

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

MINNESOTA STATE REGULATIONS

Notice of filing by the Commissioner of Administration

We have received on this date, stamped and filed 2 copies of Rules and Regulations pertaining to the Livestock Sanitary Board
(Agency or Board)

Regulation No. LSB 40 (amended)

Subject: Public Exhibition of Livestock and Poultry in Minnesota

Department of Administration
Publication, Central Services Division
Documents Section
140 Centennial Office Building
St. Paul, Minnesota 55155
Telephone: (612) 296-2874

FILED
RICHARD L. BRUBACHER
Commissioner of Administration

MAR 10 1975 2:45 p.m.

BY Eda J Staudenmaier
AUTH. SIGNATURE EJ

Stamped and filed with the Secretary of State 3-10-75

Rev. 9-72

LSB 40, Public Exhibition of Livestock and Poultry in Minnesota

(a) All public exhibitions of livestock and poultry shall be under the supervision of the Minnesota State Livestock Sanitary Board (hereinafter called the Board):

(1) Performing livestock and poultry used by rodeos, circuses and as animal acts, if kept isolated from other livestock and poultry on the exhibition premises, are exempt from the requirements of section (b)(3) and (4) and section (d) and (e) of this regulation.

(2) Exhibitions held in connection with a consignment sale of livestock or poultry and during which the livestock and poultry are on the sale premises for not more than 18 hours will be supervised under LSB 41, Sale of Livestock at Auction Markets, Consignment, Community and other sales.

(b) Management of exhibition shall:

(1) Comply with all reasonable orders of the Board or the official veterinarian pertaining to the sanitation of premises and the health status of all livestock and poultry exhibited.

(2) Clean and disinfect all building and exhibit areas for the use of livestock and poultry prior to the opening date of the exhibition and maintain them in a sanitary condition.

(3) Provide quarantine facility for any livestock or poultry showing symptoms of infectious or communicable disease. If a quarantine facility is impractical, any livestock or poultry showing symptoms of infectious or communicable disease shall be removed from the premises by the exhibitor when ordered to do so by the official veterinarian.

(4) When cattle, swine, sheep, goats, horses or poultry are exhibited, the management shall submit the name of a veterinarian accredited in Minnesota who, when authorized in writing by the Board, shall act as official veterinarian.

(c) Official veterinarian shall:

(1) Approve the cleaning and disinfection of the exhibition premises prior to the exhibition.

(2) Inspect all livestock and poultry on the day admitted to the exhibition.

(3) Refuse admission of livestock and poultry exhibiting symptoms of any infectious or communicable disease, or of livestock or poultry not meeting the admission requirements of this regulation.

(4) Inspect all livestock and poultry at least once daily during the exhibition and order the immediate removal to the quarantine facility or removal from the exhibition premises of any livestock or poultry with symptoms of infectious or communicable disease and order and supervise the cleaning and disinfection of the area from which the diseased livestock or poultry was removed.

(5) Conduct any necessary tests at any time to determine the health status of the livestock or poultry on the exhibition grounds.

(6) At the conclusion of the exhibition, report to the Board violations of the regulation and other information concerning the exhibition as requested by the Board.

(7) Retain for a period of one year all official forms relating to the exhibition.

(d) Entrance requirements for livestock and poultry originating in Minnesota:

(1) Slaughter classes: All livestock and poultry entered in the class which are kept isolated from all other livestock and poultry at the exhibition and are slaughtered during or immediately following the exhibition, do not need health certificates, tests, or individual identification.

(2) Cattle which must tested shall be individually identified by ear tag number, tattoo number or registry number.

(aa) Brucellosis: All cattle except those exempted from test and those diagnosed "vaccinate" under LSB 11, Rules and Regulations for the Eradication of Bovine Brucellosis in Minnesota, must meet one of the following:

(i) Negative brucellosis test within 90 days prior to the opening date of the exhibition. Record of the test with the result shall be entered on a test chart, certificate of brucellosis test or health certificate and presented to the official veterinarian at time of entry.

