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STATE OF NEVADA
DEPARTMENT OF AGRICULTURE

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**PROPOSED REGULATION OF THE
NEVADA DEPARTMENT OF AGRICULTURE**

LCB File No. R001-23
DIVISION OF ANIMAL INDUSTRY

NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATION

The Nevada Department of Agriculture, 405 South 21st Street, Sparks, Nevada, 89431, is proposing the Amendment of regulations pertaining to Nevada Administrative Code (NAC) Chapter 571. A workshop has been set for:

Date: Friday, July 26, 2024
Time: 08:00AM PDT
Location: This meeting will be held in combination of in-person location and via Zoom, which allows participation by computer or telephone.

Location: White Pine County Library
950 Campton St
Ely, NV 89301

Video conference to:

Nevada Department of Agriculture
2300 E. St. Louis Avenue
Las Vegas, NV 89104
Phone: (702) 668-4590

Nevada Department of Agriculture
4780 E. Idaho Street
Elko, NV 89445
Phone: (775) 738-8076

Nevada Department of Agriculture
405 S 21st St.,
Sparks, NV 89431
Phone: (775)353-3601

Remote Meeting Information*:

To join the meeting virtually, click on the URL and enter the meeting number and password when prompted:

<https://us02web.zoom.us/j/81699675210?pwd=yWOTI91pToaJwWyzo8mAx6gXU3DMVo.1>

Meeting ID: 816 9967 5210
Passcode: 666786

To join by telephone, call the phone-in number and enter the access code when prompted.

Phone-in Access #: +1 669 900 9128 US
Meeting ID: 816 9967 5210
Passcode: 666786

Nevada Revised Statute Chapter 287 has been amended through [2021 AB 253](#) to allow public meetings to be completed by use of remote technology.

This workshop will be conducted in accordance with the Open Meeting Law ([NRS 241.020](#)).

The purpose of the workshop is to solicit comments from interested persons on changes to NAC Chapter 571; LCB File No. R001-23.

- 1) NRS 571.210 prohibits any Elk, Mule Deer, White-tailed deer, Moose, alternative livestock, and any other animal declared to be susceptible to chronic wasting disease (CWD) from being imported into the state, which is what we want so as to not introduce CWD into Nevada. Currently, Nevada is CWD-free. So, subsection 2 of NAC 571.065 needs to be eliminated because it indicates that North American Elk and any species of the family Cervidae (ex. Deer, elk, moose, etc.) can enter the state if they test negative for brucellosis and tuberculosis.
- 2) To clarify language regarding age brucellosis vaccinations are received. If cattle are vaccinated under 12 months of age, they are considered calfhood vaccinates and if greater 12 months they would be considered adult vaccinates. The state of Nevada does not accept adult vaccinates currently.
- 3) To update regulations to allow livestock under emergency evacuation orders in neighboring states safe transport refuge, until conditions allow for safe return to state of origin.
- 4) To update import and transportation requirements to reflect changes in disease(s) and advancements in diagnostics.
- 5) To update Trichomoniasis regulations to reflect advancements in diagnostics and disease management, to achieve decreased incidence of this infectious disease in the State.

Effective date: Upon passage and approval.

A copy of all materials relating to the proposal may be obtained by visiting the Department’s website at agri.nv.gov or by contacting the Division of Animal Industry at (775)353-3755 or animalindustry@agri.nv.gov . Copies may also be requested or inspected by visiting the NDA offices located in Elko, Las Vegas or Sparks or the Nevada State Library and Archives at 100 Stewart Street, Carson City, NV 89701. A reasonable fee for copying or postage may be charged for those requesting a print copy. Members of the public who would like

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additional information about a proposed regulation may contact the Division of Animal Industry by animalindustry@agri.nv.gov or (775)353-3709.

Persons wishing to make oral comment upon the regulation draft of the Nevada Department of Agriculture may participate at the scheduled workshop. Persons wishing to submit written testimony or documentary evidence may submit the material by emailing animalindustry@agri.nv.gov or by mailing to the following address: Nevada Department of Agriculture, Attn: Animal Industry, 405 S. 21st ST, Sparks, NV 89431.

Reasonable efforts will be made for members of the public who have disabilities and require special accommodations for assistance at the meeting. Please contact the Department at (775)353-3755 or animalindustry@agri.nv.gov prior to the meeting.

Notice of this meeting was sent to all persons on the Department's mailing list for administrative regulations and posted on or before 9 a.m. fifteen days before the meeting at the following locations: the Nevada Department of Agriculture website at agri.nv.gov, Nevada Public Notice website at <https://notice.nv.gov/> and Nevada Legislature Administrative Regulation Notices at <https://www.leg.state.nv.us/App/Notice/A/>.

NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATION AGENDA

July 26, 2024 @ 08:00AM, PDT

Note: Items on the agenda may be taken out of the posted order, items may be combined for consideration, and items may be pulled or removed from the agenda.

I. Call to Order

II. Public Comment: In consideration of others who may wish to provide public comment, please avoid repetition and limit your comment to three minutes per person. Unused time may not be reserved by the speaker nor allocated to another speaker.

III. Overview of Proposed Changes to NAC Chapter 571: Review and discussion on proposed regulations.

IV. Public Comment: In consideration of others who may wish to provide public comment please avoid repetition and limit your comment to three minutes per person. Unused time may not be reserved by the speaker nor allocated to another speaker.

V. Adjourn

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**REVISED PROPOSED REGULATION OF THE
STATE QUARANTINE OFFICER**

LCB File No. R001-23

April 29, 2024

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

AUTHORITY: §§ 1, 2, 4, 6-12, 14-19 and 22, NRS 571.120 and 571.210; §§ 3 and 5, NRS 571.120, 571.170 and 571.210; § 13, NRS 562.250, 571.120 and 571.210; §§ 20, 21 and 23, NRS 571.120; § 24, NRS 571.120, 571.130 and 571.170; §§ 25, 27-36, 39, 40, 42 and 47, NRS 571.120 and 571.150; §§ 26, 41 and 44-46, NRS 561.295, 571.120, 571.150 and 571.170; §§ 37 and 38, NRS 571.120, 571.150 and 571.210; § 43, NRS 561.295, 571.120, 571.150, 571.160 and 571.170; § 48, NRS 571.120, 571.150, 571.170, 571.250; § 49, NRS 561.295, 571.120, 571,150, 571.170 and 571.210.

A REGULATION relating to animals; defining certain terms relating to the entry of certain animals and livestock into this State; revising provisions relating to the entry of certain animals and livestock into the State; providing that an owner, lessee or manager of animals or livestock may be denied brand inspection or other services under certain circumstances; revising requirements governing the testing of trichomoniasis for certain livestock; revising certain provisions relating to health certificates for certain animals and livestock; revising provisions relating to the vaccination of certain animals; revising provisions governing the testing of animals and livestock for certain diseases; repealing certain provisions relating to diseased animals; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the State Quarantine Officer to adopt regulations governing the entry of animals into this State and prohibits, with certain exceptions, a person from bringing any animal into this State unless he or she has obtained a health certificate showing the animal is free from contagious, infectious or parasitic diseases or exposure thereto. (NRS 571.210) Existing regulations: (1) require that certain animals and livestock brought into this State be accompanied by a health certificate and, with certain exceptions, an entry permit; and (2) establish various other entry requirements. (NAC 571.035-571.100) **Section 3** of this regulation provides that any animal or livestock that enters this State without a valid health certificate and entry permit, if required, will be held in quarantine at the expense of the owner. **Section 4** of this regulation authorizes the State Department of Agriculture to temporarily waive the requirement for an animal or livestock to be accompanied by an entry permit under certain emergency circumstances.

Section 5 of this regulation authorizes the Administrator of the Division of Animal Industry of the Department or the Director of the Department to deny any brand inspection or other services offered by the Department to any owner, lessee or manager of animals or livestock if: (1) the animals or livestock are the subject of an epidemiological investigation, hold order or disease quarantine; or (2) the owner, lessee or manager does not comply with certain annual trichomoniasis testing requirements.

Section 10 of this regulation revises the definition of “health certificate.” **Section 11** of this regulation revises the address and other contact information where certain information relating to the entry of foreign livestock must be sent.

Section 12 of this regulation requires that any test used for equine infectious anemia which is required for the entry of any horse, mule or ass into this State be approved by the Department.

