

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12:68:01:02 Repealed.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) "Authorized testing agent," a person employed by a hatchery to perform the pullorum typhoid test;

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

(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;

(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;

(5) "Boar," a male swine over six months of age;

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

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

(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;

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

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

(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;

(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;

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

(14) "Flock owner," a person owning one or more flocks;

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

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

(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;

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

(19) "Official identification," a means of identification defined in 9 C.F.R. § 86.1 (January 1, ~~2018~~ 2021) or other means of marking livestock authorized by the board;

(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;

(21) "USDA approved backtag," a means of identification described in 9 C.F.R. § 86.1 (January 1, ~~2018~~ 2021);

(22) "Certificate of veterinary inspection," a document that 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;

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

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

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

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

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

(28) "Premises 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;

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

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

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

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

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

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

(35) "Surveillance," all measures used to detect the presence of disease in livestock;

(36) "Testing agent," a person who is authorized by the board to perform the rapid whole blood pullorum typhoid test and collect specimens from poultry for diagnostic purposes;

(37) "Typhoid" or "fowl typhoid," a disease of poultry caused by *Salmonella gallinarum*;

(38) "Uniform methods and rules," the publication "Brucellosis Eradication: Uniform Methods and Rules," Animal and Plant Health Inspection Services, USDA, October 1, 2003;

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

(40) "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

(41) "Veterinarian," a person who is licensed to practice veterinary medicine within the state and who is approved by the USDA in accordance with the provisions of 9 C.F.R. Subchapter J, Part 161 (January 1, ~~2018~~ 2021) to perform functions specified in 9 C.F.R. § 160.1 (January 1, ~~2018~~ 2021).

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

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October 22, 2007; 37 SDR 47, effective September 20, 2010; 39 SDR 32, effective September 3, 2012; 43 SDR 41, effective September 26, 2016; 45 SDR 82, effective December 11, 2018.

General Authority: SDCL 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 Transferred.
- 12:68:03:12 Marketing biologicals.

12:68:03:07. Disposal of carcasses of animals dying of anthrax. All carcasses of animals which have died of anthrax shall be consumed by burning without removal of hides within 36 hours after death. All litter and other material that may become infected shall be removed and burned. Material that cannot be moved or burned must be disinfected with Cresolis compositus or another disinfectant recommended by the United States Animal and Plant Health Inspection Service in 9 C.F.R. § 71.10 (January 1, ~~2017~~ 2021), by the secretary of the Animal Industry Board, or by a veterinarian.

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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; 44 SDR 47, effective September 18, 2017.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-3-5, 40-3-14, 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 Repealed.
- 12:68:04:03 Repealed.
- 12:68:04:04 Requirements for special procedures in infected herds.
- 12:68:04:05 Repealed.
- 12:68:04:06 Repealed.
- 12:68:04:07 Repealed.
- 12:68:04:08 Repealed.
- 12:68:04:09 Report of tuberculin tests.
- 12:68:04:10 Repealed.
- 12:68:04:11 Repealed.
- 12:68:04:12 Repealed.
- 12:68:04:13 Repealed.
- 12:68:04:14 Repealed.
- 12:68:04:15 Repealed.
- 12:68:04:16 Herds containing suspect or reactor animals.
- 12:68:04:17 Repealed.
- 12:68:04:18 Repealed.
- 12:68:04:19 Repealed.
- 12:68:04:20 Repealed.
- 12:68:04:21 Repealed.
- 12:68:04:22 Quarantine of infected herds.
- 12:68:04:23 Repealed.
- 12:68:04:24 Repealed.
- 12:68:04:25 Repealed.
- 12:68:04:26 Repealed.
- 12:68:04:27 Repealed.
- 12:68:04:28 Repealed.
- 12:68:04:29 Repealed.
- 12:68:04:30 Transferred.
- 12:68:04:31 Transferred.
- 12:68:04:32 Cleaning and disinfection of premises.
- 12:68:04:33 Repealed.
- 12:68:04:34 Newly assembled herds on depopulated premises to be tested.
- 12:68:04:35 Repealed.
- 12:68:04:36 Tuberculosis testing of Mexican animals.
- 12:68:04:37 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, ~~2018~~ 2021).

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Source: 34 SDR 100, effective October 22, 2007; 37 SDR 47, effective September 20, 2010; 39 SDR 32, effective September 3, 2012; 45 SDR 82, effective December 11, 2018.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-3-14(4).

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 state veterinarian in accordance with the requirements contained in 9 C.F.R. § 77.5 (January 1, ~~2018~~ 2021).

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; 45 SDR 82, effective December 11, 2018.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-3-14(4).

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, ~~2018~~ 2021).

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; 45 SDR 82, effective December 11, 2018.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-3-14(4).

CHAPTER 12:68:07**LIVESTOCK AUCTIONS AND STOCKYARDS**

Section

- 12:68:07:01 Construction requirements of pens, sales rings, and alleys.
- 12:68:07:02 Exception for purchased cattle.
- 12:68:07:03 Sanitation requirements of pens, sales rings, and alleys.
- 12:68:07:04 Minimum veterinary inspection fees.

12:68:07:03. Sanitation requirements of pens, sales rings, and alleys. Pens, sales rings, and alleys at livestock auction agencies must be thoroughly cleaned following each sale. The supervising veterinarian of an auction market, upon finding a possible disease condition of livestock, shall order the premises to be disinfected in a manner approved by the board as specified in 9 C.F.R. § 71 (January 1, ~~2012~~ 2021).

Source: SL 1975, ch 16, § 1; 10 SDR 61, effective December 18, 1983; 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, 40-15-14, 40-15-36.

Law Implemented: SDCL 40-15-13, 40-15-14, 40-15-22.

