



**Certification Page  
Regular and Emergency Rules**  
Revised May 2014

**Emergency Rules** *(After completing all of Sections 1 and 2, proceed to Section 5 below)*

**Regular Rules**

**1. General Information**

a. Agency/Board Name Livestock Board		
b. Agency/Board Address 1934 Wyott Drive	c. City Cheyenne	d. Zip Code 82002
e. Name of Contact Person Dr. Jim Logan, DVM, State Veterinarian	f. Contact Telephone Number 307-777-6443	
g. Contact Email Address jim.logan@wyo.gov	h. Adoption Date November 30, 2015	
i. Program General Agency, Board or Commission Rules		

**2. Rule Type and Information:** For each chapter listed, indicate if the rule is New, Amended, or Repealed.

If 'New,' provide the Enrolled Act numbers and years enacted:

c. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed  
*(Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification)*

Chapter Number: 2	Chapter Name: Vaccination Against and Surveillance for Brucellosis	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
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Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed

d.  The Statement of Reasons is attached to this certification.

e. If applicable, describe the **emergency** which requires promulgation of these rules without providing notice or an opportunity for a public hearing:

**3. State Government Notice of Intended Rulemaking**

a. Date on which the Notice of Intent containing all of the information required by W.S. 16-3-103(a) was filed with the Secretary of State:	July 14, 2015
b. Date on which the Notice of Intent and proposed rules in strike and underscore format and a clean copy were provided to the Legislative Service Office:	July 14, 2015
c. Date on which the Notice of Intent and proposed rules in strike and underscore format and a clean copy were provided to the Attorney General:	July 14, 2015

**4. Public Notice of Intended Rulemaking**

a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
b. A public hearing was held on the proposed rules. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

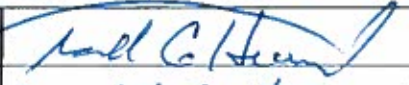
If "Yes:"	Date:	Time:	City:	Location:

**5. Final Filing of Rules**

a. Date on which the Certification Page with original signatures and final rules were sent to the Attorney General's Office for the Governor's signature:	December 10, 2015
b. Date on which final rules were sent to the Legislative Service Office:	December 10, 2015
c. Date on which a PDF of the final rules was electronically sent to the Secretary of State:	December 10, 2015

**6. Agency/Board Certification**

The undersigned certifies that the foregoing information is correct.

Signature of Authorized Individual <i>(Blue ink as per Rules on Rules, Section 7)</i>	
Printed Name of Signatory	Todd G. Heward
Signatory Title	Board President
Date of Signature	11-30-2015

**7. Governor's Certification**

I have reviewed these rules and determined that they:

1. Are within the scope of the statutory authority delegated to the adopting agency;
2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Governor's Signature	
Date of Signature	

**Attorney General:** 1. Statement of Reasons; 2. Original Certification Page; 3. Summary of Comments (regular rules); 4. Hard copy of rules: dean and strike/underscore; and 5. Memo to Governor documenting emergency (for emergency rules only).

**LSO:** 1. Statement of Reasons; 2. Copy of Certification Page; 3. Summary of Comments (regular rules); 4. Hard copy of rules: clean and strike/underscore; 5. Electronic copy of rules (PDFs) emailed to [Criss.Carlson@wvleg.gov](mailto:Criss.Carlson@wvleg.gov): clean and strike/underscore; and 6. Memo to Governor documenting emergency (for emergency rules only).

**SOS:** 1. PDF of clean copy of rules; and 2. Hard copy of Certification Page as delivered by the AG.

**Statement of Reasons**  
**Chapter 2 Vaccination Against and Surveillance for Brucellosis Rules**

The Wyoming Livestock Board is seeking to revise the Chapter 2 Vaccination Against and Surveillance for Brucellosis rules. The Chapter 2 rules have been in place since the early 2000s as a guideline for producers, veterinarians, markets, and livestock inspectors to address required Brucellosis testing, vaccination, identification, and management of affected and quarantined herds. A Brucellosis Designated Surveillance Area (DSA) was previously defined and has since been amended by Board Order.

The revisions are necessary to update citations/references to federal requirements and Wyoming statutes; incorporate the definition of the DSA from the Board Order; update/clarify definitions; and clarify test and identification requirements, including test requirements for DSA seasonal grazers.

**CHAPTER 2**  
**VACCINATION AGAINST AND SURVEILLANCE FOR BRUCELLOSIS**

**Section 1. Authority to Create Rules.**

(a) Pursuant to the authority vested in the Wyoming Livestock Board by virtue of W.S. 11-18-103 (a) (v) the following rules are hereby promulgated.

**Section 2. Purpose of Rules.**

(a) These rules are adopted to provide guidance to Wyoming's livestock industry, including producers, veterinarians, markets, livestock inspectors, and the public, regarding the prevention of and surveillance for Brucellosis to ensure the health and marketability of Wyoming livestock. These rules further acknowledge and address the ongoing disease exposure of cattle to Brucellosis in infected wildlife for the foreseeable future. It is imperative that we be proactive in Brucellosis prevention and surveillance efforts.

**Section 3. Severability**

(a) If any portion of these rules is found to be invalid or unenforceable, the remainder of the rules shall continue in effect.

**Section 4. Definitions.**

(a) The following definitions are applicable for these rules. If not defined or listed herein, refer to the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service's Brucellosis Eradication Uniform Methods and Rules (UMR) as issued and amended. Copies of the UMR are available to the public from the office of the Wyoming Livestock Board located at 1934 Wyott Drive, Cheyenne, WY 82002 (307) 777-7515.

(i) "Approved Livestock Market" means a livestock market that is licensed by the Board, and has in place a signed livestock marketing facility agreement with the United States Department of Agriculture, Animal and Plant Health Inspection Service (APHIS), to handle cattle under conditions required by the Cooperative State-Federal Brucellosis Eradication Program.

(ii) "Approved Tagging Site" means the premises, authorized by APHIS, State or Tribal animal health officials, where livestock may be officially identified on behalf of their owner or the person in possession, care, or control of the animals when they are brought to the premises.

(iii) "B Brand" means a 2" X 3" or larger hot iron single B character brand applied to the left hip near the tail-head of a Bovinae signifying that the animal is a reactor to Brucellosis.

(iv) "Board" means the Wyoming Livestock Board, State Agency 051, 1934 Wyott Drive, Cheyenne, WY 82002 (307) 777-7515.

(v) "Board Approved Individual Identification" means:

(A) A metal, 9-digit Wyoming identification ear tag; or

(B) A tamper evident, metal, 9-digit USDA/APHIS/VS identification ear tag;

or

(C) A tamper evident, 840 series, 15-digit, USDA-approved identification tag;

or

(D) Any other identification device approved by the USDA or the Wyoming State Veterinarian for use in cattle and bison.

(vi) “Bovinae” means a subfamily classification of the family Bovidae. For the purposes of these rules, Bovinae specifically means animals in the genus *Bos* (domestic cattle and yaks) and animals in the genus *Bison* (domestic bison animals) regardless of age or gender.

(vii) “Breeding Class Bovinae” means all sexually intact female Bovinae eighteen (18) months of age and over (as evidenced by the full eruption of at least one of the first pair of incisor teeth) and all Bovinae, regardless of age, that are showing outward signs of pregnancy, are Post Parturient, or are intended for breeding purposes.

(viii) “Brucellosis” means an infectious disease of animals and humans caused by *Brucella abortus*.

(ix) “Brucellosis Affected Herd Plan” means a written document approved and signed by the USDA, the Wyoming State Veterinarian, and the affected Herd owner, outlining practices a livestock producer will undertake to eliminate Brucellosis infection from his Herd and the requirements for the release of Quarantine.

(x) “Brucellosis Area of Concern” means an area designated by the Board and approved by the Governor as an area where risk of exposure to documented Brucellosis-infected wildlife is of concern.

(xi) “Brucellosis Class Free Status” means a classification standard for a state that has been certified as fulfilling the requirements of this status on initial classification or reclassification by the state animal health official, and the United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services.

(xii) “Calfhood Vaccination Eligible” means sexually intact female Bovinae four (4) through twelve (12) months of age.

(xiii) “Category II Accredited Veterinarian” means an individual who is licensed to practice veterinary medicine and is approved by the USDA/APHIS to perform Category II accredited duties on all livestock species and poultry in the specific state(s) where he or she practices.

(xiv) “CFR” means the United States Code of Federal Regulations, 9 CFR.

(xv) “Commuter Herd” means an established Herd of breeding Bovinae that has not been assembled within the previous six months and that moves between Wyoming and an adjacent state for the purpose of feeding or grazing and then returns to the origin state

following normal ranching operations. No change of ownership may occur before returning to the origin state. An interstate Livestock Health Movement Agreement between Wyoming and the other state involved is required.