Section 13 of this regulation requires that the health certificate for sheep entering this State include a statement by the issuing veterinarian that: (1) is approved by the Department; (2) is consistent with the requirements of the National Scrapie Eradication Program; and (3) indicates that the sheep is not showing signs of clinical illness and did not originate from an infected, source, exposed or noncompliant flock.

Section 14 of this regulation revises the requirements for the entry of cattle and bison into this State to require: (1) female cattle and bison that are 12 months of age or older to have both an official tattoo and an associated official identification tag or official electronic identification tag as evidence of having received the brucellosis calthood vaccination; (2) certain cattle and bison to react negatively to a test for brucellosis within 30 days before entry into this State; (3) certain cattle and bison to react negatively to a test for tuberculosis within 30 days before entry into this State; and (4) all sexually intact cattle 12 months of age or older who enter the State for events, rodeos, shows or exhibitions to react negatively to a test for tuberculosis within 12 months before entering the State.

Existing regulations prohibit the entry of sexually intact cattle originating from Mexico except under conditions established by the Administrator. (NAC 571.040) **Section 14:** (1) sets forth certain entry requirements for cattle originating in Mexico; (2) requires cattle originating in Mexico that are used in rodeos, roping, sporting or exhibitions or other similarly timed events to be tested for tuberculosis on an annual basis; and (3) requires the owner, manager, agent or other representative of such cattle to maintain certain testing records for the cattle.

Existing law prohibits a person or the person’s agent or employee from bringing into this State certain animals that are susceptible to chronic wasting disease, including elk, mule deer, white-tailed deer, moose and, with certain exceptions, alternative livestock. (NRS 571.210) Existing regulations prohibit a person from shipping, transporting or otherwise moving any North American elk unless it reacts negatively to a test for brucellosis and any species of the family Cervidae that is domesticated unless it reacts negatively to tests for tuberculosis and brucellosis within the 30 days before entry into this State. (NAC 571.065) **Section 15** of this regulation removes these requirements as such animals are prohibited from entering the State.

Sections 16 and 24 of this regulation update the name and contact information for the Animal and Plant Health Inspection Service of the United States Department of Agriculture.

Existing regulations require that dogs and cats that enter this State be vaccinated against rabies pursuant to certain national guidelines on rabies control which are adopted by reference. (NAC 571.080) **Section 17** of this regulation updates the name of the publication and the information for where the publication may be obtained.

Existing regulations require a person transporting livestock to carry health certificates for the livestock that have been issued within the previous 30 days, except that livestock transported only within this State are not required to have such a health certificate. (NAC 571.095) **Section 18** of this regulation provides that: (1) the health certificate must have been issued within the previous 30 days or as directed by the Department; and (2) livestock transported only within this State may require a health certificate if directed by the Department in a hold order or disease quarantine.

Existing regulations prohibit the shipment, transportation or movement of livestock into this State for sale, shows, fairs or other exhibitions unless the person complies with the applicable requirements for entry. (NAC 571.105) **Section 19** of this regulation provides that the entry of animals or livestock for a public livestock auction holding a federally approved agreement is also subject to any requirements set forth in the agreement and approved by the Department. **Section 2** of this regulation defines the term “public livestock auction.” **Section 9** of this regulation makes conforming changes to indicate the proper placement of **section 2** in the Nevada Administrative Code.

Existing law requires the Department to do all things necessary for the control and eradication of infectious, contagious or parasitic diseases of animals. (NRS 571.120) Existing regulations prohibit the sale, use or distribution of: (1) any biological product used as a diagnostic agent or in the prevention or treatment of livestock without a permit or license granted by the Department, the United States Department of Agriculture or its Agricultural Research Service, or any other agency authorized by the Department; and (2) any vaccine, bacteriological or biological product which is a hazard to the livestock industry without the written permission of the Administrator. (NAC 571.300, 571.310) **Section 20** of this regulation removes the Agricultural Research Service from this list. **Section 21** of this regulation requires the written permission of the Administrator for any vaccine, bacteriological or biological product that could present a hazard to animals or livestock or the livestock industry, as determined by the Department.

Existing regulations require, with certain exceptions, female cattle and bison to be vaccinated for brucellosis between 4 months and 12 months of age before entry into this State and before a change of ownership may occur. (NAC 571.040, 571.355) **Sections 14 and 22** of this regulation require that, with certain exceptions, female cattle and bison in this State and entering this State must receive an official brucellosis calthood vaccination between 4 months and 12 months of age.

Section 23 of this regulation requires that samples to test for equine infectious anemia be collected by a licensed veterinarian.

Existing regulations require test-eligible bulls to test negative for trichomonosis: (1) before the bulls may be shipped, transported or moved into this State within 60 days before entering the State; (2) if such bulls are commuter bulls, on an annual basis and before the bull is exposed to female cattle, with certain exceptions; and (3) before the sale or lease for reproductive purposes within 60 days before the sale or lease. (NAC 571.642, 571.644, 571.646) **Section 35** of this regulation changes the spelling of “trichomonosis” to “trichomoniasis.” **Sections 26, 29, 30, 32, 34 and 37-46** of this regulation make related conforming changes. **Sections 26-34** revise certain other definitions relating to trichomoniasis.

Section 7 of this regulation establishes the annual testing season for trichomoniasis.

Section 8 of this regulation: (1) requires, with certain exceptions, the owner or lessee of a test-eligible bull that tests positive for trichomoniasis and the owner or lessee of an infected or

exposed herd to submit all bulls owned or leased by the owner or lessee to annual testing for trichomoniasis until the bulls test negative for 5 consecutive years; and (2) exempts from the trichomoniasis testing requirements test-eligible bulls that are consigned directly to a qualified feedlot for finish feeding for slaughter or are directly entering the slaughter channel. **Section 6** of this regulation defines the term “exposed herd.” **Section 25** of this regulation makes a conforming change to indicate the proper placement of **section 6** in the Nevada Administrative Code. **Section 48** of this regulation makes a conforming change to indicate that a violation of **sections 6-8** of this regulation is subject to certain penalties.

Section 36 of this regulation requires a veterinarian or veterinary technician who wishes to collect samples for trichomoniasis testing to complete a certification program approved by the Department and register with the Department. **Section 36** also requires a veterinary technician who collects such samples to do so under the direct or indirect supervision of an accredited veterinarian.

Existing regulations prohibit a person from shipping, transporting or otherwise moving a test-eligible bull from a herd that tested positive for trichomoniasis during the previous 12 months into this State unless the bull is accompanied by a health certificate that verifies the bull tested negative for trichomoniasis in each of its three most recent tests. (NAC 571.642) **Section 37**: (1) instead requires verification that the bull tested negative in each of its two most recent tests; (2) provides that a test-eligible bull may not be shipped, transported or moved into this State if the test-eligible bull has had contact with female cattle at any time between when the sample for an official test for trichomoniasis was collected and when the bull enters this State; and (3) requires the owner or lessee to comply with the annual trichomoniasis testing requirements set forth in **section 8**.

Existing regulations: (1) require the owner or lessee of a commuter bull to ensure the commuter bull is tested for trichomoniasis annually between October 1 and the following May 31; and (2) prohibit the owner or lessee from allowing a commuter bull from an infected herd access to female cattle unless the commuter bull receives a negative test result in each of its three most recent tests for trichomoniasis. (NAC 571.644) **Section 38** of this regulation: (1) provides that a commuter bull must test negative for trichomoniasis annually during the testing season established in **section 7**; and (2) require a commuter bull from an infected herd to test negative in each of its two most recent tests before it may be allowed access to female cattle.

Existing regulations provide that an untested bull may be sold for slaughter or for direct movement to a qualified feedlot or total confinement operation without a written declaration as to whether the bull is positive for trichomoniasis. (NAC 571.648) **Section 40** of this regulation provides that if the untested bull originates from an infected or exposed herd subject to a disease quarantine or hold order, the owner or owner’s agent must comply with the conditions of the quarantine or hold order before the bull may be sold.

Section 42 of this regulation requires an accredited veterinarian or veterinary technician under the direct or indirect supervision of an accredited veterinarian who collects a sample from a bull to: (1) place an official test tag in the ear of the bull; and (2) record the official identification of the bull. **Section 42** also authorizes an accredited veterinarian to place an official test tag on a bull who enters this State with a trichomoniasis test chart from an accredited veterinarian outside of this State.

