



TEXAS CATTLE FEEDERS ASSOCIATION

ISSUES UPDATE

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Movement Restrictions for Cattle Entering OKLAHOMA from NEW MEXICO OR CALIFORNIA

September 19, 2008

On Sept. 11, 2008, USDA announced a downgrade in Tuberculosis (TB) status for the state of New Mexico from Accredited Free to Modified Accredited Advanced (MAA). On Sept. 18, 2008, the same action was taken by USDA for California. The new rules mean that certain cattle moving out of New Mexico and California face additional restrictions for entry into Oklahoma.

The Oklahoma Department of Agriculture, Food and Forestry (ODAFF) has enacted an emergency rule regarding the importation of cattle or bison from MAA states and/or zones (Attachment 1).

Some of the general requirements include:

- No TB positive or quarantined cattle may enter the State of Oklahoma.
- All cattle entering the state must have at all times a permit number and a Certificate of Veterinary Inspection (CVI) approved by the Oklahoma state veterinarian.
- All sexually intact breeding cattle – except intact feeder heifers going to an designated feedyard – must be identified and have a negative TB test within 60 days prior to movement unless they are from a certified TB free herd.

If you wish to receive cattle from an MAA state and/or zone, you must apply for designated feedyard status. The terms and conditions required to operate as a designated feedyard are:

1. All animals in the feedyard shall be terminal and moved directly to slaughter.
2. All animals shall have individual ID.
3. All inventories shall be reconcilable to the state of origin.
4. All records shall be available for review by ODAFF staff

An application for designated feedyard status (Attachment 2) must be submitted to and approved by the Oklahoma State Veterinarian and the Oklahoma USDA Area Veterinarian In Charge. The approved application must be on file with ODAFF prior to the feedyard receiving cattle from an MAA state or zone.

Cattle in the feeding / fattening for slaughter channel can move into the State of Oklahoma going to a single pasture (wheat or grass) and from that single pasture (wheat or grass) to an approved feedyard. The interstate Certificate of Veterinarian Inspection (CVI) from the State of Origin must accompany these cattle to the approved feedyard.

Refer to a separate TCFA Issues Update regarding TEXAS entry requirements for cattle from New Mexico and California. Also, please avoid fence-line contact between Mexican-origin or dairy cattle with any animals that may return to pasture.

Please contact Josh Winegarner or Ben Weinheimer for more details.

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
CHAPTER 15. ANIMAL INDUSTRY**

RULEMAKING ACTION:

EMERGENCY adoption

RULES:

Subchapter 40. Bovine Tuberculosis
Part 7. Import Requirements
35:15-40-90 [AMENDED]
35:15-40-90.1 [NEW]

AUTHORITY:

State Board of Agriculture and the Oklahoma Agricultural Code;
2 O.S. 2001 §§ 2-4(2), (7), and (29); 6-2; and 6-141 et seq.

DATES:

Adoption:

September 15, 2008

Effective:

Immediately upon Governor's approval

Expiration:

Effective through July 14, 2009 unless superseded by another rule or disapproved by the Legislature

SUPERSEDED EMERGENCY ACTIONS:

N/A

INCORPORATIONS BY REFERENCE:

N/A

FINDING OF EMERGENCY:

A compelling public interest exists to protect cattle and bison producers of the state of Oklahoma.

ANALYSIS:

These emergency rules prepare Oklahoma for the impending downgrade of the cattle and bison Tuberculosis status of several states from Tuberculosis free to Modified Accredited Advanced. These rules are necessary to ensure that Oklahoma does not lose its current Tuberculosis free status, and to protect Oklahoma producers from more onerous import requirements to other states. These rules require import permits for movement to Oklahoma from a Modified Accredited Advanced state or zone, and individual identification or a premise identification number for those imported cattle and bison. The states of Minnesota and Michigan have already lost their Tuberculosis free status, and others are in danger of losing it.

CONTACT PERSON:

Dr. Becky Brewer-Walker, (405) 522-6142

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED AND EFFECTIVE UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 253(D):

SUBCHAPTER 40. BOVINE TUBERCULOSIS

PART 7. IMPORT REQUIREMENTS

35:15-40-90.1. Requirements for cattle entering Oklahoma from a modified accredited advanced state or zone

(a) Cattle that test positive for tuberculosis shall not enter Oklahoma.

(b) Cattle from herds quarantined for tuberculosis shall not enter Oklahoma.

(c) All cattle shall be accompanied by a permit number and a certificate of veterinary inspection that was approved by the Oklahoma State Veterinarian prior to entry into Oklahoma.

(d) Cattle or bison may move directly to slaughter at an approved slaughtering facility.

(e) Sexually intact heifers may move to an approved feedlot.

(f) Steers or spayed heifers may move into Oklahoma so long as they meet one of the following:

(1) Cattle or bison are individually identified by an official ear tag and the cattle or bison:

(A) are accompanied by the original certificate of veterinary inspection at all times;

(B) are placed at a single location for grazing; and

(C) are only removed from the single location directly to an approved feedlot or directly to slaughter;

(2) Cattle or bison enter on a NAIS Premise Identification Number for the premise of origin and premise of destination with an approved Group Lot Number and the group lot:

(A) is accompanied by the original certificate of veterinary inspection at all times;

(B) is placed at a single location for grazing;

(C) remains as a group lot;

(D) does not commingle with other cattle or bison; and

(E) is only removed from the single location directly to an approved feedlot or directly to slaughter; or

(3) Cattle or bison are individually identified by an official eartag and test negative to an official tuberculosis test conducted within sixty (60) days prior to movement into Oklahoma.

(g) Cattle or bison from an accredited herd may enter Oklahoma with a certificate of veterinary inspection that includes complete herd tuberculosis negative test results within one (1) year prior to entry.

(h) Sexually intact cattle or bison, not from an accredited herd, shall be individually identified and accompanied by a Certificate of Veterinary Inspection (CVI) stating the cattle or bison tested negative to an official tuberculin test conducted within sixty (60) days prior to the date of movement.

U.S. Department of Agriculture
USDA, APHIS, VS
4020 N. Lincoln Blvd.
Oklahoma City, OK 73105

Oklahoma Department of Agriculture
Animal Industry Services
2800 N. Lincoln Blvd.
Oklahoma City, OK 73105

APPLICATION TO OPERATE AN APPROVED DESIGNATED FEEDLOT

Check one: New Renewal

Business Name: _____

Location Address: _____

Owner Name(s): _____

Contact Name: _____

Contact Address: _____

Contact Phone: _____

Cell Phone: _____

FAX Number: _____

Premise ID Number: _____ (If no premise ID number, see attached application.)

I certify that:

1. _____ shall operate as a terminal feeding facility and shall not graze or participate in the back-grounding or fitting of any cattle or bison,
2. that all animals shall have individual identification,
3. that all animal records shall be reconcilable with state of origin, and
4. that all such records shall be available for ODAFF review upon request.

FOR ODAFF OFFICE USE ONLY:

Byron Schick, D.V.M.
USDA APHIS VS – AVIC
(Area Veterinarian in Charge)

Becky L. Brewer-Walker, D.V.M.
Director
Animal Industry Services

(Date)

(Date)