

Minnesota Attorney General: Administrative Rules Proceedings

Copyright Notice:

This material may be protected by copyright law (U.S. Code, Title 17). Researchers are liable for any infringement. For more information, visit www.mnhs.org/copyright.

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 21 (amended)

Subject: Eradication of Swine Brucellosis

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

MAY 22 1975 1:55 pm

BY Eda Staudenmaier
AUTH. SIGNATURE EJ

Stamped and filed with the Secretary of State 5-22-75

Rev. 9-72

Paul Strandberg
Special Assistant Attorney General
Agriculture

May 21, 1975

- LSB 21

STATE OF MINNESOTA
LIVESTOCK SANITARY BOARD
555 WABASHA ST.
ST. PAUL 55102

April 29, 1975

The Honorable Warren Spannaus
Attorney General of Minnesota
State Capitol - Room 102
St. Paul, Minn. 55155

Dear Sir:

In accordance with the provisions of the Manual of Rule Making Procedures, we are hereby submitting for your approval five sets of rules, the original and two copies of the necessary documents pertaining to Regulation LSB 21, Eradication of Swine Brucellosis in Minnesota, and one copy of the transcript of the public hearing.

Sincerely,

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

Encls.
1) Regulation as Adopted
2) Regulation as Proposed
3) Certificate of Board's Authorizing Resolution
4) The Order of Hearing
5) Notice of Hearing
6) Certificate (list received from Secretary of State's Office)
7) Secretary of State's List
8) Supplemental to Above List
9) Affidavit of Mailing
10) Statement of Need
11) Findings of Fact
12) Certificate of Adoption
13) Order of Adoption
14) Copy of the Transcript

AN EQUAL OPPORTUNITY EMPLOYER

Proposed Amendments to LSB 21, Eradication of Swine Brucellosis in Minnesota

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

LSB 21, Eradication of Swine Brucellosis in Minnesota

(a) Definitions.

(1) Board means the State Livestock Sanitary Board or its authorized agent.

(2) Owner means the legal owner, his agents, and the person in possession of or caring for the swine referred to.

(3) Herd means any number of swine owned by one or more persons which are maintained on one or more premises and which associate with or contact one another or are cared for by the same personnel.

(4) Veterinarian means a veterinarian licensed and accredited in Minnesota or a veterinarian of the USDA.

(5) Test and Testing means and refers to the Brucella Buffered Antigen (BBA or Card) test or other tests approved by the Board conducted in a laboratory approved by the Board on serums from blood samples collected and submitted by a veterinarian.

(6) Negative swine means swine showing no reaction on the test.

(7) Reactor swine means swine showing a positive reaction on the test or found infected by other diagnostic procedures. Diagnosis may be deferred on card test positive swine in a herd which is otherwise serologically, bacteriologically and epidemiologically negative when held under herd quarantines until subjected to subsequent tests to determine the status of the swine.

(8) Negative herd means one in which all eligible swine 6 months of age and over are negative.

(9) Infected herd means one in which one or more reactors has been disclosed and which has not regained a negative herd status.

(10) Validated Brucellosis-Free Herd means one for which the owner holds an unrevoked and unexpired validated herd certificate.

(11) Herd selling breeding stock means a herd from which purebred, hybrid, or grade gilts, sows, or boars are sold as replacement breeding stock on a continuing basis as a major or primary herd management objective.

(12) Exposed swine means those which are part of a brucellosis infected herd or have been in contact with a brucellosis reactor for 24 hours, or less than 24 hours if reactor has recently aborted, farrowed or has a vaginal or uterine discharge.

(13) Validated Brucellosis-Free Area means an area which is recognized by the Board and USDA as being free of swine brucellosis.

(b) General Requirements.

(1) Veterinarians shall report to the Board all herds infected with swine brucellosis or suspicious of being infected with swine brucellosis. The Board may demand tests of infected or suspicious swine and the owner shall present them for test and assist with the testing when demanded by the Board.

(2) The Board ~~may~~ shall quarantine exposed swine and herds suspicious of being infected with swine brucellosis. These quarantines will be released if it is determined that the herd is not infected.

(3) No exposed swine or swine under quarantine shall be moved except with a shipping permit for slaughter at a slaughtering establishment where Federal inspection is maintained or a market approved to receive quarantined swine for sale to such establishments or return to the herd of origin with a permit.

(4) Testing:

(aa) Swine six months of age and over except barrows shall be eligible for test.

(bb) Feeding swine isolated from all breeding swine are exempted from test.

(cc) Blood samples shall be collected by a veterinarian at owner's expense unless the Board or cooperating agency authorizes collection of blood samples at state or federal expense.