(ii) Originate from a herd certified brucellosis-free pursuant to LSB 11, Rules and Regulations for the Eradication of Bovine Brucellosis in Minnesota. Certified herd number and date of last qualifying test to be reported to the official veterinarian at time of entry.

(3) Swine which must be tested shall be individually identified by ear tag number, tattoo number, registry number or other identification satisfactory to the Board.

(aa) Brucellosis: All swine eligible for test under LSB 21, Control and Eradication of Swine Brucellosis in Minnesota shall meet one of the following:

(i) Negative brucellosis test conducted within 90 days prior to the opening date of the exhibition. Record of the test with the result shall be entered on a test chart, certificate of brucellosis test or health certificate and presented to the official veterinarian at time of entry.

(ii) Originate from a herd validated brucellosis-free pursuant to LSB 21, Control and Eradication of Swine Brucellosis in Minnesota. Validated herd number and date of last qualifying test to be reported to the official veterinarian at time of entry.

(4) Sheep shall be examined by the official veterinarian on the day admitted to the exhibition.

(5) Goats which must be tested shall be individually identified by ear tag number, tattoo number or registry number and accompanied by a record of the following tests entered on a test chart or health certificate if the goats are over six months of age:

(aa) Tuberculosis: A negative test within 90 days prior to the opening date of the exhibition.

(bb) Brucellosis: A negative test within 90 days prior to the opening date of the exhibition.

(6) Horses shall be examined by the official veterinarian on the day admitted to the exhibition.

(aa) Trail rides are exempt from the requirements of section (b)(3) and (4) and section (d) (6) of this regulation.

(bb) Those horse shows which are programmed to be completed within a period of twelve hours and at which horses are not stabled overnight are exempt from the requirements of section (b)(3) and (4) and section (d) (6) of this regulation.

(7) Poultry, except waterfowl and pigeons, must be individually identified with a leg or wing band and accompanied by a form approved by the Board to show compliance with one of the following:

(aa) Negative test for pullorum-typhoid disease conducted within 90 days prior to the opening date of the exhibition.

(bb) Originate directly from parent stock tested and found negative for pullorum-typhoid disease within the last twelve months.

(8) Dogs over six months of age shall be accompanied by a certificate of rabies vaccination issued by a licensed veterinarian. Vaccinations will be recognized for that period of time specified in LSB 17, Control of Rabies in Minnesota.

(e) Entrance requirements for livestock and poultry originating in states other than Minnesota:

(1) All cattle, swine, sheep and goats shall meet the Minnesota Livestock Sanitary Board Importation Requirements of Regulation LSB 1, Importation of Cattle, LSB 5, Importation of Swine, LSB 20, Eradication of Sheep Scabies and LSB 3, Importation of Goats. These requirements are outlined in the Health Requirements and Regulations governing interstate shipments published by U.S.D.A.

(aa) Health certificates and required tests will be accepted if issued and conducted within 90 days prior to the opening date of the exhibition.

(2) Horses for exhibition will be examined by the official veterinarian on the day admitted to the exhibition.

(3) Poultry, except waterfowl and pigeons, must be individually identified with a leg or wing band and accompanied by a form approved by the Board to show compliance with one of the following:

(aa) Negative test for pullorum-typhoid disease conducted within 90 days prior to the opening date of the exhibition.

(bb) Originate directly from parent stock tested and found negative for pullorum-typhoid disease within the last twelve months.

(4) Dogs over six months of age shall be accompanied by a certificate of rabies vaccination issued by a licensed veterinarian. Vaccinations will be recognized for that period of time specified in LSB 17, Control of Rabies in Minnesota.

APPROVED AS TO FORM AND LEGALITY
MAR -7 1975 19
WARREN SPANNAUS, ATTORNEY GENERAL
BY Michael B Miller
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED - 2:30 pm
MAR 10 1975
Joan Anderson Growe
Secretary of State

FILED
RICHARD L. BRUBACHER
Commissioner of Administration
MAR 10 1975
BY Ede Staudenmaier 2 45 p.m.
AUTH. SIGNATURE

Proposed Amendments to LSB 40, Public Exhibition of Livestock and Poultry in Minnesota

Material which is lined out ----- would be deleted from the present regulation. Material which is underlined _____ would be added.

