

302 KAR 20:010. Definitions for 302 KAR Chapter 20.

RELATES TO: KRS Chapters 246, 257, 9 C.F.R. 161.1-161.4

STATUTORY AUTHORITY: KRS 257.020, 257.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 257.030(4) authorizes the Board of Agriculture to promulgate administrative regulations necessary to administer KRS Chapter 257. This administrative regulation establishes definitions for 302 KAR Chapter 20, which implements KRS Chapter 257.

Section 1. Definitions. (1) "Accredited veterinarian" means a veterinarian accredited in accordance with the provisions of 9 C.F.R. 161.1 to 161.4.

(2) "Animal" means any species of livestock, poultry, menagerie animals, exotic animals, feral, wild, or captive animals, pet birds, canine, feline, or ferret.

(3) "Animal identification number" or "AIN" means a unique, individual identification number that is:

(a) Issued by a state or a federal agency or by a provider approved by a state or federal agency; and

(b) Registered to the person or premises responsible for the animal.

(4) "Approved Kentucky horse sale" means a regularly-scheduled public equine sale that does not require certification of EIA testing and preconignment and that meets the requirements of 302 KAR 20:261.

(5) "Area veterinarian in charge" means the federal veterinarian in charge of the Animal and Plant Health Inspection Service, Veterinary Services, United States Department of Agriculture.

(6) "Board" is defined by KRS 257.010(1).

(7) "Captive wild" means an animal that:

(a) Has a phenotype not significantly affected by human selection; and

(b) Lives under supervision or control of humans.

(8) "Certificate of Veterinary Inspection" or "CVI" means an official document approved by the chief animal health official of the state of origin or by USDA APHIS VS for verification of veterinary inspection that is issued by a licensed and accredited veterinarian.

(9) "Certificate of Veterinary Inspection Reconignment Form" means an official form approved by the state veterinarian of the state of origin that is attached to a valid CVI for the movement of animals from a sale to the buyer's premises.

(10) "Chief livestock health official" means State Veterinarian, Department of Agriculture, or his authorized representative.

(11) "Circus animal" means a trained animal used in an entertainment show.

(12) "Commingled" means animals from one (1) premises that are mixed or assembled with animals from any other premises.

(13) "Commissioner" is defined by KRS 257.010(2).

(14) "Communicable disease" is defined by KRS 257.010(3).

(15) "Concentration point" or "assembly point" means any place where livestock or poultry are assembled or commingled together by any person using any method or vehicle for sale, resale, or barter.

(16) "Cull pig" means a pig that does not pass a veterinary inspection for health.

(17) "Department" is defined by KRS 246.010(3).

(18) "EID" means a device electronically encoded with a unique identification and meeting the applicable International Standards Organization (ISO) standards.

(19) "Equine Infectious Anemia test certificate" or "EIA test certificate" means a federal or state-approved form for recording the identification of the animal, the test results, and the testing labora-

tory.

(20) "Equine Interstate Event Permit" means an official document issued by a State Veterinarian, Chief Animal Health Official, or an authorized representative of a state participating in a mutual agreement with Kentucky that meets specific requirements for CVI information and EIA testing.

(21) "Exhibition" means a fair, show, exposition, rodeo, competition, or trail ride.

(22) "Exotic" means any animal or disease that is not known to exist naturally in Kentucky.

(23) "Feral" means an animal that:

(a) Was previously domestic; and

(b) Now lives without supervision, control by, or dependence on humans.

(24) "Garbage" means all animal and vegetable waste resulting from the handling, preparation, consuming, and cooking of food; unconsumed food in all public and private establishments and residences; and the offal and carcasses of dead animals, poultry, and fish or parts thereof.

(25) "Graded" means grouping of animals for sale purposes.

(26) "Group or lot identification number" means a unique identifier number for a group or lot of animals moved through the production chain as a group.

(27) "Interstate" means movement into or through any other state.

(28) "Intrastate" means movement solely within the boundaries of the Commonwealth of Kentucky.

(29) "Licensed veterinarian" means a graduate veterinarian approved by a state licensing board.

(30) "Livestock" is defined by KRS 246.010(8) and 257.010(8).

(31) "Menagerie animal" means a domestic or nondomestic animal kept individually or as part of a collection primarily for purposes of exhibition or competition.

(32) "Movement" means the act of moving, shipping, transporting, delivering, receiving, or collecting animals by any means, method, or vehicle by any person for any purpose.

(33) "National poultry improvement plan" or "NPIP" is defined by KRS 257.010(10).

(34) "Office of State Veterinarian" or "OSV" means that section of the Kentucky Department of Agriculture that implements the provisions of 302 KAR Chapter 20.

(35) "Official calfhood vaccinate" means a female bovine vaccinated with an approved Brucella vaccine as specified in the vaccination protocol set forth by 9 C.F.R. Part 78.

(36) "Owner" is defined by KRS 257.010(11).

(37) "Person" means any individual, firm, association, partnership, or corporation.

(38) "Pet bird" means any member of avian species other than poultry that is kept in confinement.

(39) "Poultry" is defined by KRS 257.010(12).

(40) "Premises" is defined by KRS 257.010(13).

(41) "Premises Identification Number" or "PIN" means a unique identifier issued by the USDA APHIS VS or by a state animal health agency that identifies a location where livestock or poultry are held or commingled.

(42) "Psittacine" means of or belonging to the family Psittacidae, which includes parrots, macaws, and parakeets.

(43) "Recognized slaughtering center" means a slaughtering establishment approved in accordance with 21 U.S.C. 601-695 and 9 C.F.R. Part 77 where slaughtering facilities are provided and to which animals are regularly shipped and slaughtered.

(44) "Service dog" means a dog with special training to assist persons with vision, hearing, or other physical or mental disability.

(45) "State-federal approved stockyard" means a stockyard which complies with 9 C.F.R. Part 71 and 302 KAR 20:070 for specific movements of livestock and which has been approved by the chief animal health official and area veterinarian in charge.

(46) "State veterinarian" means the chief animal health official of the Kentucky Department of Agriculture or an authorized representative.

(47) "Stockyards" is defined by KRS 261.200(4).

(48) "Telemarketing" means an electronic form of marketing animals regulated by the Kentucky Department of Agriculture, Office of Agriculture Marketing and Product Promotion.

(49) "USDA APHIS VS" means the United States Department of Agriculture, Animal Plant and Health Inspection Service, Veterinary Services.

(50) "Wild" means an animal that:

(a) Has a phenotype unaffected by human selection; and

(b) Lives independent of direct human supervision or control. (1 Ky.R. 737; eff. 5-14-75; Am. 4 Ky.R. 52; eff. 11-2-77; 8 Ky.R. 157; eff. 10-4-81; 12 Ky.R. 220; eff. 9-10-85; 21 Ky.R. 1917; 2479; eff. 4-6-95; 28 Ky.R. 2427; 29 Ky.R.2089; eff. 2-16-03; 34 Ky.R. 277; 773; 1398; eff. 12-12-07; Crt eff. 2-18-2020.)