

ARTICLE 12:68

DISEASE CONTROL AND MEAT INSPECTION

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CHAPTER 12:68:01

DEFINITIONS

Section

12:68:01:01 Definitions.

12:68:01:02 Repealed.

12:68:01:01. Definitions. Words defined in SDCL 40-3 to 40-33, inclusive, have the same meaning when used in this article. Other terms used in this article mean:

~~—— (1) "Accredited free state," a state which maintains full compliance with the uniform methods and rules and in which no evidence of bovine tuberculosis has been disclosed for five or more years;~~

~~—— (2) "Accredited herd," a herd which has passed at least two consecutive annual tuberculin tests which disclose no evidence of bovine tuberculosis and which meets the standards set by this article;~~

~~—— (3) "Annual test," tests conducted at intervals of not less than 10 months nor more than 14 months;~~

(4) (1) "Authorized testing agent," a person employed by a hatchery to perform the pullorum typhoid test;

~~(5)~~ (2) "Baby poultry," newly hatched poultry, including chickens, poults, ducklings, goslings, keets, and pheasants, that have not been fed or watered;

~~(6)~~ (3) "Biological," any product to be used in animals for the prevention or treatment of disease including serums, vaccines, bacterins, and viruses, including parts of any of these and including any diagnostic testing materials for animal disease;

~~(7)~~ (4) "Blood test," one of the following blood tests for pullorum typhoid: the standard agglutination test or the rapid serum test for all classes of poultry, or the stained antigen rapid whole blood test for all classes of poultry except turkeys;

~~(8)~~ (5) "Boar," all male swine over six months of age;

~~(9)~~ (6) "Board," the South Dakota Animal Industry Board;

~~(10)~~ (7) "Bovine tuberculosis," a disease in cattle caused by mycobacterium tuberculosis bovis;

~~(11)~~ (8) "Bovine tuberculosis eradication," the complete elimination of bovine tuberculosis from cattle in a state so that it does not appear unless introduced from another species or from outside the state;

~~(12)~~ (9) "Cattle," domestic bovine animals of all ages;

~~(13)~~ "Comparative test," the injection of standardized mammalian and avian tuberculin at separate sites in the cervical area of an animal and the determination as to the probable presence of mammalian tuberculosis by the comparison of the responses of the tuberculins;

(14) (10) "Direct supervision," the process of being under the direction and inspection of an agent of the board;

~~(15)~~ (11) "Direct to slaughter," the shipment of livestock from the premises of origin directly to a slaughter establishment without diversion to assembly points such as auctions, public stockyards, and feedlots;

~~(16)~~ (12) "Domesticated fowl," any fowl that through long association with man has been bred to a degree which has resulted in genetic changes affecting the temperament, color, conformation, or other attributes of the species to an extent that makes it unique and different from wild individuals of its kind;

~~(17)~~ (13) "Flock," all chickens and other domesticated fowl maintained and segregated for more than 21 days on one premises;

~~(18)~~ (14) "Flock owner," a person owning one or more flocks of poultry;

~~(19)~~ (15) "Hatchery," buildings and equipment on one premises operated or controlled for the production of baby poultry;

~~(20)~~ (16) "Hatching eggs," eggs produced by chickens or other domestic or nondomestic fowl to be used for hatching;

~~(21)~~ (17) "Herd," a group of cattle maintained on common ground for any purpose or two or more groups of cattle under common ownership or supervision which are geographically separated, but which have an interchange of cattle without regard to health status (a group is one or more animals);

~~(22)~~ (18) "Herd depopulation," the removal of all cattle on a premises direct to slaughter;

~~(23)~~ (19) "Official identification," a means of identification as described in 9 CFR Part 86 (January 1, 2018) ~~tattoo~~ or other means of marking livestock authorized by the board;

~~(24)~~ "~~Ivomec,~~" is the brand name for ivermectin;

~~(25)~~ "~~Modified accredited area,~~" a state or portion of a state which is actively participating in the eradication of tuberculosis and which maintains its status in accordance with the uniform methods and rules;

~~(26)~~ (20) "Multiplier breeding flock," a flock that is intended for the production of hatching eggs used for the purpose of providing baby poultry for commercial egg and meat production or for other nonbreeding purposes;

~~(27)~~ "~~NPIP,~~" ~~National Poultry Improvement Plan and Auxiliary Provisions published by USDA, APHIS, July 2011. See § 12:68:13:02 for reference;~~

~~— (28) "NGL," no gross lesion;~~

~~— (29) "No gross lesion animal," an animal in which a lesion of tuberculosis is not found during slaughter inspection;~~

(30) (21) "Official USDA backtag," a means of identification as described in 9 C.F.R. § ~~78.4~~ 86 (January 1, ~~2012~~ 2018);

(31) (22) "Certificate of veterinary inspection," a document which has been designated by the state of origin as the form to be used to certify the health status of livestock exported from that state;

~~— (32) "Official tuberculin test," a test for tuberculosis applied and reported by approved personnel in accordance with this article;~~

(33) (23) "Owner," the legal owner, the owner's agents, and the person in possession of or caring for livestock referred to;

~~— (34) "Passed herd," a herd in which no animals were classified as reactors or suspects on the herd test;~~

(35) (24) "Person," a natural person, firm, or corporation;

(36) (25) "Poultry," all domestic and nondomestic fowl;

(37) (26) "Primary breeding flock," a flock that is maintained for the purpose of establishing, continuing, or improving parent lines;

(38) (27) "Pullorum disease" or "pullorum," a disease of poultry caused by Salmonella pullorum;

(39) (28) "Premises ~~Feedlot~~ under quarantine," a confined area under the direct supervision and control of a state livestock health official who establishes procedures for accounting for all animals entering or leaving the premises ~~feedlot~~;

(29) "Registration tattoo," official registry tattoo number that has been recorded with a recognized breed registry association;

(40) (30) "S.D. pullorum typhoid clean," a South Dakota flock that complied with chapter 12:68:13;

(41) (31) "Sow," a female swine over six months of age;

(42) (32) "Stag," a boar that has been castrated;

(43) (33) "Started poultry," young poultry that have been fed and watered and are less than six months of age;

(44) (34) "State inspector," an authorized agent of the board;

(35) "State veterinarian," executive secretary of the board;

~~(45)~~ (36) "Surveillance," all measures used to detect the presence of ~~tuberculosis~~ disease in ~~eattle~~ livestock;

~~(46)~~ (37) "Testing agent," a person who is ~~qualified~~ authorized by the board to perform the rapid whole blood pullorum typhoid test ~~by the state university, is authorized by the board, and is employed by the hatcheryman or flockowner supervising a breeding flock~~ and collect specimens from poultry for diagnostic purposes;

~~(47)~~ "Tuberculin," a product that is approved by and produced under license of the United States Department of Agriculture for injection into cattle for the purpose of detecting bovine tuberculosis;

~~(48)~~ (38) "Typhoid" or "fowl typhoid," a disease of poultry caused by Salmonella gallinarum;

~~(49)~~ (39) "Uniform methods and rules," the publication "Brucellosis Eradication, Recommended Uniform Methods and Rules." See § 12:68:05:01 for reference;

~~(50)~~ (40) "USDA," United States Department of Agriculture;

~~(51)~~ (41) "U.S. pullorum typhoid clean," flocks or fowl certified as meeting the U.S. pullorum typhoid clean standard as prescribed in the national poultry improvement plan; and

~~(52)~~ (42) "Veterinarian," a person who is licensed to practice veterinary medicine within the state ~~where the person resides~~ and who is approved by the USDA in accordance with the provisions of

9 C.F.R. Subchapter J, Part 161 (January 1, ~~2012~~ 2018) to perform functions specified in 9 C.F.R. § 160.1 (January 1, ~~2012~~ 2018).

Source: SL 1975, ch 16, § 1; 3 SDR 73, effective April 25, 1977; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991; 34 SDR 100, effective October 22, 2007; 37 SDR 47, effective September 20, 2010; 39 SDR 32, effective September 3, 2012; 43 SDR 41, effective September 26, 2016.

General Authority: SDCL 1-26-1(7), 40-3-14.

Law Implemented: SDCL 40-3-14.

CHAPTER 12:68:03

LIVESTOCK DISEASES AND PARASITES

Section

- 12:68:03:01 Repealed.
- 12:68:03:02 Importation from blue tongue infested flocks forbidden.
- 12:68:03:03 Repealed.
- 12:68:03:04 Carcasses of hogs dying of hog cholera to be disposed of.
- 12:68:03:05 Procedures for disposal of animal carcasses.
- 12:68:03:06 Quarantine of anthrax.
- 12:68:03:07 Disposal of carcasses of animals dying of anthrax.
- 12:68:03:08 Transferred.
- 12:68:03:09 List of reportable diseases.
- 12:68:03:10 Emergency and emerging diseases.
- 12:68:03:11 ~~Removal of official identification~~ Transferred.
- 12:68:03:12 Marketing biologicals.

