

**PROPOSED REGULATION OF
THE STATE QUARANTINE OFFICER**

LCB File No. R208-08

October 24, 2008

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

AUTHORITY: §§1, 3-6, 9, 17 and 18, NRS 571.120 and 571.150; §§2 and 11-16, NRS 561.295, 571.120, 571.150 and 571.170, §§7 and 8, NRS 571.120, 571.150 and 571.210; §10, NRS 571.120.

A REGULATION relating to cattle; revising provisions governing the prevention of and testing for trichomonosis in cattle; and providing other matters properly relating thereto.

Section 1. Chapter 571 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. *“Hold order” means an order issued pursuant to NRS 561.295 for infection with trichomonosis.*

Sec. 3. *“Test eligible bull” means an intact male bovine that is 12 months of age, or older.*

Sec. 4. NAC 571.600 is hereby amended to read as follows:

571.600 As used in NAC 571.600 to 571.668, inclusive, *and sections 2 and 3 of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 571.602 to 571.638, inclusive, *and sections 2 and 3 of this regulation* have the meanings ascribed to them in those sections.

Sec. 5. NAC 571.610 is hereby amended to read as follows:

571.610 “Neighboring herd” means a herd that:

1. Is separated by a single fence from another herd;
2. Shares a common pasture or range with another herd; ~~for~~
3. Contains cattle exchanged from another herd ~~for~~ ; *or*
4. *Contains cattle that were found estray or stray, as defined in NAC 571.650.*

Sec. 6. NAC 571.618 is hereby amended to read as follows:

571.618 “Official test for trichomonosis” means a test for trichomonosis that is performed on a bull in this State where:

1. The test is performed by an accredited veterinarian or veterinary technician who is registered with the Department pursuant to NAC 571.640;
2. The specimen collected from the bull is tested in an official laboratory; ~~and~~
3. The testing complies with the provisions of NAC 571.664 and 571.666 ~~for~~ ; *and*
4. *The testing is performed in accordance with any testing procedures approved by the Administrator.*

Sec. 7. NAC 571.642 is hereby amended to read as follows:

571.642 1. Except as otherwise provided in subsection 2 and NAC 571.644, a person shall not ship, transport or otherwise move into this State any *test eligible* bull ~~that is 8 months of age or older~~ unless the *test eligible* bull:

- (a) Has ~~been~~ tested *negative* for trichomonosis , *as evidenced by a test performed on a specimen taken from the test eligible bull* by an accredited veterinarian within ~~30~~ 60 days before entering this State; and
- (b) Is accompanied by a health certificate issued by the accredited veterinarian which specifies the date of the testing and *collection of the specimen and* which:

(1) Verifies that *the test eligible bull has tested negative for trichomonosis and that* trichomonosis has not been diagnosed in the herd of origin of the *test eligible* bull during the previous 12 months; or

(2) If the *test eligible* bull is from a herd that has tested positive for trichomonosis during the previous 12 months, verifies that the *test eligible* bull has tested negative for trichomonosis in each of its three most recent tests before entering this State and that each such test was performed at least 1 week apart ~~and~~ *and complied with the official program to test for trichomonosis in the state of origin of the test eligible bull.*

2. The Administrator may exempt from the requirements of subsection 1 a person who wishes to ship, transport or otherwise move into this State:

(a) A *test eligible* bull bearing a tag issued by an accredited veterinarian of another state that has an official program to test for trichomonosis;

(b) A *test eligible* bull moving directly to slaughter or to a qualified feedlot;

(c) A feeder bull;

(d) A rodeo bull for the purpose of exhibition so long as the bull will not:

(1) Have access to grazing;

(2) Be exposed to female cattle; or

(3) Be offered for sale ~~or~~ *or lease*; or

(e) A *test eligible* bull for the purpose of exhibition at a livestock show so long as the *test eligible* bull will be returned to its state of origin upon the completion of the exhibition and will not:

(1) Have access to grazing;

(2) Be exposed to female cattle; or

(3) Be offered for sale ~~or~~ *or lease*.

3. As used in this section, “feeder bull” means a *test eligible* bull that is:

- (a) Sufficiently restrained from female cattle such that breeding is not a possibility; and
- (b) Kept in a total confinement operation for the purpose of feeding and eventual slaughter.

Sec. 8. NAC 571.644 is hereby amended to read as follows:

571.644 1. The owner *or lessee* of a commuter bull *that is a test eligible bull* shall ensure that the *commuter* bull has been tested for trichomonosis by an accredited veterinarian or veterinary technician:

- (a) Annually, between October 1 and the following May 31; and
- (b) Except as otherwise provided in subsection 2, before it is exposed to female cattle.

2. If the commuter bull is from an infected herd, the owner *or lessee* of the *commuter* bull shall ensure that the *commuter* bull is not exposed to female cattle unless:

- (a) The *commuter* bull has received a negative test result in each of its three most recent tests for trichomonosis that were performed at least 7 days apart; and
- (b) The sample for each test was collected at least 7 days apart and ~~cultured~~ *tested* for trichomonosis.