(dd) Swine tested shall be individually identified by a piercing ear tag with the uniform numbering system, a tattoo number, registry number, or other identification acceptable to the Board.

(ee) Serums from the blood samples, with three copies of the test chart, shall be submitted to an approved laboratory for testing.

(5) Reactors shall be quarantined and be identified by an approved reactor tag in the left ear. Reactors should be removed from the premises with a shipping permit within 15 days of identification for slaughter at a slaughtering establishment where Federal inspection is maintained or a market approved to receive quarantined swine for sale to such establishments. The time may be extended by cooperating authorities.

(6) Infected herds shall be quarantined.

(aa) The Board shall serve written notice of quarantine on the owner, either personally or by mail addressed to the owner's post office address as on the test chart.

(bb) Infected herd quarantines will be released when the reactors have been shipped ~~for slaughter~~ and slaughtered with a permit and all remaining ~~(breeding)~~ swine six months of age and over except barrows and feeding swine have passed two consecutive negative herd tests. The first negative test to be at least ~~60~~ 30 days after ~~removal~~ slaughter of the reactors, and the second negative test not less than 90 days following the first.

(cc) After removal of reactor swine the premises shall be cleaned and disinfected as directed by the Board.

(c) Establishment and Maintenance of Validated Brucellosis-Free Herds of Swine.

(1) An agreement to comply with these regulations shall be signed and filed with the Board by the owner.

(2) Validation: When the eligible swine in the breeding herd maintained under agreement have passed a negative test, the herd shall be declared a validated brucellosis-free hered for a period of one year and a Validated Brucellosis-Free Herd Certificate issued by the Board.

(aa) The validation will be cancelled if:

(i) Additions to the herd are made contrary to (c)(3) of this regulation. The validation would be reinstated when the entire breeding herd passes a negative test.

(ii) A reactor is disclosed on a herd test or on a test of any swine from the herd. The validation would be reinstated ~~after two consecutive negative herd tests not less than 90 days apart~~ when the infected herd quarantine is released.

(3) ~~Additions~~ Swine added to validated herds shall be accompanied by a record of (aa) origin or (bb) test and from:

(aa) ~~Swine from a~~ A Validated Brucellosis-Free Herd

(bb) ~~Swine from a~~ A breeding herd not under quarantine if the added swine are tested negative on the card test at an approved laboratory within 30 days prior to admission to the validated herd and isolated from all other swine until negative to a retest made at least 60 days after the first test. Bred sows and gilts to have the second test at least 30 days after farrowing.

(4) Swine temporarily removed from a validated herd for exhibition or other purposes shall, upon return to the herd, be isolated from other swine until tested negative 30 to 60 days after their return.

(5) Revalidation: The herd will be revalidated for a period of one year from the validation date upon a negative herd test of all eligible swine conducted within 10 to 14 months of the validation date, or if it is established that at least 20 per cent of the adult breeding swine of the herd were Market Swine tested during the year and at least one half of these in the last six months of the year.

(d) Establishment and Maintenance of Validated Brucellosis-Free Areas.

(1) The entire state or any political subdivision of the state may be submitted for validation as determined by cooperating State and Federal authorities.

(2) Method of initial validation:

(aa) All herds selling breeding stock must be validated during a one year period at owner's expense or be revalidated.

(bb) 90% of all sows, boars and stags slaughtered are to be tested and when reactors are found the herd of origin is to be sent to slaughter within 30 days or tested for brucellosis ~~and validated~~ until the quarantine is released.

(i) All slaughtering establishments slaughtering sows, boars and stags shall allow and cooperate with the Board in collection of necessary swine blood samples.

(cc) Other methods of validation may be authorized by the Board.

(3) Additions to herds in Validated Brucellosis-Free Areas shall be directly from a:

(aa) Validated Brucellosis-Free Herd.

(bb) Non-quarantined herd in Validated Brucellosis-Free Area.

(cc) Non-quarantined herd in areas which are not Validated Brucellosis-Free if the swine have a negative brucellosis card test conducted at an approved laboratory within 30 days prior to the date of entry and are held in isolation after being added to the herd until they have had an additional negative brucellosis card test between 60 and 90 days after the date of entry.

and accompanied by a record of such origin or test.

(4) Feeding swine may be held on validated herd premises or enter validated areas without brucellosis tests provided the feeding swine are isolated from all breeding swine on the premises.

(5) Swine may be consigned to slaughtering establishments or to stockyards approved for sale and shipment to slaughtering establishments for slaughter in a Validated Brucellosis-Free Area without a brucellosis test provided they are transported directly to holding pens at the slaughtering establishment or at the stockyards and are not divered enroute for any other purpose.