LSB 40, Public Exhibition of Livestock and Poultry in Minnesota

(a) All public exhibitions of livestock and poultry shall be under the supervision of the Minnesota State Livestock Sanitary Board (hereinafter called the Board):

(1) Performing livestock and poultry used by rodeos, circuses and as animal acts, if kept isolated from other livestock and poultry on the exhibition premises, are exempt from the requirements of section (b)(3) and (4) and section ~~(e)~~ (d) of this regulation.

(2) Exhibitions held in connection with a consignment sale of livestock or poultry and during which the livestock and poultry are on the sale premises for not more than 18 hours will be supervised under LSB 41, Sale of Livestock at Auction Markets, Consignment, Community and other sales.

(b) Management of exhibition shall:

(1) Comply with all reasonable orders of the Board or the official veterinarian pertaining to the sanitation of premises and the health status of all livestock and poultry exhibited.

(2) Clean and disinfect all building and exhibit areas for the use of livestock and poultry prior to the opening date of the exhibition and maintain them in a sanitary condition.

(3) Provide quarantine facility for any livestock or poultry showing symptoms of infectious or communicable disease. If a quarantine facility is impractical, any livestock or poultry showing symptoms of infectious or communicable disease shall be removed from the premises by the exhibitor when ordered to do so by the official veterinarian.

(4) When cattle, swine, sheep, goats, horses or poultry are exhibited, the management shall submit the name of a veterinarian accredited in Minnesota who, when authorized in writing by the Board, shall act as official veterinarian.

(c) Official veterinarian shall:

(1) Approve the cleaning and disinfection of the exhibition premises prior to the exhibition.

(2) Inspect all livestock and poultry on the day admitted to the exhibition.

(3) Refuse admission of livestock and poultry exhibiting symptoms of any infectious or communicable disease, or of livestock or poultry not meeting the admission requirements of this regulation.

(4) Inspect all livestock and poultry at least once daily during the exhibition and order the immediate removal to the quarantine facility or removal from the exhibition premises of any livestock or poultry with symptoms of

infectious or communicable disease and order and supervise the cleaning and disinfection of the area from which the diseased livestock or poultry was removed.

(5) Conduct any necessary tests at any time to determine the health status of the livestock or poultry on the exhibition grounds.

(6) At the conclusion of the exhibition, report to the Board violations of the regulation and other information concerning the exhibition as requested by the Board.

(7) ~~Shall~~ Retain for a period of one year all official forms relating to the exhibition.

~~(d) Health certificates accompanying livestock shall:~~

~~(1) Have been issued within 90 days prior to the opening date of the exhibition.~~

~~(2) Have been approved by the livestock and poultry disease control agency of the state of origin when required for livestock or poultry originating in other states.~~

~~(e)~~ (d) Entrance requirements for livestock and poultry originating in Minnesota:

(1) Slaughter classes: All livestock and poultry entered in the class which are kept isolated from all other livestock and poultry at the exhibition and are slaughtered during or immediately following the exhibition, do not need health certificates, tests or individual identification.

(2) Cattle which must be tested shall be ~~examined by an accredited veterinarian and be accompanied by an approved health certificate~~ individually identified by ear tag number, tattoo number or registry number ~~and with a record of the following tests~~:

~~(aa) Tuberculosis: All cattle eligible for test under LSB 16, Eradication of Bovine Tuberculosis in Minnesota must meet one of the following:~~

~~(i) Negative tuberculin test within 90 days prior to the opening date of the exhibition.~~

~~(ii) Originate from a herd accredited tuberculosis free pursuant to LSB 16, Eradication of Bovine Tuberculosis in Minnesota or the rules of the state of origin. Accredited herd number and date of last qualifying test to be recorded on the health certificate.~~

~~(bb)~~ (aa) Brucellosis: All cattle except those exempted from test and those diagnosed "vaccinate" under LSB 11, Rules and Regulations for the Eradication of Bovine Brucellosis in Minnesota, must meet one of the following:

(i) Negative brucellosis test within 90 days prior to the opening date of the exhibition. Record of the test with the result shall be entered on a test chart, certificate of brucellosis test or health certificate and presented to the official veterinarian at time of entry.

