

**PROPOSED REGULATION OF THE  
STATE BOARD OF AGRICULTURE**

**LCB FILE NO. R102-201**

**The following document is the initial draft regulation proposed  
by the agency submitted on 06/25/2020**

**Purpose: To update the regulations pertaining to Animal Industries as follows:**

- 1) Language addition of “Annual Sale of Livestock” per NRS 573.
- 2) Implementation of license fee for “Annual Sale of Livestock”.
- 3) Increase license fee for public livestock auction.

**Effective date:** Upon passage and approval.

## CHAPTER 573 - PUBLIC SALES OF LIVESTOCK

### **573.019**            *“Annual sale of livestock” defined.*

*NAC 573.019 “Annual sale of livestock” defined. (NRS 561.105) “Annual sale of livestock” has the meaning ascribed to it in NRS 573.010.*

### **NAC 573.020**    **Expense for sales not held on working day.** (NRS 573.130)

Expenses incurred because an *annual sale of livestock or* public livestock sale is not held on a regular working day must be paid by the operator of the *annual sale or* public livestock auction by reimbursement to the Department upon demand. [Dep’t of Agriculture, No. 56 § I par. 1, eff. 11-30-67]

### **NAC 573.030**    **Notice of cancellation or nonuse of sale day.** ([NRS 573.130](#))

1. The operator of an *annual sale of livestock or* public livestock auction shall notify the Department at least 10 regular working days before the cancellation of a sale or the nonuse of a regularly scheduled sale day.

2. Failure to so notify the Department makes the operator of the auction responsible for reimbursement to the Department for the labor expenses incurred. Continued failure may be considered cause for the revocation of an *annual sale of livestock or public livestock auction* regularly scheduled sale day.

[Dep’t of Agriculture, No. 56 § I par. 2, eff. 11-30-67]

### **NAC 573.040**    **Notification of continuance of sale.** ([NRS 573.130](#))

An *annual sale of livestock or* public livestock sale which is held on a regular *scheduled* sale day but is not completed by 6 p.m. may continue into the next day as a regular sale day if the operator of the *annual sale of livestock or* auction yard notifies regulatory personnel in adequate time to service the sale. This will not be considered an added expense if the continuing day falls on a regularly scheduled working day.

[Dep’t of Agriculture, No. 56 § II, eff. 11-30-67]

**NAC 573.050**    **Fee for licenses.** (NRS 561.105, 573.040)    The fee for the issuance or renewal of a license to operate an *annual sale of livestock or* public livestock auction is \$250 [~~150~~] per year.

(Added to NAC by Bd. of Agriculture by R214-05, eff. 6-28-2006)

**NAC 573.100 Presence of accredited veterinarian required; penalties for violation. ([NRS 573.130](#), [573.190](#))**

1. The operator of an *annual sale of livestock or* 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 *annual sale of livestock or* public livestock auction.

2. An operator of an *annual sale of livestock or* 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 an *annual sale of livestock or* 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](#).

(Added to NAC by Dep’t of Agriculture by R016-15, eff. 12-21-2016)