02.04.24 – Rules Governing Tuberculosis

�000. Legal Authority.

Sections [25-203](https://legislature.idaho.gov/statutesrules/idstat/title25/t25ch2/sect25-203/%22%20%5Cl%20%22%3A~%3Atext%3D25-203.%2Cthe%20provisions%20of%20this%20chapter.) and [25-305](https://legislature.idaho.gov/statutesrules/idstat/title25/t25ch3/sect25-305/%22%20%5Cl%20%22%3A~%3Atext%3D25-305.%2Cthe%20provisions%20of%20this%20chapter.), Idaho Code. (3-31-22)

001. Scope.

 These rules govern procedures for the prevention, surveillance, control, management, and eradication of tuberculosis in the state of Idaho. (3-31-22)

002. -- 003. (Reserved)

004. Incorporation By Reference.

 01. [The January 1, 2005, Edition of “Bovine Tuberculosis Eradication Uniform Methods and Rules](https://www.aphis.usda.gov/sites/default/files/tb-umr.pdf).” (3-31-22)

 02. The Code of Federal Regulations, Title 9, Parts 71, 77, and 161, January 1, 2025. This document can be viewed online at

<https://www.govinfo.gov/app/details/CFR-2011-title9-vol1/CFR-2011-title9-vol1->part71. (3-31-22)

005. -- 009. (Reserved)

010. Definitions.

In addition to the definitions found in Section [25-239](https://legislature.idaho.gov/statutesrules/idstat/title25/t25ch2/sect25-239/%22%20%5Cl%20%22%3A~%3Atext%3DAnyone%20operating%20as%20a%20public%2C1%29%20sale%20per%20calendar%20year.), Idaho Code, these terms apply in the interpretation and enforcement of this Rule: (3-31-22)

 03.

 04. Approved Laboratory. A state or federal veterinary diagnostic laboratory. The primary laboratory for tuberculosis histopathology and bacteriology culture will be the National Veterinary Services Laboratories, Ames, Iowa. (3-31-22)

 (3-31-22)

 07. Bovine Tuberculosis. A disease caused by Mycobacterium bovis. (3-31-22)

 08. Cattle. All bovidae, including domestic bison, owned by a person. (3-31-22)

 10. Domestic Cervidae. Elk, fallow deer, and reindeer owned by a person. (3-31-22)

 11. Eradication. The complete elimination of bovine tuberculosis from cattle, domestic cervidae, bison and goats in a state so that the disease does not appear unless introduced from another species or from outside the state. (3-31-22)

 14. Free Area. The counties, areas or districts not quarantined by the Division of Animal Industries for tuberculosis. (3-31-22)

 21. Public Stockyards. Premises where trading in cattle, bison, goats, and domestic cervidae is carried on, where yarding, feeding and watering places are provided by the stockyards or transportation companies, or where cattle, bison, goats, and domestic cervidae associations or similar companies maintain corrals for feeding, shearing, dipping and separating animals. (3-31-22)

012. -- 019. (Reserved)

020. Applicability.

These rules apply to all cattle, bison, domestic cervidae, and goats located within, imported into, or exported from the state of Idaho, and other tuberculosis-susceptible animals. (3-31-22)

021. Supervision.

The official tuberculosis eradication program will be supervised by full-time state or federal veterinarians. (3-31-22)

022. Inspections.

In order to ascertain compliance with this chapter, state and federal animal health officials are authorized to inspect animals, records, premises and other areas where cattle, bison, goats, domestic cervidae and other animals are held or kept. (3-31-22)

 01. Entering and Inspection Premises. State or federal animal health officials are authorized to enter premises, other areas, or conveyances in the state where cattle, bison, goats, domestic cervidae or other tuberculosis susceptible animals are held or kept and will attempt to notify the owner or operator of the premises or conveyance prior to conducting a facility or records inspection. In an emergency, as determined by the Administrator, prior notification will not be required. (3-31-22)

023. Tuberculosis Tests.

Official tests for tuberculosis will be conducted only by persons authorized by the Administrator, and USDA/APHIS/VS. (3-31-22)

 01. Authorized Person. The Administrator may authorize state or federal animal health officials, or accredited veterinarians to perform official tuberculin tests. (3-31-22)

 02. Tuberculin Test Interpretation. The injection site on each animal shall be palpated by the authorized person that administered the tuberculin injection. The Administrator may grant variances from Subsection 023.02 on a case by case basis. (3-31-22)

024. Reporting.

 01. Test Results. Results of all official tuberculin tests shall be submitted on an electronic form, approved by the Administrator, within seven (7) days of initiation of the test. (3-31-22)

027. (Reserved)

028. Tuberculosis Testing.

The Administrator may require tuberculosis testing of cattle, bison, goats, domestic cervidae, or other animals.