CHAPTER 12:68:09**RENDERING ESTABLISHMENTS AND PET FOOD PROCESSING PLANTS**

Section

- 12:68:09:01 Repealed.
- 12:68:09:02 Definitions.
- 12:68:09:03 Rendering plant or collecting station license -- Inspection required.
- 12:68:09:03.01 Contract hauler permit.
- 12:68:09:04 Removal of diseased carcasses.
- 12:68:09:05 Truck requirements.
- 12:68:09:06 Truck number.
- 12:68:09:07 Sanitation requirements for trucks.
- 12:68:09:08 Requirements for collecting stations.
- 12:68:09:09 Requirements for rendering plants.
- 12:68:09:10 Sanitation guidelines.
- 12:68:09:11 Requirements for offal depositories.
- 12:68:09:12 Revocation of or refusal to issue licenses.
- 12:68:09:13 Appeals.
- 12:68:09:14 Reciprocal agreements.
- 12:68:09:15 Licensing of pet food processing plants.
- 12:68:09:16 Requirements for pet food processing plants.
- 12:68:09:17 Transportation requirements for pet food carcasses.
- 12:68:09:18 Services of veterinarian required for pet food processing plants.
- 12:68:09:19 Pet food processing requirements.
- 12:68:09:20 Record keeping requirements of pet food processing plants.
- 12:68:09:21 Revocation of or refusal to issue a pet food processing plant license.

12:68:09:07. Sanitation requirements for trucks. When a truck and the person in charge of the truck or the person's agent have been on premises for the purpose of removing a carcass and before the truck is taken on a public highway or on other premises, the wheels of the truck and the shoes or boots of persons who have been on the premises must be thoroughly cleaned and disinfected with a disinfectant. Cleaning and disinfection of truck wheels

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and footwear must also be conducted before a truck leaves the premises of the rendering plant or collecting station. From May 1 to September 30, before the permanent cover is closed and the truck leaves the premises, sufficient insecticide to destroy all flies must be discharged into the truck body and cab.

Carcasses may not be removed from the truck except at the rendering plant of final disposal or at collecting stations. All carcasses must be unloaded within enclosures or a building provided for unloading.

A vehicle used for the transportation of carcasses or other rendering products may not be used for any other purpose until it is thoroughly cleaned and disinfected. Any unrenderable article or thing which may be transported with a carcass may be unloaded only at the rendering plant or collecting station and disposed of there by burning or burying, except metal containers which must be thoroughly cleaned and disinfected before leaving the rendering plant or collecting station.

Source: 12 SDR 41, effective September 17, 1985; 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 40-17-2.

Reference: 9 C.F.R. § 71 (January 1, ~~2012~~ 2021).

CHAPTER 12:68:12**EXHIBITION OF ANIMALS**

Section

- 12:68:12:01 Supervision of exhibitions by board.
- 12:68:12:02 Management to provide veterinarian.
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- 12:68:12:06 Quarantine of animals exhibiting symptoms of communicable disease.
- 12:68:12:07 Out-of-state animals to be accompanied by certificate of veterinary inspection.
- 12:68:12:08 In-state animals to be accompanied by certificate of veterinary inspection.

12:68:12:04. Sanitation of quarters, yards, and pens. All facilities housing animals, including exhibition halls or rings, stables, yards, and pens, must be thoroughly cleaned and disinfected with a disinfectant approved by the board, as listed in 9 C.F.R. § 71.10 (January 1, ~~2012~~ 2021), under the supervision of a veterinarian before animals are placed in the facilities.

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 40-3-9, 40-3-14.

CHAPTER 12:68:13**PULLORUM TYPHOID CONTROL**

Section

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- 12:68:13:06 Mandatory retesting conditions.
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- 12:68:13:09 Report of tests and retests to the board.
- 12:68:13:10 Requirements for importation of poultry or hatching eggs.
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- 12:68:13:15 Importation of turkey poults and other poultry -- Hatching eggs.
- 12:68:13:16 Inspection of hatcheries and dealers.
- 12:68:13:17 Identification of hatching eggs and baby poultry.
- 12:68:13:18 Hatchery and dealer record requirements.
- 12:68:13:19 Retention of records for inspection.
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- 12:68:13:24 Permit required to sell baby poultry or started poultry.
- 12:68:13:25 Period of validity of permit.
- 12:68:13:26 Application for hatchery or dealer permit.
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- 12:68:13:33 Primary breeding flock certified as S.D. pullorum typhoid clean by sampling.
- 12:68:13:34 Poultry to be identified -- Materials approved.
- 12:68:13:35 Drugs that mask salmonella test reaction banned.
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- 12:68:13:39 Testing of exhibition fowl.
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12:68:13:02. Requirements for hatching eggs and for poultry under five months

old. No person may purchase, sell, or trade hatching eggs or poultry under five months old unless the hatching eggs or poultry originate from flocks or hatcheries classified as S.D.

pullorum typhoid clean or from flocks or hatcheries of a comparable pullorum typhoid disease status as determined by the board. The completed VS form 9-3 as described in 9 C.F.R. §§ 145-147 and 56 (January 1, ~~2017~~ 2021), as supplied by the Animal Industry Board or an equivalent furnished by the board, shall accompany each shipment of poultry verifying the S.D. pullorum typhoid clean status. Copies of the completed VS form 9-3 shall be sent to the board within 10 days of the shipment transaction.

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; 39 SDR 32, effective September 3, 2012; 44 SDR 47, effective September 18, 2017.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-3-9, 40-3-10.

12:68:13:04. Requirements for poultry over five months old. Poultry over five months of age which do not originate from a S.D. pullorum typhoid clean flock or its equivalent may not be sold or removed from flocks for purposes other than immediate slaughter unless they are tested in accordance with this chapter for pullorum and typhoid diseases. The completed VS form 9-3 as described in 9 C.F.R. §§ 145-147 and 56 (January 1, ~~2017~~ 2021), as supplied by the Animal Industry Board or an equivalent furnished by the board, shall accompany each shipment of poultry verifying the S.D. pullorum typhoid clean status. Copies of the completed VS form 9-3 shall be sent to the board within 10 days of the shipment transaction.

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; 39 SDR 32, effective September 3, 2012; 44 SDR 47, effective September 18, 2017.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-3-9, 40-3-10.