Existing law requires the owner or agent in charge of an infected animal, or any inspector of the Department or veterinarian who has knowledge of an infected animal, to notify the State

Quarantine Officer. (NRS 571.160) **Section 43** of this regulation provides that trichomoniasis is a reportable disease in this State.

Existing regulations establish certain trichomoniasis testing requirements for an infected herd, which include requiring a test-eligible bull from an infected herd to test negative on three official tests. (NAC 571.656) **Section 44** of this regulation instead requires: (1) each test-eligible bull to test negative on two consecutive official tests before the Director may release a hold order on an infected herd; and (2) that cattle from an infected herd entering a slaughter channel remain under quarantine until moved to slaughter and the movement of such cattle must be approved by the Department.

Existing regulations require an accredited veterinarian or veterinary technician taking a specimen from a bull to ensure the specimen arrives at an official laboratory for testing within 48 hours after it is collected. (NAC 571.664) **Section 47** of this regulation instead requires that an accredited veterinarian taking a sample or supervising the taking of a sample contact an official laboratory for the timeframe and condition in which the sample must be received by the official laboratory to test the sample.

Section 49 of this regulation repeals certain provisions of existing regulations relating to diseased animals.

Section 1. Chapter 571 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 8, inclusive of this regulation.

Sec. 2. *“Public livestock auction” has the meaning ascribed to it in NRS 573.010.*

Sec. 3. *Except as otherwise provided in section 4 of this regulation, any animal or livestock entering this State that is not accompanied by a valid health certificate in violation of NRS 571.210, and entry permit, if required, must be held in quarantine by the State Quarantine Officer at the expense of the owner of the animal or livestock.*

Sec. 4. *In the event of a natural disaster, fire or similar emergency evacuation incident, the Department may temporarily waive any requirement for animals or livestock to be accompanied by an entry permit and allow any approved shipment of animals or livestock to be imported into this State without an entry permit. All animals or livestock in the shipment must:*

- 1. Travel directly to a location approved by the Department;*
- 2. Be isolated from other animals and livestock; and*

3. Remain under immediate quarantine until released by the Department.

Sec. 5. The Administrator or Director may deny any brand inspection provided pursuant to chapter 565 of NAC or any other service offered by the Department to any owner, lessee or manager of animals or livestock if:

1. Such animals or livestock are the subject of an epidemiological investigation, hold order or disease quarantine; or

2. The owner, lessee or manager does not comply with the requirements for trichomoniasis testing set forth in NAC 571.644 and, if applicable, section 8 of this regulation.

Sec. 6. "Exposed herd" means a herd classified by the Director pursuant to NAC 571.658 in which the herd was commingled or pastured adjacent to an infected bull that tested positive for trichomoniasis and an epidemiological investigation determined that sexual contact may have or did occur between the herd and the infected bull.

Sec. 7. For the purposes of NAC 571.600 to 571.668, inclusive, and sections 6 to 8, inclusive, of this regulation, the annual testing season for trichomoniasis begins on September 1 of each calendar year and ends on August 31 of the following calendar year.

Sec. 8. 1. Except as otherwise provided in subsection 3, if a test-eligible bull tests positive for trichomoniasis, including, without limitation, a bull located in this State or shipped, transported or otherwise moved into this State, the owner or lessee of the infected bull and its infected herd classified pursuant to NAC 571.654 and the owner or lessee of any exposed herd classified pursuant to NAC 571.658 must submit all the bulls he or she owns or leases for annual trichomoniasis testing in accordance with the provisions of this section until all test-eligible bulls have tested negative for trichomoniasis for 5 consecutive years.

2. Except as otherwise provided in subsection 3, all test-eligible bulls identified in subsection 1 and all test-eligible bulls in an infected herd or exposed herd that are located in this State, including, without limitation, any test-eligible bulls that have been shipped, transported or otherwise moved into this State, must test negative for trichomoniasis as evidenced by an official test administered:

(a) Before the end of the annual testing season established by section 7 of this regulation;

(b) Not less than 45 days before the bulls are turned out on a grazing allotment; or

(c) Before any bull is allowed access to female cattle,

↳ whichever occurs first.

3. The provisions of this section do not apply to test-eligible bulls that are consigned directly to a qualified feedlot for finish feeding for slaughter or that are directly entering the slaughter channel.

Sec. 9. NAC 571.002 is hereby amended to read as follows:

571.002 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 571.0025 to 571.019, inclusive, *and section 2 of this regulation* have the meanings ascribed to them in those sections.

Sec. 10. NAC 571.010 is hereby amended to read as follows:

571.010 “Health certificate” means ~~[a certificate concerning]~~ *an official document that records* the health *status, origin, destination and identification* 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.]~~ *Veterinary Services of the Animal and Plant Health Inspection Service of the United States Department of Agriculture in accordance with 9 C.F.R. Part 161.*

The term includes, without limitation, a certificate of veterinary inspection ~~[]~~ *prepared in accordance with 9 C.F.R. Part 161.*

Sec. 11. NAC 571.020 is hereby amended to read as follows:

571.020 All copies of health certificates, applications for permits and requests for additional information relative to the provisions for entry of foreign livestock should be addressed to the Administrator of the Division of Animal Industry, State Department of Agriculture, ~~[350 Capitol Hill Avenue, Reno, Nevada 89502,]~~ *405 South 21st Street, Sparks, Nevada 89431*, telephone number (775) ~~[688-1180.]~~ *353-3709, or to the electronic mailing address entrypermits@agri.nv.gov.*

Sec. 12. 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 ~~[certificate of veterinary inspection;]~~ *health certificate;* and

(b) Except as otherwise provided in subsection 2, reacts negatively to a test *approved by the Department* for equine infectious anemia that was conducted within 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.

Sec. 13. NAC 571.035 is hereby amended to read as follows:

571.035 A person shall not ship, transport or otherwise move sheep into Nevada unless:

1. Each sheep is:

(a) Accompanied by an entry permit;

(b) Individually identified using official scrapie identification; and

(c) Specified on a health certificate that includes:

(1) A statement by the issuing veterinarian *that:*

(I) Is approved by the Department;

(II) Is consistent with the requirements of the federal National Scrapie Eradication Program set forth in 9 C.F.R. Parts 54 and 79; and

(III) Indicates that the sheep is not ~~[exhibiting clinical signs associated with scrapie at the time of examination;~~

~~— (2) A statement by the owner verifying that the sheep is not] a [scrapie positive animal,] suspect animal [, high-risk animal or exposed animal] *or showing signs of clinical illness* and that the sheep did not originate from an infected flock, source flock, exposed flock or noncompliant flock;~~

~~[(3)] (2)~~ For a breeding animal, the flock of birth of the sheep ~~[:] or a similar~~ *identification approved by the Department;* and

~~[(4)] (3)~~ A unique identifying number for the sheep that is consistent with official scrapie identification.

2. All breeding rams that are 6 months of age or older are tested for *Brucella ovis* on ~~[the Enzyme Linked Immunosorbent Assay (ELISA)]~~ a test *approved by the Department* and react negatively to that test within 30 days before entry into this State.

3. The person complies with any additional rules and regulations governing the importation of sheep adopted by the State Quarantine Officer.

Sec. 14. NAC 571.040 is hereby amended to read as follows:

571.040 1. ~~Except as otherwise provided in subsection 3, a person shall not ship, transport or otherwise move into Nevada any cattle or bison that do not react negatively to a test for brucellosis.~~

~~—2.]~~ Except as otherwise provided in subsection 3, a person shall not ship, transport or otherwise move cattle or bison into Nevada unless:

(a) Each animal is accompanied by a health certificate and an entry permit.