(ii) Originate from a herd certified brucellosis-free pursuant to LSB 11, Rules and Regulations for the Eradication of Bovine Brucellosis in Minnesota~~, or the rules of the state of origin~~. Certified herd number and date of last qualifying test to be ~~recorded on the health certificate.~~ reported to the official veterinarian at time of entry.

(3) Swine ~~shall be examined by an accredited veterinarian and be accompanied by a health certificate,~~ which must be tested shall be individually identified by ear tag number, tattoo number, registry number or other identification satisfactory to the Board ~~and with a record of the following tests~~:

(aa) Brucellosis: All swine eligible for test under LSB 21, Control and Eradication of Swine Brucellosis in Minnesota shall meet one of the following:

(i) Negative brucellosis test conducted within 90 days prior to the opening date of the exhibition. Record of the test with the result shall be entered on a test chart, certificate of brucellosis test or health certificate and presented to the official veterinarian at time of entry.

(ii) Originate from a herd validated brucellosis-free pursuant to LSB 21, Control and Eradication of Swine Brucellosis in Minnesota ~~or the rules of the state of origin~~. Validated herd number and date of last qualifying test to be ~~recorded on the health certificate.~~ reported to the official veterinarian at time of entry.

(4) Sheep shall be examined by ~~an accredited~~ the official veterinarian on the day admitted to the exhibition. ~~and be accompanied by a health certificate individually identified by ear tag number, tattoo number or registry number.~~

~~(aa) Sheep from areas not certified scabies free shall be dipped under veterinary supervision within ten days prior to the opening date of the exhibition, examined to determine they are scabies free and a statement of freedom from scabies entered on the health certificate.~~

(5) Goats which must be tested shall be ~~examined by an accredited veterinarian and be accompanied by a health certificate,~~ individually identified by ear tag number, tattoo number or registry number ~~with~~ and accompanied by a record of the following tests entered on a test chart or health certificate if the goats are over six months of age:

(aa) Tuberculosis: A negative test within 90 days prior to the opening date of the exhibition.

(bb) Brucellosis: A negative test within 90 days prior to the opening date of the exhibition.

(6) Horses shall be examined by the official veterinarian on the day admitted to the exhibition.

(aa) Trail rides are exempt from the requirements of section (b)(3) and (4) and section ~~(c)~~ (d) (6) of this regulation.

(bb) Those horse shows which are programmed to be completed within a period of twelve hours and at which horses are not stabled overnight are exempt from the requirements of section (b)(3) and (4) and section ~~(e)~~ (d) (6) of this regulation.

(7) Poultry, except waterfowl and pigeons, must be individually identified with a leg or wing band and accompanied by a form approved by the Board to show compliance with one of the following:

(aa) Negative test for pullorum-typhoid disease conducted with 90 days prior to the opening date of the exhibition.

(bb) Originate directly from parent stock tested and found negative for pullorum-typhoid disease within the last twelve months.

(8) Dogs over six months of age shall be accompanied by a certificate of rabies vaccination issued by a licensed veterinarian. Vaccinations will be recognized for that period of time specified in LSB 17, Control of Rabies in Minnesota.

(e) Entrance requirements for livestock and poultry originating in states other than Minnesota:

(1) All cattle, swine, sheep and goats shall meet the Minnesota Livestock Sanitary Board Importation Requirements of Regulations LSB 1, Importation of Cattle, LSB 5, Importation of Swine, LSB 20, Eradication of Sheep Scabies and LSB 3, Importation of Goats. These requirements are outlined in the Health Requirements and Regulations governing interstate shipments published by U.S.D.A.