3. An application for a commuter permit must be accompanied by a copy of the results of the required testing with respect to each commuter bull covered by the permit.

4. As used in this section:

(a) “Commuter bull” means a bull that is traveling across state lines for grazing purposes pursuant to a commuter permit.

(b) “Commuter permit” means a permit that is issued pursuant to NAC 571.045.

Sec. 9. NAC 571.646 is hereby amended to read as follows:

571.646 No *test eligible* bull ~~[which is 8 months of age or older]~~ may be offered for sale *or lease* in this State for reproductive purposes unless the *test eligible* bull ~~[has received]~~ :

1. Tested negative for trichomonosis, as evidenced by an official test for trichomonosis *on a specimen taken from the test eligible bull* within ~~[30]~~ 60 days before the sale ~~[and bears]~~ *or lease, except that a test eligible bull must be retested before the sale or lease if the test eligible bull is exposed to female cattle after the official test for trichomonosis; and*

2. Bears an official tag . ~~[, except that such a bull must be retested before the sale if the bull is exposed to female cattle after the official test for trichomonosis.]~~

Sec. 10. NAC 571.648 is hereby amended to read as follows:

571.648 1. Before a *test eligible* bull may be sold at a stockyard in this State, the owner or his agent must declare in writing whether or not the *test eligible* bull is positive for trichomonosis, except that if the *test eligible* bull is an untested bull it may be sold for slaughter or for direct movement to a qualified feedlot or total confinement operation without such a written declaration.

2. As used in this section, “untested bull” means a *test eligible* bull that does not bear an official tag.

Sec. 11. NAC 571.650 is hereby amended to read as follows:

571.650 *1.* The Administrator may require:

~~[1.]~~ (a) A *test eligible* bull ~~[which is 8 months of age or older and which]~~ *to receive an official test for trichomonosis if the test eligible bull* is found estray *or stray* and *is found* commingling with a cow belonging to another person . ~~[to receive an official test for trichomonosis; and]~~

~~—2.]~~ (b) The owner of ~~[the]~~ *a test eligible* bull *described in subsection 1* to pay all costs associated with the *official* test ~~[.]~~ *for trichomonosis.*

2. As used in this section:

(a) “Estray” means:

(1) Showing no signs of domestication; and

(2) Running at large upon public or private lands in the State.

(b) “Stray” means:

(1) Showing signs of domestication;

(2) Running at large upon public or private lands in the State; and

(3) Having no known owner.

Sec. 12. NAC 571.654 is hereby amended to read as follows:

571.654 1. An accredited veterinarian who performs an official test for trichomonosis on a bull in this State shall, within 48 hours after his receipt of a positive test result with respect to the bull:

(a) Report the result to the Administrator, the Director and the owner of the bull; and

(b) Classify the bull as an infected bull and its herd as an infected herd.

2. The Director will immediately place an infected bull and its infected herd under ~~[quarantine]~~ *a hold order* and ensure that the Administrator or a federal animal health official conducts an epidemiological investigation of the infected herd.

3. As used in this section, “federal animal health official” means an employee of the Veterinary Services of the Animal and Plant Health Inspection Service of the United States Department of Agriculture who is authorized to perform animal health activities.

Sec. 13. NAC 571.656 is hereby amended to read as follows:

571.656 1. Before the Director releases an infected herd from ~~[quarantine,]~~ *a hold order*, an accredited veterinarian must ensure that:

(a) Each *test eligible* bull in the infected herd receives ~~[an]~~ *the first of three* official ~~[test]~~ *tests* for trichomonosis within 12 months after the herd is ~~[quarantined;]~~ *placed under the hold order*;

(b) Each *test eligible* bull is certified to be clear of trichomonosis or is released to a slaughter channel;

(c) Each *test eligible* bull receives and bears an official tag; and

(d) The official tag number and classification of each *test eligible* bull is recorded on a test chart.

2. Before a *test eligible* bull may be certified to be clear of trichomonosis pursuant to subsection 1:

(a) The *test eligible* bull must have received a negative test result in each of its three most recent official tests for trichomonosis, with each such test being performed at least 7 days apart; and

(b) The sample for each test must have been collected at least 7 days apart and ~~[cultured]~~ *tested* for trichomonosis.

3. Except as otherwise provided in subsection 4, the owner *or lessee* of an infected herd shall not *lease or* transfer ownership of any bull or cow, or any heifer that is 20 months of age or older, from the herd ~~[until each bull in the herd has received an official test for trichomonosis.]~~ *during a period in which the herd is under a hold order.*

4. The owner *or lessee* of an infected herd may release any cattle from the herd to a slaughter channel. *If an owner or lessee releases any cattle from the herd to a slaughter*

channel, the owner or lessee must provide documentation, on a form approved by the Administrator, to the Department that the cattle arrived at the slaughter channel.

