

SENATE BILL No. 687

November 8, 1989, Introduced by Senator N. SMITH and referred to the Committee on Agriculture and Forestry.

A bill to amend sections 6, 9, 12, 14, 15, 17, 23, 25, 28, 33, 37, 40, and 42 of Act No. 466 of the Public Acts of 1988, entitled

"Animal industry act of 1987,"

being sections 287.706, 287.709, 287.712, 287.714, 287.715, 287.717, 287.723, 287.725, 287.728, 287.733, 287.737, 287.740, and 287.742 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 6, 9, 12, 14, 15, 17, 23, 25, 28, 33,
2 37, 40, and 42 of Act No. 466 of the Public Acts of 1988, being
3 sections 287.706, 287.709, 287.712, 287.714, 287.715, 287.717,
4 287.723, 287.725, 287.728, 287.733, 287.737, 287.740, and 287.742
5 of the Michigan Compiled Laws, are amended to read as follows:

6 Sec. 6. (1) "Official calfhood vaccinate" means female
7 cattle that are vaccinated by an accredited veterinarian with a

1 United States department of agriculture approved brucella abortus
2 vaccine in accordance with procedures and at an age approved by
3 the director.

4 (2) "Official certificate of record for sale" or "AH-275"
5 means a certificate issued by the director that certifies that
6 the health status of the individual animal identified on the cer-
7 tificate meets the requirements of this act, and that the indi-
8 vidual animal may be moved or sold to another person in this
9 state. The certificate shall be valid for a period of time, as
10 determined by the director.

11 (3) "Official ear tag" means an identification tag approved
12 by the United States department of agriculture or the ~~Michigan~~
13 department. ~~of agriculture.~~

14 (4) "Official interstate health certificate" or "official
15 interstate certificate of veterinary inspection" means a printed
16 form adopted by any state that records the information required
17 under section 20 and that is issued within 30 days before impor-
18 tation of the livestock it describes. A photocopy of an official
19 interstate health certificate or an official interstate certifi-
20 cate of veterinary inspection is an official copy if certified as
21 a true copy by the issuing veterinarian or a livestock health
22 official of the state of origin.

23 (5) "Official test" means a sample of specific material col-
24 lected from an animal by an accredited veterinarian and analyzed
25 by a laboratory certified by the United States department of
26 agriculture or the ~~Michigan~~ department ~~of agriculture~~ to
27 conduct the test, or a diagnostic injection administered and

1 analyzed by an accredited veterinarian. An official test shall
2 be conducted only by an accredited veterinarian except under spe-
3 cial permission by the director.

4 (6) "Official vaccination" means a vaccination that the
5 director has designated as reportable. An official vaccination
6 shall be administered by an accredited veterinarian and reported
7 on a form supplied by the department.

8 (7) "Over 19 months of age" means cattle that have the first
9 pair of permanent incisor teeth visibly present unless the owner
10 can document the exact age. Parturient or postparturient heifers
11 regardless of their age shall be considered over 19 months of
12 age.

13 (8) "Person" means an individual, partnership, corporation,
14 cooperative, association, joint venture, or other legal entity,
15 including, but not limited to, contractual relationships.

16 (9) "Poultry" means chickens, guinea fowl, turkeys, water-
17 fowl, pigeons, doves, and game birds that are propagated and
18 maintained under the control of a person.

19 (10) "Preapproved interstate health certificate" or
20 "preapproved interstate certificate of veterinary inspection"
21 means an official certificate attesting to the health of the
22 livestock that bears the endorsement of approval of the chief
23 animal health official of the state of origin prior to the ship-
24 ment of the livestock.

25 (11) "Prior entry permit" means a number that is obtained
26 from the department for specific species of livestock imported
27 into the state that is recorded on the official interstate health

1 certificate or official interstate certificate of veterinary
2 inspection.

3 (12) "Pullorum" means a disease of poultry caused by salmo-
4 nella pullorum.

5 (13) "Pullorum-typhoid clean flock" means a flock that
6 receives and maintains this status by fulfilling the requirements
7 prescribed in the NPIP.

8 (14) "REASONABLE ASSISTANCE" MEANS SAFELY AND COMFORTABLY
9 CONTROLLING AN ANIMAL BY CORRALLING, STABLING, KENNELING, HOLD-
10 ING, TYING, OR CONFINING BY HALTER OR LEASH OR CROWDING THE
11 ANIMAL IN A SAFE AND SENSIBLE MANNER SO AN EXAMINATION OR TESTING
12 PROCEDURE CONSIDERED NECESSARY BY THE DIRECTOR CAN BE PERFORMED.

13 (15) ~~(14)~~ "Reportable disease" means a disease in animals
14 in this state that poses a serious threat to the livestock indus-
15 try, public health, or human food chain.

16 (16) ~~(15)~~ "Slaughter swine" means swine consigned for
17 slaughter purposes only.

18 (17) ~~(16)~~ "Sow" means any female swine that has weaned 1
19 litter or more.

20 (18) ~~(17)~~ "State veterinarian" means the chief animal
21 health official of the state as appointed by the director under
22 section 7.

23 (19) ~~(18)~~ "Swine finishing facility" means a facility
24 approved by the director that is used only for swine weighing 120
25 pounds or more at the time of their entry.