12:68:13:13. Permit required for importation of poultry or hatching eggs. No person may import baby poultry, started poultry, or hatching eggs as described in § 12:68:13:10 until a permit has been obtained from the board. Application for the permit must be made on a form furnished by the board. This application must be approved by the official disease control agency of the state of origin and must indicate the pullorum typhoid classification of the flock, hatchery, or other premises from which the birds or hatching eggs originated. The permit must include the date of expiration. Each shipment of birds or hatching eggs must bear an official label showing the name and address of the consignor and consignee, the pullorum typhoid classification, and the South Dakota permit number. The completed VS form 9-3 as described in 9 C.F.R. §§ 145-147 and 56 (January 1, ~~2017~~ 2021), or completed certificate of veterinary inspection shall include the information required by this section.

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; 27 SDR 96, effective April 1, 2001; 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; 44 SDR 47, effective September 18, 2017.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-3-9, 40-3-10.

12:68:13:15. Importation of turkey poults and other poultry -- Hatching eggs. Turkey poults under four months old, other poultry under five months old and hatching eggs may be imported if they originate in flocks or are distributed from hatcheries or premises that operate in accordance with 9 C.F.R. §§ 145-147 and 56 (January 1, ~~2017~~ 2021) or regulations

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of the disease control agency of the state of origin and are accompanied by a completed VS form 9-3 as described in 9 C.F.R. §§ 145-147 and 56 (January 1, ~~2017~~ 2021), or recognized equivalent stating the originating flock is classified as U.S. pullorum typhoid clean or are of comparable status.

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; 44 SDR 47, effective September 18, 2017.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-3-9, 40-3-10.

12:68:13:18. Hatchery and dealer record requirements. The hatchery or dealer must keep invoices of all purchases, sales books, sales slips, VS form 9-3 as described in 9 C.F.R. §§ 145-147 and 56 (January 1, ~~2017~~ 2021), or board approved equivalent, certificates of veterinary inspection, and copies of all advertisements pertaining to current hatching eggs and baby poultry.

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; 43 SDR 41, effective September 26, 2016; 44 SDR 47, effective September 18, 2017.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-3-9, 40-3-10.

12:68:13:37. Official blood tests for pullorum typhoid. The official blood tests for pullorum typhoid are the standard tube agglutination test or the rapid serum test for all classes

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of poultry or the stained antigen, rapid whole blood test for all classes of poultry except turkey. Each lot of antigen used for the whole blood test must be approved by the board and must be of the polyvalent type.

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; 44 SDR 47, effective September 18, 2017.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-3-9, 40-3-10.

Reference: 9 C.F.R. § 145.14(a) (January 1, ~~2017~~ 2021).

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. chapter III Subchapter A & E (revised as of January 1, ~~2018~~ 2021).

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; 45 SDR 82, effective December 11, 2018.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 39-5-8.

CHAPTER 12:68:16**IMPORTATION OF EQUINE**

Section

- 12:68:16:01 Definitions.
- 12:68:16:02 Repealed.
- 12:68:16:03 Examination and identification.
- 12:68:16:04 Negative test required.
- 12:68:16:05 Exemption from test.
- 12:68:16:06 Provisions to test on arrival.
- 12:68:16:07 Restricted movements.
- 12:68:16:08 Extended equine certificates of veterinary inspection.
- 12:68:16:09 Extended equine certificates of veterinary inspection requirements.
- 12:68:16:10 Travel itinerary.
- 12:68:16:11 Cancellation.

12:68:16:01. Definitions. Terms used in this chapter mean:

(1) "Approved laboratory," any laboratory approved for official testing by the USDA and by the South Dakota Animal Industry Board having met check testing protocols established by USDA (copies of list of approved laboratories available upon request to the South Dakota Animal Industry Board);

(2) "Coggins test," the agar gel immunodiffusion test for equine infectious anemia that has been approved by the USDA;

(3) "EIA," equine infectious anemia (swamp fever), a virus disease of horses and other members of the equine species;

(4) "Horse," all members of the equine species, including horses, mules, asses, ponies, donkeys, burros, and zebras;

(5) "Officially identified," a permanent identification using the national uniform tag code number of the state in which the reactor was tested followed by the letter "A", applied with a hot iron, chemical brand, freeze marking, or a lip tattoo in accordance with 9 C.F.R. § 75.4(a) (January 1, ~~2018~~ 2021);

(6) "Reactor," any horse over nine months old which discloses a positive reaction to the Coggins test.

Source: 2 SDR 59, effective March 14, 1976; 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; 45 SDR 128, effective April 18, 2019.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-14-2.

12:68:16:03. Examination and identification. The certificate of veterinary inspection required by SDCL 40-14-2 must certify that each horse has been examined by an accredited veterinarian no more than 30 days before importation. Each certificate must include an accurate description and official identification in accordance with 9 C.F.R. § 86.4(a)(2) (January 1, ~~2018~~ 2021).

Source: 2 SDR 59, effective March 14, 1976; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991; 43 SDR 41, effective September 26, 2016; 45 SDR 128, effective April 18, 2019.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-14-2.

12:68:16:07. Restricted movements. Each reactor, regardless of state of origin, must be officially identified in accordance with 9 C.F.R. § 75.4(a) (January 1, ~~2018~~ 2021), and quarantined and may not be moved in intrastate commerce unless they are consigned directly to a slaughter establishment or returned to the state of origin under a permit issued by the state of origin. A horse imported without the required test must be quarantined for an immediate test at the owner's expense.

Source: 2 SDR 59, effective March 14, 1976; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991; 45 SDR 128, effective April 18, 2019.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-14-4.

12:68:16:09. Extended equine certificates of veterinary inspection requirements. Each EECVI applies to only one horse and shall contain the following information:

- (1) The name and address of the owner or the certificate holder;
- (2) The location at which the horse is stabled, housed, pastured or kept, if different from that of the owner;
- (3) An accurate description and official identification in accordance with 9 C.F.R. § 86.4(a)(2) (January I, ~~2018~~ 2021);
- (4) The date of veterinary inspection;

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- (5) The date and results of the EIA or other required tests or vaccinations; and
- (6) The signature of the inspecting veterinarian.

