

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

**RULEMAKING ACTION:**

Notice of proposed **PERMANENT** rulemaking

**PROPOSED RULES:**

Subchapter 45. Brucellosis in Cervidae

Part 13. Certified Brucellosis-Free Cervid Herds

35:15-45-131 [AMENDED]

35:15-45-132 [AMENDED]

**SUMMARY:**

This rule is necessary to protect the cervid industry in Oklahoma from unnecessary injury or fatality to cervidae. Due to the fractious nature of cervidae, frequent testing often results in injury or death to the animals, and also can result in injury to the handler. Testing of cervidae for Brucellosis was on the same schedule as Tuberculosis for maintenance of Certified Brucellosis Free herd status. The Tuberculosis requirements were changed previously from three tests to two tests annually and to increase the time period for recertification from two years to three years. This rule proposes to adopt the same time periods as the Tuberculosis testing for Brucellosis testing in cervidae. This rule was previously adopted as an emergency rule.

**AUTHORITY:**

State Board of Agriculture and the Oklahoma Agricultural Code; 2 O.S. 2001 §§ 2-4(2), (7), (17), (27) and (29); 6-2; and 6-291; Article 6, Section 31, Constitution of the State of Oklahoma

**COMMENT PERIOD:**

Persons may submit written comments to Teena Gunter at 2800 North Lincoln Boulevard, P.O. Box 528804, Oklahoma City, Oklahoma 73152-8804, [teena.gunter@oda.state.ok.us](mailto:teena.gunter@oda.state.ok.us) during the period from December 3, 2007 through January 3, 2008.

**PUBLIC HEARING:**

A public hearing will be held at 11:00 a.m., January 3, 2008, in the Plant Industry and Consumer Services Conference Room of the Oklahoma Department of Agriculture, Food, and Forestry, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Teena Gunter at the above address during the period from December 3, 2007 through January 3, 2008.

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained by visiting [www.oda.state.ok.us](http://www.oda.state.ok.us) or by contacting Teena Gunter, Oklahoma Department of Agriculture, Food, and Forestry, P. O. Box 528804, Oklahoma City, Oklahoma 73152-8804, (405) 522-4576, [teena.gunter@oda.state.ok.us](mailto:teena.gunter@oda.state.ok.us).

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement is available at the above addresses.

**CONTACT PERSON:**

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