

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 Minnesota Livestock Sanitary Board
(Agency or Board)

Regulation No. LSB-41

Subject: Sale of Livestock at auction Markets, Consignment Community and other Sales

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
SEP 3 1975
BY Edna Staudemaier
AUTH. SIGNATURE
3:45 P.M
R.S

Stamped and filed with the Secretary of State Sept 3, 1975 3:15 PM

Rev. 9-72

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 Minnesota Livestock Sanitary Board
(Agency or Board)

Regulation No. L.S.B 73

Subject: The Establishment of State - Federal approved Markets for cattle and sale of Cattle at Such Markets

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

SEP 3 1975

BY Eda Staudenmaier
AUTH. SIGNATURE

3:45PM
R.S

Stamped and filed with the Secretary of State Sept 3, 1975 ~~3 PM~~ 3:15 P.M

Rev. 9-72

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 Minnesota Livestock Sanitary Board
(Agency or Board)

Regulation No. L.S.B 44

Subject: the Establishment and operation of Public Stockyards

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

SEP 3 1975

BY Eda Sternemann
AUTH. SIGNATURE

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R.S.

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Rev. 9-72

ADMIN 1000A

STATE OF MINNESOTA

DEPARTMENT Agriculture

Office Memorandum

TO : Michael Miller
Special Assistant
Attorney General

DATE: August 14, 1975

FROM : Paul Strandberg
Special Assistant
Attorney General

SUBJECT: Approval of LSB 41, 43 and 44

Enclosed for your approval, please find the above entitled regulations.

153

MINNESOTA LIVESTOCK SANITARY BOA

LSB-41 SALE OF LIVESTOCK AT AUCTION MARKETS, CONSIGNMENT, COMMUNITY AND OTHER SALES

Filed with the Secretary of State ~~November, 1973~~ _____ and the Commissioner of Administration ~~December, 1973.~~ _____.

Pursuant to Minnesota Statutes ~~1973~~ 1974, Section 35.03, the Livestock Sanitary Board hereby adopts the following rules and regulations:

(a) Definitions. Where used in these rules and regulations the following words and terms shall be defined as follows:

(1) "Board" shall mean the Minnesota State Livestock Sanitary Board acting by and through the Secretary and Executive Officer.

(2) "Community Sales" shall mean the public sale of livestock for purposes other than immediate slaughter, from any location in Minnesota where such livestock owned by two or more persons is assembled for sale, and the term "Community Sales" as used herein shall include but not be limited to regularly organized livestock auction markets and consignment sales of livestock.

(3) "Sales Management" shall mean the person or persons organizing and conducting a community sale.

(4) "Sales Premises" shall mean the premises where a community sale is conducted and shall include but not be limited to temporary or permanent sales rings, pens and alleys for confining livestock prior to and after sale and any land or building contiguous to such sales rings where livestock may be brought to, unloaded or confined prior to sale, or after sale before delivery to the purchaser.

(5) "Official Veterinarian" shall mean an individual licensed to practice veterinary medicine in Minnesota, accredited by the United States Department of Agriculture, approved by the Board to perform the brucellosis plate agglutination test or brucellosis card test, and authorized by the Board to act as its representative at a community sale.

(6) "Brucellosis Reactor" shall mean any non-vaccinated bovine animal showing complete agglutination in a 1:100 dilution or higher, or is positive to the brucellosis card test; or a vaccinated female bovine animal of dairy breed 20 months of age or over or any female bovine animal of beef breed 24 months of age and over, that is an official vaccinate which shows complete agglutination in a 1:200 dilution or higher, or that is positive to the brucellosis card test.

(7) "Brucellosis Suspect" shall mean a non-vaccinated bovine animal showing any agglutination in the 1:50 dilution or higher which is not classed as a brucellosis reactor; or an officially vaccinated female bovine animal over 20 months of age if of dairy breed, or if over 24 months of age if of beef breed that shows any agglutination in the 1:100 dilution that is not classed as a brucellosis reactor.

(8) "Health Certificate" shall mean a certificate issued by an accredited veterinarian certifying that, after a physical examination, the cattle described are free from visible signs of contagious, infectious, or communicable disease and shall include a statement of the origin of the cattle and the name and address of the consignee.

(b) Permits.

(1) No person shall operate or conduct a community sale of livestock in Minnesota, except at a public stockyard ~~where federal inspection of livestock for infectious, contagious, or communicable diseases is maintained~~ or at a state-federal approved market for cattle or swine, unless he has obtained an annual or special permit from the Board as hereafter provided. Applications by the sales management for permits shall be made upon forms furnished by the Board.

(2) Annual permits.

(aa) An annual permit valid until June 30 following date of issue, unless previously revoked, may be issued for community sales at a specified location provided:

(i) The veterinarian named in the application is accepted by the Board to act as the official veterinarian of the sale and is authorized by the Board to act as its representative as provided in section (c).

(ii) Prior to issuance of annual permit, the sales premises named in the application shall be inspected by a representative of the Board and certified as being in compliance with the provisions of section (d), paragraphs (1) and (2) of this regulation.

(3) Special permits.

(aa) Special permits may be issued for single community sales which shall specify the date and location for such sales, upon receipt of an application therefor, executed on a form furnished by the Board.

(bb) Not more than one special permit shall be issued to the same person or organization to conduct a sale at any one location in any three-month period with the exception of regularly scheduled livestock auction markets.

(4) The Board may refuse to grant or may revoke an annual or special permit when the applicant or permit holder has violated the laws of this state or the rules and regulations of the Board pertaining to the control and eradication of infectious, contagious, or communicable disease of livestock.

(c) Official veterinarian.

(1) The sales management shall employ an official veterinarian for each community sale for the purpose of inspection and examining all livestock offered for sale.

(2) The official veterinarian shall prohibit the sale of any animal or animals that, in his reasonable opinion, are affected with or show symptoms of infectious, contagious, or communicable disease except as specifically provided in these rules and regulations.

(3) The official veterinarian shall examine the health certificates for all animals for which a health certificate is required and prohibit the sale of such animals if the health certificates do not meet the requirements of the Board.

(4) Where required by the rules and regulations the official veterinarian shall test cattle for tuberculosis and brucellosis.

(5) Where required to identify cattle and swine by ear tag the official veterinarian shall use only official identification tags bearing the Minnesota prefix.

(6) The official veterinarian shall report immediately to the Board any failure by the sales management to properly clean and disinfect the sales premises and vehicles used for transporting animals when required.

(7) The official veterinarian shall furnish the Board within five days of completion of the sale:

(aa) Copies of all quarantines issued by him at the sale,

(bb) Reports of tuberculin and brucellosis tests performed by him,

(cc) Such other reports as the Board requires.

(d) Sales premises.

(1) The veterinarian's office and laboratory, the pavilions, sales rings, alleys, loading and testing chutes, and all livestock pens, and all the other buildings and structures located on any sales premises shall be so constructed that they can be maintained in a sanitary condition. Heating facilities shall be provided so that the veterinarian's laboratory may be maintained at a temperature of not less than 70° F.

(2) Sales rings, alleys, testing chutes used for all livestock, and pens used for swine and sheep shall be paved with cement or other impervious materials. Annual permits shall not be issued after July 1, 1971 unless all pens, including cattle pens located on the sales premises, are paved with cement or other impervious materials except that sales premises authorized in accordance with section (b)(2)(aa)(ii) of this regulation prior to July 1, 1971 shall be re-authorized provided:

(aa) Twenty (20) percent by area of existing unpaved pens have been paved prior to July 1, 1972.

(bb) Forty (40) percent by area of existing unpaved pens have been paved prior to July 1, 1973.

(cc) Sixty (60) percent by area of existing unpaved pens have been paved prior to July 31, 1974.

(dd) Eighty (80) percent by area of existing unpaved pens have been paved prior to July 1, 1975.

(3) No sales premises shall be authorized after June 30, 1976 unless all pens have been paved.

(e) Sales management.

(1) The sales management shall not permit the sale of livestock until such livestock has been examined and found free of symptoms of infectious, contagious, or communicable disease by the official veterinarian. The sales management shall refuse to accept livestock for sale when so ordered by the official veterinarian acting as an agent of the Board, and shall refuse to deliver livestock sold until such livestock has been released by the official veterinarian.

(2) The sales management shall, within five (5) days after each sale day, mail to the Board a report of all quarantined livestock sold through such sale, furnishing the name and address of the consignor of such livestock and the name and address of the purchaser. This report shall correspond with the quarantine issued by the official veterinarian at such sale. If no quarantined livestock is sold during the sale, the management shall so notify the Board within five (5) days following such sale.

(f) Consignment of livestock.

(1) No livestock originating in other states shall be consigned for sale unless they have been imported into Minnesota in compliance with the Minnesota law and all rules and regulations of the Board governing the importation of such livestock, and are accompanied by proper health certificates as provided in such regulations.

(2) Livestock originating in Minnesota shall not be consigned for sale unless accompanied by a statement signed by the owner, that to his best knowledge and belief no animals in the consignment have originated from premises where animals of the same species are under quarantine and that they have not been exposed, within thirty days prior to date of sale, to other animals affected with any infectious, contagious, or communicable disease. The statement shall include the owner's post office address, township and county in which the premises are located, from which the livestock was removed immediately prior to sale.

(3) Persons delivering livestock to the sale shall furnish the sales management statements signed by owners of all animals in the consignment originating at points in Minnesota as provided in paragraph (2) of this section and proper health certificates for all such animals originating in other states. Such statements and health certificates shall be submitted to the official veterinarians by the sales management for the veterinarian's approval before the animals are sold. If said livestock is imported under quarantine, the official veterinarian shall either conduct the necessary tests or examinations to release the quarantine, or shall re-quarantine the livestock on the premises of the purchaser.

(g) Sale of cattle.

(1) No cattle shall be sold at any community sale unless tested for brucellosis at the sales premises when consigned for sale with the exception of:

(aa) Steers and spayed heifers.

(bb) Dairy calves under six months of age, or beef calves under eight months of age.

