

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

SUBCHAPTER 40. BOVINE TUBERCULOSIS

PART 1. DEFINITIONS

35:15-40-1. Definitions

The following words or terms when used in this Subchapter shall have the following meaning unless the context clearly indicates otherwise:

"Accredited Free State" means a state that maintains full compliance with all of the provisions of the USDA Uniform Methods and Rules for bovine tuberculosis eradication and where no evidence of bovine tuberculosis has been disclosed for five (5) or more years.

"Accredited Herd" means a herd of cattle, bison, or dairy goats that has passed at least two (2) consecutive negative caudal fold tuberculin tests at an interval of not less than ten (10) months nor more than fourteen (14) months, has no other evidence of bovine tuberculosis, and meets the standards of this Subchapter.

"Adjacent Herd" means a group or groups of animals sharing common pasture, or having other direct contact with an affected herd, and herds containing previous purchases from or exchanges with an affected herd. Herds separated by a single fence are considered contact or adjacent herds.

"Affected Herd" means a herd of cattle, bison, or dairy goats that contains, or has recently contained, one (1) or more animals infected with Mycobacterium bovis and that has not passed the required tests necessary for release from quarantine.

"Annual Tests" means those tests conducted at intervals of not less than ten (10) months nor more than fourteen (14) months.

"Auction" means a public sale of cattle, bison, or dairy goats to the highest bidder.

"Auctioneer" means a person who sells or makes a business of selling cattle, bison, or dairy goats at auction.

"Bison" means a bovine-like animal (genus Bison) commonly referred to as American buffalo or buffalo.

"Bovine Tuberculosis" means a disease in cattle, bison, or dairy goats caused by Mycobacterium bovis.

"Cattle" means all domestic bovine (genus Bos).

"Caudal Fold Tuberculin (CFT) Test" means the intradermal injection of 0.1 milliliters of USDA bovine purified protein derivative (PPD) tuberculin into either side of the caudal fold, with reading by visual observation and palpation seventy-two (72) hours (+ or - 6 hours) following injection. Animals or herds of unknown status shall not be subjected to retest at intervals of less than sixty (60) days.

"Commission Firm" means a person, partnership, or corporation that buys or sells livestock as a third party and reports to the seller or to the buyer details of the transactions whether or not a fee is charged for the services.

"Commission Sales" means those sales that are conducted by a third party who reports to the seller or to the buyer details of the transactions.

"Comparative Cervical Tuberculin (CCT) Test" means the intradermal injection of biologically balanced bovine PPD tuberculin and avian PPD tuberculin at separate sites in the cervical area and a determination as to the probable presence of bovine tuberculosis (*M. bovis*) by comparing the responses of the two (2) tuberculins seventy-two (72) hours (+ or - 6 hours) following injection.

"Dairy cattle" means any typical dairy framed animals as determined by the inspecting veterinarian.

"Dairy Goats" means domestic caprine (genus *Capra*) kept for the purpose of producing milk for human consumption.

"Dealer" means any person, firm, or partnership engaged in the business of buying or selling cattle, bison, or dairy goats in commerce, either on their own account or as the employee or agent of the vendor or purchaser, or any person engaged in the business of buying or selling cattle, bison, swine, sheep, or dairy goats in commerce on a commission basis. The term shall not include any person who buys or sells cattle, bison, or dairy goats as a part of their own bona fide breeding, feeding, or dairy operation; is not engaged in negotiating the transfer of cattle, bison, or dairy goats; or receives cattle, bison, or dairy goats exclusively for immediate slaughter on their own premise.

"Designated feedlot" means a feedlot under official state quarantine and approved by the State Veterinarian and federal animal health officials. The designated feedlot may include pens or pasture. All animals leaving the feedlot shall move directly to slaughter and shall be accompanied by permit.

"Designated pens" or **"designated pastures"** means pens or pastures associated with any feedlot that has a Memorandum of Understanding with the State Veterinarian to house cattle destined for slaughter.

"Direct Shipment to Slaughter" means the shipment of tuberculosis reactors, tuberculosis suspects, and tuberculosis exposed cattle, bison, or dairy goats from the premises of origin directly to a slaughter establishment without diversion to assembly points such as auctions, dealers or commission firm premises, public stockyards, and feedlots.

"Eradication" means the complete elimination of bovine tuberculosis from cattle and bison in the state so that the disease does not appear unless introduced from another species or from outside the state.

"Exposed Animals" means cattle, bison, or dairy goats that have been exposed to bovine tuberculosis by reason of associating with known tuberculous animals.

"Feedlot" means a confined dry lot area for the finish feeding of animals on a concentrated feed with no facilities for pasturing or grazing.