(xvi) “Custom Slaughter Facility” means a slaughter plant that is licensed and or inspected by the State of Wyoming where livestock is slaughtered and processed for the owner of the livestock only and the product is not offered for public sale or commercial use.

(xvii) “Designated Feedlot” means any feedlot that is designated by the Board to feed –with no provision for grazing - and properly identify and manage Restricted Livestock in a designated portion of the feedlot preventing direct contact between restricted and non-restricted livestock.

(xviii) “Designated Surveillance Area” is defined as an area enclosed by the following boundaries: Beginning where the Wyoming-Montana state line intersects the Park and Big Horn County Line, southerly along said county line to the Park and Washakie County line; south along said county line to the Washakie and Hot Springs County line; east then south along said county line to State Highway 431; west along said highway to State Highway 120; southeasterly along said highway to the Upper Cottonwood Creek Road (Hot Springs County Road 10); westerly then southerly along said road to the Owl Creek Road (Hot Springs County Road 1); southerly along said road to South Fork Owl Creek; westerly up said creek to the Northwest corner of the Wind River Indian Reservation boundary; southerly along the west boundary of said Reservation to the boundary between Fremont and Sublette Counties; southeasterly along said county line to the boundary between Sublette and Sweetwater Counties; west along said county line to the Sublette and Lincoln County line; west along said county line to U.S. Highway 189; southwestly along said highway to U.S. Highway 30; westerly along said highway to State Highway 89; west along said highway to the Wyoming state line; north along said state line to the boundary between Wyoming and Yellowstone National Park (YNP); east along the southern boundary of YNP to the southeast corner of YNP; following the YNP border north to the Montana/Wyoming line; east along said state line to the Park-Big Horn County line. The DSA can be modified by Board order if exposure risks beyond described boundaries arise.

(xix) “Direct Movement” means movement in which the Bovinae are not unloaded en route to their final destination.

(xx) “Exposed Domestic Bovinae” means any domestic Bovinae, that has been exposed to a Reactor Domestic Bovinae or its reproductive tract discharge.

(xxi) “Farm or Ranch of Origin” means the farm or ranch that Bovinae have resided on immediately prior to testing for Brucellosis.

(xxii) “Feeding Channels” means feeding in any feedlot, pasture, or on range for purposes of conditioning Bovinae for eventual slaughter. This does not include pasturing or range grazing for a Breeding Bovinae Herd.

(xxiii) “Herd” means all Bovinae under common ownership or management that are grouped on one or more parts of any single premise; or all Bovinae under common ownership or management on two or more premises that are geographically separated but in which the animals have been interchanged or had contact with animals from different premises. It will be assumed that contact between animals of the same species on the

different premises has occurred unless the owner establishes otherwise and the results of the epidemiologic investigation are consistent with the lack of contact between premises.

(xxiv) “Herd of Birth” means the herd into which a Bovinae was born.

(xxv) “Herd Risk Assessment” means an evaluation of the potential risk a cattle or domestic bison herd has for exposure to Brucellosis infected elk, bison, or cattle. The Assessment shall be performed by Wyoming Livestock Board personnel.

(xxvi) “Herd Plan” means a written document outlining practices a livestock producer will utilize to minimize the exposure of his/her Bovinae to Brucellosis. The herd plan shall be valid when the State Veterinarian or his designee and the herd owner/manager have signed it.

(xxvii) “Immediate Slaughter” means the slaughter of a Bovinae within three (3) working days at a Recognized Slaughter Establishment. The animals cannot be offloaded at any point other than the Recognized Slaughter Establishment.

(xxviii) “Interstate Livestock Health Movement Agreement (Commuter Permit)” means a written permit that allows for the movement of Bovinae between Wyoming and an adjacent state. This Agreement shall be approved by state animal health officials in the state of origin and state of destination prior to movement.

(xxix) “Official Adult Vaccinate” means a female Bovinae that is over twelve (12) months of age when first vaccinated for Brucellosis using the recommended dose of a Brucella vaccine approved by the USDA APHIS VS Administrator and the Board. Prior approval by the Wyoming State Veterinarian, or his authorized representative, is required and may include Brucellosis testing. All adult vaccinates will be identified as such by an appropriate tattoo in the right ear or other method approved by the Wyoming State Veterinarian. Each Bovinae shall have a USDA-approved individual official identification device which shall be reported on the appropriate certificate and forwarded to the appropriate state and federal animal health agencies within 14 days of vaccination.

(xxx) “Official Booster Vaccinate” means either an Official Adult Vaccinate or an Official Calftlood Vaccinate re-vaccinated for Brucellosis using the recommended dose of a Brucella vaccine approved by the USDA APHIS VS Administrator and the Board. Prior approval by the Wyoming State Veterinarian, or his authorized representative, is required either on a case-by-case basis or through a Herd Plan. Individual official identification will be confirmed and recorded for each Bovinae which shall be reported on the appropriate certificate and forwarded to the appropriate state and federal animal health agencies.

(xxxi) “Official Calftlood Vaccinate” means a female Bovinae that has been inoculated at four (4) monthsthrough twelve (12) months of age with a USDA/APHIS/VS and Board approved Brucella vaccine, by a State or Federal veterinarian or a Category II Accredited Veterinarian using the approved vaccination procedure outlined in the Brucellosis Eradication Uniform Methods and Rules (UMR). The Bovinae shall be properly identified as a vaccinate by an orange USDA Brucellosis Vaccination tag, or other USDA approved official identification, and a vaccination tattoo or other method approved by the Wyoming State Veterinarian, and shall be reported on the appropriate certificate to the appropriate State and Federal animal health agencies.

(xxxii) “Post Parturient” means a Bovinae that has given birth.

(xxxiii) “Quarantine” as used in these rules, means an official document, issued by the Wyoming State Veterinarian, or his authorized representative that restricts the movement of specific Bovinae and shall set forth requirements for Quarantine release.

(xxxiv) “Quarantine Movement Permit” means an official document (VS Form 1-27) that is issued by a State or Federal veterinarian or designee, or by a Category II Accredited Veterinarian. The Permit shall accompany all Brucellosis Reactor Bovinae, all Brucellosis Exposed or Suspect Bovinae, and any Bovinae otherwise quarantined that are being moved to a specified destination.

(xxxv) “Reactor Domestic Bovinae” means any domestic Bovinae that the designated Brucellosis epidemiologist classifies as reactor based on the serological results as defined in the UMR or from which a field strain isolate of *Brucella abortus* has been confirmed by a recognized laboratory.

(xxxvi) “Recognized Slaughter Establishment” means any slaughter establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. 601-695) as amended or the Wyoming Food Safety Rule found at Chapter 1 Purpose, Variances, Definitions, Demonstrations of Knowledge, and Health Status as promulgated and amended by the Wyoming Department of Agriculture. These documents are available to the public at the office of the Board or online at <http://wyagric.state.wy.us/divisions/chs/meat-a-poultry-program>.

(xxxvii) “Restricted Livestock” means untested Trichomoniasis Test Eligible Male Bovine, Trichomoniasis Infected Bovine, Trichomoniasis Exposed Bovine, Brucellosis non-vaccinated adult females and other livestock that are determined as such by the Wyoming State Veterinarian.

(xxxviii) “S Brand” means a 2” X 3” hot iron single S character brand applied to the left hip near the tail-head of a Bovinae signifying that the animal is a Brucellosis suspect or exposed to Brucellosis.

(xxxix) “Test-Eligible” means all sexually intact female Bovinae eighteen (18) months of age and over (as evidenced by the full eruption of at least one of the first pair of permanent incisor teeth). All Bovinae that are visibly pregnant or Post Parturient are test eligible regardless of age.

(xl) “UMR” means the Brucellosis Eradication Uniform Methods and Rules as issued and amended as of October 2003 by the United States Department of Agriculture, Animal and Plant Health Inspection Service. These Rules do not include any later amendments of the UMR past October 2003. Copies of the UMR are available to the public at the office of the Board.

(xli) “USDA/APHIS/VS” means the United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services.

(xlii) “USDA/APHIS/VS/AD” means the USDA/APHIS/VS Assistant Director who is the veterinary official of USDA/APHIS/VS assigned to supervise and perform the official animal health work of USDA/APHIS/VS in Wyoming.



(xliii) “Wyoming Licensed Veterinarian” means an individual who is licensed by the State of Wyoming to practice veterinary medicine in Wyoming.

(xliv) “Wyoming State Veterinarian” means a Wyoming Accredited Veterinarian, employed by the Board, who serves as the State Veterinarian for the State of Wyoming as outlined in W.S. 11-19-101.

**Section 5. Penalty for a Violation of Rules.**

(a) Penalties for a violation of these rules shall be pursuant to law.