(cc) Cattle accompanied by a record of a brucellosis test signed by a veterinarian showing the cattle have been tested for brucellosis and found negative less than thirty days before the date of the sale while owned by the consignor.

(dd) Cattle consigned directly from a certified brucellosis-free herd.

(ee) Dairy cattle under twenty (20) months of age and beef cattle under twenty-four (24) months of age when accompanied by an official brucellosis vaccination certificate or having a legible official vaccination tattoo.

(ff) Female cattle of beef breed under eighteen (18) months of age consigned for sale under quarantine for feeding or grazing purposes only, in accordance with Minnesota Statutes 1971, section 35.249, subdivision 3; and rules and regulations of the Board.

(gg) Cattle sold for immediate slaughter or for immediate consignment to a public stockyard identified with a tag applied under the Market Cattle Identification Program before leaving the market premises.

(hh) Female feeding cattle imported on special permit or purchased on affidavit may be consigned to a community sale to be sold for slaughter purposes. The owner of such cattle shall have in his possession a permit issued by the Board before such cattle are removed to the community sale from the premises on which quarantined. The permit shall be presented to the official veterinarian at the time the cattle are consigned.

(ii) Cattle sold for movement to approved dry lot feeding premises provided such cattle are branded with the letter "F" three inches high on the right jaw with a hot iron, in such manner that the brand shall be permanent and provided that a health certificate is issued listing the identification numbers of each animal.

(2) The official veterinarian shall furnish to the sales management a record of test for all cattle tested. Such test record shall be available for examination by any purchaser before the cattle are offered for sale. The test records of all cattle giving a positive reaction shall show names and addresses of all owners during the immediately preceding 30 days. Copies of all test records shall be mailed to the Board within five (5) days of completion of each sale. All cattle passing through a sale on valid health certificate or valid official record of test shall be reported.

(3) The sales management shall not allow the removal of cattle, sold without a test for brucellosis for immediate slaughter or consignment to a public stockyard unless the cattle are identified with a tag as applied under the Market Cattle Identification Program.

(4) The sales management shall not allow the removal of female cattle of beef breed under eighteen (18) months of age, sold without a test for brucellosis under affidavit and quarantine for feeding or grazing purposes only, until the purchaser furnishes an affidavit to the sales management as required by Minnesota Statutes 1971, section 35.245, subdivision 3. The original and second copy of the affidavit shall be mailed to the Board within five (5) days following the sale.

(5) Brucellosis reactors and suspects.

(aa) Brucellosis reactors shall be placed in isolation pens and not allowed to move from the market until the official veterinarian has identified them as reactors and a permit has been issued for their removal to a designated place of slaughter where the federal government maintains inspection service or to a public stockyards.

(bb) Brucellosis suspects and all bovine animals that have been in contact with reactors more than 24 hours are to be placed in isolation pens that permit no contact with other livestock separate from reactors and not allowed to move from the market until the official veterinarian has issued a permit for their removal. Such brucellosis suspects and contact animals shall be:

(i) Returned to the farm of origin under quarantine issued by the official veterinarian or

(ii) Identified with the letter "S" on the left jaw and sold for immediate slaughter only to a slaughtering establishment where the Federal government maintains inspection service or shipped to a public stockyards/ under permit issued by the official veterinarians.

(6) A report of the origin of all reactors and suspects disclosed when cattle are tested on the sales premises shall be made within five (5) days of the test to the Board by the official veterinarian.

(7) Any cattle imported subject to quarantine, and consigned to a community sale, shall be requarantined on the premises of the buyer by the official veterinarian when released from the sales premises. The quarantine issued by the official veterinarian shall include the provisions required for imported cattle.

(8) Records of vaccination submitted to the Board by the official veterinarian pertaining to cattle brucellosis vaccinated at a community sale, shall include the name and address of the new owner.

(9) Cattle bearing identification tags when consigned to a community sale, shall be identified by such tags on all official sale records submitted to the Board. Such tags shall not be removed without permission from the Board.

(10) The official veterinarian may issue a permit for the sale of cattle affected with actinomycosis (lumpy jaw) for the purpose of slaughter only.

(h) Sale of sheep.

(1) Sheep found by the official veterinarian to be infected with or exposed to scabies shall be immediately branded with a red letter "S" not less than four inches in height using branding paint and shall be immediately quarantined and held separate and apart from all sheep on the sales premises until a permit is obtained from the Board permitting their shipment, for immediate slaughter only, to points within Minnesota where the United States Department of Agriculture maintains inspection. All pens, loading chutes, and alleys used in the handling of these sheep must be cleaned and then properly disinfected with an approved disinfectant under the supervision of the official veterinarian. All trucks and vehicles used in transporting such sheep to community sales shall be cleaned and disinfected under the supervision of the official veterinarian before leaving the sales premises. All railroad cars used in transporting such sheep shall be cleaned and disinfected as provided by the state law and the rules and regulations of the Board.

(i) Sale of swine.

(1) All swine except swine sold for slaughter under affidavit, must be individually identified by ear tag or other suitable identification.

(2) All swine sold at the community sales shall be removed within twenty-four (24) hours to the premises of the purchaser and shall be held in quarantine separate and apart from all other swine on the premises for a period of not less than thirty (30) days. The official veterinarian shall furnish the purchaser an order of quarantine.

(3) Apparently healthy swine of one hundred fifty (150) pounds or more may be sold without identification provided the buyer, before removing [illegible] sales premises, furnishes an affidavit to the official veterinarian stating that all such swine [illegible] consigned to a public stockyards or slaughtering establishment within five (5) days after date of purchase. The sales management shall not allow such swine to be removed from the sales premises until such affidavit is furnished.

FILED
SEP 3 1975
Commissioner of Administration

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
SEP 3 - 1975
Secretary of State

APPROVED AS TO FORM AND LEGALITY
SEP - 3 1975
WARREN SPANNAUS ATTORNEY GENERAL
BY /s/ Michael B. Miller
SPECIAL ASSISTANT ATTORNEY GENERAL

APPROVED AS TO FORM AND LEGALITY
SEP 3 1975
19
WARREN SPANNAUS, ATTORNEY GENERAL
BY /s/ Michael B. Miller
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
SEP 3 - 1975
3:15 PM
Joan Anderson Growe
Secretary of State

FILED
RICHARD L. BRUBACHER
Commissioner of Administration
SEP 3 1975
BY
AUTH. SIGNATURE
3:45 PM

MINNESOTA LIVESTOCK SANITARY BOARD

PROPOSED AMENDMENTS TO THE RULES AND REGULATIONS:
LSB-41 SALE OF LIVESTOCK AT AUCTION MARKETS, CONSIGNMENT, COMMUNITY AND OTHER SALES

Filed with the Secretary of State ~~November, 1972~~ _____ and the Commissioner of Administration ~~December, 1972.~~ _____.

Pursuant to Minnesota Statutes ~~1971~~ 1974, Section 35.03, the Livestock Sanitary Board hereby adopts the following rules and regulations:

(a) Definitions. Where used in these rules and regulations the following words and terms shall be defined as follows:

(1) "Board" shall mean the Minnesota State Livestock Sanitary Board acting by and through the Secretary and Executive Officer.

(2) "Community Sales" shall mean the public sale of livestock for purposes other than immediate slaughter, from any location in Minnesota where such livestock owned by two or more persons is assembled for sale, and the term "Community Sales" as used herein shall include but not be limited to regularly organized livestock auction markets and consignment sales of livestock.

(3) "Sales Management" shall mean the person or persons organizing and conducting a community sale.

(4) "Sales Premises" shall mean the premises where a community sale is conducted and shall include but not be limited to temporary or permanent sales rings, pens and alleys for confining livestock prior to and after sale and any land or building contiguous to such sales rings where livestock may be brought to, unloaded or confined prior to sale, or after sale before delivery to the purchaser.

(5) "Official Veterinarian" shall mean an individual licensed to practice veterinary medicine in Minnesota, accredited by the United States Department of Agriculture, approved by the Board to perform the brucellosis plate agglutination test or brucellosis card test, and authorized by the Board to act as its representative at a community sale.

(6) "Brucellosis Reactor" shall mean any non-vaccinated bovine animal showing complete agglutination in a 1:100 dilution or higher, or is positive to the brucellosis card test; or a vaccinated female bovine animal of dairy breed 20 months of age or over or any female bovine animal of beef breed 24 months of age and over, that is an official vaccinate which shows complete agglutination in a 1:200 dilution or higher, or that is positive to the brucellosis card test.

(7) "Brucellosis Suspect" shall mean a non-vaccinated bovine animal showing any agglutination in the 1:50 dilution or higher which is not classed as a brucellosis reactor; or an officially vaccinated female bovine animal over 20 months of age if of dairy breed, or if over 24 months of age if of beef breed that shows any agglutination in the 1:100 dilution that is not classed as a brucellosis reactor.

(8) "Health Certificate" shall mean a certificate issued by an accredited veterinarian certifying that, after a physical examination, the cattle described are free from visible signs of contagious, infectious, or communicable disease and shall include a statement of the origin of the cattle and the name and address of the consignee.

(b) Permits.

(1) No person shall operate or conduct a community sale of livestock in Minnesota, except at a public stockyard ~~where federal inspection of livestock for infectious, contagious, or communicable diseases is maintained~~ or at a state-federal approved market for cattle or swine, unless he has obtained an annual or special permit from the Board as hereafter provided. Applications by the sales management for permits shall be made upon forms furnished by the Board.

(2) Annual permits.

(aa) An annual permit valid until June 30 following date of issue, unless previously revoked, may be issued for community sales at a specified location provided:

(i) The veterinarian named in the application is accepted by the Board to act as the official veterinarian of the sale and is authorized by the Board to act as its representative as provided in section (c).

(ii) Prior to issuance of annual permit, the sales premises named in the application shall be inspected by a representative of the Board and certified as being in compliance with the provisions of section (d), paragraphs (1) and (2) of this regulation.

(3) Special permits.

(aa) Special permits may be issued for single community sales which shall specify the date and location for such sales, upon receipt of an application therefor, executed on a form furnished by the Board.

