

2 VAC 5-60, REGULATIONS GOVERNING THE OPERATION OF LIVESTOCK MARKETS

Pursuant to the authority in Sections 3.1-724, 3.1-726 and 3.1-730 and ~~3.1-757~~ of the Code of Virginia (1950) as amended, the Board of Agriculture and Consumer Services hereby adopts the following Rules and Regulations Governing the Operation of Livestock Markets.

2 VAC 5-60-10. Definitions.

The following words and terms, when used in these regulations, shall have the following meaning, unless the context clearly indicates otherwise:

“Animal waste” means livestock or poultry excreta and associated feed losses, bedding, litter or other materials.

“Brucellosis” means a disease of cattle, goats and swine caused by the bacterium *Brucella*.

“Cull pigs” means those swine offered for sale that do not pass veterinary health inspection.

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“Department” means the Virginia Department of Agriculture and Consumer Services.

“Feeder or breeder swine” means all swine except slaughter swine.

“Interstate health certificate” means a legible record covering the requirements for the importation of animals into the Commonwealth of Virginia, executed on an approved form of the state of origin and bearing the endorsement of the livestock health official of that state.

“Livestock” means farm animals kept for use and profit such as cattle, sheep, swine, goats, and horses.

~~“Livestock inspector” means an employee of the State Veterinarian who is assigned to each livestock market for the purpose of carrying out the orders of the State Veterinarian.~~

“Livestock market” means any premise where animals are habitually assembled for sale or exchange as outlined in §3.1-737 of the Code of Virginia.

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“Official brucellosis test” means ~~a blood serum~~ any test for the diagnosis of brucellosis which is approved by the United States Department of Agriculture. ~~, commonly called the card test.~~

“Reactors” means those animals which react positive to ~~the~~ an official brucellosis test for brucellosis.

“Slaughter swine” means those swine offered for sale, sold, ~~or~~ exchanged, or moved for immediate slaughter purposes only, ~~which are shipped without diversion to a state or federally inspected slaughtering establishment for immediate slaughter.~~

“State Veterinarian” means a Virginia Department of Agriculture and Consumer Services veterinarian employed by the Commissioner of Agriculture and Consumer Services who is responsible for the animal health in the Commonwealth of Virginia.

“State Veterinarian’s representative” means an employee of the Department of Agriculture and Consumer Services who is under the direction of the State Veterinarian or a full-time employee of the United States Department of Agriculture, Animal and Plant Health

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Inspection Service, Veterinary Services, who is authorized to perform specific activities as directed by the State Veterinarian.

“State waters” means all waters of any river, creek, branch, lake, reservoir, pond, bay, roadstead, estuary, inlet, spring, well, and bodies of surface or underground water, natural or artificial, wholly or partially within or bordering the Commonwealth or within its jurisdiction.

2 VAC 5-60-20. Supervision of livestock markets.

All livestock markets shall be under the jurisdiction of the State Veterinarian with each market under the direct supervision of a State ~~Regional Veterinarian's representative~~ Regional Veterinarian's representative during such time as the market is in operation or has any livestock on its premises. The State ~~Regional Veterinarian's representative~~ Regional Veterinarian's representative shall assign a livestock inspector to each market in his region to:

1. ~~Be present at all times during~~ Monitor the actual operation of the market for the purpose of enforcing these regulations.
2. Periodically check the weigh scales and related activities at the market.

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3. Make general inspection of all livestock on the market premises ~~before the sale~~ to determine their health status and make proper disposition of all sick or diseased livestock offered for sale in accordance with these regulations or other orders of the State Veterinarian.
4. Issue ~~(he or an assigned veterinarian)~~ all necessary certificates and permits, including those required for the lawful movement of livestock to and from the market and into other states.
5. Supervise the livestock identification procedures in effect at each market in support of official disease control programs.
6. Make a thorough inspection of the livestock market to determine if the ~~premises~~ market ~~are~~ is maintained in a clean, sanitary, and orderly manner.