(6) Revalidation. When the initial validation period expires, application to USDA for revalidation will be made.

~~(aa) In the period of one year prior to expiration of validation all herds selling breeding stock are revalidated or validated.~~

~~(bb) 90% of all sows, bears and stags presented for slaughter during the validated period were tested for brucellosis.~~

~~(cc) Herds of origin of reactors were sent to slaughter within 30 days or were tested for validation.~~

~~(dd) Other methods of revalidation may be authorized by the Board.~~

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 17th day of January, 1975 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 21, Eradication of Swine Brucellosis in Minnesota, 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 Offier or a person whom he shall appoint act as presiding officer at all hearings.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 4th day of February, 1975.

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 21, Eradication of Swine Brucellosis in Minnesota

ORDER FOR HEARING

To effectively implement Minn. Stat. 35.03 (1974), 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 (1974).

NOW, THEREFORE, IT IS ORDERED this 4th day of February, 1975, that a public hearing on the proposed rules captioned above be held in Room D, Veterans Service Building, St. Paul, Minnesota, on March 20, 1975, commencing at 10:30 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, 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 21, Eradication of Swine Brucellosis in Minnesota

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held pursuant to M.S. 1974, Section 15.0412, Subdivision 4, in the above-entitled matter, in Room D, Veterans Service Building, St. Paul, Minnesota on Thursday, March 20, 1975 commencing at 10:30 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 21, Eradication of Swine Brucellosis in Minnesota which would:

1. Allow deferring a diagnosis on card test positive swine until determined to be infected by epidemiological investigation and other tests.
2. Require two consecutive negative herd tests for infected herd quarantine release, the first thirty days after slaughter of the reactors the second at least ninety days after the first.
3. Validated herds found to be infected will be revalidated after the test which released the quarantine.
4. Additions to a validated herd must come from a breeding herd not from a feedlot or market.
5. Eliminate the requirement that all infected herds not slaughtered be tested until validated.
6. Provisions for revalidation of the state would be dependent on the Uniform Methods and Rules then in effect.

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

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 21, Eradication of Swine Brucellosis in Minnesota

CERTIFICATE

I hereby certify that the enclosed 402 labels with the list for the Livestock Sanitary Board constitute the complete list of persons, associations, and other interested groups who as of 8:30 o'clock, A.M., this thirteenth day of February, 1975, have requested pursuant to M.S. 1974, 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

Joan Anderson Growe

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 21, Eradication of Swine Brucellosis in Minnesota

AFFIDAVIT OF MAILING

Robert G Pyle

_____, being first duly sworn, deposes and says:

That on the fourteenth day of February, 1975, at the City of St. Paul, County of Ramsey, State of Minnesota, he 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.

Robert G Pyle

Subscribed and worn to before
me this fourteenth day of February, 1975

Marian S Comford

MARIAN S. COMFORD
Notary Public, Ramsey County, Minnesota
My Commission Expires July 25, 1979

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 21, Eradication of Swine Brucellosis 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 August, 1973.

The need to adopt these rules arises because of changes made in the Uniform Methods and Rules published by the U.S.D.A. which outline minimum requirements to be met by the State of Minnesota before the state will be recognized as a Validated Swine Brucellosis-Free State. It is the desire of the Livestock Sanitary Board, considering the recommendations of the Governor's Advisory Committee on Swine Disease Prevention that efforts be made to reach the Validated Free-State status, that the necessary changes be made in the regulation.

J. G. Flint

J. G. FLINT D.V.M.
SECRETARY & EXECUTIVE OFFICER

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 Adoption of Rules of the State Livestock Sanitary Board Governing LSB 21, Eradication of Swine Brucellosis in Minnesota.

FINDINGS OF FACT

The above-entitled matter came on for hearing before the Livestock Sanitary Board of the State of Minnesota on the 20th day of March, 1975, at 10:30 A.M. in Room D of the 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, I find the following:

1. Authority to promulgate the above-captioned rules is contained in Minn. Stat. Sec. 35.03 (1971). That section directs the State Livestock Sanitary Board to protect the health of 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 decision of the State of California to accept breeding swine only from areas Validated Swine Brucellosis-Free or areas with implemented program of swine brucellosis eradication caused the swine industry to request the Governor to appoint an advisory committee representative of the swine industry to consider the swine brucellosis problem.

FINDINGS OF FACT -- Cont'd.

3. The Governor's Advisory Committee on Swine Disease Prevention has repeatedly requested that the Minnesota Livestock Sanitary Board implement a program which would result in Validation of Minnesota as Swine Brucellosis-Free.