(aa) Health certificates and required tests will be accepted if issued and conducted within 90 days prior to the opening date of the exhibition.

(2) Horses for exhibition will be examined by the official veterinarian on the day admitted to the exhibition.

(3) Poultry, except waterfowl and pigeons, must be individually identified with a leg or wing band and accompanied by a form approved by the Board to show compliance with one of the following:

(aa) Negative test for pullorum-typhoid disease conducted within 90 days prior to the opening date of the exhibition.

(bb) Originate directly from parent stock tested and found negative for pullorum-typhoid disease within the last twelve months.

(4) Dogs over six months of age shall be accompanied by a certificate of rabies vaccination issued by a licensed veterinarian. Vaccinations will be recognized for that period of time specified in LSB 17, Control of Rabies in Minnesota.

CERTIFICATE OF BOARD'S

AUTHORIZING RESOLUTION

I, Dr. J. G. Flint, do hereby certify that I am Secretary and Executive Officer of the Livestock Sanitary Board, a Board duly authorized under the laws of the State of Minnesota, and that the following is true, complete, and correct copy of a resolution adopted at a meeting of the Livestock Sanitary Board duly and properly called and held on the 11th day of October, 1974, and that a quorum was present; that a majority of those present voted for the resolution; that said resolution is set forth in the minutes of said meetings and has not been rescinded or modified.

> RESOLVED, that the Secretary and Executive Officer of the Livestock Sanitary Board, be and he hereby is granted the authority and directed to call a hearing for the purpose of amending Regulation LSB 40, Public Exhibition of Livestock and Poultry, as well as perform any and all acts incidental thereto, including but without being limited thereto, signing an order for hearing, and that the Secretary and Executive Officer or a person whom he shall appoint act as presiding officer at all hearings.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 29th day of October, 1974.

J. G. Flint

J. G. FLINT, D.V.M.
Secretary and Executive Officer
Livestock Sanitary Board

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE DR. J. G. FLINT
SECRETARY & EXECUTIVE OFFICER
STATE LIVESTOCK SANITARY BOARD

In the matter of the Proposed Amendment to Rules of the State Livestock Sanitary Board, LSB 40, Public Exhibition of Livestock and Poultry in Minnesota

ORDER FOR HEARING

To effectively implement Minn. Stat. 35.03 (1971), the Minnesota State Livestock Sanitary Board deems it necessary to consider adoption of the proposed rules captioned above pursuant to the authority vested in it by Minn. Stat. 35.03 (1971).

NOW, THEREFORE, IT IS ORDERED this 29th day of October, 1974, that a public hearing on the proposed rules captioned above be held in Room D, Veterans Service Building, St. Paul, Minnesota, on December 3, 1974, commencing at 9:30 A.M. and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard.

IT IS FURTHER ORDERED, that notice of said hearing be given to all representatives of associations or other interested groups or persons who have registered their names with the Secretary of State for that purpose and all persons who are presently members of the Minnesota Legislature.

STATE OF MINNESOTA
LIVESTOCK SANITARY BOARD

J. G. Flint

J. G. Flint, D.V.M.
Secretary & Executive Officer

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE: DR. J. G. FLINT
SECRETARY & EXECUTIVE OFFICER
STATE LIVESTOCK SANITARY BOARD

In the matter of the Proposed Amendment to the Rules of the State Livestock Sanitary Board, LSB 40, Public Exhibition of Livestock and Poultry in Minnesota.

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held pursuant to M.S. 1971, Section 15.0412, Subdivision 4, in the above-entitled matter, in Room D, Veterans Service Building, St. Paul, Minnesota on Tuesday, December 3, 1974, commencing at 9:30 A.M. and continuing until all representatives or other interested groups of persons have had an opportunity to be heard concerning adoption of the proposed rules captioned above by submitting either oral or written data, statements or arguments. Statements or briefs may be submitted without appearing at the hearing by mailing to the Secretary and Executive Officer, Minnesota State Livestock Sanitary Board, 555 Wabasha Street, St. Paul, Minnesota, 55102.

