or eggs to arrange certification procedures.

2. Upon notification by the farmer, a department employed veterinarian shall inspect the group of turtles or turtle eggs bound for shipment for visible signs of infections, contagious or communicable diseases. The veterinarian or designee shall randomly select turtles or eggs for submission to a certified laboratory for microbiological examination unless the turtles to be shipped are food turtles in which case the random selection of turtles and submission to a certified laboratory may be omitted.

3. The department-employed veterinarian shall inspect the premises and turtle group or eggs and shall issue a certificate of inspection subject to compliance with the requirements of these regulations. The certificate of inspection shall verify the species, number of turtles or eggs, destination, turtle group number and compliance with the egg immersion method.

4. All specimens shall be collected using approved methods to prevent contamination.

5. The transportation to a certified laboratory for microbiological examination and handling of the samples of turtles and eggs shall be performed in such a manner as to maintain identity and integrity.

6. Licensed turtle farmers shall have the option of:

a. collecting samples under the on-site supervision of the department-employed veterinarian or designee; or

b. allowing the department veterinarian or designee to collect the samples.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2358.2, 3:2358.9, 3:2358.10 and 3:2358.12.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health Services, LR 17:351 (April 1991), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 26:1568 (August 2000), amended by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 31:2210 (September 2005), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:980 (May 2014).

**§1909. Movement of Turtle Eggs and Turtles  
(Formerly §2307)**

A. The department shall regulate the movement of turtles or turtle eggs by licensed pet turtle farmers and procedures shall include, but not be limited to, shipment into local and international commerce, as well as shipment to certified laboratories.

1. All turtles or eggs leaving a licensed turtle farm bound for a certified laboratory shall be accompanied by a certificate of inspection. A health certificate from a Louisiana licensed veterinarian stating that the turtles and/or eggs originated from a Louisiana licensed pet turtle farm shall accompany all shipments into international commerce. Each health certificate shall identify the final destination of the turtles or eggs they accompany.

2. A health certificate or a laboratory report pursuant to a microbiological examination shall be required for any

intrastate movement of pet turtles or pet turtle eggs except for submission to a Louisiana certified laboratory for microbiological examination.

3. Turtles shipped to certified laboratories for microbiological examination shall be accompanied by appropriate documentation.

4. No pet turtles or their eggs originating outside of Louisiana shall be sold, held for sale, or offered for any other type of commercial or public distribution in Louisiana.

5. No dead turtles or non-viable eggs shall be shipped, transported or distributed.

6. Turtles or turtle eggs shall be shipped, transported or distributed only in packaging approved by the department.

7. Turtles or eggs intended for international commerce shall be conspicuously marked "For Export Only" on the outside of the shipping package and shall be accompanied by a health certificate and a certified laboratory report.

8. Official health certificates and appropriate affidavits shall accompany movement of all pet turtles and eggs shipped, transported or distributed for non-commercial purposes.

9. Pet turtle eggs that are offered for sale shall be washed and treated by the egg immersion method, possess a group designation number, be laboratory tested, and be declared *Salmonella*-free, unless prior approval for sale has been granted by the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2358.2 and 3:2358.10.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health Services, LR 17:351 (April 1991), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 26:1569 (August 2000), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:980 (May 2014).

**§1911. Identification of Groups of Turtles and Turtle Eggs  
(Formerly §2309)**

A. All groups of turtles or turtle eggs produced by licensed pet turtle farmers in Louisiana shall be assigned an identification number in a department-approved manner.

B. No turtle group shall exceed 20,000 viable hatchlings or eggs.

C. All pet turtle eggs shall originate from department licensed pet turtle farmers. They shall be continuously identifiable and properly labeled.

D. All pet turtles, treated by the egg immersion method, on turtle farms operated by licensed pet turtle farmers, shall be placed in a designated lot and remain a component of the same lot until they are sold or destroyed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2358.2 and 3:2358.7.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health Services, LR

17:351 (April 1991), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 26:1569 (August 2000), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:981 (May 2014).

**§1913. Microbiological Test Procedures  
(Formerly §2311)**

A. Samples of turtles or turtle eggs shall be subjected to microbiological examination using approved procedures and techniques based upon procedures set forth in Official Methods of Analysis of the Association of Official Analytical Chemists.

B. Turtle groups identified as contaminated with bacteria of the genus *Salmonella* or Arizona or any other microorganisms pathogenic to humans, domestic animals or aquatic species shall be subject to the notification provisions of R.S. 3:2358.11 and this Part.

C. If any group of turtles or turtle eggs test positive for *Salmonella spp*, then the licensed pet turtle farmer (owner) may request a retest. Samples of the retest must be submitted when requested by representatives of the department. The owner may request a retest of the group as a whole using the same sampling procedures as used for the original test or the owner may subdivide the affected positive group into a maximum of four equal subgroups. Each such subgroup shall be separately identified, simultaneously randomly sampled and tested. The Louisiana Veterinary Medical Diagnostic Laboratory shall conduct the retesting, whether from the group as a whole or from any of the subgroups in accordance with normal protocol. The Louisiana Veterinary Medical Diagnostic Laboratory test results, whether from the group as a whole or from any of the subgroups shall be the final and conclusive test results. Any group or subgroup that tests positive for *Salmonella spp* shall be disposed of in accordance with the law and these regulations.

D. All pet turtles that are on turtle farms operated by licensed turtle farmers shall originate from eggs that are produced on turtle farms operated by licensed pet turtle farmers and have been subjected to the egg immersion method of treatment. All turtles, other than those designated and shipped as food turtles, shall be randomly sampled and tested by a certified laboratory for *Salmonella*. The pond water in which food turtles are raised shall be tested at least once every year by a certified laboratory for *Vibria Cholera*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2358.2 and 3:2358.10.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health Services, LR 17:351 (April 1991), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 26:1570 (August 2000), LR 30:1445 (July 2004), amended by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 31:2210 (September 2005), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:981 (May 2014).

**§1915. Issuance of Health Certificates  
(Formerly §2313)**

A. Accredited Louisiana-licensed and department-approved veterinarians will issue official health certificates.

B. Health certificates shall not be issued on groups of turtles or eggs until the turtles or eggs and pond in which the turtles are raised have been inspected and tested as required by these regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2358.2, 3:2358.9 and 3:2358.10.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Office of Animal Health Services, LR 17:352 (April 1991), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 26:1570 (August 2000), amended by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 31:2211 (September 2005), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:981 (May 2014).

**§1917. Quarantine  
(Formerly §2315)**

A. In addition to the procedures set forth in R.S. 3:2358.11, upon the identification by laboratory examinations of *Salmonella* or any other species of bacteria harmful to humans or other pet turtles in a group of turtles or turtle eggs, the following procedures for quarantine shall apply.