(b) All female cattle and bison that are 12 months of age or older *have received an official brucellosis calfhod vaccination between the ages of 4 months and 12 months and* bear a legible official tattoo *and an associated official identification tag or official United States Department of Agriculture 840 Radio Frequency Identification Device tag* as evidence of *having received an official brucellosis* calfhod vaccination . ~~[against bruceHosis.]~~

(c) The following cattle and bison react negatively to a test for brucellosis within the 30 days before entry into Nevada:

(1) All ~~[bulls that are 18 months of age or older;]~~ *sexually intact cattle of any age moving from a designated surveillance area for brucellosis that is recognized by the United States Department of Agriculture, unless otherwise approved by the Department based on seasonal grazing;*

(2) ~~[Vaccinated female]~~ *All sexually intact* bison ~~[that are 24 months of age or older;]~~ ;
and

(3) ~~[Vaccinated female dairy]~~ *Any other* cattle *or bison* that ~~[are 20 months of age or older; and~~

~~— (4) Other vaccinated female cattle that are 24 months of age or older.~~ *originate from a herd, area or state not recognized as free of brucellosis by the United States Department of Agriculture or where brucellosis status may present an increased risk of disease, as determined by the Department;*

(d) ~~[All]~~ *The following* cattle and bison ~~[that are 12 months of age or older]~~ react negatively to a test for tuberculosis:

(1) Within the 30 days before entry into Nevada ~~[;]~~ :

(I) All sexually intact dairy cattle that are 6 months of age or older;

(II) All bison that are 6 months of age or older; and

(III) Any cattle or bison that originate from a herd, area or state that is not recognized as free of tuberculosis by the United States Department of Agriculture or where the tuberculosis status may present an increased risk of disease, as determined by the Department; and

(2) ~~[Not earlier than 90 days after such entry but not later than 120 days after such]~~ *Within 12 months before entry ~~[;]~~ into Nevada, all sexually intact cattle that are 12 months of age or older entering this State for events, rodeos, shows or exhibitions; and*

~~[(3) Not earlier than 180 days after such entry but not later than 210 days after such entry.]~~

(e) All ~~[steers]~~ *cattle* originating from Mexico:

(1) Are branded with the letter “M” on the ~~[right jaw; and]~~ *upper right hip or have a similar permanent brand approved by the Department that is consistent with the requirements of the United States Department of Agriculture;*

(2) Have reacted negatively to a test for tuberculosis within the 12 months before entry into Nevada ~~[;]~~ *; and*

(3) Are only steers or spayed heifers.

2. All cattle originating from Mexico in accordance with subsection 1 must:

(a) If the cattle are used in a rodeo, roping, exhibition, sporting or any similarly timed event, be tested for tuberculosis annually beginning after the cattle have entered the United States. The records of such tuberculosis tests must, without limitation:

(1) Be retained by the owner, manager, agent or representative in possession of such cattle at all times; and

(2) Include all official identification numbers which correspond with the cattle;

(b) Have any official identification listed individually on the health certificate, regardless of the age of the cattle;

(c) Not be co-pastured or commingled with any other livestock susceptible to tuberculosis; and

(d) Have official identification ear tags from Mexico.

3. The Administrator may exempt a person who wishes to ship, transport or otherwise move into Nevada:

(a) Cattle and bison from the requirements of testing for brucellosis if the cattle or bison enter Nevada from a herd, area or state that is recognized as free of brucellosis by the United States Department of Agriculture.

(b) Cattle from the requirements of having a health certificate, an entry permit and a test for brucellosis before entry into Nevada if the cattle are moved from a farm of origin to a stockyard which is approved by the Administrator. A test for brucellosis is required when the cattle arrive at the stockyard and before the identity of the farm of origin is lost.

(c) Cattle and bison from the requirement of testing for tuberculosis if the cattle or bison originate from a state that is recognized as free of tuberculosis by the United States Department of Agriculture.

(d) Cattle from the requirement of calfhood vaccination against brucellosis if the cattle are shipped, transported or moved for seasonal grazing in Nevada from an area that is recognized as free of brucellosis by the United States Department of Agriculture and, within 30 days before entry into Nevada, test negative for the presence of brucellosis. During the period in which the cattle are located in Nevada, the ownership of the cattle must not change and the cattle must not commingle with any other cattle except for shipment, transport or movement directly to a location for slaughter.

4. A person shall not ship, transport or move into Nevada any sexually intact cattle originating from Mexico except under such conditions as are specified by the Administrator.

Sec. 15. NAC 571.065 is hereby amended to read as follows:

571.065 ~~[1.—In addition to the requirements of subsection 2, if applicable, a]~~ A person shall not ship, transport or otherwise move game, fur-bearing or wild animals into Nevada unless he or she complies with any additional requirements of the Department for entry into this State for that animal.

~~[2.—A person shall not ship, transport or otherwise move into Nevada:
—(a) A North American elk unless it reacts negatively to a test for brucellosis within the 30 days before entry into Nevada; and
—(b) Any species of the family Cervidae that is domesticated unless it reacts negatively to tests for tuberculosis and brucellosis within the 30 days before entry into Nevada.]~~

Sec. 16. NAC 571.070 is hereby amended to read as follows:

571.070 1. A person shall not ship, transport or otherwise move chickens, turkeys, or other poultry or domesticated birds into Nevada unless each chicken, turkey, other poultry or bird is accompanied by a health certificate.

2. Poultry and game birds that have been reared in captivity and hatching eggs must be produced from flocks which meet the requirements concerning pullorum typhoid mycoplasma gallisepeticum and mycoplasma synoviae set forth in the “National Poultry Improvement Plan” or the “National Turkey Improvement Plan” which are hereby adopted by reference. The health certificate must verify that the poultry, game birds or hatching eggs meet the requirements of the applicable plan. The plans are available without charge from the United States Department of Agriculture, Animal and Plant Health Inspection ~~[Division, Federal Building, Hyattsville,]~~ *Service, 4700 River Road, Riverdale, Maryland* ~~[20782.]~~ *20737.*

3. Permission for entry of an exotic or wild bird into this State must be obtained from the Department of Wildlife, ~~[P.O. Box 10678,]~~ *6980 Sierra Center Parkway, Reno, Nevada* ~~[89510,]~~ *89511*, telephone number (775) 688-1500.

Sec. 17. NAC 571.080 is hereby amended to read as follows:

571.080 A person shall not ship, transport or otherwise move a dog or cat into Nevada unless:

1. Each dog or cat is accompanied by a health certificate; and
2. A dog or cat that is ~~[3 months]~~ *12 weeks* of age or older is vaccinated against rabies pursuant to the ~~[Annual National]~~ *Compendium of Animal Rabies* *Prevention and Control*, *2016 edition, published by the National Association of State Public Health Veterinarians*, which is hereby adopted by reference. The ~~[compendium]~~ *Compendium* is available without charge ~~[from]~~ *on the Internet website of the* National Association of State Public Health Veterinarians

~~[, Dr. Kathy Smith, Secretary, Ohio Department of Health, 246 North High Street, P.O. Box 118, Columbus, Ohio 43266-0118, telephone number (614) 466-0283.]~~ at www.nasphv.org.

Sec. 18. NAC 571.095 is hereby amended to read as follows:

571.095 1. A person who is transporting livestock shall stop at a check point for inspection of the livestock if requested by an employee of the Department.

2. Except as otherwise provided in subsection 3, a person who is transporting livestock shall carry health certificates for the livestock. ~~[The]~~ *Unless otherwise required by the Department, the* health certificates must have been issued within the previous 30 days.

3. The following livestock are not required to have health certificates:

(a) Livestock being transported only within Nevada ~~[,]~~, *unless the livestock are subject to a hold order or disease quarantine issued by the Department which requires the livestock to have a health certificate.*

(b) Livestock being transported into Nevada for grazing if the driver has in his or her immediate possession a grazing permit issued by the Department.

(c) Livestock being transported into Nevada only for slaughter.

(d) Livestock being transported through Nevada if the state of destination for the livestock does not require a health certificate.

4. An owner or operator of a conveyance used for transporting livestock shall maintain the conveyance in a sanitary condition. If a conveyance is used to transport livestock infected with or exposed to an infectious disease, the owner or operator must have the conveyance cleaned and disinfected if so ordered by the Administrator.

Sec. 19. NAC 571.105 is hereby amended to read as follows:

571.105 **1.** A person shall not ship, transport or otherwise move *an animal or* livestock into Nevada for sale, show, fairs or other public exhibition unless the person complies with the applicable requirements for entry for that animal ~~]~~ *or livestock.*

2. *In addition to any other applicable requirement for the entry of an animal or livestock into Nevada, a person holding a public livestock auction in Nevada that is subject to a current and federally approved agreement for the public livestock auction must also comply with any additional requirements for entry for that animal or livestock that are detailed in the agreement and approved by the Department.*

Sec. 20. NAC 571.300 is hereby amended to read as follows:

571.300 A person may not sell, use or distribute in this State a serum, vaccine, bacterin , *veterinary biologic* or *other* biological product which is used as a diagnostic agent or used in the prevention or treatment of diseases of *animals or* livestock unless it has been produced in accordance with a permit , *authorization* or license granted by:

1. The United States Department of Agriculture;
2. The Department; *or*
3. ~~The Agricultural Research Service; or~~
- ~~4.]~~ An agency authorized by the Department.

