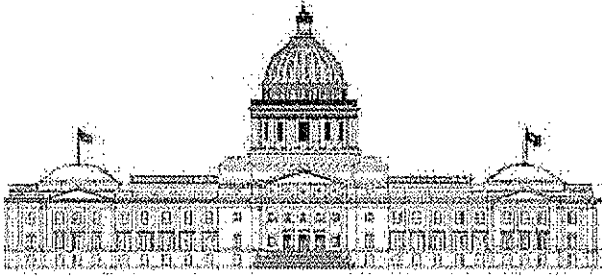


ARKANSAS REGISTER

Transmittal Sheet



Mark Martin
 Secretary of State
 State Capitol Room 026
 Little Rock, Arkansas 72201-1094
 (501) 682-3527

For Office Use Only: Effective Date _____ Code Number _____

Name of Agency AR Livestock & Poultry Commission
 Department Livestock & Poultry
 Contact Hannah Howe E-mail hhowe@alpc.ar.gov Phone 501.907.2411
 Statutory Authority for Promulgating Rules DR. George Pat Badley, State Vet.

Rule Title: Entry Regs for Livestock, Poultry, & Exotic Animals

Intended Effective Date

- Emergency
- 10 Days After Filing
- Other 1/3/11

Legal Notice Published
 Final Date for Public Comment
 Reviewed by Legislative Council
 Adopted by State Agency

Date
06/2010
08/05/2010
09/15/2010
1/03/2011

- Electronic Copy of Rule Provided on disk or CD (per Act 1478 of 2003)
- Electronic Copy of Rule e-mailed from: _____

Contact Person _____ Email Address _____ Date _____

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
 In Compliance with Act 434 of 1967 As Amended.

Hannah Howe

 Signature

501.907.2411 hhowe@alpc.ar.gov
 Phone Number E-mail Address

Executive Assistant / Public Info. Coordinator

 Title

1/2/11

 Date

SUMMARY FOR THE CHANGES IN THE ARKANSAS HEALTH REQUIREMENTS GOVERNING THE ENTRY OF LIVESTOCK, POULTRY, AND EXOTIC ANIMALS

TB risk: Timed event cattle that are long lived (steer roping, team roping, and dogging: and bucking bulls) have become a risk for the introduction of bovine tuberculosis (TB) in the state of Arkansas because of continued use of Mexican cattle in rodeos.

Page 2: The permit exception is stricken because a permit is required in the tuberculosis section.

Page 4: Other states (i.e. Oklahoma) require individual ID's so this puts our regulations in line with the surrounding states. We were already requiring a yearly brucellosis test and a permit on rodeo bulls.

Page 5: The test date for tuberculosis was changed from 30 days to 60 days because that is the current national standard.

Page 6: The annual tuberculosis requirement for twelve month old and older bulls and all roping and dogging steers and heifers was added because of the tuberculosis risk for this class of cattle. Tie-down roping calves are exempt because they do not pose a risk. The M branded regulations are already in the entry regulations on another page, but are also being placed in this section for clarification. The test date for tuberculosis was changed from 30 days to 60 days because that is the current national standard (see page 5).

Page 8: The word area was added because the USDA is changing from state to area status in some cases.

Page 12: This section was stricken because new federal regulations make this obsolete.

Page 13: The exemption age for rabies vaccinations in dogs and cats was changed from three months to four months of age, which is the national standard. The section recognizing the three (3) year rabies vaccine was added because the Health Department rabies rules now recognize the three year vaccine in Arkansas.

Page 15: The cervidae regulation was stricken because of confusion from other states. The regulations for importing cervidae lies with the Arkansas Game and Fish Commission.

Arkansas Livestock and Poultry Commission
Effective: January 3, 2011
Jon Fitch, Executive Director

Agency No. 125.00

Final Rule

Act 87 of 1963 (Code 2-33-101), Act 150 of 1985 (Code 19-6-448) & Act 1306 of 1997 (Code 2-40-823)

ARKANSAS HEALTH REQUIREMENTS GOVERNING THE ENTRY OF LIVESTOCK, POULTRY, AND EXOTIC ANIMALS

General Requirements

No animal, including poultry or birds of any species, that is affected with or that has been recently exposed to any infectious, contagious or communicable disease or that originates from a quarantined area, or area of lesser disease status, shall be shipped or in any manner transported or moved into Arkansas until written permission for such entry is first obtained from the State Veterinarian, except those animals affected with such diseases or conditions which are approved for interstate shipment by USDA-APHIS, Veterinary Services for immediate slaughter.

