02.04.26 – Rules Governing the Public Exchange of Livestock

000. Legal Authority.

[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.), [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.), [25-401](https://legislature.idaho.gov/statutesrules/idstat/Title25/T25CH4/SECT25-401/), [25-601](https://legislature.idaho.gov/statutesrules/idstat/title25/t25ch6/sect25-601/%22%20%5Cl%20%22%3A~%3Atext%3DThe%20department%20of%20agriculture%20%28hereinafter%2Cand%20other%20animals%20which%20shall), [25-1723](https://legislature.idaho.gov/statutesrules/idstat/title25/t25ch17/sect25-1723/%22%20%5Cl%20%22%3A~%3Atext%3D25-1723.%2Cand%20revocations%20of%20market%20charters.)(b), and [25-3520](https://legislature.idaho.gov/statutesrules/idstat/title25/t25ch35/sect25-3520/%22%20%5Cl%20%22%3A~%3Atext%3D25-3520.%2Cthe%20provisions%20of%20this%20chapter.), Idaho Code. (3-15-22)

001. Scope.

 These rules govern the record keeping of livestock dealers and facilities, record keeping, identification, quarantine and movement of livestock through buying stations, trader lots and livestock markets.

 (3-15-22)

002. -- 109. (Reserved)

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

110. Definitions.

The definitions apply in the interpretation and enforcement of Subchapter A only. (3-15-22)

 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](https://www.ecfr.gov/current/title-9/chapter-I/subchapter-J/part-161), (3-15-22)

 02. Approved Slaughter Establishment. A USDA inspected slaughter establishment where ante-mortem and post-mortem inspection is conducted by USDA inspectors. (3-15-22)

 03. Cattle. All domestic bovidae, including domestic bison, owned by a person. (3-15-22)

 05. Domestic Cervidae. Elk, fallow deer, and reindeer owned by a person. (3-15-22)

 09. Livestock. Cattle, domestic bison, swine, horses, mules, asses, domestic cervidae, sheep, goats, camelids, and ratites. (3-15-22)

 12. Official Identification. A nationally unique number, usually affixed to an APHIS approved device, that is permanently associated with an animal or group of animals that adheres to an identity standard or or method approved by the Administrator. (3-15-22)

 18. Premises. The ground, area, buildings, corrals, and equipment utilized to keep, hold, or maintain animals. (3-15-22)

 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. (3-15-22)

 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. (3-15-22)

 21. State Animal Health Official. The Administrator, or his designee, responsible for disease control and eradication activities. (3-15-22)

 22. 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. (3-15-22)

 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. (3-15-22)

112. -- 119. (Reserved)

120. Applicability.

Subchapter A applies to livestock dealers, buying stations, and livestock trader lots operating in Idaho. (3-15-22)

121. -- 129. (Reserved)

130. Inspections.

State and federal animal health officials are authorized to inspect all records, premises, facilities, and livestock to ensure compliance withstate or federal laws or rules. (3-15-22)

 01. Entering and Inspection of Premises. State or federal animal health officials are authorized to enter buying stations or livestock trader lots and will attempt to notify the owner or operator of the premises prior to conducting a facility or records inspection. In an emergency, as determined by the Administrator, prior notification will not be required. (3-15-22)

131. -- 139. (Reserved)

140. Livestock Treatment.

Each livestock dealer, buying station and livestock trader lot shall humanely treat all livestock. All non-ambulatory livestock shall be: (3-15-22)

 01. Returned. Returned to premises of origin; or (3-15-22)

 02. Fed and Watered. Provided adequate feed and clean water; or (3-15-22)

 03. Euthanized. Humanely euthanized. (3-15-22)

141. -- 149. (Reserved)

150. -- 199. (Reserved)

200. Livestock Dealer RECORDS.

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. Records must be maintained for a period of not less than two (2) years and shall be made available to the Administrator upon request.

 (3-15-22)

201. -- 209. (Reserved)

220. Content Of Records.

Livestock dealer records shall include, but are not limited to: (3-15-22)

 01. Owner Name, Telephone Number, and Address.

 02. Identification. All cattle shall be identified to their previous location with a form of identification approved by the Administrator.