**Section 6. Adoption of Federal Regulations.**

(a) The United States Department of Agriculture, Animal and Plant Health Inspection Services Brucellosis Eradication Uniform Methods and Rules (UMR) as issued and amended shall be adopted by the Wyoming Livestock Board insofar as those procedures are not inconsistent with the rules, regulations and laws of the State of Wyoming. Copies of the UMR are available to the public at the office of the Board.

(b) The United States Code of Federal Regulations, 9 CFR, Chapter 1 (Animal and Plant Health Inspection Service, Department of Agriculture), Sub-chapter B (Cooperative Control and Eradication of Livestock or Poultry Diseases) Part 51 (including all of its subparts)-Animals Destroyed Because of Brucellosis; Sub-chapter C (Interstate Transportation of Animals (Including Poultry and Animal Products)) Part 70 (including all of its subparts)-Rules of Practice Governing Proceedings Under Certain Acts and Part 78 (including all of its subparts)-Brucellosis, as issued and amended shall be adopted by the Board insofar as these federal regulations are not inconsistent with the rules, regulations and laws of the State of Wyoming. Copies of the Code of Federal Regulations are available to the public at the office of the Board.

**Section 7. Mandatory Vaccination of Female Bovinae.**

(a) Before a change in ownership can occur for any sexually intact female Bovinae over twelve (12) months of age, the Bovinae shall be an Official Calfhod Vaccinate or an official Adult Vaccinate.

(i) The following are exemptions from this mandatory vaccination requirement:

(A) Bovinae consigned for Immediate Slaughter at a Recognized Slaughter Establishment and moving under Direct Movement from a Herd to the Recognized Slaughter Establishment;

(B) Bovinae that are moving under Direct Movement to a Wyoming Approved Livestock Market where they will be sold and destined to a state or nation that will accept Bovinae not vaccinated against Brucellosis or moved by direct movement to a Recognized Slaughter Establishment or under Direct Movement to a Designated Feedlot;

(C) Bovinae that are moving under Direct Movement to a Wyoming Approved Livestock Market where they will be vaccinated prior to leaving the market if remaining in Wyoming.

(D) Bovinae moving directly to a state or nation that will accept Bovinae not vaccinated against Brucellosis;

(E) Bovinae that are moving under Direct Movement to a Designated Feedlot;

(F) Bovinae that have been approved by the Wyoming State Veterinarian for adult vaccination to become Official Adult Vaccinates. Any movement from Farm or Ranch of Origin prior to vaccination requires a Quarantine.

(b) All Brucellosis vaccination certificates shall be submitted directly to the Board by a Category II Accredited Veterinarian or a State or Federal representative within two (2) weeks of the vaccination being performed.

**Section 8. Mandatory Brucellosis Vaccination of Domestic Bovinae within the Boundaries of the Designated Surveillance Area.**

(a) All sexually intact female domestic Bovinae imported to, grazed, or kept within the boundaries of the Designated Surveillance Area including the boundaries of the Bridger-Teton National Forest, Shoshone National Forest and the Targhee National Forest shall be Official Calfhood Vaccinates or Official Adult Vaccinates.

(i) The following is an exemption from this vaccination requirement:

(A) Nursing female calves at their mother's side.

**Section 9. Written Approval Required for Vaccination of Adult Female Bovinae.**

(a) Written Approval from the Wyoming State Veterinarian shall be obtained prior to the vaccination of individual female domestic Bovinae over twelve (12) months of age to become Official Adult Vaccinates. The owner of the Bovinae shall make a request to the Wyoming State Veterinarian who may grant approval on an Adult Vaccination application form provided by the Board. The application form shall be forwarded from the Wyoming State Veterinarian to the veterinarian who is authorized to perform the Adult Vaccination.

(b) Whole-herd vaccination of female Bovinae over twelve (12) months of age will require the additional approval of the USDA/APHIS/VS/AD, which will be obtained by the Wyoming State Veterinarian.

(c) Approval to booster and/or adult vaccinate may be granted in an individual Herd Plan.

(d) Approval for vaccination shall not be issued for Bovinae imported in violation of import requirements until the illegal import violation has been adjudicated.

**Section 10. Testing of Specific Bovinae.**

(a) All Breeding Class Bovinae within the Designated Surveillance Area are required to be tested negative for Brucellosis within the time provided in (a) (i) below prior to a change of ownership, prior to interstate movement, and prior to leaving the Designated Surveillance Area

(i) Breeding Class Bovinae within the Designated Surveillance Area must have a negative Brucellosis test within 30 days prior to moving or changing ownership, except that any negative test performed between August 1 and January 31 of the following

calendar year will be valid from the time of test until the end of that time period (January 31).

(ii) The following are exemptions from this testing requirement:

(A) Male Bovinae are exempt from testing.

(B) Breeding Class Bovinae that move to a Wyoming Approved Livestock Market or to an out-of-state livestock market that appears on the Wyoming State Veterinarian's list of Out of State Markets Approved for Brucellosis Market Testing can be tested at the market prior to leaving and held there until results are determined to be negative if the identity of the Herd of Origin is maintained and each animal is individually identified with Board approved identification.

(I) "DSA Origin – Brucellosis Test Required" shall be written in the brand inspection document.

(C) Out-of-state origin Commuter Herds moving from Wyoming, pursuant to an Interstate Livestock Health Movement Permit with an adjacent state, may have the movement testing requirement waived in part if the state veterinarians in each state and the owner of the cattle agree to it in the form of an addendum to the Commuter Permit that is signed by all parties. For cattle in the DSA between August 1 and January 31 of the following calendar year only, a minimum of 20 percent of the herd, to include open, late-bred, and cull cows, will be tested upon return to the state of origin. For cattle in the DSA any time between February 1 and July 31, the same minimum requirements will be in place; however, Wyoming recommends a full joint risk analysis unless testing of all cattle will be performed upon return to the state of origin. A copy of the Commuter Permit and addendum must be provided prior to issuance of a brand certificate for leaving. Movement and test documents will be required to be provided by the owner each year for renewal of Commuter Permit.

(D) Established Wyoming breeding Herds moving within or from Wyoming as part of their routine herd management may have the movement test requirement waived if the State Veterinarian's risk assessment deems it prudent and a Herd Plan is in effect.

(E) Breeding Bovinae fed on contract in a feedlot, not commingled with another producer's Bovinae and returning to the Farm or Ranch of Origin with no change of ownership, are exempt from the movement test requirement.

(F) Female Bovinae moving from a Herd with a valid Herd Plan will not be subject to additional testing other than that outlined in the Herd Plan, unless the Wyoming State Veterinarian deems it necessary.

#### Section 11. **Statewide Identification of Bovinae Upon Change of Ownership.**

(a) It is the livestock owner's responsibility to ensure that all sexually intact Bovinae twelve (12) months of age and over have been identified with Board Approved Individual Identification prior to a change of ownership.

(i) Bovinae moving to an Approved Tagging Site or a Designated Feedlot can do so without Board Approved Individual Identification if the identity of the Farm or Ranch of Origin is maintained and identification is applied at the tagging site or feedlot per the tagging agreement.

(ii) A Wyoming Green Tag is sufficient for movement within Wyoming but does not meet interstate official identification requirements.

(b) Multiple identification with Board Approved Individual Identification is not permitted except in the following cases:

(i) Bovinae already identified with a Wyoming Green Tag may have a USDA, 9-digit, silver or orange metal tag applied or a 15-digit, 840 tag applied in addition to the green tag.

(ii) Bovinae already identified with a USDA, 9-digit, silver or orange metal tag may have a 15-digit 840 tag applied in addition to the metal tag.

(iii) In any case of allowed, multiple tagging, records need to be kept by the entity to whom the tags were issued documenting and correlating the new and existing tag numbers in the animal.

(c) Board Approved Individual Identification may only be removed upon written approval of the Wyoming State Veterinarian or his authorized representative.

#### **Section 12. Identification of Bovinae Leaving the Designated Surveillance Area.**

(a) All sexually intact female cattle, regardless of age, that leave the Brucellosis Designated Surveillance Area (DSA) are required to be individually identified with Board Approved Identification, except:

(i) Non-vaccinated female cattle that temporarily leave the DSA for contiguous seasonal grazing purposes, and return to the DSA with no change of ownership;

(ii) Feeder heifers going to a Designated Feedlot and identified there with Board Approved ID according to the designation agreement and these rules;

(iii) Cattle specifically exempted in a Herd Plan to be identified at a specified location outside the DSA.

#### **Section 13. Brucellosis Ring Test of Bovinae in Dairy Herds.**

(a) All dairy Herds shall be submitted to at least annual brucellosis ring tests and results will be reported to the Board, Wyoming State Veterinarian and the USDA/APHIS/Vs/AD in accordance with the UMR.