Sec. 21. NAC 571.310 is hereby amended to read as follows:

571.310 A person shall not sell, use, distribute or possess any of the following products without the written permission of the Administrator:

1. Brucella abortus vaccine;
2. Pseudorabies vaccine;
3. Paratuberculosis vaccine;

4. Rabies vaccine; or

5. Any vaccine, bacteriological or biological product ~~[which is]~~ *that could present* a hazard to *animals or livestock or to* the livestock industry of this State ~~[]~~, *as determined by the Department.*

Sec. 22. NAC 571.355 is hereby amended to read as follows:

571.355 1. ~~[Female]~~ *Except as otherwise provided in subsection 2 and NAC 571.360 or unless otherwise authorized by the Administrator, cattle or bison located in this State or entering this State must receive an official brucellosis calthood vaccination between the ages of 4 months and 12 months.*

2. *In accordance with subsection 1, before any change of ownership occurs in this State, female* cattle or bison that are ~~[at]~~ :

(a) *At* least 4 months of age and not more than 12 months of age must ~~[be vaccinated for]~~ *have received an official* brucellosis ~~[before any change of ownership occurs in Nevada]~~ *calthood vaccination* unless the cattle or bison are sold and immediately transported to a qualified feedlot ~~[]~~.

~~—2.— Female cattle or bison that are more]~~ *or out of this State; or*

(b) *More* than 12 months of age must ~~[be vaccinated for]~~ *have received an official* brucellosis ~~[before any change of ownership occurs in Nevada]~~ *calthood vaccination* unless the cattle or bison are:

~~[(a)]~~ (1) Identified as spayed females in a manner approved by the Administrator;

~~[(b)]~~ (2) Sold for slaughter directly to or through ~~[a sales yard that is]~~ *an* approved *public livestock auction as authorized* by the Administrator;

~~[(e)]~~ (3) Sold and immediately transported to a destination that is located outside Nevada; or

~~[(d)]~~ (4) Consigned for finishing to a feedlot that is registered with the United States Department of Agriculture and, after finishing, are moved from the feedlot to a location for slaughter.

3. As used in this section, “qualified feedlot” has the meaning ascribed to it in NAC 571.622.

Sec. 23. NAC 571.390 is hereby amended to read as follows:

571.390 1. Positive diagnosis is made by using the agar gel immuno diffusion test (Coggins Test) or other ~~[approved tests]~~ *test approved by the Department* to be conducted at any laboratory approved and recognized as an official laboratory for the diagnosis of the equine disease, equine infectious anemia.

2. ~~[Blood samples]~~ *Samples* collected ~~[for the purpose of testing]~~ *to test* for equine infectious anemia must be ~~[done]~~ *collected only* by a ~~[practicing]~~ *licensed* veterinarian at the owner’s request and expense, or by a veterinarian employed by the Federal Government or this State.

3. A complete, positive identification of the horse must be made by the veterinarian at the time of the blood sample collection ~~[]~~ *on a form approved by the Department.*

4. An owner of a horse on which the approved test is to be conducted must be advised as to the agreed procedure that is to follow in the event the animal is positive to the official test and an agreement must be signed by the owner of the animal in which the owner agrees to the disposition of the horse as outlined.

Sec. 24. NAC 571.470 is hereby amended to read as follows:

571.470 1. The Department, in conjunction with the owner of a herd of swine that is quarantined for pseudorabies, shall develop a written plan for the herd within 30 days after the

herd is quarantined. The plan must be signed by the owner of the herd and the Administrator or his or her authorized representative.

2. The plan must comply with the standards published in “The Pseudorabies Herd Plan Manual” and “Pseudorabies Eradication, State-Federal-Industry Program Standards” which are hereby adopted by reference. The ~~[manual]~~ *Manual* is available without cost from the Livestock Conservation Institute, 6414 Coppins Avenue, Suite 204, Madison, Wisconsin 53718, telephone number (608) 221-4848. The ~~[standards]~~ *Standards* are available without cost from the United States Department of Agriculture, Animal and Plant Health Inspection ~~[Division, Room 735, Federal Building, 6505 Belcrest Road, Hyattsville,]~~ *Service, 4700 River Road, Riverdale,* Maryland ~~[20782,]~~ *20737, or by toll-free* telephone ~~[number (301) 436-7767.]~~ *at (844) 820-2234.*

Sec. 25. NAC 571.600 is hereby amended to read as follows:

571.600 As used in NAC 571.600 to 571.668, inclusive, *and sections 6 to 8, inclusive, of this regulation,* unless the context otherwise requires, the words and terms defined in NAC 571.602 to 571.638, inclusive, *and section 6 of this regulation* have the meanings ascribed to them in those sections.

Sec. 26. NAC 571.607 is hereby amended to read as follows:

571.607 “Hold order” means an order issued pursuant to NRS 561.295 ~~[for]~~ *due to exposure or* infection with ~~[trichomonosis.]~~ *trichomoniasis.*

Sec. 27. NAC 571.608 is hereby amended to read as follows:

571.608 “Negative test result” *or “negative”* means that ~~[a specimen taken from a bull by an accredited veterinarian or veterinary technician is]~~ *an official laboratory has* determined ~~[not~~

~~to contain trichomonas organisms.] a test sample to be negative for the presence of~~
Tritrichomonas foetus using an official test for trichomoniasis.

Sec. 28. NAC 571.612 is hereby amended to read as follows:

571.612 “Official laboratory” means a laboratory that is approved by the Department and follows official protocol ~~[-~~:

~~—1.—To conduct a culture test on a specimen for the presence of trichomonas organisms; or~~
~~—2.—To~~ to confirm by polymerase chain reaction ~~[testing]~~ *or another test approved by the Department* whether ~~[a specimen]~~ *an official test* is positive *or negative* for *the presence of* *Tritrichomonas foetus*.

Sec. 29. NAC 571.616 is hereby amended to read as follows:

571.616 “Official *test* tag” means a tag authorized by the Department and approved by the Administrator that is ~~[usually]~~ placed in the ~~[right]~~ ear of a bull , *with a preference for placement in the right ear*, by an accredited veterinarian or veterinary technician *under the indirect supervision of an accredited veterinarian* to indicate the ~~[status]~~ *year* of the ~~[bull with respect to trichomonosis.]~~ *most recent official test for trichomoniasis for the bull.*

Sec. 30. NAC 571.618 is hereby amended to read as follows:

571.618 “Official test for ~~[trichomonosis”]~~ *trichomoniasis” or “official test”* means a test for ~~[trichomonosis]~~ *trichomoniasis* that is performed on a *test-eligible* bull ~~[in this State]~~ *by polymerase chain reaction or another test approved by the Department* where:

1. The test *sample* is ~~[performed]~~ *collected* by an accredited veterinarian or veterinary technician *under the direct or indirect supervision of an accredited veterinarian* who is registered with the Department pursuant to NAC 571.640;
2. The ~~[specimen]~~ *sample* collected from the bull is tested in an official laboratory;

3. The testing complies with the provisions of NAC 571.664 ; ~~and 571.666;~~ and
4. The testing is performed in accordance with any testing procedures approved by the

Administrator.

Sec. 31. NAC 571.620 is hereby amended to read as follows:

571.620 “Positive test result” *or “positive”* means that ~~[a specimen collected from a bull by an accredited veterinarian or veterinary technician is]~~ *an official laboratory has* determined ~~[to contain trichomonas organisms.]~~ *an official test sample to be non-negative for the presence of Trichomonas foetus.*

Sec. 32. NAC 571.632 is hereby amended to read as follows:

571.632 “Test chart” means an official document signed by an accredited veterinarian ~~or veterinary technician]~~ which certifies that a bull has been subjected to an official test for ~~[trichomonosis]~~ *trichomoniasis* and indicates the results of the *official* test.

