02.04.20 – Rules Governing Brucellosis

000. Legal Authority.

Sections [25-203](https://legislature.idaho.gov/statutesrules/idstat/Title25/T25CH2/SECT25-203/), [25-601](https://legislature.idaho.gov/statutesrules/idstat/Title25/T25CH6/SECT25-601/), and [25-3520](https://legislature.idaho.gov/statutesrules/idstat/Title25/T25CH35/SECT25-3520/), Idaho Code. (3-31-22)

001. Scope.

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

002. – 003. (Reserved)

004. Incorporation By Reference.

The following documents are incorporated by reference and copies of these documents may be obtained from the Idaho State Department of Agriculture (ISDA) Central Office and the State Law Library: (3-31-22)

 01. [The October 1, 2003 Edition of the Brucellosis Eradication Uniform Methods and Rules](https://www.aphis.usda.gov/sites/default/files/umr_bovine_bruc.pd).

 (3-31-22)

 02. [The September 30, 2003 Edition of the Brucellosis in Cervidae: Uniform Methods and Rules.](https://www.aphis.usda.gov/sites/default/files/bcervumr.pdf)

 (3-31-22)

 03. [The April 1998 Edition of the Swine Brucellosis Control/Eradication: State-Federal-Industry Uniform Methods and Rules](https://www.aphis.usda.gov/sites/default/files/sbruumr.pdf). (3-31-22)

 04. The Code of Federal Regulations Title 9, Parts 71, 78, and 161, January 1, 2005. This document can be viewed online at <http://www.access.gpo.gov/nara/cfr/waisidx_00/9cfrv1_00.html>. (3-31-22)

005. -- 009. (Reserved)

010. Definitions.

The following definitions apply in the interpretation and enforcement of this chapter. (3-31-22)

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 03. Approved Feedlot. A feedlot approved by the Administrator to feed female cattle and domestic bison, which have not been officially vaccinated against brucellosis. (3-31-22)

 06. Brucellosis Herd Management Plan. A written document outlining management practices a livestock producer will take to minimize the exposure of cattle or domestic bison to brucellosis. The herd management plan shall be valid when signed by the owner and the State Veterinarian or his designee. (3-31-22)

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

 08. Commuter Herd. A herd of cattle or domestic bison that moves from Idaho to another state pursuant to the provisions of [IDAPA 02.04.21.220](https://adminrules.idaho.gov/rules/current/02/020421.pdf) (3-31-22)

 09. Designated Surveillance Area. An area of Idaho, as ordered by the director or his designee, where brucellosis positive wildlife are known or believed to exist and where commingling of wildlife and livestock may lead to transmission of brucellosis from wildlife to livestock. (3-31-22)

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

 12. Exposed. Animals that have had contact with other animals, herds, or materials that have been determined to be infected with or affected by Brucella. (3-31-22)

 14. Infected Animals or Herds. Animals that are classified as reactors by the designated brucellosis epidemiologist or herds that contain one or more reactor animals. (3-31-22)

 16. Official Identification. The unique individual electronic identification of cattle, domestic bison, swine, or domestic cervidae in accordance with these rules. (3-31-22)

 17. Official Vaccinate. A bovine or domestic bison female that was inoculated, in accordance with these rules and the Brucellosis UM&R, with an approved Brucella vaccine. (3-31-22)

 19. Parturient. Visibly prepared to give birth or within two (2) weeks before giving birth. (3-31-22)

 20. Postparturient. Having already given birth. (3-31-22)

 21. Premises. The ground, area, buildings, corrals, and equipment utilized to keep, hold, or maintain animals. (3-31-22)

 24. Re-Identification of Official Vaccinates. The identification of female cattle or other animals which have been officially vaccinated and identified, as provided in this chapter, and which have lost the official identification device or the tattoo has faded to the extent that it cannot be discerned. (3-31-22)

 26. Restricted Movement Permit. A VS Form 1-27, or other document approved by the Administrator for movement of reactor or exposed animals in commerce. (3-31-22)

 28. State/Federal Animal Health Laboratory. The official laboratory in Idaho that is approved by the Administrator and USDA/APHIS/VS, to conduct serologic and bacteriologic tests to detect Brucella. (3-31-22)

 30. Swine. All animals in the family suidae, owned by a person. (3-31-22)

 31. Test Eligible. Unless otherwise specifically provided in these rules, all sexually intact cattle and domestic bison twelve (12) months of age and over, and all parturient, and postparturient cattle and domestic bison regardless of age. (3-31-22)