26 (20) "TOXIC SUBSTANCE" MEANS ANY SUBSTANCE IN CONCENTRATIONS
27 WHICH ALONE OR IN COMBINATION PRESENTS A SIGNIFICANT THREAT TO

1 THE HEALTH, SAFETY, OR WELFARE TO HUMAN OR ANIMAL LIFE OR WHICH
2 HAS THE CAPACITY TO PRODUCE INJURY OR ILLNESS THROUGH INGESTION,
3 INHALATION, OR ABSORPTION THROUGH THE BODY SURFACE.

4 (21) ~~(19)~~ "U.S. registered shield" means a tattoo autho-
5 rized and approved by the United States department of agriculture
6 for use by an accredited veterinarian to designate cattle that
7 have been vaccinated for brucellosis.

8 (22) ~~(20)~~ "Veterinarian" means a person licensed to prac-
9 tice veterinary medicine under article 15 of the public health
10 code, Act No. 368 of the Public Acts of 1978, being sections
11 333.16101 to 333.18838 of the Michigan Compiled Laws, or under a
12 state or federal law applicable to that person.

13 (23) ~~(21)~~ "Veterinary biological" means a product of bio-
14 logical origin used in the diagnosis, prevention, or treatment of
15 animal disease, including, but not limited to, serums, vaccines,
16 antitoxins, bacterins, and antigens.

17 (24) ~~(22)~~ "Wild animal" means those animals that are not
18 traditionally domestic to North America or any cross of those
19 animals not traditionally domestic to North America.

20 Sec. 9. (1) A person who discovers, suspects, or has reason
21 to believe that ~~livestock~~ AN ANIMAL is either affected with a
22 reportable disease or contaminated with a toxic substance shall
23 immediately report that fact, suspicion, or belief to the
24 director. The director shall take appropriate action to investi-
25 gate the report. A person possessing ~~livestock~~ AN ANIMAL
26 affected with, or suspected of being affected with, a reportable
27 disease or contaminated with a toxic substance shall allow the

1 director to examine the ~~livestock~~ ANIMAL or collect diagnostic
2 specimens. THE DIRECTOR MAY ENTER PREMISES WHERE ANIMAL PRODUCTS
3 OR ANIMAL FEEDS ARE SUSPECTED OF BEING CONTAMINATED WITH AN
4 INFECTIOUS, CONTAGIOUS, OR TOXICOLOGICAL DISEASE AND SEIZE,
5 IMPOUND, OR DISPOSE OF THE ANIMAL PRODUCTS OR FEED LOCATED ON THE
6 PREMISES. THE DIRECTOR MAY WITHHOLD A CERTAIN AMOUNT FROM
7 DESTRUCTION FOR THE PURPOSE OF CONTROLLED RESEARCH AND
8 EXPERIMENTATION. A person who knowingly possesses affected or
9 suspected ~~livestock~~ ANIMALS shall not expose other ~~livestock~~
10 ANIMALS to the affected or suspected ~~livestock~~ ANIMALS or oth-
11 erwise move the affected or suspected ~~livestock~~ ANIMALS except
12 with permission from the director.

13 (2) A person owning ~~livestock~~ ANIMALS shall provide rea-
14 sonable assistance to the director ~~by confining and restraining~~
15 ~~livestock for~~ DURING THE examination and necessary testing
16 procedures.

17 (3) The director may call upon a law enforcement agency to
18 assist in carrying out the director's orders.

19 (4) A person shall not remove or alter the identification of
20 an animal for the purpose of misrepresentation of the animal's
21 identity or the ownership of the animal. A person shall not make
22 misrepresentations concerning the animal's health status to a
23 potential buyer.

24 Sec. 12. (1) The director may declare a quarantine on ani-
25 mals in any district or region of this state for the purpose of
26 controlling or preventing the spread of an infectious,
27 contagious, or toxicological disease. A person shall not move

1 animals that are under quarantine without permission from the
2 director. A person shall not allow animals under quarantine to
3 mingle or have contact with animals not under quarantine without
4 permission by the director. The director may prescribe proce-
5 dures for the identification, inventory, separation, mode of han-
6 dling, treatment, feeding, and caring for the quarantined animals
7 to prevent the quarantined animals from infecting nonquarantined
8 animals. A PERSON SHALL NOT IMPORT INTO THIS STATE AN ANIMAL
9 FROM ANOTHER STATE OR JURISDICTION IF THAT ANIMAL IS UNDER QUAR-
10 ANTINE BY THE OTHER STATE OR JURISDICTION UNLESS THAT PERSON
11 OBTAINS PRIOR PERMISSION FROM THE DIRECTOR.

12 (2) An animal found running at large in violation of this
13 quarantine may be killed by a law enforcement agent. The direc-
14 tor may ask for the cooperation of a law enforcement agency to
15 enforce the provisions of this quarantine. An agent killing an
16 animal due to a quarantine under this section is not ~~subject to~~
17 ~~liability for~~ LIABLE TO THE OWNER OF the animal.