(bb) Not more than one special permit shall be issued to the same person or organization to conduct a sale at any one location in any three-month period with the exception of regularly scheduled livestock auction markets.

(4) The Board may refuse to grant or may revoke an annual or special permit when the applicant or permit holder has violated the laws of this state or the rules and regulations of the Board pertaining to the control and eradication of infectious, contagious, or communicable disease of livestock.

(c) Official veterinarian.

(1) The sales management shall employ an official veterinarian for each community sale for the purpose of inspection and examining all livestock offered for sale.

(2) The official veterinarian shall prohibit the sale of any animal or animals that, in his reasonable opinion, are affected with or show symptoms of infectious, contagious, or communicable disease except as specifically provided in these rules and regulations.

(3) The official veterinarian shall examine the health certificates for all animals for which a health certificate is required and prohibit the sale of such animals if the health certificates do not meet the requirements of the Board.

(4) Where required by the rules and regulations the official veterinarian shall test cattle for tuberculosis and brucellosis.

(5) Where required to identify cattle and swine by ear tag the official veterinarian shall use only official identification tags bearing the Minnesota prefix.

(6) The official veterinarian shall report immediately to the Board any failure by the sales management to properly clean and disinfect the sales premises and vehicles used for transporting animals when required.

(7) The official veterinarian shall furnish the Board within five days of completion of the sale:

(aa) Copies of all quarantines issued by him at the sale,

(bb) Reports of tuberculin and brucellosis tests performed by him,

(cc) Such other reports as the Board requires.

(d) Sales premises.

(1) The veterinarian's office and laboratory, the pavilions, sales rings, alleys, loading and testing chutes, and all livestock pens, and all the other buildings and structures located on any sales premises shall be so constructed that they can be maintained in a sanitary condition. Heating facilities shall be provided so that the veterinarian's laboratory may be maintained at a temperature of not less than 70° F.

(2) Sales rings, alleys, testing chutes used for all livestock, and pens used for swine and sheep shall be paved with cement or other impervious materials. Annual permits shall not be issued after July 1, 1971 unless all pens, including cattle pens located on the sales premises, are paved with cement or other impervious materials except that sales premises authorized in accordance with section (b)(2)(aa)(ii) of this regulation prior to July 1, 1971 shall be re-authorized provided:

(aa) Twenty (20) percent by area of existing unpaved pens have been paved prior to July 1, 1972.

(bb) Forty (40) percent by area of existing unpaved pens have been paved prior to July 1, 1973.

(cc) Sixty (60) percent by area of existing unpaved pens have been paved prior to July 31, 1974.

(dd) Eighty (80) percent by area of existing unpaved pens have been paved prior to July 1, 1975.

(3) No sales premises shall be authorized after June 30, 1976 unless all pens have been paved.

(e) Sales management.

(1) The sales management shall not permit the sale of livestock until such livestock has been examined and found free of symptoms of infectious, contagious, or communicable disease by the official veterinarian. The sales management shall refuse to accept livestock for sale when so ordered by the official veterinarian acting as an agent of the Board, and shall refuse to deliver livestock sold until such livestock has been released by the official veterinarian.

(2) The sales management shall, within five (5) days after each sale day, mail to the Board a report of all quarantined livestock sold through such sale, furnishing the name and address of the consignor of such livestock and the name and address of the purchaser. This report shall correspond with the quarantine issued by the official veterinarian at such sale. If no quarantined livestock is sold during the sale, the management shall so notify the Board within five (5) days following such sale.

(f) Consignment of livestock.

(1) No livestock originating in other states shall be consigned for sale unless they have been imported into Minnesota in compliance with the Minnesota law and all rules and regulations of the Board governing the importation of such livestock, and are accompanied by proper health certificates as provided in such regulations.

(2) Livestock originating in Minnesota shall not be consigned for sale unless accompanied by a statement signed by the owner, that to his best knowledge and belief no animals in the consignment have originated from premises where animals of the same species are under quarantine and that they have not been exposed, within thirty days prior to date of sale, to other animals affected with any infectious, contagious, or communicable disease. The statement shall include the owner's post office address, township and county in which the premises are located, from which the livestock was removed immediately prior to sale.

(3) Persons delivering livestock to the sale shall furnish the sales management statements signed by owners of all animals in the consignment originating at points in Minnesota as provided in paragraph (2) of this section and proper health certificates for all such animals originating in other states. Such statements and health certificates shall be submitted to the official veterinarians by the sales management for the veterinarian's approval before the animals are sold. If said livestock is imported under quarantine, the official veterinarian shall either conduct the necessary tests or examinations to release the quarantine, or shall re-quarantine the livestock on the premises of the purchaser.

(g) Sale of cattle.

(1) No cattle shall be sold at any community sale unless tested for brucellosis at the sales premises when consigned for sale with the exception of:

(aa) Steers and spayed heifers.

(bb) Dairy calves under six months of age, or beef calves under eight months of age.

(cc) Cattle accompanied by a record of a brucellosis test signed by a veterinarian showing the cattle have been tested for brucellosis and found negative less than thirty days before the date of the sale while owned by the consignor.

(dd) Cattle consigned directly from a certified brucellosis-free herd.

(ee) Dairy cattle under twenty (20) months of age and beef cattle under twenty-four (24) months of age when accompanied by an official brucellosis vaccination certificate or having a legible official vaccination tattoo.

(ff) Female cattle of beef breed under eighteen (18) months of age consigned for sale under quarantine for feeding or grazing purposes only, in accordance with Minnesota Statutes 1971, section 35.245, subdivision 3; and rules and regulations of the Board.

(gg) Cattle sold for immediate slaughter or for immediate consignment to a public stockyard identified with a tag applied under the Market Cattle Identification Program before leaving the market premises.

(hh) Female feeding cattle imported on special permit or purchased on affidavit may be consigned to a community sale to be sold for slaughter purposes. The owner of such cattle shall have in his possession a permit issued by the Board before such cattle are removed to the community sale from the premises on which quarantined. The permit shall be presented to the official veterinarian at the time the cattle are consigned.

(ii) Cattle sold for movement to approved dry lot feeding premises provided such cattle are branded with the letter "F" three inches high on the right jaw with a hot iron, in such manner that the brand shall be permanent and provided that a health certificate is issued listing the identification numbers of each animal.

(2) The official veterinarian shall furnish to the sales management a record of test for all cattle tested. Such test record shall be available for examination by any purchaser before the cattle are offered for sale. The test records of all cattle giving a positive reaction shall show names and addresses of all owners during the immediately preceding 30 days. Copies of all test records shall be mailed to the Board within five (5) days of completion of each sale. All cattle passing through a sale on valid health certificate or valid official record of test shall be reported.

(3) The sales management shall not allow the removal of cattle, sold without a test for brucellosis for immediate slaughter or consignment to a public stockyard unless the cattle are identified with a tag as applied under the Market Cattle Identification Program.

(4) The sales management shall not allow the removal of female cattle of beef breed under eighteen (18) months of age, sold without a test for brucellosis under affidavit and quarantine for feeding or grazing purposes only, until the purchaser furnishes an affidavit to the sales management as required by Minnesota Statutes 1971, section 35.245, subdivision 3. The original and second copy of the affidavit shall be mailed to the Board within five (5) days following the sale.

(5) Brucellosis reactors and suspects.

(aa) Brucellosis reactors shall be placed in isolation pens and not allowed to move from the market until the official veterinarian has identified them as reactors and a permit has been issued for their removal to a designated place of slaughter where the federal government maintains inspection service or to a public stockyards.

(bb) Brucellosis suspects and all bovine animals that have been in contact with reactors more than 24 hours are to be placed in isolation pens that permit no contact with other livestock separate from reactors and not allowed to move from the market until the official veterinarian has issued a permit for their removal. Such brucellosis suspects and contact animals shall be:

(i) Returned to the farm of origin under quarantine issued by the official veterinarian or

(ii) Identified with the letter "S" on the left jaw and sold for immediate slaughter only to a slaughtering establishment where the Federal government maintains inspection service or shipped to a public stockyards under permit issued by the official veterinarians.

(6) A report of the origin of all reactors and suspects disclosed when cattle are tested on the sales premises shall be made within five (5) days of the test to the Board by the official veterinarian.

(7) Any cattle imported subject to quarantine, and consigned to a community sale, shall be requarantined on the premises of the buyer by the official veterinarian when released from the sales premises. The quarantine issued by the official veterinarian shall include the provisions required for imported cattle.

(8) Records of vaccination submitted to the Board by the official veterinarian pertaining to cattle brucellosis vaccinated at a community sale, shall include the name and address of the new owner.

(9) Cattle bearing identification tags when consigned to a community sale, shall be identified by such tags on all official sale records submitted to the Board. Such tags shall not be removed without permission from the Board.

(10) The official veterinarian may issue a permit for the sale of cattle affected with actinomycosis (lumpy jaw) for the purpose of slaughter only.

(h) Sale of sheep.

(1) Sheep found by the official veterinarian to be infected with or exposed to scabies shall be immediately branded with a red letter "S" not less than four inches in height using branding paint and shall be immediately quarantined and held separate and apart from all sheep on the sales premises until a permit is obtained from the Board permitting their shipment, for immediate slaughter only, to points within Minnesota where the United States Department of Agriculture maintains inspection. All pens, loading chutes, and alleys used in the handling of these sheep must be cleaned and then properly disinfected with an approved disinfectant under the supervision of the official veterinarian. All trucks and vehicles used in transporting such sheep to community sales shall be cleaned and disinfected under the supervision of the official veterinarian before leaving the sales premises. All railroad cars used in transporting such sheep shall be cleaned and disinfected as provided by the state law and the rules and regulations of the Board.

(i) Sale of swine.

(1) All swine except swine sold for slaughter under affidavit, must be individually identified by ear tag or other suitable identification.

(2) All swine sold at the community sales shall be removed within twenty-four (24) hours to the premises of the purchaser and shall be held in quarantine separate and apart from all other swine on the premises for a period of not less than thirty (30) days. The official veterinarian shall furnish the purchaser an order of quarantine.