1. Notification of the test results and quarantine shall be made in person or by telephone, followed by written notification as set forth in R.S. 3:2358.11, by agents of the department, including at least one department veterinarian.

2. The quarantine and its related restrictions shall remain in effect until the farmer is otherwise notified by the department.

3. Immediately upon receipt of the personal notification, the licensed pet turtle farmer producing the quarantined eggs shall identify to the agents of the department all turtles or eggs belonging to the same group as the one which tested positive for the presence of *Salmonella* or other harmful bacteria.

4. Licensed pet turtle farmers wishing to submit a quarantined turtle group for a second laboratory microbiological examination must do so prior to the end of the 21-day period specified in R.S. 3:2358.12, and must follow the same procedure established for an initial collection and submission of samples. Failure to timely obtain a second examination shall result in the implementation of the disposal procedures set forth in R.S. 3:2358.12.

5. Quarantined eggs or turtles shall be subject to inventory and verification by agents of the department. Records, physical examination and photographs may be used to verify the inventory of quarantined eggs or turtles.

6. Quarantined turtles and eggs shall be sealed under supervision of agents of the department to prevent the spread

of pathogenic bacteria until the licensed pet turtle farmer receives notice of either:

a. the lifting of the quarantine; or

b. instructions dealing with the disposal of the contaminated turtle or egg group.

7. All turtles and/or eggs belonging to a group which has either received a second notice of contamination with harmful bacteria or otherwise ordered disposed of by the department shall be disposed of in a humane manner approved by the department within 21 days of the receipt of the second notice.

8. Areas where quarantined turtles or eggs have been kept shall be disinfected in a manner approved by the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2358.2, 3:2358.11 and 3:2358.12.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health Services, LR 17:352 (April 1991), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 26:1570 (August 2000), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:981 (May 2014).

**§1919. Form and Content of Records  
(Formerly §2317)**

A. In addition to those records required under R.S. 3:2358.7, licensed pet turtle farmers, exporters of pet turtles or eggs, certified laboratories and department-approved veterinarians shall be responsible for maintaining and submitting as requested proper records. Records shall include, but not be limited to, purchase and disposal of antibiotics, application of the egg immersion method, volume of eggs treated, laboratory reports and disposition of groups of eggs and turtles. These records must be current.

B. All turtles or turtle eggs that are offered for sale or sold by licensed pet turtle farmers-exporters shall be accompanied by a current chain of custody document, laboratory report and health certificate.

C. Each licensed pet turtle farmer, farmer-exporter or exporter shall be required to initiate and maintain accurate, current documentation on the origin and distribution of all groups of turtles or groups of turtle eggs.

D. The records shall be maintained in a manner that allows for an orderly inspection. The records shall include the following documents:

1. official certificate of inspection for pet turtles and eggs;

2. pet turtle group distribution document;

3. facility inspection reports (surveillance and monitoring);

4. health certificates;

5. laboratory reports;

6. U.S. Fish and Wildlife Service Form 3-177 (for exporters only);
7. turtle replenishing reports;
8. citations.

E. All documents are required to be maintained for a period of three years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2358.2 and 3:2358.7.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health Services, LR 17:352 (April 1991), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 26:1570 (August 2000), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:982 (May 2014).

**§1921. Turtle Farmers; Licensing  
(Formerly §2319)**

A. In addition to the provisions below, the requirements for licensure set forth in R.S. 2358.5 shall apply.

1. Licenses for pet turtle farming shall be issued only by the Office of Animal Health Services of the Department of Agriculture and Forestry.

2. Upon issuance of an initial license by the department, licensed pet turtle farmers shall be assigned a permanent licensed farmer identification code for use on all documents related to pet turtle farming.

3. Prior to the issuance or renewal of a certified turtle farmer license, an inspection of the farm premises shall be made by an accredited, Louisiana-licensed and department-approved veterinarian to ensure that all equipment required for sanitization and other procedures is present and in working order.

4. A map or schematic showing the location of ponds or other breeding habitats, storage, treatment and incubation buildings and facilities shall be included with all applications for a pet turtle farmer license. Each pond or breeding habitat shall be designated by a letter, beginning with "A", and shall be designated in sequential order and properly labeled on the map or schematic.

5. Licenses for turtle farming shall be issued upon the satisfactory completion and acceptance by the department of the application form to be a licensed pet turtle farmer, accompanied by an application fee of \$250 by the person seeking such a license. The application form should specify the following, along with any other information required by the commissioner of agriculture and forestry:

- a. name of applicant;
- b. date of application;
- c. address of applicant;
- d. telephone number of applicant;
- e. whether the applicant is an individual, corporation, subchapter "S" corporation, cooperative or partnership;

- f. principal officers of the applicant, if any;
- g. location of applicant's principal office and farming premises;
- h. location of all offices operated by applicant, along with the name of the manager and phone number of each;
- i. the dates upon which the applicant begins and ends its fiscal year;
- j. the names, businesses and phone numbers of three persons who can provide references as to the character and business standing of the applicant; and
- k. the following phrase, included at the bottom of the application, which must be read by the applicant and which must be signed and dated by the applicant signifying his assent thereto:

"The undersigned, having read Part X of Chapter 16 of Title 3 of the Louisiana Revised Statutes of 1950, Act 770 of 1990 and the rules and regulations written in conformity therewith, and agreeing to abide by and comply therewith, applies for a license to operate as a licensed pet turtle farmer under the provisions of the aforementioned acts of the Legislature, in furtherance whereof, the statements and answers of the above questions, are made and declared to be true under penalty of perjury."

6. In the case of the transfer of ownership of the person or entity that is the licensed pet turtle farmer that farmer must reapply with the department for licensing and must meet all of the qualifications required for the issuance of an initial license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2358.2 and 3:2358.5.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health Services, LR 17:352 (April 1991), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 26:1571 (August 2000), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:982 (May 2014).

**§1923. Proper Disposal  
(Formerly §2321)**

A. Because of the danger posed by the emergence of bacteria resistant to antibiotics used to kill *Salmonella* and other harmful bacteria, licensed pet turtle farmers who use Garosol to treat turtle eggs and/or turtles shall follow approved disposal procedures, including but not limited to, the following.

1. Eggs or turtles that have been found to contain *Salmonella*, *Arizona* or other harmful bacteria shall be disposed of in a humane manner approved by the department.

2. Chlorine or antibiotic solutions shall be disposed of in a manner approved by the department.

B. Dead or deformed turtles and also those turtles not sold within 12 months of certification shall be disposed of in a humane manner as approved by the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2358.2, 3:2358.9 and 3:2358.10.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Office of Animal Health Services, LR 17:353 (April 1991), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 26:1571 (August 2000), amended by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 31:2211 (September 2005), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:983 (May 2014).