The State Livestock Sanitary Board proposes to adopt amendments to LSB 40, Public Exhibition of Livestock and Poultry in Minnesota which would:

1. Eliminate the requirement for health examinations of cattle, swine, sheep and goats originating in Minnesota and the issuing of health certificates for these animals prior to the exhibition.

2. Eliminate the requirement for a tuberculosis test on cattle over 24 months of age originating in Minnesota.

3. Require that cattle, swine, sheep and goats originating in states other than Minnesota meet the Minnesota Importation Requirements of LSB 1, LSB 5, LSB 20 and LSB 3.

4. Eliminate the requirement that health certificates accompanying livestock from other states be approved by the animal health officials of that state.

Copies of the proposed rules are now available and may be obtained by writing to:

Minnesota State Livestock Sanitary Board
555 Wabasha Street
St. Paul, MN. 55102

They will also be available at the door on the date of the hearing.

J. G. Flint, D.V.M.
Secretary & Executive Officer

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the Proposed Amendment to the Rules of the State Livestock Sanitary Board, LSB 40, Public Exhibition of Livestock and Poultry in Minnesota

CERTIFICATE

I hereby certify that the enclosed 392 labels with the list for the Livestock Sanitary Board constitute the complete list of persons, associations, and other interested groups who as of 8:00 o'clock, A.M., this Thirtieth day of October, 1974, have requested pursuant to M. S. 1971, Section 15.0412 that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on proposed rules on the subject captioned above.

Secretary of State

Arlen I. Erdahl

By Ceil Dirlam

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the Proposed Amendment to Rules of the State Livestock Sanitary Board, LSB 40, Governing the Public Exhibition of Livestock and Poultry in Minnesota

AFFIDAVIT OF MAILING

Sandra Ives, being first duly sworn, deposes and says:

That on the first day of November, 1974, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Hearing by depositing in the United States mail at said City of St. Paul, a true and correct copy thereof, properly enveloped, with postage prepaid, to all persons and associations at the addresses listed on the attached Certificate of the Secretary of State as well as to all persons listed on the attached sheet as presently being members of the Minnesota Legislature.

Sandra Ives

Subscribed and sworn to before
me this first day of November, 1974

JUDITH D. KRETZMANN
Notary Public, Ramsey County, Mn.
My Commission Expires
August 6, 1981

Judith D. Kretzmann

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE DR. J. G. FLINT
SECRETARY & EXECUTIVE OFFICER
STATE LIVESTOCK SANITARY BOARD

In the matter of the Proposed Amendment to Rules of the State Livestock Sanitary Board, LSB 40, Public Exhibition of Livestock and Poultry in Minnesota

STATEMENT OF NEED

The above captioned rules are amendments to existing rules of the State Livestock Sanitary Board. The last time the above captioned rules were amended was February, 1973.

The need to adopt these rules arises because of the reductions in the incidence of bovine brucellosis and tuberculosis, the very low incidence of porcine brucellosis, the questionable value of health certificates issued at any time within 90 days of the exhibition, and the savings of time and money for exhibitors, veterinarians and Livestock Sanitary Board office personnel in making prior health examinations, issuing and checking health certificates.

The health of livestock and poultry entered in public exhibitions in Minnesota will be protected as well under the amended rules as they have been under the present rules.

J. G. Flint, D.V.M.
Secretary & Executive Officer

EAGLE A
QUALITY
MANIFOLD

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE DR. J. G. FLINT
SECRETARY AND EXECUTIVE OFFICER
STATE LIVESTOCK SANITARY BOARD

In the matter of the Proposed Amendment to Rules of the State Livestock Sanitary Board LSB-40, Public Exhibition of Livestock and Poultry in Minnesota.