Source: 45 SDR 128, effective April 18, 2019.

General Authority: SDCL 40-3-14(5).

Law Implemented: SDCL 40-14-2.

CHAPTER 12:68:17**PSEUDORABIES CONTROL**

Section

- 12:68:17:01 Breeding swine entering South Dakota.
- 12:68:17:01.01 Importation or distribution of swine semen or embryos.
- 12:68:17:02 Exhibition swine.
- 12:68:17:03 Infected herds.
- 12:68:17:04 Feeder pigs entering South Dakota.
- 12:68:17:05 Disposition of quarantined feeder pigs.
- 12:68:17:06 Pseudorabies qualified herd.
- 12:68:17:07 Conditions for use of pseudorabies vaccine.
- 12:68:17:08 Repealed.
- 12:68:17:09 Requirements for intrastate movement of breeding swine.
- 12:68:17:09.01 Requirements for intrastate movement of feeding swine.
- 12:68:17:10 Pseudorabies monitored herd.
- 12:68:17:11 Official pseudorabies test.
- 12:68:17:12 Procedure when pseudorabies found in slaughtered animals.

12:68:17:11. Official pseudorabies test. An official approved pseudorabies test is a swine blood sample drawn by a licensed accredited veterinarian and serologically tested for the diagnosis of pseudorabies with one of the following tests:

- (1) SN 1:2 dilution;
- (2) Elisa;

- (3) Latex agglutination;
- (4) G₁ Elisa test.

Source: 14 SDR 167, effective June 22, 1988; 22 SDR 111, effective March 7, 1996; 34 SDR 100, effective October 22, 2007; 39 SDR 32, effective September 3, 2012.

General Authority: SDCL 40-3-9, 40-3-14.

Law Implemented: SDCL 40-3-14.

Cross-Reference: Definitions, 9 C.F.R. Part 85.1 (January 1, ~~2012~~ 2021).

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.

12:68:18:03.08. Testing for purity of species. At the request of the board, a person possessing an animal by permit under this chapter must present the animal in a confined area, individually restrained, for identification and testing for purity of species. Testing for purity may include all animals permitted or a percentage, as determined by the board in consultation with the Department of Game, Fish and Parks.

Source: 20 SDR 96, effective December 31, 1993.

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

Law Implemented: SDCL 40-3-24 to 40-3-26, 40-5-8.

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 from a herd which has had a negative whole herd test within 1 year prior to the date of movement and the individual animal(s) is 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 tuberculosis free Status~~ been part of a whole herd test within 6 months of movement, or are from an accredited herd that has completed testing requirements within 24 months prior to the date of movement;

(2) Be individually identified with an official identification tag and a visible management tag on a certificate of veterinary inspection; and

(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; 45 SDR 82, effective December 11, 2018.

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

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

12:68:18:07. Reporting requirements. A permit holder under § 12:68:18:06 must maintain records of all additions and removals of animals covered by the permit requirements.

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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, ~~2018~~ 2021), 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 cervidae imported or possessed in South Dakota must include individual animal identification.

Disappearances by death or escape and any diseased animal must be reported to the board 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; 45 SDR 82, effective December 11, 2018.

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

Law Implemented: SDCL 40-3-14, 40-3-24 to 40-3-26, inclusive, 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 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.

12:68:19:09. Rams positive to brucella ovis test. Rams testing positive to brucella ovis must be identified by an official eartag as defined in 9 C.F.R. § 79 (January 1, ~~2017~~ 2021). These rams must be quarantined to premises until they are sent to slaughter.

Source: 16 SDR 40, effective September 3, 1989; 18 SDR 55, effective September 23, 1991; 20 SDR 277, 21 SDR 4, effective July 10, 1994; 34 SDR 100, effective October 22, 2007; 37 SDR 47, effective September 20, 2010; 44 SDR 47, effective September 18, 2017.

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

Law Implemented: SDCL 40-5-5.1.

CHAPTER 12:68:20**INHUMANE TREATMENT OF ANIMALS**

Section

- 12:68:20:01 Procedures for filing complaints.
- 12:68:20:02 Investigation of reported violations.
- 12:68:20:03 Methods of euthanasia.
- 12:68:20:04 Qualifications for agents of the board.
- 12:68:20:05 Procedures and methods of impoundment.
- 12:68:20:06 Methods of transferring ownership of impounded animals.

12:68:20:04. Qualifications for agents of the board. Agents of the board other than peace officers must be in possession of 9 C.F.R. chapter 1, §§ 3.1 to 3.142, inclusive (January 1, ~~2012~~ 2021). Knowledge of this publication must be demonstrated by interview with the state veterinarian before appointment as an agent of the board. An agent must be of reputable character and possess general animal health knowledge demonstrated by letters of reference from two citizens knowledgeable of the individual. One reference must be from a licensed and accredited veterinarian from the community in which the agent resides.

Source: 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 40-1-25.

Law Implemented: SDCL 40-1-25.

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.

12:68:21:01. Definitions. Terms used in this chapter mean:

- (1) "Blood test," an official test, including the card test, BAPA, plate, PCFIA, Rivanol, and complement fixation tests as described in 9 C.F.R. § 78.1 (January 1, ~~2012~~ 2021);
- (2) "Brucellosis," a disease of goats caused by the Brucella species of bacteria;
- (3) "Certified brucellosis-free goat herd," a goat herd for which the owner holds an unrevoked and unexpired certified free herd certificate;
- (4) "Infected herd," a herd of goats in which one or more reactors have been disclosed and which has not regained a negative herd status;

(5) "Negative," a goat showing no reaction on a blood test for Brucella;

(6) "Reactor," a goat showing a positive reaction on the test or proven infected by other diagnostic methods as determined by a state or federal epidemiologist as described in 9 C.F.R. § 78.1 (January 1, ~~2012~~ 2021);

(7) "Suspect," a goat showing a reaction to a test that does not qualify as negative or as a reactor as determined by a brucellosis epidemiologist employed by the state or federal government as described in 9 C.F.R. § 78.1 (January 1, ~~2012~~ 2021).