**§1925. Authority of Agents to Enter Premises  
(Formerly §2323)**

A. Agents of the department are authorized and shall be allowed entry onto any property or premises in the state of Louisiana for the purpose of carrying out the provisions of these regulations. Whenever reasonably possible, agents shall notify the turtle farmer before performing any inspections.

B. Agents of the department are authorized to inspect all records and premises maintained by licensed pet turtle farmers in order to enforce the provisions of R.S. 3:2358.1 et seq., and these regulations.

C. No person shall in any way interfere with an agent in making inspections on properties or premises in carrying out the provisions of these regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2358.2 and 3:2358.5.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health Services, LR 17:353 (April 1991), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 26:1571 (August 2000), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:983 (May 2014).

**§1927. Department Issued Guidelines  
(Formerly §2325)**

A. Due to the unique nature and rapid development of this evolving program, the department finds it necessary to issue guidelines to delineate certain detailed procedures which require periodic updates. These guidelines will be made available upon request or application for licensure as a licensed pet turtle farmer. Prior to any changes in these guidelines, except for emergencies, interested persons will be given a reasonable amount of time for comment and appeal. Licensed pet turtle farmers will be sent copies of these proposed changes by United States mail.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2358.2.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health Services, LR 17:353 (April 1991), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 26:1571 (August 2000), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:983 (May 2014).

**§1929. Violations and Penalties  
(Formerly §2327)**

A. For failure to implement the egg immersion method or Siebeling method of treatment in conducting of his business, the offender shall be fined no more than \$1,000 and shall be further enjoined from operation of such business, and no further sales shall be allowed, until this method is implemented. No fine shall be assessed for non-willful deviation from the application of the regulations and guidelines, but the licensed pet turtle farm shall be enjoined, and no further sales shall be allowed, until deficiencies are adequately corrected.

B. It shall be a violation of these regulations for anyone to engage in the falsification or misrepresentation of groups of turtles or groups of turtle eggs for sampling, testing or retesting.

C. It shall be a violation of these regulations for anyone to alter or falsify or to provide documents for alteration or falsification of groups of turtles or groups of turtle eggs.

D. Unless otherwise provided, it shall be a violation of these regulations for any person to sell, transmit or have transmitted groups of turtles or groups of turtle eggs to any other person except a licensed and bonded freight forwarder, exporter, or approved research institution.

E. Any person found guilty of violating any of the provisions of this Chapter or those of R.S. 3:2358.1 et seq., is subject to the penalties provided for by R.S. 3:2358.14, including fines of up to \$1,000 for each violation. Each day in which a violation occurs shall be considered a separate offense.

F. Prior to the assessment of any civil penalties, there shall be an adjudicatory hearing in accordance with the Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2358.2.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Office of Animal Health Services, LR 12:225 (April 1986), amended by the Department of Agriculture and Forestry, Office of Animal Health Services, LR 17:353 (April 1991), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 26:1572 (August 2000), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:983 (May 2014).

**§1931. Repeal of Prior Rules and Regulations  
(Formerly §2329)**

A. All prior rules and regulations in this Chapter adopted and/or promulgated in accordance with R.S. 56:638 are hereby repealed in their entirety.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2358.2.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:247 (March 1985), amended LR 11:615 (June 1985), amended by the Department of Agriculture and Forestry, Office of Animal Health Services, LR 17:353 (April 1991), amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 26:1572 (August

2000), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:984 (May 2014).

## **Chapter 21. Animal Care Standards for Bovine, Equine, Poultry, Porcine, Ovine, and Caprine (Formerly Chapter 31)**

### **§2101. Definitions (Formerly §3101)**

A. In addition to the definitions listed below, and unless otherwise provided, the definitions in §101 of this Part shall apply to this Chapter.

B. The terms defined in this Chapter have the meanings given to them in this Section, except where the context expressly indicates otherwise.

#### C. Terms Defined in this Section

*Ambulatory*—state of biological function where an animal is capable of walking without pain for an extended period of time.

*Animal Care and Well-Being Plan*—a program or method for providing or ensuring that an animal's basic needs are met to maintain their health, biological function, and physical and behavioral needs.

*Animal Health*—physical state of an animal.

*Animal Husbandry*—the branch of agriculture concerned with the care and breeding of domestic animals such as cattle, horses, pigs, and sheep.

*Animal Husbandry Procedures*—a way of performing or effecting the care and breeding of livestock.

*Beef Quality Assurance Guidelines (BQA)*—accepted production standards for quality and safety, including biosecurity, animal health and well-being, production performance and environmental stewardship, that are appropriate to an operation and which can be met or exceeded in an objective manner.

*Behavioral Needs*—a particular animal's need to express behaviors given their species, age, sex, and physiologic state.

*Biosecurity*—preventive measures designed to reduce the risk of transmission of infectious diseases, parasites and pests.

*Body Condition*—refers to the health or physical fitness of the animal.

*Body Condition Score (BCS)*—accepted management tool used by producers, veterinarians, extension personnel, and researchers to evaluate the nutritional level of livestock based on a numerical scale.

*Conspecific Aggression*—hostile actions or fighting among a group of animals of the same species.

*Discomfort*—unpleasant sensations other than pain caused by a disruption of normal biologic function or psychological needs.

*Disease*—pathologic condition of any part of an animal's biology.

*Distress*—state of mental or physical pain, intense anxiety, or suffering affecting the animal that may require immediate attention.

*Electric Stunning*—application of high amperage current passed through the brain which renders the animal instantly unconscious.

*Electro-Immobilization*—use of electricity to immobilize and paralyze animals that does not render them unconscious or insensible to pain.

*Euthanasia*—intentional causing humane death of an animal in order to relieve pain and suffering.

*Facility*—premises or something such as a fenced in area or a structure or structures constructed to serve a function related to livestock.

*Good Animal Health*—having good biological function and being free of disease and injury.

*Handling*—actions involving hands on treatment of livestock such as loading or unloading, restraining, or moving animals in a pen or chute.

*Health*—normal biologic and physiologic function free of disease.

*Heat or Cold Stress*—external temperature and/or humidity causing change of an animal's physiologic function and/or causing distress.

*Humane Death*—when an animal dies with minimum pain and suffering that may result through utilization of methods such as inhalant agents, injectable euthanasia agents, or other physical methods.

*Humane Treatment*—care an animal receives with the intention and result of promoting animal health as balanced with considerations of human health, food safety, and animal production.

*Injury*—disruption of tissue causing pain or impaired function.

*Insensible*—unable to perceive any stimulus or having no cortical brain function.