 (3-31-22)

 01. Duty to Restrain. It is the duty of each person who owns cattle, bison, goats, domestic cervidae, or other animals to pen the animals in suitable pens and restrain them for the test when directed to do so in writing by the Administrator. (3-31-22)

 02. Records of Tests. When any cattle, bison, goats, domestic cervidae, or other animals are tested for tuberculosis a complete test record shall be made and the record shown on an official electronic tuberculosis test form provided by the Administrator.

030. Tuberculosis Indemnity.

Owners of animals that are condemned and depopulated because of tuberculosis shall be indemnified for such animals, based upon appraised value, less federal indemnity and salvage value, and for reasonable actual costs of disposal and cleaning and disinfection in accordance with the provisions of this chapter, except as provided in Section 031. (3-31-22)

 02. Time Limit for Slaughter. Payment of indemnity is made under Section 030 for animals destroyed because of tuberculosis, only if the animals are shipped to slaughter or die otherwise within fifteen (15) days after the date of individual identification and tagging. The Administrator may extend the period for thirty (30) days. (3-31-22)

 03. Reactors That Die. Indemnity may be paid on tuberculosis reactors that die before being sent to slaughter provided the reactors have been appraised and identified and die within fifteen (15) days from date of appraisal and written verification of the official ID of the dead carcass is provided by a state or federal animal health official: (3-31-22)

031. Tuberculosis Indemnity -- Claims Not Allowed.

Claims for compensation for animals destroyed because of tuberculosis are not allowed if any of the following circumstances exist: (3-31-22)

 01. Failure to Comply. The owner has failed to comply with any of these rules. (3-31-22)

 02. Illegal Imports. The animals were illegally imported into the state. (3-31-22)

 03. Animals Sold for Slaughter. At the time of the test or condemnation, the animals belonged to or were upon the premises of any person to whom the animals had been sold, shipped, or delivered for slaughter.

 (3-31-22)

 04. Unapproved Test. The animals were subject to a test not approved by the Administrator. (3-31-22)

 05. Untested Animals. All animals in the owner’s herd have not been tested for tuberculosis under state or federal supervision. (3-31-22)

 06. Premises Not Cleaned. The premises occupied by the tuberculosis infected animals were not cleaned and disinfected as directed, under state or federal supervision. (3-31-22)

 07. Attempt to Improperly Obtain Funds. There is substantial evidence that the owner or his agent has in any way been responsible for any attempt unlawfully or improperly to obtain indemnity funds for such animals. (3-31-22)

 08. Unidentified Cattle and Bison. Cattle or bison destroyed because of tuberculosis, unless they were marked for identification by branding the letter “T” on the left hip near the tailhead, not less than two (2) inches high, and unless a metal tag bearing a serial number and inscription “US REACTOR” or similar US Reactor tag, was suitably attached to the left ear of each animal. (3-31-22)

 09. Calves. If the entire herd is not depopulated and the cattle or bison were calves under one hundred eighty (180) days of age. (3-31-22)

032. -- 099. (Reserved)

100. Official Identification.

All cattle, bison, domestic cervidae, and goats tested for tuberculosis shall be individually identified by official individual identification as provided in the UMR for bovine tuberculosis, at the time of injection. (3-31-22)

102. -- 119. (Reserved)

120. Classification and disposition Of Cattle, Bison, And Domestic Cervidae.

Classification and disposition of cattle, bison, and domestic cervidae that are tested for tuberculosis and respond to the tuberculin test shall be pursuant to the UMR for bovine tuberculosis. (3-31-22)

121. -- 199. (Reserved)

200. Procedures For Infected Herds and feedlots.

Disclosure of tuberculosis in any herd or feedlot shall be followed by a complete epidemiological investigation and testing as provided in the UMR for bovine tuberculosis. (3-31-22)

201. -- 209. (Reserved)

211. -- 219. (Reserved)

221. -- 249. (Reserved)

251. -- 259. (Reserved)

261. -- 299. (Reserved)

300. Retesting Of High-Risk Herds.

Retesting schedules for high-risk herds of cattle and bison are determined pursuant to the UMR for bovine tuberculosis. (3-31-22)

301. -- 399. (Reserved)

401. IDAHO Approved Feedlot.

Cattle and domestic bison of unknown Tuberculosis test status may be fed for slaughter only in an Approved Feedlot, with no provisions for pasturing, grazing, or removal from the feedlot other than to slaughter. Requirements to obtain status as and operate an Idaho Approved Feedlot are pursuant to IDAPA 02.04.20.200 – Rules Governing Brucellosis

406. -- 499. (Reserved)

500. Movement Of Infected And Exposed Cattle, Domestic Cervidae, Or Bison.

All movement of infected or exposed cattle, domestic cervidae, or bison is on a restricted movement permit in accordance with the UMR for bovine tuberculosis. (3-31-22)

501. -- 999. (Reserved)