Source: 18 SDR 134, effective February 24, 1992; 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 40-3-14.

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 nine to fifteen-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, ~~2018~~ 2021) 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 cervidae 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)~~ (7) "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)~~ (8) "Designated accredited veterinarian," an accredited veterinarian trained and designated by the state veterinarian to conduct the single cervical test or draw blood for the Dual Path Platform (DPP) test for tuberculosis on cervidae;

~~(10)~~ (9) "Direct shipment to slaughter," the shipment of tuberculosis reactors, tuberculosis suspects, and tuberculosis-exposed cervidae 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)~~ (10) "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 cervidae 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)~~ (11) "Exposed animals," Cervidae that have associated with animals known to be tuberculous;

~~(13)~~ (12) "Group," one or more animals;

~~(14)~~ (13) "Herd," a group of cervidae or a group of cervidae and other hoofed stock maintained on common ground or two or more groups of cervidae under common ownership or supervision that are geographically separated but can have an interchange or movement without regard to health status;

~~(15)~~ (14) "Natural additions," animals born and raised in a herd;

~~(16)~~ (15) "Negative animals," cervidae 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)~~ (16) "No gross lesion (NGL) animals," cervidae that do not reveal one or more lesions of bovine tuberculosis upon necropsy;

~~(18)~~ (17) "Official eartag," an identification eartag as defined in 9 C.F.R. § 71.1 (January 1, ~~2018~~ 2021);

~~(19)~~ (18) "Official tuberculosis test (Cervidae)," a test for bovine tuberculosis applied and reported in accordance with this chapter;

~~(20)~~ (19) "Officially sealed vehicle," a vehicle sealed with an official seal as defined in 9 C.F.R. § 78.1 (January 1, ~~2018~~ 2021);

~~(21)~~ (20) "Permit," an official document issued by a representative of Animal Plant Health Inspection Service, Veterinary Service, a state representative, or an accredited veterinarian, required to accompany reactor, suspect, or exposed cervidae to slaughter;

~~(22)~~ (21) "PPD," purified protein derivative tuberculin;

~~(23)~~ (22) "Qualified herd," a cervidae herd that has undergone at least one complete official negative test of all eligible animals within the past twelve months and is not classified as an accredited herd, has no evidence of bovine tuberculosis, and meets the standards of this chapter;

~~(24)~~ (23) "Reactor," a cervidae that shows a response to an official tuberculosis test and is classified a reactor by the testing veterinarian;

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~~(25)~~ (24) "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 seventy-two hours plus or minus six hours following injection;

~~(26)~~ (25) "Suspect," a cervidae that shows a response to an official tuberculosis test and is not classified as a reactor or is not classified as negative or as a reactor by a supplemental tuberculosis test;

~~(27)~~ (26) "Tuberculin," a product that is approved by and produced under USDA license for the intradermal injection of cervidae for the purpose of detecting bovine tuberculosis;

~~(28)~~ (27) "Tuberculosis," a disease in Cervidae caused by *Mycobacterium bovis* (*M. bovis*);

~~(29)~~ (28) "USDA," United States Department of Agriculture;

~~(30)~~ (29) "APHIS-VS," Animal and Plant Health Inspection Service, Veterinary Services.

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; 45 SDR 82, effective December 11, 2018.

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 to 40-5-8.4, inclusive, 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.

12:68:23:04. Official tuberculosis tests. The following primary and supplemental diagnostic tests are the official tests approved for use in testing and retesting for tuberculosis in Cervidae:

(1) The single cervical tuberculin (SCT) test is a primary test that may be used in individual captive cervids and in herds of unknown tuberculosis status. Each captive cervid that responds to the SCT test must be classified as a suspect until it is retested with the CCT test and is either found negative for tuberculosis or is classified as a reactor, unless, with exception of a designated accredited veterinarian, the testing veterinarian determines that the captive cervid should be classified as a reactor based on its response to the SCT test. A designated accredited veterinarian must classify a responding captive cervid as a suspect, unless the state veterinarian determines, based on epidemiological evidence, that the captive cervid should be classified as a reactor. A captive cervid that responds to the SCT test must not be retested using the Cervid TB Stat-Pak or DPP tests;

(2) The SCT test is a primary test that may be used in affected herds and in herds that have received captive cervids from an affected herd. If used with affected herds or in herds that have received a captive cervid from an affected herd, the SCT test may only be administered by a veterinarian employed by the state in which the test is administered or employed by USDA. In affected herds or herds that have received captive cervids from an affected herd, each captive cervid that responds to the SCT test must be classified as a reactor, unless the state veterinarian determines, based on epidemiological evidence, that the cervid should be classified as a suspect because of possible exposure to a tuberculous animal.

(3) The Dual Path Platform (DPP) is a primary test that may be used in individual captive elk, red deer, white-tailed deer, fallow deer, and reindeer, and in herds of these species that are of unknown tuberculous status. Except as specified in subdivision (4) of this section, each captive cervid that has nonnegative test results to the DPP test must be classified as a suspect and retested with the DPP test no earlier than 30 days after collection of the primary sample. A captive cervid that has nonnegative test results to the DPP test may not be retested using the SCT or CCT test;

~~(4) The Cervid TB Stat Pak test is a primary test that may be used in affected herds of captive elk, red deer, white-tailed deer, fallow deer, and reindeer, and in herds of these species that have received captive cervids from an affected herd. In such herds, each captive cervid that has nonnegative test results to the Cervid TB Stat Pak test must be classified as a reactor, unless the state veterinarian determines that the captive cervid should be classified as a suspect because of possible exposure to a tuberculous animal.~~