4. The standards outlined in the Uniform Methods and Rules for Brucellosis Eradication recommended by the United States Animal Health Association and printed by the U.S. Department of Agriculture's Animal and Plant Health Inspection Services were recommended to the State Livestock Sanitary Board as the standards for the Swine Brucellosis Eradication Program.

5. Amendment of the Uniform Methods and Rules for Brucellosis Eradication made the present amendment of LSB 21, Eradication of Swine Brucellosis in Minnesota necessary if Minnesota's program is to be recognized by U.S.D.A.

6. Statements presented at the public hearing support the proposed amendments to LSB 21, Eradication of Swine Brucellosis in Minnesota.

7. These amended regulations will assure that the policy of the State of Minnesota to provide for the protection of the health of the citizens and domestic animals of the state is fulfilled in a reasonable manner.

Dated: April 14, 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 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 Minnesota Livestock Sanitary Board duly and properly called and held on the 11th day of April, 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 21, Eradication of Swine Brucellosis 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 14th day of April, 1975

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 Governing LSB 21, Eradication of Swine Brucellosis 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 20th day of March, 1975, at 10:30 A.M. in Conference Room D, Veterans Service Building, St. Paul, Minnesota, after proper notice required by Minn. Stat. 1971, Sec. 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 21, Eradication of Swine Brucellosis in Minnesota are adopted this 11th day of April, 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

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: April 30, 1975

(a) Definitions.

(1) Board means the State Livestock Sanitary Board or its authorized agent.

(2) Owner means the legal owner, his agents, and the person in possession of or caring for the swine referred to.

(3) Herd means any number of swine owned by one or more persons which are maintained on one or more premises and which associate with or contact one another or are cared for by the same personnel.

(4) Veterinarian means a veterinarian licensed and accredited in Minnesota or a veterinarian of the USDA.

(5) Test and Testing means and refers to the Brucella Buffered Antigen (BBA or Card) test or other tests approved by the Board conducted in a laboratory approved by the Board on serums from blood samples collected and submitted by a veterinarian.

(6) Negative swine means swine showing no reaction on the test.

(7) Reactor swine means swine showing a positive reaction on the test or found infected by other diagnostic procedures. Diagnosis may be deferred on card test positive swine in a herd which is otherwise serologically, bacteriologically and epidemiologically negative when held under herd quarantines until subjected to subsequent tests to determine the status of the swine.

(8) Negative herd means one in which all eligible swine 6 months of age and over are negative.

(9) Infected herd means one in which one or more reactors has been disclosed and which has not regained a negative herd status.

(10) Validated Brucellosis-Free Herd means one for which the owner holds an unrevoked and unexpired validated herd certificate.

(11) Herd selling breeding stock means a herd from which purebred, hybrid, or grade gilts, sows, or boars are sold as replacement breeding stock on a continuing basis as a major or primary herd management objective.

(12) Exposed swine means those which are part of a brucellosis infected herd or have been in contact with a brucellosis reactor for 24 hours, or less than 24 hours if reactor has recently aborted, farrowed or has a vaginal or uterine discharge.

(13) Validated Brucellosis-Free Area means an area which is recognized by the Board and USDA as being free of swine brucellosis.

(b) General Requirements.

(1) Veterinarians shall report to the Board all herds infected with swine brucellosis or suspicious of being infected with swine brucellosis. The Board may demand tests of infected or suspicious swine and the owner shall present them for test and assist with the testing when demanded by the Board.

(2) The Board shall quarantine exposed swine and herds suspicious of being infected with swine brucellosis. These quarantines will be released if it is determined that the herd is not infected.

(3) No exposed swine or swine under quarantine shall be moved except with a shipping permit for slaughter at a slaughtering establishment where Federal inspection is maintained or a market approved to receive quarantined swine for sale to such establishments or return to the herd of origin with a permit.

(4) Testing:

(aa) Swine six months of age and over except barrows shall be eligible for test.

(bb) Feeding swine isolated from all breeding swine are exempted from test.

(cc) Blood samples shall be collected by a veterinarian at owner's expense unless the Board or cooperating agency authorizes collection of blood samples at state or federal expense.

(dd) Swine tested shall be individually identified by a piercing ear tag with the uniform numbering system, a tattoo number, registry number, or other identification acceptable to the Board.

(ee) Serums from the blood samples, with three copies of the test chart, shall be submitted to an approved laboratory for testing.