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7. Make an inspection of the market to determine if the construction is safe and adequate to contain the animals housed therein, and if the facility's receiving area, handling chutes, pens and alleys are in a good state of repair.

2 VAC 5-60-30. Market sanitation and safety.

- A. The livestock market ~~premises~~ shall be maintained in a clean, sanitary, and orderly manner at all times, and must be cleaned after each use sale. This cleaning shall apply to the exterior surroundings as well as to the interior pens, stalls, runways, and other structures. The market shall be disinfected on a monthly basis or as otherwise required by the State Veterinarian.

- B. On the appointed date set for disinfecting the livestock market, all alleys, scales, docks, the sales ring, and pens in which livestock have been housed since the previous disinfection must be cleaned of all bedding and animal waste so that the basic surfaces can be thoroughly disinfected. No area shall be disinfected which has not been properly cleaned.

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- C. The livestock market premises must be maintained at a satisfactory level of sanitation to prevent contamination of state waters, production of noxious odors, and the breeding of insects or vermin.

- D. Runoff waters from livestock market roofs, etc. are to be diverted from livestock holding areas to prevent standing water or (unusually) muddy conditions in pens or alleys.

- E. Those livestock markets handling feeder or breeder swine shall provide well-lighted, imperviously surfaced pens, alleys, and sales ring for holding, inspecting, and otherwise handling this class of swine.

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F The market and its facilities shall be maintained in a state of repair so as to prevent injury to livestock while on the premises.

~~2 VAC 5-60-40. Cattle.~~

~~1. Brucellosis~~

~~All female bovines which have produced a calf, or are in advanced pregnancy (springers), or are two years of age or over as evidenced by the presence of four or more permanent incisor teeth, which are offered for sale at a livestock market, shall be brucellosis tested while in the market. Such female bovines shall be bled by a licensed veterinarian, and the blood samples shall be tested for brucellosis by a representative of the State Veterinarian employing the brucellosis card test. Such female bovines satisfactorily passing this test may be sold without restriction. Those not passing the test shall be sold for immediate slaughter after being properly tagged and branded by the livestock inspector.~~

~~1. The livestock market shall furnish the necessary facilities and personnel to bleed all adult breeding cattle presented at the market, exclusive of those which are designated for slaughter.~~

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2. ~~The department will furnish an employee and the equipment to perform the actual Brucellosis Card Test for each market.~~
3. ~~The market will provide an acceptable room or area in which the Brucellosis Card Test can be performed.~~
4. ~~The market shall provide a separate pen in which to confine any cattle which are found positive to the Brucellosis Card Test.~~
5. ~~This testing requirement shall not apply to:~~
 1. ~~Those cattle offered for sale for immediate slaughter, or~~
 2. ~~Those cattle originating from bona fide Virginia farms unless the State Veterinarian has reason to suspect that they have been exposed to brucellosis, or~~
 3. ~~Those cattle which enter Virginia accompanied by an official interstate health certificate.~~

~~Cattle will be considered exposed to brucellosis infection when they originate from a common source with known reactors, or have been closely penned with such reactors for periods of at least 24 hours or periods of less than 24 hours if the reactor has recently aborted, calved, or has vaginal or uterine discharges. Such exposed cattle shall be handled in the same manner as reactors.~~

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~~3. The State Veterinarian may grant exceptions to this requirement dealing with exposed cattle if he feels the circumstances warrant, and if they are not at variance with national uniform methods and rules applying to the eradication of bovine brucellosis.~~

~~4. Adult female cattle originating from outside the Commonwealth that are offered for sale for slaughter shall have an "S", which is at least four inches in height, painted or branded on the left shoulder. Such marking shall be the responsibility of the market operator. Such cattle may be moved from the market only to slaughter, without diversion.~~

2 VAC 5-60-50. Swine. Specific Requirements.

A. Cattle

All cattle shall be identified by a back tag or other such method or procedure approved by the State Veterinarian. Markets shall maintain records of all transactions involving cattle and make them available to the State Veterinarian's representative as required. These records shall contain each animal's back tag identification number or other

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approved identification, the name and address of the seller, and the name and address of the buyer.