 03. Address of Previous Location.

 04. The Date of Purchase. The date individual cattle were purchased. (3-15-22)

 05. Date of Sale. Date individual cattle were sold or changed ownership. (3-15-22)

 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. (3-15-22)

 07. Death Loss. An accurate account of all death loss, including identification, and disposition of the dead cattle. (3-15-22)

221. -- 229. (Reserved)

231. -- 239. (Reserved)

240. Approved Forms Of Identification.

The following are approved forms of identification. (3-15-22)

 01. USDA Approved Official Identification (3-15-22)

 (3-15-22)

 03. Registration Tattoo. Breed registration tattoo and corresponding registration papers. (3-15-22)

 04. Brand Inspection. Statement of ownership such as a brand inspection certificate. (3-15-22)

 05. Administrator Approval. The Administrator may approve other forms of individual identification on a case-by-case basis. (3-15-22)

 06. Removal of Official Identification. It is unlawful to remove, tamper with or otherwise alter official livestock identification. (3-15-22)

241. -- 299. (Reserved)

300. Approved Buying Stations.

No livestock dealer shall operate a buying station prior to submitting an application and receiving approval from the Administrator. Applications shall be submitted to the Idaho State Department of Agriculture (Department) on an approved form. All cattle entering the buying station shall be shipped to an approved slaughter establishment within seven (7) days of arrival at the buying station. (3-15-22)

302. Administrator Approval.

Prior to approval by the Administrator, all facilities must be inspected by state officials to verify compliance with all buying station laws and rules. Past enforcement or violation history of the owner or operator of the facility may be taken into consideration when making the final determination. (3-15-22)

303. Approved Buying Station Number.

To operate an approved buying station, the applicant must also hold an active livestock dealer license,issued by the State Brand Board, which will be used to identify the approved buying station. (3-15-22)

304. Expiration Of Approved Status.

Approved buying station status will expire on September 1 of each year. It is the responsibility of buying station management to apply each year for renewal ofapproved status. (3-15-22)

305. Revocation Of Approved Buying Station Status.

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: (3-15-22)

 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. (3-15-22)

 02. Inability to Trace Animals. There is a repeated history of an inability to trace cattle handled by the buying station to the previous location and owner. (3-15-22)

 03. Violations. A buying station violates any of the provisions of Subchapter A. (3-15-22)

 04. Owner Request. Requests to revoke approved status may be submitted in writing. (3-15-22)

 05. Regulation Changes. Idaho approved buying station status may be revoked as required by changes in state or federal rules or regulations. (3-15-22)

306. 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. (3-15-22)

307. -- 314. (Reserved)

315. 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. (3-15-22)

316. -- 319. (Reserved)

320. Buying Station Records.

 Buying stations shall keep complete and accurate records such that cattle purchased may be traced to the previous location and/or owner. Records must be maintained for a period of not less than two (2) years and shall be made available to the Administrator upon request.

321. Content Of Records -- Buying Stations.

 01. Owner Name, Telephone Number, and Address.

 02. Individual Identification. Individual USDA Backtag number for each animal entering the buying station. (3-15-22)

 03. Address of Previous Location. (3-15-22)

 04. Date of Entry to Buying Station.. (3-15-22)

 05. Date of Shipment to Slaughter. (3-15-22)

 06. Approved Slaughter Establishment Destination. (3-15-22)

 07. Death Loss. An accurate account and description of all death loss, including the official identification and disposition of the dead cattle. (3-15-22)

323. -- 329. (Reserved)

330. Cattle Subject To Quarantine -- Buying Stations.

No cattle suspected of being affected with a foreign animal or reportable disease, shall be allowed to enter, occupy, or be sold from a buying station unless permitted by the Administrator. (3-15-22)

331. -- 339. (Reserved)

340. Premises Requirements.

An approved buying station shall meet the following requirements: (3-15-22)