 (3-31-22)

012. -- 019. (Reserved)

020. Applicability.

These rules apply to all cattle, domestic bison, swine, and domestic cervidae located within, imported into, transported through or exported from the state of Idaho. (3-31-22)

021. Supervision.

The official brucellosis 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, domestic bison, swine, domestic cervidae and other animals are held or kept. (3-31-22)

 01. Entering and Inspection of Premises. State or federal animal health officials are authorized to enter premises, other areas, or conveyances in the state where cattle, domestic bison, swine, domestic cervidae or other brucellosis 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. Laboratories.

Biological samples tested for brucellosis shall be tested only by official state-federal animal health laboratories or by persons authorized by the Administrator, and USDA/VS. (3-31-22)

 01. Blood, Milk, Tissue, or Other Samples. All biologic samples shall be collected and tested in accordance with the UM&R for that species. (3-31-22)

 02. Authorized Persons. Qualified persons, approved by the Administrator, conducting serologic tests for brucellosis at facilities other than official state-federal animal health laboratories must promptly submit all samples to an approved laboratory for confirmation of test results. (3-31-22)

 03. Retest of Reactors. A request to retest a reactor animal may be submitted by the owner to the Administrator within three days (3) days of being notified of the initial herd blood test results.The request shall be based on sound epidemiologic evidence, and all animals shall remain under herd quarantine. Approved requests shall be performed at the owner’s expense. (3-31-22)

 04. Reclassification of Reactors. Any reclassification of reactor animals shall be in accordance with the UM&R for that species. (3-31-22)

024. Reporting.

Brucellosis activities conducted privately or as part of the official brucellosis eradication program shall be reported to the Administrator. (3-31-22)

 01. Test Results. All test results shall be reported immediately. (3-31-22)

 02. Vaccinations. All vaccination reports shall be submitted on an electronic form approved by the Administrator within fifteen (15) days of date of vaccination. (3-31-22)

027. Wild Bison And Wild Elk.

 02. Exposure of Livestock to Wild Bison. All cattle, domestic bison, and domestic cervidae animals and herds that come into contact with brucellosis affected wild bison, such that transmission of brucellosis could occur, shall be considered exposed to brucellosis. (3-31-22)

 03. Exposure of Livestock to Wild Elk. All cattle, domestic bison, and domestic cervidae animals and herds that have feed-line or other contact, during winter months, with wild elk that have been determined to be affected with brucellosis, such that transmission of brucellosis could occur, shall be considered exposed to brucellosis. (3-31-22)

028. Brucellosis Testing.

The Administrator may require brucellosis testing of cattle, domestic bison, swine, domestic cervidae, or other animals. (3-31-22)

 01. Duty to Restrain. It is the duty of each person who has control of such 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, domestic bison, swine, or domestic cervidae are tested for brucellosis a complete test record shall be made and the record shall be shown on an official electronic brucellosis test form provided by the Administrator.

 03. Interstate Movement. All test eligible cattle and domestic bison exported from Idaho shall be tested negative for brucellosis within thirty (30) days prior to the interstate movement if required by the state of destination, or if the cattle or domestic bison are being moved from a DSA. (3-31-22)

030. Brucellosis Indemnity.

Owners of animals that are condemned and depopulated because of brucellosis 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 shall be made under Section 030 for animals destroyed because of brucellosis, only if the animals are shipped to slaughter or die otherwise within fifteen (15) days after the date of individual identification and tagging, except that the appropriate veterinarian in charge, for reasons satisfactory to him, may extend the period to thirty (30) days and the Deputy Administrator, Veterinary Services, for reasons satisfactory to him may extend it beyond thirty (30) days. (3-31-22)

 03. Reactors That Die. Indemnity may be paid on brucellosis 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. Brucellosis Indemnity: Claims Not Allowed.

