

CHAPTER 1715

BOARD OF ANIMAL HEALTH

LIVESTOCK EXHIBITIONS AND MARKETS

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PUBLIC EXHIBITION OF LIVESTOCK AND POULTRY IN MINNESOTA

1715.0005 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to parts 1715.0005 to 1715.0162.

Subp. 2. **Board.** "Board" means the Board of Animal Health or its authorized agents.

Subp. 2a. **Coggins test.** "Coggins test" means the agar gel immunodiffusion test for equine infectious anemia that has been approved by the United States Department of Agriculture.

Subp. 2b. **EIA.** "EIA" means equine infectious anemia (swamp fever), a virus disease of horses and other members of the equine species.

Subp. 2c. **Horse.** "Horse" means and includes all members of the equine species such as horses, mules, asses, ponies, donkeys, burros, and zebras.

Subp. 2d. **Official test.** "Official test" means the Coggins test or other tests approved by the United States Department of Agriculture conducted at a laboratory approved by the United States Department of Agriculture.

Subp. 3. **Official veterinarian.** "Official veterinarian" means a veterinarian licensed and accredited in Minnesota selected by the management of an exhibition and authorized by the board to carry out parts 1715.0005 to 1715.0162.

Subp. 3a. **Other domesticated fowl.** "Other domesticated fowl" means fancy, exhibition, and game chickens, waterfowl, and game birds maintained in captivity, excluding pigeons and doves.

Subp. 3b. **Poultry.** "Poultry" means turkey, chickens, and other domesticated fowl.

Subp. 4. **Public exhibition of livestock and poultry in Minnesota.** "Public exhibition of livestock and poultry in Minnesota" means bringing livestock or poultry owned by two or more persons to one location for judging or for display to the public, except when there is only one animal of each species exhibited.

Subp. 5. **Slaughter classes.** "Slaughter classes" means livestock or poultry classes in which no animals or poultry in the class will be returned to the premises of the owner, all animals will be slaughtered during or immediately after the exhibition, and the entire class is kept isolated in a separate building from all other livestock and poultry at the exhibition.

Subp. 6. [Repealed, 17 SR 1272]

Subp. 7. **Turkeys.** "Turkeys" means domestic, exhibition, and wild turkeys maintained in captivity.

Statutory Authority: *MS s 35.03; 35.245; 35.251*

History: *10 SR 1758; 17 SR 1272; 23 SR 403*

1715.0010 SUPERVISION.

All public exhibitions of livestock and poultry are under the supervision of the board.

Statutory Authority: *MS s 35.03*

History: *10 SR 1758*

1715.0020 EXEMPTION.

Performing livestock and poultry used by rodeos, circuses, and as animal acts, if kept isolated from other livestock and poultry on the exhibition premises, are exempt from the

requirements of parts 1715.0040, items C and D; 1715.0060 to 1715.0115; and 1715.0130 to 1715.0162.

Statutory Authority: *MS s 35.03*

History: *10 SR 1758; 23 SR 403*

1715.0030 EXHIBITIONS IN CONNECTION WITH CONSIGNMENT SALE.

Exhibitions held in connection with a consignment sale of livestock or poultry must be supervised by the official veterinarian authorized under parts 1715.0200 to 1715.0580 who must enforce the requirements of parts 1715.0005 to 1715.0162 if livestock and poultry are on exhibition premises more than 18 hours.

Statutory Authority: *MS s 35.03*

History: *10 SR 1758*

1715.0040 MANAGEMENT OF EXHIBITION.

The management of an exhibition shall:

A. Comply with all reasonable orders of the board or the official veterinarian pertaining to the sanitation of premises and the health status of all livestock and poultry exhibited.

B. Clean and disinfect all building and exhibit areas for the use of livestock and poultry prior to the opening date of the exhibition and during the exhibition if livestock and poultry are released and new livestock and poultry are brought to the exhibition premises, and maintain the areas in a sanitary condition.

C. Provide quarantine facility for any livestock or poultry showing symptoms of infectious or communicable disease. If a quarantine facility is impractical, any livestock or poultry showing symptoms of infectious or communicable disease shall be removed from the premises by the exhibitor when ordered to do so by the official veterinarian.

D. Employ an official veterinarian when cattle, swine, sheep, goats, horses, or poultry are exhibited.

Statutory Authority: *MS s 35.03*

History: *10 SR 1758*

1715.0050 RESPONSIBILITIES OF OFFICIAL VETERINARIAN.

The official veterinarian shall:

A. approve the cleaning and disinfection of the exhibition premises prior to the exhibition and during the exhibition if livestock and poultry are released and new livestock and poultry are brought to the exhibition premises;

B. inspect all livestock and poultry on the day admitted to the exhibition;

C. refuse admission of livestock and poultry exhibiting symptoms of any infectious or communicable disease, or of livestock or poultry not meeting the admission requirements of this part;

D. inspect all livestock and poultry at least once daily during the exhibition and order the immediate removal to the quarantine facility or removal from the exhibition premises of any livestock or poultry with symptoms of infectious or communicable disease, and order and supervise the cleaning and disinfection of the area from which the diseased livestock or poultry was removed;

E. conduct any necessary tests at any time to determine the health status of the livestock or poultry on the exhibition grounds;

F. at the conclusion of the exhibition, report to the board violations of parts 1715.0005 to 1715.0162 and other information concerning the exhibition as requested by the board; and

G. retain for a period of one year all official forms.

Statutory Authority: *MS s 35.03*

History: *10 SR 1758*

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ENTRANCE REQUIREMENTS FOR LIVESTOCK AND POULTRY ORIGINATING IN MINNESOTA

1715.0060 SLAUGHTER CLASSES.

All livestock and poultry entered in the class which are kept isolated in a separate building from all other livestock and poultry at the exhibition and which are slaughtered during or immediately following the exhibition do not need tests or individual identification.

Statutory Authority: *MS s 35.03*

History: *10 SR 1758*

1715.0070 [Repealed, 17 SR 1272]

1715.0072 EXHIBITION OF CATTLE.

Cattle must be examined by the official veterinarian on the day they are admitted to the exhibition.

Statutory Authority: *MS s 35.03; 35.245; 35.251*

History: *17 SR 1272*

1715.0080 [Repealed, 17 SR 1272]

1715.0090 IDENTIFICATION OF SWINE WHICH MUST BE TESTED.

Swine which must be tested must be individually identified by ear tag number, tattoo number, registry number, or other identification satisfactory to the board.

Statutory Authority: *MS s 35.03*

History: *10 SR 1758*

1715.0100 [Repealed, 17 SR 1272]

1715.0105 EXHIBITION OF SWINE.

No swine from a pseudorabies–quarantined herd may be exhibited at any type of exhibition. All swine, except swine entered in a slaughter class pursuant to part 1715.0060, must:

A. have had a negative official or approved differential pseudorabies test conducted within 30 days prior to the opening date of the exhibition, a record of which and the result must be entered on a test chart or certificate of veterinary inspection and presented to the official veterinarian at the time of entry;

B. originate directly from a qualified pseudorabies–negative herd or a qualified negative gene–altered vaccinated herd pursuant to parts 1705.2480 and 1705.2482, with the qualified herd number and date of last qualifying test reported to the official veterinarian at the time of entry; or

C. originate directly from a Stage IV or V county or area.

Statutory Authority: *MS s 35.03; 35.245; 35.251; 35.255*

History: *10 SR 1758; 17 SR 1272; 19 SR 925; 23 SR 403; 23 SR 1484*

1715.0110 EXHIBITION OF SHEEP OR GOATS.

Subpart 1. **Official identification.** Official identification as defined in part 1705.2710, subpart 4, is required for all goats or sheep to be exhibited.

Subp. 2. **Restriction on the exhibition of certain female sheep or goats.** No sheep or goat that is within 30 days of giving birth, either before or after birthing may be exhibited, except with prior approval from the board and if the following conditions are met:

A. the sheep or goat is housed separately from sheep and goats from other flocks so that direct contact does not occur;

B. the sheep or goat is maintained in a separate area for the duration of the exhibition and does not move to any other area within the exhibition where sheep and goats from other flocks are housed or exhibited at any time;

C. the area housing the sheep or goat can be properly cleaned and disinfected;

D. when a sheep or goat gives birth, the placenta, placental fluids, and soiled bedding are removed immediately and disposed of in a manner that prevents it from coming in contact with other animals at the exhibition; and

E. once the sheep or goat leaves the exhibition, the area is thoroughly cleaned and disinfected in a manner approved by the board.

Statutory Authority: *MS s 35.03; 35.245; 35.251*

History: *10 SR 1758; 17 SR 1272; 30 SR 923*

1715.0115 [Repealed, 30 SR 923]

1715.0120 [Repealed, 17 SR 1272]

1715.0125 TESTING OF HORSES FOR EQUINE INFECTIOUS ANEMIA.

All horses must be negative to an official test as defined in part 1715.0005, subpart 2d, for EIA within 12 months prior to the opening date of the exhibition. A test is not required for suckling foals accompanying a negative dam.