(3) Apparently healthy swine of one hundred fifty (150) pounds or more may be sold without identification provided the buyer, before removing the swine from the sales premises, furnishes an affidavit to the official veterinarian stating that all such swine will be consigned to a public stockyards or slaughtering establishment within five (5) days after date of purchase. The sales management shall not allow such swine to be removed from the sales premises until such affidavit is furnished.

CERTIFICATE
OF
BOARD'S AUTHORIZING RESOLUTION

I, J. G. Flint, do hereby certify that I am Secretary 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, 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 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 three regulations, LSB-41, Sale of Livestock at Auction Markets, Consignment, Community and other Sales, LSB-43, Establishment of State-Federal Approved Markets for Cattle and Sale of Cattle at Such Markets and LSB-44, the Establishment and Operation of Public Stockyards, 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 7th day of May, 1975.

J. G. Flint

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

BEFORE DR. J. G. FLINT

SECRETARY AND EXECUTIVE OFFICER

LIVESTOCK SANITARY BOARD

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed Adoption of Amendments to Rules of the State Livestock Sanitary Board, Governing the Sale of Livestock at Auction Markets, Consignment, Community and Other Sales, LSB-41.

ORDER OF HEARING

To effectively implement the Livestock Sanitary Board deems it necessary to consider adoption of the proposed amendments to rules captioned above pursuant to the authority vested in me by M. S. 1971, Section 35.03.

NOW, THEREFORE, IT IS ORDERED this 5th day of May, 1975, that a public hearing on the proposed rules captioned above be held in Room 304 of the Veterans Service Building, State of Minnesota, St. Paul, Minnesota, on the 17th day of June, 1975, commencing at 10:00 a.m. and continuing until all representatives or other interested groups of 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.

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 AND EXECUTIVE OFFICER
STATE LIVESTOCK SANITARY BOARD

In the Matter of the Proposed Amendment to the Rule of the State Livestock Sanitary Board, LSB-41, Sale of Livestock at Auction Markets, Consignment, Community and Other Sales.

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held pursuant to M.S. 1973, Section 15.0412, Subdivision 4, in the above-entitled matter in the Room 304, Veterans Service Building, St. Paul, Minnesota on June 17, 1975, commencing at 10:00 a.m., and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard concerning adoption of the proposed rules captioned above by submitting either oral or written date, 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. Testimony or other evidence to be submitted for consideration should be pertinent to the matter at hand.

Under Minnesota Statutes Section 10A-01, subdivision 11 (1974), any individual representing persons or associations attempting to influence administrative action, such as promulgation of these rules, must register with the State Ethics Commission as a lobbyist within five days of the commencement of such activity by the individual. The State Ethics Commission is located at 410 State Office Building, St. Paul, Minnesota, 55155.

The Livestock Sanitary Board proposes to amend this regulation to:

-- Require the letter "S" brand on the left jaw of brucellosis-exposed cattle.

Copies of the proposed rules are now available and may be obtained by writing to: Minnesota Livestock Sanitary Board
555 Wabasha Street
St. Paul, Minnesota 55102

STATE OF MINNESOTA
LIVESTOCK SANITARY BOARD

J. G. Flint

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

Dated this 7th day of May, 1975

STATE OF MINNESOTA

COUNTY OF RAMSEY

CERTIFICATE

In the Matter of the Proposed Adoption of
Rules of the State Livestock Sanitary Board
Governing LSB-41, Sale of Livestock at Auction
Markets, Consignment, Community and Other Sales.

I hereby certify that the attached 424 labels & one sheet(s) constitute the complete list of persons, associations, and other interested groups who as of 8:45 o'clock A. M., this 14th day of May, 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 Neil Dorr

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed Adoption of
Rules of the State Livestock Sanitary Board
Governing LSB-41, Sale of Livestock at Auction
Markets, Consignment, Community and Other Sales.

AFFIDAVIT
OF MAILING

Robert G Pyle, being first duly sworn, deposes and says:

That on the 15th day of May, 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 sworn to before me
the 15 day of May, 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 AND EXECUTIVE OFFICER
STATE LIVESTOCK SANITARY BOARD

In the Matter of the Proposed Amendment to
Rules of the State Livestock Sanitary Board,
LSB-41, Sale of Livestock at Auction Markets,
Consignment, Community and Other Sales.

STATEMENT OF NEED

This amendment is necessary to bring the Minnesota Brucellosis Eradication Program into compliance with the requirements of the Recommended Uniform Methods and Rules for Brucellosis Eradication and the requirements of the United States Department of Agriculture Animal and Plant Health Inspection Service for interstate movement of cattle.

Amending these rules will assist the State of Minnesota in maintaining its brucellosis-free status and will protect the health of cattle in Minnesota.

Based on the foregoing information, it is my opinion the above-captioned amendment is needed.

May 7, 1975

J. G. Flint

J. G. FLINT D.V.M.
Secretary and 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 Amendment to Rules of the State Livestock Sanitary Board, LSB-41, Sale of Livestock at Auction Markets, Consignment, Community and Other Sales.

FINDINGS OF FACT

The above-entitled matter came on for hearing before Dr. J. G. Flint, Secretary and Executive Officer of the State Livestock Sanitary Board, on the 17th day of June, 1975, at 10:00 a.m. in Conference Room 304, Veterans Service Building, St. Paul, Minnesota, after proper notice required by M.S. 1974, 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, and having heard and considered all the testimony and evidence presented, and upon the records, files, and proceedings herein, I find the following:

1. Authority to promulgate and amend the above-captioned rule and regulation is contained in M.S. 1974, Section 35.03. That Section directs the State Livestock Sanitary Board to protect the health of the domestic animals of the State by such means as it deems expedient to that end, including the adoption of rules and regulations. These rules are hereby found to come within that authority and are found to be reasonable.

2. The amendment as adopted will provide further protection from brucellosis by requiring control procedures to assure that brucellosis exposed cattle are limited to movement direct to slaughter under permit from the Livestock Sanitary Board, or return to the farm of origin under quarantine.

3. This amendment appears to be in the best interest of the public and cattle owners of the State of Minnesota. The benefit derived far exceeds the costs of this requirement.

4. Adoption of this amendment places the State of Minnesota in compliance with the requirements of the Animal and Plant Health Inspection Service, United States Department of Agriculture, for the maintenance of a Brucellosis-Free status, and adheres to the Recommended Uniform Methods and Rules, Brucellosis Eradication.

This amendment is deemed reasonable, is in the public interest and further is found within the scope of M.S. 1974, Section 35.03.

Dated August 8, 1975

J. G. Flint

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 Livestock Sanitary Board duly and properly called and held on the 29th day of July, 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-41 - Sale of Livestock at Auction Markets, Consignment, Community and Other Sales be and they hereby are approved and adopted, pursuant to authority vested in us by Minnesota Statutes 1974, 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 8th day of August, 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 AND EXECUTIVE OFFICER
STATE LIVESTOCK SANITARY BOARD

In the Matter of the Proposed Adoption of
Rules of the State Livestock Sanitary Board
Governing LSB-41, Sale of Livestock at Auction
Markets, Consignment, Community and Other Sales.

ORDER ADOPTING
RULES

The above-entitled matter came on for hearing before the Livestock Sanitary Board of the State of Minnesota on the 17th day of June, 1975, at 10:00 a.m. in Room 304 of the Veterans Service Building, St. Paul, Minnesota, after proper notice required by M.S. 1974, 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-41, Sale of Livestock at Auction Markets, Consignment, Community and Other Sales, are adopted this 29th day of July, 1975, pursuant to authority vested in me by M.S. 1974, 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: August 13, 1975

LSB-43 THE ESTABLISHMENT OF STATE-FEDERAL APPROVED MARKETS FOR CATTLE AND SALE OF CATTLE AT SUCH MARKETS

Filed with Secretary of State and Commissioner of Administration ~~August, 1973~~

_____.

(a) Definitions. The following words and terms shall be defined as follows where used in these rules and regulations:

(1) "Board" shall mean the Minnesota State Livestock Sanitary Board acting by and through the Secretary and Executive Officer.

(2) "Federal Agency" shall mean the Animal and Plant Health Inspection Service, of the United States Department of Agriculture.

(3) "Approved State-Federal Market" shall refer to and include the sale of cattle from a designated premises that has been approved by the Board and federal agency.

(4) "Approved State-Federal Market Qualified to Accept Reactors, Suapects, and Cattle from Quarantined Herds" shall mean a market approved under Section (k) of this regulation.

(5) "Market Management" shall mean the person or persons organizing and conducting such a market.

(6) "Market Premises" shall mean the premises where a sale is conducted and shall include but not be limited to temporary or permanent sales rings, pens and alleys for confining cattle prior to and after sale, and any land or building contiguous to such sales rings, where cattle may be brought, unloaded or confined prior to sale, or after sale, before delivery to the purchaser.

(7) "Official Veterinarian" shall mean an individual licensed to practice veterinary medicine in Minnesota, accredited by the United States Department of Agriculture, approved by the Board to perform the brucellosis agglutination tests, and authorized by the Board to act as its representative at the approved market.

(8) "Official Vaccinate" shall mean a female bovine animal of dairy breed vaccinated against brucellosis with an approved Brucella vaccine while from 3 to 6 months (90 to 179 days) of age, or a female bovine animal of beef breed vaccinated against brucellosis with an approved Brucella vaccine while from 3 to 10 months (90 to 299 days) of age, permanently identified as a vaccinate, and reported at the time of vaccination to the appropriate state or federal agency.

(9) "Tuberculosis Reactor" shall mean any bovine animal that shows any reaction to the test for tuberculosis.

(10) "Brucellosis Reactor" shall mean any non-vaccinated bovine animal showing complete agglutination in a 1:100 dilution or higher, or a vaccinated female bovine animal of dairy breed 20 months of age or over or any female bovine animal of beef breed 24 months of age and over, that is an official vaccinate as defined in section (a)(8) which shows complete agglutination in a 1:200 dilution or higher, or any bovine animal that is positive to the brucellosis Card Test.

