

IDAPA 02  
TITLE 04  
CHAPTER 286

**02.04.26 – RULES GOVERNING THE PUBLIC EXCHANGE OF LIVESTOCK MARKETING**

**02.04.28 – RULES GOVERNING LIVESTOCK DEALERS, BUYING STATIONS,  
AND LIVESTOCK TRADER LOTS**

**000. LEGAL AUTHORITY.**

This chapter is adopted under the legal authority of Sections 25-203, 25-305, 25-401, 25-601, 25-1723(b), and 25-3520, Idaho Code.

(6-30-19)T

**001. TITLE AND SCOPE.**

**01. Title.** The title of this chapter is “Rules Governing the Public Exchange of Livestock Dealers, Buying Stations, and Livestock Trader Lots.” (4-2-08)

**02. Scope.** These rules govern the record keeping of livestock dealers and facilities, record keeping, animal identification, quarantine facilities and movement of cattle in approved livestock through buying stations, and approved livestock trader lots and the facilities, record keeping, identification, quarantine facilities, and movement of livestock through public livestock markets. (6-30-19)T

**002. WRITTEN INTERPRETATIONS.**

There are no written interpretations of these rules.

(4-2-08)

**003. ADMINISTRATIVE APPEAL.**

Persons ~~may be~~ are entitled to appeal agency actions authorized under these rules pursuant to Title 67, Chapter 52, Idaho Code.

(4-2-08)

**004. INCORPORATION BY REFERENCE. (RESERVED).**

No documents are incorporated by reference.

(4-2-08)

**005. ADDRESS, OFFICE HOURS, TELEPHONE, FAX NUMBERS, WEB ADDRESS.**

The Idaho State Department of Agriculture central office is located at 2270 Old Penitentiary Road, Boise, ID 83712-8298. The office is open from 8 a.m. to 5 p.m., except Saturday, Sunday and legal holidays. The mailing address is PO Box 7249, Boise, Idaho 83707. The phone number is (208) 332-8500 and the fax number is (208) 334-2170. The Department web address is <https://agri.idaho.gov/>.

(6-30-19)T

**006. IDAHO PUBLIC RECORDS ACT.**

These rules are public records available for inspection and copying at the ~~Central Office of the~~ Idaho State Department of Agriculture.

(4-2-08)

**007. -- 009. (RESERVED)**

**SUBCHAPTER A – LIVESTOCK DEALERS, BUYING STATIONS AND LIVESTOCK TRADER LOTS**

**010. DEFINITIONS.**

The following definitions shall apply in the interpretation and enforcement of this sSubchapter A, sections 010-603 only. (4-2-08)

**01. Accredited Veterinarian.** A veterinarian approved by the Administrator and the USDA/APHIS/VS, in accordance with provisions of Title 9, Part 161, Code of Federal Regulations, to perform functions of State-Federal animal disease control programs. (4-2-08)

- 02. Approved Slaughter Establishment.** A USDA inspected slaughter establishment where ante-mortem and post-mortem inspection is conducted by USDA inspectors. (4-2-08)
- 03. Cattle.** All domestic bovidae including domestic bison. (4-2-08)
- 04. Domestic Bison.** All animals in the genus *Bison*, which are owned by a person. (4-2-08)
- 05. Domestic Cervidae.** Elk, fallow deer, and reindeer owned by a person. (4-2-08)
- 06. Epithelioma of the Eye.** A carcinoma of the eye of cattle commonly known as cancer eye. (4-2-08)
- 07. Federal Animal Health Official.** An employee of USDA/APHIS/VS who is authorized to perform animal health activities. (4-2-08)
- 08. Interstate Movement.** Movement of livestock from Idaho into any other state, territory or the District of Columbia, or from any other state, territory or the District of Columbia into Idaho. (4-2-08)
- 09. Livestock.** Cattle, domestic bison, swine, horses, mules, asses, domestic cervidae, sheep, goats, camelids, and raites. (4-2-08)
- 10. Lump Jaw.** Condition also known as actinomycosis in cattle. (4-2-08)
- 11. Official Ear Tag.** APHIS approved identification ear tags conforming to the alphanumeric national uniform ear tagging system including official brucellosis vaccination ear tags, or NAIS compliant ear tags, which provide unique identification for each animal. (4-2-08)
- 12. Official Identification.** Official USDA approved ear tag, USDA Backtag, breed registration tattoo, or identification method approved by the Administrator. (4-2-08)
- 13. Official Brucellosis Vaccination Ear Tag.** An APHIS approved identification ear tag conforming to the alphanumeric national uniform ear tagging system, which provides unique identification for each animal. (4-2-08)
- 14. Operator.** The person who has authority to manage or direct a buying station or livestock trader lot. (4-2-08)
- 15. Owner.** The person who owns or has financial control of a buying station, livestock trader lot or cattle. (4-2-08)
- 16. Parturient.** Visibly prepared to give birth or within two (2) weeks before giving birth. (4-2-08)
- 17. Postparturient.** Having already given birth. (4-2-08)
- 18. Premises.** The ground, area, buildings, corrals, and equipment utilized to keep, hold, or maintain animals. (4-2-08)
- 19. Previous Location.** The premises where cattle were confined immediately prior to delivery to a buying station, livestock trader lot, or purchase by a livestock dealer. (4-2-08)
- 20. Restraint.** The confinement of cattle in a chute, or other device, for the purpose of efficiently, effectively, and safely inspecting, treating, vaccinating, or testing. (4-2-08)
- 21. State Animal Health Official.** The Administrator, or his designee, responsible for disease control and eradication activities. (4-2-08)