*Knowledge*—having an awareness of scientifically valid facts regarding animal health and animal husbandry and the ability to apply these facts so as to ensure the care and well-being of animals.

*LDAF*—Louisiana Department of Agriculture and Forestry.

*Livestock*—bovine, equine, porcine, ovine, caprine, and poultry used for show, profit, selling, or producing crops, plant or animal products for market.

*Livestock Personnel*—producer or person in charge of animals.

*Mass Euthanasia*—putting to death populations of animals in unusual conditions such as wide spread disease eradication and circumstances resulting from natural disasters, as authorized by the state veterinarian.

*Minimize Heat Stress*—systems utilizing one or more of the following to reduce the negative impact on animals due to heat stress- shade, facility design to improve air flow and ambient temperature from outside temperature and airflow, fans or forced air movement, water cooling systems such as misters, evaporative cooling systems, and climate controlled air conditioning.

*Minimize Pain and Distress*—actions taken to reduce or eliminate those stimuli resulting in pain or distress.

*National Chicken Council (NCC) Guidelines*—industry standard program for assessment of animal programs and practices in broiler and broiler breeder operations.

*Pain*—unpleasant stimulus associated with actual or potential tissue damage that is perceived as unpleasant.

*Parturition*—act of giving birth (i.e. calving, foaling, lambing, farrowing).

*Person in Charge*—person who has animal(s) under his supervision or control.

*Physiologic Requirements*—conditions needed to maintain an animal's normal body function given their physical, metabolic, and hormonal demands.

*Physiologic State*—functioning of an animal's body, including its current body systems, metabolism, and homeostasis.

*Practical*—method or technology which is easily available and economically viable as determined by acceptable standards.

*Producer*—person who owns and is responsible for the care of livestock that are raised for home use or for profit, especially on a farm.

*Rapid Loss of Consciousness*—that which causes an animal to lose consciousness within 60 seconds.

*Remedial Action*—any action taken to provide care, nutrition, treatment, veterinary treatment, or other action in order to eliminate the cause of compromised animal health.

*Shelter*—physical object or construct that provides protection from weather and climate to a specific animal; *shelter* may include manmade constructions, variations in the topography of land, plants, trees, and shrubbery as conditions may require.

*Stress*—reaction by an animal to an uncomfortable or unfamiliar physical or psychological stimulus that may include an increased state of alertness, anxiety, increased heart rate, or sweating.

*Sufficient*—enough to meet the physiological needs of the animal (i.e. adequate nutrition to maintain an average BCS).

*Supervision*—act or having the responsibility to ensure an animal is provided care.

*Timely Manner*—soon enough that is not too late.

*Veterinary Treatment*—procedure or care performed by or on the order of a licensed veterinarian.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2095.1.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Board of Animal Health, LR 39:3238 (December 2013), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:984 (May 2014).

**§2103. General Standards that Apply to the Production of All Animals (Formerly §3103)**

A. Producer or person in charge of animals shall ensure that a sufficient level of animal health and animal care and well-being is maintained for the livestock.

1. Livestock personnel shall have the proper level of knowledge, ability, and competency to maintain the health and care and well-being of livestock as specified in this Code.

2. Livestock shall be inspected as determined by livestock personnel based on their age and physiologic state to ensure they remain healthy and to allow for timely remedial action for those livestock found to be diseased or distressed.

B. Exceptions

1. Any standard in this code may be excepted by or under the advice of a licensed veterinarian as required for the prevention, diagnosis, management, treatment, or control of disease or injury.

2. Any standard in this code may be excepted during a declared disaster, foreign animal disease outbreak, or other exceptional circumstance as deemed necessary by LDAF.

3. Any standards in this code may be excepted by LDAF as deemed necessary to promote animal health or care, human health, agriculture, food safety, or other compelling need of the people or resources of the state of Louisiana.

C. Housing

1. Shelter as defined in this document may be a necessary requirement for livestock. All facilities in which livestock are maintained shall be kept clean and ventilated so as to minimize injury or pain caused by noxious gases. All facilities in which livestock are maintained shall be constructed and maintained so as to minimize disease and injury to animals.



2. All facilities in which livestock are maintained shall be constructed and maintained so as to securely contain the livestock within.

3. Livestock shall be able to lie down and rest comfortably so as to meet their behavioral needs for rest.

4. For livestock housed in an indoor facility with concrete floor, dry bedding shall be provided for the comfort and warmth of the livestock.

#### D. Nutrition and Water

1. All livestock shall be provided sufficient food to maintain good health, meet their physiological requirements, and minimize nutritional or metabolic disease.

2. All livestock shall have access to water, including ponds, so as to maintain adequate hydration.

3. Nutritional standards for livestock may vary with level of activity, pregnancy/nursing status, age, or medical status; veterinary or nutritional consultation may be required to establish these standards.

4. Exception. Food and water may be temporarily withheld when handling, treating, or transporting livestock.

#### E. Health and Veterinary Care

1. All producers shall develop and implement an animal care and well-being plan to promote the health of the livestock.

2. Livestock shall be monitored regularly as determined by producers and livestock personnel so signs of injury or disease are identified in a timely fashion.

3. Producers shall treat signs of injury or disease in a timely manner to prevent or control compromised health of cattle.

a. Producers shall determine when a licensed veterinarian shall be consulted in the diagnosis, treatment, management, and prevention of injury or disease as necessary to minimize pain and distress of livestock.

4. Livestock other than dairy cattle with a body condition score less than three, and dairy cattle with a BCS less than two shall receive prompt care and/or treatment (see BCS charts below).

5. Livestock suffering from severe lameness shall receive prompt remedial action.

6. Livestock suffering from extreme pain or distress shall be examined by a licensed veterinarian or properly euthanized in a timely fashion as to minimize pain and distress.

7. Non-ambulatory livestock may be moved in the most effective manner deemed necessary by the producer or person in charge.

#### F. Parturition Management

1. Livestock observed to have vigorous straining and/or abdominal contractions while giving birth without progress shall have remedial action taken.

2. No motor vehicle shall be used to provide traction to assist parturition.

#### G. Sanitation

1. All facilities in which livestock are maintained shall be kept clean so as to minimize the spread of infectious disease to animals.

2. All facilities in which livestock are maintained shall have pest control so as to minimize the spread of infectious disease to animals.

3. All equipment used in managing livestock shall be kept clean so as to minimize the spread of infectious disease to livestock and to minimize pain.

4. All personnel shall maintain adequate biosecurity in facilities to minimize the spread of infectious disease to livestock.

#### H. Handling

1. Livestock shall be handled in a manner so as to minimize stress, risk of injury, and risk of exhaustion or heat stress to the livestock.