Statutory Authority: *MS s 35.03*

History: *23 SR 403*

1715.0130 EXHIBITION OF HORSES.

Horses must be examined by the official veterinarian on the day they are admitted to the exhibition. Trail rides are exempt from the requirements of part 1715.0040, items C and D, and this part. Those horse shows which are programmed to be completed within a period of 12 hours and at which horses are not stabled overnight are exempt from the requirements of part 1715.0040, items C and D, and this part. The commission veterinarian shall enforce the provisions of this part on horses brought to a racetrack licensed by the Minnesota Racing Commission. If no commission veterinarian has been appointed, the management shall employ an official veterinarian as defined in part 1715.0005, subpart 3.

Statutory Authority: *MS s 35.03; 35.245; 35.251*

History: *10 SR 1758; 17 SR 1272*

1715.0140 EXHIBITION OF POULTRY.

Poultry, except waterfowl and pigeons, must be individually identified with a leg or wing band and accompanied by a form approved by the board to show compliance with one of the following: negative test for pullorum-typhoid disease conducted within 90 days prior to the opening date of the exhibition; originate directly from parent stock tested and found negative for pullorum-typhoid disease within the last 12 months. In addition, turkeys must be negative for salmonella typhimurium, mycoplasma gallisepticum, and mycoplasma synoviae.

Statutory Authority: *MS s 35.03; 35.245; 35.251*

History: *10 SR 1758; 17 SR 1272*

1715.0150 EXHIBITION OF DOGS OVER SIX MONTHS OF AGE.

Dogs over six months of age must be accompanied by a certificate of rabies vaccination issued by a licensed veterinarian. Vaccinations must be recognized for that period of time specified in parts 1705.1090 to 1705.1210.

Statutory Authority: *MS s 35.03*

History: *10 SR 1758*

**ENTRANCE REQUIREMENTS FOR LIVESTOCK
AND POULTRY ORIGINATING OUTSIDE MINNESOTA**

1715.0160 CATTLE, GOATS, SWINE, POULTRY, AND SHEEP.

All cattle, goats, swine, poultry, and sheep must meet all requirements in parts 1715.0005 to 1715.0162 for livestock and poultry originating in Minnesota and must also

meet the board's importation requirements of parts 1700.0100 to 1700.1500, 1700.1810 to 1700.1860, 1700.2600 to 1700.3010, and 1700.3110 to 1700.3800. Certificates of veterinary inspection and required tests, except pseudorabies tests for swine which must be made within 30 days, must be accepted if issued and conducted within 90 days prior to the opening date of the exhibition.

Statutory Authority: *MS s 35.03; 35.243; 35.245; 35.251*

History: *10 SR 1758; 17 SR 1272; 23 SR 883; 30 SR 923*

1715.0162 DOGS AND HORSES.

Dogs and horses must meet all requirements outlined in parts 1715.0005 to 1715.0162 for livestock and poultry originating in Minnesota.

Statutory Authority: *MS s 35.03*

History: *10 SR 1758*

1715.0170 [Repealed, 23 SR 403]

1715.0180 [Repealed, 17 SR 1272]

1715.0190 [Repealed, 23 SR 403]

SALE OF LIVESTOCK AT AUCTION MARKETS, CONSIGNMENT, COMMUNITY, AND OTHER SALES

1715.0200 AUTHORITY.

Pursuant to Minnesota Statutes, section 35.03, the Board of Animal Health adopts parts 1715.0210 to 1715.0580.

Statutory Authority: *MS s 35.03*

History: *9 SR 2008*

1715.0210 DEFINITIONS.

Subpart 1. **Scope.** Where used in parts 1715.0210 to 1715.0580, the terms defined in this part have the meanings given.

Subp. 2. **Board.** "Board" means the Board of Animal Health acting by and through the executive secretary.

Subp. 3. **Brucellosis reactor.** "Brucellosis reactor" means (a) a nonvaccinated bovine animal that shows standard plate test complete agglutination in a 1:100 dilution or higher; or (b) a vaccinated female bovine animal of dairy breed 20 months of age or over or any vaccinated female bovine animal of beef breed 24 months of age and over, that shows standard plate test complete agglutination in a 1:200 dilution.

Subp. 4. **Brucellosis suspect.** "Brucellosis suspect" means (a) a nonvaccinated bovine animal that shows standard plate test agglutination in the 1:50 dilution or higher which is not classed as a brucellosis reactor; or (b) an officially vaccinated female bovine animal over 20 months of age if of dairy breed, or over 24 months of age if of beef breed, that shows any standard plate test agglutination in the 1:100 dilution which is not classed as a brucellosis reactor.

Subp. 5. **Community sales.** "Community sales" means the public sale of livestock for purposes other than immediate slaughter, from any location in Minnesota where two or more persons who own livestock offer the livestock for public sale. "Community sales" includes regularly scheduled livestock auction markets, consignment sales of livestock, and street markets of livestock.

Subp. 6. **Certificate of veterinary inspection.** "Certificate of veterinary inspection" means a certificate issued by an accredited veterinarian certifying that after a physical examination the livestock described are free from visible signs or symptoms of contagious, infectious, or communicable disease, and stating the origin of the livestock, the name and address of the consignee and consignor, and the description and identification of the livestock.

Subp. 7. **Official veterinarian.** “Official veterinarian” means an individual licensed to practice veterinary medicine in Minnesota, accredited by the United States Department of Agriculture, approved by the board to perform the brucellosis agglutination test and authorized by the board to act as its representative at a community sale.

Subp. 8. **Sales management.** “Sales management” means the persons organizing and conducting a community sale.

Subp. 9. **Sales premises.** “Sales premises” means the premises where a community sale is conducted including temporary or permanent sales rings, pens, and alleys for confining livestock prior to and after sale.

Subp. 10. **Street market.** “Street market” means a place where livestock owned by two or more persons are offered for sale to the public without unloading the livestock from the transporting vehicles prior to completion of the sale.

Subp. 11. **Completely separate facilities for swine.** “Completely separate facilities for swine” means pens, alleys, loading and unloading chutes, scales, and sales rings that are separated by at least six feet or by solid partitions. Slaughter swine facilities must not drain into other swine facilities.

Subp. 12. **Monitored feeder swine.** “Monitored feeder swine” means the offspring of a pseudorabies monitored herd complying with part 1705.2474.

Subp. 13. **Breeding swine.** “Breeding swine” means swine that are used or will be used to produce offspring.

Statutory Authority: *MS s 35.03; 35.255*

History: *9 SR 2008; 12 SR 1748*

1715.0220 PERMITS.

No person shall operate or conduct a community sale of livestock in Minnesota except at a public stockyard or at a state–federal approved market for cattle or swine, unless the person has obtained an annual or special permit from the board as hereafter provided. Applications by the sales management for permits shall be made upon forms furnished by the board.

Statutory Authority: *MS s 35.03*

History: *17 SR 1279*

1715.0230 ANNUAL PERMITS.

An annual permit, valid until the June 30 following its issue unless it is previously revoked, may be issued for community sales at a specified location if:

A. the veterinarian named in the application is acceptable to the board to act as the official veterinarian of the sale and is authorized by the board to act as its representative as provided in parts 1715.0260 to 1715.0320; and

B. prior to issuance of the annual permit, the sales premises named in the application are inspected by a representative of the board and certified to be in compliance with parts 1715.0330 and 1715.0340.

Statutory Authority: *MS s 35.03*

History: *9 SR 2008*

1715.0240 SPECIAL PERMITS.

A special permit must be issued for single community sales upon receipt of an application on a form furnished by the board. The permit must specify the date and the location of the sale.

Not more than one special permit may be issued to the same person or organization to conduct a sale at any one location in any three–month period except that cooperative livestock marketing associations selling only livestock owned by association members may hold up to six sales each calendar year.

Statutory Authority: *MS s 35.03*

History: *9 SR 2008*

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1715.0250 REFUSAL TO GRANT OR REVOCATION OF PERMIT.

The board may refuse to grant or may revoke an annual or special permit when the applicant or permit holder has violated the laws of this state or the rules of the board pertaining to the control and eradication of infectious, contagious, or communicable disease of livestock.

Statutory Authority: *MS s 35.03*

1715.0260 OFFICIAL VETERINARIAN.

The sales management shall employ an official veterinarian for each community sale for the purpose of inspection and examining all livestock offered for sale.

Statutory Authority: *MS s 35.03*

1715.0270 PROHIBITION OF SALE OF DISEASED ANIMALS.

The official veterinarian shall prohibit the sale of any animal or animals that, in his or her reasonable opinion, are affected with or show symptoms of infectious, contagious, or communicable disease except as specifically provided in parts 1715.0210 to 1715.0580.

Statutory Authority: *MS s 35.03*

History: *9 SR 2008*

1715.0280 EXAMINATION OF CERTIFICATES OF VETERINARY INSPECTION.

The official veterinarian shall examine the certificates of veterinary inspection for all animals for which a certificate of veterinary inspection is required and prohibit the animals' sale if the certificate of veterinary inspection does not meet the requirements of the board.

Statutory Authority: *MS s 35.03; 35.255*

History: *9 SR 2008; 12 SR 1748*

1715.0290 SEROLOGICAL TESTS.

The official veterinarian shall, when required, test cattle for brucellosis and anaplasmosis and swine for pseudorabies and brucellosis.

