

**PROPOSED REGULATION OF THE
STATE QUARANTINE OFFICER**

LCB File No. R001-23

December 7, 2023

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

AUTHORITY: §§ 1, 2, 4, 6-10, 12-16 and 19, NRS 571.120 and 571.210; §§ 3 and 5, NRS 571.120, 571.170 and 571.210; § 11, NRS 562.250, 571.120 and 571.210; §§ 17, 18 and 20, NRS 571.120; §§ 21, 36 and 39-41, NRS 561.295, 571.120, 571.150 and 571.170; §§ 22-31, 34, 35, 37 and 42, NRS 571.120 and 571.150; §§ 32 and 33, NRS 571.120, 571.150 and 571.210; § 38, NRS 561.295, 571.120, 571.150, 571.160 and 571.170; § 43, NRS 561.295, 571.120, 571,150, 571.170 and 571.210.

A REGULATION relating to animals; 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 or 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 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 epidemiologic investigation, hold order or disease quarantine; or (2) the owner, lessee or manager does not comply with certain annual trichomoniasis testing requirements.

Section 8 of this regulation revises the definition of “health certificate.” **Section 9** of this regulation revises the address and other contact information where certain information relating to the entry of foreign livestock must be sent.

Section 10 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 11 of this regulation requires the health certificate for sheep entering this State to 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 12 of this regulation revises the requirements for the entry of cattle and bison into this State to require: (1) female calves 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 as evidence of having received the brucellosis calftooth 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 and 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 12:** (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 13** of this regulation removes these requirements as such animals are prohibited from entering the State pursuant to existing law.

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 14** 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 15** of this regulation provides that: (1) the health certificate must have been issued within 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 16** 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 7** of this regulation makes conforming changes to incorporate this definition into the existing definitions for the chapter.

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 used in the prevention or treatment of livestock without a permit, authorization or license granted by the Department, the United States Department of Agriculture, the Agricultural Research Service or any other agency authorized by the Department; and (2) any vaccine, bacteriological or biologic product which is a hazard to the livestock industry without the written permission of the Administrator. (NAC 571.300, 571.310) **Section 17** of this regulation removes the Agricultural Research Service from this list. **Section 18** 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 12 and 19** 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 20 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 30** of this regulation changes the spelling of “trichomonosis” to “trichomoniasis.” **Sections 21, 24, 25, 27, 29 and 32-41** of this regulation make related conforming changes. **Sections 21-30** revise certain definitions relating to trichomoniasis.

Section 6 of this regulation: (1) requires all test-eligible bulls located in this State to test negative for trichomoniasis on an annual basis; (2) requires all test-eligible bulls located in this State or entering this State that will be turned out on grazing allotments on public lands to test negative for trichomoniasis at least annually and not less than 45 days before the bulls are turned out on the grazing allotment; and (3) 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 31 of this regulation requires a veterinarian or veterinary technician who wish to collect samples for trichomoniasis testing to complete a certification program approved by the Department and register with the Department. **Section 31** also requires a veterinary technician who collects such samples to do so under the direct or indirect supervision of an accredited veterinarian.

Section 32 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 bull tested negative for trichomoniasis and when the bull enters this State.

Section 33 of this regulation provides that a commuter bull must test negative for trichomoniasis annually between September 1 and the following August 31.

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 35** 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 37 of this regulation requires an accredited veterinarian or veterinary technician under the direct or indirect supervision of an accredited veterinarian that 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 37** 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 or veterinarian who has knowledge of an infected animal, to notify the State Quarantine Officer. (NRS 571.160) **Section 38** 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 includes requiring a test-eligible bull from an infected herd to test negative on three official tests. (NAC 571.656) **Section 39** 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 42** 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 43 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 6, 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 epidemiologic investigation, hold order or disease quarantine; or*
- 2. The owner, lessee or manager does not comply with the annual requirement for trichomoniasis testing set forth in NAC 571.644 and section 6 of this regulation.*

Sec. 6. *1. Except as otherwise provided in subsections 2 and 3, in addition to the requirements of NAC 571.642, all test-eligible bulls located within this State or that have been shipped, transported or otherwise moved into this State must test negative for trichomoniasis*

as evidenced by an official test administered annually between September 1 and the following August 31 of each year.