(11) "Brucellosis Suspect" shall mean a non-vaccinated bovine animal showing any agglutination in the 1:50 dilution or higher which is not classed as a brucellosis reactor; or an officially vaccinated bovine animal over 20 months of age if of dairy breed, or over 24 months of age if beef breed that shows any agglutination in the 1:100 dilution or higher that is not classed as a brucellosis reactor.

(12) "Health Certificate" shall mean a certificate issued by a veterinarian, on an official form of the state of origin, certifying that the animals are free from visible signs of contagious, infectious, or communicable disease. Statements with reference to brucellosis status of area of origin, and name and address of consignee shall be included. Record of tests or vaccination and individual identification shall be recorded when required.

(b) Permits.

(1) A State-Federal approved market shall operate under the provisions of this regulation. Cattle sold at such a market shall be handled in accordance with this regulation at all times.

(2) No person shall operate a state-federal approved market for cattle in Minnesota without a permit from the Board.

(3) An annual permit valid until June 30 following date of issue, unless previously revoked, may be issued for conducting a market at a specified point when the following provisions have been complied with:

(aa) An application properly executed upon a form furnished by the Board shall be filed with the Board by the management.

(bb) The veterinarian named in the application is approved by the Board to act as the official veterinarian of the sale and is authorized by the Board to act as its representative as provided in section (c).

(cc) The market premises named in the application shall be inspected and approved by representatives of the Board and the cooperating federal agency, and a report of such inspection shall be filed with the Board.

(4) The Board may refuse to grant or may revoke the permit when the applicant or permit holder has violated this regulation, or the laws of this state and other rules and regulations of the Board pertaining to the control and eradication of infectious, contagious or communicable disease of livestock.

(c) Official Veterinarian.

(1) The management of each approved market shall designate an official veterinarian, to inspect and examine all livestock offered for sale.

(2) Proper and adequate laboratory and other equipment for performance of required veterinary services are the responsibility of the veterinarian. Such equipment shall be inspected and approved by representatives of the Board and cooperating federal agency as outlined in Standard Procedures for Brucellosis Testing at State-Federal Approved Markets for Cattle.

(3) The veterinarian shall examine all cattle at the market and shall prohibit the sale of any animal or animals that in his reasonable opinion are affected with or show symptoms of infectious, contagious or communicable disease, except as specifically provided in these rules and regulations, and shall order the movement of such livestock to the isolation pens.

(4) The official veterinarian shall examine, and accept or refuse health certificates of all cattle consigned to the sale, and prohibit the sale of cattle not accompanied by proper health certificates until necessary examinations and required tests are completed.

(5) Where required by the rules and regulations the official veterinarian shall test for tuberculosis and/or brucellosis. Such tests shall be conducted in accordance with accepted procedure.

(6) Cattle moving through the market accompanied by health certificates shall be listed on the Master Test Sheet, and data as to the health certificate thereon recorded. Health certificates accompanying cattle are to be maintained with other market records.

(7) The official veterinarian shall issue shipping permits for slaughter only for all cattle sold for slaughter.

(8) The official veterinarian shall issue shipping permits for slaughter only for all cattle sold from isolation pens.

(9) The official veterinarian shall furnish the management a record of tests for all cattle tested. Such test records shall be available for examination by any purchaser before the cattle are removed from the market premises.

(10) The official veterinarian when submitting records for calves vaccinated against brucellosis at the market shall include the name and address of the purchaser.

(11) The veterinarian shall furnish the Board duplicate copies of all quarantines of cattle issued by him at the market, and also the records of tuberculin and brucellosis tests of cattle conducted by him, and such other reports as the Board may from time to time require, within 5 days following the completion of each week's business.

(12) He shall report to the Board any failure by the sales management to properly clean and disinfect the sales premises.

(d) Market Premises and Management.

(1) The veterinarian's office and laboratory, the pavilions, sales rings, alleys, loading and testing chutes, and all livestock pens, and all the other buildings and structures located on any sales premises shall be so constructed that they can be maintained in a sanitary condition.

(2) Proper and adequate office and laboratory space shall be provided the veterinarian. Heating facilities shall be provided by the management so that the laboratory may be maintained at a uniform temperature of not less than 70° F.

(3) Sales rings, alleys, testing chutes used for all livestock, and pens used for swine and sheep shall be paved with cement or other impervious materials. Annual permits shall not be issued after July 1, 1972 unless all pens, including cattle pens located on the sales premises, are paved with cement or other impervious materials except that sales premises certified in accordance with Section (b)(3)(cc) of this regulation prior to July 1, 1972 shall be recertified provided:

(aa) Twenty (20) percent by area of existing unpaved pens have been paved prior to July 1, 1973.

(bb) Forty (40) percent by area of existing unpaved pens have been paved prior to July 1, 1974.

(cc) Sixty (60) percent by area of existing unpaved pens have been paved prior to July 1, 1975.

(dd) Eighty (80) percent by area of existing unpaved pens have been paved prior to July 1, 1976.

(4) No sales premises shall be certified after June 30, 1977 unless all pens have been paved.

(5) Facilities shall be provided for testing and examining cattle.

(6) Separate pens shall be designated and maintained for imported cattle to be sold subject to quarantine.

(7) Separate pens shall be designated and maintained for slaughter cattle.

(8) Separate isolation pens shall be designated and maintained for each species of livestock. Such pens shall:

(aa) Be so constructed and located that diseased animals therein shall have no contact with non-diseased animals. Drainage shall not be into other pens.

(bb) Be conspicuously posted as "Isolation Pen(s)" on the entrance gate.

(cc) Have feeding and watering facilities separate from those used by healthy animals.

(dd) Have proper equipment for cleaning and disinfecting isolation pen(s). Equipment used for cleaning shall be maintained separate from other equipment.

(ee) Isolation pen(s) shall be cleaned and disinfected immediately after removal of diseased or disease-exposed animals. Refuse from such pens shall not be placed in any other holding pen in the market, but shall be removed directly to an area not accessible to livestock.

(9) No livestock shall be sold at any approved market until it has been examined and found free from symptoms of infectious, contagious or communicable disease by the official veterinarian except as provided in Section (c), paragraph (8) of this regulation.

(10) The management shall refuse to accept livestock for sale when so ordered by the official veterinarian, and shall refuse to deliver livestock sold until such livestock has been released by the official veterinarian.

(11) The management of the market shall within five days following the completion of each week's business mail to the Board a report of all quarantined livestock sold through such market, furnishing the name and address of the consignor of such livestock and the name and address of the purchaser. This report shall correspond with the quarantines issued by the official veterinarian at such market. If no livestock is sold subject to quarantine, the management shall so notify the Board.

(12) The management shall grant state or federal inspectors upon reasonable demand access to all records of origin and destination of all livestock handled at the market.

(13) Records shall be maintained for at least one year.

(14) Cattle bearing identification tags when consigned to an approved market shall be identified by such tags, where required, on all official records submitted to the Board. Such tags shall not be removed without permission of the Secretary and Executive Officer of the Board.

(15) The market management shall not allow the removal of female cattle of beef type and breed, under 18 months of age sold under affidavit and quarantine for feeding and grazing purposes only, unless accompanied by proper permit or until the purchaser furnishes an affidavit to the market management as required by Minnesota Statutes. The original and second copy of the affidavit shall be mailed to the Board within five days following the completion of each week's business.

(e) Consignment of Livestock.

(1) Cattle originating in Minnesota shall be accompanied by a statement signed by the owner that the cattle originate from a premises not under quarantine because of disease, and that to his knowledge and belief have not been exposed within the past 30 days to cattle affected with any infectious, contagious or communicable disease.

(2) Cattle under quarantine for tests for release of quarantine to comply with importation requirements, may be consigned for sale if accompanied by a permit issued by the Board. Such cattle shall be tested as required at the market for release of quarantine or may be sold under quarantine if the animals qualify. The requirements of the quarantine shall be transferred to the new owner by the official veterinarian.

(3) Cattle originating in other states may be consigned to the market when accompanied by a health certificate complying with the Minnesota importation requirements and certifying to origin in a modified certified brucellosis area, or a health certificate showing individual identification, certifying to origin in a modified certified brucellosis area, or a declaration signed by the owner showing address of origin, description and number of cattle in shipment, destination, and further stating cattle are not under quarantine because of disease.

(aa) When required, cattle shall be tested for tuberculosis and/or brucellosis to comply with Minnesota regulations.

(bb) Cattle entering the market on an owner's declaration must be tested to meet Minnesota importation requirements.

(cc) Cattle entering market accompanied by a health certificate certifying to origin in a modified certified brucellosis area, are subject to tests at the market.

(dd) Cattle entering market accompanied by health certificate with necessary tests for tuberculosis and brucellosis conducted within 30 days prior to date of importation and recorded thereon, and certifying to origin in modified certified brucellosis area, may be sold without further testing.

(4) Reactors, suspects and cattle from quarantined herds may be consigned to markets approved under (k) of this regulation, when accompanied by a shipping permit providing for resale only to slaughtering establishments having federal inspection.

(f) Cattle for Immediate Slaughter. Cattle consigned for resale as slaughter cattle or determined at the market to be slaughter cattle, shall be identified by a tag as applied under the Market Cattle Identification Program. Cattle from slaughter pens shall be sold for immediate slaughter only and shall not be released from market premises until a shipping permit has been issued by official veterinarian.

(g) Tuberculosis.

(1) Cattle originating in Minnesota are not required to be tested for tuberculosis prior to sale.

(2) All cattle from other states shall pass a negative test for tuberculosis prior to release from the market premises, except

(aa) Steers.

(bb) Dairy calves under six months of age.

(cc) Calves of beef breed under eight months of age.

(dd) Cattle from accredited tuberculosis-free herds.

(ee) Cattle accompanied by a health certificate showing a record of negative test for tuberculosis conducted within 60 days prior to date of sale.

(ff) Female cattle of beef breed under 18 months of age sold for feeding and grazing purpose under affidavit and quarantine.

(gg) Cattle for immediate slaughter identified with an official backtag.