12:68:03:11. Removal of official identification. ~~No person other than agents of the board or USDA may intentionally remove any official identification, as defined in subdivision 12:68:01:01(23), from animals in South Dakota. If the board has determined that such official identification has been intentionally removed, the state veterinarian may place a quarantine on the animals as deemed~~

~~necessary for disease control. The quarantine shall be released following determination by the state veterinarian that disease risks are mitigated. Transferred to § 12:68:29:01~~

~~—— **Source:** 29 SDR 152, effective May 21, 2003; 37 SDR 47, effective September 20, 2010.~~

~~—— **General Authority:** SDCL 40-3-14.~~

~~—— **Law Implemented:** SDCL 40-5-8.~~

CHAPTER 12:68:04

TUBERCULOSIS CONTROL

Section

- 12:68:04:01 Personnel authorized to apply tuberculin tests.
- 12:68:04:01.01 Tuberculosis control -- Use of federally approved methods and rules.
- 12:68:04:02 Caudal fold test, Repealed.
- 12:68:04:03 Cervical test for retesting, Repealed.
- 12:68:04:04 Requirements for special procedures in infected herds.
- 12:68:04:05 Tuberculin test interpretation, Repealed.
- 12:68:04:06 Injection sites palpated, Repealed.
- 12:68:04:07 Guidelines for caudal fold test, Repealed.
- 12:68:04:08 Mycobacterium tuberculosis bovis infection, Repealed.
- 12:68:04:09 Report of tuberculin tests.
- 12:68:04:10 Disposition of reactors, Repealed.
- 12:68:04:11 Disposition of suspects, Repealed.
- 12:68:04:12 No reactors retested, Repealed.
- 12:68:04:13 Movement for immediate slaughter, Repealed.
- 12:68:04:14 Movement of animals restricted, Repealed.
- 12:68:04:15 Permit required to move animals from herds containing suspect animals only, Repealed.
- 12:68:04:16 ~~Movement of animals from Hherds containing suspect or reactor animals only to immediate slaughter.~~
- 12:68:04:17 Release from quarantine of animals from herds containing suspect animals only, Repealed.
- 12:68:04:18 Deviators, Repealed.
- 12:68:04:19 Quarantine of herds when reactors are found, Repealed.
- 12:68:04:20 Permit to move animals from quarantined herds, Repealed.
- 12:68:04:21 Intrastate movement of animals from quarantined herds, Repealed.
- 12:68:04:22 Quarantine of infected herds.
- 12:68:04:23 Quarantine of herd when reactors are found, Repealed.

- 12:68:04:24 Release from quarantine of NGL reactors, Repealed.
- 12:68:04:25 Quarantine of suspect animals only, Repealed.
- 12:68:04:26 Additions to accredited herds, Repealed.
- 12:68:04:27 Animals added to accredited herds, Repealed.
- 12:68:04:28 Animals to be tested under accredited herd plan, Repealed.
- 12:68:04:29 Accreditation and reaccreditation of accredited herd, Repealed.
- 12:68:04:30 ~~Individual identification of tested animals, Transferred.~~
- 12:68:04:31 ~~Identification records for animals in channels of trade, Transferred.~~
- 12:68:04:32 Cleaning and disinfection of premises.
- 12:68:04:33 Origin of infection, Repealed.
- 12:68:04:34 Newly assembled herds on depopulated premises to be specially retested.
- 12:68:04:35 Herds with history of lesions to be retested, Repealed.
- 12:68:04:36 Tuberculosis testing of Mexican animals.
- 12:68:04:37 ~~Identification of recreational cattle, Transferred.~~
- 12:68:04:38 Annual testing of recreational cattle.

12:68:04:01.01. Tuberculosis control -- Use of federally approved methods and rules. In carrying out the tuberculosis control program in South Dakota, the Animal Industry Board shall follow methods contained in 9 C.F.R. §§ 50 and 77 (January 1, ~~2012~~ 2018).

Source: 34 SDR 100, effective October 22, 2007; 37 SDR 47, effective September 20, 2010; 39 SDR 32, effective September 3, 2012.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-6-2, 40-6-10.

12:68:04:02. Caudal fold test. ~~The official tuberculin test for routine use is the intradermic injection of 0.1 milliliter of tuberculin in the caudal fold~~ Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-6-2, 40-6-10.~~

12:68:04:03. Cervical test for retesting. ~~For retesting known mycobacterium tuberculosis bovis herds, 0.2 milliliter of tuberculin shall be used and may be applied only by state or federal regulatory veterinarians who are employed full time. The comparative and other cervical tests may be used only as specifically approved by the state or federal cooperating officials. This test is limited to use in herds where bovine tuberculosis has been disclosed except when the comparative cervical test is used, or when special tests such as those applied to animals for export are used. Cervical testing of cervidae shall be by the injection of 0.1 millimeter of tuberculin in the mid-cervical region of the neck~~
Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-6-2, 40-6-10.~~

12:68:04:04. Requirements for special procedures in infected herds. All animals in herds from which animals with tuberculosis originate and all animals that are known to have associated with infected animals shall be quarantined by an agent of the board. ~~Animals in feedlots known to be~~

~~exposed to animals with tuberculosis shall be quarantined and shipped under permit directly to slaughter. Movement of animals from quarantined herds is allowed only under authorization of an agent of the board. Disclosure of tuberculosis in any herd shall be followed by a complete epidemiological investigation by an epidemiologist appointed by the board. Every effort must be made by the owner to assure the immediate elimination of the disease from all species of domestic and nondomestic animals and poultry on the premises.~~

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-6-2, 40-6-10.

12:68:04:05. Tuberculin test interpretation. ~~Decisions as to interpretation of tuberculin test results based on the professional judgment of the testing veterinarian shall be in accordance with chapter 12:68:04 Repealed.~~

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991; 37 SDR 47, effective September 20, 2010.

~~**General Authority:** SDCL 40-3-14.~~

~~**Law Implemented:** SDCL 40-6-2, 40-6-10.~~

12:68:04:06. Injection sites palpated. ~~The injection sites for tuberculin tests on each animal shall be palpated. Observation without palpation is not acceptable as a valid test Repealed.~~

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986.

~~**General Authority:** SDCL 40-3-14.~~

~~**Law Implemented:** SDCL 40-6-2, 40-6-10.~~

12:68:04:07. Guidelines for caudal fold test. ~~Cattle tested with the caudal fold test shall be classified as follows:~~

~~(1) A reactor or "R" is an animal which shows a circumscribed swelling five millimeters (3/16 of an inch or greater) in diameter;~~

~~(2) A suspect or "S" is an animal which shows a response to tuberculin, but which is not classified as a reactor, with the exception noted in subdivision (3)(a);~~

~~(3) An animal may be passed as:~~

~~(a) A deviator or "D" if it shows a minimal response to tuberculin. This is usually designated as a pinpoint (PP) response; or~~

~~(b) A negative or "N" if it shows no response to tuberculin Repealed.~~

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.

~~**General Authority:** SDCL 40-3-14.~~

~~**Law Implemented:** SDCL 40-6-2, 40-6-10.~~

12:68:04:08. Mycobacterium tuberculosis bovis infection. ~~A pathologic (granulomatous) lesion in animals is considered to be a mycobacterium bovis infection when an accredited laboratory justifies a diagnosis other than bovine type tuberculosis. Lesions that occur only in the mesenteric lymph nodes do not justify such a diagnosis~~ Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-6-11.~~

12:68:04:09. Report of tuberculin tests. A report of all tuberculin tests, including the individual official identification of each animal by eartag number, age, sex, and breed, and a record of the responses, shall be submitted to the ~~board~~ state veterinarian in accordance with the requirements ~~of the federal officials~~ contained in 9 C.F.R. § 77 (January 1, ~~2012~~ 2018).

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991; 34 SDR 100, effective October 22, 2007; 37 SDR 47, effective September 20, 2010; 39 SDR 32, effective September 3, 2012.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-6-2, 40-6-10.

12:68:04:10. Disposition of reactors. ~~Reactors to the tuberculin test must remain on the premises where they are disclosed until a state or federal permit to ship for immediate slaughter has been obtained. Movement for immediate slaughter must be direct to a slaughter establishment where approved state or federal inspection is maintained within 15 days after classification. Upon delivery to the slaughtering establishment, they shall be slaughtered as soon as practical.~~ Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.

~~**General Authority:** SDCL 40-3-14.~~

~~**Law Implemented:** SDCL 40-6-2, 40-6-3, 40-6-10.~~

12:68:04:11. Disposition of suspects. ~~Suspects to the tuberculin test shall be quarantined to the herd where they are found or shipped under permit to slaughter in accordance with SDCL chapter 40-6 and 9 C.F.R. § 50.7(a) (January 1, 2012).~~ Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991; 34 SDR 100, effective October 22, 2007; 37 SDR 47, effective September 20, 2010; 39 SDR 32, effective September 3, 2012.

~~**General Authority:** SDCL 40-3-14.~~

~~**Law Implemented:** SDCL 40-6-2, 40-6-10.~~

12:68:04:12. No reactors retested. ~~No animal classified as a reactor shall be retested.~~ Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-6-2, 40-6-10.~~

12:68:04:13. Movement for immediate slaughter. ~~If tuberculosis has been diagnosed, animals shall remain on the premises where they are disclosed unless a permit has been obtained to move animals for immediate slaughter~~ Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-5-9, 40-6-11.~~

12:68:04:14. Movement of animals restricted. ~~Movement of animals from quarantined herds is allowed only under direct supervision of an agent of the board~~ Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-5-9, 40-6-11.~~

12:68:04:15. Permit required to move animals from herds containing suspect animals only.

~~Animals from herds whose tests showed suspect animals only shall remain on the premises where the suspects were disclosed, unless a permit has been obtained to move the exposed animals under supervision of the board Repealed.~~

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.

~~**General Authority:** SDCL 40-3-14.~~

~~**Law Implemented:** SDCL 40-5-9, 40-6-11.~~

12:68:04:16. ~~Movement of animals from~~ Hherds containing suspect or reactor animals ~~only to immediate slaughter~~. Movement of animals for immediate slaughter from Hherds containing suspect or reactor animals ~~only~~ shall be ~~direct to a slaughter establishment where state or federal inspection is maintained~~ quarantined until released by an agent of the board. Movement of animals from quarantined herds is allowed only under authorization of an agent of the board.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-5-9, 40-6-11.