Statutory Authority: *MS s 35.03; 35.243; 35.255*

History: *9 SR 2008; 12 SR 1748; 23 SR 883*

1715.0300 IDENTIFICATION TAGS.

All breeding cattle not already identified by an official United States Department of Agriculture metal eartag, registry tattoo, or registry number must be identified by placing a United States Department of Agriculture metal eartag in the right ear prior to being offered for sale at an auction market or consignment, community, or other sale. Swine must be identified with metal eartags that include the letters "Minn" on the reverse side or a legible pseudorabies monitored herd number ear tattoo or metal herd numbered eartag.

Statutory Authority: *MS s 35.03; 35.243; 35.255*

History: *9 SR 2008; 12 SR 1748; 23 SR 883*

1715.0305 CERTIFICATES; PERMITS; QUARANTINES.

The official veterinarian shall issue restricted movement certificates, shipping permits, and quarantines as required.

Statutory Authority: *MS s 35.03; 35.255*

History: *9 SR 2008; 12 SR 1748*

1715.0310 INSPECTION OF SALES PREMISES AND VEHICLES.

The official veterinarian shall report immediately to the board any failure by the sales management to properly clean and disinfect the sales premises and vehicles used for transporting animals.

Statutory Authority: *MS s 35.03*

History: *9 SR 2008*

1715.0320 COMPLETION OF SALE.

The official veterinarian shall furnish the board, within five days of completion of a sale, copies of all quarantines, restricted movement certificates, and shipping permits issued at the sale, reports of tests performed, and other reports the board requires.

Statutory Authority: *MS s 35.03*

History: *9 SR 2008*

1715.0330 SALES PREMISES.

The veterinarian's office and laboratory, sales rings, alleys, loading and testing chutes, all livestock pens, and all the other buildings and structures located on any sales premises must be constructed so that they can be maintained in a sanitary condition. Heating facilities must be provided so that the veterinarian's laboratory may be maintained at a temperature of at least 70 degrees Fahrenheit. This part does not apply to street markets or special permit community sales.

Statutory Authority: *MS s 35.03*

History: *9 SR 2008*

1715.0340 PAVEMENT.

Sales rings, alleys, testing chutes, and pens must be paved with cement or other impervious materials.

Statutory Authority: *MS s 35.03*

History: *9 SR 2008*

1715.0350 SALES MANAGEMENT.

The sales management shall not permit the sale of livestock until such livestock has been examined and found free of symptoms of infectious, contagious, or communicable disease by the official veterinarian. The sales management shall refuse to accept livestock for sale when so ordered by the official veterinarian acting as an agent of the board, and shall refuse to deliver livestock sold until such livestock has been released by the official veterinarian.

Statutory Authority: *MS s 35.03*

1715.0360 REPORT OF QUARANTINED LIVESTOCK.

The sales management shall, within five days after each sale day, mail to the board a report of all quarantined and restricted movement livestock sold through the sale, furnishing the name and address of the consignor of the livestock and the name and address of the purchaser. This report must correspond with the quarantine issued by the official veterinarian at the sale. If no quarantined or restricted movement livestock are sold during the sale, the management shall notify the board within five days following the sale.

Statutory Authority: *MS s 35.03*

History: *9 SR 2008*

1715.0370 CONSIGNMENT OF LIVESTOCK ORIGINATING IN OTHER STATES.

Livestock originating in other states may not be accepted for consignment unless they have been imported into Minnesota in compliance with Minnesota law and all rules of the board governing the importation of livestock, and are accompanied by required certificates of veterinary inspection.

Statutory Authority: *MS s 35.03; 35.255*

History: *9 SR 2008; 12 SR 1748*

1715.0380 CONSIGNMENT OF LIVESTOCK ORIGINATING IN MINNESOTA.

Livestock originating in Minnesota may not be accepted for consignment unless accompanied by a signed statement by the owner that to the owner's best knowledge and belief

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no livestock in the consignment have originated from premises where animals of the same species are under quarantine and that they have not been exposed, within 30 days prior to the sale, to other animals affected with any infectious, contagious, or communicable disease. The statement must include the owner's post office address, and the township and county from which the livestock were removed immediately prior to sale.

Statutory Authority: *MS s 35.03*

History: *9 SR 2008*

1715.0385 PSEUDORABIES—QUARANTINED FEEDER PIGS.

Feeder pigs from pseudorabies—quarantined herds in Minnesota may be sold in accordance with part 1715.0550, subpart 5.

Statutory Authority: *MS s 35.03*

History: *14 SR 2052*

1715.0390 STATEMENTS AND CERTIFICATES OF VETERINARY INSPECTION.

Persons delivering livestock to a sale shall furnish the sales management statements signed by owners of all animals in the consignment originating at points in Minnesota as provided in part 1715.0380 and certificates of veterinary inspection for all animals originating in other states. The statements and certificates of veterinary inspection must be submitted to the official veterinarians by the sales management for the veterinarian's approval before the animals are sold.

Statutory Authority: *MS s 35.03; 35.255*

History: *9 SR 2008; 12 SR 1748*

1715.0400 [Repealed, 23 SR 883]

1715.0410 SALE OF FEMALE FEEDING CATTLE.

Female feeding cattle imported on special permit or purchased on affidavit may be consigned to a community sale to be sold for slaughter purposes.

Statutory Authority: *MS s 35.03*

History: *9 SR 2008*

1715.0420 TEST RECORDS.

The official veterinarian shall furnish to the sales management a record of test for all cattle tested. The test record must be available for examination by any purchaser before the cattle are offered for sale. The test records of all cattle giving a positive reaction must show the names and addresses of all owners during the preceding 30 days. All cattle passing through a sale on a valid certificate of veterinary inspection or valid official record of test must be reported.

Statutory Authority: *MS s 35.03; 35.255*

History: *9 SR 2008; 12 SR 1748*

1715.0430 CATTLE SOLD FOR SLAUGHTER.

The sales management shall not allow the removal of cattle for immediate slaughter or consignment to a public stockyard unless the cattle are identified with a tag as applied under the market cattle identification program.

Statutory Authority: *MS s 35.03; 35.243*

History: *23 SR 883*

1715.0440 FEMALE CATTLE OF BEEF BREED UNDER 18 MONTHS.

The sales management shall not allow the removal of female cattle of beef breed under 18 months of age that did not originate in states certified "Brucellosis-Free" by Veterinary

Services, United States Department of Agriculture, sold without a test for brucellosis under affidavit and quarantine for feeding purposes, until the purchaser furnishes an affidavit to the sales management. The original and second copy of the affidavit must be mailed to the board within five days following the sale.

Statutory Authority: *MS s 35.03; 35.243*

History: *9 SR 2008; 23 SR 883*

1715.0450 BRUCELLOSIS REACTORS.

Brucellosis reactors must be placed in isolation pens and not allowed to move from the market until the official veterinarian has identified them as reactors and a permit has been issued for their removal to a designated place of slaughter where the federal government maintains inspection service or to public stockyards in accordance with part 1705.0120.

Statutory Authority: *MS s 35.03; 35.255*

History: *12 SR 1748*

1715.0460 BRUCELLOSIS SUSPECTS.

Brucellosis suspects and all bovine animals that have been in contact with reactors more than 24 hours or in contact less than 24 hours if the reactor has recently aborted, calved, or has a vaginal or uterine discharge must be placed in isolation pens that permit no contact with other livestock and may not move from the market until the official veterinarian has issued a permit for their removal. The brucellosis suspects and contact animals must be returned to the farm of origin under quarantine issued by the official veterinarian in accordance with part 1705.0220 or identified with the letter "S" on the left hip high on the tailhead and sold for immediate slaughter to a slaughtering establishment where the federal government maintains inspection service, or shipped to public stockyards under permit issued by the official veterinarian in accordance with part 1705.0210.

Statutory Authority: *MS s 35.03; 35.243; 35.255*

History: *9 SR 2008; 12 SR 1748; 23 SR 883*

1715.0470 REPORT OF ORIGIN OF REACTORS AND SUSPECTS.

A report of the origin of all reactors and suspects disclosed when cattle are tested on the sales premises shall be made within five days of the test to the board by the official veterinarian.

Statutory Authority: *MS s 35.03*

1715.0480 CATTLE IMPORTED SUBJECT TO QUARANTINE.

Any cattle imported subject to quarantine and consigned to a community sale shall be quarantined on the premises of the buyer by the official veterinarian when released from the sales premises. The quarantine issued by the official veterinarian shall include the provisions required for imported cattle.

Statutory Authority: *MS s 35.03*

1715.0490 RECORDS OF VACCINATION.

Records of vaccination submitted to the board by the official veterinarian for cattle vaccinated for brucellosis at a community sale must include the name and address of the new owner.

Statutory Authority: *MS s 35.03*

History: *9 SR 2008*

1715.0500 IDENTIFICATION TAGS.

Cattle with official identification tags consigned to a community sale must be identified by the tags on all official sale records submitted to the board. The tags may not be removed without permission from the board.