**22. Test Eligible.** Unless otherwise specifically provided in these rules, all sexually intact cattle and domestic bison eighteen (18) months of age and over, and all parturient, and postparturient cattle and domestic bison regardless of age. (4-2-08)

**23. USDA Backtag.** A backtag issued by APHIS that conforms to the eight-character alphanumeric National Backtagging System that provides unique identification for each animal. (4-2-08)

**011. ABBREVIATIONS.**

**01. APHIS.** Animal and Plant Health Inspection Service. (4-2-08)

**02. AVIC.** Area Veterinarian In Charge. (4-2-08)

**03. CAFO.** Concentrated Animal Feeding Operation. (4-2-08)

**04. CFR.** Code of Federal Regulations. (4-2-08)

**05. NAIS.** National Animal Identification System. (4-2-08)

**06. USDA.** United States Department of Agriculture. (4-2-08)

**07. VS.** Veterinary Services. (4-2-08)

**012. -- 019. (RESERVED)**

**020. APPLICABILITY.**

~~These rules apply to livestock dealers, buying stations, and livestock trader lots operating in Idaho.~~ This Subchapter A of rules applies to livestock dealers, buying stations, and livestock trader lots operating in Idaho. (4-2-08)

**021. -- 029. (RESERVED)**

**030. INSPECTIONS.**

To prevent the introduction and dissemination, or to control and eradicate diseases, state and federal animal health officials are authorized to inspect livestock records, premises, facilities, and livestock to ensure compliance with the provisions of this chapter and other state or federal laws or rules applicable to livestock dealers, buying stations and livestock trader lots. (4-2-08)

**01. Entering Premises.** In order to conduct activities authorized by this chapter, state or federal animal health officials are authorized to enter buying stations or livestock trader lots. State or federal officials will attempt to notify the owner or operator of the premises prior to conducting an inspection. (4-2-08)

**02. Inspecting Records.** To ensure compliance with the provisions of this chapter, state or federal animal health officials are authorized to access, inspect, review, and copy any records deemed necessary during normal business hours. State or federal animal health officials will attempt to notify the owner or operator of the premises prior to inspecting records. (4-2-08)

**03. Emergencies.** In the event of an emergency, as determined by the Administrator, the notification requirements of this section are not required. (4-2-08)

**031. -- 039. (RESERVED)**

**040. LIVESTOCK TREATMENT.**

Each livestock dealer, buying station and livestock trader lot shall humanely treat all livestock. All non-ambulatory livestock shall be: (4-2-08)

**01. Returned.** Returned to premises of origin; or (4-2-08)

**02. Fed and Watered.** Provided adequate feed and clean water; or (4-2-08)

**03. Euthanized.** Humanely euthanized. (4-2-08)

**041. -- 049. (RESERVED)**

**050. DEAD ANIMAL DISPOSAL.**

The movement and disposal of all dead animals shall be pursuant to the provisions of IDAPA 02.04.17, "Rules Governing Dead Animal Movement and Disposal." (4-2-08)

**051. -- 059. (RESERVED)**

**060. ENVIRONMENTAL REQUIREMENTS.**

All buying stations and livestock trader lots shall meet the provisions of IDAPA 02.04.15, "Rules Governing Beef Cattle Animal Feeding Operations." (4-2-08)

**061. -- 099. (RESERVED)**

**100. LIVESTOCK DEALERS.**

Livestock dealers that do not operate buying stations or livestock trader lots shall keep complete and accurate records such that cattle purchased may be traced to the previous location, previous owner and the subsequent owner. (4-2-08)

**101. -- 109. (RESERVED)**

**110. CONTENT OF RECORDS.**

Livestock dealer records shall include, but are not limited to: (4-2-08)

**01. Name, Telephone Number, and Address.** The name, telephone number, and address of the owner of the cattle prior to purchase by the livestock dealer. (4-2-08)

**02. Identification.** All cattle shall be identified to their previous location with a form of identification approved by the Administrator. (4-2-08)

**03. Previous Location.** The location where cattle were held prior to purchase by the livestock dealer shall be either the NAIS premises identification number or the physical address. (4-2-08)