#### **Section 14. Testing of Bovinae at Custom Slaughter Facility.**

(a) All Bovinae twelve (12) months of age and over, slaughtered by a Wyoming Custom Slaughter Facility shall have a blood sample collected during the slaughter process. The sample will be submitted to the Wyoming State Veterinary Laboratory for testing. The Board

will compensate custom slaughter facilities management on a per sample basis at a rate determined by the Board if funds are available.

**Section 15. Retesting of Bovinae Indicating Suspicious Reaction to Test.**

(a) Bovinae that are tested in Wyoming and give a suspicious reaction to an official blood test for Brucellosis shall be Quarantined in a pen at the Farm or Ranch of Origin and subject to an official retest made not less than thirty (30) nor more than sixty (60) days from the date of collecting the blood sample with the suspicious reaction, and shall be dealt with in a manner that is consistent with procedures outlined in the UMR, insofar as those procedures are not inconsistent with the rules, regulations and laws of the State of Wyoming.

**Section 16. Quarantine of Brucellosis Reactor Domestic Bovinae.**

(a) The Wyoming State Veterinarian, or his authorized representative, shall issue a Quarantine of all Brucellosis Reactor Domestic Bovinae and the Herd associated with the Reactor Domestic Bovinae. Brucellosis Reactor Domestic Bovinae shall be "B" Branded and be officially identified as per the Brucellosis UMR. All Reactor Domestic Bovinae and other domestic Bovinae in the associated Herd shall be held subject to Quarantine and a Brucellosis Affected Herd Plan.

**Section 17. Quarantine of Brucellosis Exposed Domestic Bovinae.**

(a) The Wyoming State Veterinarian, or his authorized representative, shall issue a Quarantine of all Brucellosis Exposed Domestic Bovinae and the associated Herd which shall be held subject to the Quarantine and shall not be offered for sale, or given away except with written permission of the Wyoming State Veterinarian or his authorized representative, under Section 19 of this rule. The Exposed Domestic Bovinae and other domestic Bovinae in the associated Herd held subject to the Quarantine may also be moved pursuant to Section 17 of these Rules.

**Section 18. Movement of Quarantined Bovinae.**

(a) Movement of Quarantined Bovinae will only be allowed by a Quarantine Movement Permit as outlined in the UMR, insofar as those procedures are not inconsistent with the rules, regulations and laws of the State of Wyoming. Reactor Bovinae shall be B Branded prior to movement. All other Exposed or Suspect Bovinae shall be S Branded prior to movement. A permit may only be issued under the following conditions:

(i) Direct Movement to a Recognized Slaughter Establishment for Immediate Slaughter;

(ii) Direct Movement to an Approved Livestock Market, to be sent to a Recognized Slaughter Establishment for Immediate Slaughter

(iii) Direct Movement to a Designated Feedlot (S Branded Bovinae only); or

(iv) Direct Movement to a research or diagnostic facility as specifically approved by the Wyoming State Veterinarian.

(b) Exceptions to the requirement to S Brand Quarantined Bovinae are:

(i) If an exposed or suspect animal is moved in an officially sealed conveyance direct to slaughter, no S Brand is required. The animal must move under a Quarantine Movement Permit.

(ii) If an exposed or suspect animal is moved from an approved livestock market back to the Farm or Ranch of Origin, it is exempt from the S Brand requirement. The animal must move under a Quarantine Movement Permit.

**Section 19. Release of Quarantined Bovinae.**

(a) Release of Quarantine of an affected Herd is contingent upon satisfactory completion of all conditions set forth in the UMR for handling affected or restricted Herds, the properly signed Brucellosis Affected Herd Plan, and with approval of state and federal animal health officials.

(b) Release of Quarantine of an exposed or adjacent Herd is contingent upon satisfactory completion of all conditions set forth in the Brucellosis UMR for handling exposed or adjacent Herds, and other requirements as outlined by the Wyoming State Veterinarian.

**CHAPTER 2**  
**VACCINATION AGAINST AND SURVEILLANCE FOR BRUCELLOSIS**

Section 1. **Authority to Create Rules.**

(a) Pursuant to the authority vested in the Wyoming Livestock Board by virtue of W.S. 11-18-103 (a) (v) the following rules are hereby promulgated.

Section 2. **Purpose of Rules.**

(a) These rules are adopted to provide guidance to Wyoming’s livestock industry, including producers, veterinarians, markets, livestock inspectors, and the public, regarding the prevention of and surveillance for Brucellosis to ensure the health and marketability of Wyoming livestock. These rules further acknowledge and address the ongoing disease exposure of cattle to Brucellosis in infected wildlife for the foreseeable future. It is imperative that we be proactive in Brucellosis prevention and surveillance efforts.

Section 3. **Severability**

(a) If any portion of these rules is found to be invalid or unenforceable, the remainder of the rules shall continue in effect.

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~~Section 3.~~Section 4. **Definitions, used in Rules.**

(a) The following definitions are applicable for these rules. If not defined, or listed ~~below~~herein, refer to the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service’s Brucellosis Eradication Uniform Methods and Rules (UMR) as issued and amended, ~~as of October 2003. These Rules do not include any later amendments of the adopted UMR past October 2003.~~ Copies of the UMR are available to the public from the office of the Wyoming Livestock Board located at 1934 Wyott Drive, Cheyenne, WY 82002 (307) 777-7515.

~~(i) “Accredited Veterinarian” means an individual who is licensed to practice veterinary medicine and is accredited by the United States Department of Agriculture, Animal Plant and Health Inspection Service in the state where he or she practices.~~

~~(ii)~~(i) “Approved Livestock Market” means a livestock market that is approved licensed by the Board, and has in place a signed livestock marketing facility agreement with the United States Department of Agriculture, Animal and Plant Health Inspection Service (APHIS), to handle cattle under conditions required by the Cooperative State-Federal Brucellosis Eradication Program.

(ii) “Approved Tagging Site” means the premises, authorized by APHIS, State or Tribal animal health officials, where livestock may be officially identified on behalf of their owner or the person in possession, care, or control of the animals when they are brought to the premises.

(iii) “B Brand” means a 2” X 3” or larger hot iron single B character brand applied to the left hip near the tail-head of a Bovinae signifying that the animal is a reactor to Brucellosis.

(iv) “Board” means the Wyoming Livestock Board, Sstate Agency 051, 1934 Wyo Drive, Cheyenne, WY 82002 (307) 777-7515.

~~(v) “Board Approved Individual Identification” means a permanent, green metal Wyoming identification eartag, or a permanent, silver metal United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services identification eartag, or a permanent, blue metal identification eartag with the word “spayed” stamped or engraved into the metal signifying that the animal has been spayed, or a permanent, orange metal United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services Brucellosis Vaccination eartag, or a USDA Approved identification device. The eartag shall be placed in the right ear of a Bovinae unless otherwise specified.~~

~~(v) “Board Approved Individual Identification” means:~~

~~(A) A metal, 9-digit Wyoming identification ear tag; or~~

~~(B) A tamper evident, metal, 9-digit USDA/APHIS/VS identification ear tag;~~

~~or~~

~~(C) A permanent tamper evident, 840 series, 15-digit, USDA-approved identification tag; or~~

~~(D) Any other identification device approved by the USDA or the Wyoming State Veterinarian for use in cattle and bison.~~

(vi) “Bovinae” means a subfamily classification of the family Bovidae. For the purposes of these rules, Bovinae specifically means animals in the genus Bos (~~bovine animals~~domestic cattle and yaks) and animals in the genus Bison (domestic bison animals) regardless of age or gender.

~~(vii) “Breeding Bovinae” means Bovinae that will be used for breeding purposes.~~

~~(vii) “Breeding Class Bovinae” means all sexually intact female Bovinae eighteen (18) months of age and over (as evidenced by the full eruption of at least one of the first pair of incisor teeth) and all Bovinae, regardless of age, that are showing outward signs of pregnancy, are Post Parturient, or are intended for breeding purposes.~~

(viii) “Brucellosis” means an infectious disease of animals and humans caused by *Brucella abortus*.

~~(ix) “Brucellosis Affected Herd Plan” means a written document approved and signed by the USDA, the Wyoming State Veterinarian, and the affected Herd owner, outlining practices a livestock producer will undertake to eliminate Brucellosis infection from his Herd and the requirements for the release of Quarantine.~~

~~(viii)-(x) “Brucellosis Area of Concern” means an area designated by the Board and approved by the Governor as an area where risk of exposure to documented Brucellosis-infected wildlife is of concern.~~

~~(ix)-(xi) “Brucellosis Class Free Status” means a classification standard for a state that has been certified as fulfilling the requirements of this status on initial classification or~~

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reclassification by the state animal health official, and the United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services. ~~Included among the requirements for Class Free Status are that the Bovinae herds in the state or area within the state must have remained free from infections with field strains of *Brucella abortus* for at least twelve (12) months.~~

~~(x)(xii)~~ \_\_\_\_\_ “Calfhood Vaccination Eligible” means sexually intact female Bovinae ~~between the ages of~~ four (4) ~~and through~~ twelve (12) months of age.