2. Only the minimum force necessary shall be used to move or restrain livestock.

3. Handling of livestock shall be performed with knowledge of the point of balance and flight zone when possible.

4. All facilities used to move or restrain livestock shall be designed and maintained so as to minimize stress, risk of injury, risk of exhaustion, risk of heat stress and shall allow livestock to be released rapidly if necessary.

5. Electric prodders shall not be used in the most sensitive areas of livestock: udder, eyes, nose, anus, prepuce, vulva, or testicles.

6. Livestock physically restrained in handling facilities shall be supervised at all times.

7. Electro-immobilization shall not be an acceptable handling technique for livestock.

#### I. Animal Husbandry Procedures

1. Certain animal husbandry procedures shall be performed only as necessary to protect animal and human health, allow animal management and production, and allow product attributes.

a. Necessary animal husbandry procedures include, but are not limited to: castration, disbudding, dehorning, branding, tattooing, and ear tagging.

2. Animal husbandry procedures shall only be performed by personnel with sufficient knowledge to minimize pain and distress.

3. Animal husbandry procedures shall be performed in a timely manner and physiologic state so as to minimize pain and distress.

#### J. Selection for Transport

1. Livestock transported for any reason shall be ambulatory at the time of loading.
2. Exception shall be when livestock need to be transported on-farm, farm-to-farm, or for veterinary care.

**K. Transportation by land shall:**

1. be loaded and unloaded in a manner and with proper equipment and personnel so as to minimize stress and injury. Have sufficient headroom so as to not come into contact with the roof of the vehicle in a normal standing position;

2. transportation vehicle shall:

- a. have floors that are constructed and kept clean so as to minimize the slipping and falling of livestock; and Be constructed to allow visual inspection of all livestock during transport; and

- b. be constructed to allow ventilation and protection in order to minimize the harmful effects of weather and climate;

3. livestock shall be segregated into groups based on age, size, and other attributes so as to minimize injury, distress, and conspecific aggression;

4. livestock shall be loaded at a density that minimizes injury and falling, but that allows animals to rise unassisted if fallen;

5. livestock shall be transported as quickly as possible to their final destination and transported to their final destination directly when possible;

6. pursuant to 49 USC §80502, the transportation of livestock shall be planned so that animals are unloaded and provided rest, water, and feed on travel more than 28 hours.

**L. On-Farm Euthanasia**

1. Livestock shall be euthanized in a method that results in rapid loss of consciousness and animals must remain insensible until death. The following methods of euthanasia are approved for on farm use:

- a. captive bolt or rifle shot of at least .22 caliber administered so as to disrupt the cerebral cortex and brainstem; and

- b. barbiturate overdose administered by a licensed veterinarian or other licensed professional.

2. The carcass of any livestock euthanized shall be disposed of in a manner as to prevent the spread of infectious disease or if euthanized by barbiturate overdose to prevent other animal exposure to the carcass.

3. The carcasses of all livestock shall be disposed of in a sanitary manner by cremation or burial of at least 6 feet according to R.S. 3:2131.

**M. Body condition scoring for livestock is intended to be used as a practical guideline by which producers can measure animal care and well-being based on the animal's physical appearance as determined in the charts below.**

**1. Body Condition Scoring for Livestock Other than Dairy Cattle**

Score	Description
1. Poor	Severely emaciated; no fatty tissue; vertebrae, ribs, tail head, and bones of withers, shoulder, and neck are visible All rib and bone structures easily visible. No fat over backbone, edge of loin, hip bones, or ribs. Tailhead and ribs project prominently. Animal has difficulty standing or walking.
2. Emaciated	Appears emaciated but tailhead and ribs are less prominent. Individual spinous processes are sharp to touch, but some tissue exists along the spine. Animal not weak, but no fat detectable.
3. Very Thin	Ribs are individually identifiable, but not sharply. No fat on ribs, brisket, spine or over tailhead. Individual hindquarter muscles easily visible, spinous processes apparent.
4. Thin	Individual ribs are not visibly apparent except the last two ribs. Backbone can be identified with slight pressure; individual spinous processes are rounded rather than sharp. Individual muscles in the hindquarter are apparent, but the quarter is straight.
5. Moderate	Good overall appearance. The last two ribs are not visible but can be easily felt. Hindquarter individual muscles are not apparent. Areas on either side of the tail head are filled and fat cover is palpable.
6. High Moderate	Good smooth appearance throughout. Ribs are not visible and are fully covered. Some fat deposition in the brisket. Spongy fat on ribs and pin bones and sides of tailhead. Firm pressure is needed to feel the spinous processes.
7. Good	Livestock appear fleshy and obviously carry considerable fat. Brisket is full. Tailhead and pin bones have protruding fat deposits. Back appears square.
8. Obese	Protruding fat deposits on tailhead and pin bones. Spinous processes almost impossible to feel. Brisket is distended and neck is thick.
9. Very Obese	The body has lost definition and contours disappear across back and sides as animal takes on a block-like smooth appearance. Tailhead and hips buried in fat deposits. Bony structures no longer visible or palpable.

**2. Body Condition Scoring for Dairy Cattle**

Score	Description
1. Emaciated	Deep cavity around tailhead. Bones of pelvis and short ribs are easily felt. No fatty tissue in pelvic or loin area. Deep depression in loins.
2. Thin	Shallow cavity around tailhead with some fatty tissue lining it and covering pin bones. Pelvis easily felt. Ends of short ribs feel rounded and upper surfaces can be felt with slight pressure. Depression viable in loin area.
3. Ideal	No cavity around tailhead and fatty tissue easily felt over entire area. Pelvis felt with slight pressure. Thick layer of tissue covering top of short ribs which is felt with pressure. Slight depression over loin area.
4. Fat	Fold of fatty tissue around tailhead with patches of fat covering pin bones. Short ribs cannot be felt. No depression in loin area.
5. Obese	Tailhead buried in thick layer of fatty tissue. Pelvic bones cannot be felt with firm pressure. Short ribs covered with thick layer of fatty tissue.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2095.1.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Board of Animal Health, LR 39:3240 (December 2013), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:985 (May 2014).

**§2105. Beef and Dairy Cattle  
(Formerly §3105)**

A. Body Condition Scoring (BCS) of Cattle

1.a. *BCS*—a standardized, objective method of evaluating the body condition of cattle regardless of breed, age, gender, or body type.

b. *Body Condition*—a measure of fat cover and scores are indicative of energy reserves in the body.

2. Several conditions may affect *body condition*:

- a. lack of proper nutrition;
- b. severe parasitism;
- c. infectious disease;
- d. older animals.

3. Starvation shall not be ascertained by *body condition* alone but may be determined by amount of feed and forage available.

4. Consultation with a licensed veterinarian and or a knowledgeable livestock professional may be suitable in remedying the situation.