"Herd" means one or more cattle, bison, or dairy goats maintained on common ground or two (2) or more groups of cattle, bison, or dairy goats under common ownership or supervision that

are geographically separated but can have an interchange or movement without regard to health status.

"Herd Depopulation" means the removal of all cattle, bison, swine, and dairy goats exposed to bovine tuberculosis in a herd directly to slaughter prior to any restocking of the premises with cattle or bison.

"Herd Plan" means a herd management and testing plan designed by a state or federal regulatory veterinarian and the herd owner that will control and eventually eradicate bovine tuberculosis from an affected, adjacent, or exposed herd.

"Mexican origin" means cattle that originate or have ever resided in Mexico.

"Modified Accredited Advanced State" means a state that is actively participating in the eradication of bovine tuberculosis and that maintains its status in accordance with the provisions of the USDA Uniform Methods and Rules for Bovine Tuberculosis Eradication.

"Modified Accredited State" means a state that is actively participating in the eradication of bovine tuberculosis and that maintains its status in accordance with the provisions of the USDA Uniform Methods and Rules for Bovine Tuberculosis Eradication.

"Natural Additions" means animals born and raised in a herd.

"Negative Animals" means any cattle, bison, or dairy goats that show no response to a tuberculin test or have been classified negative by the testing veterinarian following the application of the CCT test.

"No Gross Lesion (NGL) Animals" means any cattle, bison, or dairy goats that do not reveal a lesion of bovine tuberculosis upon postmortem inspection. Any animal with skin lesions alone shall be considered a NGL animal.

"Non-modified Accredited State" means a state that has not received accredited free status or modified accredited state status.

"Official in charge" means any manager, superintendent, secretary, or other person responsible for an exhibition.

"Official Tuberculin Test" means a test for tuberculosis applied and reported by approved personnel in accordance with this Subchapter and the USDA Uniform Methods and Rules for bovine tuberculosis eradication. The official tuberculin tests are the caudal fold test, the comparative cervical test, the single cervical test or any other test that is approved by the United States Department of Agriculture (USDA).

"Passed Herd" means a herd in which no animals were classified as reactors or suspects as the result of a herd test of all test eligible animals.

"Permit" means an official document issued by an authorized agent of the Board of Agriculture, a representative of APHIS VS or an accredited veterinarian that is required to accompany any reactor, suspect, or exposed animals to slaughter. The permit lists the reactor tag or, in the case of suspect animals, an official eartag number; the owner's name and address; origin and destination locations; number of animals covered and the purpose

of the movement. If a change in destination becomes necessary, a new permit shall be issued by authorized personnel. No diversion from the destination on the permit is allowed.

"Reactor" means any cattle, bison, or goat that shows a response to a tuberculin test and is classified a reactor by the testing veterinarian, or any animal that may be classified as a reactor by the designated Epidemiologist based on supplemental diagnostic tests results from approved laboratories or other information.

"Rodeo bulls" means sexually intact male cattle kept for performances at rodeos, bucking events, or for exhibition purposes.

"Routine Screening Tuberculin Test" means a caudal fold tuberculin test, or any other test that may be approved by the USDA, conducted as part of an area eradication program in which all responding animals are reported without classification to the State Veterinarian.

"Single Cervical Tuberculin Test" means the intradermal injection of 0.1 milliliters USDA bovine single cervical PPD tuberculin in the cervical (neck) region with reading by visual observation and palpation in seventy-two (72) hours (+ or - 6 hours) following injection.

"Suspect" means any cattle, bison, or goats that show a response to the caudal fold tuberculin test and are not classified as reactors, and cattle, bison, or goats that are classified suspects by a comparative cervical test.

"Tuberculin" means a product that is approved by and produced under USDA license for injection into cattle, bison, or goats for the purpose of detecting bovine tuberculosis.

PART 7. IMPORT REQUIREMENTS

35:15-40-92. Importation of Mexican origin steers and spayed heifers from Mexico

(a) ~~Steers Mexican origin steers and spayed heifers from Mexican states that have been determined by the State Veterinarian of Oklahoma, based on the recommendation of the Bi National Committee, to have fully implemented the Control/Preparatory Phase of the Mexican Tuberculosis Eradication Program imported as stocker, feeder, slaughter animals may enter Oklahoma provided they have been tested~~ test negative for tuberculosis in accordance with the Norma Oficial Mexicana (NOM) within sixty (60) days prior to entry into ~~the United States and~~ Oklahoma and they obtain a telephone entry permit prior to entering Oklahoma- providing the following information:

(1) a certificate of veterinary inspection containing the individual identification and all tag numbers, tuberculosis testing information, statement that the animals are "Mexican Origin Cattle," and complete consignor or consignee information including telephone numbers; and

(2) a VS Form 17-30.