12:68:04:17. Release from quarantine of animals from herds containing suspect animals only. ~~An authorized agent of the board may release animals from quarantined herds containing suspect animals only~~ Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-5-9, 40-6-11.~~

12:68:04:18. Deviators. ~~The testing agent of the board shall send a record of responses of deviators to the board for compilation~~ Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-6-2, 40-6-10.~~

12:68:04:19. Quarantine of herds when reactors are found. ~~All herds in which reactor animals are disclosed shall be quarantined~~ Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-5-9, 40-6-11.~~

12:68:04:20. Permit to move animals from quarantined herds. ~~Quarantined animals shall remain on the premises where quarantined unless a permit has been obtained from the board authorizing their movement~~ Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-5-9, 40-6-11.~~

12:68:04:21. Intrastate movement of animals from quarantined herds. ~~Animals originating from quarantined herds that are under 12 months of age and that have passed a tuberculin test within 60 days may be permitted to move intrastate to a quarantined feedlot under the direct supervision of an agent~~ Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-5-9, 40-6-11.~~

12:68:04:23. Quarantine of herd where reactors are found. ~~A herd shall be quarantined for a period of 10 months following the slaughter of lesion reactors disclosed in a herd~~ Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-5-9, 40-6-11.~~

12:68:04:24. Release from quarantine of NGL reactors. ~~Herds in which an NGL reactor only occurs and in which no evidence of mycobacterium bovis infection has been disclosed may be released from quarantine after a 60-day negative retest has been made on the entire herd~~ Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-5-9, 40-6-11.~~

12:68:04:25. Quarantine of suspect animals only. ~~Animals from herds where suspect animals only are disclosed shall be quarantined on the premises~~ Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-5-9, 40-6-11.~~

12:68:04:26. Additions to accredited herds. ~~Herd additions to accredited herds must originate directly from:~~

~~— (1) An accredited herd;~~

~~—— (2) A herd in an accredited free state;~~

~~—— (3) A herd in a modified accredited area that has passed a herd test of all animals over 24 months of age within the previous 12 months, and individual animals for addition were negative to a tuberculin test conducted within the previous 60 days; or~~

~~—— (4) A herd in a modified accredited area not meeting requirements of subdivision (1), (2), or (3) of this section, in which case individual animals for addition must pass a negative test within the 60 days prior to entering the premises of the accredited herd and must be kept in isolation from all members of the accredited herd until negative to a test conducted at least 60 days after the date of entry~~
Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.

~~—— **General Authority:** SDCL 40-3-14.~~

~~—— **Law Implemented:** SDCL 40-6-2.~~

12:68:04:27. Animals added to accredited herds. ~~Animals added to accredited herds may not receive accredited herd status for sales purposes until they have been members of the herd for at least 60 days and have been included in a herd retest~~ Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 23, effective September 23, 1991.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-6-2.~~

12:68:04:28. Animals to be tested under accredited herd plan. ~~Testing of herds for accreditation or reaccreditation shall include all animals over 24 months of age and any animals, other than natural additions, under 24 months of age. All natural additions shall be individually identified and recorded on the test report as members of the herd at the time of the annual test~~ Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-6-2.~~

12:68:04:29. Accreditation and reaccreditation of accredited herd. ~~To qualify for accredited herd status, the herd must pass at least two consecutive annual tuberculin tests with no evidence of bovine tuberculosis disclosed. All animals must be bona fide members of the herd. Qualified herds may be issued a USDA certificate which is signed jointly to that effect by state and federal officials. If a herd temporarily loses its accreditation, its new accreditation period will be 12 months from the anniversary date of the qualifying test and not 12 months from the date of the reaccreditation test. To qualify for reaccreditation the herd must pass an annual test within a period of 10 to 14 months of the anniversary date~~ Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-6-2.~~

~~**12:68:04:30. Individual identification of tested animals.** All animals tested shall be individually identified by an eartag issued by the board or by a registration tattoo registered with the board or a breed association. Transferred to § 12:68:29:02.~~

~~— **Source:** SL 1975, ch 15, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.~~

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-6-2.~~

~~**12:68:04:31. Identification records for animals in channels of trade.** The origin and destination of animals moved or sold within the state must be identified and recorded by a licensed accredited veterinarian at their first concentration point, as follows:~~

~~— (1) Animals over two years of age that are returned to farms or ranches, including feeding cattle, shall be identified by an eartag or by a brand. If identified by brand, the animals must be accompanied by a brand release;~~

~~— (2) Animals that are marketed for immediate slaughter shall be identified by eartag or official backtag. An official brand release is acceptable identification for lots of animals of unmixed origin that are shipped directly to slaughter; or~~

~~(3) Animals without individual identification may be moved directly to and maintained in a feedlot under quarantine under control of the state Animal Industry Board official, provided they are inspected in the feedlot and are moved to slaughter under permit at the end of the feeding period.~~

Transferred to § 12:68:29:07.

~~**Source:** SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.~~

~~**General Authority:** SDCL 40-3-14.~~

~~**Law Implemented:** SDCL 40-6-2.~~

~~**Cross-Reference:** State brand board, SDCL 40-18.~~

12:68:04:32. Cleaning and disinfection of premises. Premises where tuberculous animals have been maintained shall be thoroughly cleaned and disinfected under the supervision of the board with a disinfectant permitted by the USDA Animal and Plant Health Inspection Service in 9 C.F.R. §§ 50.13 and 71.10 (January 1, ~~2012~~ 2018).

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991; 34 SDR 100, effective October 22, 2007; 37 SDR 47, effective September 20, 2010; 39 SDR 32, effective September 3, 2012.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-6-2.

12:68:04:33. Origin of infection. Tuberculosis found during slaughter inspection or otherwise in any animal is considered to have originated in the area where slaughtered or disclosed unless successful traceback procedures identify the source at another area Repealed.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-6-2.~~

12:68:04:34. Newly assembled herds on depopulated premises to be specially retested tested. In a newly assembled herd on a premises where a tuberculous herd has been depopulated, ~~two~~ annual herd tests ~~shall~~ may be applied to all animals at the discretion of the state veterinarian. ~~The first test shall be applied approximately six months after assembly of the new herd. These tests shall be followed by two complete herd tests at three year intervals.~~

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-6-2, 40-6-10.

12:68:04:35. Herds with history of lesions to be retested. ~~In herds which have had lesions suspected by the examining veterinarian to be bovine tuberculosis but not confirmed, two complete~~

~~annual herd tests shall be applied after release of the quarantine. The first test shall be applied between 10 and 14 months after release of the quarantine Repealed.~~

~~**Source:** SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.~~

~~——**General Authority:** SDCL 40-3-14.~~

~~——**Law Implemented:** SDCL 40-6-2, 40-6-10.~~

~~**12:68:04:37. Identification of recreational cattle.** All cattle imported to South Dakota for recreational purposes such as rodeo events, roping events, cattle cutting events, cattle penning events, and steer wrestling events, or training for such events, must be officially identified by means defined in 9 C.F.R. § 71 (January 1, 2012). Transferred to § 12:68:29:08.~~

~~——**Source:** 34 SDR 100, effective October 22, 2007; 37 SDR 47, effective September 20, 2010; 39 SDR 32, effective September 3, 2012.~~

~~——**General Authority:** SDCL 40-3-14.~~

~~——**Law Implemented:** SDCL 40-6-2, 40-6-10.~~

CHAPTER 12:68:05

BRUCELLOSIS AND CONTAGIOUS ABORTION

Section

- 12:68:05:01 Brucellosis control -- Use of federally approved methods and rules.
- 12:68:05:02 Change of ownership test, Repealed.
- 12:68:05:02.01 ~~Evidence of calthood vaccination required~~ Brucellosis test requirement from Class C, Class B, or Class A states.
- 12:68:05:02.02 ~~Identification,~~ Transferred.
- 12:68:05:03 Retest requirement, Repealed.
- 12:68:05:04 Repealed.
- 12:68:05:05 Waiver of brucellosis test for animals from brucellosis-free area, Repealed.
- 12:68:05:06 "F" branding requirements for cattle imported from Class B and C states, Repealed.
- 12:68:05:07 Waiver of "F" branding requirements, Repealed.

12:68:05:01. Brucellosis control -- Use of federally approved methods and rules. ~~In carrying out the inspection program for the control of brucellosis in the state, the inspectors~~ The board shall follow the methods contained in "Brucellosis Eradication: Uniform Methods and Rules," Animal and Plant Health Inspection Service, USDA, October 1, 2003.

Source: SL 1975, ch 16, § 1; 6 SDR 107, effective May 21, 1980; 10 SDR 123, effective May 20, 1984; 12 SDR 190, effective June 1, 1986; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991; 27 SDR 96, effective April 1, 2001; 34 SDR 100, effective October 22, 2007.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-7-5, 40-7-6.

Reference: "Brucellosis Eradication: Uniform Methods and Rules," APHIS 91-45-013, October 1, 2003, published by Animal and Plant Health Inspection Service, U.S. Department of Agriculture. Copies may be obtained at no charge from the South Dakota Animal Industry Board, 411 South Fort Street, Pierre, South Dakota 57501.

12:68:05:02. Change of ownership test. ~~All test-eligible cattle and buffalo in South Dakota shall be given an official brucellosis test when a change of ownership occurs unless those cattle or buffalo are destined for slaughter within 72 hours or have passed a negative test within the previous 30 days. Test-eligible cattle and buffalo are those breeding cattle and buffalo over 18 months of age. This testing requirement may be waived by the board if South Dakota cattle and buffalo have not been determined to be infected with brucellosis~~ Repealed.

Source: 6 SDR 107, effective May 21, 1980; 12 SDR 190, effective June 1, 1986; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991; 27 SDR 96, effective April 1, 2001.

~~**General Authority:** SDCL 40-3-14.~~

~~**Law Implemented:** SDCL 40-7-5, 40-7-6.~~

12:68:05:02.01 ~~Evidence of calfhood vaccination required~~ Brucellosis test requirement from Class C, Class B, or Class A states. ~~Evidence of calfhood vaccination is required as provided in this section.~~ Any test-eligible cattle or bison imported from a Class C, Class B, or Class A state, as defined in "Brucellosis Eradication, Uniform Methods and Rules," October 1, 2003, must test negative to a brucellosis test within the 30 days before importation.

Source: 18 SDR 215, effective June 30, 1992; 27 SDR 96, effective April 1, 2001; 28 SDR 19, effective August 16, 2001; 34 SDR 100, effective October 22, 2007.

General Authority: SDCL 40-3-14, 40-7-20.1.

