

**PROPOSED REGULATION OF THE DIRECTOR
OF THE STATE DEPARTMENT OF AGRICULTURE**

LCB File No. R016-15

July 27, 2015

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 573.130 and 573.190.

A REGULATION relating to public sales of livestock; requiring the operator of a public livestock auction to ensure that an accredited veterinarian is present at the public livestock auction on each regularly scheduled sale day; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the State Department of Agriculture to require such testing, treating and examining of livestock sold, traded, exchanged or handled at or through public livestock auctions that may be necessary to prevent the spread of infectious, contagious or parasitic diseases among the livestock of this State. (NRS 573.130)

This regulation requires an operator of a public livestock auction to ensure that an accredited veterinarian is present at the public livestock auction for not less than 2 hours of each regularly scheduled sale day. This regulation specifies that the operator of a public livestock auction who violates this requirement is responsible for the administrative fines imposed by the Department for such a violation. This regulation also provides that the Department may consider as cause for the revocation of a regularly scheduled sale day the continued failure of an operator of a public livestock auction to comply with the requirements of this regulation.

Section 1. Chapter 573 of NAC is hereby amended by adding thereto a new section to read as follows:

1. The operator of a public livestock auction shall ensure that an accredited veterinarian is present for not less than 2 hours on each regularly scheduled sale day to assess the health of the animals at the public livestock auction.

2. An operator of a public livestock auction who fails to ensure that an accredited veterinarian is present on each regularly scheduled day of a public livestock auction as required by subsection 1 shall, for each such violation, pay to the Department the administrative fine imposed pursuant to NRS 573.190.

3. The Department may consider as cause for the revocation of a regularly scheduled sale day the continued failure by an operator of a public livestock auction to meet the requirements of subsection 1.

4. As used in this section, “accredited veterinarian” has the meaning ascribed to it in NAC 571.602.