**04. The Date of Purchase.** The date individual cattle were purchased. (4-2-08)

**05. Date of Sale.** Date individual cattle were sold or changed ownership. (4-2-08)

**06. Name, Telephone Number, and Address of the Purchaser of Cattle.** The name, telephone number, and address of the person that purchased cattle from the livestock dealer. (4-2-08)

**07. Death Loss.** An accurate account of all death loss, including identification, and disposition of the dead cattle. (4-2-08)

**111. -- 119. (RESERVED)**

**120. RECORDS RETENTION.**

Livestock dealers shall retain all records relating to cattle for a period of not less than two (2) years. Records must be made available to the administrator upon request. (4-2-08)

**121. -- 129. (RESERVED)**

**130. APPROVED FORMS OF IDENTIFICATION.**

The following are approved forms of identification. (4-2-08)

- 01. USDA Approved Backtag.** (4-2-08)
- 02. Official USDA Ear Tag.** (4-2-08)
- 03. Registration Tattoo.** Breed registration tattoo and corresponding registration papers. (4-2-08)
- 04. Brand Inspection.** Statement of ownership such as a brand inspection certificate. (4-2-08)
- 05. Administrator Approval.** The Administrator may approve other forms of individual identification on a case-by-case basis. (4-2-08)
- 06. Removal of Animal Identification.** No approved or official animal identification shall be removed, tampered with or otherwise altered. (4-2-08)

**131. -- 199. (RESERVED)**

**200. APPROVED BUYING STATIONS.**

No livestock dealer shall operate a buying station prior to receiving approval from the Administrator. All cattle entering the buying station shall be shipped to an approved slaughter establishment within seven (7) days of arrival at the buying station. (4-2-08)

**201. APPLICATION FOR DESIGNATION AS AN IDAHO APPROVED BUYING STATION.**

Application for designation as an Idaho approved buying station shall be made on application forms available from the Administrator. (4-2-08)

**202. ADMINISTRATOR APPROVAL.**

State or federal animal health officials ~~shall~~ will inspect all buying stations prior to approval by the Administrator. The Administrator may take any past enforcement or violation history of the owner or operator of the buying station into consideration when making the final approval determination. (4-2-08)

**203. APPROVED BUYING STATION NUMBER.**

The license number issued to the livestock dealer by the State Brand Board ~~shall~~ will be used to identify the approved buying station. (4-2-08)

**204. EXPIRATION OF APPROVED STATUS.**

Approved buying station status ~~shall~~ will remain in effect unless the status is revoked by the Administrator or there is a change in ownership or operator. If there is a change in ownership or operator, it is the responsibility of the new buying station owner or operator to apply for reinstatement of approved status. (4-2-08)

**205. REVOCATION OF APPROVED BUYING STATION STATUS.**

In addition to any other Department administrative or civil action, the Administrator may withdraw or deny the approval of any buying station, by notifying the owner in writing, when one (1) or more of the following conditions exist: (4-2-08)

- 01. Recordkeeping Requirements.** There is evidence that the owner or operator of the buying station violated the recordkeeping requirements of this rule, or animal health regulations. (4-2-08)
- 02. Inability to Trace Animals.** There is a repeated history of an inability to trace the affected, exposed or reactor cattle handled by the buying station to the previous location and owner. (4-2-08)
- 03. Violations.** A buying station violates any of the provisions of ~~this~~ Subchapter A. (4-2-08)

**04. Owner Request.** Owners may have the approved status revoked by emptying the buying station and requesting in writing that the status be revoked. (4-2-08)

**05. Regulation Changes.** Idaho approved buying station status may be revoked as required by changes in state or federal rules or regulations. (4-2-08)

**206. DISPOSITION OF CATTLE.**

When approved buying station status is revoked, cattle still in the buying station shall be removed directly to an approved slaughter establishment within seven (7) days. (4-2-08)

**207. -- 209. (RESERVED)**

**210. IDENTIFICATION.**

All cattle shall be individually identified with an official USDA backtag immediately upon arrival at a buying station. Animal identification is to be maintained to slaughter and shall not be removed, tampered with or otherwise altered. (4-2-08)

**211. -- 219. (RESERVED)**

**220. BUYING STATION RECORDS.**

Each buying station shall keep sufficient records of all livestock that enter, leave, or die on the premises to enable state or federal animal health officials to trace such animals satisfactorily to their previous location. (4-2-08)

**221. CONTENT OF RECORDS -- BUYING STATIONS.**

Buying station records shall include, but are not limited to: (4-2-08)