Law Implemented: SDCL 40-7-20, 40-7-20.1.

Reference: "Brucellosis Eradication: Uniform Methods and Rules," APHIS 91-45-013, October 1, 2003, published by Animal and Plant Health Inspection Service, U.S. Department of Agriculture. Copies may be obtained at no charge from the South Dakota Animal Industry Board, 411 South Fort Street, Pierre, South Dakota 57501.

12:68:05:02.02. Identification. ~~All cattle or buffalo for breeding purposes over 18 months of age shall have official identification recorded when a change of ownership occurs. Such official identification shall be by official eartag as defined in the October 1, 2003, edition of the Uniform Methods and Rules for the control of brucellosis, or by individual animal registration or tattoos if the cattle or buffalo are registered by breed associations recognized by U.S. Department of Agriculture, APHIS, Veterinary Services. Records of identification must be submitted to the board by a licensed and accredited veterinarian on forms provided by the board. Transferred to § 12:68:29:09.~~

~~Source: 27 SDR 96, effective April 1, 2001; 34 SDR 100, effective October 22, 2007.~~

~~General Authority: SDCL 40-3-14, 40-5-8.~~

~~Law Implemented: SDCL 40-7-5, 40-7-7, 40-7-12, 40-7-20.1.~~

~~Reference: "Brucellosis Eradication: Uniform Methods and Rules," APHIS 91-45-013, October 1, 2003, published by Animal and Plant Health Inspection Service, U.S. Department of Agriculture. Copies may be obtained at no charge from the South Dakota Animal Industry Board, 411 South Fort Street, Pierre, South Dakota 57501.~~

12:68:05:03. Retest requirement. ~~Test-eligible cattle imported from a state that has five or more quarantined herds infected with brucellosis shall be held in quarantine and shall be retested for brucellosis between 45 days and 120 days from the date of importation Repealed.~~

Source: 6 SDR 107, effective May 21, 1980; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 215, effective June 30, 1992.

~~General Authority: SDCL 40-3-14, 40-7-20.1.~~

~~Law Implemented: SDCL 40-7-5, 40-7-6, 40-7-20.1.~~

12:68:05:05. Waiver of brucellosis test for animals from brucellosis-free area. ~~Test-eligible cattle and buffalo may be imported for breeding purposes from a brucellosis-free state without a negative brucellosis test if the test is waived by the board Repealed.~~

Source: 10 SDR 123, effective May 20, 1984; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991; 28 SDR 19, effective August 16, 2001.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-7-5, 40-7-6.~~

12:68:05:06. "F" branding requirements for cattle imported from Class B and C states.

~~"F" branding requirements for cattle imported from Class B and C states are as follows:~~

~~— (1) All sexually intact cattle originating in Class B and C states, as designated by the USDA according to the October 1, 2003, edition of "Uniform Methods and Rules" shall bear a permanent letter "F" brand at least two inches by two inches on the left jaw that was placed on the animal before importation into South Dakota or, only with permission of the board, on arrival. Spayed heifers, identified by a spayed brand on the left jaw, and steers are exempt from "F" branding and testing requirements;~~

~~— (2) Cattle originating in Class B and C states may enter South Dakota only if a permit was obtained from the board prior to importation; and~~

~~— (3) Cattle bearing an "F" brand may be imported for grazing and feeding or slaughter purposes only. At no time may they be used for breeding or dairy purposes Repealed.~~

Source: 12 SDR 190, effective June 1, 1986; 18 SDR 55, effective September 23, 1991; 27 SDR 96, effective April 1, 2001; 34 SDR 100, effective October 22, 2007.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-3-14.~~

~~— **Reference:** "Brucellosis Eradication: Uniform Methods and Rules," APHIS 91-45-013, October 1, 2003, published by Animal and Plant Health Inspection Service, U.S. Department of Agriculture. Copies may be obtained at no charge from the South Dakota Animal Industry Board, 411 South Fort Street, Pierre, South Dakota 57501.~~

12:68:05:07. Waiver of "F" branding requirements. The board may waive the requirements in § 12:68:05:06 if the test-eligible animals are official vaccinees and have three negative brucellosis tests at the following intervals:

- ~~— (1) Forty-five days before importation;~~
- ~~— (2) Within 10 days after importation; and~~
- ~~— (3) Between 90 and 120 days after importation.~~

~~— Animals that are calfhood vaccinated and under test-eligible age may be imported if they are tested when they reach test-eligible age and are retested 90 to 120 days after the first test.~~

~~— Animals qualified under this section shall remain under quarantine, separate and apart from other cattle, until all tests are completed Repealed.~~

Source: 12 SDR 190, effective June 1, 1986; 18 SDR 55, effective September 23, 1991.

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-3-14.~~

CHAPTER 12:68:10

SWINE IDENTIFICATION

Transferred to chapter 12:68:29

Section

~~12:68:10:01 — Obligation to identify owner or operator.~~

~~12:68:10:02 — Obligation to identify sows, boars, or stags.~~

~~12:68:10:03 — Maintenance of records.~~

~~— **12:68:10:01. Obligation to identify owner or operator.** Each person transporting sows, boars, or stags from a producer or owner to a livestock dealer, livestock market, stockyard commission company, other concentration point, or slaughter establishment which is subject to or maintaining a meat inspection service must supply the receiving agent or agency with the name and address of the producer or owner so that the sows, boars, or stags may be identified to the herd of origin. Transferred to § 12:68:29:04~~

~~— **Source:** SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.~~

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-3-14, 40-5-8.~~

~~—— **12:68:10:02. Obligation to identify sows, boars, or stags.** Each agent or agency livestock dealer, livestock market operator, stockyard operator, commission company, buying station, operator of any concentration point at which the herd of origin of swine might be lost, or slaughtering establishment that maintains a meat inspection service or receives sows, boars, or stags from a transport agent must identify the sows, boars, or stags brought to it unless the swine have been previously identified with identification authorized and applied as directed by the board in accordance with 9 C.F.R. § 78.33 (January 1, 2012). Failure of a previous agent or agency receiving the swine to identify the swine to the herd of origin does not relieve other agents or agencies receiving them from the responsibility of identifying them to the herd of origin. Transferred to § 12:68:29:05~~

~~—— **Source:** SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991; 34 SDR 100, effective October 22, 2007; 37 SDR 47, effective September 20, 2010; 39 SDR 32, effective September 3, 2012.~~

~~—— **General Authority:** SDCL 40-3-14.~~

~~—— **Law Implemented:** SDCL 40-5-8, 40-7-57.~~

~~—— **12:68:10:03. Maintenance of records.** Each agent or agency identifying swine must maintain a record specifying the identification used, the date of application, and the name and address of the producer of all swine identified for at least 120 days. These records must be made available to the board or any of its authorized agents at any reasonable time. Transferred to § 12:68:29:06~~

~~—— **Source:** SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.~~

~~— **General Authority:** SDCL 40-3-14.~~

~~— **Law Implemented:** SDCL 40-3-14, 40-5-8.~~

CHAPTER 12:68:14

MEAT INSPECTION

Section

12:68:14:01 Meat inspection -- Use of federal methods and rules.

12:68:14:01. Meat inspection -- Use of federal methods and rules. In carrying out the meat inspection program in the state, the inspectors shall follow the procedures set forth in 9 C.F.R. §§ 200 to end (revised as of January 1, ~~2015~~ 2018).

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991; 27 SDR 96, effective April 1, 2001; 34 SDR 100, effective October 22, 2007; 37 SDR 47, effective September 20, 2010; 38 SDR 39, effective September 20, 2011; 39 SDR 32, effective September 3, 2012; 39 SDR 204, effective June 10, 2013; 43 SDR 41, effective September 26, 2016.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 39-5-8.

CHAPTER 12:68:15

MEAT ESTABLISHMENTS

Section

12:68:15:01	Repealed.
12:68:15:02	Repealed.
12:68:15:03	Repealed.
12:68:15:04	Repealed.
12:68:15:05	Repealed.
12:68:15:06	Repealed.
12:68:15:07	Licensing period for meat establishments.
12:68:15:08	Application for meat establishment licenses.
12:68:15:09	Issuance of license.
12:68:15:10	Inspections of retail store meat processors.
12:68:15:11	Continuing education.

12:68:15:10. Inspection of retail store meat processors. ~~Each quarter~~ At least three times annually the board or cooperating state agency shall inspect all licensed retail store meat processing establishments at random and unannounced times. These inspections shall include at least the following:

- (1) Water supply and potability;
- (2) Sewage and waste control;
- (3) Pest control;
- (4) Inedible control;
- (5) Lighting;
- (6) Control of chemicals;
- (7) Processing controls;
- (8) Employee dress and hygiene; and
- (9) General sanitation.

Source: 18 SDR 55, effective September 23, 1991.

General Authority: SDCL 39-5-11.1.

Law Implemented: SDCL 39-5-11.1.

12:68:15:11. Continuing education. Each operator of a slaughter establishment, processing establishment, or custom exempt establishment or the operator's representative must, as a prerequisite to annual license issuance, document attendance at least once ~~in each~~ every three years at a continuing education meeting ~~presented~~ approved by the board.

Source: 18 SDR 55, effective September 23, 1991.

General Authority: SDCL 39-5-11.2.

Law Implemented: SDCL 39-5-11.2.

CHAPTER 12:68:18

NONDOMESTIC ANIMAL CONTROL

Section

- 12:68:18:01 Importation of nondomestic animals.
- 12:68:18:01.01 Importing nondomestic animals for release to the wild.
- 12:68:18:02 Repealed.
- 12:68:18:03 Permit required.
- 12:68:18:03.01 Specifically prohibited nondomestic mammals.
- 12:68:18:03.02 Specifically restricted nondomestic mammals.
- 12:68:18:03.03 Types of permits -- Fees.
- 12:68:18:03.04 Application for permit.
- 12:68:18:03.05 Release of permitted animal to the wild prohibited.
- 12:68:18:03.06 Escapes.
- 12:68:18:03.07 Free-roaming wildlife.
- 12:68:18:03.08 Testing for purity of species.
- 12:68:18:04 Import of nondomestic ruminant animals.
- 12:68:18:05 Nondomestic birds.
- 12:68:18:06 Annual application required.
- 12:68:18:07 Reporting requirements.
- 12:68:18:07.01 Intrastate movement requirement for nondomestic mammals.
- 12:68:18:08 Identification and inspection of captive nondomestic animals.
- 12:68:18:09 Grounds for denial, suspension, or revocation of permits for captive
nondomestic animals.