(hh) Cattle sold to dry feed lot permit holders provided such cattle are branded with the letter "F" three inches high on the right jaw with a hot iron and provided a health certificate is issued listing the identification numbers.

(ii) Cattle from states having tuberculosis reciprocity agreements with Minnesota.

(h) Brucellosis.

(1) All dairy cattle over six (6) months of age and all beef cattle eight months of age and over shall pass a negative test for brucellosis prior to release from the market, except:

(aa) Steers.

(bb) Cattle from certified brucellosis-free herds.

(cc) Cattle accompanied by a record of a brucellosis test signed by a veterinarian showing the cattle have been tested for brucellosis and found negative less than thirty (30) days before the date of sale while owned by the consignor.

(dd) Official vaccinates of dairy breeds under twenty (20) months of age and beef breeds under twenty-four (24) months of age.

(ee) Female cattle of beef type, under 18 months of age sold for feeding and grazing purposes under permit or affidavit and quarantine.

(ff) Cattle for immediate slaughter, identified with an official backtag.

(gg) Cattle sold to dry feed lot permit holders, provided such cattle are branded at the market with the letter "F" three inches high on the right jaw with a hot iron and provided a health certificate is issued listing the identification numbers.

(i) Brucellosis Reactors and Suspects.

(1) Brucellosis reactors shall be placed in isolation pens and not allowed to move from the market until the official veterinarian has identified them as reactors and a permit has been issued for their removal to a designated place of slaughter where the federal government maintains inspection service or to a public stockyards.

(2) Brucellosis suspects and all bovine animals that have been in contact with reactors more than 24 hours are to be placed in isolation pens separate from reactors and not allowed to move from the market until the official veterinarian has issued a permit for their removal. Such brucellosis suspects and contact animals shall be:

(aa) Returned to the farm of origin under quarantine issued by the official veterinarian or

(bb) Identified with the letter "S" on the left jaw and sold for immediate slaughter only to a slaughtering establishment where the federal government maintains inspection service or shipped to a public stockyards under permit issued by the official veterinarian.

(3) A report of origin of all reactors and brucellosis suspects disclosed when cattle are tested at the market shall be made to the Board by the official veterinarian within five days following completion of each week's business.

(4) The management shall not allow the removal of reactor animals or brucellosis suspects from the market until the purchaser has a shipping permit issued by the official veterinarian.

(j) Quarantines. The following classes of cattle are subject to quarantine from the market:

(1) Female cattle of beef breed under 18 months of age, not tested for tuberculosis or brucellosis at the market and sold under affidavit for feeding and grazing purposes, are quarantined for the feeding period. Affidavit to bear notarized signature of purchaser.

(2) Cattle sold to dry lot permit holder are quarantined for the feeding period.

(3) Non-vaccinates from other states entering market on owner's certificate and negative to tests for tuberculosis and brucellosis at the market, are quarantined for a brucellosis retest to be conducted in 30 to 120 days.

(4) Cattle from other states, of beef breed under 18 months of age, accompanied by owner's certificate and sold for feeding and grazing purpose under affidavit, are quarantined for the feeding period. When such cattle are 18 months of age and over, they are considered as breeding cattle.

(5) Official vaccinates of dairy breeds under 20 months of age and official vaccinates of beef breeds under 24 months of age, entering the market on an owner's certificate, and negative to the test for tuberculosis at the market, are quarantined until tested for brucellosis with a reaction no higher than complete agglutination in a dilution of 1:50.

(6) Official vaccinates of dairy breeds 20 months of age or over and official vaccinates of beef breed 24 months of age and over, entering the market on an owner's certificate, tested at the market and found negative to the tuberculosis test and which disclose a reaction to the brucellosis test no higher than complete agglutination in a dilution of 1:50 are quarantined for a retest for brucellosis to be conducted no sooner than 30 days nor more than 120 days.

(k) Markets Approved to Accept Reactors. Approved State-Federal markets qualified to accept reactors, suspects, and cattle from quarantined herds shall:

(1) Maintain an isolation section identified as such and used solely for the purpose of yarding reactors, suspects and cattle quarantined by the Livestock Sanitary Board because of the existence of or exposure to disease.

(2) Weigh each reactor for which indemnity might be paid separately and individually and maintain all records of sales price and costs with the identity marks and reactor tags so that net returns can be determined.

(3) Provide, maintain and staff adequate facilities, equipment, and permitted disinfectant for the purpose of disinfecting vehicles that have transported reactors, suspects, or quarantined livestock, as determined by State and Federal regulations.

(l) Other Species of Livestock. Other livestock shall be handled in accordance with Regulation LSB-42, (State-Federal Approved Markets for Swine) and/or Regulation LSB-41 (Sale of Livestock at Auction Markets, Consignment, Community and Other Sales).

No part of this regulation shall take precedence over any portion of Regulation LSB-1 entitled "Rules and Regulations for the Importation of Cattle."

APPROVED AS TO FORM AND LEGALITY
SEP - 3 1975 19
WARREN SPANNAUS, ATTORNEY GENERAL
BY /s/ Michael B. Mille
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
SEP 3 - 1975 3:15 P.M.
Joan Anderson Growe
Secretary of State

FILED
RICHARD L. BRUBACHER
Commissioner of Administration
SEP 3 1975
BY Eda Staudenmaier
AUTH. SIGNATURE 3:45 P.M.

MINNESOTA LIVESTOCK SANITARY BOARD

PROPOSED AMENDMENTS TO THE RULES AND REGULATIONS:

LSB-43 THE ESTABLISHMENT OF STATE-FEDERAL APPROVED MARKETS FOR CATTLE AND SALE OF CATTLE AT SUCH MARKETS

Filed with Secretary of State and Commissioner of Administration ~~August, 1973.~~ _____.

(a) Definitions. The following words and terms shall be defined as follows where used in these rules and regulations:

(1) "Board" shall mean the Minnesota State Livestock Sanitary Board acting by and through the Secretary and Executive Officer.

(2) "Federal Agency" shall mean the Animal and Plant Health Inspection Service, of the United States Department of Agriculture.

(3) "Approved State-Federal Market" shall refer to and include the sale of cattle from a designated premises that has been approved by the Board and federal agency.

(4) "Approved State-Federal Market Qualified to Accept Reactors, Suspects, and Cattle from Quarantined Herds" shall mean a market approved under Section (k) of this regulation.

(5) "Market Management" shall mean the person or persons organizing and conducting such a market.

(6) "Market Premises" shall mean the premises where a sale is conducted and shall include but not be limited to temporary or permanent sales rings, pens and alleys for confining cattle prior to and after sale, and any land or building contiguous to such sales rings, where cattle may be brought, unloaded or confined prior to sale, or after sale, before delivery to the purchaser.

(7) "Official Veterinarian" shall mean an individual licensed to practice veterinary medicine in Minnesota, accredited by the United States Department of Agriculture, approved by the Board to perform the brucellosis agglutination tests, and authorized by the Board to act as its representative at the approved market.

(8) "Official Vaccinate" shall mean a female bovine animal of dairy breed vaccinated against brucellosis with an approved Brucella vaccine while from 3 to 6 months (90 to 179 days) of age, or a female bovine animal of beef breed vaccinated against brucellosis with an approved Brucella vaccine while from 3 to 10 months (90 to 299 days) of age, permanently identified as a vaccinate, and reported at the time of vaccination to the appropriate state or federal agency.

(9) "Tuberculosis Reactor" shall mean any bovine animal that shows any reaction to the test for tuberculosis.

(10) "Brucellosis Reactor" shall mean any non-vaccinated bovine animal showing complete agglutination in a 1:100 dilution or higher, or a vaccinated female bovine animal of dairy breed 20 months of age or over or any female bovine animal of beef breed 24 months of age and over, that is an official vaccinate as defined in section (a)(8) which shows complete agglutination in a 1:200 dilution or higher, or any bovine animal that is positive to the brucellosis Card Test.

(11) "Brucellosis Suspect" shall mean a non-vaccinated bovine animal showing any agglutination in the 1:50 dilution or higher which is not classed as a brucellosis reactor; or an officially vaccinated bovine animal over 20 months of age if of dairy breed, or over 24 months of age if beef breed that shows any agglutination in the 1:100 dilution or higher that is not classed as a brucellosis reactor.

(12) "Health Certificate" shall mean a certificate issued by a veterinarian, on an official form of the state of origin, certifying that the animals are free from visible signs of contagious, infectious, or communicable disease. Statements with reference to brucellosis status of area of origin, and name and address of consignee shall be included. Record of tests or vaccination and individual identification shall be recorded when required.

(b) Permits.

(1) A State-Federal approved market shall operate under the provisions of this regulation. Cattle sold at such a market shall be handled in accordance with this regulation at all times.

(2) No person shall operate a state-federal approved market for cattle in Minnesota without a permit from the Board.

(3) An annual permit valid until June 30 following date of issue, unless previously revoked, may be issued for conducting a market at a specified point when the following provisions have been complied with:

(aa) An application properly executed upon a form furnished by the Board shall be filed with the Board by the management.

(bb) The veterinarian named in the application is approved by the Board to act as the official veterinarian of the sale and is authorized by the Board to act as its representative as provided in section (c).

(cc) The market premises named in the application shall be inspected and approved by representatives of the Board and the cooperating federal agency, and a report of such inspection shall be filed with the Board.

(4) The Board may refuse to grant or may revoke the permit when the applicant or permit holder has violated this regulation, or the laws of this state and other rules and regulations of the Board pertaining to the control and eradication of infectious, contagious or communicable disease of livestock.

(c) Official Veterinarian.

(1) The management of each approved market shall designate an official veterinarian, to inspect and examine all livestock offered for sale.

(2) Proper and adequate laboratory and other equipment for performance of required veterinary services are the responsibility of the veterinarian. Such equipment shall be inspected and approved by representatives of the Board and cooperating federal agency as outlined in Standard Procedures for Brucellosis Testing at State-Federal Approved Markets for Cattle.

(3) The veterinarian shall examine all cattle at the market and shall prohibit the sale of any animal or animals that in his reasonable opinion are affected with or show symptoms of infectious, contagious or communicable disease, except as specifically provided in these rules and regulations, and shall order the movement of such livestock to the isolation pens.