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

 01. Failure to Comply. The owner has failed to comply with any of the rules governing the handling of brucellosis reactors. (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 brucellosis under state or federal supervision. (3-31-22)

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

 07. Neutered Animals. The animals were neutered. (3-31-22)

 08. 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)

 09. Unidentified Cattle and Domestic Bison. Cattle or domestic bison destroyed because of brucellosis, unless they were marked for identification in accordance with the Brucellosis UM&R. (3-31-22)

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

032. -- 099. (Reserved)

100. Official Vaccination Required For Cattle And Domestic Bison.

 (3-31-22)

101. Official Vaccination.

Female cattle and domestic bison may be officially vaccinated through one (1) of the following methods: (3-31-22)

 01. Calfhood Vaccination. Female cattle and domestic bison native to the State of Idaho (State) or imported into the State that are calfhood vaccinated shall be done so in accordance with 9 CFR 78 and the Brucellosis UM&R. (3-31-22)

 02. Adult Vaccination. Female cattle or domestic bison may be vaccinated as adults with the approval of the Administrator and shall be in accordance with [9 CFR 78](https://www.ecfr.gov/current/title-9/chapter-I/subchapter-C/part-78) and the Brucellosis UM&R. (3-31-22)

 a. The Administrator may make exceptions to the provisions of Section 101 of this rule on a case-by-case basis. (3-31-22)

 03. Approval for Adult Vaccination. Accredited veterinarians shall request approval from the Administrator to vaccinate female cattle or domestic bison over three hundred sixty five (365) days of age.

 04. Adult Vaccinations Required. The Administrator may require animals at risk of becoming infected with brucellosis to be adult vaccinated. (3-31-22)

103. Official Identification Of Cattle And Domestic Bison.

 01. Official Vaccinates. All official vaccinates shall be officially identified pursuant to [9 CFR 78](https://www.ecfr.gov/current/title-9/chapter-I/subchapter-C/part-78) and the Brucellosis Eradication UM&R.

 03. Reactor and Suspect Animals. All animals designated as reactors or suspects by the designated brucellosis epidemiologist shall be marked in accordance with the Brucellosis Eradication UM&R. (3-31-22)

104. Re-Identification Of Official Vaccinates.

No female cattle or domestic bison that were officially vaccinated against brucellosis shall be re-tattooed or re-ear-tagged with the official vaccination eartag except under the following conditions: (3-31-22)

 01. Administrator Grants Permission. Animals may be re-tattooed only by accredited veterinarians who have obtained permission from Administrator prior to the time the animals are re-tattooed. (3-31-22)

 02. Official Identification. Animals that are presented for re-tattooing shall have official identification which will identify the animals as those originally tattooed provided the official identification was submitted on the original vaccination record. (3-31-22)

 03. Reproduction of Original Tattoo. Re-tattooing shall reproduce the original tattoo at the time of vaccination. (3-31-22)

 04. Records. The veterinarian who performs the re-tattooing shall record the official identification of the vaccinates and submit a new vaccination record to the Division of Animal Industries within ten (10) days of the date of re-tattooing.

 (3-31-22)

106. -- 119. (Reserved)

120. Brucellosis Eradication Areas.

The Director is authorized to declare the entire state, a portion of the state, entire county or part of a county an eradication area, pursuant to Idaho Code, [Section 25-604](https://legislature.idaho.gov/statutesrules/idstat/title25/t25ch6/sect25-604/), in order to contain an outbreak of brucellosis and prevent spread of brucellosis to cattle, domestic cervidae, swine and other animals in other counties and areas of the state. (3-31-22)

 01. Circumstances Under Which Testing Is Required. Test eligible cattle, domestic bison, or other brucellosis susceptible species: (3-31-22)

 a. Shall be subjected to an official brucellosis test within the thirty (30) days immediately preceding sale or movement out of an eradication area. (3-31-22)

 b. For cattle or domestic bison consigned on a permit to a specifically approved stockyard, the brucellosis test requirement may be fulfilled at the stockyard by testing the cattle or domestic bison prior to sale.

 (3-31-22)

 02. Test Exemptions. Test eligible cattle and domestic bison from eradication areas, consigned on a permit directly from a farm or ranch of origin to an approved slaughter establishment, or to a specifically approved stockyard for sale directly to an approved slaughter establishment, shall be exempt from pre-movement testing.