12:68:18:04. Import of nondomestic ruminant animals. Ruminant nondomestic animals being imported to South Dakota for any reason other than immediate slaughter must:

~~— (1) Be tested negative for brucellosis by two official brucellosis tests within the 30 days prior to entry or originate from a herd with a current certified brucellosis free status;~~

(2) (1) Be negative to an official tuberculosis test, as defined in § 12:68:23:04 within 90 days prior to entry, or originate from a herd with a current accredited TB free Status;

~~— (3) Be tested negative to a Bluetongue and Anaplasmosis test within 30 days prior to entry;~~

(4) (2) Be individually identified, by official identification tags and visible management tag on a certificate of veterinary inspection ~~issued by the veterinarian who conducted the tests;~~ and

~~(5)~~ (3) Enter on an import permit issued by the board.

Source: 16 SDR 40, effective September 3, 1989; 18 SDR 55, effective September 23, 1991; 34 SDR 100, effective October 22, 2007; 38 SDR 214, effective June 21, 2012; 39 SDR 204, effective June 10, 2013.

General Authority: SDCL 40-3-14, 40-5-8.6.

Law Implemented: SDCL 40-5-8, 40-5-8.2, 40-5-8.4.

12:68:18:06. Annual application required. A person possessing captive nondomestic mammals listed in §§ 12:68:18:03 to 12:68:18:03.02, inclusive, must apply for a permit for captive nondomestic animals annually from the board by January 1.

The permit application shall include the following information:

- (1) The applicant's name, mailing address, and phone number;
- (2) The legal description of the premises where the animals are held;
- (3) An inventory by species, age, and sex of all mammals covered by this permit at application time;
- (4) A listing of all mammals added to the premises within the past 12 months, including birth additions, and of all ~~disappearances of~~ mammals permanently removed from the premises within the past 12 months, including purchases, sales, leases, gifts, deaths, and escapes. The list must include individual identification of all such mammals by either legible tattoo or eartag as defined in § 12:68:18:07, by a similar tag, or by electronic means; and
- (5) A description of facilities used for confining mammals for such purposes as testing and identification.

Source: 19 SDR 39, effective September 24, 1992; 20 SDR 96, effective December 31, 1993; 29 SDR 29, effective September 4, 2002.

General Authority: SDCL 40-3-14, 40-3-25, 40-3-26, 40-5-8.6.

Law Implemented: SDCL 38-1-41, 40-3-14, 40-3-24 to 40-3-26, 40-5-8.6.

12:68:18:07. Reporting requirements. A permit holder under § 12:68:18:06 must maintain records of all additions and ~~disappearances~~ removals of animals covered by the permit requirements. All such records must be made available to the board at the request of the board. The records must include the individual identification by legible tattoo or official eartag as defined in 9 C.F.R. § 71.1 (January 1, ~~2017~~ 2018), by a similar tag, or by electronic means and the name and address of all parties involved in transactions of sale, purchase, lease, loan, gift, or translocation.

Additionally, all reports involving all captive nondomestic cervids imported or possessed in South Dakota must include individual animal identification by listing on the report an official ~~electronic~~ identification number as defined in 9 C.F.R. § 71 (January 1, ~~2017~~ 2018) and one additional form of visible individual identification ~~including registration tattoo, other official eartag, or a management tag~~ as applied by the person possessing the animal and as approved by the board.

Disappearances by death or escape and any diseased animal must be reported to the board ~~by telephone or in writing~~ immediately. The permittee must have any animals that die autopsied at the official diagnostic laboratory for the board if requested to do so by the board. The permittee is responsible for all expenses of transporting the animals to the laboratory.

Source: 19 SDR 39, effective September 24, 1992; 20 SDR 96, effective December 31, 1993; 34 SDR 100, effective October 22, 2007; 37 SDR 47, effective September 20, 2010; 39 SDR 32, effective September 3, 2012; 44 SDR 47, effective September 18, 2017.

General Authority: SDCL 40-3-14, 40-3-25, 40-3-26, 40-5-8.6.

Law Implemented: SDCL 38-1-41, 40-3-14, 40-3-24 to 40-3-26, 40-5-8.6.

CHAPTER 12:68:19

RAM EPIDIDYMITIS CONTROL

Section

- 12:68:19:01 Definitions.
- 12:68:19:02 Establishing brucella ovis-free flock.
- 12:68:19:03 Maintenance of brucella ovis-free flock.
- 12:68:19:04 Testing requirements for imported rams.
- 12:68:19:05 Approved blood tests.
- 12:68:19:06 ~~Identification of tested rams,~~ Transferred.
- 12:68:19:07 Certificate of veterinary inspection and permit required.
- 12:68:19:08 Testing requirements for intrastate movement of rams.
- 12:68:19:09 Rams positive to brucella ovis test.

12:68:19:06. ~~Identification of tested rams.~~ ~~Rams six months old and older imported into this state for purposes other than immediate slaughter must be individually identified by an ear tag or tattoo. The number must be different for each animal included in the shipment. Transferred to § 12:68:29:10.~~

~~Source: 14 SDR 116, effective March 13, 1988; 18 SDR 55, effective September 23, 1991.~~

~~General Authority: SDCL 40-3-14, 40-5-5.1.~~

~~Law Implemented: SDCL 40-5-5.1.~~

CHAPTER 12:68:21

BRUCELLOSIS CONTROL IN GOATS

Section

- 12:68:21:01 Definitions.
- 12:68:21:02 Testing and identification.
- 12:68:21:03 Reactors -- Quarantine -- Movement of quarantined goats.
- 12:68:21:04 Suspects -- Movement of suspects.
- 12:68:21:05 Certified brucellosis-free goat herds.
- 12:68:21:06 Additions to certified brucellosis-free herds.
- 12:68:21:07 Revocation of certified brucellosis-free status.

12:68:21:02. Testing and identification. All testing for brucellosis shall be at the owner's expense. All goats over the age of six months in a herd shall be included on all herd tests. All tested goats shall be identified by an official eartag or registration tattoo.

Source: 18 SDR 134, effective February 24, 1992.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-3-14.

CHAPTER 12:68:22

TUBERCULOSIS CONTROL IN GOATS

Section

- 12:68:22:01 Definitions.
- 12:68:22:02 Testing and identification.
- 12:68:22:03 Suspects -- Movement of suspects.
- 12:68:22:04 Quarantine -- Movement of quarantined goats.
- 12:68:22:05 Accredited tuberculosis-free herds.
- 12:68:22:06 Additions to accredited tuberculosis-free herds.
- 12:68:22:07 Revocation of accredited tuberculosis-free status.

12:68:22:02. Testing and identification. All testing other than comparative cervical testing shall be at the owner's expense. All goats over six months of age in a herd shall be included in the herd tests. All tested goats shall be identified by official eartag or registration tattoo. All goats responding to the intradermal test shall be reported immediately to the board by the veterinarian administering the test.

Source: 18 SDR 134, effective February 24, 1992.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-3-14.

CHAPTER 12:68:23

TUBERCULOSIS CONTROL IN CERVIDAE

Section

12:68:23:01	Methods for tuberculosis control.
12:68:23:02	Definitions.
12:68:23:03	Monitored herd.
12:68:23:04	Official tuberculosis tests.
12:68:23:05	Classification of Cervidae tested.
12:68:23:06	Importation of Cervidae.
12:68:23:07	Reporting of tests.
12:68:23:08	Repealed.
12:68:23:09	Use of the single cervical test.
12:68:23:10	Disposition of Cervidae responding to tuberculin testing.
12:68:23:11	Identification of reactors.
12:68:23:12	Cleaning and disinfection of premises, conveyances, and materials.
12:68:23:13	Accredited herd plan.
12:68:23:14	Qualified herd plan.

12:68:23:02. Definitions. Terms used in this chapter mean:

(1) "Accredited herd (Cervidae)," a herd that has passed at least two consecutive official tuberculosis tests of all eligible animals conducted at 9 to 15-month intervals and has no evidence of bovine tuberculosis or exposure to it;

(2) "Accredited veterinarian," a veterinarian approved by the deputy Administrator of Veterinary Services, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, and the state veterinarian in accordance with 9 C.F.R. Part 161 (January 1, ~~2013~~ 2018) to perform functions required by cooperative state-federal animal disease control and eradication programs;

(3) "Affected herd," a herd that contains or has contained one or more animals infected with *Mycobacterium bovis* and has not passed the required tests prescribed by this chapter for release from quarantine;

(4) "APHIS," Animal and Plant Health Inspection Service;

(5) "Approved laboratory," the National Veterinary Service Laboratory, Ames, Iowa (NVSL);

(6) "Cervidae," all species of deer, elk, moose, and caribou;

(7) "Cervid TB Stat-Pak test," a serological assay to determine the presence of antibodies to bovine tuberculosis (*M. bovis*) in elk, red deer, white-tailed deer, fallow deer, and reindeer, in which a blood sample taken from a captive cervid is placed on a strip containing an antibody-detecting reagent. The sample is then diluted by using a buffer solution. Once sufficient time has elapsed, the strip indicates whether antibodies are present in the sample;

(8) "Comparative cervical tuberculin (CCT) test," the intradermal injection of biologically balanced bovine purified protein derivative (PPD) tuberculin and avian PPD tuberculin at separate sites in the midcervical area to determine the probable presence of bovine tuberculosis (*Mycobacterium bovis*), by comparing the response of the two tuberculins 72 hours plus or minus 6 hours following

injection by a veterinarian employed by the state veterinarian or by the United States Department of Agriculture;