Sec. 33. NAC 571.633 is hereby amended to read as follows:

571.633 ~~["Test-eligible"]~~ *“Test-eligible* bull” means ~~[an]~~ *a sexually* intact male bovine that is ~~[12]~~ *18* months of age or older.

Sec. 34. NAC 571.634 is hereby amended to read as follows:

571.634 “Total confinement operation” means a dry lot feeding operation where none of the sexually ~~[active]~~ *intact* cattle are allowed access to pasture or to mingle with other cattle outside the confines of the premises of the operation.

Sec. 35. NAC 571.636 is hereby amended to read as follows:

571.636 ~~["Trichomonosis"]~~ *“Trichomoniasis”* means a sexually transmitted disease of cattle caused by the protozoan parasite *Trichomonas foetus*.

Sec. 36. NAC 571.640 is hereby amended to read as follows:

571.640 ~~{An}~~

1. To collect samples for an official test for trichomoniasis, an accredited veterinarian or veterinary technician ~~{may register with}~~ must:

(a) Complete a certification program approved by the Department ~~{to perform official tests for trichomoniasis if he or she has completed a training program approved by}~~ ; and

(b) Register with the Department . ~~{on trichomoniasis and how properly to perform an official test for trichomoniasis on a bull, or demonstrates adequate knowledge of such matters to the satisfaction of the Director.}~~

2. A veterinary technician may collect samples for an official test for trichomoniasis only under the direct or indirect supervision of an accredited veterinarian.

Sec. 37. NAC 571.642 is hereby amended to read as follows:

571.642 1. Except as otherwise provided in subsection 2 and NAC 571.644, a person shall not ship, transport or otherwise move into this State any ~~{test eligible}~~ *test-eligible* bull unless the ~~{test eligible}~~ *test-eligible* bull:

(a) Has tested negative for ~~{trichomoniasis,}~~ trichomoniasis, as evidenced by ~~{a}~~ an official test performed on a ~~{specimen taken}~~ sample collected from the ~~{test eligible}~~ test-eligible bull by an accredited veterinarian within 60 days before entering this State; ~~{and}~~

(b) Has not had contact with female cattle from the time the sample was collected from the test-eligible bull for an official test to the time the bull is shipped, transported or otherwise moved into this State; and

(c) Is accompanied by a health certificate issued by the accredited veterinarian which specifies the date of the testing and collection of the specimen and which:

(1) Verifies that the ~~test-eligible~~ *test-eligible* bull has tested negative for ~~trichomonosis~~ *trichomoniasis on an official test* and that ~~trichomonosis~~ *trichomoniasis* has not been diagnosed in the herd of origin of the ~~test-eligible~~ *test-eligible* bull during the previous 12 months; or

(2) If the ~~test-eligible~~ *test-eligible* bull is from a herd that has tested positive for ~~trichomonosis~~ *trichomoniasis* during the previous 12 months, verifies that the ~~test-eligible~~ *test-eligible* bull has tested negative *by an official test* for ~~trichomonosis~~ *trichomoniasis* in each of its ~~three~~ *two* most recent *official* tests before entering this State and that each such test was performed at least ~~1-week~~ *7 days* apart and complied with the official program to test for ~~trichomonosis~~ *trichomoniasis* in the state of origin of the ~~test-eligible~~ *test-eligible* bull. *For the purposes of this requirement, the official test that identified the positive bull in the herd may be used if the test-eligible bull for which application for entry is being made tested negative.*

2. The Administrator may exempt from the requirements of subsection 1 a person who wishes to ship, transport or otherwise move into this State:

- (a) A ~~test-eligible~~ *test-eligible* bull bearing a tag issued by an accredited veterinarian of another state that has an official program to test for ~~trichomonosis;~~ *trichomoniasis;*
- (b) A ~~test-eligible~~ *test-eligible* bull moving directly to slaughter or to a qualified feedlot;
- (c) A feeder bull;
- (d) A rodeo bull for the purpose of exhibition so long as the bull will not:
 - (1) Have access to grazing;
 - (2) Be exposed to female cattle; or
 - (3) Be offered for sale or lease; or

(e) A ~~[test-eligible]~~ *test-eligible* bull for the purpose of exhibition at a livestock show so long as the ~~[test-eligible]~~ *test-eligible* bull will be returned to its state of origin upon the completion of the exhibition and will not:

- (1) Have access to grazing;
- (2) Be exposed to female cattle; or
- (3) Be offered for sale or lease.

3. *If a test-eligible bull is from a herd that has tested positive for trichomoniasis during the previous 12 months, the person shipping, transporting or otherwise moving the test-eligible bull into this State must comply with the requirements of section 8 of this regulation.*

4. As used in this section, “feeder bull” means a ~~[test-eligible]~~ *test-eligible* bull that is:

- (a) Sufficiently restrained from female cattle such that breeding is not a possibility; and
- (b) Kept in a total confinement operation for the purpose of feeding and eventual slaughter.

Sec. 38. NAC 571.644 is hereby amended to read as follows:

571.644 1. ~~[The]~~ *Except as otherwise provided in section 8 of this regulation, the* owner or lessee of a commuter bull that is a ~~[test-eligible]~~ *test-eligible* bull shall ensure that the commuter bull has ~~[been]~~ tested *negative for trichomoniasis as evidenced by an official test* for ~~[trichomonosis]~~ *trichomoniasis performed* by an accredited veterinarian or veterinary technician ~~;~~

~~—(a) Annually, between October 1 and the following May 31; and~~

~~—(b) Except as otherwise provided in subsection 2, before it is exposed to female cattle.]~~

administered annually during the testing season established by section 7 of this regulation.

2. If the commuter bull is from an infected herd, the owner or lessee of the commuter bull shall ensure that the commuter bull is not exposed to female cattle unless:

(a) The commuter bull has received a negative test result in each of its ~~three~~ *two* most recent *official* tests for ~~trichomonosis~~ *trichomoniasis* that were performed at least 7 days apart; and

(b) The sample for each *official* test was collected at least 7 days apart and tested for ~~trichomonosis~~ *trichomoniasis*.

3. An application for a commuter permit must be accompanied by a copy of the results of the required testing with respect to each commuter bull covered by the permit.

4. As used in this section:

(a) “Commuter bull” means a bull that is traveling across state lines for grazing purposes pursuant to a commuter permit.

(b) “Commuter permit” means a permit that is issued pursuant to NAC 571.045.

Sec. 39. NAC 571.646 is hereby amended to read as follows:

571.646 No ~~test-eligible~~ *test-eligible* bull may be offered for sale or lease in this State for reproductive purposes unless the ~~test-eligible~~ *test-eligible* bull:

1. Tested negative for ~~trichomonosis~~ *trichomoniasis*, as evidenced by an official test for ~~trichomonosis~~ *trichomoniasis* on a ~~specimen~~ *sample* taken from the ~~test-eligible~~ *test-eligible* bull within 60 days before the sale or lease, except that a ~~test-eligible~~ *test-eligible* bull must be retested before the sale or lease if the ~~test-eligible~~ *test-eligible* bull is exposed to female cattle after the official test for ~~trichomonosis~~ *trichomoniasis*; and

2. Bears an official *test* tag.

Sec. 40. NAC 571.648 is hereby amended to read as follows:

571.648 1. ~~Before~~ *Except as otherwise provided in subsection 2, before* a ~~test-eligible~~ *test-eligible* bull may be sold at a stockyard *or public livestock auction* in this State, the owner

or the owner's agent must declare in writing whether or not the ~~test-eligible~~ *test-eligible* bull is positive for ~~trichomonosis, except that if the test-eligible~~ *trichomoniasis*.

2. *If a test-eligible* bull is an untested bull ~~it~~:

(a) *The untested bull* may be sold for slaughter or for direct movement to a qualified feedlot or total confinement operation without ~~such a~~ *the* written declaration ~~[-~~
~~—2.] required pursuant to subsection 1.~~

(b) *And originates from an infected or exposed herd that is subject to a disease quarantine or a hold order, the owner or owner's agent must, in addition to the requirements of NAC 571.656, first comply with the conditions of the quarantine or hold order before the untested bull may be sold at a stockyard or public livestock auction in this State.*

3. As used in this section, "untested bull" means a ~~test-eligible~~ *test-eligible* bull that does not bear an official *test* tag.

