

LCB File No. R031-01

PROPOSED REGULATION OF THE STATE DEPARTMENT OF AGRICULTURE

(This proposed regulation was previously adopted as LCB File Nos. T022-00 and T035-00))

PROPOSED CHANGES TO NAC 571.040; 571.045; 571.095; 571.355; AND 576.200.
PERTAINING TO ANIMAL HEALTH REQUIREMENTS FOR IMPORTING LIVESTOCK
AND ALTERNATIVE LIVESTOCK INTO AND THROUGH NEVADA.

Need and purpose of the proposed changes.

The animal health subcommittee of the Livestock Issues Committee of the Nevada Cattlemen's/Woolgrowers Association passed a motion to request consideration by the Nevada Board of Agriculture for the following changes in livestock regulations. These modifications to current animal health rules reflect the success of Nevada producers in eradicating certain diseases while assuring continued vigilance aimed at minimizing the possibility of further exposure. The proposed changes also expand the restriction-free movement options available to ranch managers.

#1. NAC 571.040(3)

This allows the chief livestock health official to modify specific animal import regulations when, in his judgment, the overall intent of the regulation is not compromised.

The proposal is to add another specific exemption available for his consideration by adding the option of waiving the requirement for Brucellosis vaccination under certain circumstances.

There are presently three possibilities for exempting livestock from import requirements under #571.040(3a,b,&c). The addition of #571.040(3d) would recognize the Brucellosis free status of other western states, which do not currently require calfhood vaccination, while expanding the market for Nevada seasonal pastures. It would read as follows:

(d) Cattle from the calfhood Brucellosis vaccination requirement that are imported for seasonal grazing purposes from an area designated as Brucellosis free by the USDA. These animals must test negative to Brucellosis within 30 days prior to entry. In addition, they may not change ownership nor commingle with other cattle except for movement directly to slaughter, while in Nevada.

The risk of this class of livestock introducing Brucellosis into Nevada is minimal because they originate in a free area, are tested negative before being shipped in, cannot change ownership while here, and must leave the state at a designated time.

#2. NAC571.045

This regulation was originally adopted to accommodate Nevada ranchers controlling properties on both sides of the state boundary line in their normal ranching operation. It allows movement of livestock across state lines without meeting the requirements for health certificates and entry

permits. It is titled “Grazing permit for cattle or bison” and is commonly called a pasture-to-pasture permit. In recent years livestock operators from other states not owning property in Nevada have been using the pasture-to-pasture permit for seasonal grazing purposes. The proposal is to tighten up this permit process by identifying those native Nevada cattle moving across state lines in the course of normal ranching operations as being exempt from entry permits and health certification, and placing the seasonal grazers from other states in a “commuter” category subject to import regulations.

The wording of NAC 571.045 would be changed to read as follows:

Grazing permit for cattle or bison.

- 1. An owner of cattle or bison who has his principal base of operation in Nevada and owner or controls property in an adjoining state may apply for a permit to move native livestock between these premises without obtaining an entry permit and certificate of veterinary inspection for each movement. Native livestock are defined as animals bearing a registered Nevada brand.***
- 2. An owner of cattle or bison who has his principal base of operation in another state may apply for a commuter permit to move livestock into Nevada for grazing purposes in variance with animal health import regulations under such conditions as the Administrator may specify.***
 - a) The commuter permit must be approved by the chief animal health official of each state in which the livestock graze.***
 - b) The commuter permit is valid for one grazing season only and must not exceed twelve calendar months in duration.***

#3. NAC 571.355

This regulation, “Vaccination of female cattle before change of ownership” was enacted when Brucellosis was a problem in Nevada. It allows no flexibility to accommodate changes of ownership for other than breeding purposes. The rule also prohibits the sale of vaccination-age eligible heifers that are not vaccinated. The status of the Brucellosis situation has changed in the United States. There are now only six infected herds in the country, and the entire western area is bangs free other than in the greater Yellowstone Elk & Bison herds. This regulation needs to be modified to allow the sale of vaccination eligible calves, animals destined for finish feeding, or neutered females headed for grass prior to finishing.