(9) "Designated accredited veterinarian," an accredited veterinarian trained and designated by the state veterinarian to conduct the single cervical test or draw blood for the cervid TB Stat-Pak test and (DPP) test for tuberculosis on cervids;

(10) "Direct shipment to slaughter," the shipment of tuberculosis reactors, tuberculosis suspects, and tuberculosis-exposed cervids from the premises of origin, by permit, directly to a slaughtering establishment operating under state or federal inspection, without diversion to assembly points of any type;

(11) "Dual Path Platform (DPP) test," a serological assay to determine the presence of antibodies to bovine tuberculosis (*M. bovis*) in elk, red deer, white-tailed deer, fallow deer, and reindeer, in which a blood sample taken from a captive cervid and buffer solution is placed on a strip. The diluted sample then migrates to another strip, which contains an antibody-detecting reagent. This latter strip indicates whether antibodies are present in the sample;

(12) "Exposed animals," Cervidae that have associated with animals known to be tuberculous;

(13) "Group," one or more animals;

(14) "Herd," a group of cervids or a group of cervids and other hoofed stock maintained on common ground or two or more groups of cervids under common ownership or supervision that are geographically separated but can have an interchange or movement without regard to health status;

(15) "Natural additions," animals born and raised in a herd;

(16) "Negative animals," cervids that show no response to a tuberculosis test or have been classified negative by the testing veterinarian based on history, supplemental tests, examination of carcasses, or laboratory results;

(17) "No gross lesion (NGL) animals," cervids that do not reveal one or more lesions of bovine tuberculosis upon necropsy;

(18) "Official eartag," an identification eartag as defined in 9 C.F.R. Part 71.1 (January 1, ~~2013~~ 2018);

(19) "Official tuberculosis test (Cervidae)," a test for bovine tuberculosis applied and reported in accordance with this chapter;

(20) "Officially sealed vehicle," a vehicle sealed with an official seal as defined in 9 C.F.R. Part 78.1 (January 1, ~~2013~~ 2018);

(21) "Permit," an official document issued by a representative of Animal Plant Health Inspection Service, Veterinary Service, a state representative, or an accredited veterinarian that is required to accompany reactor, suspect, or exposed cervids to slaughter;

(22) "PPD," purified protein derivative tuberculin;

(23) "Qualified herd," a cervid herd that has undergone at least one complete official negative test of all eligible animals within the past 12 months and is not classified as an accredited herd, has no evidence of bovine tuberculosis, and meets the standards of this chapter;

(24) "Reactor," a cervid that shows a response to an official tuberculosis test and is classified a reactor by the testing veterinarian;

(25) "Single cervical tuberculin (SCT) test (Cervidae)," the intradermal injection of 0.1 mL (5,000 tuberculin units) of USDA PPD Bovis tuberculin in the midcervical region with reading by visual observation and palpation in 72 hours plus or minus 6 hours following injection;

(26) "Suspect," a cervid that shows a response to an official tuberculosis test and is not classified a reactor or is not classified as negative or a reactor by a supplemental tuberculosis test;

(27) "Tuberculin," a product that is approved by and produced under USDA license for the intradermal injection of cervids for the purpose of detecting bovine tuberculosis;

(28) "Tuberculosis," a disease in Cervidae caused by *Mycobacterium bovis* (*M. bovis*);

(29) "USDA," United States Department of Agriculture;

(30) "VS-APHIS," Veterinary Services, Animal and Plant Health Inspection Service.

Source: 21 SDR 162, effective March 23, 1995; 34 SDR 100, effective October 22, 2007; 37 SDR 47, effective September 20, 2010; 39 SDR 32, effective September 3, 2012; 39 SDR 204, effective June 10, 2013.

General Authority: SDCL 40-3-14, 40-3-25, 40-3-26, 40-5-8.6.

Law Implemented: SDCL 40-3-14, 40-5-8, 40-5-8.2, 40-5-8.3, 40-5-8.4, 40-5-9.

Reference: "Bovine Tuberculosis Eradication," APHIS 91-45-011, January 22, 1999, published by Animal and Plant Health Inspection Service, U. S. Department of Agriculture. Copies may be obtained at no charge from South Dakota Animal Industry Board, 411 South Fort Street, Pierre, South Dakota 57501.

CHAPTER 12:68:24

BRUCELLOSIS CONTROL IN CERVIDAE

Section

- 12:68:24:01 Definitions.
- 12:68:24:02 Supervision of the Cervidae brucellosis eradication program.
- 12:68:24:03 ~~Surveillance~~ Brucellosis herd testing procedures.
- 12:68:24:04 Official cervid tests.
- 12:68:24:05 Interpretation of cervid tests.
- 12:68:24:06 Other diagnostic tests.
- 12:68:24:07 Investigation of brucellosis suspect cervid herds ~~surveillance—identification—test reactors~~.
- 12:68:24:08 Procedures in affected herds.
- 12:68:24:09 Herd plan.
- 12:68:24:10 Retesting reactors.
- 12:68:24:11 Identification requirements.
- 12:68:24:12 Movement from first point of concentration.
- 12:68:24:13 ~~Cleaning and disinfecting~~ Repealed.
- 12:68:24:14 Qualifying methods for certified brucellosis-free cervid herds.
- 12:68:24:15 Recertification of brucellosis-free cervid herds.
- 12:68:24:16 Movement into a certified brucellosis-free cervid herd.
- 12:68:24:17 Recognition of certified brucellosis-free cervid herds.

12:68:24:01. Definitions. Terms used in this chapter mean:

(1) "Accredited veterinarian," a veterinarian approved by the deputy Administrator of Veterinary Services, Animal and Plant Health Inspection Service, United States Department of Agriculture (USDA), and the state veterinarian in accordance with 9 C.F.R. Part 161 (January 1, ~~2012~~ 2018) to perform functions required by cooperative state-federal animal disease control and eradication programs;

(2) "Adjacent herd," one of the following:

(a) A herd of Cervidae, cattle, bison, or other hoofed stock occupying premises that border an affected herd, including herds separated by roads or streams;

(b) A herd of Cervidae, cattle, bison, or other hoofed stock occupying premises that were previously occupied by an infected herd within a certain period of time as determined by the designated brucellosis epidemiologist;

(3) "Affected cervid herd," a cervid herd in which any animal has been classified as a brucellosis reactor and has not completed the required tests prescribed by this chapter for release from quarantine;

(4) "Animal and Plant Health Inspection Service veterinarian-in-charge (AVIC)," the official of Veterinary Services, Animal and Plant Health Inspection Service, United States Department of

Agriculture, who is assigned by the deputy administrator of Veterinary Services to supervise federal animal health programs in one or more states;

(5) "Approved laboratory," National Veterinary Service Laboratory, Ames, Iowa, (NVSL) or a lab which has demonstrated proficiency satisfactory to the Animal Industry Board by successfully completing proficiency testing conducted by NVSL;

(6) "Area," that portion of any state, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, or Guam that has a separate brucellosis classification as determined by the United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services;

(7) "Blood testing," subjecting a blood sample from a cervid animal to an official test for brucellosis in an approved laboratory;

(8) "Brucellosis," an infectious disease of animals and humans caused by *Brucella abortus*;

(9) "Brucellosis exposed" or "exposed," a designation applied to Cervidae that are either part of an affected herd or for which epidemiologic investigation indicates contact with brucellosis reactors;

(10) "Brucellosis negative" or "negative," a designation applied to Cervidae for which laboratory test results fail to disclose evidence of *Brucella abortus* infection;

(11) "Brucellosis reactor" or "reactor," a designation applied to Cervidae diagnosed as positive to *Brucella abortus* based on laboratory results, clinical signs, or epidemiologic investigation;

(12) "Brucellosis suspect" or "suspect," a designation applied to Cervidae for which laboratory test results suggest *Brucella abortus* infection but are inconclusive;

(13) "Certified brucellosis-free cervid herd," a herd of Cervidae that has qualified for and has been issued a certified brucellosis-free cervid herd certificate signed by both the state veterinarian and the Area Veterinarian-in-Charge;

(14) "Cervidae," deer, elk, moose, caribou, and related species raised under confinement or agricultural conditions for the production of meat or other agricultural products, sport, or exhibition;

(15) "Cervid class status," a state or area that has been certified as fulfilling the requirements for cervid class free, or cervid class A status by the deputy administrator of Veterinary Services, Animal and Plant Health Inspection Service, United States Department of Agriculture;

(16) "Cervid dealer," any individual or other legal entity who engages in the business of buying, selling, trading, or negotiating the transfer of Cervidae, but not persons who purchase Cervidae exclusively for slaughter on their own premises;

(17) "Cervid herd," a group of Cervidae or one or more groups of Cervidae and other hoofed stock maintained on common ground or under common ownership or supervision that are geographically separated but can have interchange or movement;

(18) "Cervid herd of origin," a cervid herd, or any farm or other premises, where the animals were born or where they are kept for at least four months before the date of shipping, if cervids or

other hoofed stock from other premises have not been assembled on the premises within four months before shipment;

(19) "Cervid herd test," an official brucellosis blood test of all eligible animals in a cervid herd;

~~— (20) "Cervid surveillance identification (CSI) program," a brucellosis surveillance program requiring identification and blood testing of eligible animals on change of ownership or at slaughter;~~

(21) (20) "Certificate of veterinary inspection," an official document issued by the state veterinarian or federal animal health official or an accredited veterinarian at the point of origin containing information on the individual identification of the animals, the number of animals, the purpose of the movement, the points of origin and destination, the consignor, and the consignee;

~~— (22) "Change of ownership testing," testing of all eligible Cervidae for brucellosis on change of ownership;~~