- 01. Name, Telephone Number, and Address.** The name, telephone number, and address of: (4-2-08)
  - a.** The owner of the livestock entering the buying station; and (4-2-08)
  - b.** The person delivering the livestock to the buying station. (4-2-08)
- 02. Individual Identification.** Individual USDA Backtag number for each animal entering the buying station. (4-2-08)
- 03. Previous Location.** The location where cattle were held prior to purchase by the buying station shall be either the NAIS premises identification number or the physical address. (4-2-08)
- 04. The Date of Entry.** The date individual cattle enter a buying station. (4-2-08)
- 05. Date of Shipment to Slaughter.** (4-2-08)
- 06. Approved Slaughter Establishment Destination.** Name and address of the approved slaughter establishment. (4-2-08)
- 07. Death Loss.** An accurate account of all death loss, including individual identification number and disposition of the dead cattle. (4-2-08)
- 08. Dead Animals.** An accurate description, including any forms of identification, of any dead animals that are left at the buying station by other persons. (4-2-08)

**222. BUYING STATION RECORDS RETENTION.**

All records relating to cattle that have been in the buying station facility shall be retained for a period of not less than two (2) years. Records must be made available to the administrator upon request. (4-2-08)

223. -- 229. (RESERVED)

**230. CATTLE SUBJECT TO QUARANTINE -- BUYING STATIONS.**

No cattle that have reacted to the brucellosis or tuberculosis test, or cattle affected with, or suspected of being affected with a foreign animal disease, shall be allowed to enter, occupy, or be sold from a buying station. (4-2-08)

231. -- 239. (RESERVED)

**240. PREMISES REQUIREMENTS.**

An approved buying station shall meet the following requirements: (4-2-08)

**01. Restraint System.** A restraint system, approved by the Administrator, for humanely, efficiently and effectively restraining livestock for the purpose of inspecting, identifying or testing of animals by state or federal animal health officials. (4-2-08)

**02. Feed and Water.** ~~All cattle that are on the premises for over twelve (12) hours shall have~~ Provide access to a clean source of water sufficient ~~to provide~~ for the number of animals present, and an adequate quality and quantity of feed ~~for all cattle that are on the premises for over twelve (12) hours.~~ (4-2-08)

**03. Pens.** ~~The premises shall be in compliance~~ Comply with IDAPA 02.04.15, "Rules Governing Beef Cattle Animal Feeding Operations," and pens that contain cattle ~~remaining~~ on the premises for over twelve (12) hours ~~shall~~ provide adequate pen space for the cattle to rest and ruminate, and ~~shall~~ provide adequate drainage. (4-2-08)

**04. Fences.** ~~All fences shall be e~~Constructed fences sufficient to prevent the escape of livestock from the premises, as determined by the Administrator. (4-2-08)

**05. Condition.** ~~The premises shall be m~~Maintained ~~premises~~ in good repair. (4-2-08)

241. -- 249. (RESERVED)

**250. SANITATION.**

All buying stations shall be maintained in a sanitary condition. The buying station shall provide the necessary equipment to clean and disinfect the premises, and the owner or operator of the buying station shall clean and disinfect the premises at the direction of the Administrator. (4-2-08)

251. -- 259. (RESERVED)

**260. SIGNAGE.**

Each buying station shall comply with the following signage requirements: (4-2-08)

**01. Wording.** Signs ~~shall~~ state "ALL CATTLE ENTERING THIS FACILITY SHALL GO DIRECTLY TO SLAUGHTER." (4-2-08)

**02. Color.** Lettering ~~shall be in~~ red and not less than four (4) inches in height on a white background. (4-2-08)

**03. Location.** Signs ~~shall be~~ placed prominently at each entrance, exit and cattle loading or unloading facility. (4-2-08)

261. -- 269. (RESERVED)

**270. LOCATION OF BUYING STATIONS.**

All buying stations shall be located separate and apart from any other cattle handling facilities, as determined by the Administrator, that handle any cattle not destined to slaughter within seven (7) days. (4-2-08)

**271. -- 499. (RESERVED)**

**500. APPROVED LIVESTOCK TRADER LOTS.**

All livestock dealers licensed by the Idaho State Brand Board shall receive approval from the Administrator as an Idaho approved feedlot or approved livestock trader lot if the following conditions exist: (4-2-08)

**01. Cattle Are Received.** Cattle of unknown disease status are received from the farm or ranch of origin. (4-2-08)

**02. Sold to Individuals.** Brucellosis test eligible cattle are sold and transported to destinations other than an approved slaughter establishment, a specifically approved livestock market, an Idaho approved feedlot, or out of the state of Idaho. (4-2-08)

**501. APPLICATION FOR APPROVED LIVESTOCK TRADER LOT STATUS.**

Application for approved livestock trader lot status ~~shall be~~ is made on application forms available from the Administrator. (4-2-08)

**502. ADMINISTRATOR APPROVAL.**

The Administrator may approve livestock trader lot applications after state or federal animal health officials have inspected the trader lot facility and: (4-2-08)

**01. Adequate Facilities.** The livestock dealer has demonstrated that cattle can be secured and restrained in the facility. (4-2-08)

