



Notice of Intent to Adopt Rules

A copy of the proposed rules may be obtained at <http://rules.wyo.gov>

Revised May 2018

1. General Information

a. Agency/Board Name*		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Agency Liaison		f. Agency Liaison Telephone Number
g. Agency Liaison Email Address		
h. Date of Public Notice		i. Comment Period End Date
j. Public Comment URL or Email Address:		
k. Program		

* By checking this box, the agency is indicating it is exempt from certain sections of the Administrative Procedure Act including public comment period requirements. Please contact the agency for details regarding these rules.

2. Legislative Enactment

For purposes of this Section 2, "new" only applies to regular rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

No. Yes. Please provide the Chapter Numbers and Years Enacted
(eg: 2015 Session Laws Chapter 154):

3. Rule Type and Information

a. Provide the Chapter Number, Title, and Proposed Action for Each Chapter.
Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification.

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 Repealed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 Repealed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 Repealed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 Repealed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 Repealed
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 Repealed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 Repealed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 Repealed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

4. Public Comments and Hearing Information

a. A public hearing on the proposed rules has been scheduled. No. Yes. Please complete the boxes below.

Date:	Time:	City:	Location:
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b. What is the manner in which interested persons may present their views on the rulemaking action?

By submitting written comments to the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: _____

A public hearing will be held if requested by 25 persons, a government subdivision, or by an association having not less than 25 members. Requests for a public hearing may be submitted:

To the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: _____

c. Any person may urge the Agency not to adopt the rules and request the Agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response must be made prior to, or within thirty (30) days after adoption, of the rule, addressed to the Agency and Agency Liaison listed in Section 1 above.

5. Federal Law Requirements

a. These rules are created/amended/revoked to comply with federal law or regulatory requirements. No. Yes. Please complete the boxes below.

Applicable Federal Law or Regulation Citation:
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Indicate one (1):

The proposed rules meet, but do not exceed, minimum federal requirements.

The proposed rules exceed minimum federal requirements.

Any person wishing to object to the accuracy of any information provided by the Agency under this item should submit their objections prior to final adoption to:

To the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: _____

6. State Statutory Requirements

a. Indicate one (1):

The proposed rule change *MEETS* minimum substantive statutory requirements.

The proposed rule change *EXCEEDS* minimum substantive statutory requirements. Please attach a statement explaining the reason that the rules exceed the requirements.

b. Indicate one (1):

The Agency has complied with the requirements of W.S. 9-5-304. A copy of the assessment used to evaluate the proposed rules may be obtained:

By contacting the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: _____

Not Applicable.

7. Additional APA Provisions

a. Complete all that apply in regards to uniform rules:

These rules are not impacted by the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j).

The following chapters do not differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j):

_____ (Provide chapter numbers)

These chapters differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j) (see Statement of Principal Reasons).

_____ (Provide chapter numbers)

b. Checklist

The Statement of Principal Reasons is attached to this Notice and, in compliance with *Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council*, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule.

If applicable: In consultation with the Attorney General's Office, the Agency's Attorney General representative concurs that strike and underscore is not required as the proposed amendments are pervasive (Chapter 3, *Types of Rules Filings*, Section 1, Proposed Rules, of the Rules on Rules).

8. Authorization

a. I certify that the foregoing information is correct.

<i>Printed Name of Authorized Individual</i>	
<i>Title of Authorized Individual</i>	
<i>Date of Authorization</i>	

Statement of Reasons
Chapter 2 Brucellosis Management and Mitigation Rules
(Previously-Vaccination Against and Surveillance for Brucellosis)

The Wyoming Livestock Board seeks to revise the Chapter 2 Vaccination Against and Surveillance for Brucellosis rules by renaming the rule “Brucellosis Management and Mitigation” to more accurately depict the purpose and intent of the rules. The Chapter 2 rules have been in place since the early 2000s to address required Brucellosis testing, vaccination, identification, and management of affected and quarantined herds.