18 Sec. 14. (1) If it is determined by the director that the
19 control or eradication of a disease or condition of livestock
20 warrants the slaughter, destruction, or other disposition of the
21 livestock, the director shall order the slaughter, destruction,
22 or other disposition of the livestock. If the director has
23 signed an order for the slaughter, destruction, or other disposi-
24 tion of livestock, the director shall notify the attorney general
25 of the order. The attorney general shall notify the house and
26 senate appropriations committees and the department of management
27 and budget on the issue of indemnity under this section. THE

1 DIRECTOR MAY APPROVE FACILITIES FOR THE ORDERLY DISPOSAL OF
2 ANIMALS, ANIMAL PRODUCTS, AND ANIMAL FEEDS FOR THE PURPOSE OF
3 CONTROLLING OR PREVENTING THE SPREAD OF AN INFECTIOUS, CONTA-
4 GIOUS, OR TOXICOLOGICAL DISEASE. THE DIRECTOR MAY SELECT A SITE
5 FOR THE DISPOSAL WITH THE ADVICE OF THE DIRECTOR OF THE DEPART-
6 MENT OF NATURAL RESOURCES.

7 (2) The director may, under rules promulgated by the depart-
8 ment, allow indemnification for the slaughter, destruction, or
9 other disposition of animals due to livestock diseases or toxico-
10 logical contamination. If the director has signed an order for
11 the slaughter, destruction or other disposition of livestock, the
12 owner may apply for indemnification. All animals shall be
13 treated as grade status animals for purposes of indemnification.
14 The director shall appraise and inventory the condemned
15 livestock. The appraisals and inventories shall be on forms
16 approved by the director. The director shall use state agricul-
17 tural statistical service pricing information to determine the
18 value of condemned livestock. If state agricultural statistical
19 service pricing information is not available, the director shall
20 use agricultural pricing information from commercial livestock
21 auction markets and other livestock market information as deter-
22 mined by the director to determine the value of condemned
23 livestock. Indemnification shall be based upon 75% of the fair
24 market value of that type of livestock on the date of the
25 appraisal as if the livestock was grade status and marketable for
26 the purpose for which the livestock was intended, not to exceed
27 \$1,000.00 for each animal, less any compensation received, or to

1 be received, from any other source including, but not limited to,
2 indemnification by the United States department of agriculture,
3 insurance, or salvage value. The owner shall furnish to the
4 department all records indicating other sources of indemnity. An
5 affidavit signed by the owner attesting to the amount of compen-
6 sation for the livestock received or to be received from any
7 other source shall accompany the appraisal certificate prior to
8 indemnification under this section.

9 (3) Indemnification pursuant to this section shall be
10 subject to annual appropriations by the legislature and shall not
11 be paid from department funds. Any agreement entered into
12 between the department and an owner of livestock shall contain a
13 provision indicating that notwithstanding the terms of the agree-
14 ment, indemnification shall be subject to appropriations by the
15 legislature.

16 (4) Acceptance of indemnification under this section does
17 not enlarge or diminish the owner's civil remedy against a person
18 responsible for the owner's loss except that acceptance of the
19 indemnity constitutes a release of the claim of the owner against
20 the state.

21 (5) The right to indemnity from the state for animals con-
22 demned and ordered slaughtered, destroyed, or otherwise disposed
23 of by the director applies only to native livestock. An owner is
24 not entitled to indemnity from the state for an animal that comes
25 into the possession of the owner with the owner's knowledge that
26 the animal is diseased or is suspected of having been exposed to
27 an infectious, contagious, or toxicological disease. IN

1 ADDITION, THE DIRECTOR SHALL NOT INDEMNIFY AN OWNER FOR ANIMALS
2 THAT HAVE BEEN EXPOSED TO AN ANIMAL THAT COMES IN TO THE POSSES-
3 SION OF THE OWNER WITH THE OWNER'S KNOWLEDGE THAT THE ANIMAL IS
4 DISEASED OR IS SUSPECTED OF HAVING BEEN EXPOSED TO AN INFECTIOUS,
5 CONTAGIOUS, OR TOXICOLOGICAL DISEASE.

6 (6) A premises that has been depopulated shall be cleaned
7 and disinfected if prescribed by the director.

8 (7) Repopulation of the premises, ~~other than~~ EXCEPT AS
9 approved by the director, shall not ~~be eligible~~ CONFER
10 ELIGIBILITY for future indemnity UNDER THIS SECTION.

11 (8) The department may cooperate and coordinate with the
12 secretary of the United States department of agriculture or the
13 secretary's authorized representative regarding indemnification
14 under this section.

15 Sec. 15. (1) The state shall not indemnify an owner of
16 livestock for the loss of the livestock due to an infectious,
17 contagious, or toxicological disease until the owner executes and
18 signs a subrogation agreement assigning to the state the rights
19 of the owner to a cause of action to recover damages for the loss
20 up to the amount of indemnification paid to the owner under this
21 act, and presents all necessary documents, including registration
22 papers, a statement of names and addresses of all persons to whom
23 or from whom the owner has transferred animals within a time
24 period determined by the director, and signed permission allowing
25 the breed association to disclose information requested by the
26 director.

1 (2) The attorney general may bring a civil OR CRIMINAL
2 action ~~to recover the cost to the state~~ against a person
3 responsible for ~~intentionally or negligently~~ UNLAWFULLY intro-
4 ducing an infectious, contagious, or toxicological disease into
5 ~~livestock~~ ANIMALS, ANIMAL PRODUCTS, OR ANIMAL FEEDS in this
6 state.