Livestock and poultry moving into Arkansas found to be in non-compliance with Arkansas laws and regulations shall be quarantined to nearest facility until all requirements are met on said animals to meet specifications. Expenses for all costs, including feed, hauling, rent, death loss, etc. shall be born by the owner, shipper or responsible person involved, before animals may be released.

All classes of livestock entering the State of Arkansas must be shipped in accordance with the requirements outlined in the Code of Federal Regulations, (those sections relating to interstate movement).

Specific requirements for exhibition livestock and poultry are covered in the Arkansas Livestock Exhibition Regulations.

Permits

1. Permits are required on all swine, zoo, fur-bearing and other wild and/or exotic animals, ratites, camelids, cervids, passerine birds, psittacine birds, and all other avian except poultry entering the State of Arkansas. Rodeo bulls are required to have an entry permit. Permits are also required on all cattle entering Arkansas from any state that is not a tuberculosis free state, unless that state has a reciprocal agreement with Arkansas.
2. Requests for all permits, when required shall be directed to the Arkansas Livestock and Poultry Commission, P.O. Box 8505, #1 Natural Resources Drive, Little Rock, AR 72215, and shall contain the following information:
 - a. Number and kind of animals
 - b. Origin of shipment
 - c. Proposed date of shipment
 - d. Destination of shipment (complete address)
 - e. Name and address of consignor and consignee
 - f. Method of transportation
3. Permits shall be issued upon the condition that the consignee, owner, or purchaser hold the imported livestock, upon arrival in this State, pending compliance with the provisions of the permit. Animals are not to be diverted enroute.
4. All permits are invalid unless accompanied by a Certificate of Veterinary Inspection except owner-shipper permits.
5. Owner-shipper permits (certificates) shall be valid only for shipments of livestock from a farm of origin in an adjacent state to federally inspected stockyards, specifically approved markets, or to approved slaughtering establishments for immediate slaughter.
6. Telephone numbers for obtaining permits: Monday - Friday: (501) 907-2400, 8:00 a.m. - 4:30 p.m.

Certificate of Veterinary Inspection

1. A certificate of veterinary inspection shall be issued to accompany the following species of livestock and poultry into Arkansas: cattle, swine, sheep, horses, goats, cats, dogs, turkeys, chickens, domesticated fowl, ratites, camelids, cervids, psittacine birds, passerine birds, all other avian species, zoo, fur-bearing and other wild and/or exotic animals as outlined in the following sections. NPIP certified flocks of turkeys, chickens, and domesticated fowl entering on a VS 9-3 or NPIP flock certification form or similar certificate or those covered by a commuter flock agreement are exempt from the requirement of a certificate of veterinary inspection unless a state of emergency has been declared.
2. A certificate of veterinary inspection is defined as a certificate issued by a licensed graduate, accredited veterinarian after a physical examination has been conducted certifying that the livestock described are free from symptoms of contagious, infectious, or communicable diseases and shall include a statement certifying the origin of the livestock. The certificate shall include the name and address of the caretaker of such livestock if the owner's residence is other than the premises where the livestock are to be maintained.

Duties of Carriers

1. Owners and operators of railway cars, trucks and other conveyances shall not move any livestock into or within the State of Arkansas except in compliance with the provisions set forth in these regulations.
2. Owners and operators of railway cars, trucks and other conveyances that have been used to move any livestock or poultry affected with or exposed to any infectious or contagious disease or to scabies or fever tick infestation, shall be required to have such cars, trucks and other conveyances thoroughly cleaned and disinfected under official supervision before further use for the transportation of livestock or poultry.

SPECIFIC REQUIREMENTS:

CATTLE :

All cattle entering Arkansas must be accompanied by a Certificate of Veterinary Inspection showing individual identification by ear tag, fire brand, or ear tattoo number, except for those cattle moving directly to a recognized slaughtering establishment or to an approved livestock market which can be moved on a waybill (or, owner-shipper permit) if such waybill shows: the name and address of shipper, point of origin, destination, number and type of animals covered by the waybill, and purpose of movement.