B. Swine

A. 1. Slaughter swine.

All slaughter swine shall be identified by the use of a back tag, slap tattoo, bangle tag, or any other method or procedures approved by the State Veterinarian. No slaughter swine shall be moved from the premises unless accompanied by a written permit issued by ~~the inspector~~ a State Veterinarian's representative showing the consignee, the purchaser, and the specific destination. Markets shall maintain records of all such transactions and make them available to the State Veterinarian's representative ~~livestock inspector~~ as required. These records shall contain each animal's approved identification, the name and address of the seller, and the name and address of the buyer.

~~B. —When each market is so notified by the State Veterinarian in writing, all slaughter sows or boars sold at the livestock market shall be identified to~~

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~~the farm of origin by the use of a slap tattoo, bangle tag, or other identification procedure as approved by the State Veterinarian. The markets shall maintain adequate records of all such transactions and make them available to the livestock inspector as required.~~

~~C.~~ 2. Feeder and breeder swine.

Feeder and breeder swine sold in livestock markets must be identified as to the specific ownership. Such swine shall be promptly identified by a method or procedures approved by the State veterinarian, with a metal eartag, and may move from the market only under written permit showing a specific point of destination. Feeder and breeder swine may be permitted to move through one market premise only, or as it is generally termed, from farm to market to farm. The market shall keep records of transactions involving such swine and make them available to a ~~livestock inspector~~ State Veterinarian's representative as required. These records shall contain animal identification, name and address of the seller, and the name and address of the buyer.

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- D. 3. "Cull pigs" at a feeder or breeder swine sale shall be penned apart from all feeder and breeder swine and consigned under written permit direct to slaughter.
- E. 4. The admission of feeder or breeder swine to any livestock market, or any livestock market premises, is prohibited on any day when slaughter swine are assembled there.
- F. 5. The handling of both slaughter swine and feeder or breeder swine on separate days is permitted, but the handling of feeder or breeder swine by any livestock market following the handling of slaughter swine is prohibited until the livestock market has been cleaned and disinfected following the removal of all slaughter swine.

~~2 VAC 5-60-60. Sheep and goats.~~

C. Sheep and goats.

Lots of sheep or goats showing evidence of scabies shall be quarantined to the livestock market premises. If confirmed as being infected with scabies, these sheep or

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goats shall be returned to the farm or origin under quarantine. Those sheep or goats showing clinical evidence of being infected with foot rot shall be sold for immediate slaughter.

D. Equine.

Equine presented for sale in a livestock market shall be subject to the requirements specified in 2 VAC 5-70-30, 2 VAC 5-70-40 and 2 VAC 5-70-50 of Rules and Regulations Pertaining to the Health Requirements Governing the Control of Equine Infectious Anemia in Virginia.

2 VAC 5-60-70. Interstate shipment.

Shipment of Virginia livestock into other states shall be subject to all federal laws and regulations governing the interstate shipment of livestock, and in conformity with the requirements of the state of destination.

2 VAC 5-60-80. Removal of dead and diseased livestock.

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- A. Dead animals shall be removed promptly from the livestock market premises.
- B. Condemned livestock, diseased livestock, or brucellosis reactors shall be penned separately from other livestock. Such pens shall be plainly marked "For Slaughter Only."

2 VAC 5-60-90. Restriction of livestock movement.

Whenever the sanitation of the market is not maintained as required in section 2 VAC 5-60-30 of this regulation, the State Veterinarian may, at his discretion, prohibit the use of certain areas of the market; or he may limit the activities of such markets with regards to the type or to the destination of livestock sold in such markets. This restriction shall remain in effect until the State Veterinarian has determined that market management is in compliance. Whenever the State Veterinarian has reason to suspect or knowledge that a threat to the livestock industry or to the public safety exists by the continued operation of such livestock market, he may prohibit the operation of such market for such time as the threat or condition exists.