

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY  
CHAPTER 15. ANIMAL INDUSTRY**

**SUBCHAPTER 34. FERAL SWINE**

**35:15-34-1. Purpose**

The purpose of these rules is to implement the provisions of the Feral Swine Control Act.

**35:15-34-2. Definitions**

"Breeding facility" means a premise containing feral swine that are bred to domestic or feral swine.

"Buying station" means a premise utilized for the purchase of feral swine to be sent directly to slaughter.

"Feral swine" means any hog, pig, or swine species (Sus scrofa) including, but not limited to, Russian and European wild boar that are running at large, free roaming, or wild upon public or private lands in this state, and shall also include any hog, pig, or swine species that has lived any part of its life running at large, free roaming, or wild. The term feral swine shall also include any feral phenotype swine, whether or not running at large, free roaming, or wild.

"Feral swine facility" means a breeding facility, buying station, gathering station, holding facility, or sporting facility.

"Gathering station" means a temporary holding facility for feral swine prior to transporting or disposing in an authorized manner.

"Holding facility" means a temporary holding facility where feral swine are held for no more than thirty (30) days with cleaning and disinfection between groups of feral swine.

"Sporting facility" means a premise containing feral swine intended for hunting and feral swine are only removed from the premises through hunting, directly to slaughter, or to a licensed sporting facility.

"Transport" means to move more than fifteen (15) feral swine fifty (50) miles or more.

"Validated/qualified herd" means a swine herd that meets the requirements of a qualified pseudorabies negative herd and a validated brucellosis negative herd.

**35:15-34-3. Importation of feral swine**

(a) Any person importing live feral swine into this state shall be accompanied by a Certificate of Veterinary Inspection signed by an accredited veterinarian that contains the following:

- (1) Individual identification of each feral swine; and
- (2) Negative brucellosis and pseudorabies test results.

(b) Any person importing live feral swine into this state shall be accompanied by a written entry permit approved by the State Veterinarian.

(c) A person shall obtain a negative brucellosis and pseudorabies test within fifteen (15) days prior to entry.

(d) All live feral swine imported into this state shall be quarantined and isolated to retest for brucellosis and pseudorabies. The testing shall be conducted no earlier than thirty (30) days and no later than sixty (60) days following the date of importation, except for feral swine going directly to an approved slaughter facility.

**35:15-34-4. Intrastate testing of feral swine**

(a) Feral swine may be moved directly to a recognized slaughtering facility, an authorized market, a licensed sporting facility, a licensed buying station, or to a licensed gathering station without testing.

(b) Feral swine moved to locations other than those listed in (a), including licensed breeding facilities, shall be segregated from all other swine and test negative for pseudorabies and brucellosis on two consecutive tests conducted no less than thirty (30) and no more than sixty (60) days apart.

(c) The Department may conduct sampling of feral swine for the purpose of disease traceback at any time.

(d) The owner of a feral swine facility shall cooperate with the Department in the event of a sampling event.

(e) All feral swine in this state that test positive for brucellosis or pseudorabies shall be immediately sent directly to slaughter or slaughtered on the premises pursuant to an order issued by the State Veterinarian.

**35:15-34-5. Transporter license**

(a) All persons that transport live feral swine in this state shall be required to obtain a transporter license from the Department.

(b) The transporter license shall be good for a period of (3) years and shall not be transferable.

(c) Application for a transporter license shall be on a form prescribed by the Department and shall include the following:

(1) Name, mailing address, and telephone number of the applicant,

(2) Drivers license number of the transporter;

(3) A brief statement describing the area the applicant typically transports feral swine,

(4) A description of the vehicles, including trailers, used to transport feral swine, including any license tag numbers or other individual identification; and

(5) A description of the typical locations where feral swine may be transported by the applicant.

(d) Any person transporting feral swine shall not under any circumstances release the feral swine to any property other than a licensed feral swine facility.

(e) Live feral swine shall only be transported to the following:

(1) A licensed sporting facility;

(2) A licensed breeding facility;

(3) A licensed buying station;

(4) A licensed gathering station;

(5) Directly to an approved market or slaughter facility, or

(6) Pursuant to an order issued by the State Veterinarian.

(f) Any person that holds a sporting facility, buying station, gathering station, or holding facility license may obtain a transporter license with no additional application required.

**35:15-34-6. Sporting facilities**

(a) An owner or operator shall obtain a Category I or Category II sporting facility license prior to operation of any new sporting facility.

(b) The requirements for a Category I license shall be as follows:

(1) The owner or operator maintains a double fence adequate to reasonably prevent the escape of enclosed feral swine, the unsolicited additions of feral swine from outside the enclosure, and nose to nose contact between feral swine and any feral swine outside the enclosure.

