

SENATE BILL NO. 488—COMMITTEE ON FINANCE

(ON BEHALF OF THE DEPARTMENT OF ADMINISTRATION)

MARCH 23, 2015

Referred to Committee on Natural Resources

SUMMARY—Authorizes the State Department of Agriculture to establish a program for the registration of veterinary biologic products sold in Nevada. (BDR 50-1164)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Executive Budget.

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

AN ACT relating to animals; authorizing the State Department of Agriculture to establish by regulation requirements for the registration of certain animal remedies, veterinary biologics and pharmaceuticals for veterinary purposes with the State Department of Agriculture; providing penalties; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 This bill authorizes the State Department of Agriculture to establish, by  
2 regulation, a program to carry out federal regulations concerning certain animal  
3 remedies, veterinary biologics and pharmaceuticals for veterinary purposes. **Section**  
4 **8** of this bill requires the regulations to provide that any person wishing to sell  
5 certain animal remedies, veterinary biologics and pharmaceuticals for veterinary  
6 purposes must register such products with the Department. **Section 8** also requires  
7 the regulations to provide for: (1) certain application requirements for the  
8 registration of animal remedies, veterinary biologics and veterinary pharmaceuticals  
9 with the Department; and (2) a reasonable annual registration fee for each product.  
10 **Section 10** of this bill requires any fee collected for the registration of such products  
11 to be deposited in the Livestock Inspection Account. **Section 11** of this bill imposes  
12 a civil penalty on a person failing to register such products not to exceed: (1) \$250  
13 for a first offense; (2) \$500 for a second offense; and (3) \$1,000 for each subsequent  
14 offense. Under **section 11**: (1) fifty percent of the penalties collected must be used to  
15 fund a program to provide loans to persons who are 21 years of age or less and who  
16 are engaged in agriculture; and (2) the other 50 percent of the penalties collected  
17 must be deposited in the Account for the Control of Weeds.



\* S B 4 8 8 R 1 \*

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1       **Section 1.** Title 50 of NRS is hereby amended by adding  
2 thereto a new chapter to consist of the provisions set forth as  
3 sections 2 to 13, inclusive, of this act.

4       **Sec. 2.** *As used in this chapter, unless the context otherwise*  
5 *requires, the words and terms defined in sections 3 to 7, inclusive,*  
6 *of this act have the meanings ascribed to them in those sections.*

7       **Sec. 3.** (Deleted by amendment.)

8       **Sec. 4.** *“Department” means the State Department of*  
9 *Agriculture.*

10       **Sec. 5.** *“Director” means the Director of the Department.*

11       **Sec. 6.** (Deleted by amendment.)

12       **Sec. 7.** (Deleted by amendment.)

13       **Sec. 8.** 1. *The Department may establish, by regulation, a*  
14 *program to implement the requirements of federal regulations*  
15 *concerning veterinary feed directives, as defined in 21 U.S.C. §*  
16 *354, including, without limitation, requirements for the*  
17 *registration of any animal remedy, veterinary biologic or*  
18 *pharmaceutical, as those terms are defined in those federal*  
19 *regulations.*

20       2. *The regulations adopted by the Department pursuant to*  
21 *subsection 1 must provide that:*

22       (a) *Except as otherwise provided in this paragraph, no person*  
23 *shall sell, offer or expose for sale, or deliver to a user, an animal*  
24 *remedy, veterinary biologic or pharmaceutical, in package or in*  
25 *bulk, which has not been registered with the Department pursuant*  
26 *to this chapter and the regulations adopted pursuant thereto. Any*  
27 *product registered pursuant to NRS 586.010 to 586.450, inclusive,*  
28 *or under the Federal Insecticide, Fungicide, and Rodenticide Act,*  
29 *7 U.S.C. §§ 136 et seq., is not subject to the provisions of this*  
30 *chapter and the regulations adopted pursuant thereto.*

31       (b) *Except as otherwise provided by law, the manufacturer of*  
32 *each brand of animal remedy, veterinary biologic and*  
33 *pharmaceutical to be sold in this State, whether in package or in*  
34 *bulk, shall register such products with the Department annually*  
35 *pursuant to this chapter and the regulations adopted pursuant*  
36 *thereto. The regulations may authorize a manufacturer who sells*  
37 *more than one animal remedy, veterinary biologic or*  
38 *pharmaceutical in this State to register all such products with one*  
39 *application.*