Since the rule was last revised, there have been some changes in federal Brucellosis rules that make it necessary for us to update this rule. Revisions include a new definition of “Brucellosis Mitigation Agreement” to replace the old definition of “Herd Plan”. The changed language is intended to avoid confusion with terminology in federal rules. An addition to the rules is a description of the recently amended Brucellosis Area of Concern. Other changes consolidate and shorten the rules while clarifying test requirements and allow some flexibility to producers with a Brucellosis Mitigation Agreement based on risk assessment allowing movement to federally approved slaughter plants where brucellosis testing is done. We have made some definition changes and have clarified testing requirements on cattle moving from the DSA or a Brucellosis Area of Concern.

The revisions, if accepted, will shorten the rule and provide some flexibility for producers if a risk assessment based on science and exposure risk and a Brucellosis Mitigation Agreement are in place.

CHAPTER 2
Brucellosis Management and Mitigation

Section 1. Authority to Create Rules. Pursuant to the authority vested in the Wyoming Livestock Board by virtue of Wyoming Statute 11-18-103 (a) (v) the following rules are hereby promulgated.

Section 2. Severability. If any portion of these rules is found to be invalid or unenforceable, the remainder of the rules shall continue in effect.

Section 3. 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).

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

(viii) “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.

(ix) “Brucellosis Area of Concern” means the area within the boundaries of the following Wyoming Game and Fish Department’s Elk Hunt Areas as of 2018:

(A) Area 39. Deer Creek. Beginning where U.S. Highway 14A crosses the Big Horn River; northerly down said river to the Wyoming/Montana state line; easterly along said line to the Sheep Mountain Road (U.S.F.S. Road 11); southerly along said road to the Devils Canyon Road (U.S.F.S. Road 14); southerly along said road to U.S. Highway 14A; westerly along said highway to the Big Horn River.

(B) Area 40. Horse Creek. Beginning on the Big Horn River in the town of Greybull; northerly down said river to U.S. Highway 14A; easterly along said highway to the Hunt Mountain Road (U.S.F.S. Road 10); southeasterly along said road to U.S. Highway 14 at Granite Pass; southwesterly along said highway to the Big Horn River at the town of Greybull.

(C) Area 41. Medicine Lodge. Beginning where U.S. Highway 14 crosses the Bighorn River in the town of Greybull; easterly along said highway to Granite Pass and the divide along the Bighorn Mountain range; southeasterly along said divide to the divide between Medicine Lodge Creek and Paint Rock Creek; southwesterly along said divide to the Cold Springs Road (U.S.F.S. Road 344) at the Upper Medicine Lodge Lake; southwesterly along said road to the Alkali Road (U.S.F.S. Road 338-B.L.M. Road 1111); southerly along said road to Wyoming Highway 31; westerly along said highway to the Bighorn River at the town of Manderson; northerly down said river to U.S. Highway 14 in the town of Greybull.

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

(xi) “Brucellosis Mitigation Plan” means a written document based on a Brucellosis Risk Assessment outlining the practices a livestock producer will utilize to mitigate the risk of exposure for his/her Bovinae to Brucellosis. The Plan is valid when signed by both the State Veterinarian or his designee and the herd owner/manager.

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

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

(xiv) “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.

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

(xvi) “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.

(xvii) “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.

(xviii) “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.

(xix) “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; 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 Board will annually review the boundaries of the DSA for changes in risk and consider any joint recommendations made by the Wyoming State Veterinarian and the Wyoming Game and Fish Director.

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

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

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

(xxiii) “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.

(xxiv) “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.

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

(xxvi) “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.

(xxvii) “Interstate Livestock Health Movement Agreement or “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 and shall outline testing requirements for leaving the DSA on the agreement.

(xxviii) “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.

(xxix) “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) “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.

(xxxiiii) “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.

(xxxvii) “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.

(xxxviii) “Test-Eligible” means all sexually intact female Bovinae twelve (12) months of age and over or any weaned, sexually-intact female exposed to bulls.

(xxxix) “UMR” means the 2003 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, which are incorporated as a part of these rules. 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. The UMR can be found at https://www.aphis.usda.gov/animal_health/animal_diseases/brucellosis/downloads/umr_bovine_bruc.pdf Copies of the UMR are also available to the public from the office of the Wyoming Livestock Board located at 1934 Wyott Drive, Cheyenne, WY 82002, (307) 777-7515.

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

(xli) “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.

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

(xliii) “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 4. Penalty for a Violation of Rules. Penalties for a violation of these rules shall be pursuant to law.