2. All test-eligible bulls that are located within this State or that have been shipped, transported or otherwise moved into this State that will be turned out on a grazing allotment on public lands must test negative for trichomoniasis as evidenced by an official test administered at least annually and not less than 45 days before the bulls are turned out on the grazing allotment.

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. 7. 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. 8. 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. 9. 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, ~~1350 Capitol Hill Avenue, Reno, Nevada 89502,~~ *405 South 21st Street, Sparks, Nevada 89431*, telephone number (775) ~~1688-1180,~~ *353-3709, or to the electronic mailing address entrypermits@agri.nv.gov.*

Sec. 10. 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; 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. 11. 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 ~~is~~ *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. 12. 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 calthood 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 such an official brucellosis calthood vaccination .* ~~{against brucellosis.}~~

(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) ~~{A}~~ *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. 13. 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. 14. 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. 15. 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}~~ *Except as 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 such 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. 16. 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 entry of an animal or livestock, a public livestock auction held in Nevada that holds a current and federally approved agreement for such a 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. 17. 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. 18. 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. 19. NAC 571.355 is hereby amended to read as follows:

571.355 1. ~~{Female}~~ *Except as otherwise provided in NAC 571.360 and subsection 2 or unless otherwise authorized by the Administrator, cattle or bison in this State or entering this State must receive an official brucellosis calfhood 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}~~ *calfhood 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}~~ *california 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;

~~{(c)}~~ (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.}~~ 2. As used in this section, “qualified feedlot” has the meaning ascribed to it in NAC 571.622.

Sec. 20. 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. 21. 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. 22. NAC 571.608 is hereby amended to read as follows:

571.608 “Negative test result” 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.~~ *an official test sample to be negative for the presence of Tritrichomonas foetus.*

Sec. 23. 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~~ *testing* ~~or another test approved by the~~

Department whether ~~a specimen~~ *an official test* is ~~positive~~ *negative or non-negative* for *the presence of* Tritrichomonas foetus.

Sec. 24. 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. 25. 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 indirect supervision of an accredited veterinarian* who is registered with the Department pursuant to NAC 571.640;
2. The specimen 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. 26. NAC 571.620 is hereby amended to read as follows:

571.620 “Positive test result” 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 Tritrichomonas foetus.*

Sec. 27. 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. 28. NAC 571.633 is hereby amended to read as follows:

571.633 ~~“Test-eligible”~~ *Test-eligible* bull” means an intact male bovine that is 12 months of age or older.

Sec. 29. 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. 30. 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 *Tritrichomonas foetus*.

Sec. 31. 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~~ *shall:*

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

(b) Register with the Department . ~~on trichomonosis and how properly to perform an official test for trichomonosis 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. 32. 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 ~~trichomonosis,~~ *trichomoniasis*, as evidenced by ~~a~~ *an official* test performed on a specimen taken 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 of the official test to the time of being 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 most recent *official* tests before entering this State and that each such test was performed at least 1 week 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. 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. 33. NAC 571.644 is hereby amended to read as follows:

571.644 1. ~~The~~ *Except as otherwise provided in section 6 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 by an accredited veterinarian or veterinary technician:~~

~~—(a) Annually;~~ *trichomoniasis administered annually* between ~~October~~ *September* 1 and the following ~~May~~ *August* 31. ~~;~~ and

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

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 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. 34. 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. 35. 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. 36. 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 stray 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. 37. 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 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. 38. 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 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 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. 39. 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 ~~to~~ *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 ~~to~~ *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 Director may require additional testing within 1 year after the release.

Sec. 40. 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* 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.

Sec. 41. 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. 42. NAC 571.664 is hereby amended to read as follows:

571.664 An accredited veterinarian ~~for 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. 43. 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 *Tritrichomonas foetus*, the bull will be considered positive for trichomonosis.

(b) Is negative for *Tritrichomonas 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.