40       (c) *An application for registration of an animal remedy,*  
41 *veterinary biologic or pharmaceutical must be made on forms*  
42 *provided by the Department and must be accompanied by a*



1 *reasonable annual registration fee established by the Department*  
2 *by regulation for each animal remedy, veterinary biologic and*  
3 *pharmaceutical.*

4 *(d) An application pursuant to paragraph (c) must:*

5 *(1) Be filed on or before July 1 of each year; and*

6 *(2) Include a list of all animal remedies, veterinary*  
7 *biologics and pharmaceuticals that the applicant intends to market*  
8 *in this State during the following fiscal year.*

9 **Sec. 9.** (Deleted by amendment.)

10 **Sec. 10.** *The Department shall deposit all fees collected*  
11 *pursuant to this chapter in the Livestock Inspection Account*  
12 *created by NRS 561.344.*

13 **Sec. 11.** *1. Any person violating the provisions of this*  
14 *chapter is subject to a civil penalty not to exceed:*

15 *(a) For a first offense, \$250.*

16 *(b) For a second offense, \$500.*

17 *(c) For a third or subsequent offense, \$1,000.*

18 *2. Of the money collected by the Department from a civil*  
19 *penalty pursuant to subsection 1:*

20 *(a) Fifty percent of the money must be used to fund a program*  
21 *selected by the Director that provides loans to persons who are*  
22 *engaged in agriculture and who are 21 years of age or less; and*

23 *(b) The remaining 50 percent must be deposited in the Account*  
24 *for the Control of Weeds created by NRS 555.035.*

25 **Sec. 12.** *The Director may apply for and accept any gift,*  
26 *donation, bequest, grant or other source of money to carry out the*  
27 *provisions of this chapter and the regulations adopted pursuant*  
28 *thereto.*

29 **Sec. 13.** (Deleted by amendment.)

30 **Sec. 13.5.** NRS 561.344 is hereby amended to read as follows:

31 561.344 1. The Livestock Inspection Account is hereby  
32 created in the State General Fund for the use of the Department.

33 2. The following special taxes, fees and other money must be  
34 deposited in the Livestock Inspection Account:

35 (a) All special taxes on livestock as provided by law.

36 (b) Fees and other money collected pursuant to the provisions of  
37 chapter 564 of NRS.

38 (c) Fees collected pursuant to the provisions of chapter 565 of  
39 NRS.

40 (d) *Fees collected pursuant to the provisions of sections 2 to*  
41 *13, inclusive, of this act.*

42 (e) Unclaimed proceeds from the sale of estrays and feral  
43 livestock by the Department pursuant to NRS 569.005 to 569.130,  
44 inclusive, or proceeds required to be deposited in the Livestock  
45 Inspection Account pursuant to a cooperative agreement established



1 pursuant to NRS 569.031 for the management, control, placement or  
2 disposition of estrays and feral livestock.

3 ~~[(e)]~~ (f) Fees collected pursuant to the provisions of chapter 573  
4 of NRS.

5 ~~[(e)]~~ (g) Fees collected pursuant to the provisions of chapter 576  
6 of NRS.

7 ~~[(e)]~~ (h) Laboratory fees collected for the diagnosis of  
8 infectious, contagious and parasitic diseases of animals, as  
9 authorized by NRS 561.305, and as are necessary pursuant to the  
10 provisions of chapter 571 of NRS.

11 3. Expenditures from the Livestock Inspection Account must  
12 be made only for carrying out the provisions of this chapter and  
13 chapters 564, 565, 569, 571, 573 and 576 of NRS ~~[(h)]~~ *and sections 2*  
14 *to 13, inclusive, of this act.*

15 4. The interest and income earned on the money in the  
16 Livestock Inspection Account, after deducting any applicable  
17 charges, must be credited to the Account.

18 **Sec. 14.** (Deleted by amendment.)

19 **Sec. 15.** This act becomes effective:

20 1. Upon passage and approval for the purpose of adopting  
21 regulations and performing any other preparatory administrative  
22 tasks that are necessary to carry out the provisions of this act; and

23 2. On July 1, 2015, for all other purposes.