Statutory Authority: *MS s 35.03*

History: *9 SR 2008*

1715.0510 SALE OF CATTLE WITH ACTINOMYCOSIS.

The official veterinarian may issue a permit for the sale of cattle affected with actinomycosis (lumpy jaw) for the purpose of slaughter only.

Statutory Authority: *MS s 35.03*

1715.0520 SALE OF SHEEP AND GOATS.

Sheep and goats found by the official veterinarian to be infected with any infectious or contagious disease may not be sold at a sale.

Statutory Authority: *MS s 35.03*

History: 9 SR 2008

1715.0530 [Repealed, 9 SR 2008]

1715.0540 [Repealed, 9 SR 2008]

1715.0550 SALE OF SWINE.

Subpart 1. **Order of sale in mixed market facilities.** Slaughter swine must be sold after feeder and breeding swine in markets that do not use completely separate facilities for slaughter swine. No feeder or breeding swine may be sold through slaughter swine facilities until the facilities are cleaned and disinfected. Breeding swine must be sold through the sales ring first, followed by monitored feeder pigs.

Subp. 2. **Breeding swine.** Breeding swine must:

A. be negative to an official or approved differential pseudorabies test less than 30 days before sale or originate from a qualified pseudorabies–negative herd or a qualified negative gene–altered vaccinated herd or a Stage IV or V county or area;

B. be identified by an eartag, tattoo, brand, or ear notch recognized by a breed association;

C. be sold before feeder pigs are sold at the market; and

D. leave the sale with a restricted–movement certificate if the sales premises is used to sell feeder pigs, market hogs, or other untested swine.

Subp. 3. **Feeder pigs.** Feeder pigs and all swine other than breeding or slaughter swine must:

A. be identified by a metal eartag, legible pseudorabies–monitored herd numbered ear tattoo, legible pseudorabies–monitored herd number shoulder slap tattoo, or pseudorabies–monitored herd numbered eartag;

B. leave the sale with a restricted–movement certificate; and

C. feeder pigs sold must be tested negative for pseudorabies within 30 days prior to sale or originate from:

(1) a qualified pseudorabies–negative herd;

(2) a qualified negative gene–altered vaccinated herd;

(3) an officially designated low–prevalence Stage III, IV, or V pseudorabies

area; or

(4) a pseudorabies–monitored herd complying with part 1705.2474.

While in transit through marketing channels, all feeder pigs from monitored herds must be maintained so that they are not exposed to swine of unknown pseudorabies status or maintained in facilities or trucks contaminated by those swine. Failure to do so causes them to lose their monitored status.

Subp. 4. **Sale of lightweight market hogs.** Market hogs consigned that are not sold to go directly to slaughter because of insufficient weight may be sold for feeding purposes to an approved premises in compliance with part 1705.2434.

Subp. 5. **Sale of feeder pigs from herds under quarantine for pseudorabies.** Feeder pigs from pseudorabies–quarantined herds may be sold at a pseudorabies–restricted feeder pig market approved as a quarantined feeder pig market as provided in items A to E.

A. No livestock other than quarantined feeder pigs may be sold at the market.

B. The quarantined feeder pigs may not be unloaded from incoming vehicles before sale.

C. The feeder pigs must be accompanied by an owner's notice of shipment or shipping permit consigning them to the sale.

D. Following sale, the feeder pigs must be transported directly to an approved premises authorized in part 1705.2434.

E. An owner's notice of shipment must be issued for feeder pigs to move from the pseudorabies-restricted feeder pig market to an approved premises.

Subp. 6. **Location of pseudorabies-restricted feeder pig markets.** Pseudorabies-restricted feeder pig markets under this part may not be established or authorized in the northern zone as defined in part 1705.2472 or in an area that is in Stage III, IV, or V of the national pseudorabies eradication program.

Statutory Authority: *MS s 35.03; 35.255*

History: *9 SR 2008; 12 SR 1748; 14 SR 2052; 19 SR 925; 23 SR 1484*

1715.0560 SALE OF HORSES.

The official veterinarian shall report the consignors' names and addresses, the buyers' names and addresses, description of horses, and the results of the test for EIA (equine infectious anemia) if a test is required.

Statutory Authority: *MS s 35.03; 35.255*

History: *12 SR 1748*

1715.0570 HORSES RECEIVED FROM OUT OF STATE.

Horses received from out of state must be retained on the sale premises until found negative to the test for EIA performed at a laboratory approved by the United States Department of Agriculture. This part does not apply to:

A. horses entering the sale with a valid certificate of veterinary inspection indicating a negative test for EIA within the past 12 months at an approved laboratory;

B. suckling foals accompanying dams negative to test for EIA as in item A;

C. horses sold for slaughter purposes if the buyer is a licensed livestock dealer and the buyer completes and signs a declaration of intent to slaughter; and

D. horses sold to be transported immediately to a state which does not require a negative test for EIA and accompanied by a certificate of veterinary inspection issued by the official veterinarian for shipment to that state.

Statutory Authority: *MS s 35.03; 35.243; 35.255*

History: *9 SR 2008; 12 SR 1748; 23 SR 883*

1715.0580 REACTORS TO TEST FOR EIA.

Reactors to the test for EIA must be destroyed, consigned for slaughter under permit, or returned to the premises of origin under permit and in compliance with Code of Federal Regulations, part 75.4 and the rules of the board.

Statutory Authority: *MS s 35.03; 35.255*

History: *9 SR 2008; 12 SR 1748*

STATE-FEDERAL APPROVED MARKETS FOR SWINE

1715.0590 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to parts 1715.0590 to 1715.0770.

Subp. 2. **Board.** "Board" means the Minnesota Board of Animal Health acting by and through the executive secretary.

Subp. 3. **Certificate of veterinary inspection.** "Certificate of veterinary inspection" means a document issued by an accredited veterinarian on the official form of the state of

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origin, after a physical examination, certifying that the swine described show no visible symptoms of contagious, infectious, or communicable disease, and including the name and address of the consignee.

Subp. 4. **Official veterinarian.** “Official veterinarian” means a graduate veterinarian licensed to practice veterinary medicine in Minnesota, accredited by the United States Department of Agriculture, and authorized by the board to act as its representative at the market.

Subp. 5. **Owner.** “Owner” means the legal owner of the swine referred to or the owner’s agent.

Subp. 6. **PRV.** “PRV” means pseudorabies virus.

Subp. 7. **Recognized slaughtering establishment.** “Recognized slaughtering establishment” means a point where slaughtering facilities are provided and to which animals are regularly shipped and slaughtered.

Subp. 8. **Sales management.** “Sales management” means the person or persons organizing and conducting a state–federal approved swine market.

Subp. 9. **Sales premises.** “Sales premises” means the premises where a market is conducted and includes but is not limited to sales rings, pens, alleys, land, or building contiguous to sales rings where swine may be brought, unloaded, and confined before and after sales, before delivery to the purchaser.

Subp. 10. **State–federal approved swine market.** “State–federal approved swine market” means a sales premises where swine have been assembled for sale that has been approved by state and federal agencies under Code of Federal Regulations, title 9, part 76.18.

Subp. 11. **Completely separate facilities for swine.** “Completely separate facilities for swine” means pens, alleys, loading and unloading chutes, scales, and sales rings that are separated by at least six feet or by solid partitions. Slaughter swine facilities must not drain into other swine facilities.

Statutory Authority: *MS s 35.03; 35.255*

History: *12 SR 1748*

1715.0600 [Repealed, 12 SR 1748]

1715.0610 APPROVAL.

No livestock market shall be approved without the joint endorsement of the board and the veterinarian in charge, veterinary services, APHIS, USDA in Minnesota.

Statutory Authority: *MS s 35.03*

1715.0620 SUSPENSION OF APPROVAL.

Approval may be suspended by either the executive secretary of the board or the deputy administrator veterinary services, APHIS, USDA for just cause pending a hearing to show cause why the approval should not be revoked.

Statutory Authority: *MS s 35.03; 35.255*

History: *12 SR 1748*

1715.0630 REMOVAL OF MARKET FROM APPROVED LIST.

A market may be removed from the approved list by the deputy administrator veterinary services, APHIS, USDA when it is determined by the executive secretary of the board or the federal veterinarian in charge of the animal health programs in Minnesota that the operators of the market fail to meet the standards mutually agreed upon by the cooperating state and federal officials, upon written request of the market management, or if no swine have been sold for three consecutive months.

Statutory Authority: *MS s 35.03; 35.255*

History: *12 SR 1748*

1715.0640 PERMITS.

A person may not operate or conduct a state–federal approved market for swine in Minnesota, unless the person has obtained a permit from the board. State–federal approved swine

markets must be approved by state and federal agencies cooperatively. Application for a permit must be made on forms furnished by the board. Permits are valid until June 30 following the date of issue.

Statutory Authority: *MS s 35.03; 35.255*

History: *12 SR 1748*

1715.0650 REFUSAL TO GRANT OR REVOCATION OF PERMIT.

The board may refuse to grant or may revoke the permit when the applicant or permit holder has violated any of the provisions of Minnesota Statutes, chapter 35, or the rules promulgated thereunder by the board.