Section 5. 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 Calfhood 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 for movement by the Wyoming State Veterinarian to a specified location to be quarantined on arrival until they are adult vaccinated.

(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 6. Mandatory Brucellosis Vaccination of Domestic Bovinae 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.

(a) All sexually intact female domestic Bovinae imported to, grazed, or kept within the boundaries of the Designated Surveillance Area shall be Official CalfhooD Vaccinates or Official Adult Vaccinates.

(b) Any heifer calf 4 months of age and older (vaccination age-eligible) must be Brucellosis-vaccinated prior to February 1.

Section 7. Written Approval Required for Vaccination of Adult Female Bovinae.

(a) 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 to the herd veterinarian who is authorized to perform the Adult Vaccination. Any oral approval obtained from the Wyoming State Veterinarian shall be documented in writing.

(b) Whole-herd vaccination of female Bovinae over twelve (12) months of age that are not part of a Brucellosis Mitigation Plan 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 a Brucellosis Mitigation 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 8. Testing of Specific Bovinae.

(a) Within the DSA, all Test Eligible Bovinae and any Heifers born during the previous calendar year and shipped after August 1 of their yearling year are required to test negative for Brucellosis within 30 days prior to a change of ownership, prior to interstate movement, and prior to leaving the DSA. Any negative test result reported 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).

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

(A) Test Eligible 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 the following Board approved identification.

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

(II) "Brucellosis Area of Concern Origin – Brucellosis Test Required" shall be written in the brand inspection document for Test Eligible Bovinae leaving a Brucellosis Area of Concern required by the Board to be subject to the testing requirements of these rules.

(B) Out-of-state origin Commuter Herds moving from Wyoming, pursuant to an Interstate Livestock Health Movement Permit with an adjacent state, will have test requirements specified in the commuter agreement. For cattle in the DSA between August 1 and January 31 of the following calendar year no test will be required unless deemed necessary by determination of unusual risk. For cattle in the DSA any time between February 1 and July 31, Wyoming recommends a full joint risk analysis between the two state veterinarians to determine the appropriate number of animals to be tested. Regardless, a minimum of 20 percent of the herd, to include open, late-bred, and cull cows, will be tested prior to or upon return to the state of origin. A copy of the Commuter Permit 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) Wyoming herds that complete a Brucellosis Risk Assessment and have in place a Brucellosis Mitigation Plan may have test requirements waived in accordance with the Mitigation Plan.

(I) Each Brucellosis Risk Assessment will be categorized as one of the following:

(1.) Insignificant risk: No documented exposure or feasible risk of exposure to Brucellosis-infected wildlife during the risk period of February 1 through July 31. No restrictions or requirements.

(2.) Potential Risk: No documented exposure, but risk of potential exposure by commingling or close proximity to Brucellosis-infected wildlife during the risk period of February 1 through July 31. Surveillance testing required.

(3.) Significant Risk: Documented exposure by commingling or close proximity to Brucellosis infected wildlife, or high risk of exposure to Brucellosis-infected wildlife during the risk period of February 1 through July 31. Cooperative mitigation and surveillance testing required.

(II) Without a Brucellosis Risk Assessment and Brucellosis Mitigation Agreement, all herds within the DSA and, when required by the board, herds within a Brucellosis Area of Concern, must meet all Chapter 2 requirements.

(D) Female Bovinae moving from a Herd with a valid Brucellosis Mitigation Plan will not be subject to additional testing other than that outlined in the Brucellosis Mitigation Plan, unless required by the Wyoming State Veterinarian under another provision of law.

Section 9. 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 10. 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 calves 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 Brucellosis Mitigation Plan to be identified at a specified location outside the DSA.

Section 11. Brucellosis Ring Test of Bovinae in Dairy Herds. All dairy Herds shall be submitted to at least two semi-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 12. Testing of Bovinae at Custom Slaughter Facility. 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 13. Retesting of Bovinae Indicating Suspicious Reaction to Test. 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 14. Quarantine of Brucellosis Reactor Domestic Bovinae. 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 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 15. Quarantine of Brucellosis Exposed Domestic Bovinae. 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 16. 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. 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 a research or diagnostic facility as specifically approved by the Wyoming State Veterinarian.