7 Sec. 17. (1) The department ~~of agriculture is authorized~~
8 ~~and directed to~~ SHALL cooperate with the United States depart-
9 ment of agriculture in the control and eradication of brucellosis
10 and pseudorabies in all porcine species in this state and to pro-
11 vide assistance to pseudorabies AND BRUCELLOSIS quarantined herds
12 for the PURPOSE OF elimination of pseudorabies AND BRUCELLOSIS
13 and removal of quarantines. THE DEPARTMENT MAY PARTICIPATE IN
14 THE MARKET SWINE IDENTIFICATION PROGRAM AS SET FORTH IN TITLE 9
15 OF THE CODE OF FEDERAL REGULATIONS AND THE UNIFORM METHODS AND
16 RULES FOR BRUCELLOSIS ERADICATION APPROVED BY VETERINARY SERVICES
17 OF THE ANIMAL AND PLANT HEALTH INSPECTION SERVICE OF THE UNITED
18 STATES DEPARTMENT OF AGRICULTURE WHICH BECAME EFFECTIVE ON
19 JULY 1, 1986, AND ALL AMENDMENTS THEREAFTER ADOPTED PURSUANT TO
20 RULES PROMULGATED BY THE DIRECTOR, OR MAY TEST FOR PSEUDORABIES
21 OR BRUCELLOSIS IN ANY SAMPLES OF PORCINE BLOOD OR TISSUE COL-
22 LECTED AT A UNITED STATES DEPARTMENT OF AGRICULTURE OR DEPARTMENT
23 APPROVED SLAUGHTER FACILITY, ANY LIVESTOCK COLLECTION OR MARKET
24 FACILITY, OR ANY SAMPLE OR PORCINE BLOOD OR TISSUE SUBMITTED FOR
25 DIAGNOSTIC PURPOSES TO A UNITED STATES DEPARTMENT OF AGRICULTURE
26 OFFICIALLY APPROVED LABORATORY. THE SLAUGHTER FACILITY,
27 LIVESTOCK COLLECTION OR MARKET FACILITY, OR LABORATORY SHALL

1 PROVIDE ADEQUATE ROOM TIME, AND SAFE CONDITIONS FOR THE
2 COLLECTION OF BLOOD OR TISSUE SAMPLES. ANY REMODELED OR NEW
3 SLAUGHTER FACILITIES, LIVESTOCK COLLECTION OR MARKET FACILITIES,
4 OR LABORATORIES CONSTRUCTED AFTER JANUARY 1, 1990, SHALL SUBMIT
5 PLANS TO THE DIRECTOR PRIOR TO REMODELING OR BUILDING FOR
6 APPROVAL OF BLOOD OR TISSUE COLLECTION AREAS, WHICH PLANS SHALL
7 PROVIDE FOR ADEQUATE ROOM AND SAFE CONDITIONS FOR THE COLLECTION
8 OF BLOOD OR TISSUE.

9 (2) All feeder ~~swine~~ PIGS sold within this state, except
10 those exempted by the state veterinarian, must originate from
11 herds that have tested negative for pseudorabies. A percentage
12 of the breeding swine in a herd shall be tested according to a
13 schedule as prescribed by the director.

14 (3) A producer of feeder ~~swine~~ PIGS whose sow herd has
15 tested negative for pseudorabies, in a county with no known pseu-
16 dorabies infection as determined by the director, may sell feeder
17 ~~swine~~ PIGS for 3 consecutive calendar years from the date of
18 the negative test, and shall have the feeder ~~swine~~ PIGS tested
19 for pseudorabies on the expiration of the third consecutive cal-
20 endar year. When pseudorabies infection is discovered in a
21 county, all feeder pig producers shall have a percentage of their
22 breeding swine in the herd pseudorabies tested on an annual basis
23 according to a schedule prescribed by the director.

24 (4) When a positive pseudorabies herd is identified, all
25 swine herds within 1-1/2 miles shall, upon the request of the
26 director, submit their swine for an official pseudorabies test
27 for the detection of pseudorabies and shall provide the necessary

1 assistance as required by the director. The department shall be
2 responsible for all costs and personnel for the collection and
3 analyses of test samples under this subsection.

4 (5) Except as otherwise provided, a producer shall be
5 responsible for all costs of tests required under this act. Upon
6 the testing of a sow herd, a producer shall receive a certificate
7 of compliance on a form prescribed by the director.

8 (6) Brucellosis or pseudorabies positive swine shall be
9 traced back to the farm of origin. The farm of origin shall be
10 notified within 60 days ~~of~~ AFTER the date the department is
11 notified of positive swine.

12 (7) When the farm of origin has been identified, the owner
13 of the swine herd in this state shall, upon request by the direc-
14 tor, submit their swine for an official test for the detection of
15 brucellosis or pseudorabies and shall provide the necessary
16 facilities for handling and restraining the swine, and shall
17 render any REASONABLE assistance required by the director. The
18 department shall provide personnel and assume expense for the
19 collection and analysis of blood samples.

20 (8) Following positive brucellosis or pseudorabies tests
21 results, a quarantine shall be issued on the swine herd at the
22 farm.

23 (9) The department permits federal pseudorabies virus vacci-
24 nated controlled herd status AS DEFINED IN TITLE 9 OF THE CODE OF
25 FEDERAL REGULATIONS.