Statutory Authority: *MS s 35.03*

1715.0660 PREMISES.

All markets shall comply with the following:

A. all pens, alleys, sales rings, loading and unloading chutes shall be well constructed and maintained in good repair;

B. all floors shall be surfaced with cement or other impervious material;

C. facilities for inspection shall be well lighted;

D. premises shall be maintained in a reasonably clean and sanitary condition at all times and shall be cleaned and disinfected with a permitted disinfectant as often as necessary to guard against the spread of disease;

E. water supply shall be clean, adequate, and operate under pressure;

F. facilities shall be provided and maintained in good operating condition at all times for the cleaning and disinfection of premises and vehicles;

G. feed and water containers shall be metal, concrete, plastic, or other impervious material that can be readily cleaned and disinfected;

H. proper and adequate office space shall be provided for official veterinarian; and

I. isolation pen(s) shall be provided for the temporary holding of swine found by the official veterinarian to have any symptoms of a contagious, infectious, or communicable disease.

Statutory Authority: *MS s 35.03*

1715.0670 ISOLATION PENS.

The isolation pen(s) shall be constructed and operated as follows: located so that diseased animals therein shall have no direct contact with nondiseased animals; drainage shall not be into other pens; proper equipment shall be available for cleaning and disinfecting; feeding and watering facilities shall be separate from those used by healthy animals; conspicuously posted as "ISOLATION PEN(S)" on the entrance gate(s); used for diseased or disease exposed swine only. The market operators shall use proper procedures in cleaning and disinfecting the isolation pen(s). The cleaning and disinfecting shall be done immediately after the removal of diseased or disease exposed animals. Refuse from this pen shall not be placed in any other holding pen in the market, but shall be removed directly to an area inaccessible to livestock. Disinfectant used shall be a permitted disinfectant only.

Statutory Authority: *MS s 35.03*

1715.0680 OFFICIAL VETERINARIAN.

The management of each market shall employ a veterinarian as defined in part 1715.0590, subpart 4 to inspect and examine all swine offered for sale. No permit will be issued until a veterinarian acceptable to the board has been employed by said management and authorized by the board to act as its representative.

Statutory Authority: *MS s 35.03*

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1715.0690 PROHIBITION OF CERTAIN SALES.

The veterinarian shall prohibit the sale of any swine that in the veterinarian's opinion are affected with or show symptoms of contagious, infectious, or communicable diseases. The veterinarian shall order the movement of such swine to the isolation pen(s).

Statutory Authority: *MS s 35.03*

History: *17 SR 1279*

1715.0700 [Repealed, 12 SR 1748]

1715.0705 SALE OF SWINE.

Subpart 1. **Slaughter swine.** Slaughter swine must be sold after feeder and breeding swine in markets that do not use completely separate facilities for slaughter swine. No feeder or breeding swine may be sold through slaughter swine facilities until the facilities are cleaned and disinfected.

Subp. 2. **Breeding swine.** Breeding swine must:

A. be negative to an official or approved differential pseudorabies test less than 30 days before sale or originate from a qualified pseudorabies-negative herd or a qualified negative gene-altered vaccinated herd or a Stage IV or V county or area;

B. be negative to a brucellosis test less than 30 days before sale or originate from a validated brucellosis-free swine herd if originating from a state that is not validated brucellosis-free;

C. be identified by an eartag, tattoo, brand, or ear notch recognized by a breed association;

D. be sold before feeder pigs are sold at the market; and

E. leave the sale with a restricted-movement certificate if the sales premises is used to sell feeder pigs, market hogs, or other untested swine.

Subp. 3. **Feeder pigs.** Feeder pigs and all other swine other than breeding or slaughter swine must:

A. be identified by a metal eartag, legible pseudorabies-monitored herd numbered ear tattoo, legible pseudorabies-monitored herd number shoulder slap tattoo, or pseudorabies-monitored herd numbered eartag;

B. leave the sale with a restricted-movement certificate;

C. be tested negative for pseudorabies within 30 days prior to sale or originate from:

(1) a qualified pseudorabies-negative herd;

(2) a qualified negative gene-altered vaccinated herd;

(3) an officially designated Stage III, IV, or V low-prevalence pseudorabies area; or

(4) a pseudorabies-monitored herd complying with part 1705.2474.

While in transit through marketing channels, all feeder pigs from monitored herds must be maintained so that they are not exposed to swine of unknown pseudorabies status or maintained in facilities or trucks contaminated by those swine. Failure to do so causes them to lose their monitored status.

Statutory Authority: *MS s 35.03; 35.255*

History: *12 SR 1748; 19 SR 925; 23 SR 1484*

1715.0710 MAINTENANCE OF SANITARY CONDITIONS.

The veterinarian shall report to the board any failure by the sale management to properly clean and disinfect the sale premises and isolation pen(s) as necessary to maintain them in a sanitary condition.

Statutory Authority: *MS s 35.03*

1715.0720 REPORTS TO BOARD.

The veterinarian shall furnish to the board, within five days, duplicate copies of all quarantines and slaughter statements issued by the veterinarian at the market, and such other reports as the board may require.

Statutory Authority: *MS s 35.03*

History: *17 SR 1279*

1715.0730 SHIPPING PERMITS FOR SLAUGHTER ONLY.

The veterinarian shall issue shipping permits for slaughter only on all swine sold from the isolation pen(s).

Statutory Authority: *MS s 35.03*

1715.0740 MANAGEMENT.

The management of markets shall comply with the following:

A. No swine shall be sold at the market until such swine have been examined and found free of symptoms of contagious, infectious, or communicable diseases by the official veterinarian. The management shall refuse to accept swine for sale when so ordered by the official veterinarian. The management shall place in the isolation pen(s) such swine as the official veterinarian shall designate as infected with or exposed to a contagious, infectious, or communicable disease. The management shall refuse to deliver swine sold until such swine have been released by the official veterinarian.

B. The management shall maintain records of origin and destination of swine handled at the market. Such records shall be maintained for a period of one year and shall be accessible to authorized federal and state inspectors when reasonable demand is made therefor.

C. The management shall within five days following the completion of each week's business, mail to the board a report of all swine sold through the market, furnishing the name and address of the consignor and the name and address of the purchaser. Other reports are to be made as required by the board.

Statutory Authority: *MS s 35.03*

1715.0750 CONSIGNMENTS.

Swine when consigned for sale must be accompanied by a statement signed by the owner or the owner's agent that the swine are not under quarantine. The statement shall include the post office, township, and county of the premises from which the swine were removed immediately prior to entry to the market. The owner resident address shall also be included if it differs from the above.

Persons delivering swine to the market shall furnish statements signed by the owners or agents as stated above.

Statutory Authority: *MS s 35.03*

History: *17 SR 1279*

1715.0760 MOVEMENTS INTO MARKETS.

Subpart 1. **Swine under quarantine.** Swine under quarantine must not be allowed entry, except under permit from the board.

Subp. 2. **Swine from Minnesota markets.** Swine from markets in Minnesota may enter if they are accompanied by a certificate of veterinary inspection issued by an accredited veterinarian.

Subp. 3. [Repealed, 12 SR 1748]

Subp. 4. [Repealed, 12 SR 1748]

Subp. 4a. **Breeding swine from other states.** Breeding swine originating from other states may only enter the market if there is a certificate of veterinary inspection and a permit meeting the requirements of part 1715.0705, subpart 2.

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Subp. 4b. **Feeder pigs from markets in other states.** Feeder pigs originating from other states may only enter the market if there is a certificate of veterinary inspection and a permit meeting the requirements of part 1715.0705, subpart 3.

Subp. 4c. **Feeder pigs from farms of origin in other states.** Feeder pigs originating from farms of origin in adjacent states may enter if the seller presents an official pseudorabies monitored herd test record or feeder pig monitoring herd card.

Subp. 4d. **Feeder pigs from farm of origin in low prevalence states.** Feeder pigs originating from a farm of origin in a low prevalence state may enter the market if the consigner furnishes proof of residence and proof of origin of the feeder pigs.

Subp. 5. **Slaughter swine.** Slaughter swine may enter for sale for slaughter purposes only.

Statutory Authority: *MS s 35.03; 35.255*

History: *12 SR 1748; 13 SR 173*

1715.0770 MOVEMENTS FROM MARKETS.

Subpart 1. **Swine on market premises.** All swine on market premises must be inspected by the official veterinarian before sale.

Subp. 2. **Swine infected with contagious, infectious, or communicable disease.** Swine found by the official veterinarian to be infected with or show symptoms of a contagious, infectious, or communicable disease must be placed in isolation pens. Swine from isolation pens must be shipped for slaughter only to some point where the federal government maintains inspection. Shipment must be in accordance with federal regulations governing the interstate shipments of swine.

Subp. 3. **Swine sold for slaughter.** Swine may be sold for slaughter purposes if the purchaser signs a statement of intent to slaughter and the swine are tattooed in accordance with parts 1720.1710 to 1720.1730.

Subp. 4. **Identification.** All swine except swine sold for slaughter must be individually identified by eartag or legible pseudorabies monitored herd numbered ear tattoo or pseudorabies monitored herd numbered eartag.