~~(xi) “Certified Brucellosis Free Herd” means a Herd of Bovinae that has qualified for, and has been issued, a Certified Brucellosis Free Herd certificate signed by both the appropriate state animal health official and the United States Department of Agriculture, Animal and Plant Health Inspection, Area Veterinarian in Charge.~~

~~(xiii) “Category II Accredited Veterinarian” means an individual who is licensed to practice veterinary medicine and is approved by the USDA/APHIS to perform Category II accredited duties on all livestock species and poultry in the specific state(s) where he or she practices.~~

~~(xiv) “CFR” means the United States Code of Federal Regulations, 9 CFR.~~

~~(xii)(xv) “Commuter Herd” means an established Herd of breeding Bovinae that has not been assembled within the previous six months and that moves ~~from-between~~ Wyoming ~~to and~~ an adjacent state for the purpose of feeding or grazing and then returns to Wyoming the origin state following normal ranching operations. No change of ownership may occur ~~and no trader Bovinae are allowed within a commuter movement before returning to the origin state, and no trader Bovinae are allowed within a commuter movement.~~ An interstate Livestock Health Movement Agreement between Wyoming and the other state involved is required.~~

~~(xiii) “Certified Spay Technician” means an individual who is certified by the state in which he or she resides to spay female Bovinae.~~

~~(xiv) “CFR” means the United States Code of Federal Regulations, 9CFR, Chapter 1 (Animal and Plant Health Inspection Service, Department of Agriculture), Sub chapter B (Cooperative Control and Eradication of Livestock or Poultry Diseases) Part 51 (including all of its subparts) Animals Destroyed Because of Brucellosis; Sub chapter C (Interstate Transportation of Animals (Including Poultry and Animal Products)) Part 70 (including all of its subparts) Rules of Practice Governing Proceedings Under Certain Acts and Part 78 (including all of its subparts) Brucellosis, as issued and amended as of January 1, 2009 shall be adopted by the Board insofar as these federal regulations are not inconsistent with the rules, regulations and laws of the State of Wyoming. These rules do not include any later amendments of the adopted Code of Federal Regulations past January 2009. Copies of the Code of Federal Regulations are available to the public at the office of the Board.~~

~~(xv)(xvi) “Custom Slaughter Facility” means a slaughter plant that is licensed and or inspected by the State of Wyoming where livestock is slaughtered and processed for the owner of the livestock only and the product is not offered for public sale or commercial use.~~

~~(xvii) \_\_\_\_\_ “Designated Feedlot” means any feedlot that is designated by the Board to feed -with no provision for grazing - and properly identify and manage Restricted Livestock in a~~

designated portion of the feedlot preventing direct contact between restricted and non-restricted livestock.

~~(xvi)-(xviii)~~ “(Designated Surveillance Area)” is defined as an area enclosed by the following boundaries: starting at the intersection of the Idaho Wyoming state line, the Teton County line and Yellowstone National Park boundary continuing east along the Teton County line to the Teton County/Park County line, following the Teton/Park County line northward to the Montana State line, continuing east along the Montana State line/Park County line to Wyoming State Highway 120, following Wyoming State Highway 120 southward to the Park County/Hot Springs County line, and continuing southwest to the junction of Park, Hot Springs, and Fremont Counties, continue to follow the Western Wind River Indian Reservation boundary south to the Sublette County line, following the Sublette County line south to the Sweetwater County line, following the Sublette/Sweetwater County line and the Sublette/Lincoln County line west to the Bridger Teton National Forest Boundary, following the Bridger Teton southern boundary west to the Idaho Wyoming State line. Beginning where the Wyoming-Montana state line intersects the Park and Big Horn County Line, southerly along said county line to the Park and Washakie County line; south along said county line to the Washakie and Hot Springs County line; east then south along said county line to State Highway 431; west along said highway to State Highway 120; southeasterly along said highway to the Upper Cottonwood Creek Road (Hot Springs County Road 10); westerly then southerly along said road to the Owl Creek Road (Hot Springs County Road 1); southerly along said road to South Fork Owl Creek; westerly up said creek to the Northwest corner of the Wind River Indian Reservation boundary; southerly along the west boundary of said Reservation to the boundary between Fremont and Sublette Counties; southeasterly along said county line to the boundary between Sublette and Sweetwater Counties; west along said county line to the Sublette and Lincoln County line; west along said county line to U.S. Highway 189; southwesterly along said highway to U.S. Highway 30; westerly along said highway to State Highway 89; west along said highway to the Wyoming state line; north along said state line to the boundary between Wyoming and Yellowstone National Park (YNP); east along the southern boundary of YNP to the southeast corner of YNP; following the YNP border north to the Montana/Wyoming line; east along said state line to the Park-Big Horn County line. The DSA can be modified by Board order if exposure risks beyond described boundaries arise.

~~(xvii)-(xix)~~ “(Direct Movement)” means movement in which the Bovinae are not unloaded en route to their final destination.

~~(xviii)-(xx)~~ “(Exposed Domestic Bovinae)” means any domestic Bovinae, that has been exposed to a Reactor Domestic Bovinae or its reproductive tract discharge.

~~(xix)-(xxi)~~ “(Farm or Ranch of Origin)” means the farm or ranch that Bovinae have resided on immediately prior to testing for Brucellosis.

~~(xx)-(xxii)~~ “(Feeding Channels)” means feeding in any feedlot, pasture, or on range for purposes of conditioning Bovinae for eventual slaughter. This does not include pasturing or range grazing for a Breeding Bovinae Herd.

~~(xxi)~~ “(Green metal WYOMING identification cartag)” means a green metal cartag with WYOMING stamped into the metal, provided and distributed by the Board to producers upon request to use ONLY in that producer’s herd and ONLY when no other official ID is present on the Bovinae.

~~(xxii)-(xxiii)~~ “Herd” means all Bovinae under common ownership or supervision management that are grouped on one or more parts of any single premise; or all Bovinae under common ownership or supervision management on two or more premises that are geographically separated but in which the animals have been interchanged or had contact with animals from different premises. It will be assumed that contact between animals of the same species on the different premises has occurred unless the owner establishes otherwise and the results of the epidemiologic investigation are consistent with the lack of contact between premises.

~~(xxiii)-(xxiv)~~ “Herd of OriginBirth” means the herd into which a Bovinae was born.

~~(xxv)~~ “Herd Risk Assessment” means an evaluation of the potential risk a cattle or domestic bison herd has for exposure to Brucellosis infected elk, bison, or cattle. The Assessment shall be performed by Wyoming Livestock Board personnel.

~~(xxiv)-(xxvi)~~ “Herd Plan” means a written document outlining practices a livestock producer will take-utilize to minimize the exposure of his/her Bovinae to Brucellosis. The herd plan shall be valid when the State Veterinarian or his designee and the herd owner/manager have signed it.

~~(xxv)-(xxvii)~~ “Immediate Slaughter” means the slaughter of a Bovinae within three (3) working days at a Recognized Slaughter Establishment. The animals cannot be offloaded at any point other than the Recognized Slaughter Establishment.

~~(xxvi)-(xxviii)~~ “Interstate Livestock Health Movement Agreement (Commuter Permit)” means a written agreement-permit that allows for the movement of Bovinae between Wyoming and an adjacent states. This Agreement shall be approved by state animal health officials in the state of origin and state of destination prior to movement.

~~(xxvii)~~ — “K Brand” means a 3” X 2” or larger hot iron, freeze, permanent dye, or bleach single K character brand, placed on the left hip near the tail head of a female Bovinae being fed in a K Lot.

~~(xxviii)~~ — “K Lot” means a feedlot that is established by a contractual agreement (K Lot Agreement) with the Board and feedlot operator that allows for the feeding of non Brucellosis vaccinated Bovinae and/or Bovinae that have not been tested for Brucellosis in a feedlot, based upon the operator’s compliance with the provisions of the agreement. All Bovinae shall be identified with Board Approved Individual Identification and a K Brand upon arrival. All Bovinae shall be sent directly to slaughter, or to an out of state destination that will accept non-vaccinates, or to another feedlot holding a like agreement upon leaving the feedlot. Any female Bovinae that leaves a K Lot for a destination other than directly to slaughter shall test negative for Brucellosis prior to movement.