Sec. 41. NAC 571.650 is hereby amended to read as follows:

571.650 1. The Administrator may require:

(a) A ~~test-eligible~~ *test-eligible* bull to receive an official test for ~~trichomonosis~~ *trichomoniasis* if the ~~test-eligible~~ *test-eligible* bull is found stray or strayed and is found commingling with a cow belonging to another person.

(b) The owner of a ~~test-eligible~~ *test-eligible* bull described in ~~subsection 1~~ *paragraph (a)* to pay all costs associated with the official test for ~~trichomonosis~~ *trichomoniasis*.

2. As used in this section:

(a) "Estray" means any ~~test-eligible~~ *test-eligible* bull showing signs of domestication, running at large upon public or private lands in the State, whose owner is unknown in the section where the ~~test-eligible~~ *test-eligible* bull is found.

(b) “Stray” means any ~~test-eligible~~ *test-eligible* bull showing signs of domestication, running at large upon public or private lands in the State, whose owner is known in the section where the ~~test-eligible~~ *test-eligible* bull is found.

Sec. 42. NAC 571.652 is hereby amended to read as follows:

571.652 1. An accredited veterinarian or veterinary technician *under the direct or indirect supervision of an accredited veterinarian* who ~~performs~~ *collects a sample for* an official test for ~~trichomonosis~~ *trichomoniasis* on a bull in this State shall :

(a) *Place an official test tag in the ear of* the bull ~~in its~~, *with a preference for placement in the* right ear ~~with an official tag~~; *and*

(b) *Record the official identification of the bull, which may be a National Uniform Eartagging System tag or a United States Department of Agriculture 840 Radio Frequency Identification Device tag, with the corresponding official test tag for additional proof of testing in the event the official test tag is lost.*

2. An accredited veterinarian may ~~tag~~ *place an official test tag in the ear of* a bull entering this State ~~with an official tag~~, *with a preference for placement in the right ear*, if he or she receives a ~~trichomonosis~~ *trichomoniasis* test chart for the bull from an accredited veterinarian who tested the bull for ~~trichomonosis~~ *trichomoniasis* outside of this State.

3. The Administrator will designate a different color for official *test* tags each year.

Sec. 43. NAC 571.654 is hereby amended to read as follows:

571.654 1. *Pursuant to NRS 571.160, trichomoniasis is a reportable disease in this State.* An accredited veterinarian who ~~performs an official test~~ *is responsible for sample collection* for ~~trichomonosis~~ *trichomoniasis* on a bull in this State shall, within 48 hours after his or her receipt of a positive test result *to an official test* with respect to the bull:

- (a) Report the result to the Administrator, the Director and the owner of the bull; and
- (b) Classify the bull as an infected bull and its herd as an infected herd.

2. The Director will immediately place ~~an~~ *the* infected bull and its infected herd under a hold order and ensure that the Administrator *or his or her designee* or a federal animal health official conducts an epidemiological investigation of the infected herd.

3. As used in this section, “federal animal health official” means an employee of the Veterinary Services of the Animal and Plant Health Inspection Service of the United States Department of Agriculture who is authorized to perform animal health activities.

Sec. 44. NAC 571.656 is hereby amended to read as follows:

571.656 1. Before the Director releases an infected herd from a hold order, an accredited veterinarian must ensure that:

(a) Each ~~test-eligible~~ *test-eligible* bull in the infected herd ~~receives the first of three~~ *tests negative on two consecutive* official tests for ~~trichomonosis~~ *trichomoniasis* within 8 months after the herd is placed under the hold order. ~~;~~ *For the purposes of this requirement, the official tests that identified the positive bull in the herd may be used if the bull sampled for the purpose of satisfying the hold order tested negative on the official test.*

(b) Each ~~test-eligible~~ *test-eligible* bull is certified to be clear of ~~trichomonosis~~ *trichomoniasis by an official test* or is released to a slaughter channel ~~;~~ *within 30 days after a positive test result.*

(c) Each ~~test-eligible~~ *test-eligible* bull receives and bears an official *test* tag. ~~;~~ *and*

(d) The official *test* tag number and classification of each ~~test-eligible~~ *test-eligible* bull is recorded on a test chart.

2. Before a ~~test-eligible~~ *test-eligible* bull may be certified to be clear of ~~trichomonosis~~ *trichomoniasis* pursuant to subsection 1:
- (a) The ~~test-eligible~~ *test-eligible* bull must have received a negative test result *on an official test* in each of its ~~three~~ *two* most recent official tests for trichomonosis, with each such test being performed at least 7 days apart; and
 - (b) The sample for each test must have been collected at least 7 days apart and tested for ~~trichomonosis~~ *trichomoniasis*.
3. Except as otherwise provided in subsection 4, the owner or lessee of an infected herd shall not lease or transfer ownership of any bull or cow, or any heifer that is ~~20~~ *18* months of age or older, from the herd during a period in which the herd is under a hold order.
4. The owner or lessee of an infected herd may ~~release~~ *consign* any cattle from the herd to a slaughter channel. If an owner or lessee ~~releases~~ *consigns* any cattle from the herd to a slaughter channel ~~, the~~ :
- (a) *The cattle from the infected herd entering the slaughter channel must remain under quarantine until moved to the slaughter channel;*
 - (b) *The owner or lessee must obtain approval from the Department to move the cattle from the infected herd from the original premises to the slaughter channel; and*
 - (c) *The* owner or lessee must provide documentation, on a form approved by the Administrator, to the Department that the cattle arrived at the slaughter channel.
5. *As a condition of the release of any hold order, the owner or lessee must comply with the requirements of section 8 of this regulation.*

Sec. 45. NAC 571.658 is hereby amended to read as follows:

571.658 1. If, through an epidemiological investigation, a ~~trichomonosis~~ *trichomoniasis* epidemiologist ~~determines that~~ *identifies* a neighboring herd ~~has had~~ *at risk of* contact with an infected bull, the Director will classify the herd as an exposed herd and place it under a hold order.

2. Before the Director releases an exposed herd from a hold order, an accredited veterinarian must ensure that:

(a) Each ~~test eligible~~ *test-eligible* bull in the exposed herd receives an official test for ~~trichomonosis~~ *trichomoniasis* within 8 months after the herd was placed under a hold order ~~;~~ *and that the sample was collected after the possible exposure occurred;*

(b) Each ~~test eligible~~ *test-eligible* bull is determined to be clear of ~~trichomonosis~~ *trichomoniasis by an official test* or is released to a slaughter channel;

(c) Each ~~test eligible~~ *test-eligible* bull receives and bears an official *test* tag; and

(d) The official *test* tag number and classification of each ~~test eligible~~ *test-eligible* bull is recorded on a test chart.

3. Before a ~~test eligible~~ *test-eligible* bull may be certified to be clear of ~~trichomonosis~~ *trichomoniasis* pursuant to subsection 2, the ~~test eligible~~ *test-eligible* bull must have received a negative test result in its most recent official test for ~~trichomonosis.~~ *trichomoniasis.*

4. Except as otherwise provided in subsection 5, the owner or lessee of an exposed herd shall not lease or transfer ownership of any bull or cow, or any heifer that is ~~20~~ *18* months of age or older, from the herd during a period in which the herd is under a hold order.

5. The owner or lessee of an exposed herd may ~~release~~ *consign* any cattle from the herd to a slaughter channel. If an owner or lessee ~~releases~~ *consigns* any cattle from the herd to a

slaughter channel, the owner or lessee must provide documentation, on a form approved by the Administrator, to the Department that the cattle arrived at the slaughter channel.

6. As a condition of the release of any hold order, the owner or lessee must comply with the requirements of section 8 of this regulation.

Sec. 46. NAC 571.660 is hereby amended to read as follows:

571.660 ~~[Except as otherwise provided in NAC 571.662:]~~

1. The owner of a herd shall ensure that each bull from the herd that receives a positive test result to an official test for ~~[trichomonosis:]~~ *trichomoniasis:*

(a) Is ~~[branded with a hot iron to the left of its tail with the letter "V" in a size not less than 2 inches by 3 inches]~~ *identified by a method approved by the Department* to signify that it is infected with ~~[trichomonosis:]~~ *trichomoniasis;* and

(b) Is sent by direct movement within 30 days after the owner receives the positive test result to a slaughter channel. The owner ~~[shall provide documentation,]~~ *must obtain the approval of the Department* on a form *or other documentation* approved by the ~~[Administrator, to the]~~ Department ~~[that the cattle arrived at]~~ *to move each bull that receives a positive test result from the premise of origin to* the slaughter channel.

