

**ADOPTED REGULATION OF THE DIRECTOR OF THE  
STATE DEPARTMENT OF AGRICULTURE**

**LCB File No. R019-15**

Effective December 21, 2016

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1 and 2, NRS 571.120 and 571.210.

A REGULATION relating to diseased animals; revising provisions relating to the movement of certain animals into this State; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing regulations require that any horse, mule or ass brought into this State must be accompanied by a health certificate, as defined in NAC 571.010, and must have tested negatively for equine infectious anemia within the past 6 months before entering. (NAC 571.030) **Section 2** of this regulation requires that such an animal be accompanied by a certificate of veterinary inspection and must have tested negatively for equine infectious anemia within the preceding year of the date of entry into the State.

**Section 1.** NAC 571.010 is hereby amended to read as follows:

571.010 “Health certificate” means a certificate concerning the health of an animal that is issued by a licensed veterinarian who is accredited by the Federal Government or a health authority of the State or Federal Government. *The term includes, without limitation, a certificate of veterinary inspection.*

**Sec. 2.** NAC 571.030 is hereby amended to read as follows:

571.030 1. A person shall not ship, transport or otherwise move a horse, mule or ass into this State unless the horse, mule or ass:

(a) Is accompanied by a ~~health certificate;~~ *certificate of veterinary inspection;* and

(b) Except as otherwise provided in subsection 2, reacts negatively to a test for equine infectious anemia that was conducted within ~~the 6 months~~ *1 year* before *the date of* entry ~~+~~ *into this State.*

2. The following horses, mules or asses are exempt from testing for equine infectious anemia:

(a) A nursing foal which is less than 6 months of age and which is accompanied by its dam if its dam has reacted negatively to such a test.

(b) Horses from Nevada that are used outside the State for seasonal ranching purposes only.

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY NRS  
233B.066  
LCB FILE R019-15**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter NAC 571.030 Horses, mules and asses.

- 1. A clear and concise explanation of the need for the adopted regulation.**
  - The purpose of the proposed amendment to NAC 571.030 is to benefit Nevada Department of Agriculture staff and small businesses by ensuring the health of all equine transported to Nevada prevent the spread of communicable diseases.
  
- 2. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary**
  - Copies of the proposed regulation were sent by U.S mail and emailed to person who was known to have interest in the subject of brand inspection boundaries as well as any persons who had specifically requested such notice. These documents were also made available at the Nevada Department of Agriculture website, <http://agri.nv.gov/>, mailed to all county libraries in Nevada and posted at the locations listed below.

**Elko Brands Office  
4780 E. Idaho Street  
Elko Nevada, 89801**

**Las Vegas Office  
2300 McLeod Street  
Las Vegas Nevada, 89104**

**Reno/ Sparks Office  
405 S. 21<sup>st</sup> Street  
Sparks, Nevada 89431**

- The Nevada Department of Agriculture’s board was presented with the proposal to amend the proposed regulation where it was unanimously accepted to move forward with regulation change process.
  - The amendment to the regulation was presented at numerous events where interested persons were in attendance and public comment was taken. Some of these events included: the Nevada Farm Bureau Annual Meeting, and the Nevada Cattlemen’s Association.
  - Surveys were distributed via U.S mail, email and social media outlets for interested persons to give feedback on the proposed amendment.
  - A workshop was held June 17<sup>th</sup>, 2015 for interested persons to attend and review the impact on small business and make public comment.
  - A public hearing was held on February 29<sup>th</sup>, 2016 where the intent to adopt the regulation as a permanent regulation was formally announced and discussed.
- 3. The number persons who:**
    - **Attended at each hearing:** June 17<sup>th</sup>, 2016- February 29<sup>th</sup>, 2016 : 0
    - **Testified at each hearing:** June 17<sup>th</sup>, 2016- February 29<sup>th</sup>, 2016 : 0
    - **Submitted to the agency written comments:** No written comment was submitted.
  
  - 4. A list of names and contact information, including telephone number, business address, business telephone number and electronic mail address and the name of**

**entity or organization represented for each person identified above in #3, as provided to the agency, is attached as Exhibit A.**

**\*\*\*No attendees at workshop or hearing.**

- 5. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.**
  - Comments were solicited from affected business in the same manner as they were solicited from the public. The summary may be obtained as instructed in the response to question #1.
- 6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**
  - The permanent regulation was adopted March 29<sup>th</sup>, 2016
- 7. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:**
  - There will be no negative impact to business regulated or public as a result of this change. Nevada entry requirements will be consistent with all surrounding states and allow for annual testing for movement instead of every six months, saving the cost of one test annually.
  - Effects will be immediate and continue long term.
- 8. The estimated cost to the agency for enforcement of the adopted regulation.**
  - There is no additional cost to the agency for enforcement of this regulation.
- 9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**
  - There are no other state or government agency regulations that the proposed regulation duplicates.
- 10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.**
  - There are no federal regulations that apply.
- 11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**
  - This regulation does not provide a new fee or increase an existing fee.