5. *Body condition* shall be evaluated by visual appraisal and by feeling six areas of the animal's body and then assigning an overall score.

6. Beef cattle scores range from one (severely emaciated) to nine (very obese).

7. Dairy cattle scores range from one (emaciated) to five (obese).

8. *BCS* below two for beef or dairy scoring indicate emaciated cattle.

B. BQA guidelines may be used as a standard reference for all cattle producers (beef and dairy) as a reference in areas of cattle management and record keeping.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2095.1.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Board of Animal Health, LR 39:3242 (December 2013), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:987 (May 2014).

**§2107. Equine  
(Formerly §3107)**

A. Housing

1. All facilities in which horses are maintained shall be kept free of excessive feces, urine, mud, or other waste products.

2. All facilities in which horses are maintained shall be constructed and maintained to minimize hazards that may cause injury to the horses confined within.

3. For horses housed in an indoor facility with concrete floor, dry bedding shall be provided for the comfort and warmth of the horses.

4. Horses confined to minimal enclosed areas shall receive sufficient turnout time or controlled exercise (e.g., hand-walking, lunging, riding, driving, hot walker, treadmill) unless directed otherwise by a veterinarian.

5. When housed in groups, horses shall be segregated so as to minimize conspecific aggression.

B. Nutrition

1. Concentrates, trace minerals, and salt may be used to balance the diet.

2. Horses confined without available pasture to graze may need daily supplemental feed; horses on pasture may need supplemental feed if the pasture is insufficient to maintain body weight and health.

C. Water

1. Water troughs, water containers, and any automatic watering devices shall be cleaned and maintained on a regular basis.

2. Transportation of Equine

a. The following horses shall not be transported:

i. those that are non-ambulatory (cannot walk unassisted), weak and/or debilitated, cannot bear weight on one or more legs, blind in both eyes, or, unless being transported for veterinary care;

ii. foals shall not be transported until their navels are closed unless being transported for veterinary care.

3. Transportation by land shall:

a. load horses at a density that minimizes injury and falling, but that allows them to rise unassisted if fallen;

b. horses destined for slaughter shall be transported pursuant to USDA's Slaughter Horse Transport Program in addition to the regulations above.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2095.1.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Board of Animal Health, LR 39:3242 (December 2013), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:988 (May 2014).

**§2109. Poultry  
(Formerly §3113)**

A. Housing and Environment

1. Any facilities in which poultry are housed shall provide shelter so as to minimize the compromise to poultry health from heat, cold, adverse weather, and predation.

2. All (commercial) facilities in which poultry are housed shall be maintained so as to limit the exposure of feeding and watering devices and poultry to feces and urine.

3. All facilities in which poultry are maintained shall be designed, lighted, and stocked so as to allow visual inspections of poultry at any point in time.

4. Natural or artificial lighting mimicking the intensity and duration of daylight shall be provided, or other artificial lighting program exceeding this shall be provided, except as necessary for animal husbandry practices or introduction of new poultry. Any change in artificial lighting program shall be introduced gradually so as to prevent distress of poultry.

5. Stocking density shall follow NCC guidelines of pounds per square foot for commercial enterprises and for backyard flocks and shall not exceed that which does not allow all poultry to lie down simultaneously without being forced to lie on top of other poultry. Environmental moisture and dust shall be minimized in order to prevent the spread of infectious disease or compromise the health, care, and well-being of poultry.

6. Environmental temperature shall be controlled at a level that minimizes heat stress or cold stress to the poultry.

7. The following are acceptable housing systems.

a. Cages (Conventional and Enriched)

i. Cages shall be arranged so as to protect exposure of poultry in one cage from feces or urine from poultry in any other cage.

ii. Maximum slope for any cage shall be designed to support forward facing claws.

b. Barns/Aviaries

i. Flooring shall be such that minimizes claw injuries to birds.

ii. Flooring shall be designed so as to support forward facing claws.

iii. Perches shall be designed so as to minimize injury to the poultry.

c. Free Range

i. For those facilities with an indoor and outdoor component, openings shall be designed so as to facilitate movement of the poultry in a manner that minimizes injury and death to the poultry.

B. Nutrition and Water

1. All poultry shall be provided sufficient food daily so as to maintain good health, meet their physiological requirements, and minimize nutritional or metabolic disease (see exceptions).

2. All poultry shall have continual access to water so as to maintain adequate hydration (see exceptions).

3. All food and water shall be provided in means that minimize aggression or competition.

4. Any mechanical devices used to deliver feed or water shall be kept clean so as to minimize the spread of infectious disease and shall be regularly inspected to ensure proper function.

5. Poultry shall be regularly monitored, and those found not to be consuming adequate food or water shall be removed and either raised alternatively or euthanized.

6. Exception. Food and water may be temporarily withheld up to 48 hours as prescribed by the NCC, allowing for five days feed, and two skipped days, along with limitation of water when handling, performing management practices, treating, transporting, or depopulating poultry.

C. Health and Veterinary Care

1. Disabled poultry shall be removed from their environment in a timely fashion to minimize compromise to their health and have remedial action taken, including euthanasia.

2. Any dead poultry shall be removed from any facilities and disposed of according to LDAF protocols so as to minimize the spread of infectious disease between poultry and so as to minimize pests.

D. Handling

1. Poultry shall be caught and handled so as to minimize stress, risk of injury, and risk of exhaustion.

a. Poultry shall never be picked up by a single wing.

2. Only the minimum force necessary shall be used to move or restrain poultry.

3. All equipment used to move or restrain poultry shall be designed and maintained so as to minimize stress, risk of injury, risk of exhaustion, risk of heat stress.

4. Poultry that are seriously injured during handling (such as, but not limited to, broken legs) shall have remedial action taken, including euthanasia.

E. Hatching, and Chick/Poult Management

1. All chicks/poults shall have access to adequate nutrition and water within 48 hours of hatching or have other remedial action taken.

2. Environmental temperature control and air flow control shall be present before arrival of new chicks/poults into an area and maintained for newly placed chicks/poults so as to support normal body temperature and minimize health compromise.

F. Animal Husbandry Procedures

1. Certain animal husbandry procedures include, but are not limited to, beak trimming, male claw removal, and dubbing.

a. Animal husbandry procedures shall be performed at an age and physiologic state so as to minimize pain and distress.

i. Beak trimming shall be performed by or before 10 days of age.

ii. Male claw removal and dubbing (in commercial operations) shall be performed by or before 3 days of age.

b. Necessary stressful procedures include induced molting.

i. Induced molting shall be performed and birds sufficiently supervised to prevent health compromise, weight loss, and flock mortality.