Subp. 5. [Repealed, 12 SR 1748]

Subp. 6. **Swine sold to persons in other states.** Swine sold to persons in other states must leave the market with a certificate of veterinary inspection and meet the state of destination requirements.

Subp. 7. **Certificate of veterinary inspection.** Breeding swine in Minnesota that originate in other states must be accompanied by a certificate of veterinary inspection showing individual identification, date of tests, name of laboratory, and results of tests for brucellosis and PRV.

Statutory Authority: *MS s 35.03; 35.255*

History: *12 SR 1748*

STATE-FEDERAL APPROVED MARKETS FOR CATTLE

1715.0780 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to parts 1715.0780 to 1715.1260.

Subp. 2. **Approved state-federal market.** "Approved state-federal market" shall refer to and include the sale of cattle from a designated premises that has been approved by the board and federal agency.

Subp. 3. **Approved state-federal market qualified to accept reactors, suspects, and cattle from quarantined herds.** "Approved state-federal market qualified to accept reactors, suspects, and cattle from quarantined herds" shall mean a market approved under part 1715.1240.

Subp. 4. **Board.** “Board” shall mean the Minnesota Board of Animal Health acting by and through the executive secretary.

Subp. 5. **Brucellosis reactor.** “Brucellosis reactor” means any nonvaccinated bovine animal showing complete agglutination in a 1:100 dilution or higher, or a vaccinated female bovine animal of dairy breed 20 months of age or over or any female bovine animal of beef breed 24 months of age and over, that is an official vaccinate as defined in subpart 11 which shows complete agglutination in a 1:200 dilution or higher, or any bovine animal that is positive to the brucellosis card test.

Subp. 6. **Brucellosis suspect.** “Brucellosis suspect” means a nonvaccinated bovine animal showing any agglutination in the 1:50 dilution or higher which is not classed as a brucellosis reactor, or an officially vaccinated bovine animal over 20 months of age if of dairy breed, or over 24 months of age if beef breed that shows any agglutination in the 1:100 dilution or higher that is not classed as a brucellosis reactor.

Subp. 6a. **Certificate of veterinary inspection.** “Certificate of veterinary inspection” means a certificate issued by a veterinarian, on an official form of the state of origin, certifying that the animals are free from visible signs of contagious, infectious, or communicable disease. Statements with reference to brucellosis status of area of origin and name and address of consignee shall be included. Record of tests or vaccination and individual identification must be recorded when required.

Subp. 7. **Federal agency.** “Federal agency” shall mean the Animal and Plant Health Inspection Service of the United States Department of Agriculture.

Subp. 8. [Repealed, 17 SR 1272]

Subp. 9. **Market management.** “Market management” shall mean the person or persons organizing and conducting such a market.

Subp. 10. **Market premises.** “Market premises” shall mean the premises where a sale is conducted and shall include but not be limited to temporary or permanent sales rings, pens, and alleys for confining cattle prior to and after sale, and any land or building contiguous to such sales rings where cattle may be brought, unloaded, or confined prior to sale or after sale before delivery to the purchaser.

Subp. 11. **Official vaccinate.** “Official vaccinate” means a female bovine animal vaccinated against brucellosis with an approved Brucella vaccine while from four to ten months (120 to 299 days) of age, permanently identified as a vaccinate, and reported at the time of vaccination to the appropriate state or federal agency.

Subp. 12. **Official veterinarian.** “Official veterinarian” shall mean an individual licensed to practice veterinary medicine in Minnesota, accredited by the United States Department of Agriculture, approved by the board to perform the brucellosis agglutination tests, and authorized by the board to act as its representative at the approved market.

Subp. 13. [Repealed by amendment, 8 SR 1659]

Statutory Authority: *MS s 35.03; 35.243; 35.245; 35.251*

History: *8 SR 1659; 13 SR 2859; 17 SR 1272; 23 SR 883*

1715.0790 PERMITS.

A state–federal approved market shall operate under the provisions of this rule. Cattle sold at such market shall be handled in accordance with these rules at all times.

No person shall operate a state–federal approved market for cattle in Minnesota without a permit from the board.

Statutory Authority: *MS s 35.03*

1715.0800 ANNUAL PERMITS.

An annual permit valid until June 30 following date of issue, unless previously revoked, may be issued for conducting a market at a specified point when the following provisions have been complied with:

A. an application properly executed upon a form furnished by the board shall be filed with the board by the management;

B. the veterinarian named in the application is approved by the board to act as the official veterinarian of the sale and is authorized by the board to act as its representative as provided in parts 1715.0820 to 1715.0920; and

C. the market premises named in the application shall be inspected and approved by representatives of the board and the cooperating federal agency, and a report of such inspection shall be filed with the board.

Statutory Authority: *MS s 35.03*

1715.0810 REFUSAL TO GRANT OR REVOCATION OF PERMIT.

The board may refuse to grant or may revoke the permit when the applicant or permit holder has violated these rules or the laws of this state and other rules of the board pertaining to the control and eradication of infectious, contagious, or communicable disease of livestock.

Statutory Authority: *MS s 35.03*

1715.0820 OFFICIAL VETERINARIAN.

The management of each approved market shall designate an official veterinarian to inspect and examine all livestock offered for sale.

Statutory Authority: *MS s 35.03*

1715.0830 LABORATORY AND OTHER EQUIPMENT.

Proper and adequate laboratory and other equipment for performance of required veterinary services are the responsibility of the veterinarian. Such equipment shall be inspected and approved by a representative of the board and cooperating federal agency as outlined in Standard Procedures for Brucellosis Testing at State-Federal Approved Markets for Cattle.

Statutory Authority: *MS s 35.03*

1715.0840 EXAMINATION OF CATTLE.

The veterinarian shall examine all cattle at the market and shall prohibit the sale of any animal or animals that in the veterinarian's reasonable opinion are affected with or show symptoms of infectious, contagious, or communicable disease, except as specifically provided in these rules, and shall order the movement of such livestock to the isolation pens.

Statutory Authority: *MS s 35.03*

History: *17 SR 1279*

1715.0850 CERTIFICATES OF VETERINARY INSPECTION.

The official veterinarian shall examine and accept or refuse certificates of veterinary inspection of all cattle consigned to the sale, and prohibit the sale of cattle not accompanied by proper certificates of veterinary inspection until necessary examinations and required tests are completed.

Statutory Authority: *MS s 35.03; 35.245; 35.251*

History: *17 SR 1272*

1715.0860 TESTING.

When required by the rules the official veterinarian shall test for brucellosis. Such tests shall be conducted in accordance with accepted procedure.

Statutory Authority: *MS s 35.03*

History: *8 SR 1659*

1715.0870 MASTER TEST SHEET AND OTHER MARKET RECORDS.

Cattle moving through the market accompanied by certificates of veterinary inspection must be listed on the master test sheet, and along with data as to the certificate of veterinary inspection. Certificates of veterinary inspection accompanying cattle must be maintained with other market records.

Statutory Authority: *MS s 35.03; 35.245; 35.251*

History: *17 SR 1272*

1715.0880 [Repealed, 23 SR 883]

1715.0890 CATTLE SOLD FROM ISOLATION PENS.

The official veterinarian shall issue shipping permits for slaughter only for all cattle sold from isolation pens.

Statutory Authority: *MS s 35.03*

1715.0900 TEST RECORDS.

The official veterinarian shall furnish the management a record of tests for all cattle tested. Such test records shall be available for examination by any purchaser before the cattle are removed from the market premises.

Statutory Authority: *MS s 35.03*

1715.0910 CALVES VACCINATED AGAINST BRUCELLOSIS.

The official veterinarian when submitting records for calves vaccinated against brucellosis at the market shall include the name and address of the purchaser.

Statutory Authority: *MS s 35.03*

1715.0920 REPORTS TO BOARD.

The veterinarian shall furnish the board duplicate copies of all quarantines of cattle issued by the veterinarian at the market, and also the records of brucellosis tests of cattle conducted by the veterinarian, and such other reports as the board may from time to time require, within five days following the completion of each week's business.

The veterinarian shall report to the board any failure by the sales management to properly clean and disinfect the sales premises.

Statutory Authority: *MS s 35.03*

History: *8 SR 1659; 17 SR 1279*

1715.0940 MARKET PREMISES AND MANAGEMENT.

The veterinarian's office and laboratory, the pavilions, sales rings, alleys, loading and testing chutes, and all livestock pens, and all the other buildings and structures located on any sales premises shall be so constructed that they can be maintained in a sanitary condition.

Statutory Authority: *MS s 35.03*

1715.0950 OFFICE AND LABORATORY SPACE FOR VETERINARIAN.

Proper and adequate office and laboratory space shall be provided the veterinarian. Heating facilities shall be provided by the management so that the laboratory may be maintained at a uniform temperature of not less than 70 degrees Fahrenheit.

Statutory Authority: *MS s 35.03*

1715.0960 PAVING WITH IMPERVIOUS MATERIALS.

Sales rings, alleys, testing chutes, and pens used for all livestock, must be paved with cement or other impervious materials.

Statutory Authority: *MS s 35.03; 35.245; 35.251*

History: *17 SR 1272*

1715.0970 FACILITIES FOR TESTING AND EXAMINING CATTLE.

Facilities shall be provided for testing and examining cattle.