Sec. 14. NAC 571.658 is hereby amended to read as follows:

571.658 1. If, through an epidemiological investigation, a trichomonosis epidemiologist determines that a neighboring herd has had contact with an infected bull, the Director will classify the herd as an exposed herd and place it under ~~[quarantine.]~~ *a hold order.*

2. Before the Director releases an exposed herd from ~~[quarantine.]~~ *a hold order*, an accredited veterinarian must ensure that:

(a) Each *test eligible* bull in the exposed herd receives an official test for trichomonosis within 12 months after the herd ~~[is quarantined;]~~ *was placed under a hold order.*

(b) Each *test eligible* bull is determined to be clear of trichomonosis or is released to a slaughter channel;

(c) Each *test eligible* bull receives and bears an official tag; and

(d) The official tag number and classification of each *test eligible* bull is recorded on a test chart.

3. Before a *test eligible* bull may be certified to be clear of trichomonosis pursuant to subsection 2, the *test eligible* bull must have received a negative test result in its most recent official test for trichomonosis.

4. Except as otherwise provided in subsection 5, the owner *or lessee* of an exposed herd shall not *lease or* transfer ownership of any bull or cow, or any heifer that is 20 months of age or older, from the herd ~~[until each bull in the herd has received an official test for trichomonosis.]~~ *during a period in which the herd is under a hold order.*

5. The owner *or lessee* of an exposed herd may release any cattle from the herd to a slaughter channel. *If an owner or lessee releases any cattle from the herd to a slaughter channel, the owner or lessee must provide documentation, on a form approved by the Administrator, to the Department that the cattle arrived at the slaughter channel.*

Sec. 15. NAC 571.660 is hereby amended to read as follows:

571.660 Except as otherwise provided in NAC 571.662:

1. The owner of a herd shall ensure that each bull from the herd that receives a positive test result to an official test for trichomonosis:

(a) Is branded with a hot iron to the left of its tail with the letter “V” in a size not less than 2 inches by 3 inches to signify that it is infected with trichomonosis; and

(b) Is sent by direct movement within 30 days after the owner receives the positive test result to a slaughter channel . ~~[and is accompanied by a Veterinary Services Form 1-27, “Permit for Movement of Restricted Animals,” issued by the accredited veterinarian who performed the test.]~~
The owner shall provide documentation, on a form approved by the Administrator, to the Department that the cattle arrived at the slaughter channel.

2. The owner of a qualified feedlot which has a bull that has received a positive test result to an official test for trichomonosis shall:

(a) Segregate the bull from every breeding cow and heifer housed at the qualified feedlot; and

(b) Confine the bull to a dry lot area that is used to upgrade or finish feed the bull before it goes to slaughter.

Sec. 16. NAC 571.662 is hereby amended to read as follows:

571.662 1. The owner *or lessee* of a bull that receives a positive test result to an official test for trichomonosis may request the accredited veterinarian or veterinary technician who

performed the test to submit the specimen of the bull which was found to contain trichomonas organisms to an official laboratory to confirm the presence of trichomonas organisms by polymerase chain reaction testing. As a prerequisite to exercising this option, the specimen must arrive at the laboratory within 48 hours after being found to contain trichomonas organisms.

2. If polymerase chain reaction testing determines that the specimen of the bull:

(a) Is positive or inconclusive for *Tritrichomonas foetus*, the bull will be considered positive for trichomonosis.

(b) Is negative for *Tritrichomonas foetus*, the bull will be considered negative for trichomonosis.

~~[3.—If polymerase chain reaction testing determines that the specimen of the bull is negative for *Tritrichomonas foetus*, the owner of the bull shall not transfer ownership of the bull unless the bull receives a negative test result to an official test for trichomonosis that is performed not earlier than 1 month after the bull is considered negative for trichomonosis pursuant to subsection 2.]~~

Sec. 17. NAC 571.664 is hereby amended to read as follows:

571.664 An accredited veterinarian or veterinary technician shall:

1. Only use an official laboratory to ~~[culture]~~ *test* a specimen collected from a bull; and

2. Ensure that the specimen:

(a) Arrives at an official laboratory for testing within 48 hours after it is collected; *and*

(b) Is transported ~~[on a media acceptable to the Department; and~~

~~—(c) Is maintained at a constant temperature between 65 degrees and 90 degrees Fahrenheit.]~~
and maintained pursuant to official protocol.

Sec. 18. NAC 571.666 is hereby amended to read as follows:

571.666 1. The operator of an official laboratory shall ensure that ~~the~~:

~~—(a) Any inoculated media containing the specimen of a bull is incubated at 37 degrees~~

~~Centigrade and monitored for growth at 24-hour intervals for 120 hours; and~~

~~—(b) The~~ *the* laboratory is administered in accordance with official protocol.

2. A laboratory must pass an annual inspection conducted by the Administrator to maintain its status as an official laboratory.