#### G. Transportation

##### 1. Transportation by land shall:

a. have stocking density that allows all poultry to lie down simultaneously without being forced to lie on top of other poultry;

b. have transportation vehicle design, maintenance, arrangement of poultry, and time of transport to minimize injury, distress, or death to the poultry;

c. have vehicle transporting poultry designed to provide adequate ventilation to minimize injury, distress, heat or cold stress, or death to the poultry;

d. have crates or other devices used to transport poultry designed to minimize injury and movement must allow poultry to rapidly reposition in an upright position.

#### H. On-Farm Euthanasia

1. The following methods of euthanasia shall be approved for on-farm use:

a. carbon dioxide;

b. cervical dislocation;

c. cecapitation;

d. water based foam for mass euthanasia;

e. instantaneous fragmentation may be used for one day old chicks and poults, and for pipped and embryonated eggs. Sufficient flow to and through the instantaneous fragmentation device shall prevent backlog at the point of entry to the device;

f. barbiturate overdose is an acceptable form of euthanasia administered by a licensed veterinarian or other licensed professional.

2. The carcasses of all poultry shall be disposed of in a sanitary manner by cremation or burial of at least six feet according to RS 3:2131 or by following LAC 7:XXI.Chapter 7, Sanitary Disposal of Dead Poultry.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2095.1.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety,

Board of Animal Health, LR 39:3243 (December 2013), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:988 (May 2014).

### §2111. Porcine (Formerly §3109)

#### A. Housing

1. If housed outdoors, shelter shall be readily available to swine so as to minimize the compromise to their health from heat and adverse weather.

2. If housed indoors, facilities shall be maintained so as to minimize the compromise to health from heat and adverse weather.

3. For any swine housed in a primary enclosure, such as a farrowing stall or gestation crate, the swine shall be able to:

a. lie in full recumbency without its head touching a feeder;

b. rise and lie down comfortably at will; and

c. stand so as to not touch more than one side of the enclosure simultaneously and so as to not touch the top of the primary enclosure.

4. Flooring shall be designed or managed so as to minimize slipping and so as to prevent urine scald to the swine.

5. If nursing piglets, the enclosure shall allow the sow to lie down as to minimize injury or death of her piglets.

#### B. Nutrition and Water

1. Feed shall be provided in methods so as to minimize aggression and resultant injury to swine.

2. Any mechanical devices used to deliver feed or water shall be kept clean so as to minimize the spread of infectious disease, and shall be regularly inspected to ensure proper function.

#### C. Animal Husbandry Procedures

1. Animal husbandry procedures include, but are not limited to:

a. castration, needle teeth clipping, tail docking, ear notching, tattooing, and ear tagging;

b. shall be performed only as necessary to protect animal and human health;

c. allow animal management and production; and

d. allow product attributes.

2. Animal husbandry procedures shall be performed in a timely manner and physiologic state so as to minimize pain and distress including:

a. clipping of needle teeth performed before five days of age;

b. teeth clipped at the tip of the tooth rather than the gum line;

c. ear notching, tail docking, and castration performed before five days of age.

D. Farrowing and Piglet Management

1. Temperature control shall be provided in order to allow newborn pigs to maintain normal body temperature.

E. Specific Recommendations on All Aspects of Swine Production

1. Producers shall consult the current *Swine Care Handbook* published by the National Pork Board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2095.1.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Board of Animal Health, LR 39:3242 (December 2013), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:989 (May 2014).

**§2113. Ovine and Caprine (Small Ruminants)  
(Formerly §3111)**

A. Housing

1. Shelter shall be readily available to small ruminants so as to minimize the compromise to their health from heat or adverse weather.

B. Health and Veterinary Care

1. Management procedures shall be in place to minimize the distress or disease caused by *Haemonchus contortus*.

2. Management procedures shall be in place to minimize fly strike.

3. Small ruminants with a body condition score of or less than three shall receive prompt care and/or treatment by or on the advice of a licensed veterinarian to improve their body condition.

C. Parturition and Lamb/Kid Management

1. All lambs or kids shall receive adequate nutrition from a lactating ewe or doe or shall be provided adequate nutrition by hand rearing if rejected, or have other remedial action taken.

D. Shearing

1. Shearing shall be performed carefully so as to minimize distress and injury to the small ruminant.

E. Animal Husbandry Procedures

1. Animal husbandry procedures include, but are not limited to:

- a. castration;
- b. disbudding;
- c. dehorning;

d. foot trimming;

e. injections;

f. drenching;

g. shearing;

h. tail docking of wool sheep;

i. tattooing; and

j. ear tagging.

F. Selection for Transport

1. The following small ruminants are not fit for transport:

a. those unable to bear weight, unless transported for veterinary care.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2095.1.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Board of Animal Health, LR 39:3243 (December 2013), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:990 (May 2014).

**§2115. Emergency Standards  
(Formerly §3115)**

A. Standards for management and destruction of animals during an emergency may be extended during a declared disaster or animal disease event. In such cases mass euthanasia may be necessary.

1. Mass euthanasia shall be used for unusual conditions which require depopulation, such as wide-spread disease eradication and exigent circumstance resulting from natural disasters; the state veterinarian may authorize alternate methods if necessary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2095.1.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Board of Animal Health, LR 39:3245 (December 2013), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:990 (May 2014).

**§2117. Accepted Methods for Mass Euthanasia  
(Formerly §3117)**

A. Inhalant Agents

1. Carbon Dioxide (CO<sub>2</sub>)

a. Compressed CO<sub>2</sub> gas in cylinders shall be the only allowed source of carbon dioxide.

b. Gas concentration shall be maintained for at least one minute after death.

c. CO<sub>2</sub> shall be the only chemical to be used for euthanasia of animals intended for human or animal consumption.

B. Injectable Euthanasia Agents

1. All injectable agents, including all barbiturate derivatives, shall be used by or under the direct supervision of a licensed veterinarian.

C. Physical Methods

1. Penetrating Captive Bolt

a. Captive bolt guns shall be powered by gunpowder or compressed air and shall provide sufficient energy to penetrate the skull of the species on which they are being used.

b. Penetrating captive bolt shall be suitably placed so that the projectile sufficiently disrupts a cerebral hemisphere and the brain stem causing a sudden loss of consciousness and resulting in humane death.

c. The penetrating captive bolt gun shall be held firmly against the head.

d. All manufacturers' directions regarding caliber and powerload shall be followed.

2. Non-Penetrating Captive Bolt

a. The non-penetrating captive bolt does not have a projectile, is powered by gunpowder or compressed air, and shall deliver a percussive blow which produces unconsciousness.

b. The non-penetrating captive bolt gun shall be held firmly against the head and shall not be used as a sole means of euthanasia, except for animals weighing equal to or less than 12 pounds and poultry.

c. All manufacturers' directions regarding caliber and powerload shall be followed.