Statutory Authority: *MS s 35.03*

1715.0980 [Repealed, 23 SR 883]

1715.0990 [Repealed, 23 SR 883]

1715.1000 SEPARATE ISOLATION PENS.

Separate isolation pens shall be designated and maintained for each species of livestock. Such pens shall: be so constructed and located that diseased animals therein shall have

no contact with nondiseased animals; drainage shall not be into other pens; be conspicuously posted as "isolation pen(s)" on the entrance gate; have feeding and watering facilities separate from those used by healthy animals; have proper equipment for cleaning and disinfecting isolation pen(s). Equipment used for cleaning shall be maintained separate from other equipment. Isolation pen(s) shall be cleaned and disinfected immediately after removal of diseased or disease-exposed animals. Refuse from such pens shall not be placed in any other holding pen in the market, but shall be removed directly to an area not accessible to livestock.

Statutory Authority: *MS s 35.03*

1715.1010 EXAMINATION BY VETERINARIAN.

No livestock shall be sold at any approved market until it has been examined and found free from symptoms of infectious, contagious, or communicable disease by the official veterinarian except as provided in part 1715.0890.

Statutory Authority: *MS s 35.03*

1715.1020 ACCEPTANCE AND DELIVERY OF LIVESTOCK.

The management shall refuse to accept livestock for sale when so ordered by the official veterinarian, and shall refuse to deliver livestock sold until such livestock has been released by the official veterinarian.

Statutory Authority: *MS s 35.03*

1715.1030 REPORT OF QUARANTINED LIVESTOCK.

The management of the market shall within five days following the completion of each week's business mail to the board a report of all quarantined livestock sold through such market, furnishing the name and address of the consignor of such livestock and the name and address of the purchaser. This report shall correspond with the quarantines issued by the official veterinarian at such market. If no livestock is sold subject to quarantine, the management shall so notify the board.

Statutory Authority: *MS s 35.03*

1715.1040 RECORDS OF ORIGIN AND DESTINATION.

The management shall grant state or federal inspectors upon reasonable demand access to all records of origin and destination of all livestock handled at the market.

Statutory Authority: *MS s 35.03*

1715.1050 MAINTENANCE OF RECORDS.

Records shall be maintained for at least one year.

Statutory Authority: *MS s 35.03*

1715.1060 IDENTIFICATION TAGS.

All breeding cattle not already identified by an official United States Department of Agriculture metal eartag, registry tattoo, or registry number shall be identified by placing a United States Department of Agriculture metal eartag in the right ear prior to being offered for sale at a state-federal approved market for cattle. All breeding cattle must be identified on all official sale records. Official United States Department of Agriculture metal eartags shall not be removed without permission from the board.

Statutory Authority: *MS s 35.03; 35.243*

History: *13 SR 2859; 23 SR 883*

1715.1070 AFFIDAVIT.

The market management shall not allow the removal of female cattle of beef type and breed under 18 months of age sold under affidavit and quarantine for feeding only, unless accompanied by proper permit or until the purchaser furnishes an affidavit to the market management as required by Minnesota Statutes. The original and second copy of the affidavit shall be mailed to the board within five days following the completion of each week's business.

Statutory Authority: *MS s 35.03; 35.243*

History: *23 SR 883*

1715.1080 CONSIGNMENT OF LIVESTOCK.

Cattle originating in Minnesota shall be accompanied by a statement signed by the owner that the cattle originate from a premises not under quarantine because of disease, and that to the owner's knowledge and belief have not been exposed within the past 30 days to cattle affected with any infectious, contagious, or communicable disease.

Statutory Authority: *MS s 35.03*

History: *17 SR 1279*

1715.1090 [Repealed, 23 SR 883]

1715.1100 CATTLE FROM OTHER STATES.

Cattle originating in other states may be consigned to the market when accompanied by a certificate of veterinary inspection complying with the Minnesota importation requirements or a declaration signed by the owner showing address of origin, description and number of cattle in shipment, destination, and further stating cattle are not under quarantine because of disease.

Statutory Authority: *MS s 35.03; 35.243; 35.245; 35.351*

History: *8 SR 1659; 17 SR 1272; 23 SR 883*

1715.1110 TESTING FOR BRUCELLOSIS.

When required, cattle shall be tested for brucellosis to comply with Minnesota Rules.

Statutory Authority: *MS s 35.03*

History: *8 SR 1659*

1715.1120 OWNER'S DECLARATION.

Cattle entering the market on an owner's declaration must be tested to meet Minnesota importation requirements.

Statutory Authority: *MS s 35.03*

1715.1130 CERTIFICATE OF VETERINARY INSPECTION.

Cattle entering market accompanied by a certificate of veterinary inspection certifying to origin in a state not classified "Brucellosis-Free" by Veterinary Services, United States Department of Agriculture, are subject to brucellosis tests at the market.

Statutory Authority: *MS s 35.03; 35.243; 35.245; 35.251*

History: *17 SR 1272; 23 SR 883*

1715.1140 CATTLE SOLD WITHOUT FURTHER TESTING.

Cattle entering market accompanied by certificate of veterinary inspection with necessary tests for brucellosis conducted within 30 days prior to date of importation and recorded thereon may be sold without further testing.

Statutory Authority: *MS s 35.03; 35.243; 35.245; 35.251*

History: *8 SR 1659; 17 SR 1272; 23 SR 883*

1715.1150 REACTORS, SUSPECTS, AND CATTLE FROM QUARANTINED HERDS.

Reactors, suspects, and cattle from quarantined herds may be consigned to markets approved under part 1715.1240 when accompanied by a shipping permit providing for resale only to slaughtering establishments having federal inspection.

Statutory Authority: *MS s 35.03; 35.243*

History: *23 SR 883*

1715.1160 CATTLE FOR IMMEDIATE SLAUGHTER.

Cattle consigned for resale as slaughter cattle or determined at the market to be slaughter cattle shall be identified by a tag as applied under the market cattle identification program.

Statutory Authority: *MS s 35.03; 35.243*

History: *23 SR 883*

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1715.1170 [Repealed by amendment, 8 SR 1659]

1715.1180 [Repealed, 23 SR 883]

1715.1190 BRUCELLOSIS REACTORS.

Brucellosis reactors shall be placed in isolation pens and not allowed to move from the market until the official veterinarian has identified them as reactors and a permit has been issued for their removal to a designated place of slaughter where the federal government maintains inspection service, or to public stockyards.

Statutory Authority: *MS s 35.03*

1715.1200 BRUCELLOSIS SUSPECTS.

Brucellosis suspects and all bovine animals that have been in contact with reactors more than 24 hours are to be placed in isolation pens separate from reactors and not allowed to move from the market until the official veterinarian has issued a permit for their removal. Such brucellosis suspects and contact animals shall be returned to the farm of origin under quarantine issued by the official veterinarian or identified with the letter "S" on the left jaw and sold for immediate slaughter only to a slaughtering establishment where the federal government maintains inspection service, or shipped to public stockyards under permit issued by the official veterinarian.

Statutory Authority: *MS s 35.03*

1715.1210 REPORT OF ORIGIN OF REACTORS AND BRUCELLOSIS SUSPECTS.

A report of origin of all reactors and brucellosis suspects disclosed when cattle are tested at the market shall be made to the board by the official veterinarian within five days following completion of each week's business.

Statutory Authority: *MS s 35.03*

1715.1220 SHIPPING PERMIT.

The management shall not allow the removal of reactor animals or brucellosis suspects from the market until the purchaser has a shipping permit issued by the official veterinarian.

Statutory Authority: *MS s 35.03*

1715.1230 QUARANTINES.

Cattle from states not classified "Brucellosis-Free" by Veterinary Services, United States Department of Agriculture, of beef breed under 18 months of age, accompanied by owner's certificate and sold for feeding purpose under affidavit, are quarantined for the feeding period. When such cattle are 18 months of age and over, they are considered as breeding cattle.

Statutory Authority: *MS s 35.03; 35.243*

History: *8 SR 1659; 23 SR 883*

1715.1240 MARKETS APPROVED TO ACCEPT REACTORS.

Approved state-federal markets qualified to accept reactors, suspects, and cattle from quarantined herds shall:

A. maintain an isolation section identified as such and used solely for the purpose of yarding reactors, suspects, and cattle quarantined by the Board of Animal Health because of the existence of or exposure to disease;

B. weigh each reactor for which indemnity might be paid separately and individually, and maintain all records of sales price and costs with the identity marks and reactor tags so that net returns can be determined; and

C. provide, maintain, and staff adequate facilities, equipment, and permitted disinfectant for the purpose of disinfecting vehicles that have transported reactors, suspects, or quarantined livestock, as determined by state and federal regulations.

Statutory Authority: *MS s 35.03*

1715.1250 OTHER SPECIES OF LIVESTOCK.

Other livestock shall be handled in accordance with parts 1715.0200 to 1715.0580 and/or parts 1715.0590 to 1715.0770.

Statutory Authority: *MS s 35.03*

History: 8 *SR 1659*

1715.1260 PRECEDENCE.

No part of these rules shall take precedence over any portion of parts 1700.0100 to 1700.1500.