(5) Reactors shall be quarantined and be identified by an approved reactor tag in the left ear. Reactors should be removed from the premises with a shipping permit within 15 days of identification for slaughter at a slaughtering establishment where Federal inspection is maintained or a market approved to receive quarantined swine for sale to such establishments. The time may be extended by cooperating authorities.

(6) Infected herds shall be quarantined.

(aa) The Board shall serve written notice of quarantine on the owner, either personally or by mail addressed to the owner's post office address as on the test chart.

(bb) Infected herd quarantines will be released when the reactors have been shipped with a permit and slaughtered and all remaining swine six months of age and over except barrows and feeding swine have passed two consecutive negative herd tests. The first negative test to be at least 30 days after slaughter of the reactors and the second negative test not less than 90 days following the first.

(cc) After removal of reactor swine the premises shall be cleaned and disinfected as directed by the Board.

(c) Establishment and Maintenance of Validated Brucellosis-Free Herds of Swine.

(1) An agreement to comply with these regulations shall be signed and filed with the Board by the owner.

(2) Validation: When the eligible swine in the breeding herd maintained under agreement have passed a negative test, the herd shall be declared a validated brucellosis-free herd for a period of one year and a Validated Brucellosis-Free Herd Certificate issued by the Board.

(aa) The validation will be cancelled if:

(i) Additions to the herd are made contrary to (c)(3) of this regulation. The validation would be reinstated when the entire breeding herd passes a negative test.

(ii) A reactor is disclosed on a herd test or on a test of any swine from the herd. The validation would be reinstated when the infected herd quarantine is released.

(3) Swine added to validated herds shall be accompanied by a record of (aa) origin or (bb) test and from:

(aa) A Validated Brucellosis-Free Herd

(bb) A breeding herd not under quarantine if the added swine are tested negative on the card test at an approved laboratory within 30 days prior to admission to the validated herd and isolated from all other swine until negative to a retest made at least 60 days after the first test. Bred sows and gilts to have the second test at least 30 days after farrowing.

(4) Swine temporarily removed from a validated herd for exhibition or other purposes shall, upon return to the herd, be isolated from other swine until tested negative 30 to 60 days after their return.

(5) Revalidation: The herd will be revalidated for a period of one year from the validation date upon a negative herd test of all eligible swine conducted within 10 to 14 months of the validation date, or if it is established that at least 20 percent of the adult breeding swine of the herd were Market Swine tested during the year and at least one half of these in the last six months of the year.

(d) Establishment and Maintenance of Validated Brucellosis-Free Areas.

(1) The entire state or any political subdivision of the state may be submitted for validation as determined by cooperating State and Federal authorities.

(2) Method of initial validation:

(aa) All herds selling breeding stock must be validated during a one year period at owner's expense or be revalidated.

(bb) 90% of all sows, boars and stags slaughtered are to be tested and when reactors are found the herd of origin is to be sent to slaughter within 30 days or tested for brucellosis until the quarantine is released.

(i) All slaughtering establishments slaughtering sows, boars and stags shall allow and cooperate with the Board in collection of necessary swine blood samples.

(cc) Other methods of validation may be authorized by the Board.

(3) Additions to herds in Validated Brucellosis-Free Areas shall be directly from a:

(aa) Validated Brucellosis-Free Herd.

(bb) Non-quarantined herd in Validated Brucellosis-Free Area.

(cc) Non-quarantined herd in areas which are not Validated Brucellosis-Free if the swine have a negative brucellosis card test conducted

at an approved laboratory within 30 days prior to the date of entry and are held in isolation after being added to the herd until they have had an additional negative brucellosis card test between 60 and 90 days after the date of entry. and accompanied by a record of such origin or test.

(4) Feeding swine may be held on validated herd premises or enter validated areas without brucellosis tests provided the feeding swine are isolated from all breeding swine on the premises.

(5) Swine may be consigned to slaughtering establishments or to stockyards approved for sale and shipment to slaughtering establishments for slaughter in a Validated Brucellosis-Free Area without a brucellosis test provided they are transported directly to holding pens at the slaughtering establishment or at the stockyards and are not diverted enroute for any other purpose.

(6) Revalidation. When the initial validation period expires, application to USDA for revalidation will be made.

APPROVED AS TO FORM AND LEGALITY
MAY 21 1975 19____
WARREN SPANNAUS, ATTORNEY GENERAL
BY /s/ Michael B. Miller
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED - 1:45 pm
MAY 21 1975
Joan Anderson Growe
Secretary of State

FILED
RICHARD L. BRUBACHER
Commissioner of Administration
MAY ~~22~~ 21 1975 1:55 pm
BY Eda Staudenmaier
AUTH. SIGNATURE