**02. Adequate Records.** The livestock dealer's records are adequate to show the origin and disposition of the cattle that enter the facility. (4-2-08)

**03. Past History.** The Administrator may take any past enforcement or violation history of the owner or operator of the livestock trader lot into consideration when making the final approval determination. (4-2-08)

**503. APPROVED LIVESTOCK TRADER LOT NUMBER.**

The license number issued by the State Brand Board to livestock dealers shall be used to identify the livestock trader lot. (4-2-08)

**504. EXPIRATION OF APPROVED STATUS.**

Approved livestock trader lot status ~~shall~~ remains in effect unless there is a material change in operation, as determined by the Administrator, or the status is revoked by the Administrator. If there is a material change in operation, as determined by the Administrator, it is the responsibility of the livestock dealer to apply for reinstatement of approved status. (4-2-08)

**505. -- 519. (RESERVED)**

**520. IDENTIFICATION.**

All cattle shall be identified, to their previous location, with a form of identification approved by the Administrator immediately upon arrival at a livestock trader lot. Animal identification is to be maintained and ~~shall~~ not be removed, tampered with, or otherwise altered at the livestock trader lot. (4-2-08)

**521. APPROVED FORMS OF IDENTIFICATION.**

The following are approved forms of individual identification. (4-2-08)

**01. USDA Approved Backtag.** All brucellosis test eligible cattle shipped to approved slaughter establishments must be individually identified with an approved USDA Backtag. (4-2-08)

**02. Official USDA Ear Tag.** (4-2-08)

**03. Registration Tattoo.** A breed registration tattoo accompanied by registration papers. (4-2-08)



- 04. Brand Inspection.** Statement of ownership such as a brand inspection certificate. (4-2-08)
- 05. Administrator Approval.** The Administrator may approve other forms of identification on a case-by-case basis. (4-2-08)
- 06. Removal of Individual Animal Identification.** No approved animal identification shall be removed, tampered with or otherwise altered. (4-2-08)

**522. CONTENT OF RECORDS FOR APPROVED LIVESTOCK TRADER LOTS.**

All approved livestock trader lots shall keep accurate and complete records of all cattle that enter, leave or die on the premises. These records shall readily show: (4-2-08)

- 01. Name, Telephone Number, and Address.** The name, telephone number, and address of: (4-2-08)
- a.** The owner of the cattle prior to acquisition by the livestock dealer; and (4-2-08)
  - b.** The person delivering the cattle to the livestock trader lot. (4-2-08)
- 02. Identification.** Identification, approved by the Administrator, for the cattle entering the livestock trader lot. (4-2-08)
- 03. Previous Location.** The location where cattle were held prior to entering the livestock trader lot shall be either the NAIS premises identification number or the physical address of the premises. (4-2-08)
- 04. The Date of Entry.** The date the cattle enter a livestock trader lot. (4-2-08)
- 05. Date of Shipment Out of the Livestock Trader Lot.** (4-2-08)
- 06. Name, Telephone Number, and Address of Shipment Destination.** (4-2-08)
- 07. Death Loss.** An accurate account of all death loss, including identification and disposition of the dead cattle. (4-2-08)
- 08. Dead Animals.** An accurate description of any dead animals, including any forms of identification, which are left at the livestock trader lot by other persons. (4-2-08)
- 09. Requirements.** That all applicable state and federal permit, test, examination, identification and vaccination requirements have been met. (4-2-08)

**523. TRADER LOT RECORDS RETENTION.**

Livestock trader lots shall retain their records for a period of not less than two (2) years following removal of the cattle from the premises. Records must be made available to the administrator upon request. (4-2-08)

**524 -- 529. (RESERVED)**

**530. CATTLE SUBJECT TO QUARANTINE -- TRADER LOTS.**

No cattle that have reacted to the brucellosis or tuberculosis test, or animals affected with, or suspected of being affected with a foreign animal or reportable disease shall be allowed to enter, occupy, or be sold from a livestock trader lot. (4-2-08)

**531. -- 539. (RESERVED)**

**540. REMOVAL REQUIREMENTS.**

All brucellosis test eligible cattle that are removed from an approved livestock trader lot shall be accompanied by a certificate of veterinary inspection issued by an accredited veterinarian prior to removal, except: (4-2-08)

**01. Livestock Markets.** Cattle shipped directly to a specifically approved livestock market. (4-2-08)

**02. Slaughter.** Cattle shipped directly to an approved slaughter establishment must be individually identified with an approved USDA Backtag. (4-2-08)

**03. Approved Feedlots.** Cattle shipped directly to an Idaho approved feedlot. (4-2-08)

**541. LIVESTOCK DEALER'S DUTY.**

It is the duty of a livestock dealer to ensure that all livestock removed from a livestock trader lot are in compliance with the animal health requirements of the state of Idaho and the point of destination. (4-2-08)