(xxix) “Official Adult Vaccinate” means a female Bovinae that is over twelve (12) months of age when first vaccinated for Brucellosis using the recommended dose of a Brucella vaccine approved by the USDA APHIS VS Administrator and the Board. Prior approval by the Wyoming State Veterinarian, or his authorized representative, is required and may include Brucellosis testing. All adult vaccinates will be identified as such by an appropriate tattoo in the right ear or other method approved by the Wyoming State Veterinarian. Each Bovinae shall have a USDA-approved individual official identification device which shall be reported on the appropriate certificate and forwarded to the appropriate state and federal animal health agencies

~~within 14 days of vaccination approved vaccination procedure outlined in the Brucellosis Eradication Uniform Methods and Rules (UMR), and only after approval is issued by the Wyoming State Veterinarian. The Bovinae shall be properly identified as an adult vaccinate by Board Approved Individual Identification, and an adult vaccination tattoo, and shall be reported on the appropriate certificate to the appropriate State and Federal animal health agencies.~~

~~(xxx) “Official Booster Vaccinate” means either an Official Adult Vaccinate or an Official Calftlood Vaccinate re-vaccinated for Brucellosis using the recommended dose of a Brucella vaccine approved by the USDA APHIS VS Administrator and the Board. Prior approval by the Wyoming State Veterinarian, or his authorized representative, is required either on a case-by-case basis or through a Herd Plan. Individual official identification will be confirmed and recorded for each Bovinae which shall be reported on the appropriate certificate and forwarded to the appropriate state and federal animal health agencies.~~

~~(xxx)(xxxii) “Official Calftlood Vaccinate” means a female ~~Bovniae~~ Bovinae that has been inoculated ~~between at~~ four (4) months ~~and through~~ twelve (12) months of age with a ~~United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services~~ USDA/APHIS/V~~S~~ and Board approved Brucella vaccine, by a State or Federal ~~representative veterinarian~~ or an ~~Category II~~ Accredited ~~v~~Veterinarian using the approved vaccination procedure outlined in the Brucellosis Eradication Uniform Methods and Rules (UMR) ~~as issued and amended as of October 2003~~. The Bovinae shall be properly identified as a vaccinate by an orange USDA Brucellosis Vaccination tag, or other USDA approved ~~vaccination tag~~ official identification, and a vaccination tattoo ~~or other method approved by the Wyoming State Veterinarian~~, and shall be reported on the appropriate certificate to the appropriate State and Federal animal health agencies. ~~Verification of official vaccinate status requires evidence of the vaccination shield.~~~~

~~(xxxii)(xxxiii) “Post Parturient” means a Bovinae that has given birth.~~

~~(xxxiii)(xxxiv) “Quarantine” as used in these rules, means an official document, issued by the Wyoming State Veterinarian, or his authorized representative that restricts the movement of specific Bovinae and shall set forth requirements for Quarantine release.~~

~~(xxxiv)(xxxv) “Quarantine Movement Permit” means an official document (VS Form 1-27) that is issued by a State or Federal ~~representative veterinarian or designee~~, or by an ~~Category II~~ Accredited Veterinarian. The Permit shall accompany all Brucellosis Reactor Bovinae, all Brucellosis Exposed or Suspect Bovinae, and any Bovinae otherwise quarantined that are being moved to a specified destination.~~

~~(xxxv)(xxxvi) “Reactor Domestic Bovinae” means any domestic Bovinae that the designated Brucellosis epidemiologist classifies as reactor based on the serological results as defined in the UMR or from which a field strain isolate of *Brucella abortus* has been confirmed by a recognized laboratory.~~

~~(xxxvi)(xxxvii) “Recognized Slaughter Establishment” means any slaughter establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. 601-695) ~~including all amendments as amended of August 2006~~ or the Wyoming Food Safety Rule found at Chapter 1 Purpose, Variances, Definitions, Demonstrations of Knowledge, and Health Status as promulgated and amended by the Wyoming Department of Agriculture ~~as of July 2008~~. ~~This does not include any later amendments past August 2006 and July 2008 respectively.~~ These~~

documents are available to the public at the office of the Board or online at <http://wyagric.state.wy.us/divisions/chs/meat-a-poultry-program>.

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(xxxvii) “Restricted Livestock” means untested Trichomoniasis Test Eligible Male Bovine, Trichomoniasis Infected Bovine, Trichomoniasis Exposed Bovine, Brucellosis non-vaccinated adult females and other livestock that are determined as such by the Wyoming State Veterinarian.

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~~(xxxvi)~~~~(xxxviii)~~ “S Brand” means a 2” X 3” hot iron single S character brand applied to the left hip near the tail-head of a Bovinae signifying that the animal is a Brucellosis suspect or exposed to Brucellosis.

~~(xxxvii)~~~~(xxxix)~~ “Test-Eligible” means all sexually intact female Bovinae eighteen (18) months of age and over (as evidenced by the ~~lossfull eruption~~ of at least one of the first pair of ~~temporary-permanent~~ incisor teeth). All Bovinae that are visibly pregnant or Post Parturient are test eligible regardless of age.

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~~(xxxviii)~~~~(xl)~~ “UMR” means the Brucellosis Eradication Uniform Methods and Rules as issued and amended as of October 2003 by the ~~United-United~~ States Department of Agriculture, Animal and Plant Health Inspection Service. These Rules do not include any later amendments of the UMR past October 2003. Copies of the UMR are available to the public at the office of the Board.

~~(xxxix) — “USDA/APHIS/AVIC” means the United States Department of Agriculture, Animal and Plant Health Inspection Service, Area Veterinarian in Charge.~~

~~(xl)~~~~(xli)~~ “USDA/APHIS/VS” means the United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services.

(xlii) “USDA/APHIS/VS/AD” means the USDA/APHIS/VS Assistant Director who is the veterinary official of USDA/APHIS/VS assigned to supervise and perform the official animal health work of USDA/APHIS/VS in Wyoming.

~~(xli)~~~~(xliii)~~ “Wyoming Licensed Veterinarian” means an individual who is licensed by the State of Wyoming to practice veterinary medicine in Wyoming.

~~(xlii)~~~~(xliv)~~ “Wyoming State Veterinarian” means ~~an Accredited Veterinarian~~ Wyoming Accredited Veterinarian, employed by the Board, who serves as the State Veterinarian for the State of Wyoming as outlined in W.S. 11-19-101.

#### ~~Section 4.~~Section 5. **Penalty for a Violation of Rules.**

- (a) Penalties for a violation of these rules shall be pursuant to law.

#### ~~Section 5.~~Section 6. **Adoption of Federal Regulations.**

(a) The United States Department of Agriculture, Animal and Plant Health Inspection Services Brucellosis Eradication Uniform Methods and Rules (UMR) as issued and amended ~~as of October 2003~~ shall be adopted by the Wyoming Livestock Board insofar as those procedures are not inconsistent with the rules, regulations and laws of the State of Wyoming. ~~These rules do~~

~~not include any later amendments of the UMR past October 2003.~~ Copies of the UMR are available to the public at the office of the Board.

(b) The United States Code of Federal Regulations, 9 CFR, Chapter 1 (Animal and Plant Health Inspection Service, Department of Agriculture), Sub-chapter B (Cooperative Control and Eradication of Livestock or Poultry Diseases) Part 51 (including all of its subparts)-Animals Destroyed Because of Brucellosis; Sub-chapter C (Interstate Transportation of Animals (Including Poultry and Animal Products)) Part 70 (including all of its subparts)-Rules of Practice Governing Proceedings Under Certain Acts and Part 78 (including all of its subparts)-Brucellosis, as issued and amended ~~as of January 1, 2009~~ shall be adopted by the Board insofar as these federal regulations are not inconsistent with the rules, regulations and laws of the State of Wyoming. ~~These rules do not include any later amendments of the adopted Code of Federal Regulations past January 2009.~~ Copies of the Code of Federal Regulations are available to the public at the office of the Board.

~~Section 6.~~Section 7. **Mandatory Vaccination of Female Bovinae.**

(a) Before a change in ownership can occur for any sexually intact female Bovinae over twelve (12) months of age, the Bovinae shall be an Official Calftood Vaccinate or an official Adult Vaccinate.

(i) The following are exemptions from this mandatory vaccination requirement:

(A) Bovinae consigned for Immediate Slaughter at a Recognized Slaughter Establishment and moving under Direct Movement from a Herd to the Recognized Slaughter Establishment;

(B) Bovinae that are moving under Direct Movement to ~~a~~ Wyoming Approved Livestock Market where they will be sold and destined to a state or nation that will accept Bovinae not vaccinated against Brucellosis or moved by direct movement to a Recognized Slaughter Establishment or under Direct Movement to a Designated Feedlot;

(C) Bovinae that are moving under Direct Movement to a Wyoming Approved Livestock Market where they will be vaccinated prior to leaving the market if remaining in Wyoming.