(23) (21) "Chief staff veterinarian," the chief staff veterinarian of the Cattle Diseases and Surveillance Staff, Veterinary Services, Animal and Plant Health Inspection Service, United States Department of Agriculture, who is responsible for staff support of federal activities associated with the Cooperative State-Federal Cervidae Brucellosis Eradication Program;

(24) (22) "Designated brucellosis epidemiologist," a state or federal veterinarian who has demonstrated the knowledge and ability to perform the functions required under these rules and who has been selected by the state veterinarian and the Area Veterinarian-in-Charge;

(25) (23) "Eligible animal," any Cervidae 12 months of age or older;

(26) (24) "First point of concentration," livestock markets, buying stations, dealers' premises, or assembly points receiving animals directly from farms;

(27) (25) "Group," one or more Cervidae;

(28) (26) "Individual herd plan," a written herd management and testing plan that is designed by the herd owner, the owner's veterinarian if requested, and a state or federal veterinarian, to identify and eradicate brucellosis from an infected or adjacent herd;

(29) (27) "Official cervid identification," identification of cervids by an official ~~electronic~~ identification number as defined in 9 C.F.R. § 71 (January 1, ~~2012~~ 2018) and one additional form of individual identification including registration tattoo, other official eartag, or a management tag as applied by the person possessing the animal and as approved by the board;

(30) (28) "Official cervid test," an approved blood or laboratory culture conducted at an official laboratory to classify Cervidae as brucellosis negative, suspect, or reactor;

(31) (29) "Onsite test," blood testing under field conditions using a test to classify Cervidae as brucellosis negative, suspects, or reactors, it may serve also as a supplement to official tests in classifying brucellosis suspects and reactors;

~~(32)~~ (30) "Permit," an official document that is issued by the state veterinarian or Area Veterinarian-in-Charge or an accredited veterinarian for movement of reactor, suspect, and exposed animals;

~~(33)~~ (31) "Quarantine," an imposed restriction prohibiting movement of brucellosis reactor, suspect, or exposed animals to any location without specific written permits;

~~(34)~~ (32) "Quarantined area," an area that does not meet the criteria for classification as a cervid class free or cervid class A as defined by the Animal and Plant Health Inspection Service of the United States Department of Agriculture;

~~(35)~~ (33) "State," any state of the United States, the District of Columbia, Puerto Rico, the U. S. Virgin Islands, or Guam;

~~(36)~~ (34) "Successful case closure," follow-up of ~~CSI~~ brucellosis reactor tracebacks with an epidemiologic investigation which results in either blood testing all possible cervid herds of origin or written justification explaining why no test was conducted;

~~(37)~~ (35) "Traceback," the process of identifying the herd of origin of ~~CSI~~ brucellosis reactors, including herds that were sold for slaughter;

~~(38)~~ (36) "Veterinary services (VS)," the division of United States Department of Agriculture, Animal and Plant Health Inspection Service, which directs federal animal health programs within the United States.

Source: 21 SDR 162, effective March 23, 1995; 34 SDR 100, effective October 22, 2007; 37 SDR 47, effective September 20, 2010; 39 SDR 32, effective September 3, 2012; 43 SDR 41, effective September 26, 2016.

General Authority: SDCL 40-3-14, 40-3-25, 40-3-26, 40-5-8.6.

Law Implemented: SDCL 40-3-14, 40-5-8, 40-5-8.2, 40-5-8.3, 40-5-8.4, 40-5-9.

12:68:24:03. ~~Surveillance~~ Brucellosis herd testing procedures. ~~Surveillance~~ Cervid herd testing procedures shall include the following tests:

~~—— (1) Cervid surveillance identification (CSI) tests:~~

~~—— (a) Change of ownership test:~~

~~—— Animals originating from certified cervid brucellosis free herds do not require testing on change of ownership. All other unneutered animals 12 months of age and older must be tested for brucellosis within the 30 days before sale. Retest is recommended 45 days after movement to the new premises;~~

~~—— (b) Slaughter establishment test:~~

~~—— All unneutered animals must be blood sampled at slaughter and tested for brucellosis by a state or regional laboratory;~~

~~—— (2) Cervid herd tests:~~

(a) (1) Initial herd tests of cervid herd of origin, adjacent herds, or suspicious herds identified by epidemiologic investigation must include all ~~unneutered~~ sexually intact animals 12 months of age and older;

(b) (2) Affected cervid herd tests must include all ~~unneutered~~ sexually intact animals 6 months of age and older;

(c) (3) Certified brucellosis-free cervid herd tests must include all animals in the herd 12 months of age or older.

Source: 21 SDR 162, effective March 23, 1995.

General Authority: SDCL 40-3-14, 40-3-25, 40-3-26, 40-5-8.6.

Law Implemented: SDCL 40-3-14, 40-5-8, 40-5-8.2, 40-5-8.3, 40-5-8.4, 40-5-9.

12:68:24:07. Investigation of brucellosis suspect cervid herds surveillance identification test reactors. All herds of origin of reactors to ~~tests conducted under cervid surveillance identification~~ must be investigated. If investigation suggests infection, the herd must be quarantined. All adjacent herds and herds having contact with an affected herd must be investigated.

Source: 21 SDR 162, effective March 23, 1995.

General Authority: SDCL 40-3-14, 40-3-25, 40-3-26, 40-5-8.6.

Law Implemented: SDCL 40-3-14, 40-5-8, 40-5-8.2, 40-5-8.3, 40-5-8.4, 40-5-9.

12:68:24:09. Herd plan. The herd owner, the owner's veterinarian if requested, and the state veterinarian shall develop a plan for eradicating brucellosis in each affected herd. The plan must be designed to reduce and then eliminate brucellosis within the herd, to prevent spread of the disease to other herds, and to prevent reintroduction of brucellosis after the herd is free of the disease. The herd plan must be developed and signed within 30 days after the determination that the herd is affected.

The herd plan must address herd management, testing, and isolation of females during calving as well as cleaning and disinfection of the premises. The plan must be formalized as a memorandum of agreement between the owner and program officials and must be approved by the designated brucellosis epidemiologist.

Source: 21 SDR 162, effective March 23, 1995.

General Authority: SDCL 40-3-14, 40-3-25, 40-3-26, 40-5-8.6.

Law Implemented: SDCL 40-3-14, 40-5-8, 40-5-8.2, 40-5-8.3, 40-5-8.4, 40-5-9.

12:68:24:11. Identification requirements. Reactors must remain on the premises where they are found until they are identified by ~~hot branding with the letter "B" on the left hip and~~ an official tag ~~placed in the left ear.~~

Suspect and exposed animals must remain on the premises where they are found until they are identified by ~~hot iron branding with the letter "S" on the left hip and~~ an official eartag ~~placed in the~~ right ear.

Exposed animals must remain on the premises where they are found until they are identified by ~~hot iron branding with the letter "S" on the left hip and an official eartag placed in the right ear.~~

~~All brands must be at least two inches by two inches.~~

Source: 21 SDR 162, effective March 23, 1995.

General Authority: SDCL 40-3-14, 40-3-25, 40-3-26, 40-5-8.6.

Law Implemented: SDCL 40-3-14, 40-5-8, 40-5-8.2, 40-5-8.3, 40-5-8.4, 40-5-9.

12:68:24:12. Movement from first point of concentration. Reactors may be returned from the first point of concentration to the herd of origin, under permit and quarantine, for retesting and evaluation after they are identified by an official eartag placed in the right ear or must move directly to slaughter under permit ~~after they are identified by hot iron branding with the letter "B" on the left hip and an approved reactor tag placed in the left ear.~~

Suspects may be returned to the herd of origin, under permit and quarantine, for retesting and evaluation after they are identified by an official eartag in the right ear or must move directly to slaughter under permit ~~after they are identified by hot iron branding with the letter "S" on the left hip and an official eartag placed in the right ear.~~

Exposed animals may be returned to the herd of origin, under permit and quarantine, for testing or retesting and evaluation after they are identified by an official eartag in the right ear or must move directly to slaughter under permit ~~after they are identified by hot iron branding with the letter "S" on the left hip and an official eartag placed in the right ear.~~

~~All brands must be at least two inches by two inches. In lieu of branding, the animals may be accompanied direct to slaughter by a state or veterinary services animal health official.~~

Source: 21 SDR 162, effective March 23, 1995.

General Authority: SDCL 40-3-14, 40-3-25, 40-3-26, 40-5-8.6.

Law Implemented: SDCL 40-3-14, 40-5-8, 40-5-8.2, 40-5-8.3, 40-5-8.4, 40-5-9.

12:68:24:13. Cleaning and disinfecting. ~~Premises must be cleaned and disinfected under state or federal supervision within 15 days after reactors have been removed for slaughter.~~ Repealed.

Source: 21 SDR 162, effective March 23, 1995.

~~**General Authority:** SDCL 40-3-14, 40-3-25, 40-3-26, 40-5-8.6.~~

~~**Law Implemented:** SDCL 40-3-14, 40-5-8, 40-5-8.2, 40-5-8.3, 40-5-8.4, 40-5-9.~~

12:68:24:16. Movement into a certified brucellosis-free cervid herd. Animals originating from certified brucellosis-free cervid herds and moving into a certified brucellosis-free cervid herd need not be tested before movement. ~~However, if the animals are not tested before movement, it is recommended they be tested between 60 and 120 days after addition to the certified herd.~~

Animals purchased from herds not certified brucellosis-free for movement into certified brucellosis-free cervid herds may not be certified until the following ~~three~~ two blood tests have been accomplished:

(1) Within 30 days before movement from the herd of origin;

~~—(2) Between 60 and 120 days after addition to the certified free cervid herd; and~~

(~~3~~) (2) One annual recertification test or the imported animals have been included in a recertification test of the certified herd entered.

Source: 21 SDR 162, effective March 23, 1995; 34 SDR 100, effective October 22, 2007.

General Authority: SDCL 40-3-14, 40-3-25, 40-3-26, 40-5-8.6.