**542. -- 549. (RESERVED)**

**550. LIVESTOCK TRADER LOT PREMISES.**

Approved livestock trader lots shall meet the following requirements: (4-2-08)

**01. Restraint System.** A restraint system, approved by the Administrator, for humanely, efficiently and effectively restraining cattle for the purpose of inspecting, identifying, treating or testing of animals by state or federal animal health officials. (4-2-08)

**02. Feed and Water.** ~~All cattle that are on the premises for over twelve (12) hours, shall have~~ Provide access to a clean source of water sufficient ~~to provide~~ for the number of cattle present, and an adequate quality and quantity of feed for all cattle that are on the premises for over twelve (12) hours. (4-2-08)

**03. Pens.** ~~The premises shall be in compliance~~ Comply with IDAPA 02.04.15, "Rules Governing Beef Cattle Animal Feeding Operations," and pens that contain cattle ~~remaining~~ on the premises for over twelve (12) hours ~~shall be large enough~~ provide adequate pen space for the cattle to rest and ruminate and ~~shall~~ be adequately drained. (4-2-08)

**04. Fences.** ~~All fences shall be e~~ Construct fences sufficiently ~~ly~~ to prevent the escape of cattle from the premises, as determined by the Administrator. (4-2-08)

**05. Condition.** ~~All premises shall be m~~ Maintained premises in good repair. (4-2-08)

**551. -- 559. (RESERVED)**

**560. SANITATION.**

All livestock trader lots shall be maintained in a sanitary manner. The livestock dealer shall provide the necessary equipment to clean and disinfect the premises, and the livestock dealer shall clean and disinfect the premises at the direction of the Administrator. (4-2-08)

**561. -- 569. (RESERVED)**

**570. REVOCATION OF APPROVED STATUS.**

In addition to any other Department administrative or civil action, the Administrator may withdraw or deny the approval of any livestock trader lot by notifying the dealer in writing when one or more of the following conditions exist: (4-2-08)

**01. Recordkeeping Requirements.** There is evidence that the livestock dealer violated the recordkeeping requirements of this rule or animal health regulations. (4-2-08)

**02. Inability to Trace Animals.** There is a repeated history of inability to trace to the affected, exposed, or reactor cattle that enter the livestock trader lot to the previous location and owner. (4-2-08)

- 03. Violations.** A livestock dealer violates any of the provisions of ~~this~~ Subchapter A. (4-2-08)
- 04. Dealer Request.** The livestock dealer may have the approved status revoked by emptying the livestock trader lot and requesting in writing that the status be revoked. (4-2-08)
- 05. Regulation Changes.** Approved trader lot status may be revoked as required by changes in state or federal rules or regulations. (4-2-08)

**571. -- 603. (RESERVED)**

## **SUBCHAPTER B – LIVESTOCK MARKETING**

### **604. INCORPORATION BY REFERENCE.**

The following documents ~~are is~~ incorporated by reference into ~~this~~ Subchapter B, sections 604-770 only:

**01. Incorporated Documents.** The following documents are incorporated by reference: Code of Federal Regulations, Title 9, Parts 71, 75, 77, 78, 85, and 161, CFR, January 1, 2003, which can be viewed online at [http://www.access.gpo.gov/nara/cfr/waisidx\\_03/9cfrv1\\_03.html](http://www.access.gpo.gov/nara/cfr/waisidx_03/9cfrv1_03.html). (4-6-05)

~~**02. Availability of Documents.** Copies of these documents may be obtained from the Idaho State Department of Agriculture central office. (4-6-05)~~

**605. -- 609. (RESERVED)**

### **610. DEFINITIONS.**

In addition to the definitions found in Idaho Code sections 25-239 and 25-1721, ~~the~~ following definitions apply in the interpretation and enforcement of ~~s~~Subchapter B only: (4-6-05)

**01. Accredited Veterinarian.** A veterinarian approved by the Administrator and the USDA/APHIS/VS, in accordance with the provisions of Title 9, Part 161, Code of Federal Regulations, to perform functions of State-Federal animal disease control programs. (4-6-05)

**02. Approved Slaughter Establishment.** A USDA inspected slaughter establishment where ante-mortem and post-mortem inspections are conducted by USDA inspectors. (4-6-05)

**03. Brucellosis.** An infectious disease of animals and humans caused by bacteria of the genus *Brucella*. (4-6-05)

**04. Cattle.** All domestic bovidae, including domestic bison. (4-6-05)

**05. Domestic Bison.** All animals in the genus *Bison*, which are owned by a person. (4-6-05)

**06. Domestic Cervidae.** Elk, fallow deer, and reindeer owned by a person. (4-6-05)

**07. Epithelioma of the Eye.** Carcinoma of the eye of cattle commonly known as cancer eye. (4-6-05)

**08. Federal Animal Health Official.** An employee of USDA/APHIS/VS who is authorized to perform animal health activities. (4-6-05)