The wording of NAC 571.355 is proposed to be changed to read as follows:

***Vaccination of female cattle or bison before change of ownership
Female cattle or bison more than twelve (12) months of age must be vaccinated against
Brucellosis before any change of ownership occurs in Nevada unless:***

- 1. identified in an approved manner as spayed females,***
- 2. sold directly or through an approved salesyard for slaughter,***
- 3. sold and immediately transported to a destination out of state,***

4. consigned to a finish feedlot registered with the Department of Agriculture; these animals shall only be moved from the feedlot directly to slaughter.

#4. NAC 571.095, Transportation of livestock.

This regulation requires that a person who is transporting livestock in Nevada shall carry health certificates for the livestock. It exempts, (a) livestock being transported only within Nevada, (b) livestock entering the state if the driver has in his possession a grazing or commuter permit issued by the Bureau Chief, and (c) animals coming into Nevada only for slaughter. It does not exempt livestock being transported through Nevada originating in another state and destined to another state. This has in the past, resulted in Nevada livestock inspectors issuing citations to persons transiting Nevada with livestock when, in fact, no violation of regulations occurred.

Rule 571.090 states “livestock may be transported through the state without restriction if no part of the shipment is diverted within this state or unloaded for feed and rest for not more than 48 hours.” In addition, not all states require health certificates on all classes of livestock being imported into their state.¹

To avoid future confusion and misunderstanding, it is proposed that a fourth exemption be added to NAC#571.095

NAC 571.095.3 (d)

(d) Livestock being transported through Nevada where the state of destination has no requirement for a health certificate.

The above changes were endorsed by the affected Industries and approved by the Board of Agriculture at its February 2000 meeting in Reno. The additional following changes are necessitated by new & emerging animal disease threats.

Changes in Michigan and Mexico’s tuberculosis status necessitate the change in NAC 571.040 (2d) and NAC 571.040 (3c) to include all classes of cattle rather than limiting them to “Dairy” cattle .The wording in each would be changed to read as follows.

#5 NAC 571.040 (2d) ***All cattle and bison that are 12 months of age or older, unless exempted by NAC 571.040 (3), must react negatively to a test for tuberculosis within 30 days prior to entry and must be retested after arrival at 90-120 days and again at 180-210 days.***

#6 NAC 571.040 (3c) ***All cattle and Bison from the requirement of testing for tuberculosis if the cattle or bison originate from a State that is recognized as free of tuberculosis by the United States Department of Agriculture.***

The addition of a restriction on importing sexually intact cattle from Mexico into Nevada is now needed because the U.S.D.A. is permitting this class of livestock entry into the United States under the terms of N.A.F.T.A. These animals do not meet Nevada’s’ animal

health standards for entry. Intact Mexican-origin cattle have never been allowed into the state. The new regulation would read as follows:

#7 NAC 571.040 (4) *All sexually intact Mexican- origin cattle are denied entry into the state of Nevada except under such conditions as the Chief Livestock Health Officer may specify.*

#8 NAC 576.200

This regulation lists the prerequisites for importing alternative livestock into Nevada. The proposal is to require an additional statement on the certificate of veterinary inspection noting the absence of Chronic Wasting Disease in the herd of origin. The reason this is necessary stems from the emergence of this condition in Rocky Mountain Elk as a serious disease entity since NAC 576 was enacted. The addition of NAC 576.200(7) would read as follows.

NAC 576.200(7). *If the alternative livestock are Rocky Mountain elk (Cervus elaphus nelsoni), each animal is certified by an accredited veterinarian to originate from a herd participating in an official Chronic Wasting Disease monitoring program and that no Chronic Wasting Disease has been diagnosed in that herd for the preceding five years. If an official ante mortem test for Chronic Wasting Disease becomes available the Administrator may wave this requirement if the animals are negative to an official test.*