 (3-31-22)

 03. Discontinuance of Eradication Area. The eradication area designation shall exist only for the period of time necessary for the elimination of brucellosis infection from cattle and domestic bison in the area. After infection has been eliminated and Idaho has retained or regained brucellosis free status, the Director shall remove the eradication status from the area and the testing requirements shall be discontinued. (3-31-22)

121. Test Eligible Cattle And Domestic Bison In An Eradication Area.

Test eligible cattle and domestic bison in an eradication area are: (3-31-22)

 01. Unvaccinated or Vaccinated with Brucella Abortus Strain RB 51 Vaccine. Intact male and female cattle and domestic bison that are six (6) months of age or older. (3-31-22)

122. Movement Out Of Eradication Areas.

Cattle or domestic bison shall not be moved into or out of an eradication area except by the authorization of the Administrator. (3-31-22)

 01. Permits Authorizing Movement. Movement of cattle or domestic bison out of an eradication area shall require a permit issued by the Administrator on an approved form. (3-31-22)

123. Designated Surveillance Area (DSA).

All intact cattle and domestic bison that reside or seasonally graze within a DSA are subject to additional rule requirements for the prevention or eradication of brucellosis. (3-31-22)

 01. Individual Identification Requirements. All intact cattle and domestic bison, regardless of age, that leave the DSA must be identified with official individual electronic identification. (3-31-22)

 02. Testing Requirements Within The DSA. The following official brucellosis test requirements apply to all test eligible cattle and domestic bison that are or have been located within the DSA at any time between January 1 and June 15 of any calendar year. (3-31-22)

 a. All test eligible cattle and domestic bison must have a negative brucellosis test within thirty (30) days prior to a change of ownership, interstate movement or prior to leaving the DSA, except cattle or domestic bison moving directly to an approved Idaho livestock market or a federally-inspected slaughter plant that will test the animals for brucellosis on arrival. (3-31-22)

 b. Variances or exceptions to the brucellosis testing requirements may be considered on an individual basis by the administrator, based upon a brucellosis herd management plan. (3-31-22)

 03. Permit Required for Movement Out of the DSA. In addition to the above testing requirements and prior to movement, all persons transporting Test Eligible cattle or domestic bison from within the DSA to a location outside the DSA, shall be required to obtain a movement permit via electronic submission on an approved form from the Division of Animal Industries at least twenty-four (24) hours in advance. The permit will be valid for fifteen (15) days from issuance. (3-31-22)

 d. Penalties. Any person that fails to obtain a permit prior to movement of cattle out of the DSA may be assessed penalties pursuant to Section 990 . (3-31-22)

124. -- 129. (Reserved).

130. Movement Of Infected And Exposed Cattle Or Domestic Bison.

All movement of infected or exposed cattle or domestic bison shall be on a restricted movement permit in accordance with the Brucellosis Eradication UM&R. (3-31-22)

131. -- 199. (Reserved)

200. Idaho Approved Feedlot.

Female cattle and domestic bison that have not been officially vaccinated for brucellosis shall not be fed for slaughter except in Idaho approved feedlots, with no provisions for pasturing or grazing. Application for Idaho Approved Feedlot status shall be made on a form available from the Administrator. Applications for Approved Feedlot Status will be considered under the following conditions:

01. Cattle Secured. The feedlot management has demonstrated that cattle which have not been officially vaccinated can be secured in the feedlot; and

 02. Adequate Records. Feedlot records are adequate to show the origin and disposition of the cattle in the feedlot; and

 03. Adequate Resources. The Administrator determines that the Division of Animal Industries has adequate human and fiscal resources to assure that the feedlot abides by the provisions of this chapter; and

 04. Inspection. A state or federal animal health official has completed an inspection of the feedlot.

 05. Past History. The Administrator may take any past enforcement or violation history into consideration when making the final determination of whether or not to approve a feedlot.

204. Expiration Of Approved Status.

Approved feedlot status shall expire on September 1 of each year. It shall be the responsibility of feedlot management to apply each year for renewal of approved status. (3-31-22)

205. -- 249. (Reserved)

250. Content Of Records For Approved Feedlots.

All approved feedlots shall keep accurate and complete records of all cattle and domestic bison that enter the approved feedlot. These records shall readily show: (3-31-22)

 01. Animals Received. The number, species, age, sex, brand, origin, date of entry, individual identification when required, and final disposition of all cattle and domestic bison received at the feedlot; and

 (3-31-22)

 02. Animals Removed from Feedlot. The date of removal or sale, and destination of any animals removed; and (3-31-22)

 03. Death Loss. Cattle and domestic bison losses by accident, disease or death shall be accurately recorded; and (3-31-22)

 04. Requirements. That all applicable permit, test, examination, identification, and vaccination requirements have been met. (3-31-22)

251. Records Retention.

Feedlot records shall be retained by the feedlot for a period of not less than one (1) year following removal of the cattle or domestic bison from the feedlot. (3-31-22)

252. Entry Requirements.

Idaho Approved Feedlots are allowed to feed all classes of cattle and domestic bison, except brucellosis-exposed, suspect, or reactor cattle and domestic bison.