(iii) Direct movement from an approved livestock market back to the Farm or Ranch of Origin under quarantine.

Section 17. 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~~ Brucellosis Management and Mitigation

Section 1. Authority to Create Rules.

(a) Pursuant to the authority vested in the Wyoming Livestock Board by virtue of Wyoming Statute 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.~~ Section 2. **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.~~ Section 3. **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 Wyoatt 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) “Brucellosis” means an infectious disease of animals and humans caused by *Brucella abortus*.

(viii) “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.

(ix) “Brucellosis Area of Concern” means ~~an the 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.~~ within the boundaries of the following Wyoming Game and Fish Department’s Elk Hunt Areas as of 2018:

(A) Area 39. Deer Creek. Beginning where U.S. Highway 14A crosses the Big Horn River; northerly down said river to the Wyoming/Montana state line; easterly along said line to the Sheep Mountain Road (U.S.F.S. Road 11); southerly along said road to the Devils Canyon Road (U.S.F.S. Road 14); southerly along said road to U.S. Highway 14A; westerly along said highway to the Big Horn River.

(B) Area 40. Horse Creek. Beginning on the Big Horn River in the town of Greybull; northerly down said river to U.S. Highway 14A; easterly along said highway to the Hunt Mountain Road (U.S.F.S. Road 10); southeasterly along said road to U.S. Highway 14 at Granite Pass; southwesterly along said highway to the Big Horn River at the town of Greybull.

(C) Area 41. Medicine Lodge. Beginning where U.S. Highway 14 crosses the Bighorn River in the town of Greybull; easterly along said highway to Granite Pass and the divide along the Bighorn Mountain range; southeasterly along said divide to the divide

between Medicine Lodge Creek and Paint Rock Creek; southwesterly along said divide to the Cold Springs Road (U.S.F.S. Road 344) at the Upper Medicine Lodge Lake; southwesterly along said road to the Alkali Road (U.S.F.S. Road 338-B.L.M. Road 1111); southerly along said road to Wyoming Highway 31; westerly along said highway to the Bighorn River at the town of Manderson; northerly down said river to U.S. Highway 14 in the town of Greybull.

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

(xi) “Brucellosis Mitigation Plan” means a written document based on a Brucellosis Risk Assessment outlining the practices a livestock producer will utilize to mitigate the risk of exposure for his/her Bovinae to Brucellosis. The Plan is valid when signed by both the State Veterinarian or his designee and the herd owner/manager.

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

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

~~(xiv)~~(xiv) _____ “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.

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

~~(xvi)~~(xvi) _____ “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.

~~(xvii)~~(xvii) _____ “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.

~~(xviii)~~(xviii) _____ “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.

~~(xvii)~~(xix) “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; southwest 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 Board will annually review the boundaries of the DSA for changes in risk and consider any joint recommendations made by the Wyoming State Veterinarian and the Wyoming Game and Fish Director.

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

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

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

~~(xxi)~~(xxiii) “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.

~~(xxii)~~(xxiv) “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.

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

~~(xiii) “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.~~

~~(xiv) “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.~~

(xxvi) “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.

(xxvii) “Interstate Livestock Health Movement Agreement or ~~{“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 and shall outline testing requirements for leaving the DSA on the agreement.

(xxviii) “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.

(xxix) “Official Booster Vaccinate” means either an Official Adult Vaccinate or an Official Calfhooed 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) “Official Calfhooed 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.

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

(xxxii) “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.

(xxxiii) “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.

(xxxiv) “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.

(xxxv) “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>.

(xxxvi) “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.

(xxxvii) “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.

(xxxviii) “Test-Eligible” means all sexually intact female Bovinae twelve (12) months of age and over or any weaned, sexually-intact female exposed to bulls.

(xxxix) “UMR” means the 2003 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, which are incorporated as a part of these rules. 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. The UMR can be found at https://www.aphis.usda.gov/animal_health/animal_diseases/brucellosis/downloads/umr_bovine_bruc.pdf Copies of the UMR are also available to the public from the office of the Wyoming Livestock Board located at 1934 Wyott Drive, Cheyenne, WY 82002, (307) 777-7515.

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

(xli) “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.

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

(xliii) “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.~~Section 4. Penalty for a Violation of Rules.