1 Sec. 23. (1) Except as exempted in section 24, cattle
2 entering the state shall meet ~~at least~~ 1 OR MORE of the
3 following requirements:

4 (a) Originate directly from an accredited tuberculosis-free
5 state AS DEFINED IN TITLE 9 OF THE CODE OF FEDERAL REGULATIONS
6 AND THE UNIFORM METHODS AND RULES FOR BOVINE TUBERCULOSIS ERADI-
7 CATION APPROVED BY VETERINARY SERVICES OF THE ANIMAL AND PLANT
8 HEALTH INSPECTION SERVICE OF THE UNITED STATES DEPARTMENT OF
9 AGRICULTURE WHICH BECAME EFFECTIVE ON MARCH 31, 1988, AND ALL
10 AMENDMENTS THEREAFTER ADOPTED PURSUANT TO RULES PROMULGATED BY
11 THE DIRECTOR.

12 (b) Originate directly from an accredited tuberculosis-free
13 herd AS DEFINED IN TITLE 9 OF THE CODE OF FEDERAL REGULATIONS AND
14 THE UNIFORM METHODS AND RULES FOR BOVINE TUBERCULOSIS ERADICATION
15 APPROVED BY VETERINARY SERVICES OF THE ANIMAL AND PLANT HEALTH
16 INSPECTION SERVICE OF THE UNITED STATES DEPARTMENT OF AGRICULTURE
17 WHICH BECAME EFFECTIVE ON MARCH 31, 1988, AND ALL AMENDMENTS
18 THEREAFTER ADOPTED PURSUANT TO RULES PROMULGATED BY THE
19 DIRECTOR.

20 (c) Have a negative tuberculosis test within 60 days before
21 importation.

22 (2) Female cattle over 19 months of age and bulls over 6
23 months of age shall test negative to an official brucellosis test
24 within 30 days before importation or originate directly from a
25 certified brucellosis-free herd AS DEFINED IN TITLE 9 OF THE CODE
26 OF FEDERAL REGULATIONS AND THE UNIFORM METHODS AND RULES FOR
27 BRUCELLOSIS ERADICATION APPROVED BY VETERINARY SERVICES OF THE

1 ANIMAL AND PLANT HEALTH INSPECTION SERVICE OF THE UNITED STATES
2 DEPARTMENT OF AGRICULTURE WHICH BECAME EFFECTIVE ON JULY 1, 1986,
3 AND ALL AMENDMENTS THEREAFTER ADOPTED PURSUANT TO RULES PROMUL-
4 GATED BY THE DIRECTOR.

5 (3) Female cattle over 4 months of age shall be officially
6 calfhood vaccinated against brucellosis and the vaccination
7 tattoo shall be visibly present. The vaccination status and vac-
8 cination tattoo shall be recorded on the official interstate
9 health certificate or official interstate certificate of veteri-
10 nary inspection. The vaccination tattoo shall be observed by the
11 accredited veterinarian preparing the certificate and shall be
12 considered legible if the letter "V", surrounded by a
13 U.S. registered shield, can be identified.

14 (4) Except as provided in section 24, all cattle shall test
15 negative to an official bluetongue test within 30 days before
16 importation or permission shall be obtained from the director to
17 import the cattle without an official bluetongue test.

18 (5) Dairy or breeding cattle shall have a prior entry
19 permit. Female dairy or breeding cattle over 19 months of age or
20 bulls over 6 months of age imported from states classified bru-
21 cellosis B and C by the United States department of agriculture
22 shall be quarantined at the destination. Unless otherwise pro-
23 vided for by the director, female cattle over 19 months of age
24 and bulls over 6 months of age imported from states classified
25 brucellosis B and C by the United States department of agricul-
26 ture, shall test negative to an official brucellosis test not
27 sooner than 45 days nor more than 120 days after movement to the

1 destination for release from quarantine. The dairy or breeding
2 cattle shall not be sold or moved from the premises where they
3 are quarantined, without permission from the director.

4 Sec. 25. (1) Swine, other than swine consigned directly to
5 a slaughterhouse or to an approved livestock market for sale as
6 slaughter swine, shall not be imported into this state without a
7 prior entry permit from the director.

8 (2) Swine brought into this state for slaughter shall be
9 delivered only to a slaughterhouse approved by the director to
10 receive livestock for slaughter, or to a collection facility spe-
11 cifically approved by the director to receive swine for
12 slaughter. The swine shall be killed within 48 hours after
13 arrival at the slaughterhouse.

14 (3) Breeding swine, 4 months of age or older and brought
15 into this state, shall be accompanied by proof that the swine
16 have tested negative to an official test for brucellosis in the
17 1:25 dilution, conducted in a state or federal laboratory within
18 30 days before importation, or shall originate directly from a
19 validated brucellosis-free herd of swine AS SET FORTH IN TITLE 9
20 OF THE CODE OF FEDERAL REGULATIONS AND THE UNIFORM METHODS AND
21 RULES FOR BRUCELLOSIS ERADICATION APPROVED BY VETERINARY SERVICES
22 OF THE ANIMAL AND PLANT HEALTH INSPECTION SERVICE OF THE UNITED
23 STATES DEPARTMENT OF AGRICULTURE WHICH BECAME EFFECTIVE ON
24 JULY 1, 1986, AND ALL AMENDMENTS THEREAFTER ADOPTED PURSUANT TO
25 RULES PROMULGATED BY THE DIRECTOR.

26 (4) Breeding swine, 4 months of age or older and imported
27 into this state, shall test negative to an official pseudorabies

1 test conducted within 30 days before importation, or shall
2 originate directly from a pseudorabies qualified negative herd as
3 defined ~~by the uniform methods and rules of the United States~~
4 ~~department of agriculture~~ IN TITLE 9 OF THE CODE OF FEDERAL
5 REGULATIONS.