253. Removal Requirements.

All cattle and domestic bison, except steers and spayed heifers, leaving Idaho Approved Feedlots shall have been held separate and apart from all other feedlot cattle since arrival at the feedlot, and their isolation maintained until the vaccinated cattle or domestic bison are removed from the feedlot. Additional removal requirements are as follows:: (3-31-22)

 01. Direct to Slaughter. Shall be identified on a weigh bill or other certificate and moved directly to slaughter at an approved slaughter establishment; or (3-31-22)

 02. Direct to Another Idaho Approved Feedlot. Shall be identified on a Certificate of Veterinary Inspection and moved directly to another Idaho Approved Feedlot; or (3-31-22)

 03. Direct to Livestock Market. Shall be consigned directly to a specifically approved livestock market for sale to slaughter, or other qualified destination; or (3-31-22)

 04. Direct Out of State. Shall be consigned directly to a qualified out of state destination. (3-31-22)

 05. Official Calfhood Vaccinates. Officially calfhood vaccinated female cattle or domestic bison may be removed from an Idaho Approved Feedlot for breeding, dairy, or grazing purposes.

 (3-31-22)

 06. Official Adult Vaccinates. Officially adult vaccinated female cattle or domestic bison may be removed from an Idaho Approved Feedlot for breeding, dairy, or grazing purposes provided that the following conditions are met: (3-31-22)

 a. Female cattle or domestic bison that are three-hundred sixty-five (365) days of age or older at the time of vaccination have tested negative to an official brucellosis test within ten (10) days prior to vaccination; and

 (3-31-22)

 b. The female cattle or domestic bison are vaccinated with RB 51 Brucella abortus vaccine, with a dose approved by the Administrator, within ten days of the negative brucellosis test; and (3-31-22)

 d. All female cattle or domestic bison in the isolation pen are negative on an official brucellosis test prior to the vaccination and removal of any cattle from the isolation pen; and (3-31-22)

 e. The female cattle or domestic bison are identified on a Certificate of Veterinary Inspection at the time of removal. (3-31-22)

 07. Intact Males. Intact male cattle and domestic bison may be removed from an Idaho Approved Feedlot for breeding, dairy, or grazing purposes provided that the following conditions are met: (3-31-22)

 a. The intact male cattle or domestic bison have been tested negative to trichomoniasis tests as provided in the trichomoniasis rules, [IDAPA 02.04.03](https://adminrules.idaho.gov/rules/current/02/020403.pdf), “Rules of the Department of Agriculture Governing Animal Industry,” Section 220. (3-31-22)

 c. The intact male cattle or domestic bison are examined, tested for brucellosis, and identified on a Certificate of Veterinary Inspection at the time of removal. (3-31-22)

 09. Approval of the Administrator. Vaccinated female cattle and intact male cattle being removed from the feedlot for breeding, dairy or grazing purposes shall not be removed without prior notification to the administrator. (3-31-22)

255. Inspection.

The feedlot premises, the cattle or domestic bison therein, and the feedlot records shall be presented for inspection to the Administrator at any reasonable time. (3-31-22)

256. Revocation Of Approved Feedlot Status.

The Administrator may revoke approved feedlot status by notifying the owner in writing. (3-31-22)

 01. Failure to Comply. In addition to any other department administrative or civil action, failure on the part of the feedlot operator to comply with the requirements of this chapter shall result in revocation of the Idaho Approved Feedlot status. (3-31-22)

 02. Operator Request. Operators may have the approved status revoked by emptying the feedlot and requesting in writing that the status be revoked. (3-31-22)

 03. Regulation Changes. Idaho Approved Feedlot status may be revoked at such time as revocation is required by changes in state or federal rules or regulations. (3-31-22)

 04. Disposition of Cattle and Domestic Bison. Should the Idaho Approved Feedlot status be revoked, cattle and domestic bison still in the feedlot shall be removed from the feedlot as provided in Section 252 of this rules. The Administrator shall have the authority to impose time limits for removal of cattle and bison.

 (3-31-22)

257. -- 299. (Reserved)

301. -- 319. (Reserved)

323. -- 399. (Reserved)

423. -- 999. (Reserved)