

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

LCB FILE NO. R103-201

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

Purpose: To create new regulations pertaining to Animal Industries as follows:

- 1) Implementation of regulation and language to carry out the provisions of NRS 577.

Effective date: Upon passage and approval.

ANIMAL REMEDIES, VETERINARY BIOLOGICS AND PHARMACEUTICALS

NAC 577.XXX Definitions. As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 577.XXX and NAC 577.XXX have the meanings ascribed to them in those sections.

NAC 577.XXX The term "Biological Product" shall mean any substance or mixture of substances, including but not limited to antimicrobials, vaccines, autogenous bacterins, and antigens, used to immunize, test or treat livestock, poultry or any other species of animals, but shall not include any product identified and regulated as a pesticide by the Department.

NAC 577.XXX No biological product, including antigens, used to immunize, test, or treat livestock or any other species of animals shall be manufactured, produced, transported, distributed, sold, or offered for sale, or possessed in Nevada unless the biological product has been licensed or permitted by and produced in an establishment licensed by the United States Veterinary Biologics Division of the United States Department of Agriculture, and approved by the Nevada Department of Agriculture. Exemption: Autogenous vaccines and/or bacterins when prepared for use on individual premises or animals may be prepared in laboratories approved by the Department.

NAC 577.XXX Each biological product distributed, sold, offered for sale, or used in Nevada, or delivered for transportation or transported in intrastate or interstate commerce shall be registered with the Department on an annual basis and must be on a form prescribed and furnished by the Department.

NAC 577.XXX The Department may require the submission of the complete formula of any biological product.

(1) Trade secrets and formulations submitted with the registration shall be kept confidential.

(2) If the Department deems that the composition of the biological product is adequate to warrant the proposed claims, and if the biological product, its labeling and other material required by the Department to be submitted comply with the requirements of this section, the biological product will be registered by the Department.

(3) Registration shall not be required in the case of a biological product shipped from one location within Nevada to another location within Nevada so long as the locations are under the authority of the same person or company.

NAC 577.XXX Fees: Each person or company registering a biological product shall pay an annual registration fee of \$100 for each biological product registered with the Department. Annual renewal applications and fees not received by the Department prior to the expiration shall be assessed a \$35 late fee.

NAC 577.XXX All biological product registrations shall expire after July 1 of each calendar year. It shall be a violation of these rules if the renewal application is not received on or before July 1 of each calendar year.