 01. Restraint System.

 02. Feed and Water. Provide access to a clean source of water sufficient 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. (3-15-22)

 04. Fences. Construct and maintain fences sufficient to prevent the escape of livestock from the premises, as determined by the Administrator. (3-15-22)

341. -- 349. (Reserved)

350. 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. (3-15-22)

351. -- 359. (Reserved)

360. Signage.

Each buying station shall comply with the following signage requirements: (3-15-22)

 01. Wording. Signs state “ALL CATTLE ENTERING THIS FACILITY SHALL GO DIRECTLY TO SLAUGHTER.” (3-15-22)

 02. Color. Lettering in red and not less than four (4) inches in height on a white background. (3-15-22)

 03. Location. Signs placed prominently at each entrance, exit and cattle loading or unloading facility.

 (3-15-22)

361. -- 369. (Reserved)

370. Location Of Buying Stations.

All buying stations shall be located separate and apart from any other cattle handling facilities, as determined by the Administrator, to clearly distinguish from any cattle not destined to slaughter within seven (7) days. (3-15-22)

371. -- 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 approved livestock trader lot if receiving cattle of unknown disease status or selling brucellosis test eligible cattle to destinations other than an approved slaughter establishment, an approved livestock market, an Idaho approved feedlot, or out of the state of Idaho.

501. Application For Approved Livestock Trader Lot Status.

No livestock dealer shall operate a livestock trader lot prior to submitting an application and receiving approval from the Administrator. Applications shall be submitted to the Department on an approved form.

 (3-15-22)

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: (3-15-22)

 01. Adequate Facilities. The livestock dealer has demonstrated that cattle can be secured and restrained in the facility. (3-15-22)

 02. Adequate Records. The livestock dealer’s records are adequate to show the origin and disposition of the cattle that enter the facility. (3-15-22)

 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. (3-15-22)

503. Approved Livestock Trader Lot Number.

To operate an approved livestock trader lot, the applicant must also hold an active livestock dealer license issued by the State Brand Board which shall be used to identify the livestock trader lot. (3-15-22)

504. Expiration Of Approved Status.

Approved livestock trader lot status will expire on September 1 of each year. It is the responsibility of trader lot management to apply each year for renewal of approved status. (3-15-22)

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 not be removed, tampered with, or otherwise altered at the approved livestock trader lot. (3-15-22)

521. Approved Forms Of Identification.

The following are approved forms of individual identification. (3-15-22)

 01. USDA Approved Official Identification.

 03. Registration Tattoo. A breed registration tattoo accompanied by registration papers. (3-15-22)

 04. Brand Inspection. Statement of ownership such as a brand inspection certificate. (3-15-22)

 05. Administrator Approval. The Administrator may approve other forms of identification on a case-by-case basis. (3-15-22)

 06. Removal of Official Identification. It is unlawful to remove, tamper with or otherwise alter livestock official identification. (3-15-22)

522. Records For Approved Livestock Trader Lots.

All approved livestock trader lots shall keep accurate and complete records such that cattle purchased may be traced to the previous location and/or owner. Records must be maintained for a period of not less than two (2) years and shall be made available to the Administrator upon request. of all cattle that enter, leave or die on the premises. These records shall readily show: (3-15-22)

 01. Owner Name, Telephone Number, and Address.

 02. Identification. Identification, approved by the Administrator, for the cattle entering the livestock trader lot. (3-15-22)

 03. Address of Previous Location.

 04. The Date of Entry. The date the cattle enter a livestock trader lot. (3-15-22)

 05. Date of Shipment Out of the Livestock Trader Lot. (3-15-22)

 06. Name, Telephone Number, and Address of Shipment Destination. (3-15-22)

 07. Death Loss. An accurate account and description of all death loss, including identification and disposition of the dead cattle. (3-15-22)

 09. Regulatory Requirements. That all applicable state and federal permit, test, examination, identification and vaccination requirements have been met prior to leaving the approved trader lot. (3-15-22)

524 -- 529. (Reserved)

530. Cattle Subject To Quarantine -- Trader Lots.

No cattle 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, unless permitted by the Administrator. (3-15-22)