Exception To Individual Identification: For the purpose of feeding, grazing, roping (large truck loads) no test requirements with a certificate of veterinary inspection within 30 days. No individual identification required for spayed heifers, steers, or heifers less than 18 months of age.

Brucellosis

1. Test Requirements:

- A. All intact male or female animals, eighteen (18) months of age or older (any age if they have already calved, or are in third stage of pregnancy) must have been tested negative for brucellosis within thirty (30) days prior to movement into Arkansas except for those originating out of Certified Brucellosis Free Herds. The Certified Free Herd Number, and date of last herd test must be recorded on the certificate. Rodeo bulls participating in a recognized and organized performance group may enter with a negative test for brucellosis within twelve (12) months and be ~~if they are~~ individually identified and accompanied by an entry permit regardless of the state or area status. Arkansas rodeo bulls are also required to have an annual brucellosis test.
- B. Animals originating out of Class Free states, provided that the entire state is classified as such, are exempt from testing requirements, provided proper documentation is present.
- C. All such tested cattle from a Class B State shall be quarantined to the point of destination

upon arrival and shall be retested, at the owner's expense, for brucellosis not sooner than forty-five (45) nor more than one hundred and twenty (120) days after arrival.

- D. When required, the quarantine and retest provision shall apply to out-of-state cattle tested at Arkansas livestock markets.

2. Vaccination Requirements

- A. Heifers in the age range of between four and twelve (4 and 12) months must be calfhood vaccinated prior to entry into Arkansas.
- B. (1) Intact beef females, born after January 1, 1985 over one (1) year of age that have not been officially calfhood vaccinated may not enter Arkansas unless they are S-branded prior to entry into Arkansas and consigned to slaughter or a quarantined feedlot, or they may be S-branded and consigned to an approved market to be sold for slaughter or to a quarantined feedlot.
 - (2) Intact dairy females, regardless of age, must be officially calfhood vaccinated prior to entry into Arkansas, or be S-branded.
 - (3) Cattle from Certified Free Herds, Class Free States, or Class Free Countries are exempt from vaccination requirements.
- C. "Officially calfhood vaccinated" animals are determined either by the presence of a legible calfhood vaccination tattoo in the right ear, or vaccination certificate.

3. Tuberculosis Requirements:

- 1. All sexually intact dairy cattle six months of age and older for interstate entry into Arkansas will be required to have a negative tuberculosis (TB) test within sixty (60) days prior to entry.
 - a. These same dairy cattle will also be required to have an entry permit and a certificate of veterinary inspection prior to entry, as well as the negative test and must be officially identified.

- b. Sexually intact dairy cattle under six months of age can be permitted under a hold order direct to a premise or designated facility and held there until they are tested negative at six months of age, at owner's expense.
- c. The new regulation exempts dairy cattle that originate from accredited free TB herds (but not free states). Neutered dairy feeder cattle, and dairy cattle delivered direct to slaughter, or delivered to a market for sale direct to slaughter.

2. Rodeo Stock

- A. All rodeo bulls twelve (12) months of age and older must have a tuberculosis test annually (12 months) before entry into Arkansas for a rodeo. This requirement applies to all rodeo bulls regardless of their origin state or area status, and even rodeo bulls from Arkansas. All bulls must be individually identified with some type of USDA official ID. Out of state rodeo bulls are required to have a thirty (30) day CVI and an entry permit.
 - B. All roping and dogging steers and heifers must have an annual tuberculosis test (every 12 months) before entry into AR for a rodeo. This requirement applies to all steers and heifers regardless of the origin, state or area status, and even steers and heifers from Arkansas. All steers and heifers must be individually identified with some type of USDA official ID. All tie-down and roping calves are exempt from this regulation. In addition, M branded (Mexican) steers and heifers must have two negative annual tests for TB or one negative yearly test plus a sixty (60) day negative TB Test. Out of state steers and heifers are required to have a thirty (30) day CVI and an entry permit.
3. All breeding beef cattle 12 months of age and older entering Arkansas must meet one (1) of the following requirements:
- a. Originate from a tuberculosis-free state;
 - b. Originate from a tuberculosis-free herd. The herd number and current herd test date must be shown on the Certificate of Veterinary Inspection;
 - c. Test negative within sixty (60) days of shipment;