6 (5) Breeding swine brought into this state shall be quaran-
7 tined at their destination. The breeding swine shall be released
8 from the quarantine upon receipt of an official negative pseudo-
9 rabies test result. The test shall be conducted not less than 30
10 nor more than 60 days following the date of importation.

11 (6) Swine imported into this state shall be identified by
12 ear tag or tattoo which includes the United States department of
13 agriculture code for the state of origin.

14 (7) The importation of swine vaccinated for pseudorabies is
15 prohibited except upon a special permit issued by the director.

16 (8) A person shall not bring swine into this state from auc-
17 tion sales or other collection facilities where slaughter swine
18 are handled. This subsection does not apply to a person import-
19 ing swine for slaughter purposes only.

20 (9) Feeder ~~swine~~ PIGS imported into this state shall meet
21 1 of the following requirements:

22 (a) Originate directly from a pseudorabies-qualified nega-
23 tive herd or a pseudorabies-controlled vaccinated herd as defined
24 ~~by the uniform methods and rules of the United States department~~
25 ~~of agriculture~~ IN TITLE 9 OF THE CODE OF FEDERAL REGULATIONS.

26 (b) Originate directly from a state which participates in a
27 pseudorabies testing program that is approved by the director.

1 (c) Originate directly from a pseudorabies-qualified free
2 state as designated by the United States department of
3 agriculture.

4 Sec. 28. (1) Goats, other than goats consigned directly to
5 a slaughterhouse or to an approved livestock market for sale as
6 slaughter goats, shall not be imported into this state without a
7 prior entry permit from the director.

8 (2) Goats shall test negative to an official tuberculosis
9 test within 60 days before importation or originate directly from
10 a herd that is accredited tuberculosis-free AS DEFINED IN THE
11 UNIFORM METHODS AND RULES FOR BOVINE TUBERCULOSIS ERADICATION
12 APPROVED BY VETERINARY SERVICES OF THE ANIMAL AND PLANT HEALTH
13 INSPECTION SERVICE OF THE UNITED STATES DEPARTMENT OF AGRICULTURE
14 WHICH BECAME EFFECTIVE ON MARCH 31, 1988, AND ALL AMENDMENTS
15 THEREAFTER ADOPTED PURSUANT TO RULES PROMULGATED BY THE
16 DIRECTOR.

17 (3) Goats, except wethers, shall test negative to an offi-
18 cial test for brucellosis within 30 days before importation or
19 originate directly from a herd that is certified brucellosis-free
20 BY THE STATE OF ORIGIN.

21 (4) Goats shall test negative to an official bluetongue test
22 within 30 days before importation unless permission is obtained
23 from the director to import the goats without an official blue-
24 tongue test.

25 Sec. 33. (1) Except upon permission from the director,
26 female dairy or breeding cattle, 4 months of age or older, or
27 bulls 6 months of age or older, within this state, shall not be

1 sold, leased, or moved to associate with cattle of another owner,
2 unless each animal is accompanied by either an official certifi-
3 cate of record for sale form or, if a vaccinated female under 20
4 months of age, a brucellosis certificate of record of official
5 calfhod vaccination form issued by the department. The certifi-
6 cate required by this section shall not be necessary in the case
7 of native cattle for exhibition not under quarantine and origi-
8 nating from a certified brucellosis-free area of the state AS
9 DEFINED IN TITLE 9 OF THE CODE OF FEDERAL REGULATIONS AND THE
10 UNIFORM METHODS AND RULES FOR BRUCELLOSIS ERADICATION APPROVED BY
11 VETERINARY SERVICES OF THE ANIMAL AND PLANT HEALTH INSPECTION
12 SERVICE OF THE UNITED STATES DEPARTMENT OF AGRICULTURE WHICH
13 BECAME EFFECTIVE ON JULY 1, 1986, AND ALL AMENDMENTS THEREAFTER
14 ADOPTED PURSUANT TO RULES PROMULGATED BY THE DIRECTOR.

15 (2) An official certificate of record for sale form may be
16 obtained if 1 of the following occurs:

17 (a) When cattle originate directly from a brucellosis
18 certified-free herd AS DEFINED IN TITLE 9 OF THE CODE OF FEDERAL
19 REGULATIONS AND THE UNIFORM METHODS AND RULES FOR BRUCELLOSIS
20 ERADICATION APPROVED BY VETERINARY SERVICES OF THE ANIMAL AND
21 PLANT HEALTH INSPECTION SERVICE OF THE UNITED STATES DEPARTMENT
22 OF AGRICULTURE WHICH BECAME EFFECTIVE ON JULY 1, 1986, AND ALL
23 AMENDMENTS THEREAFTER ADOPTED PURSUANT TO RULES PROMULGATED BY
24 THE DIRECTOR or a herd that has received a complete negative herd
25 test within the last 12 months and, in the case of females over 4
26 months of age, shall be official calfhod vaccinates. THE
27 VACCINATION TATTOO SHALL BE OBSERVED BY THE ACCREDITED

1 VETERINARIAN AND SHALL BE CONSIDERED LEGIBLE IF THE LETTER "V",
2 SURROUNDED BY A U.S. REGISTERED SHIELD, CAN BE IDENTIFIED. Only
3 cattle tested on the complete herd test, or a natural addition to
4 the herd, can comply with this subdivision.