3. Blunt Force Trauma

a. A single decisive blow shall produce immediate depression of the central nervous system and destruction of brain tissue resulting in rapid unconsciousness and humane death.

4. Gunshot

a. Shooting shall only be performed by personnel proficient in the use of firearms and only in jurisdictions that allow legal firearm use. Personnel, the public, and nearby animal safety and well-being shall be considered as well as control of the animal whenever feasible.

b. Gunshot shall utilize bullets of suitable caliber that depend on the size of the animal to be euthanized and that expand on impact. The projectile shall enter the brain causing instant loss of consciousness and humane death.

c. Ammunition for most animals shall be a minimum caliber .22 hollow point for long rifles. For large mature animals, such as cattle and swine, the minimum caliber shall be .22 magnum hollow point for long rifles.

d. The gun shall be held as close as reasonably possible but not less than 2 inches from the head of the animal.

5. *Cervical Dislocation*—the manual stretching or instrument assisted separation of the cervical vertebrae from the skull.

6. *Decapitation*—the rapid separation of the head from the neck.

7. Electrocutation

a. One-step electrocutation shall use alternating current applied to the head and the opposite side of the body behind the heart at the flank skin fold, causing simultaneous stunning and inducing cardiac fibrillation resulting in cerebral hypoxia.

b. Two-step stunning and electrocutation shall first render the animal unconscious by passing an alternating current across the head and followed immediately, in less than 15 seconds, by passing the current from the head to the opposite side of the body behind the heart.

8. *Foam*—a water-based product utilizing a specialized delivery system that produces *foam* of the appropriate consistency to occlude the upper respiratory tract causing hypoxia in a rapid and humane manner.

9. *Maceration*—the use of a mechanical apparatus having rotating blades or projections that causes immediate fragmentation and death.

10. *Exsanguination*—to drain of blood as a stand-alone method of euthanasia shall be limited to use for ritual slaughter pursuant to ORC, chapter 945.01 and 945.02. *Exsanguination* may be used to ensure death subsequent to stunning or in otherwise unconscious animals.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2095.1.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Board of Animal Health, LR 39:3245 (December 2013), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:990 (May 2014).

## Chapter 23. Rendering Plants; Waste Food Processing; Garbage Disposal

### §2301. Rendering Plant (Formerly §119)

A. Permit

1. No person shall operate a rendering plant without first obtaining a permit to operate from the board.

2. Upon receipt of application for permit, the board shall make a thorough inspection of the rendering plant, its equipment and general sanitation. If found satisfactory, the board shall issue to the applicant a permit to operate.

3. The permit shall be issued to the person responsible for the operation of the rendering plant and shall not be transferable.

4. The management shall furnish, upon request, to the board an up-to-date list of establishments from which dead animals or animal by-products are regularly collected.

B. Vehicles and Containers

1. Vehicles and containers used in the transportation of dead animals or offal used in a rendering plant shall meet the following requirements.

a. The body of the vehicle used to transport carcasses must be constructed of, or lined with, metal in such a way it is water-tight, and no leakage or drainage may escape from the vehicle.

b. The body of the vehicle shall have sides constructed of, or lined with, metal and shall not be less than 24 inches high to prevent the escape of any material.

2. Any vehicle used for hauling dead animals or offal shall be provided with a tarpaulin or other covering or be so constructed so as to shut off from view all such dead animals or offal, and said conveyance shall not stop by the way unless detained by unavoidable circumstances.

3. All vehicles and containers shall be thoroughly cleaned and disinfected after each trip with a disinfectant approved by the board or by live steam.

C. General Sanitation. General sanitation in the operation of a rendering plant shall meet the following requirements.

1. Incoming dead animals, offal and all other rendering material shall be processed immediately.

2. The finished products shall be handled and stored in such a manner as to avoid contamination.

3. Disposal of waste materials shall be done in a satisfactory manner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093 and R.S. 3:2131.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:234 (March 1985), amended LR 11:615 (June 1985), amended by the Department of Agriculture and Forestry, Livestock Sanitary Board, LR 23:196 (February 1997), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:991 (May 2014).

**§2303. Waste Food Processing Unit  
(Formerly §129)**

A. Permit

1. No person shall operate a waste food processing unit unless first obtaining a permit from the board.

2. Upon receipt of an application for a permit, a representative of the board shall make a thorough inspection of the premises and equipment and if found satisfactory to meet the requirements for the preparation of sterilized and dehydrated food (see definition), the board shall issue a permit to the applicant at its discretion.

3. The permit shall be issued to the person responsible for the operation and this permit shall not be transferable.

4. The waste food processor shall furnish the board, upon request, an up-to-date listing of establishments from which waste food is collected and individuals or establishments to which processed food is sold or otherwise disposed.

B. Vehicles and Containers

1. Vehicles and containers used in the transportation of waste food to the processing unit shall meet the following requirements.

a. The body of the vehicle used to transport waste food must be constructed of or lined with metal or other good impervious material in such a way that it is leak-proof so that the waste matter will not escape from the vehicle.

b. Any container used to haul waste shall be in good condition, leak-proof with a tight lid during transit and storage.

c. All vehicles and containers shall be thoroughly cleaned and disinfected after each trip by live steam or with approved disinfectant approved by the board.

C. General Sanitation. General sanitation in the operation of a processing unit shall meet the following requirements.

1. Incoming waste material shall be processed immediately.

2. The finished product shall be handled and stored in such a manner as to avoid contamination from other sources or from the unfinished product.

3. Feeding and processing will not be allowed on the same premises unless a sufficient distance is maintained between the processing area and feeding area to prohibit the introduction of any unprocessed waste material into the feeding area. This will be determined by a representative of the board.

4. Disposal of inedible materials shall be done in a satisfactory manner in order to maintain good sanitation and animal husbandry practices.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:235 (March 1985), amended LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:992 (May 2014).

**§2305. Disposal of Garbage  
(Formerly §117)**

A. It is unlawful for any person, firm, corporation or partnership, or agent or employee thereof, to feed or allow to be fed garbage to swine.

B. All public and private establishments from which garbage is produced shall be required to furnish the board with information as to the manner by which garbage is disposed of, and must furnish names and addresses of those



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persons, firms and corporations collecting and/or disposing of the garbage.

C. All garbage disposal operations must be operated in a sanitary manner and in a way that will not place animal or human health in jeopardy, nor shall it create a public nuisance. Such operations must be in full compliance with other regulations of the board and State Department of Health requirements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:234 (March 1985), amended LR 11:615 (June 1985), repromulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and the Board of Animal Health, LR 40:992 (May 2014).