- (1) These same beef cattle will also be required to have a certificate of veterinary inspection and will be required to have a permit if entering from a state that has lost its tuberculosis-free status.
- d. Originate from a state having a reciprocal agreement with Arkansas;
 - e. All sexually intact cattle and bison, from any foreign country or part thereof with no recognized tuberculosis status comparable to the Uniform Methods and Rules standards of the U.S. Bovine Tuberculosis Eradication Program, imported for reasons other than immediate slaughter or feeding for slaughter must meet the following criteria:
 - 1. Obtain a permit issued by the Arkansas Livestock and Poultry Commission prior to entry; and
 - 2. Be quarantined to the Arkansas premises approved in the entry permit pending two (2) consecutive negative tuberculosis tests. The first test to be conducted not less than ninety (90) nor more than one hundred twenty (120) days after arrival and the second test to be not less than two hundred ten (210) days nor more than two hundred forty (240) days after arrival in Arkansas; or
 - f. Importation of steers and spayed heifers from Mexico,
 - 1. Steers and spayed heifers from Mexican states that have been determined by the State Veterinarian of Arkansas, based on the recommendations of the Bi-National Committee, to have fully implemented the Control/Preparatory Phase of the Mexican Tuberculosis Eradication Program may enter Arkansas provided they have been tested negative for tuberculosis in accordance with the Norma Oficial Mexicana (NOM) within sixty (60) days prior to entry into the United States and obtain an entry permit prior to entering Arkansas.
 - 2. Steers and spayed heifers from Mexican states that have been determined by the State Veterinarian of Arkansas, based on the recommendations of the Bi-National Committee, to have fully

implemented the Eradication Phase of the Mexican Tuberculosis Eradication Program by March 1, 1997, may enter Arkansas provided they have been tested negative for tuberculosis in accordance with the Norma Oficial Mexicana (NOM) within sixty (60) days prior to entry into the United States. Steers and spayed heifers from herds equal to U.S. Accredited TB-Free herds may enter Arkansas without testing provided they are moved directly from the herd of origin across the border as a single group and not commingled with other cattle prior to arriving at the border and obtain an entry permit prior to entering Arkansas.

3. Steers and spayed heifers from Mexican states that have been determined by the State Veterinarian of Arkansas, based on the recommendation of the Bi-National Committee, to have achieved Accredited Free status may enter Arkansas without testing provided they are moved as a single group and not commingled with cattle of a different status prior to arriving at the border and obtain an entry permit prior to entering Arkansas.
4. Holstein and Holstein-cross steers and spayed heifers from Mexico are prohibited from entering Arkansas regardless of test history.
5. Rodeo stock from Mexico must be tested negative for tuberculosis within sixty (60) days prior to their utilization as rodeo or roping stock under the supervision of a USDA/APHIS port veterinarian or a U.S. accredited veterinarian, retested for tuberculosis every twelve (12) months thereafter, and obtain an entry permit prior to entering Arkansas. No sexually intact rodeo stock from Mexico will be permitted into Arkansas.
6. Rodeo stock from any state or area that has lost its tuberculosis (TB) accreditation must be tested negative for tuberculosis within sixty (60) days prior to their utilization as rodeo or roping stock and retested for tuberculosis every twelve (12) months thereafter.

4. The State Veterinarian may designate high incidence areas within certain states that must meet additional import restrictions and retest requirements.

HORSES & OTHER EQUIDAE:

1. Must be accompanied by a certificate of veterinary inspection with identification and temperature of the horse(s) shown.
2. Negative EIA Test within twelve (12) months prior to entry for all equidae over six (6) months of age. For sale purposes, negative EIA test must be within six (6) months. Case number and lab must be shown on the Certificate of Veterinary Inspection. Weanlings or foals under six (6) months old that the status of the dam is unknown, or the dam is positive must have a negative test to enter. Foals under six (6) months old may enter with or without dam if dam has a negative test within twelve (12) months of entry.

SWINE:

All swine, not under the authority of a commuter swine agreement, must have an official premise identification, be individually identified, and be accompanied by a certificate of veterinary inspection and permit number obtained from the State Veterinarian's office, except those consigned to federally inspected stockyards, specifically approved markets, or approved slaughtering establishments for immediate slaughter.

All swine not going direct to slaughter will be quarantined upon arrival.

Pseudorabies vaccinates may not enter.