~~(D)~~ Bovinae ~~consigned~~ moving directly to a state or nation that will accept Bovinae not vaccinated against Brucellosis;

~~(D)~~(E) Bovinae that are moving under Direct Movement to ~~an approved K Lot~~ Designated Feedlot;

~~(E)~~(F) Bovinae that have been approved by the Wyoming State Veterinarian for adult vaccination to become Official Adult Vaccinates. Any movement from Farm or Ranch of Origin prior to vaccination requires a Quarantine.

(b) All Brucellosis vaccination certificates shall be submitted directly to the Board by ~~an~~ Category II Accredited Veterinarian or a State or Federal representative within two (2) weeks of the vaccination being performed.

~~Section 7.~~Section 8. **Mandatory Brucellosis Vaccination of Domestic Bovinae within the Boundaries of the Designated Surveillance Area.**

(a) All sexually intact female domestic Bovinae imported to, grazed, or kept within the boundaries of the Designated Surveillance Area including the boundaries of the Bridger-Teton National Forest, Shoshone National Forest and the Targhee National Forest shall be Official Calhhood Vaccinates or Official Adult Vaccinates.

(i) The following is an exemption from this vaccination requirement:

(A) Nursing female calves at their mother's side.

~~Section 8.~~Section 9. **Written Approval Required for Vaccination of Adult Female Bovinae.**

(a) Written Approval from the Wyoming State Veterinarian shall be obtained prior to the vaccination of individual female domestic Bovinae over twelve (12) months of age to become Official Adult Vaccinates. The owner of the Bovinae shall make a request to the Wyoming State Veterinarian who may grant approval on an Adult Vaccination application form provided by the Board. The application form shall be forwarded from the Wyoming State Veterinarian to the veterinarian who is authorized to perform the Adult Vaccination.

~~(b) Written approval from the Wyoming State Veterinarian and the USDA/APHIS/AVIC shall be obtained prior to a whole herd vaccination of female Bovinae over twelve (12) months of age. The owner of the Bovinae shall make a request to the Wyoming State Veterinarian who will secure approval of the USDA/APHIS/AVIC if they both determine the request is acceptable. The Wyoming State Veterinarian will forward the Adult Vaccination application form to the veterinarian who will perform the Adult Vaccination. An Individual Brucellosis Herd Plan may provide the approval to Adult Vaccinate if it is so specified in the Plan.~~

~~(b) Whole-herd vaccination of female Bovinae over twelve (12) months of age will require the additional approval of the USDA/APHIS/VS/AD, which will be obtained by the Wyoming State Veterinarian.~~

~~(c) Approval to booster and/or adult vaccinate may be granted in an individual Herd Plan.~~

~~(e)-(d)~~ Approval for vaccination shall not be issued for Bovinae imported in violation of import requirements until the illegal import violation has been adjudicated.

~~Section 9.~~Section 10. **Testing of Specific Bovinae.**

(a) ~~Except as provided in subsection (a) (i) of this section, all test eligible female~~All Breeding Class Bovinae within the Designated Surveillance Area ~~(see definition # xvi)~~ are required to be tested negative for Brucellosis within ~~thirty (30) days~~the time provided in (a) (i) below prior to a change of ownership, prior to interstate movement, ~~or~~and prior to leaving the Designated Surveillance Area ~~other than for direct movement to a Wyoming Approved Livestock Market for sale. Test eligible female Bovinae from the Designated Surveillance Area that move to a Wyoming Approved Livestock Market for sale are required to be tested negative for Brucellosis within thirty (30) days prior to leaving the Wyoming Approved Livestock Market. Test eligible female Bovinae moving from the Designated Surveillance Area to an out of state livestock market are required to be tested within thirty (30) days prior to movement from~~



~~the Designated Surveillance Area unless prior arrangements are made with the out of state market for Brucellosis testing.~~

~~(i) Breeding Class Bovinae within the Designated Surveillance Area must have a negative Brucellosis test within 30 days prior to moving or changing ownership, except that any negative test performed between August 1 and January 31 of the following calendar year will be valid from the time of test until the end of that time period (January 31). Test eligible female Bovinae tested negative for Brucellosis from July 1 to November 1 will be allowed to move within sixty (60) days of the negative test date. Bovinae tested from November 2 through June 30 must have been tested within thirty (30) days prior to movement or change of ownership.~~

~~(ii) The following are exemptions from this testing requirement:~~

~~(A) Female Bovinae eighteen (18) months of age or older moving directly from the Farm or Ranch of Origin to a Recognized Slaughter Establishment for Immediate Slaughter may move without being tested if the identity of the Herd of origin is maintained and each animal is individually identified with Board Approved Identification.~~

~~(A) Male Bovinae are exempt from testing.~~

~~(B) Breeding Class Bovinae that move to a Wyoming Approved Livestock Market or to an out-of-state livestock market that appears on the Wyoming State Veterinarian's list of Out of State Markets Approved for Brucellosis Market Testing can be tested at the market prior to leaving and held there until results are determined to be negative if the identity of the Herd of Origin is maintained and each animal is individually identified with Board approved identification.~~

~~(I) "DSA Origin – Brucellosis Test Required" shall be written in the brand inspection document.~~

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~~(B) Female Bovinae eighteen (18) months of age and older moving directly to an approved K Lot may move without being tested, but must be identified with Board Approved Individual Identification prior to movement and be K Branded upon arrival at the K Lot.~~

~~(C) Out-of-state origin Commuter Herds moving from Wyoming, pursuant to an Interstate Livestock Health Movement Permit with an adjacent state, may have the movement testing requirement waived in part if the state veterinarians in each state and the owner of the cattle agree to it in the form of an addendum to the Commuter Permit that is signed by all parties. For cattle in the DSA between August 1 and January 31 of the following calendar year only, a minimum of 20 percent of the herd, to include open, late-bred, and cull cows, will be tested upon return to the state of origin. For cattle in the DSA any time between February 1 and July 31, other than during the Low Risk Period, the same minimum requirements will be in place; however, Wyoming recommends a full joint risk analysis unless testing of all cattle will be performed upon return to the state of origin. A copy of the Commuter Permit and addendum must be provided prior to issuance of a brand certificate for leaving. Movement and test documents will be required to be provided by the owner each year for renewal of Commuter Permit.~~

~~(C) Commuter Herds moving from Wyoming pursuant to an interstate livestock health movement agreement to an adjacent state may have this testing requirement~~



~~waived if the state veterinarians in each state agree and concur in writing. This shall be handled on a case by case basis.~~

(D) ~~Established Wyoming breeding Herds moving within or from Wyoming as part of their routine herd management may have this testing~~ the movement test requirement waived if the State Veterinarian's risk assessment deems it prudent and a Herd Plan is in effect. ~~This shall be handled on a case by case basis with written approval of the State Veterinarian.~~

(E) Breeding Bovinae fed on contract in a feedlot, not commingled with another producer's Bovinae and returning to the Farm or Ranch of Origin with no change of ownership, are exempt from the movement test requirement.

~~(E) Female Bovinae moving from a Certified Brucellosis Free Herd may be exempt from this testing requirement provided the herd is under a Brucellosis Herd Plan and the annual herd test has been done within sixty (60) days after the herd's calving completion. A certificate of veterinary health inspection shall identify the Herd of origin as Certified Brucellosis Free and shall accompany the shipment.~~

(F) Female Bovinae moving from a Herd with a valid Herd Plan will not be subject to additional testing other than that outlined in the Herd Plan, unless the Wyoming State Veterinarian deems it necessary.

~~(b) All sexually intact female Bovinae originating within the Designated Surveillance Area sold or purchased as Breeding Bovinae whether through an Approved Livestock Market or otherwise sold are required to be tested negative for Brucellosis within thirty (30) days prior to change of ownership.~~

~~(i) Female Bovinae tested negative for Brucellosis from July 1 to November 1 will be allowed to move within sixty (60) days of the negative test date. Bovinae tested from November 2 through June 30 must have been tested within thirty (30) days prior to movement or change of ownership.~~

~~(c) All test eligible Bovinae that leave any Feeding Channels to be used as Breeding Bovinae are required to be tested negative for Brucellosis within thirty (30) days prior to removal from the Feeding Channels which means feedlots, pasturing, or range grazing, if the herd of origin resides within the Designated Surveillance Area.~~

~~(i) The following are exemptions to this test requirement:~~

~~(A) Breeding Bovinae fed on contract in a feedlot, not commingled with another producer's Bovinae and returning to the Farm or Ranch of Origin with no change of ownership are exempt from this test requirement.~~

~~(B) A Breeding Bovinae herd that is grazed on pasture or range is exempt from this testing requirement.~~

#### **Section 10. Certified Brucellosis Free Herds.**

~~(a) A Herd may qualify for status as a Certified Brucellosis Free Herd by a complete herd blood test arranged and certified by USDA/APHIS.~~