Law Implemented: SDCL 40-3-14, 40-5-8, 40-5-8.2, 40-5-8.3, 40-5-8.4, 40-5-9.

CHAPTER 12:68:28

SCRAPIE CONTROL

Section

- 12:68:28:01 Definitions.
- 12:68:28:02 State declared scrapie control and eradication area.
- 12:68:28:03 Evidence of scrapie found at slaughter.
- 12:68:28:04 ~~Identification requirements.~~ Transferred.
- 12:68:28:05 Disposition of animals with scrapie and of animals determined to be at risk of scrapie.

~~**12:68:28:04. Identification requirements.** Animals required to be identified in 9 C.F.R. 79 (January 1, 2012) shall be officially identified as described in 9 C.F.R. 79 (January 1, 2012). Animals required to be identified before being moved from a premises include:~~

- ~~—— (1) All breeding sheep and goats intended for use for reproduction;~~
- ~~—— (2) All animals for exhibition;~~
- ~~—— (3) All sheep and goats over 18 months of age;~~
- ~~—— (4) All sheep and goats exposed to scrapie or at risk of being infected with scrapie as determined by the state veterinarian;~~
- ~~—— (5) All sheep and goats determined to be suspect or positive for scrapie by test methods described in the scrapie UM&R;~~

~~—— (6) All sheep and goats from flocks not in compliance with the scrapie eradication program.~~

Transferred to § 12:68:29:11.

~~—— **Source:** 31 SDR 191, effective June 6, 2005; 34 SDR 100, effective October 22, 2007; 37 SDR 47, effective September 20, 2010; 39 SDR 32, effective September 3, 2012.~~

~~—— **General Authority:** SDCL 40-3-14, 40-5-8.6.~~

~~—— **Law Implemented:** SDCL 40-3-9, 40-3-14, 40-3-16, 40-5-8, 40-5-8.2, 40-5-8.6.~~

NEW CHAPTER

CHAPTER 12:68:29

LIVESTOCK IDENTIFICATION

Section

- 12:68:29:01. Removal of official identification
- 12:68:29:02. Individual identification of ~~tested~~ animals tested for tuberculosis and brucellosis.
- 12:68:29:03. Confidentiality of records.
- 12:68:29:04. Obligation to identify owner or operator of swine.
- 12:68:29:05. Obligation to identify sows, boars, or stags.
- 12:68:29:06. Maintenance of swine records.
- 12:68:29:07. Identification records for animals in channels of trade.
- 12:68:29:08. Identification of recreational cattle.
- 12:68:29:09. Identification of breeding cattle and bison in intrastate commerce.
- 12:68:29:10. Identification of ~~tested~~ rams tested for *B.ovis*.
- 12:68:29:11. Scrapie control identification requirements for sheep and goats.

12:68:29:01. Removal of official identification. No person other than agents of the board or USDA may intentionally remove any official identification, as defined in subdivision 12:68:01:01(~~23~~) (18), from animals in South Dakota. If the board has determined that such official identification has

been intentionally removed, the state veterinarian may place a quarantine on the animals as deemed necessary for disease control. The quarantine shall be released following determination by the state veterinarian that disease risks are mitigated. Transferred from §12:68:03:11

Source: 29 SDR 152, effective May 21, 2003; 37 SDR 47, effective September 20, 2010.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-5-8.

12:68:29:02. Individual identification of ~~tested~~ animals tested for tuberculosis and brucellosis. All animals tested shall be individually officially identified ~~by an eartag issued by the board or by a registration tattoo registered with the board or a breed association~~ as defined in 9 C.F.R. Part 86 (January 1, 2018). Transferred from § 12:68:04:30.

Source: SL 1975, ch 15, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-6-2.

12:68:29:03. Confidentiality of records. Records containing information concerning the identification of livestock shall be confidential and closed to the public, except for records requested by law enforcement officers of the state.

Source:

General Authority: SDCL 40-3-29.

Law Implemented: SDCL 40-3-29.

12:68:29:04. Obligation to identify owner or operator of swine. Each person transporting sows, boars, or stags from a producer or owner to a livestock dealer, livestock market, stockyard commission company, other concentration point, or slaughter establishment which is subject to or maintaining a meat inspection service must supply the receiving agent or agency with the name and address of the producer or owner so that the sows, boars, or stags may be identified to the herd of origin. Transferred from § 12:68:10:01

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-3-14, 40-5-8.

12:68:29:05 Obligation to identify sows, boars, or stags. Each agent or agency livestock dealer, livestock market operator, stockyard operator, commission company, buying station, operator of any concentration point at which the herd of origin of swine might be lost, or slaughtering establishment that maintains a meat inspection service or receives sows, boars, or stags from a transport agent must identify the sows, boars, or stags brought to it unless the swine have been previously identified with identification authorized and applied as directed by the board in accordance with 9 C.F.R. § 78.33 (January 1, ~~2012~~ 2018). Failure of a previous agent or agency receiving the

swine to identify the swine to the herd of origin does not relieve other agents or agencies receiving them from the responsibility of identifying them to the herd of origin. Transferred from § 12:68:10:02

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991; 34 SDR 100, effective October 22, 2007; 37 SDR 47, effective September 20, 2010; 39 SDR 32, effective September 3, 2012.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-5-8, 40-7-57.

12:68:29:06 Maintenance of swine records. Each agent or agency identifying swine must maintain a record specifying the identification used, the date of application, and the name and address of the producer of all swine identified for at least 120 days. These records must be made available to the board or any of its authorized agents at any reasonable time. Transferred from § 12:68:10:03

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-3-14, 40-5-8.

12:68:29:07 Identification records for animals in channels of trade. The origin and destination of animals moved or sold within the state must be identified and recorded by a licensed accredited veterinarian at their first concentration point, as follows:

(1) Animals over two years of age that are returned to farms or ranches, including feeding cattle, shall be identified by an eartag or by a brand. If identified by brand, the animals must be accompanied by a brand release;

(2) Animals that are marketed for immediate slaughter shall be identified by eartag or official backtag. An official brand release is acceptable identification for lots of animals of unmixed origin that are shipped directly to slaughter; or

(3) Animals without individual identification may be moved directly to and maintained in a feedlot under quarantine under control of the state Animal Industry Board official, provided they are inspected in the feedlot and are moved to slaughter under permit at the end of the feeding period.

Transferred from § 12:68:04:31.

Source: SL 1975, ch 16, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-6-2.

Cross-Reference: State brand board, SDCL 40-18.

12:68:29:08. Identification of recreational cattle. All cattle imported to South Dakota used for recreational purposes such as rodeo events, roping events, cattle cutting events, cattle penning events,

and steer wrestling events, or training for such events, must be officially identified by means defined in 9 C.F.R. § ~~71~~ 86 (January 1, ~~2012~~ 2018). Transferred from § 12:68:04:37.

Source: 34 SDR 100, effective October 22, 2007; 37 SDR 47, effective September 20, 2010; 39 SDR 32, effective September 3, 2012.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-6-2, 40-6-10.

12:68:29:09. Identification of breeding cattle and bison in intrastate commerce. All cattle or buffalo for breeding purposes over 18 months of age shall have official identification recorded when a change of ownership occurs. Such official identification shall be by official eartag as defined in ~~the October 1, 2003, edition of the Uniform Methods and Rules for the control of brucellosis~~ 9 C.F.R. Part 86 (January 1, 2018), or by individual animal registration ~~or~~ tattoos if the cattle or buffalo are registered by breed associations recognized by U.S. Department of Agriculture, APHIS, Veterinary Services. Records of identification must be submitted to the board by a licensed and accredited veterinarian on forms provided by the board. Transferred from § 12:68:05:02.02.

Source: 27 SDR 96, effective April 1, 2001; 34 SDR 100, effective October 22, 2007.

General Authority: SDCL 40-3-14, 40-5-8.

Law Implemented: SDCL 40-7-5, 40-7-7, 40-7-12, 40-7-20.1.

~~—~~ **Reference:** "Brucellosis Eradication: Uniform Methods and Rules," APHIS 91-45-013, October 1, 2003, published by Animal and Plant Health Inspection Service, U.S. Department of Agriculture.

~~Copies may be obtained at no charge from the South Dakota Animal Industry Board, 411 South Fort Street, Pierre, South Dakota 57501.~~

12:68:29:10. Identification of ~~tested~~ rams tested for *B.ovis*. Rams six months old and older imported into this state for purposes other than immediate slaughter must be individually identified by an official ear tag or registration tattoo. The number must be different for each animal included in the shipment. Transferred from § 12:68:19:06.

Source: 14 SDR 116, effective March 13, 1988; 18 SDR 55, effective September 23, 1991.

General Authority: SDCL 40-3-14, 40-5-5.1.

Law Implemented: SDCL 40-5-5.1.

12:68:29:11. Scrapie control ~~identification~~ requirements for sheep and goats. Animals required to be identified in 9 C.F.R. 79 (January 1, ~~2012~~ 2018) shall be officially identified as described in 9 C.F.R. 79 (January 1, ~~2012~~ 2018). Animals required to be identified before being moved from a premises include:

- (1) All breeding sheep and goats intended for use for reproduction;
- (2) All animals for exhibition;
- (3) All sheep and goats over 18 months of age;
- (4) All sheep and goats exposed to scrapie or at risk of being infected with scrapie as determined by the state veterinarian;

(5) All sheep and goats determined to be suspect or positive for scrapie by test methods described in the scrapie UM&R;

(6) All sheep and goats from flocks not in compliance with the scrapie eradication program.

Transferred from § 12:68:28:04.

Source: 31 SDR 191, effective June 6, 2005; 34 SDR 100, effective October 22, 2007; 37 SDR 47, effective September 20, 2010; 39 SDR 32, effective September 3, 2012.

General Authority: SDCL 40-3-14, 40-5-8.6.

Law Implemented: SDCL 40-3-9, 40-3-14, 40-3-16, 40-5-8, 40-5-8.2, 40-5-8.6.