531. -- 539. (Reserved)

540. Removal Requirements.

All brucellosis test eligible cattle 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: (3-15-22)

 01. Livestock Markets. Cattle shipped directly to an approved livestock market. (3-15-22)

 02. Slaughter. Cattle shipped directly to an approved slaughter establishment. All cattle destined for slaughter must be individually identified with an approved USDA Backtag. (3-15-22)

 03. Approved Feedlots. Cattle shipped directly to an Idaho approved feedlot. (3-15-22)

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 prior to departure. (3-15-22)

542. -- 549. (Reserved)

550. Livestock Trader Lot Premises.

Approved livestock trader lots shall have and maintain the following requirements: (3-15-22)

 01. Restraint System.

 02. Feed and Water. Provide access to a clean source of water sufficient for the number of cattle present, and an adequate quality and quantity of feed for all cattle on the premises for over twelve (12) hours.

 (3-15-22)

 04. Fences. Containment sufficient to prevent the escape of cattle from the premises, as determined by the Administrator. (3-15-22)

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. (3-15-22)

561. -- 569. (Reserved)

570. Revocation Of Approved Status.

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: (3-15-22)

 01. Recordkeeping Requirements. There is evidence that the livestock dealer violated the recordkeeping requirements of this rule or animal health regulations. (3-15-22)

 02. Inability to Trace Animals. There is a repeated history of inability to trace cattle that enter the livestock trader lot to the previous location and owner. (3-15-22)

 03. Violations. A livestock dealer violates any of the provisions of Subchapter A. (3-15-22)

 04. Dealer Request. Requests to revoke approved status may be submitted in writing.

 05. Regulation Changes. Approved trader lot status may be revoked as required by changes in state or federal rules or regulations. (3-15-22)

571. -- 603. (Reserved)

SUBCHAPTER B – LIVESTOCK MARKETING

604. Incorporation By Reference.

The following document is incorporated by reference into Subchapter B, sections 604-770 only: (3-15-22)

 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 h[ttps://www.govinfo.gov/content/pkg/CFR-2003-title9-vol1/pdf/CFR-2003-title9-vol1-chapI.pdf](https://www.govinfo.gov/content/pkg/CFR-2003-title9-vol1/pdf/CFR-2003-title9-vol1-chapI.pdf). (3-15-22)

605. -- 609. (Reserved)

610. Definitions.

In addition to the definitions found in Idaho Code sections [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.) and [25-1721](https://legislature.idaho.gov/statutesrules/idstat/title25/t25ch17/sect25-1721/%22%20%5Cl%20%22%3A~%3Atext%3DAny%20place%2C%20establishment%20or%20facility%2Cis%20conducted%20or%20operated%20for), the following definitions apply in the interpretation and enforcement of Subchapter B only: (3-15-22)

 02. Approved Slaughter Establishment. A USDA inspected slaughter establishment where ante-mortem and post-mortem inspections are conducted by USDA inspectors. (3-15-22)

 04. Cattle. All domestic bovidae, including domestic bison, owned by a person. (3-15-22)

 06. Domestic Cervidae. Elk, fallow deer, and reindeer owned by a person. (3-15-22)

 11. Livestock. Cattle, domestic bison, swine, horses, mules, asses, domestic cervidae, sheep, goats, camelids, and ratites. (3-15-22)

 14. Official Individual Identification. A nationally unique number, usually affixed to an APHIS approved device, that is permanently associated with an animal or group of animals that adheres to an identity standard or method approved by the Administrator. (3-15-22)

 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. (3-15-22)

 19. State Animal Health Official. The Administrator, or his designee, responsible for disease control and eradication activities. (3-15-22)

 20. Tuberculosis. An infectious disease of humans and animals caused by Mycobacterium bovis.

 (3-15-22)

 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. (3-15-22)

611. -- 629. (Reserved)

630. Inspections.

State and federal animal health officials are authorized to inspect all records, premises, facilities, and livestock to ensure compliance with state or federal laws or rules. (3-15-22)

 01. Entering and Inspection of Premises. State or federal animal health officials are authorized to enter public livestock market premises during normal business hours and will attempt to notify the owner or operator of the premises prior to conducting a facility or records inspection. In an emergency, as determined by the Administrator, prior notification will not be required.