(2) All additions of feral swine to the sporting facility originate from a validated/qualified herd or test negative for pseudorabies and brucellosis on two consecutive tests conducted no less than thirty (30) and no more than (60) days apart.

(3) The owner or operator shall keep records of the following:

(A) Number of head of feral swine added to the facility;

(B) Name, address, and telephone number of the person who provided the feral swine;

(C) Records of all animal health testing for a period of three (3) years;

(D) Date of release of the feral swine into the facility; and

(E) Number of head removed from the facility, method of removal, and the date of removal.

(4) Any person applying for a Category I sporting facility license shall provide the following information on a form prepared by the Department:

(A) Name, mailing address, and telephone number of the applicant;

(B) Name, mailing address, and telephone number of the owner of the property, if different from the applicant;

(C) Name, physical address, and county of the sporting facility;

(D) Legal description to the nearest quarter section and GPS coordinates, if available, of the sporting facility;

(E) Name, address and telephone number of the location where records are kept;

(F) A map showing topography of the area with a diagram of the facility structures, fencing plan, and perimeter clearly marked;

(G) Whether the applicant has been convicted of a felony, misdemeanor, administrative, or civil violation of any natural resources requirements, including but not limited to wildlife, forestry, fisheries, environment, or animal health within the past three (3) years in Oklahoma or any other jurisdiction;

(H) Whether the property where the sporting facility is located is owned or leased;

(I) Driving directions from the nearest town; and

(J) Signature under oath "I certify under penalty of law this document, all attachments, and information submitted are to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for knowingly submitting false, inaccurate, or incomplete information, including the possibility of fines for each violation."

(5) Each Category I sporting facility shall be inspected at least annually.

(c) The requirements for a Category II license shall be as follows:

(1) The owner or operator maintains a fence adequate to reasonably prevent the escape of enclosed feral swine and the unsolicited additions of feral swine from outside the enclosure.

(2) The owner or operator accepts feral swine of unknown disease status.

(3) The sporting facility is located a minimum of one and one-half (1 1/2) miles from commercial swine or validated/qualified herds, unless the sporting facility was in existence on the effective date of these rules.

(4) The owner or operator shall only allow feral swine to leave the facility when they are killed or sold directly to slaughter, or transported to another licensed sporting facility.

(5) The owner or operator shall keep records of the following:

(A) Number of head of feral swine added to the facility;

(B) Name, address, and telephone number of the person who provided the feral swine;

(C) Date of release of the feral swine into the facility; and

(D) Number of head removed from the facility, method of removal, and the date of removal.

(6) Any person applying for a Category II sporting facility license shall provide the following information on a form prepared by the Department:

(A) Name, mailing address, and telephone number of the applicant;

(B) Name, mailing address, and telephone number of the owner of the property, if different from the applicant;

(C) Name, physical address, and county of the sporting facility;

(D) Legal description to the nearest quarter section and GPS coordinates, if available, of the sporting facility;

(E) Name, address and telephone number of the location where records are kept;

(F) A map showing topography of the area with a diagram of the facility structures, fencing plan, and perimeter clearly marked;

(G) Whether the applicant has been convicted of a felony, misdemeanor, administrative, or civil violation of any natural resources requirements, including but not limited to wildlife, forestry, fisheries, environment, or animal health within the past three (3) years in Oklahoma or any other jurisdiction;

(H) Whether the property where the sporting facility is located is owned or leased;

(I) Driving directions from the nearest town; and

(J) Signature under oath "I certify under penalty of law this document, all attachments, and information submitted are to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for knowingly submitting false, inaccurate, or incomplete information, including the possibility of fines for each violation."

(7) Each Category II sporting facility shall be inspected at least biannually.

### **35:15-34-7. Breeding facilities**

(a) An owner or operator of a breeding facility shall obtain a license to operate and shall comply with all animal health requirements for domestic swine.

(b) In no case shall feral swine from a breeding facility be removed from the breeding facility unless they meet all of the requirements for movement of domestic swine.

(c) The breeding facility shall be located a minimum of one and one-half (1 1/2) miles from commercial swine or a validated/qualified herd, unless the breeding facility qualifies as a validated/qualified herd, or was in existence on the effective date of these rules.

(d) The owner or operator of a breeding facility shall maintain a double fence adequate to reasonably prevent the escape of enclosed feral swine, the unsolicited additions of feral swine from outside the enclosure, and nose to nose contact between feral swine and any feral swine outside the enclosure.