(b) ~~Steers Mexican origin steers and spayed heifers from Mexican states that have been determined by the State Veterinarian of~~

~~Oklahoma, based on the recommendation of the Bi National Committee, to have fully implemented the Eradication Phase of the Mexican Tuberculosis Eradication Program by March 1, 1997, may enter Oklahoma provided they have been tested negative for tuberculosis in accordance with the Norma Oficial Mexicana (NOM) within 60 days prior to entry into the United States. Steers and spayed heifers from these same Mexican states that originate from herds equal to U.S. Accredited TB Free herds may enter Oklahoma without testing provided they are moved directly from the herd of origin across the border as a single group and not commingled with other cattle prior to arriving at the border and obtain a telephone entry permit prior to entering Oklahoma and any commingled cattle shall not be diverted from the stocker, feeder, slaughter channel.~~

~~(c) Steers Mexican origin steers and spayed heifers from Mexican states that have been determined by the State Veterinarian of Oklahoma, based on the recommendation of the Bi National Committee, to have achieved Accredited Free status may enter Oklahoma without testing provided they are moved as a single group and shall not be commingled with any cattle of a different status prior to arriving at the border and obtain a telephone entry permit prior to entering Oklahoma other than stocker, feeder, slaughter cattle.~~

~~(d) Holstein and Holstein-cross steers and spayed heifers from Mexico are prohibited from entering shall not enter Oklahoma regardless of test history.~~

~~(e) Rodeo Mexican origin steers and spayed heifers and U.S. origin Corriente cattle utilized as rodeo stock from Mexico must be tested negative for tuberculosis within 60 days prior to their utilization as rodeo or roping stock under the supervision of a USDA/APHIS port veterinarian or by a U.S. Accredited veterinarian, retested for tuberculosis every 12 months thereafter, and obtain a telephone entry permit prior to entering Oklahoma. No sexually intact rodeo stock from Mexico will be permitted into Oklahoma. prior to entry into Oklahoma shall obtain an entry permit, provide individual identification and all tag numbers, and be accompanied by a negative tuberculosis test that meets one of the following:~~

~~(1) Performed by an accredited veterinarian within the previous 365 days; or~~

~~(2) Performed in accordance with the Norma Oficial Mexicana (NOM), the animal is accompanied by a VS 17-30, and the animal is quarantined upon entry into Oklahoma until retested by an accredited veterinarian within sixty (60) to one hundred twenty (120) days of the original tuberculosis test.~~

~~(f) Mexican origin steers and spayed heifers and U.S. origin Corriente cattle utilized as rodeo stock moving within the state shall meet the following requirements:~~

~~(1) Be accompanied by a negative tuberculosis test performed by an accredited veterinarian within the previous 365 days;~~

~~(2) Be identified with an official eartag; and~~

~~(3) There is no change of ownership since the date of the last official test.~~

(g) No sexually intact Mexican origin rodeo stock shall enter Oklahoma.

(h) The official in charge shall be responsible for verifying that all Mexican origin cattle utilized as rodeo stock entering any exhibition meet all testing requirements.

(1) The official in charge shall not be held responsible for recording or accepting falsified or erroneous information provided by an owner.

(2) Any person providing erroneous or fictitious information shall be in violation of these rules.

(i) Any official in charge who knowingly, negligently, or willfully allows an untested or positive animal to enter an exhibition shall be in violation of these rules and the official in charge and the owner of the positive or untested animal shall be equally and individually in violation of these rules.

35:15-40-93. Rodeo bulls

(a) Rodeo bulls may move into the State of Oklahoma provided:

(1) The rodeo bull is accompanied by a negative tuberculosis test performed by an accredited veterinarian within the previous 365 days and the test was performed in the name of the current owner;

(2) The bull is identified with an official eartag;

(3) A certificate of veterinary inspection accompanies each interstate movement of the bull; and

(4) A permit for entry is issued for each interstate movement of the bull.

(b) Rodeo bulls moving within the state shall meet the following requirements:

(1) Be accompanied by a negative tuberculosis test performed by an accredited veterinarian within the previous 365 days and the test was performed in the name of the current owner; and

(2) Be identified with an official eartag.

(c) The official in charge shall be responsible for verifying that all rodeo bulls entering any exhibition meet all testing requirements.

(1) The official in charge shall not be held responsible for recording or accepting falsified or erroneous information provided by an owner.

(2) Any person providing erroneous or fictitious information shall be in violation of these rules.

(d) Any official in charge who knowingly, negligently, or willfully allows an untested or positive animal to enter an exhibition shall be in violation of these rules and the official in charge and the owner of the positive or untested animal shall be equally and individually in violation of these rules.