5 (b) When a vaccinated female over 19 months of age or a bull
6 over 6 months of age that does not meet the requirements of sub-
7 division (a) tests negative to an official brucellosis test
8 within 90 days before movement and, in the case of females over 4
9 months of age, is an official calfhooD vaccinate WITH THE VACCI-
10 NATION TATTOO VISIBLY PRESENT. THE TATTOO SHALL BE CONSIDERED
11 LEGIBLE IF THE LETTER "V", SURROUNDED BY A U.S. REGISTERED
12 SHIELD, CAN BE IDENTIFIED.

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

19 (4) Dairy or breeding cattle accompanied by an AH-275 form
20 or, if under 20 months of age, an AH-005 form, may be sold at
21 livestock ~~auctions licensed under Act No. 284 of the Public Acts~~
22 ~~of 1937, being sections 287.121 to 287.131 of the Michigan~~
23 ~~Compiled Laws~~ AUCTION MARKET. Dairy or breeding cattle shall be
24 handled and housed in facilities and pens in a manner approved by
25 the director. The alleys and sale rings used for dairy or breed-
26 ing cattle shall be cleaned and disinfected before each sale.
27 After cleaning and disinfecting, they shall not be used by

1 untested slaughter cattle or reactor cattle before use by dairy
2 or breeding cattle. The pens, facilities, and the procedures for
3 cleaning and disinfecting shall be approved by the director.

4 Sec. 37. (1) For the purpose of this act, a public stock-
5 yard, auction sale yard, livestock yard, garbage feeding
6 premises, and slaughterhouse premises shall be considered as
7 infected with the organisms of infectious diseases of swine.

8 (2) Swine shall not be moved or sold from a public stock-
9 yard, auction sale yard, livestock yard, garbage feeding lot or
10 premises, or slaughterhouse premises except for immediate
11 slaughter.

12 (3) Swine, including feeder pigs, that are sold or moved
13 within this state to associate with swine of another owner shall
14 be identified individually by an official ear tag or tattoo.

15 (4) Breeding swine which are sold or moved within this state
16 to associate with swine of another owner shall be accompanied by
17 1 of the following:

18 (a) Proof that the swine originate directly from a pseudora-
19 bies qualified-negative herd or a controlled vaccinated herd as
20 defined ~~by the uniform methods and rules of the United States~~
21 ~~department of agriculture~~ IN TITLE 9 OF THE CODE OF FEDERAL
22 REGULATIONS. Proof may consist of a copy of a valid certificate
23 issued by the department stating that the herd meets the require-
24 ments for a pseudorabies qualified-negative herd or a controlled
25 vaccinated herd.

1 (b) An official swine test report that indicates that the
2 swine have been tested for pseudorabies within 30 days before
3 sale or movement and have received negative results.

4 (5) A person who moves or sells swine shall, upon request,
5 present for inspection the documents required by subsection (4),
6 and a person who sells breeding swine shall provide to the pur-
7 chaser a copy of the documents.

8 Sec. 40. (1) A fair shall have an accredited veterinarian
9 on call whenever there are animals on the premises during the
10 fair. A FAIR, EXHIBITION, OR SHOW AUTHORITY SHALL DO BOTH OF THE
11 FOLLOWING:

12 (A) NOTIFY EXHIBITORS OF HEALTH TESTS AND CERTIFICATES
13 REQUIRED FOR IMPORTATION AND EXHIBITION IN THIS STATE.

14 (B) EXAMINE AND APPROVE REQUIRED HEALTH CERTIFICATES AND
15 SHOW PAPERS PRIOR TO THE LIVESTOCK EXHIBITION.

16 (2) Livestock with clinical signs of infectious, contagious,
17 or toxicological disease shall be removed from the fair.

18 (3) Swine shall be individually identified by an official
19 ear tag or, only for registered swine accompanied by registration
20 papers, by ear notches.

21 (4) Swine for exhibition in this state shall be accompanied
22 by 1 or more of the following:

23 (a) Proof that the swine originate directly from a pseudora-
24 bies qualified-negative herd as defined ~~by the uniform methods~~
25 ~~and rules of the United State department of agriculture. Proof~~
26 IN TITLE 9 OF THE CODE OF FEDERAL REGULATIONS, WHICH PROOF may
27 consist of a copy of a valid certificate issued by the department

1 stating that the herd meets the requirements for a pseudorabies
2 qualified-negative herd.

3 (b) Unless the swine are piglets nursing a pseudorabies neg-
4 ative sow, an official swine test report that indicates the swine
5 have been tested for pseudorabies within 45 days before exhibi-
6 tion and have tested negative.

7 (5) Upon request, a person who exhibits swine shall present
8 for inspection the reports required by this section to accompany
9 the swine.

10 Sec. 42. (1) Whenever an official test is conducted or an
11 official vaccination is administered, livestock shall, unless
12 exempted by the director, be permanently identified in a manner
13 approved by the director.

14 (2) The result of an official test shall be reported on a
15 form supplied by the department. If a tissue sample is submitted
16 for analysis, a properly completed sample submission form sup-
17 plied by the department shall accompany the sample. A tissue
18 sample shall be obtained and submitted only by a licensed,
19 accredited veterinarian. A form used to report the results of an
20 official test, sample submission, or official vaccination shall
21 be properly prepared and completed BY THE VETERINARIAN as desig-
22 nated by the director.