**09. Herd.** Any group of livestock maintained on common ground, or two (2) or more groups of livestock under common ownership or supervision that are geographically separated from other groups but can have an interchange or movement without regard to health status. (4-6-05)

**10. Interstate Movement.** Movements of livestock from Idaho into any other state, territory or the District of Columbia or from any other state, territory or the District of Columbia into Idaho. (4-6-05)

11. **Livestock.** Cattle, domestic bison, swine, horses, mules, asses, domestic cervidae, sheep, goats, camelids, and ratites. (4-6-05)

12. **Lump Jaw.** A condition known as actinomycosis or actinobacillosis in cattle. (4-6-05)

13. **Official Ear Tag.** An APHIS approved identification ear tag conforming to an alphanumeric national uniform ear tagging system, which provides unique identification for each animal. (4-6-05)

14. **Official Individual Identification.** Official USDA approved ear tag, USDA back tag, registration tattoo, or identification approved by the Administrator. (4-6-05)

15. **Official Vaccination Ear Tag.** An APHIS approved identification ear tag conforming to the alphanumeric national uniform ear tagging system, which provides unique identification for each animal. (4-6-05)

16. **Operator.** The person who has authority to manage or direct a public livestock market. (4-6-05)

17. **Owner.** The person who owns or has financial control of a public livestock market. (4-6-05)

18. **Restraint.** The confinement of livestock in a chute, or other device, for the purpose of efficiently, effectively, and safely inspecting, treating, vaccinating, or testing. (4-6-05)

19. **State Animal Health Official.** The Administrator, or his designee, responsible for disease control and eradication activities. (4-6-05)

20. **Tuberculosis.** An infectious disease of humans and animals caused by *Mycobacterium bovis*. (4-6-05)

21. **USDA Back Tag.** A back tag issued by APHIS that conforms to the eight (8) character alphanumeric National Back Tagging System and that provides unique identification for each animal. (4-6-05)

611. -- 629. (RESERVED)

620. **APPLICABILITY.** This subchapter of rules applies to chartered public livestock markets operating in Idaho. (4-6-05)

621. -- 629. (RESERVED)

630. **INSPECTIONS.**

To prevent the introduction and dissemination, or to control and eradicate diseases, state and federal animal health officials are authorized to inspect livestock records, premises, facilities, and livestock to ensure compliance with the provisions of this Subchapter B and other state or federal laws or rules applicable to public livestock markets. (4-6-05)

01. **Entering Premises.** In order to conduct activities authorized by this Subchapter B, state or federal animal health officials are authorized to enter public livestock market premises during normal business hours. (4-6-05)

02. **Inspecting Records.** To ensure compliance with the provisions of this Subchapter B, state or federal animal health officials are authorized, during normal business hours, to have access to, inspect, review, and copy any livestock records deemed necessary. (4-6-05)

631. -- 639. (RESERVED)

640. **LIVESTOCK TREATMENT.**

Each public livestock market shall humanely treat all livestock. All non-ambulatory livestock shall be: (4-6-05)

01. **Returned.** Returned to the owner; or (4-6-05)

02. **Feed and Water.** Provided adequate feed and clean water; or (4-6-05)

03. **Euthanized.** Humanely euthanized, and disposed of in accordance with IDAPA 02.04.17 “Rules Governing Dead Animal Movement and Disposal.” (4-6-05)

641. -- 649. (RESERVED)

050. **DEAD ANIMAL DISPOSAL.**

The movement and disposal of all dead animals shall be pursuant to the provisions of IDAPA 02.04.17 “Rules Governing Dead Animal Movement and Disposal.” (4-6-05)

651. -- 659. (RESERVED)

660. **ENVIRONMENTAL REQUIREMENTS.**

All public livestock markets shall meet the provisions of IDAPA 02.04.15 “Rules Governing Beef Cattle Animal Feeding Operations.” (4-6-05)

661. -- 699. (RESERVED)

700. **PUBLIC LIVESTOCK MARKET CHARTER.**

No person shall conduct or operate a public livestock market without first securing a charter from the Department. Charters shall expire on April 30 of each year. It is the responsibility of the public livestock market operator to apply each year for charter renewal on a form prescribed by the Department. The charter renewal form must be accompanied by an annual market charter fee of one hundred dollars (\$100). ~~The charter renewal form and annual market charter fee must~~ **and** be received by the Department on or before May 1 of each year. (3-21-12)

701. **PUBLIC LIVESTOCK MARKET MINIMUM SALE REQUIREMENT.**

Each chartered public livestock market shall conduct a minimum of one (1) sale during each calendar year. (4-6-05)

702. -- 709. (RESERVED)

710. **MARKET RELEASE.**

Prior to any livestock being released from a public livestock market, the following conditions shall be fulfilled: (4-6-05)

01. **Veterinary Inspection.** A visual inspection, of each animal, ~~shall be~~ made by an accredited veterinarian authorized to provide veterinary services to the market. (4-6-05)

02. **Affected Animals.** ~~Any animals determined to be affected by any infectious or contagious disease shall be~~ **Immediate isolation of animals affected by any infectious or contagious disease** in quarantine pens ~~and are~~ subject to the market’s bio-security protocol any animals determined to be affected by any infectious ~~usns~~ or contagious disease. (4-6-05)

03. **Removal of Animals.** ~~No a~~ **Animals shall** ~~may~~ not be removed from the livestock market until all animals determined to be affected with a contagious or infectious disease have been examined by an accredited veterinarian authorized to provide veterinary services to the market.