FINDINGS OF FACT

The above-entitled matter came on for hearing before the Minnesota State Livestock Sanitary Board, Dr. J. G. Flint, Secretary and Executive Officer, presiding, on the 3rd day of December, 1974, at 9:30 A.M. in Conference Room D, Veterans Service Building, St. Paul, Minnesota, after proper notice required by Minn. Stat. Sec. 15.0412 (1971) was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments and having heard and considered all of the testimony and evidence presented, the Department makes and enters the following findings:

1. Authority to promulgate the above-captioned rules is contained in Minn. Stat. Sec. 35.03 (1971). That section directs the Livestock Sanitary Board to protect the health of the domestic animals of the state by such means as it deems expedient to that end, to include the adoption of rules and regulations. These rules are hereby found to come within that authority, and, further, are found to be reasonable.

2. The advisability for amendment of this regulation arose when it was determined by the Livestock Sanitary Board that: The incidence of bovine tuberculosis was very low and that testing for animals for exhibitions had not resulted in disclosure of any infected animals for several years. The incidence of brucellosis in bovine and porcine animals was very low but continuing testing of these animals prior to the exhibition was advisable. The function of the health examinations and issuing of a health certificate within a period of ninety days prior to the exhibition had a

FINDINGS OF FACT -- cont.

questionable value as the health of the animal could have changed after the health certificate was issued. The energy and money used by exhibitors, veterinarians and Livestock Sanitary Board personnel in making prior health examinations, issuing and checking health certificates no longer served the purpose they originally had.

3. The regulation as adopted will eliminate the necessity for certain examinations and certificates believed by the Board to be no longer essential for the protection of the health of the livestock and poultry being entered in a public exhibition.

Dated January 23, 1975

J. G. FLINT, D.V.M.
SECRETARY AND EXECUTIVE OFFICER
LIVESTOCK SANITARY BOARD

CERTIFICATE OF BOARD'S

ADOPTION OF RULES RESOLUTION

I, Dr. J. G. Flint, do hereby certify that I am the Secretary and Executive Officer of the Livestock Sanitary Board, a Board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Livestock Sanitary Board duly and properly called and held on the 17th day of January, 1975; that a quorum was present at said meeting; that a majority of those present voted for the resolution; that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> RESOLVED, that the rules relating to LSB 40, Public Exhibition of Livestock and Poultry in Minnesota, be and they hereby are approved and adopted, pursuant to authority vested in us by Minnesota Statutes 1971, Section 35.03, and that Mr. Alvin Offerman, one of the members of the Minnesota State Livestock Sanitary Board, be and hereby is authorized to sign an order adopting these rules.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 24th day of January, 1975.

J. G. Flint

J. G. FLINT, D.V.M.
SECRETARY AND EXECUTIVE OFFICER
LIVESTOCK SANITARY BOARD

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA STATE LIVESTOCK SANITARY BOARD

In the matter of the Proposed Adoption of Rules of the State Livestock Sanitary Board, LSB 40 Governing the Public Exhibition of Livestock and Poultry in Minnesota

ORDER ADOPTING RULES

The above-entitled matter came on for hearing before the Livestock Sanitary Board of the State of Minnesota on the 3rd day of December, 1974, at 9:30 A.M. in Conference Room D, Veterans Service Building, St. Paul, Minnesota, after proper notice required by M.S. 1971, Section 15.0412 was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, and applicable statutory standards or criteria, and having confirmed the need for the above captioned rules.

NOW, THEREFORE, IT IS ORDERED that these rules identified as LSB 40, Public Exhibition of Livestock and Poultry in Minnesota, are adopted this 17th day of January, 1975, pursuant to authority vested in me by M.S.1971, Section 35.03.

STATE OF MINNESOTA
LIVESTOCK SANITARY BOARD

Alvin Offerman

Alvin Offerman, Vice President
Minnesota State Livestock Sanitary Board

STATEMENT OF COMPLIANCE WITH

MANUAL OF RULE MAKING PROCEDURES

I, Special Assistant Attorney General, Paul Strandberg, do hereby declare that I have examined the proposed rules and all related documents and that, based on them and my personal familiarity with the applicable procedures, the Manual of Rule Making Procedures has been followed. Any exceptions are noted below.

Paul Strandberg

SPECIAL ASSISTANT ATTORNEY GENERAL

Dated: February 4, 1975