Testing requirements of all breeding swine not under the authority of a commuter swine agreement are as follows:

Brucellosis

Breeding swine six (6) months of age and older shall be negative for brucellosis within thirty (30) days prior to importation unless from a validated brucellosis free herd or a swine brucellosis free state.

Pseudorabies

Breeding swine of any age, except from pseudorabies qualified herds or from areas designated as pseudorabies free, shall be tested and found negative for pseudorabies by a USDA approved test within thirty (30) days prior to movement. Tests for gene-deleted vaccines are not acceptable.

Retest Provisions: All breeding swine will be quarantined and must be retested thirty to sixty (30-60) days after arrival at owner's expense for brucellosis and pseudorabies.

All feeder pigs, not under the authority of a commuter swine agreement, being imported into the state must have an official premise identification, be individually identified, and be accompanied by a Certificate of Veterinary Inspection and permit number. Pseudorabies vaccinates may not enter. Testing requirements and allowable movements of all feeder pigs not under the authority of a commuter swine agreement are as follows:

(1) Direct shipment from a farm of origin or a market in a Stage IV or V State/Area;

OR

(2) Direct shipment from a qualified pseudorabies-negative herd;

OR

(3) Entry is allowed into Stage IV states from Stage III States/Areas or from feeder-pig-monitored herds in Stage II States on the following conditions:

- a. That the swine enter on permit directly to a designated feedlot and not through an all-class market;

- b. That the swine originate from an approved feeder-pig market or direct from a qualified-negative (QN) herd, or a feeder-pig-monitored (FPM) herd;
- c. That the swine be quarantined to slaughter only;
- d. That the designated feedlot have no breeding swine on the premises and no breeding herds within two (2) miles;
- e. That the feeding herd must be part of the feeder-pig surveillance system required for Stage IV with testing of a sample of pigs from the feedlot, using the official random-sample test (95/10), and the test be conducted in each such feedlot at least every six (6) months, and at owner expense.

Sampling rate for 95/10 is:

Less than 100 head - test 25

100-200 head - test 27

201-999 head - test 28

1,000 and over - test 29

FERAL SWINE:

Definition: Swine that have lived part of their lives free-roaming. Feral swine may be reclassified as domestic swine by a negative official brucellosis and pseudorabies test conducted after at least sixty (60) days' confinement separate and apart from any infected or free-roaming swine. Feral swine may not be moved into Arkansas until they have become domesticated.

MARKET SWINE:

Entry for sale at Arkansas market:

- (1) As of July 1, 2001, all swine entering Arkansas for sale at an Arkansas market shall be identified by an official premise identification and
 - a. be tested negative for pseudorabies and brucellosis within 30 days prior to sale;
 - b. or originate directly from a qualified-validated herd;

- c. or originate directly from a feeder-pig-monitored herd;
 - d. or meet the requirements for an Arkansas surveyed herd.
- (2) As of July 1, 2001, any swine entering Arkansas for sale at an Arkansas market that do not meet these requirements shall be:
- a. individually identified;
 - b. isolated from all tested swine;
 - c. tested at the market at the owner's (seller') expense;
 - d. and sold for slaughter only at the end of the sale.

SHEEP AND GOATS:

No sheep or goats may be imported into Arkansas that does not originate from a consistent state, unless originating from a complete monitored Scrapie flock or enrolled in the Voluntary Scrapie Flock Certification Program (VSFCP). All sheep and goats imported or exhibited within the state of Arkansas must be identified by official USDA tag, legible official goat registry tattoo if accompanied by a registration certificate, or other approved device that contains a premise identification issued by the state of origin in combination with a unique animal number.

No sheep or goats may be imported into Arkansas that have commingled (as defined by the Arkansas Scrapie Regulations) with sheep or goats that are not officially identified in compliance with the Arkansas Scrapie Regulations prior to importation. Commingling of sheep or goats of different flock status as defined by the Voluntary Flock Certification Program (VFCP) must be reported to the VFCP state official and State Veterinarian.

No sheep or goats that are infected with or exposed to Scrapie, and no progeny of sheep or goat infected with or exposed to Scrapie, may be moved into Arkansas without the permission of the Arkansas Livestock and Poultry Commission and an official permit granted. All sheep and goats imported into Arkansas shall be accompanied by a Certificate of Veterinary Inspection and shall meet the scrapie record requirement, which must be documented in addition to the certificate of veterinary inspection.