Statutory Authority: *MS s 35.03*

History: 8 *SR 1659*

PUBLIC STOCKYARDS**1715.1270 DEFINITIONS.**

Subpart 1. **Board.** "Board" means the Minnesota Board of Animal Health or its authorized agents.

Subp. 2. **Public stockyards.** "Public stockyards" means an assembly point for livestock operated as a public market for livestock producers, feeders, market agencies, and buyers; having facilities and providing services for those individuals or organizations who have been granted the privileges of the market by the management of the stockyards.

Subp. 3. **Shipper contract.** "Shipper contract" means a record indicating: consignor's name and address; identification and description of the livestock consigned; date and time received; name of the trucker or transportation agency; name of the individual or firm who will represent the seller; and signature of the seller or the seller's agent.

Subp. 4. **Veterinary services contractor.** "Veterinary services contractor" means an accredited veterinarian or more than one veterinarian selected by the management and approved by the board to perform necessary services in connection with the rules of the board.

Statutory Authority: *MS s 35.03*

History: 8 *SR 1659*; 17 *SR 1279*

1715.1280 PERMIT TO OPERATE.

A permit to operate expiring June 30 following the issue date shall be issued provided: a veterinarian or veterinarians acceptable to the board have been retained by the stockyards management to act as the veterinary services contractor; an inspection by representatives of the board indicates compliance with the sanitation and general requirements of this rule; the management of the stockyards shall furnish a list of all persons and firms granted the privilege of the market.

Statutory Authority: *MS s 35.03*

1715.1290 REVOCATION OF PERMIT.

The executive secretary may suspend a permit issued under part 1715.1280 for just cause for a period of not more than 30 days pending a hearing before the board to show cause why the permit should not be revoked.

Statutory Authority: *MS s 35.03*; 35.255

History: 12 *SR 1748*

1715.1300 GENERAL REQUIREMENTS.

All pens, yards, alleys, and livestock holding areas shall be constructed so that they may be maintained in good repair and in a sanitary condition.

Statutory Authority: *MS s 35.03*

1715.1310 VETERINARY SERVICES CONTRACTOR.

The veterinary services contractor shall be provided adequate space and facility to perform duties.

Statutory Authority: *MS s 35.03*

History: 17 *SR 1279*

1715.1315 SWINE AREAS.

Facilities used by breeding and feeder swine must be separate from facilities used by slaughter swine.

Statutory Authority: *MS s 35.255*

History: *12 SR 1748*

1715.1320 SEPARATE ISOLATION PENS.

Separate isolation pens shall be provided for yarding reactors, suspects, and exposed livestock.

Statutory Authority: *MS s 35.03*

1715.1330 TRUCKS AND OTHER VEHICLES.

Facilities shall be provided by the management for adequately cleaning and disinfecting trucks and other vehicles at a reasonable cost to the transportation agency.

Statutory Authority: *MS s 35.03*

1715.1340 INSPECTION.

Agents of the board shall be allowed entry for inspection purposes upon demand at any reasonable time.

Statutory Authority: *MS s 35.03*

1715.1350 RECORDS.

The management shall maintain and cause to be maintained records of all livestock transactions for a period of one year. Such records shall be available for inspection on demand at reasonable times by agents of the board.

Statutory Authority: *MS s 35.03*

1715.1360 LOCKING AND SEALING PENS OR SECTIONS OF STOCKYARDS.

The management shall lock and seal pens or sections of the stockyard upon demand when agents of the board detect or suspect contagious or communicable disease exists in such pens and sections of the stockyards. Such pens shall be cleaned and disinfected under board supervision before being used again.

Statutory Authority: *MS s 35.03*

1715.1370 EXPOSED CATTLE.

Upon disclosure of brucellosis reactors all other cattle in a consignment must be considered exposed and must be sold for immediate slaughter or returned to the farm of origin under quarantine. If sold for immediate slaughter, a shipping permit must be issued and each exposed animal must be permanently branded with the letter "S" on the left hip high on the tailhead. Any cattle in contact with a reactor must be considered exposed.

Statutory Authority: *MS s 35.03; 35.243; 35.255*

History: *12 SR 1748; 23 SR 883*

1715.1380 MOVEMENTS INTO AND OUT OF PUBLIC STOCKYARDS.

All movements into and out of public stockyards shall be in compliance with applicable federal interstate regulations and the laws of the state of Minnesota and rules of the board.

Statutory Authority: *MS s 35.03*

1715.1390 ENTRY OF LIVESTOCK.

All livestock shall enter with a properly completed shipper contract. Livestock under quarantine because of disease shall be allowed entry when properly identified and accompanied by a shipping permit issued by a veterinarian or a notice of shipment prepared by the owner. All reactors, suspects, and exposed livestock shall enter the stockyards through separate entryway and be yarded in the isolation area. The shipper contract shall be clearly

marked with the appropriate word or words indicating such livestock. Cows and bulls two years of age and over shall be identified to the herd of origin by an official backtag as required in parts 1720.1680 to 1720.1700 prior to being offered for sale.

Statutory Authority: *MS s 35.03; 35.243*

History: 23 SR 883

1715.1400 REMOVAL OF LIVESTOCK.

Livestock may not be removed from the premises until released by the veterinary services contractor or a representative.

Cattle removed for purposes other than slaughter must be accompanied by a certificate of veterinary inspection meeting Minnesota importation requirements if they originate from other states, or Minnesota sale requirements if they originate from Minnesota, or state of destination requirements if exported.

Statutory Authority: *MS s 35.03; 35.255*

History: 8 SR 1659; 12 SR 1748

1715.1410 [Repealed by amendment, 8 SR 1659]

1715.1420 BRUCELLOSIS TEST REQUIREMENTS.

The requirements for importation of cattle in parts 1700.0100 to 1700.1500 apply to all cattle removed from the public stockyards to Minnesota destinations.

The diagnosis of cattle which respond to the brucellosis test shall be in accordance with parts 1705.0060 to 1705.0540.

Statutory Authority: *MS s 35.03; 35.243*

History: 8 SR 1659; 23 SR 883

1715.1430 [Repealed, L 2003 c 107 s 32]

1715.1440 REMOVING CATTLE TWO YEARS OF AGE.

Cows and bulls from other states two years of age and over must be backtagged or meet the testing requirements for importation of cattle in parts 1700.0700 to 1700.1100 before removal from the stockyards.

Statutory Authority: *MS s 35.03; 35.243; 35.255*

History: 8 SR 1659; 12 SR 1748; 23 SR 883

1715.1450 SALE OF SWINE.

Subpart 1. **Slaughter swine.** Sows and boars sold for slaughter must be identified to the herd of origin as required in parts 1720.1680 to 1720.1730.

Subp. 2. **Breeding swine.** Breeding swine must:

A. be negative to an official or approved differential pseudorabies test less than 30 days before sale or originate from a qualified pseudorabies–negative herd or a qualified negative gene–altered vaccinated herd or a Stage IV or V county or area;

B. be either negative to a brucellosis test less than 30 days before sale or originate from a validated brucellosis–free swine herd if originating from a state that is not validated brucellosis–free;

C. be identified by an eartag, tattoo, brand, or ear notch recognized by a breed association;

D. leave the sale with a restricted–movement certificate if the sales premises is used to sell feeder pigs, market hogs, or other untested swine; and

E. be sold before any feeder pigs are sold at the market.

Subp. 3. **Feeder pigs.** Feeder pigs and all other swine other than breeding or slaughter swine must:

A. be identified by a metal eartag, legible pseudorabies–monitored herd numbered ear tattoo, legible pseudorabies–monitored herd number shoulder slap tattoo, or pseudorabies–monitored herd numbered eartag;

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B. leave the sale with a restricted–movement certificate; and

C. all feeder pigs must be tested negative for pseudorabies within 30 days prior to sale or originate from:

- (1) a qualified pseudorabies–negative herd;
- (2) a qualified negative gene–altered vaccinated herd;
- (3) an officially designated Stage III, IV, or V low–prevalence pseudorabies

area; or

- (4) a monitored pseudorabies–negative herd complying with part 1705.2474.

While in transit through marketing channels, all feeder pigs from monitored herds must be maintained so that they are not exposed to swine of unknown pseudorabies status or maintained in facilities or trucks contaminated by those swine. Failure to do so causes them to lose their monitored status.

Subp. 4. **Report.** The veterinary services contractor shall supply a report to the board each week listing the names and addresses of sellers and buyers of feeder and breeding swine. The board may ask for further reports.

Statutory Authority: *MS s 35.03; 35.255*

History: 8 SR 1659; 12 SR 1748; 19 SR 925; 23 SR 1484

1715.1460 [Repealed, 12 SR 1748]

1715.1470 [Repealed, 12 SR 1748]

1715.1480 SHEEP, GOATS, HORSES, MULES, AND OTHER SPECIES.

Sheep, goats, horses, mules, and other species may only be removed after a certificate of veterinary inspection certifying compliance with the state of destination requirements has been prepared by the veterinary services contractor.

Statutory Authority: *MS s 35.03; 35.255*

History: 8 SR 1659; 12 SR 1748