(4) The official veterinarian shall examine, and accept or refuse health certificates of all cattle consigned to the sale, and prohibit the sale of cattle not accompanied by proper health certificates until necessary examinations and required tests are completed.

(5) Where required by the rules and regulations the official veterinarian shall test for tuberculosis and/or brucellosis. Such tests shall be conducted in accordance with accepted procedure.

(6) Cattle moving through the market accompanied by health certificates shall be listed on the Master Test Sheet, and data as to the health certificate thereon recorded. Health certificates accompanying cattle are to be maintained with other market records.

(7) The official veterinarian shall issue shipping permits for slaughter only for all cattle sold for slaughter.

(8) The official veterinarian shall issue shipping permits for slaughter only for all cattle sold from isolation pens.

(9) The official veterinarian shall furnish the management a record of tests for all cattle tested. Such test records shall be available for examination by any purchaser before the cattle are removed from the market premises.

(10) The official veterinarian when submitting records for calves vaccinated against brucellosis at the market shall include the name and address of the purchaser.

(11) The veterinarian shall furnish the Board duplicate copies of all quarantines of cattle issued by him at the market, and also the records of tuberculin and brucellosis tests of cattle conducted by him, and such other reports as the Board may from time to time require, within 5 days following the completion of each week's business.

(12) He shall report to the Board any failure by the sales management to properly clean and disinfect the sales premises.

(d) Market Premises and Management.

(1) The veterinarian's office and laboratory, the pavilions, sales rings, alleys, loading and testing chutes, and all livestock pens, and all the other buildings and structures located on any sales premises shall be so constructed that they can be maintained in a sanitary condition.

(2) Proper and adequate office and laboratory space shall be provided the veterinarian. Heating facilities shall be provided by the management so that the laboratory may be maintained at a uniform temperature of not less than 70° F.

(3) Sales rings, alleys, testing chutes used for all livestock, and pens used for swine and sheep shall be paved with cement or other impervious materials. Annual permits shall not be issued after July 1, 1972 unless all pens, including cattle pens located on the sales premises, are paved with cement or other impervious materials except that sales premises certified in accordance with Section (b)(3)(cc) of this regulation prior to July 1, 1972 shall be recertified provided:

(aa) Twenty (20) percent by area of existing unpaved pens have been paved prior to July 1, 1973.

(bb) Forty (40) percent by area of existing unpaved pens have been paved prior to July 1, 1974.

(cc) Sixty (60) percent by area of existing unpaved pens have been paved prior to July 1, 1975.

(dd) Eighty (80) percent by area of existing unpaved pens have been paved prior to July 1, 1976.

(4) No sales premises shall be certified after June 30, 1977 unless all pens have been paved.

(5) Facilities shall be provided for testing and examining cattle.

(6) Separate pens shall be designated and maintained for imported cattle to be sold subject to quarantine.

(7) Separate pens shall be designated and maintained for slaughter cattle.

(8) Separate isolation pens shall be designated and maintained for each species of livestock. Such pens shall:

(aa) Be so constructed and located that diseased animals therein shall have no contact with non-diseased animals. Drainage shall not be into other pens.

(bb) Be conspicuously posted as "Isolation Pen(s)" on the entrance gate.

(cc) Have feeding and watering facilities separate from those used by healthy animals.

(dd) Have proper equipment for cleaning and disinfecting isolation pen(s). Equipment used for cleaning shall be maintained separate from other equipment.

(ee) Isolation pen(s) shall be cleaned and disinfected immediately after removal of diseased or disease-exposed animals. Refuse from such pens shall not be placed in any other holding pen in the market, but shall be removed directly to an area not accessible to livestock.

(9) No livestock shall be sold at any approved market until it has been examined and found free from symptoms of infectious, contagious or communicable disease by the official veterinarian except as provided in Section (c), paragraph (8) of this regulation.

(10) The management shall refuse to accept livestock for sale when so ordered by the official veterinarian, and shall refuse to deliver livestock sold until such livestock has been released by the official veterinarian.

(11) The management of the market shall within five days following the completion of each week's business mail to the Board a report of all quarantined livestock sold through such market, furnishing the name and address of the consignor of such livestock and the name and address of the purchaser. This report shall correspond with the quarantines issued by the official veterinarian at such market. If no livestock is sold subject to quarantine, the management shall so notify the Board.

(12) The management shall grant state or federal inspectors upon reasonable demand access to all records of origin and destination of all livestock handled at the market.

(13) Records shall be maintained for at least one year.

(14) Cattle bearing identification tags when consigned to an approved market shall be identified by such tags, where required, on all official records submitted to the Board. Such tags shall not be removed without permission of the Secretary and Executive Officer of the Board.

(15) The market management shall not allow the removal of female cattle of beef type and breed, under 18 months of age sold under affidavit and quarantine for feeding and grazing purposes only, unless accompanied by proper permit or until the purchaser furnishes an affidavit to the market management as required by Minnesota Statutes. The original and second copy of the affidavit shall be mailed to the Board within five days following the completion of each week's business.

(e) Consignment of Livestock.

(1) Cattle originating in Minnesota shall be accompanied by a statement signed by the owner that the cattle originate from a premises not under quarantine because of disease, and that to his knowledge and belief have not been exposed within the past 30 days to cattle affected with any infectious, contagious or communicable disease.

(2) Cattle under quarantine for tests for release of quarantine to comply with importation requirements, may be consigned for sale if accompanied by a permit issued by the Board. Such cattle shall be tested as required at the market for release of quarantine or may be sold under quarantine if the animals qualify. The requirements of the quarantine shall be transferred to the new owner by the official veterinarian.

(3) Cattle originating in other states may be consigned to the market when accompanied by a health certificate complying with the Minnesota importation requirements and certifying to origin in a modified certified brucellosis area, or a health certificate showing individual identification, certifying to origin in a modified certified brucellosis area, or a declaration signed by the owner showing address of origin, description and number of cattle in shipment, destination, and further stating cattle are not under quarantine because of disease.

(aa) When required, cattle shall be tested for tuberculosis and/or brucellosis to comply with Minnesota regulations.

(bb) Cattle entering the market on an owner's declaration must be tested to meet Minnesota importation requirements.

(cc) Cattle entering market accompanied by a health certificate certifying to origin in a modified certified brucellosis area, are subject to tests at the market.

(dd) Cattle entering market accompanied by health certificate with necessary tests for tuberculosis and brucellosis conducted within 30 days prior to date of importation and recorded thereon, and certifying to origin in modified certified brucellosis area, may be sold without further testing.

(4) Reactors, suspects and cattle from quarantined herds may be consigned to markets approved under (k) of this regulation, when accompanied by a shipping permit providing for resale only to slaughtering establishments having federal inspection.

(f) Cattle for Immediate Slaughter. Cattle consigned for resale as slaughter cattle or determined at the market to be slaughter cattle, shall be identified by a tag as applied under the Market Cattle Identification Program. Cattle from slaughter pens shall be sold for immediate slaughter only and shall not be released from market premises until a shipping permit has been issued by official veterinarian.

(g) Tuberculosis.

(1) Cattle originating in Minnesota are not required to be tested for tuberculosis prior to sale.

(2) All cattle from other states shall pass a negative test for tuberculosis prior to release from the market premises, except

(aa) Steers.

(bb) Dairy calves under six months of age.

(cc) Calves of beef breed under eight months of age.

(dd) Cattle from accredited tuberculosis-free herds.

(ee) Cattle accompanied by a health certificate showing a record of negative test for tuberculosis conducted within 60 days prior to date of sale.

(ff) Female cattle of beef breed under 18 months of age sold for feeding and grazing purpose under affidavit and quarantine.

(gg) Cattle for immediate slaughter identified with an official backtag.

(hh) Cattle sold to dry feed lot permit holders provided such cattle are branded with the letter "F" three inches high on the right jaw with a hot iron and provided a health certificate is issued listing the identification numbers.

(ii) Cattle from states having tuberculosis reciprocity agreements with Minnesota.

(h) Brucellosis.

(1) All dairy cattle over six (6) months of age and all beef cattle eight months of age and over shall pass a negative test for brucellosis prior to release from the market, except:

(aa) Steers.

(bb) Cattle from certified brucellosis-free herds.

(cc) Cattle accompanied by a record of a brucellosis test signed by a veterinarian showing the cattle have been tested for brucellosis and found negative less than thirty (30) days before the date of sale while owned by the consignor.

(dd) Official vaccinates of dairy breeds under twenty (20) months of age and beef breeds under twenty-four (24) months of age.

(ee) Female cattle of beef type, under 18 months of age sold for feeding and grazing purposes under permit or affidavit and quarantine.

(ff) Cattle for immediate slaughter, identified with an official backtag.

(gg) Cattle sold to dry feed lot permit holders, provided such cattle are branded at the market with the letter "F" three inches high on the right jaw with a hot iron and provided a health certificate is issued listing the identification numbers.

(i) Brucellosis Reactors and Suspects.

(1) Brucellosis reactors shall be placed in isolation pens and not allowed to move from the market until the official veterinarian has identified them as reactors and a permit has been issued for their removal to a designated place of slaughter where the federal government maintains inspection service or to a public stockyards.

(2) Brucellosis suspects and all bovine animals that have been in contact with reactors more than 24 hours are to be placed in isolation pens separate from reactors and not allowed to move from the market until the official veterinarian has issued a permit for their removal. Such brucellosis suspects and contact animals shall be:

(aa) Returned to the farm of origin under quarantine issued by the official veterinarian or

(bb) Identified with the letter "S" on the left jaw and sold for immediate slaughter only to a slaughtering establishment where the federal government maintains inspection service or shipped to a public stockyards under permit issued by the official veterinarian.

(3) A report of origin of all reactors and brucellosis suspects disclosed when cattle are tested at the market shall be made to the Board by the official veterinarian within five days following completion of each week's business.

(4) The management shall not allow the removal of reactor animals or brucellosis suspects from the market until the purchaser has a shipping permit issued by the official veterinarian.