Do not move animals ~~shall be removed~~ from the livestock market until all animals determined to be affected with a contagious or infectious disease have been examined by an accredited veterinarian authorized to provide veterinary services to the market. (4-6-05)

04. **Saleyard Release Form.** Complete an accurate and legible “saleyard release” form, certificate of

veterinary inspection, or other market release mechanism, approved by the Administrator, shall be completed certifying that the animals meet the health requirements for movement to the point of destination. (4-6-05)

**711. -- 714. (RESERVED)**

**715. BIO-SECURITY PLAN.**

All public livestock markets shall submit a bio-security plan to the Administrator for approval. All approved bio-security plans shall be implemented by the public livestock market. Each bio-security plan shall include, but is not be limited to, the following elements: (4-6-05)

01. Identification. Procedures for identifying animals that are affected by any contagious or infectious disease. (4-6-05)

02. Diagnosis. Procedures for examination and diagnosis, by an accredited veterinarian, of any animals affected by any contagious or infectious disease. (4-6-05)

03. Disposition. Procedures for the disposition of any livestock diagnosed as affected by any contagious or infectious disease. (4-6-05)

04. Records. Keep complete and accurate records shall be kept on site at the livestock market, showing that the market's bio-security plan is being implemented. (4-6-05)

**716. -- 719. (RESERVED)**

**720. IDENTIFICATION.**

All livestock entering a public livestock market shall be individually identified to the herd of origin. (4-6-05)

**721. APPROVED FORMS OF IDENTIFICATION.**

The following are approved methods of identification. (4-6-05)

01. Back Tag. USDA approved back tag; or (4-6-05)

02. Ear Tag. Official USDA ear tag; or (4-6-05)

03. Registration Tattoo; or (4-6-05)

04. Brand Inspection. Statement of ownership such as a brand inspection certificate. (4-6-05)

05. Administrator Approval. The Administrator may approve other forms of identification on a case by case basis. (4-6-05)

06. Removal of Identification. No animal identification shall may be intentionally removed, tampered with, or otherwise altered, except as approved by the Administrator. (4-6-05)

**722. -- 729. (RESERVED)**

**730. QUARANTINE PENS.**

A quarantine pen or pens shall be provided at all public livestock markets and such pens shall only be used only to hold animals that have reacted to the brucellosis or tuberculosis test or animals affected with, or suspected of being affected with a contagious or infectious disease, epithelioma of the eye, or lump jaw. The pens shall comply with the following requirements: (4-6-05)

01. Hard Surface. Hard surfaced with concrete or similar impervious material in good repair; and (4-6-05)

02. Feed and Water. Adequate feed and clean water facilities which are completely separate from all

other livestock; and (4-6-05)

**03. Signage.** Identified with the word "QUARANTINE" in red letters, not less than four (4) inches high, on a white background on the pen gate; and (4-6-05)

**04. Cleaning and Disinfection.** Cleaned and disinfected no later than the day following date of sale; and (4-6-05)

**05. Fence Construction.** ~~The fence shall be~~ Solid fences, constructed by boards or other material approved by the Administrator, and be a minimum of five and one-half (5 ½) feet high; and (4-6-05)

**06. Drainage.** Drainage shall not be onto adjoining pens, restraint facilities or alleys. (4-6-05)

**731. -- 749. (RESERVED)**

**750. RESTRAINT FACILITIES.**

Each public livestock market shall have a restraint system, approved by the Administrator, for humanely, efficiently, and effectively restraining livestock for the purpose of inspecting, identifying, treating, or testing of animals by state or federal animal health officials. (4-6-05)

**751. -- 759. (RESERVED)**

**160. SANITARY CONDITIONS.**

All pens, alleys, troughs, restraint facilities, and runways shall be kept in a sanitary condition. Operators of public livestock markets shall clean and disinfect livestock market facilities, under the supervision of a state or federal animal health official, upon request by the Administrator. (4-6-05)

**761. -- 769. (RESERVED)**

**770. RECORDS.**

Each public livestock market shall keep sufficient records of animals presented for sale to enable state or federal animal health officials to trace such animals satisfactorily to their herd of origin, and such records shall be maintained for a minimum of five (5) years. (4-6-05)

**771. -- 999. (RESERVED)**