2. The owner of a qualified feedlot which has a bull that has received a positive test result to an official test for ~~[trichomonosis]~~ *trichomoniasis* shall:

(a) Segregate the bull from ~~[every breeding cow and heifer]~~ *all female cattle* housed at the qualified feedlot; and

(b) Confine the bull to a dry lot area that is used to upgrade or finish feed the bull before it goes to slaughter.

Sec. 47. NAC 571.664 is hereby amended to read as follows:

571.664 An accredited veterinarian ~~[or veterinary technician]~~ shall:

1. Only use an official laboratory to test a ~~[specimen]~~ *sample* collected from a bull; ~~[and]~~
2. *Contact an official laboratory for the timeframe and condition in which the sample must be received by the official laboratory to test the sample; and*
3. Ensure that the ~~[specimen:]~~ *sample:*
 - (a) Arrives at an official laboratory for testing within ~~[48 hours after it is collected;]~~ *the timeframe and condition specified by the official laboratory pursuant to subsection 2;* and
 - (b) Is transported and maintained pursuant to official protocol.

Sec. 48. NAC 571.668 is hereby amended to read as follows:

571.668 A person who violates any provision of NAC 571.600 to 571.668, inclusive, *and sections 6 to 8, inclusive, of this regulation* is subject to the penalties set forth in NRS 571.250.

Sec. 49. NAC 571.100, 571.662 and 571.666 are hereby repealed

TEXT OF REPEALED SECTIONS

571.100 Livestock for use in rodeo. (NRS 571.120, 571.210) A person shall not ship, transport or otherwise move livestock into Nevada for use in a rodeo unless:

1. Each animal is accompanied by a health certificate and an entry permit;
2. Cattle and bison react negatively to a test for brucellosis within the 12 months before the date of entry into Nevada; and

3. Roping steers and fighting cattle imported from Mexico react negatively to a test for tuberculosis within the 12 months before the date of entry into Nevada.

571.662 Additional testing after bull receives positive test result to official test for trichomonosis. (NRS 561.295, 571.120, 571.150, 571.170)

1. The owner or lessee of a bull that receives a positive test result to an official test for trichomonosis may request the accredited veterinarian or veterinary technician who performed the test to submit the specimen of the bull which was found to contain trichomonas organisms to an official laboratory to confirm the presence of trichomonas organisms by polymerase chain reaction testing. As a prerequisite to exercising this option, the specimen must arrive at the laboratory within 48 hours after being found to contain trichomonas organisms.

2. If polymerase chain reaction testing determines that the specimen of the bull:

(a) Is positive or inconclusive for *Trichomonas foetus*, the bull will be considered positive for trichomonosis.

(b) Is negative for *Trichomonas foetus*, the bull will be considered negative for trichomonosis.

571.666 Official laboratory: Duties of operator; annual inspection. (NRS 571.120, 571.150)

1. The operator of an official laboratory shall ensure that the laboratory is administered in accordance with official protocol.

2. A laboratory must pass an annual inspection conducted by the Administrator to maintain its status as an official laboratory.

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SMALL BUSINESS IMPACT STATEMENT AS REQUIRED BY NRS 233B.0608

Revised LCB File No. R104-201

January 21, 2022

PROPOSED AMENDMENTS TO NAC CHAPTER 571

- 1. A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.**

The Nevada Department of Agriculture (NDA) released a digital survey via email to industry members and businesses. The survey opened on June 3, 2021 and closed on June 18, 2021. In addition, the survey was posted to the NDA website at www.agri.nv.gov/survey on June 3, 2021. The survey was sent to a total of 6,047 licensed businesses and interested parties in Nevada. A link to all active surveys, including NAC 571, was shared on the NDA's social media pages on June 3, 2021, June 10, 2021, and June 16, 2021. The Nevada Farm Bureau also promoted the survey in their newsletters and social media on June 4, 2021 and June 10, 2021. During the administration of the survey, no requests were made for a printed copy.

In total, the survey received 197 responses with a 39% survey completion rate. Persons interested in obtaining the survey results and summary may do so by contacting the Division of Animal Industry at 775-353-3709 or animalindustry@agri.nv.gov.

Summary of survey responses:

- What level of negative impact will the proposed changes to NAC 571 have on your business?
 - No Impact: 23 respondents (27.06%)
 - Insignificant Impact: 13 respondents (15.29%)
 - Minor Impact: 17 respondents (20.00%)
 - Moderate Impact: 21 respondents (24.71%)
 - Major Impact: 10 respondents (11.76%)
 - Severe Impact: 1 respondent (1.18%)
- If enacted would the proposed changes to NAC 571 impact your ability to do business?
 - Yes: 34 (26.98%)
 - No: 41 (32.54%)
 - Maybe: 51 (40.48%)

- Estimate the total annual impact the proposed changes to NAC 571 will have on your business.
 - Reported cost of the proposed changes to NAC 571 on small business by respondents would be between \$177,632 and \$2,017,368. However, the median cost to individual small businesses would be between \$100 and \$1,000. In total, 29 respondents (33.7%) reported that there would be no cost due to NAC 571, while 67 respondents (77.9%) reported they would incur costs associated with the proposed regulations. 19 respondents (22%) stated that they would incur costs greater than \$5,001. Information on how estimates were determined was not provided by survey respondents.
- 58 respondents answered the survey question of “what level of financial impact would have on their businesses?” Most answered that the financial impact would be none to minimal. Others were uncertain about the financial impact or estimated the impact to be significant.
- 51 respondents answered the survey question “would any operational changes need to be made as a result of the financial impact of the proposed changes?” Most said they would not need to make operational changes, while others indicated that changes would have to be made.

2. The manner in which the analysis was conducted.

A statistical analysis of the survey results was compiled and considered along with comments from respondents. While most respondents indicated that the proposed changes would have an impact on their businesses, the majority indicated that the level of financial impact would be none to moderate.

3. The estimated economic effect of the proposed regulation on small business which it is to regulate, including, without limitation:

Of the 85 respondents, 12.94% indicated proposed changes to NAC 571 would have a major or severe impact on their business. Based upon comments provided in the follow up question “how would changes to NAC 571 impact your ability to do business?” 73.02% of the 126 respondents indicated it would have insignificant to no impact to their business.

The survey asked if the proposed changes to NAC 571 would impact their ability to do business. Of the 126 respondents, 26.98% indicated it would, 32.54% indicated it would not and 40.48% indicated maybe.

While numerous respondents expressed concern over additional state regulations and fee increases when asked what total annual impact the proposed changes to NAC 571 would have on their business, 33.7% of the 86 respondents indicated minor to no financial impact. 77.9% of respondents indicated they would incur costs between \$100 and \$1000, while 22% indicated they would incur costs greater than \$5,001.

4. A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.

In considering the establishment of different standards of compliance for small businesses, the agency determined that most of the affected agriculture businesses in Nevada would fall under the small business category of employing less than 150 employees. As the agency continues through

the regulatory adoption process required under the Nevada Administrative Procedure Act, it will consider any other methods to reduce the impact to small businesses that may be proposed.

5. The estimated cost to the agency for enforcement of the proposed regulation.

The agency does not anticipate that its ongoing costs to enforce the proposed changes to NAC 571 will increase. The agency anticipates one-time costs of approximately \$2,500 to print and mail a notice of the revised regulations to all registered livestock producers and industry partners following adoption of the regulation.

6. If the proposed 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.

Not applicable.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.

The proposed regulations are not duplicative or more stringent than federal, state or local standards.

8. The reasons for the conclusion of the agency regarding the impact of a regulation on small businesses.

While there will be an impact on small businesses as result of adoption of the proposed regulation, the agency concludes that the regulations are reasonable and necessary for the NDA to perform all statutorily mandated duties in control and eradication of diseases in animals. Based upon the survey responses received, the agency can only estimate the percentage of small businesses that may incur a cost greater than \$5,001 to be approximately 22%.

I certify that to the best of my knowledge or belief, a concerted effort was made to determine the impact of this proposed regulation on small businesses and the information contained in the statement was prepared properly and is accurate.

Jennifer Ott

Digitally signed by Jennifer Ott
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Jennifer Ott
Director
Nevada Department of Agriculture