(e) The owner or operator shall keep records of the following:

(1) Number of head of feral swine added to the facility;

(2) Name, address, and telephone number of the person who provided the feral swine;

(3) Records of all animal health testing for a period of three (3) years; and

(4) Number of head removed from the facility, method of removal, and the date of removal.

(f) Any person applying for a breeding facility license shall provide the following information on a form prepared by the Department:

(1) Name, mailing address, and telephone number of the applicant;

(2) Name, mailing address, and telephone number of the owner of the property, if different from the applicant;

(3) Name, physical address, and county of the breeding facility;

(4) Legal description to the nearest quarter section and GPS coordinates, if available, of the breeding facility;

(5) Name, address and telephone number of the location where records are kept;

(6) A map showing topography of the area with a diagram of the facility structures, fencing plan, and perimeter clearly marked;

(7) Method of carcass disposal for the facility, including carcass storage sites, carcass burial areas, incineration approval, rendering company, composting plan, or landfill.

(8) Whether the applicant has been convicted of a felony, misdemeanor, administrative, or civil violation of any natural resources requirements, including but not limited to wildlife, forestry, fisheries, environment, or animal health within the past three (3) years in Oklahoma or any other jurisdiction;

(9) Whether the property where the breeding facility is located is owned or leased;

(10) Driving directions from the nearest town; and

(11) Signature under oath "I certify under penalty of law this document, all attachments, and information submitted are to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for knowingly submitting false, inaccurate, or incomplete information, including the possibility of fines for each violation."

### **35:15-34-8. Buying stations**

(a) An owner or operator shall obtain a buying station license prior to operation of any new buying station.

(b) The owner or operator of a buying station shall maintain a fence adequate to reasonably prevent the escape of enclosed feral swine and the unsolicited additions of feral swine from outside the enclosure.

(c) A buying station shall only be utilized as a premise for the purchase of feral swine to be sent directly to slaughter.

(d) The owner or operator shall keep records of the following:

(1) Date and number of head of feral swine added to the facility;

(2) Number of head removed from the facility, method of removal, and the date of removal; and

(3) Destination of the removed feral swine.

(e) A buying station shall be located a minimum of one and one-half (1 1/2) miles from commercial swine or validated/qualified herds, unless the buying facility was in existence on the effective date of these rules.

(f) Any person applying for a buying station license shall provide the following information on a form prepared by the Department:

(1) Name, mailing address, and telephone number of the applicant;

(2) Name, mailing address, and telephone number of the owner of the property, if different from the applicant;

(3) Name, physical address, and county of the buying station;

(4) Legal description to the nearest quarter section and GPS coordinates, if available, of the buying station;

(5) Name, address and telephone number of the location where records are kept;

(6) A map showing topography of the area with a diagram of the facility structures, fencing plan, and perimeter clearly marked;

(7) Whether the applicant has been convicted of a felony, misdemeanor, administrative, or civil violation of any natural

resources requirements, including but not limited to wildlife, forestry, fisheries, environment, or animal health within the past three (3) years in Oklahoma or any other jurisdiction;  
(8) Whether the property where the buying station is located is owned or leased;  
(9) Driving directions from the nearest town; and  
(10) Signature under oath "I certify under penalty of law this document, all attachments, and information submitted are to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for knowingly submitting false, inaccurate, or incomplete information, including the possibility of fines for each violation."

**35:15-34-9. Gathering stations**

(a) An owner or operator of a gathering station shall obtain a license to operate.

(b) The owner or operator of a gathering station shall maintain a fence adequate to reasonably prevent both the escape of enclosed feral swine and the unsolicited additions of feral swine from outside the enclosure.

(c) The owner or operator shall ensure that no individual feral swine is held for more than sixty (60) days at the gathering station.

(d) The gathering station shall be located a minimum of one and one-half (1 1/2) miles from commercial swine or validated/qualified herds, unless the gathering station was in existence on the effective date of these rules.

(e) The owner or operator shall keep records of the following:

(1) Number of head of feral swine added to the facility;

(2) Name, address, and telephone number of the person who provided the feral swine;

(3) Date of release of the feral swine into the facility;

(4) Number of head removed from the facility, method of removal, and the date of removal; and

(5) Destination of the removed feral swine.