~~(5)~~ (4) The comparative cervical tuberculin (CCT) test is a supplemental test that may only be used in order to retest captive cervids that have been classified as suspects after being tested with the SCT test. The CCT test may be used in affected herds only after the herd has tested negative to at least two whole herd SCT tests and only with the prior written consent of the state veterinarian. The CCT test may not be used as a primary test. Captive cervids tested with the CCT test are classified as follows:

(a) A captive cervid tested with the CCT test must be classified as negative if it has a response to the bovine PPD tuberculin that is less than 1 mm;

(b) Unless the testing veterinarian determines that the captive cervid should be classified as a reactor because of possible exposure to a tuberculous animal, a captive cervid tested with the CCT test must be classified as a suspect if:

(i) It has a response to the bovine PPD tuberculin that is greater than 2 mm and that is equal to the response to the avian PPD tuberculin; or

(ii) It has a response to the bovine PPD tuberculin that is equal to or greater than 1 mm and equal to or less than 2 mm and that is equal to or greater than the response to the avian PPD tuberculin;

(c) A captive cervid tested with the CCT test must be classified as a reactor if:

(i) It has a response to the bovine PPD tuberculin that is greater than 2 mm and that is at least 0.5 mm greater than the response to the avian PPD tuberculin; or

(ii) It has been classified as a suspect on two successive CCT tests.

Any exceptions to the reactor classification under the conditions in this subsection must be justified by the testing veterinarian in writing and have the concurrence of the state veterinarian;

~~(6) (5) The Dual Path Platform (DPP) test is a supplemental test that may only be used in order to retest captive cervids that have been classified as suspects after being tested with the Cervid TB Stat Pak test. The DPP test may not be used as a primary test.~~ A captive cervid that has nonnegative test results to its first DPP test must be classified as a suspect, unless the state veterinarian determines, based on epidemiological evidence, that the captive cervid should be classified as a reactor. A captive cervid classified as a suspect on its first DPP test may be retested using the DPP test to evaluate a new blood sample drawn from the cervid no less than 30 days after the first DPP test. A captive cervid that has nonnegative test results on two successive DPP tests must be classified as a reactor.

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

12:68:23:10. Disposition of Cervidae responding to tuberculin testing. Cervidae responding to tuberculin testing must be disposed of as follows:

(1) Reactors and exposed animals must remain on the premises where they were disclosed until a state or federal permit for movement has been obtained. Movement for immediate slaughter must be within 15 days after classification directly to a slaughter establishment where approved state or federal inspection is maintained. Alternatively, the animals may be destroyed and a necropsy may be conducted by or under the supervision of an accredited veterinarian employed by the state or federal government who is trained in tuberculosis necropsy procedures;

(2) Herds containing suspects to the SCT test must be quarantined until the suspect animals are:

(a) Retested by the CCT test within 10 days after the SCT test injection;

(b) Retested by the CCT test after 90 days;

(c) Shipped under permit directly to a slaughter facility under state or federal inspection or necropsied by or under the supervision of an accredited veterinarian employed by the state or federal government who is trained in tuberculosis necropsy procedures. If such animals are found to be without evidence of *M. bovis* infection by histopathology including

selected specimens submitted from animals having no gross lesions indicative of tuberculosis or culture, they are considered negative for tuberculosis;

(3) Suspects to the CCT test must remain under quarantine until:

(a) Comparative cervical suspects are retested using the CCT test after 90 days;

(b) Shipped under permit directly to a slaughter facility under state or federal inspection or necropsied by or under the supervision of an accredited veterinarian employed by the state or federal government who is trained in tuberculosis necropsy procedures. Such animals are considered negative for tuberculosis unless evidence of the disease is found by culture or histopathology (including selected specimens submitted from animals having no gross lesions);

(4) An animal meeting the suspect criteria on two successive CCT tests must be classified as a reactor and identified as such. The testing veterinarian must justify exceptions, in writing, and have the concurrence of the state veterinarian;

(5) A captive cervid classified as a suspect on the ~~Cervid TB Stat Pak~~ DPP test must be quarantined until it is slaughtered or retested using the DPP test and found negative for tuberculosis based on the DPP test;

(6) A captive cervid classified as a suspect on an initial DPP test must be slaughtered or otherwise must be quarantined until it is retested using the DPP test. A captive cervid that has negative test results to this second DPP test may be released from quarantine. A captive cervid that has nonnegative test results to this second DPP test must be classified as a reactor and may only be moved in accordance with subsection (3)(b) of this section.

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

12:68:23:11. Identification of reactors. Reactor cervids must be identified by branding with the letter "T" on the left jaw, not less than 2 inches (5 cm) or more than 3 inches (7.5 cm) high, and by tagging with an official eartag bearing a serial number and the inscription "U.S. Reactor" attached to the left ear of each animal. In lieu of branding, a reactor may be shipped to slaughter in an officially sealed vehicle by a full-time USDA or South Dakota Animal Industry Board employee, or accompanied to slaughter by a full-time USDA or South Dakota Animal Industry Board employee. The seal to be used is defined in 9 C.F.R. Part 78.1, January 1, ~~2013~~ 2021.

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.

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 Brucellosis herd testing procedures.
- 12:68:24:04 Official cervidae tests.
- 12:68:24:05 Interpretation of cervidae tests.
- 12:68:24:06 Other diagnostic tests.
- 12:68:24:07 Investigation of brucellosis suspect cervidae herds.
- 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 Repealed.
- 12:68:24:14 Qualifying methods for certified brucellosis-free cervidae herds.
- 12:68:24:15 Recertification of brucellosis-free cervidae herds.
- 12:68:24:16 Movement into a certified brucellosis-free cervidae herd.
- 12:68:24:17 Recognition of certified brucellosis-free cervidae herds.