 (3-15-22)

631. -- 639. (Reserved)

640. Livestock Treatment.

Each public livestock market shall humanely treat all livestock. All non-ambulatory livestock shall be: (3-15-22)

 01. Returned to the owner; ; or (3-15-22)

 02. Provided Adequate Feed and Clean Water; or (3-15-22)

 03. Humanely Euthanized.

641. -- 699. (Reserved)

700. Public Livestock Market Charter.

 Charters expire on April 30 of each year. It is the responsibility of the public livestock market operator to submit an annual charter renewal on an approved form, accompanied by a renewal fee of one hundred dollars ($100), to the Department on or before May 1 of each year. (3-15-22)

701. Public Livestock Market Minimum Sale Requirement.

Each chartered public livestock market shall conduct a minimum of one (1) sale during each calendar year. (3-15-22)

702. -- 709. (Reserved)

710. Market Release.

Prior to any livestock being released from a public livestock market, the following conditions shall be fulfilled:

 (3-15-22)

 01. Veterinary Inspection. A visual inspection, of each animal, made by an accredited veterinarian authorized to provide veterinary services to the market. (3-15-22)

 02. Infectious Animals. Immediate isolation of animals determined to be affected by any infectious or contagious disease in quarantine pens subject to the market’s bio-security. Infectious animals may not be removed from the livestock market until examined by an accredited veterinarian authorized to provide veterinary services to the market.

 04. Saleyard Report. Submit an accurate report to the Department, approved by the Administrator, detailing the destination of all marketed animals. The saleyard report must be submitted within one (1) week of the completion of the sale. (3-15-22)

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 and maintained by the public livestock market. Each bio-security plan includes, but is not limited to, the following elements: (3-15-22)

 01. Infectious Animals. Procedures for identifying, examining, diagnosing and determining the disposition of all animals affected by any contagious or infectious disease. (3-15-22)

 04. Records. Maintain accurate records, on site, that demonstrate the market’s bio-security plan is being implemented. (3-15-22)

716. -- 719. (Reserved)

720. Identification.

All livestock entering a public livestock market shall be individually identified to the herd of origin. (3-15-22)

721. Approved Forms Of Identification.

The following are approved methods of identification. (3-15-22)

 01. USDA Approved Official Identification.

 03. Registration Tattoo; or (3-15-22)

 04. Brand Inspection. Statement of ownership (e.g., brand inspection certificate). (3-15-22)

 05. Administrator Approval. The Administrator may approve other forms of identification on a case by case basis. (3-15-22)

 06. Removal of Identification. It is unlawful to intentionally remove, tamper with, or otherwise alter, livestock official identification except as approved by the Administrator. (3-15-22)

722. -- 729. (Reserved)

730. Quarantine Pens.

A quarantine pen or pens shall be provided at all public livestock markets and such pens used only to hold animals affected with, or suspected of being affected with a contagious or infectious disease. The pens shall comply with the following requirements: (3-15-22)

 01. Hard Surface. Hard surfaced with concrete or similar impervious material in good repair; and

 (3-15-22)

 02. Feed and Water. Adequate feed and clean water facilities that are completely separate from all other livestock; and (3-15-22)

 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 (3-15-22)

 04. Cleaning and Disinfection. Cleaned and disinfected no later than the day following date of sale; and (3-15-22)

 05. Fence Construction. 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 (3-15-22)

 06. Drainage. Drainage shall not be onto adjoining pens, restraint facilities or alleys. (3-15-22)

731. -- 749. (Reserved)

750. Restraint Facilities.

Each public livestock market shall have a restraint system, approved by the Administrator., (3-15-22)

751. -- 759. (Reserved)

760. 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 upon request by the Administrator. (3-15-22)

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. (3-15-22)

771. -- 999. (Reserved)