23 (3) An official brucellosis calfhood vaccination shall be
24 performed by an accredited veterinarian in compliance with the
25 method outlined in TITLE 9 OF THE CODE OF FEDERAL REGULATIONS AND
26 the ~~brucellosis eradication~~ uniform methods and rules FOR
27 BRUCELLOSIS ERADICATION APPROVED BY VETERINARY SERVICES OF THE

1 ANIMAL AND PLANT HEALTH INSPECTION SERVICE OF THE UNITED STATES
2 DEPARTMENT OF AGRICULTURE WHICH BECAME EFFECTIVE ON JULY 1, 1986,
3 AND ALL AMENDMENTS THEREAFTER published by the United States
4 department of agriculture AND ADOPTED PURSUANT TO RULES PROMUL-
5 GATED BY THE DIRECTOR.

6 (4) Except upon special permission from the director, offi-
7 cial brucellosis calfhod vaccination shall be performed only on
8 female cattle between the ages of 4 and 8 months.

9 (5) A person shall not tattoo any animal with the official
10 brucellosis vaccination tattoo unless the animal is an official
11 brucellosis calfhod vaccinate.

12 (6) Testing and surveillance for brucellosis and tuberculo-
13 sis shall be as follows:

14 (a) A brucellosis ring test shall be conducted on each herd
15 shipping milk to a dairy plant in this state. The test shall be
16 conducted as outlined in TITLE 9 OF THE CODE OF FEDERAL REGULA-
17 TIONS AND the ~~brucellosis eradication~~ uniform methods and rules
18 FOR BRUCELLOSIS ERADICATION APPROVED BY VETERINARY SERVICES OF
19 THE ANIMAL AND PLANT HEALTH INSPECTION SERVICE OF THE UNITED
20 STATES DEPARTMENT OF AGRICULTURE WHICH BECAME EFFECTIVE ON
21 JULY 1, 1986, AND ALL AMENDMENTS THEREAFTER published by the
22 United States department of agriculture AND ADOPTED PURSUANT TO
23 RULES PROMULGATED BY THE DIRECTOR.

24 (b) Disease surveillance for tuberculosis and brucellosis
25 shall be conducted through the market cattle identification pro-
26 gram as set forth in TITLE 9 OF THE CODE OF FEDERAL REGULATIONS
27 AND the UNIFORM METHODS AND RULES FOR brucellosis eradication

1 APPROVED BY VETERINARY SERVICES OF THE ANIMAL AND PLANT HEALTH
2 INSPECTION SERVICE OF THE UNITED STATES DEPARTMENT OF AGRICULTURE
3 WHICH BECAME EFFECTIVE ON JULY 1, 1986, AND ALL AMENDMENTS THERE-
4 AFTER ADOPTED PURSUANT TO RULES PROMULGATED BY THE DIRECTOR and
5 ~~tuberculosis eradication~~ THE uniform methods and rules FOR
6 BOVINE TUBERCULOSIS ERADICATION APPROVED BY VETERINARY SERVICES
7 OF THE ANIMAL AND PLANT HEALTH INSPECTION SERVICE OF THE UNITED
8 STATES DEPARTMENT OF AGRICULTURE WHICH BECAME EFFECTIVE ON
9 MARCH 31, 1988, AND ALL AMENDMENTS THEREAFTER published by the
10 United States department of agriculture AND ADOPTED PURSUANT TO
11 RULES PROMULGATED BY THE DIRECTOR.

12 (7) THE DEPARTMENT MAY PARTICIPATE IN THE PROGRAMS DESCRIBED
13 IN SUBSECTION (6) AND MAY TEST FOR BRUCELLOSIS AND TUBERCULOSIS
14 IN ANY SAMPLE OF CATTLE BLOOD OR TISSUE COLLECTED AT A UNITED
15 STATES DEPARTMENT OR DEPARTMENT APPROVED SLAUGHTER FACILITY, ANY
16 LIVESTOCK COLLECTION OR MARKET FACILITY, OR ANY SAMPLE OF CATTLE
17 BLOOD OR TISSUE SUBMITTED FOR DIAGNOSTIC PURPOSES TO A UNITED
18 STATES DEPARTMENT OF AGRICULTURE OFFICIALLY APPROVED LABORATORY.
19 THE SLAUGHTER FACILITY, LIVESTOCK COLLECTION OR MARKET FACILITY,
20 OR LABORATORY SHALL PROVIDE ADEQUATE ROOM, TIME, AND SAFE CONDI-
21 TIONS FOR THE COLLECTION OF BLOOD OR TISSUE SAMPLES. ANY REMOD-
22 ELED OR NEW SLAUGHTER FACILITIES, LIVESTOCK COLLECTION OR MARKET
23 FACILITIES, OR LABORATORIES CONSTRUCTED AFTER JANUARY 1, 1990,
24 SHALL SUBMIT PLANS TO THE DIRECTOR PRIOR TO REMODELING OR BUILD-
25 ING FOR APPROVAL PROVIDING THAT BLOOD OR TISSUE COLLECTION AREAS,
26 WHICH PLANS SHALL PROVIDE FOR ADEQUATE ROOM AND SAFE CONDITIONS
27 FOR THE COLLECTOR OF BLOOD OR TISSUE.