Any sheep or goats in violation of these entry requirements shall be quarantined in isolation and be required to undergo any approved diagnostic tests for Scrapie and shall then be sold for slaughter with tissues submitted for Scrapie diagnosis at the expense of the owner.

All sheep must be from a State-Federal approved scabies free area. If not from a scabies free area, must be dipped in an USDA approved dip within ten (10) days of importation; and will be held in quarantine at destination one hundred eighty (180) days.

Any sheep or goats with evidence of abscesses or other infectious diseases shall not be allowed to enter Arkansas.

Dairy goats over six (6) months of age that have been imported into the United States must be tested negative for Brucellosis within 30 days prior to movement into Arkansas.

DOGS AND CATS:

Dogs and Cats: All dogs and cats transported or moved into Arkansas for any purpose must be accompanied by an official Certificate of Veterinary Inspection and have been vaccinated against rabies not more than twelve (12) months prior to entry. Dogs and cats under four (4) months of age are exempt. Arkansas will accept a three (3) year rabies vaccination if the dog or cat has had at least one previous rabies vaccine.

PSITTACINE BIRDS, PASSERINE BIRDS, AND ALL OTHER NON-POULTRY AVIAN SPECIES:

Certificate of veterinary inspection issued within thirty (30) days, and entry permit required.

POULTRY, WATERFOWL, HATCHING EGGS:

All poultry, which includes game birds, quail, pheasants, peafowl, turkeys, and waterfowl shall have originated from a US Pullorum clean flock or have had a negative pullorum test within ninety (90) days of entry. All turkeys shall also have originated from a US MG clean flock or have had a negative MG test within thirty (30) days of entry. All the preceding information must be documented on a valid Certificate of Veterinary Inspection, NPIP

Federal Form VS 9-3, 90-Day certificate, NPIP Flock Certification Form or similar certificate. These forms must indicate that the flocks from which the eggs or chicks or poult originated have been produced under the supervision of the National Poultry Improvement Plan will be deemed to have met with the requirements of these regulations, provided all of the requirements of NPIP are complied with and applicable NPIP forms accompany birds. All non-certified poultry must be individually identified, either by a permanent leg or wing band or tattoo. Wrap-around plastic bands are not acceptable. NPIP certified flocks of turkeys, chickens, and domesticated fowl entering on a VS 9-3 or NPIP flock certification form or similar certificate or those covered by a commuter flock agreement are exempt from the requirement of a certificate of veterinary inspection unless a state of emergency has been declared.

Slaughter

Healthy poultry may be shipped into Arkansas without a Certificate of Veterinary Inspection when shipped direct to an approved slaughtering establishment.

Diseased birds can be shipped into Arkansas for slaughter upon approval by the Arkansas State Veterinarian.

No poultry can be imported into Arkansas from flocks where infectious Laryngotracheitis has been active or been diagnosed during the last thirty (30) days. Inter-company flocks will be exempt when consigned for slaughter.

RATITES (OSTRICHES, EMUS, RHEAS, ETC.)

All ratites must have a negative test for avian influenza within thirty (30) days prior to entry unless a state of emergency has been declared. They must be individually identified with a form of permanent identification, and listed on a certificate of veterinary of inspection with an entry permit number.

CERVIDAE (ELK, DEER, CARIBOU, MOOSE, ETC.)

The regulations for the importation of Cervidae lies with the Arkansas Game & Fish Commission.

BISON:

Same as cattle.

CAMELIDS: (LLamas, Alpaca, Guanacos, Vicunas, etc.)

All camelids shall be individually identified, and have a certificate of veterinary inspection within thirty (30) days of entry. Registration papers when accompanied by registry photographs of the animal are acceptable identification.

EXOTIC RUMINANTS:

Most required to have negative brucellosis and tuberculosis test within thirty (30) days prior to entry.

ZOO, FUR-BEARING, & OTHER WILD ANIMALS:

See General Requirements. Tests pertinent to the species and permit are also required.

SEMEN & FROZEN EMBRYOS:

See General Requirements.


BIOLOGICS, MICROORGANISMS, & PARASITES:

See General Requirements.

EMERGENCY PROVISIONS:

See General Requirements.

Issued in Little Rock, Arkansas on January 3, 2010.



Jon Fitch, Executive Director
AR Livestock & Poultry Comm.