(j) Quarantines. The following classes of cattle are subject to quarantine from the market:

(1) Female cattle of beef breed under 18 months of age, not tested for tuberculosis or brucellosis at the market and sold under affidavit for feeding and grazing purposes, are quarantined for the feeding period. Affidavit to bear notarized signature of purchaser.

(2) Cattle sold to dry lot permit holder are quarantined for the feeding period.

(3) Non-vaccinates from other states entering market on owner's certificate and negative to tests for tuberculosis and brucellosis at the market, are quarantined for a brucellosis retest to be conducted in 30 to 120 days.

(4) Cattle from other states, of beef breed under 18 months of age, accompanied by owner's certificate and sold for feeding and grazing purpose under affidavit, are quarantined for the feeding period. When such cattle are 18 months of age and over, they are considered as breeding cattle.

(5) Official vaccinates of dairy breeds under 20 months of age and official vaccinates of beef breeds under 24 months of age, entering the market on an owner's certificate, and negative to the test for tuberculosis at the market, are quarantined until tested for brucellosis with a reaction no higher than complete agglutination in a dilution of 1:50.

(6) Official vaccinates of dairy breeds 20 months of age or over and official vaccinates of beef breed 24 months of age and over, entering the market on an owner's certificate, tested at the market and found negative to the tuberculosis test and which disclose a reaction to the brucellosis test no higher than complete agglutination in a dilution of 1:50 are quarantined for a retest for brucellosis to be conducted no sooner than 30 days nor more than 120 days.

(k) Markets Approved to Accept Reactors. Approved State-Federal markets qualified to accept reactors, suspects, and cattle from quarantined herds shall:

(1) Maintain an isolation section identified as such and used solely for the purpose of yarding reactors, suspects and cattle quarantined by the Livestock Sanitary Board because of the existence of or exposure to disease.

(2) Weigh each reactor for which indemnity might be paid separately and individually and maintain all records of sales price and costs with the identity marks and reactor tags so that net returns can be determined.

(3) Provide, maintain and staff adequate facilities, equipment, and permitted disinfectant for the purpose of disinfecting vehicles that have transported reactors, suspects, or quarantined livestock, as determined by State and Federal regulations.

(l) Other Species of Livestock. Other livestock shall be handled in accordance with Regulation LSB-42, (State-Federal Approved Markets for Swine) and/or Regulation LSB-41 (Sale of Livestock at Auction Markets, Consignment, Community and Other Sales).

No part of this regulation shall take precedence over any portion of Regulation LSB-1 entitled "Rules and Regulations for the Importation of Cattle."

CERTIFICATE
OF
BOARD'S AUTHORIZING RESOLUTION

I, J. G. Flint, do hereby certify that I am Secretary 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, 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 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 three regulations, LSB-41, Sale of Livestock at Auction Markets, Consignment, Community and other Sales, LSB-43, Establishment of State-Federal Approved Markets for Cattle and Sale of Cattle at Such Markets and LSB-44, the Establishment and Operation of Public Stockyards, 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 7th day of May, 1975.

J. G. Flint

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

BEFORE DR. J. G. FLINT

STATE OF MINNESOTA

SECRETARY AND EXECUTIVE OFFICER

COUNTY OF RAMSEY

LIVESTOCK SANITARY BOARD

In the Matter of the Proposed Adoption of Amendments to Rules of the State Livestock Sanitary Board, Governing the Establishment of State-Federal Markets for Cattle and Sale of Cattle at Such Markets, LSB-43.

ORDER OF HEARING

To effectively implement the Livestock Sanitary Board deems it necessary to consider adoption of the proposed amendments to rules captioned above pursuant to the authority vested in me by M. S. 1971, Section 35.03.

NOW, THEREFORE, IT IS ORDERED this 5th day of May, 1975, that a public hearing on the proposed rules captioned above be held in Room 304 of the Veterans Service Building, State of Minnesota, St. Paul, Minnesota, on the 17th day of June, 1975, commencing at 10:00 a.m. and continuing until all representatives or other interested groups of 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.

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 AND EXECUTIVE OFFICER
STATE LIVESTOCK SANITARY BOARD

In the Matter of the Proposed Amendment to
the Rule of the State Livestock Sanitary Board,
LSB-43, The Establishment of State-Federal Approved
Markets for Cattle and Sale of Cattle at Such Markets.

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held pursuant to M.S. 1973, Section 15.0412, Subdivision 4, in the above-entitled matter in the Room 304, Veterans Service Building, St. Paul, Minnesota on June 17, 1975, commencing at 10:00 a.m., and continuing until all representatives of associations or other interested groups or 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. Testimony or other evidence to be submitted for consideration should be pertinent to the matter at hand.

Under Minnesota Statutes Section 10A-01, subdivision 11 (1974), any individual representing persons or associations attempting to influence administrative action, such as promulgation of these rules, must register with the State Ethics Commission as a lobbyist within five days of the commencement of such activity by the individual. The State Ethics Commission is located at 410 State Office Building, St. Paul, Minnesota, 55155.

The Livestock Sanitary Board proposes to amend this regulation to:

-- Require the letter "S" brand on the left jaw of brucellosis-exposed cattle.

Copies of the proposed rules are now available and may be obtained by writing to: Minnesota Livestock Sanitary Board
555 Wabasha Street
St. Paul, Minnesota 55102

STATE OF MINNESOTA
LIVESTOCK SANITARY BOARD

J. G. Flint

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

Dated this 7th day of May, 1975

STATE OF MINNESOTA

COUNTY OF RAMSEY

CERTIFICATE

In the Matter of the Proposed Adoption of
Rules of the State Livestock Sanitary Board
Governing LSB-43, Establishment of State-Federal
Approved Markets for Cattle and Sale of Cattle
at Such Markets.

I hereby certify that the attached 424 Labels & One sheet(s) constitute the complete list of persons, association, and other interested groups who as of 8:45 o'clock A. M., this 14th day of May, 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 Adoption of
Rules of the State Livestock Sanitary Board
Governing LSB-43, Establishment of State-Federal
Approved Markets for Cattle and Sale of Cattle
at Such Markets.

AFFIDAVIT
OF MAILING

Robert G Pyle, being first duly sworn, deposes and says:

That on the 15th day of May, 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 sworn to before me
the 15 day of May, 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 AND EXECUTIVE OFFICER
STATE LIVESTOCK SANITARY BOARD

In the Matter of the Proposed Amendment to Rules of the State Livestock Sanitary Board, LSB-43, Establishment of State-Federal Approved Markets for Cattle and Sale of Cattle at Such Markets.

STATEMENT OF NEED

This amendment is necessary to bring the Minnesota Brucellosis Eradication Program into compliance with the requirements of the Recommended Uniform Methods and Rules for Brucellosis Eradication and the requirements of the United States Department of Agriculture Animal and Plant Health Inspection Service for interstate movement of cattle.

Amending these rules will assist the State of Minnesota in maintaining its brucellosis-free status and will protect the health of cattle in Minnesota.

Based on the foregoing information, it is my opinion the above-captioned amendment is needed.

May 7, 1975

J. G. Flint

J. G. FLINT D.V.M.
Secretary and 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 Amendment to Rules of the State Livestock Sanitary Board, LSB-43, the Establishment of State-Federal Approved Markets for Cattle and Sale of Cattle at Such Markets.

FINDINGS OF FACT

The above-entitled matter came on for hearing before Dr. J. G. Flint, Secretary and Executive Officer of the State Livestock Sanitary Board, on the 17th day of June, 1975, at 10:00 a.m. in Conference Room 304, Veterans Service Building, St. Paul, Minnesota, after proper notice required by M.S. 1974, 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, and having heard and considered all the testimony and evidence presented, and upon the records, files, and proceedings herein, I find the following:

1. Authority to promulgate and amend the above-captioned rule and regulation is contained in M.S. 1974, Section 35.03. That Section directs the State Livestock Sanitary Board to protect the health of the domestic animals of the State by such means as it deems expedient to that end, including the adoption of rules and regulations. These rules are hereby found to come within that authority and are found to be reasonable.

2. The amendment as adopted will provide further protection from brucellosis by requiring control procedures to assure that brucellosis exposed cattle are limited to movement direct to slaughter under permit from the Livestock Sanitary Board, or return to the farm of origin under quarantine.

3. This amendment appears to be in the best interest of the public and cattle owners of the State of Minnesota. The benefit derived far exceeds the costs of this requirement.

4. Adoption of this amendment places the State of Minnesota in compliance with the requirements of the Animal and Plant Health Inspection Service, United States Department of Agriculture, for the maintenance of a Brucellosis-Free status, and adheres to the Recommended Uniform Methods and Rules, Brucellosis Eradication.

This amendment is deemed reasonable, is in the public interest and further is found within the scope of M.S. 1974, Section 35.03.

Dated August 8, 1975

J. G. Flint

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 Livestock Sanitary Board duly and properly called and held on the 29th day of July, 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 and regulations relating to LSB-43, the Establishment of State-Federal Approved Markets for Cattle and Sale of Cattle at Such Markets, be and they hereby are approved and adopted, pursuant to authority vested in us by Minnesota Statutes 1974, 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 8th day of August, 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 AND EXECUTIVE OFFICER
STATE LIVESTOCK SANITARY BOARD

In the Matter of the Proposed Adoption of
Rules of the State Livestock Sanitary Board
Governing LSB-43, the Establishment of
State-Federal Approved Markets for Cattle and Sale
of Cattle at Such Markets.

ORDER ADOPTING
RULES

The above-entitled matter came on for hearing before the Livestock Sanitary Board of the State of Minnesota on the 17th day of June, 1975, at 10:00 a.m. in Room 304 of the Veterans Service Building, St. Paul, Minnesota, after proper notice required by M.S. 1974, 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-43, Establishment of State-Federal Approved Markets for Cattle and Sale of Cattle at Such Markets, are adopted this 29th day of July, 1975, pursuant to authority vested in me by M.S. 1974, Section 35.03.

STATE OF MINNESOTA
LIVESTOCK SANITARY BOARD

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: August 13, 1975