

HOUSE BILL No. 5801

May 22, 1990, Introduced by Rep. Jacobetti and referred to the Committee on Appropriations.

A bill to amend the title and sections 33 and 43 of Act No. 466 of the Public Acts of 1988, entitled "Animal industry act of 1987," section 33 as amended by Act No. 40 of the Public Acts of 1990, being sections 287.733 and 287.743 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and sections 33 and 43 of Act No. 466
2 of the Public Acts of 1988, section 33 as amended by Act No. 40
3 of the Public Acts of 1990, being sections 287.733 and 287.743 of
4 the Michigan Compiled Laws, are amended to read as follows:

TITLE

5
6 An act to authorize and require the appointment of a state
7 veterinarian within the department of agriculture; to protect the
8 livestock industry of the state through prevention, control, and

1 eradication of infectious, contagious, or toxicological diseases
2 of livestock; to safeguard the human population from diseases
3 that are communicable between animals and humans; to prevent or
4 control the contamination of livestock with toxic substances
5 through livestock or livestock products; to provide for indemni-
6 fication for livestock; TO PROVIDE FOR THE IMPOSITION OF FEES; to
7 provide for rules; to provide for penalties; and to repeal cer-
8 tain acts and parts of acts.

9 Sec. 33. (1) Except upon permission from the director,
10 female dairy or breeding cattle, 4 months of age or older, or
11 bulls 6 months of age or older, within this state, shall not be
12 sold, leased, or moved to associate with cattle of another owner,
13 unless each animal is accompanied by either an official certifi-
14 cate of record for sale form or, if a vaccinated female under 20
15 months of age, a brucellosis certificate of record of official
16 calfhood vaccination form issued by the department. The certifi-
17 cate required by this section shall not be necessary in the case
18 of native cattle for exhibition not under quarantine and origi-
19 nating from a certified brucellosis-free area of the state as
20 defined in title 9 of the code of federal regulations and the
21 uniform methods and rules for brucellosis eradication approved by
22 veterinary services of the animal and plant health inspection
23 service of the United States department of agriculture which
24 became effective on July 1, 1986, and all amendments thereafter
25 adopted pursuant to rules promulgated by the director.

26 (2) An official certificate of record for sale form may be
27 obtained UPON THE PAYMENT OF A FEE OF \$4.00 FOR EACH HEAD OF

1 CATTLE SUBMITTED WITH THE BRUCELLOSIS TEST RECORD, WHICH RECORD
2 INDICATES THAT PRIVATE SALE IS THE REASON FOR TESTING, AND if 1
3 of the following occurs:

4 (a) When cattle originate directly from a brucellosis
5 certified-free herd as defined in title 9 of the code of federal
6 regulations and the uniform methods and rules for brucellosis
7 eradication approved by veterinary services of the animal and
8 plant health inspection service of the United States department
9 of agriculture which became effective on July 1, 1986, and all
10 amendments thereafter adopted pursuant to rules promulgated by
11 the director, or a herd that has received a complete negative
12 herd test within the last 12 months and, in the case of females
13 over 4 months of age, ~~shall be~~ ARE official calfhood
14 vaccinates. The vaccination tattoo shall be observed by the
15 accredited veterinarian and shall be considered legible if the
16 letter "V", surrounded by a U.S. registered shield, can be
17 identified. Only cattle tested on the complete herd test, or a
18 natural addition to the herd, can comply with this subdivision.

19 (b) When a vaccinated female over 19 months of age or a bull
20 over 6 months of age that does not meet the requirements of sub-
21 division (a) tests negative to an official brucellosis test
22 within 90 days before movement and, in the case of females over 4
23 months of age, is an official calfhood vaccinate with the vacci-
24 nation tattoo visibly present. The tattoo shall be considered
25 legible if the letter "V", surrounded by a U.S. registered
26 shield, can be identified.

1 (3) Cattle shall be individually identified by an official
2 ear tag. For individual identification other than the official
3 ear tag, approval shall be obtained from the director prior to
4 movement to associate with other cattle. The seller, seller's
5 agent, or lessor has the responsibility for furnishing an AH-275
6 or AH-005 form.

7 (4) Dairy or breeding cattle accompanied by an AH-275 form
8 or, if under 20 months of age, an AH-005 form, may be sold at
9 livestock auction market. Dairy or breeding cattle shall be han-
10 dled and housed in facilities and pens in a manner approved by
11 the director. The alleys and sale rings used for dairy or breed-
12 ing cattle shall be cleaned and disinfected before each sale.
13 After cleaning and disinfecting, they shall not be used by
14 untested slaughter cattle or reactor cattle before use by dairy
15 or breeding cattle. The pens, facilities, and the procedures for
16 cleaning and disinfecting shall be approved by the director.

17 (5) THE REVENUE GENERATED BY THE FEE DESCRIBED IN
18 SUBSECTION (2) SHALL BE RETURNED TO THE DEPARTMENT FOR THE ADMIN-
19 ISTRATION AND ENFORCEMENT OF THIS ACT.

20 Sec. 43. (1) A veterinary biological shall not be distrib-
21 uted in this state unless permission is obtained from the direc-
22 tor and any stipulations set forth are met.

23 (2) A person shall not import any veterinary biological into
24 this state unless permission is obtained from the director.
25 These products shall be administered only by a licensed veteri-
26 narian or under the supervision of a licensed veterinarian unless
27 used in compliance with section 18814 of the public health code,

1 Act No. 368 of the Public Acts of 1978, being section 333.18814
2 of the Michigan Compiled Laws.

3 (3) The director may restrict the sale of a specific veteri-
4 nary biological in this state to licensed or accredited veteri-
5 narians or to a distributor who limits the sale of that specific
6 veterinary biological to licensed or accredited veterinarians.

7 (4) The director may require that the use of a veterinary
8 biological or diagnostic test shall be reported to the department
9 within 5 days of its use and the director shall determine the
10 information required in the report.

11 (5) A FEE OF \$4.00 SHALL BE PAID TO THE DEPARTMENT UPON THE
12 SUBMISSION OF THE BRUCELLOSIS VACCINATION RECORD FOR AN OFFICIAL
13 CALFHOOD VACCINATE. THE REVENUE GENERATED BY THE FEE IMPOSED IN
14 THIS SECTION SHALL BE RETURNED TO THE DEPARTMENT FOR THE ADMINIS-
15 TRATION AND ENFORCEMENT OF THIS ACT.