(f) Any person applying for a gathering station license shall provide the following information on a form prepared by the Department:

(1) Name, mailing address, and telephone number of the applicant;

(2) Name, mailing address, and telephone number of the owner of the property, if different from the applicant;

(3) Name, physical address, and county of the gathering station;

(4) Legal description to the nearest quarter section and GPS coordinates, if available, of the gathering station;

(5) Name, address and telephone number of the location where records are kept;

(6) A map showing topography of the area with a diagram of the facility structures, fencing plan, and perimeter clearly marked;

(7) Whether the applicant has been convicted of a felony, misdemeanor, administrative, or civil violation of any natural resources requirements, including but not limited to wildlife,

forestry, fisheries, environment, or animal health within the past three (3) years in Oklahoma or any other jurisdiction;  
(8) Whether the property where the gathering station is located is owned or leased;  
(9) Driving directions from the nearest town; and  
(10) Signature under oath "I certify under penalty of law this document, all attachments, and information submitted are to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for knowingly submitting false, inaccurate, or incomplete information, including the possibility of fines for each violation."

**35:15-34-10. Carcass disposal**

(a) Owners and operators of feral swine facilities shall comply with all carcass disposal requirements.

(b) The following methods may be used for disposal of carcasses from a feral swine facility:

- (1) Rendering,
- (2) Landfill,
- (3) Burial,
- (4) Incineration,
- (5) Taxidermy, or
- (6) Composting.

(c) Carcass disposal areas shall be located a minimum of thirty (30) feet from any live swine.

(d) The owner or operator shall comply with Title 2, Section 2-18.1 and Title 21, Sections 1222, 1223, and 1224 at all times.

**35:15-34-11. Inspections**

(a) Each licensed feral swine facility shall be inspected by the Department at least annually.

(b) Prelicensing inspections:

(1) Upon submission of a complete application, the Department shall schedule an onsite meeting and inspection to review the feral swine facility.

(2) The Department shall review the location of the feral swine facility, including perimeter fencing, gates, feed bunkers, shelter, carcass disposal areas, and any other facilities for the location.

(3) The Department may request appropriate changes to the feral swine facility design.

(4) In no case shall a license for a feral swine facility be granted unless the Department has conducted a prelicensing inspection and the Department has approved the facility based on that inspection.

(5) The license shall be revoked for any facility that does not construct or operate the facility in accordance with the approved prelicensing inspection.

**35:15-34-12. Complaint and compliance investigations**

(a) Upon receipt of a written complaint, the Department notifies the person filing the complaint in writing of its receipt and status within five (5) working days. The party whom the complaint is filed against, if known, is notified within five (5) working

days. The resolution of a complaint is the completion of the appropriate administrative, jurisdictional, and legal remedies to the extent possible by the Department. The complainant and owner shall be notified in writing within seven (7) working days after resolution of the complaint.

(b) Department initiated investigations may occur at any time.

**35:15-34-13. License fees**

(a) Category I sporting facility:

(1) Application fee - \$225.

(2) Renewal fee - \$125.

(b) Category II sporting facility:

(1) Application fee - \$325.

(2) Renewal fee - \$200.

(b) Breeding facility:

(1) Application fee - \$500.

(2) Renewal fee - \$250.

(c) Buying station:

(1) Application fee - \$125.

(2) Renewal fee - \$75.

(d) Gathering station:

(1) Application fee - \$125.

(2) Renewal fee - \$75.

**35:15-34-14. Modify, suspend, cancel, or revoke licenses**

(a) The license of any owner or operator may be revoked if the owner or operator is convicted of violating any provisions of the Oklahoma Agricultural Code.

(b) In the event a license is denied, revoked, cancelled, or suspended, the owner or operator is not eligible to reapply until after the date the license would have expired.

(d) The Department shall not issue a license in the following circumstances:

(1) The facility was not inspected by the Department.

(2) The owner or operator had any equivalent license denied, revoked, or suspended by any authority.

(e) Using information from the application and from the State's files, the Department shall determine:

(1) The accuracy of all materials in the application;

(2) The applicant can reasonably be expected to comply with all legal requirements; and

(3) The proposed facility is adequate and complies with all legal requirements and would not result in harm to domestic swine.

**35:15-34-15. Holding facilities**

(a) A gathering station license shall not be required of any feral swine facility that is a temporary holding facility where no individual feral swine is held for more than seven (7) days in any fourteen (14) day period.

(b) Any owner or operator shall consent to inspections by the Department to determine compliance with this provision and shall provide any available documentation to show compliance with this provision.

**35:15-34-16. Closure of the facility**

(a) The owner or operator may take up to sixty (60) days to dispose of all feral swine at the facility upon expiration of a license or if ordered to close by the Department.

(b) In no case shall the feral swine be released into the wild.

(c) Cleaning and disinfection of the premises shall be completed immediately upon closure of the facility if required by the Department.

**35:15-34-17. Existing facilities**

Facilities in existence on the effective date of these rules shall not be required to comply with the 1 ½ mile setback contained in these rules.