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

~~Section 6.~~Section 5. 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 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 for movement by the Wyoming State Veterinarian ~~for to a specified location to be quarantined on arrival until they are adult vaccination~~vaccinated 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 7. Section 6. Mandatory Brucellosis Vaccination of Domestic Bovinae 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.

(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.~~

(b) Any heifer calf 4 months of age and older (vaccination age-eligible) must be Brucellosis-vaccinated prior to February 1.

Section 8. Section 7. 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 herd veterinarian who is authorized to perform the Adult Vaccination.~~ Any oral approval obtained from the Wyoming State Veterinarian shall be documented in writing.

(b) Whole-herd vaccination of female Bovinae over twelve (12) months of age that are not part of a Brucellosis Mitigation Plan 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~~ Brucellosis Mitigation 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 9. Section 8. Testing of Specific Bovinae.

(a) ~~All~~ Within the DSA, all Test Eligible Bovinae and any Heifers born during the previous calendar year and shipped after August 1 of their yearling year within the Designated Surveillance Area are required to ~~be tested~~ test negative for Brucellosis within 30 days ~~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~~ DSA. Any negative test result reported 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).

~~(i) Test Eligible 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).~~

~~(A) Heifers born during the previous calendar year and shipped after August 1 of their yearling year shall be tested for Brucellosis as established in (a)(i) above.~~

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

~~(A) Test Eligible 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 the following Board approved identification.~~

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

~~(II) "Brucellosis Area of Concern Origin – Brucellosis Test Required" shall be written in the brand inspection document for Test Eligible Bovinae leaving a Brucellosis Area of Concern required by the Board to be subject to the testing requirements of these rules.~~

~~(B) 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 will have test requirements specified in the commuter agreement. 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~~no test will be required unless deemed necessary by determination of unusual risk. 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~~Wyoming recommends a full joint risk analysis between the two state veterinarians to determine the appropriate number of animals to be tested. Regardless, a minimum of 20 percent of the herd, to include open, late-bred, and cull cows, will be tested prior to or 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) — 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.~~

~~(D) — 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, may have the movement test requirement waived if the State Veterinarian's risk assessment deems it prudent and a Herd Plan is in effect.~~

(C) Wyoming herds that complete a Brucellosis Risk Assessment and have in place a Brucellosis Mitigation Plan may have test requirements waived in accordance with the Mitigation Plan.

(I) Each Brucellosis Risk Assessment will be categorized as one of the following:

(1.) Insignificant risk: No documented exposure or feasible risk of exposure to Brucellosis-infected wildlife during the risk period of February 1 through July 31. No restrictions or requirements.

(2.) Potential Risk: No documented exposure, but risk of potential exposure by commingling or close proximity to Brucellosis-infected wildlife during the risk period of February 1 through July 31. Surveillance testing required.

(3.) Significant Risk: Documented exposure by commingling or close proximity to Brucellosis infected wildlife, or high risk of exposure to Brucellosis-infected wildlife during the risk period of February 1 through July 31. Cooperative mitigation and surveillance testing required.

(II) Without a Brucellosis Risk Assessment and Brucellosis Mitigation Agreement, all herds within the DSA and, when required by the board, herds within a Brucellosis Area of Concern must meet all Chapter 2 requirements.

~~(D) Female Bovinae moving from a Herd with a valid Herd Plan~~Brucellosis Mitigation Plan will not be subject to additional testing other than that outlined in the ~~Herd Plan~~Brucellosis Mitigation Plan, unless required by the Wyoming State Veterinarian deems it necessary under another provision of law.

Section 9. 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 11.~~Section 10. 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~~calves 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~~ Brucellosis Mitigation Plan to be identified at a specified location outside the DSA.

~~Section 12.~~Section 11. Brucellosis Ring Test of Bovinae in Dairy Herds.

(a) All dairy Herds shall be submitted to at least two semi-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 13.~~Section 12. 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 14.~~Section 13. 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 15.~~Section 14. 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 16.~~Section 15. 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 17.~~Section 16. 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)(ii) 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)(iii) If an exposed or suspect animal is moved Direct movement 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 Permitunder quarantine.~~

~~Section 18.~~**Section 17. _____ 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.

~~Section 19. — Effective Date.~~ These rules shall become effective January 1, 2017.