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

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(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, ~~2018~~ 2021) 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 cervidae herd," a cervidae 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) "Area Veterinarian-In-Charge (AVIC)," the official of United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services 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 laboratory that 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 cervidae 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 cervidae herd," a herd of Cervidae that has qualified for and has been issued a certified brucellosis-free cervidae herd certificate signed by both the state veterinarian and the AVIC;

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

(16) "Cervidae dealer," any person engaging in the business of buying, selling, trading, or negotiating the transfer of Cervidae, but not a person purchasing cervidae exclusively for slaughter on the person's premises;

(17) "Cervidae 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) "Cervidae herd of origin," a cervidae 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 cervidae or other hoofed stock from other premises have not been assembled on the premises within four months before shipment;

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

(20) "Certificate of veterinary inspection," an official document issued by the state veterinarian, a federal animal health official, or an accredited veterinarian, at the point of origin,

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and 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;

(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;

(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 AVIC;

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

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

(25) "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;

(26) "Official cervidae identification," identification of cervidae by an official identification number as defined in 9 C.F.R. § 86.1 (January 1, ~~2018~~ 2021) and one additional form of visible individual identification such as a registration tattoo, other official eartag, or a management tag applied by the person possessing the animal and approved by the board;

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

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

(29) "Permit," an official document that is issued by the state veterinarian, the AVIC, or an accredited veterinarian, for movement of reactor, suspect, and exposed animals;

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

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

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

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

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

(35) "Veterinary services (VS)," the division of the United States Department of Agriculture, Animal and Plant Health Inspection Service, that 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; 45 SDR 82, effective December 11, 2018.

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.

12:68:24:04. Official cervid tests. Official cervid tests for brucellosis are:

- (1) Buffered acidified plate antigen (BAPA);
- (2) Standard plate agglutination;
- (3) Standard tube agglutination;
- (4) Rivanol;
- (5) Complement fixation;
- (6) Fluorescent polarization; and
- (7) Card.

Source: 21 SDR 162, effective March 23, 1995; 34 SDR 100, effective October 22, 2007; 39 SDR 32, effective September 3, 2012.

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.

Cross-Reference: 9 C.F.R., Part 78.1, January 1, ~~2012~~ 2021.

CHAPTER 12:68:25

CHRONIC WASTING DISEASE IN CERVIDAE

Section

- 12:68:25:01 Definitions.
- 12:68:25:02 Supervision of the cervidae CWD program.
- 12:68:25:03 Voluntary CWD herd certification program surveillance procedures.
- 12:68:25:04 Official cervid tests.
- 12:68:25:05 Investigation of cervid CWD surveillance identification affected animals.
- 12:68:25:06 Repealed.
- 12:68:25:07 Herd plan.
- 12:68:25:08 Identification and disposal requirements.
- 12:68:25:09 Cleaning and disinfecting.
- 12:68:25:10 Methods for obtaining certified CWD cervid herd status.
- 12:68:25:11 Recertification of certified CWD cervid herds.
- 12:68:25:12 Movement into a certified CWD cervid herd.
- 12:68:25:13 Movement into a monitored CWD cervid herd.
- 12:68:25:14 Recognition of monitored CWD cervid herds.
- 12:68:25:15 Recognition of certified CWD cervid herds.
- 12:68:25:16 Intrastate movement requirements.
- 12:68:25:17 Import requirements.
- 12:68:25:18 CWD control in free roaming cervids.

12:68:25:01. 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~~ 2021) to perform functions required by cooperative state-federal animal disease control and eradication programs;

(2) "Adjacent herd," a herd of cervidae occupying premises that border an affected herd, including herds separated by roads or streams; or a herd of cervidae occupying premises that were previously occupied by an affected herd within the past five years as determined by the designated epidemiologist;

(3) "Affected cervid herd," a cervid herd from which any animal has been diagnosed as affected with CWD and which is not in compliance with the provisions of the control program for CWD as described in this chapter;

(4) "Approved laboratory," the National Veterinary Service Laboratory, Ames, Iowa, or laboratories accredited by the American Association of Veterinary Laboratory Diagnosticians;

(5) "CWD," "Chronic wasting disease," a transmissible spongiform encephalopathy of cervids;

(6) "CWD exposed" or "exposed," a designation applied to cervidae that are either part of an affected herd or for which epidemiological investigation indicates contact with CWD affected animals or contact with animals from a CWD affected herd in the past five years;

(7) "CWD affected," a designation applied to cervidae diagnosed as affected with CWD based on laboratory results, clinical signs, or epidemiologic investigation;

(8) "CWD suspect," a designation applied to cervidae for which laboratory evidence or clinical signs suggest a diagnosis of CWD but for which laboratory results are inconclusive;

(9) "Monitored CWD cervid herd" a herd of cervidae that has complied with the voluntary CWD certification program as defined in subdivision (26) of this section. Monitored herds shall be defined as one year, two year, three year, and four year monitored in accordance with the time in years such herds have complied with the voluntary CWD certification program;

(10) "Certified CWD cervid herd," a herd of cervidae that has qualified for and has been issued a certified CWD cervid herd certificate signed by the state veterinarian;

(11) "Cervidae," deer, elk, moose, caribou, reindeer, and related species and hybrids thereof including all members of the cervidae family and hybrids thereof;

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

(13) "Cervid herd," a group of cervidae or one or more groups of cervidae maintained on common ground or under common ownership or supervision that are geographically separated but can have interchange or movement;

(14) "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 one year before the date of shipping, if cervids from other premises have not been on the premises within one year before shipment;

(15) "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, the consignee, and any other information required by the state animal health official for importation or translocation;

(16) "Designated epidemiologist," a state or federal veterinarian who has demonstrated the knowledge and ability to perform the functions required under this chapter and who has been selected by the state veterinarian;

(17) "Group," one or more cervidae;

(18) "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 designated epidemiologist to identify and eradicate CWD from an affected, exposed, or adjacent herd;

(19) "Official cervid identification," an identification eartag that conforms to the official animal identification as defined in 9 C.F.R. Part 55 (January 1, ~~2012~~ 2021) or a legible tattoo, which includes the premises permit number and uniquely and permanently identifies each cervid. Also, a visible plastic eartag is required on all animals;

(20) "Official cervid CWD test," an approved test conducted at an official laboratory to diagnose CWD;

(21) "Permit," an official document that is issued by the state veterinarian or area veterinarian-in-charge or an accredited veterinarian for movement of affected, suspect, or exposed animals;

(22) "Quarantine," an imposed restriction prohibiting movement of cervids to any location without specific written permits;

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

(24) "Traceback," the process of identifying the herd of origin of positive animals, including herds that were sold for slaughter;

(25) "Traceforward," the process of epidemiologically identifying the movement of CWD exposed animals;

(26) "Voluntary CWD herd certification program," a voluntary CWD surveillance program that recognizes herds as low risk for CWD by complying with the voluntary CWD herd certification program surveillance procedures.