~~(i) For initial certification the herd shall be tested twice ten (10) to fourteen (14) months apart. All Bovinae shall test negative for Brucellosis on both the initial and second tests.~~

~~(ii) For annual re certification, the Herd shall have a negative blood test between ten (10) and twelve (12) months after the last certification date.~~

~~(iii) The USDA/APHIS protocol for certification shall be followed.~~

~~(iv) Dairy Herds may be certified Brucellosis free on the basis of Brucellosis Ring test as per UMR.~~

~~(v) Female Bovinae moving from a Certified Brucellosis Free Herd may be exempt from intrastate and interstate test requirements provided the herd is under a Brucellosis Herd Plan and the annual herd test has been done within sixty (60) days post calving. A certificate of veterinary health inspection shall identify the herd of origin as Certified Brucellosis Free and shall accompany the shipment.~~

#### Section 11. **Statewide Identification of Female Bovinae Upon Change of Ownership.**

(a) It is the livestock owner's responsibility to ensure that all sexually intact female Bovinae twelve (12) months of age and over ~~that leave a Herd are~~ have been identified with Board Approved Individual Identification prior to a change of ownership. ~~The owner's/manager's signature on a brand inspection form and/or an official certificate of veterinary health inspection is a testament of compliance with this requirement.~~

~~(i) Cattle moving directly to slaughter from the Farm or Ranch of Origin may~~ Bovinae moving to an Approved Tagging Site or an Designated Feedlot can do so without Board Approved Individual Identification if the identity of the Farm or Ranch of Origin is maintained and identification is applied at the tagging site or feedlot per the tagging agreement.

~~(+)(ii) A Wyoming Green Tag is sufficient for movement within Wyoming but does not meet interstate official identification requirements.~~

~~(b) The Accredited Veterinarian who authorizes the identification of the animal shall report this identification to the cooperating animal health agencies on forms provided by the Board and/or APHIS.~~

~~(c) Bovinae already identified with Board Approved Individual Identification do not need any additional identification and duplicate official identification shall not be applied.~~

~~(d) If no Board Approved Individual Identification is present, the owner may apply a green Wyoming identification tag or an accredited veterinarian may apply a silver USDA/APHIS/VS tag or a USDA approved identification device.~~

~~(e) No report is necessary on Bovinae already identified with Board Approved Individual Identification.~~

~~(f) Board Approved Individual Identification can only be removed upon written approval of the Wyoming State Veterinarian.~~

(b) Multiple identification with Board Approved Individual Identification is not permitted except in the following cases:

(i) Bovinae already identified with a Wyoming Green Tag may have a USDA, 9-digit, silver or orange metal tag applied or a 15-digit, 840 tag applied in addition to the green tag.

(ii) Bovinae already identified with a USDA, 9-digit, silver or orange metal tag may have a 15-digit 840 tag applied in addition to the metal tag.

(iii) In any case of allowed, multiple tagging, records need to be kept by the entity to whom the tags were issued documenting and correlating the new and existing tag numbers in the animal.

(c) Board Approved Individual Identification may only be removed upon written approval of the Wyoming State Veterinarian or his authorized representative.

**Section 12. Identification of Bovinae Leaving the Designated Surveillance Area.**

(a) All sexually intact female cattle, regardless of age, that leave the Brucellosis Designated Surveillance Area (DSA) are required to be individually identified with Board Approved Identification, except:

(i) Non-vaccinated female cattle that temporarily leave the DSA for contiguous seasonal grazing purposes, and return to the DSA with no change of ownership;

(ii) Feeder heifers going to a Designated Feedlot and identified there with Board Approved ID according to the designation agreement and these rules;

(iii) Cattle specifically exempted in a Herd Plan to be identified at a specified location outside the DSA.

~~Section 12.~~**Section 13. Brucellosis Ring Test of Bovinae in Dairy Herds.**

(a) All dairy Herds shall be submitted to at least annual brucellosis ring tests and results will be reported to the Board, Wyoming State Veterinarian and the USDA/APHIS/~~AVIC VS/AD~~ in accordance with the UMR.

~~Section 13.~~**Section 14. Testing of Bovinae at Custom Slaughter Facility.**

(a) All Bovinae twelve (12) months of age and over, slaughtered ~~at~~by a Wyoming Custom Slaughter Facility~~ies~~ shall have a blood sample collected during the slaughter process. The sample will be submitted to the Wyoming State Veterinary Laboratory for testing. The Board will compensate custom slaughter facilities management on a per sample basis at a rate determined by the Board if funds are available.

~~Section 14.~~**Section 15. Retesting of Bovinae Indicating Suspicious Reaction to Test.**

(a) Bovinae that are tested in Wyoming and give a suspicious reaction to an official blood test for Brucellosis shall be Quarantined in a pen at the Farm or Ranch of Origin and subject to an official retest made not less than thirty (30) nor more than sixty (60) days from the date of collecting the blood sample with the suspicious reaction, and shall be dealt with in a manner that is consistent with procedures outlined in the UMR, insofar as those procedures are not inconsistent with the rules, regulations and laws of the State of Wyoming. ~~All Bovinae that are tested and give a suspicious reaction shall have a silver USDA/APHIS/VS Identification tag~~

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~~placed in their left ear that may only be removed upon negative test results for Brucellosis and release of Quarantine by the Wyoming State Veterinarian or his authorized representative.~~

~~Section 15.~~ **Section 16. Quarantine of Brucellosis Reactor Domestic Bovinae.**

(a) The Wyoming State Veterinarian, or his authorized representative, shall issue a Quarantine of all Brucellosis Reactor Domestic Bovinae and the Herd associated with the Reactor Domestic Bovinae. Brucellosis Reactor Domestic Bovinae shall be "B" Branded and be officially identified as per the Brucellosis UMR, have a USDA reactor tag placed in their left ears. All Reactor Domestic Bovinae and other domestic Bovinae in the associated Herd shall be held subject to Quarantine and a Brucellosis Affected Herd Plan, the Quarantine and shall not be offered for sale, or given away except with written permission of the Wyoming State Veterinarian or his authorized representative. The Reactor Domestic Bovinae and other Reactor Domestic Bovinae in the associated Herd held subject to the Quarantine may also be moved pursuant to Section 17 of these Rules.

~~Section 16.~~ **Section 17. Quarantine of Brucellosis Exposed Domestic Bovinae.**

(a) The Wyoming State Veterinarian, or his authorized representative, shall issue a Quarantine of all Brucellosis Exposed Domestic Bovinae and the ~~Herd associated with the Exposed Domestic Bovinae. Exposed Domestic Bovinae and other domestic Bovinae in the~~ associated Herd which shall be held subject to the Quarantine and shall not be offered for sale, or given away except with written permission of the Wyoming State Veterinarian or his authorized representative, under Section 19 of this rule. The Exposed Domestic Bovinae and other domestic Bovinae in the associated Herd held subject to the Quarantine may also be moved pursuant to Section 17 of these Rules.

~~Section 17.~~ **Section 18. Movement of Quarantined Bovinae.**

(a) Movement of Quarantined Bovinae will only be allowed by a Quarantine Movement Permit as outlined in the UMR, insofar as those procedures are not inconsistent with the rules, regulations and laws of the State of Wyoming. Reactor Bovinae shall be B Branded prior to movement. All other Exposed or Suspect Bovinae shall be S Branded prior to movement. A pPermit may only be issued under the following conditions:

(i) Direct Movement to a Recognized Slaughter Establishment for Immediate Slaughter;

(ii) Direct Movement to an Approved Livestock Market, to be sent to a Recognized Slaughter Establishment for Immediate Slaughter

(iii) Direct Movement to a Quarantined-Designated Feedlot (S Branded Bovinae only);  
or

(iv) Direct Movement to a research or diagnostic facility as specifically approved by the Wyoming State Veterinarian.

(b) Exceptions to the requirement to S Brand Quarantined Bovinae are:

(i) If an exposed or suspect animal is moved in an officially sealed conveyance direct to slaughter, no S Brand is required. The animal must move under a Quarantine Movement Permit.

(ii) If an exposed or suspect animal is moved from an approved livestock market back to the Farm or Ranch of Origin, it is exempt from the S Brand requirement. The animal must move under a Quarantine Movement Permit.

~~Section 18.~~**Section 19. Release of Quarantined Bovinae.**

(a) Release of Quarantine of an affected Herd is contingent upon satisfactory completion of all conditions set forth in the UMR for handling ~~infected-affected~~ or restricted Herds, the properly signed Brucellosis Affected Herd Plan, and with approval of state and federal animal health officials.

(b) Release of Quarantine of an exposed or adjacent Herd is contingent upon satisfactory completion of all conditions set forth in the Brucellosis UMR for handling exposed or adjacent Herds, and other requirements as outlined by the Wyoming State Veterinarian.