Source: SL 1998, ch 250, § 2, effective February 5, 1998; 29 SDR 29, effective September 4, 2002; 34 SDR 100, effective October 22, 2007; 37 SDR 47, effective September 20, 2010; 38 SDR 214, effective June 21, 2012; 43 SDR 41, effective September 26, 2016.

General Authority: SDCL 40-5-8.6.

Law Implemented: SDCL 40-5-8.6.

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 Transferred.

12:68:28:05 Disposition of animals with scrapie and of animals determined to be at risk of scrapie.

12:68:28:01. Definitions. Terms used in this chapter mean:

- (1) "Animal," a sheep or goat;
- (2) "Breeding animal," sheep or goats for reproductive use;
- (3) "Flock," all animals on a premises or multiple premises with animal movement or exposure between premises;
- (4) "Flock plan," a written plan as approved by the state veterinarian to control, eradicate, and detect resistance for scrapie;
- (5) "Genetic test for scrapie resistance," DNA testing as approved by the state veterinarian;

(6) "Scrapie," a nonfebrile, transmissible, insidious degenerative disease affecting the central nervous system of sheep or goats;

(7) "Scrapie eradication program," the cooperative State-Federal program administered by USDA, Animal and Plant Health Inspection Service, "APHIS," and consistent states, etc, to control and eradicate scrapie as defined in 9 C.F.R. 79 (January 1, ~~2012~~ 2021);

(8) "Scrapie Eradication Uniform Methods and Rules," "UM&R," cooperative procedures and standards adopted by APHIS and consistent states for controlling and eradicating scrapie;

(9) "Scrapie Flock Certification Program," "SFCP," the cooperative state-federal-industry program for certifying the control of scrapie in flocks as defined in 9 C.F.R. 79 (January 1, ~~2012~~ 2021);

(10) "Consistent state," a state that the administrator of APHIS has determined to be conducting an active state scrapie control program as defined in 9 C.F.R. 79.1 (January 1, ~~2012~~ 2021).

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.

Reference: "Scrapie Eradication Uniform Methods and Rules," APHIS 91-55-079, June 1, 2005, 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.

12:68:28:02. State declared scrapie control and eradication area. South Dakota is declared a scrapie control and eradication area and shall implement measures to control and eradicate scrapie consistent with the scrapie UM&R and the scrapie eradication program described in 9 C.F.R. 79.1 (January 1, ~~2012~~ 2021). Sheep producers and any individuals involved in buying, selling, or transporting sheep shall adhere to identification, testing, surveillance, and quarantine requirements as to maintain consistent state status as described in the "Scrapie Eradication Uniform Methods and Rules."

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.

CHAPTER 12:68:29**LIVESTOCK IDENTIFICATION**

Section

- 12:68:29:01 Removal of official identification.
- 12:68:29:02 Individual identification of animals tested for tuberculosis and brucellosis.
- 12:68:29:03 Confidentiality of records.
- 12:68:29:04 Obligation to identify owner or producer 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 rams tested for *B. ovis*.
- 12:68:29:11 Scrapie control identification requirements for sheep and goats.

12:68:29:02. Individual identification of animals tested for tuberculosis and brucellosis. Each animal tested shall be officially identified, as defined in 9 C.F.R. § 86.1 (January 1, ~~2018~~ 2021).

Source: SL 1975, ch 15, § 1; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 18 SDR 55, effective September 23, 1991; transferred from § 12:68:04:30, 45 SDR 82, effective December 11, 2018.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-3-14, 40-3-27 to 40-3-29, inclusive.

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, and each 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, ~~2018~~ 2021). 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 from identifying them to the herd of origin.

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; transferred from § 12:68:10:02, 45 SDR 82, effective December 11, 2018.

General Authority: SDCL 40-3-14.

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

12:68:29:08. Identification of recreational cattle. All cattle imported to South Dakota for recreational purposes, including rodeo events, roping events, cattle cutting events, cattle penning events, steer wrestling events, and training for such events, must be officially identified by means defined in 9 C.F.R. § 86.1 (January 1, ~~2018~~ 2021).

Source: 34 SDR 100, effective October 22, 2007; 37 SDR 47, effective September 20, 2010; 39 SDR 32, effective September 3, 2012; transferred from § 12:68:04:37, 45 SDR 82, effective December 11, 2018.

General Authority: SDCL 40-3-14.

Law Implemented: SDCL 40-3-14.

12:68:29:09. Identification of breeding cattle and bison in intrastate commerce.

All cattle or bison, for breeding purposes and over eighteen months of age, shall have their official identification recorded when a change of ownership occurs. The official identification shall be by official eartag as defined in 9 C.F.R. § 86.1 (January 1, ~~2018~~ 2021), or by individual animal registration tattoos, if the cattle or bison 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.

Source: 27 SDR 96, effective April 1, 2001; 34 SDR 100, effective October 22, 2007; transferred from § 12:68:05:02.02, 45 SDR 82, effective December 11, 2018.

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

Law Implemented: SDCL 40-3-14.

12:68:29:11. Scrapie control identification requirements for sheep and goats.

Sheep and goats required to be identified in 9 C.F.R. 79 (January 1, ~~2018~~ 2021) shall be officially identified as described in 9 C.F.R. 79 (January 1, ~~2018~~ 2021). Sheep and goats required to be identified before being moved from a premises include:

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

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

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; transferred from § 12:68:28:04, 45 SDR 82, effective December 11, 2018.

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.