

### **302 KAR 22:050. Stockyards.**

RELATES TO: KRS Chapter 257, 261, 9 C.F.R. 71.10, 71.11, 71.12, 71.19, 86

STATUTORY AUTHORITY: KRS 257.020, 257.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 257.020(3) requires the Board of Agriculture to prevent, control, and eradicate any communicable disease of livestock. KRS 257.030(4) authorizes the board to promulgate administrative regulations necessary to administer any provision of KRS Chapter 257. This administrative regulation establishes operational procedures for all stockyards relative to disease control.

#### Section 1. General Requirements.

- (1) All stockyards shall apply annually, on or before July 1, to the Office of the State Veterinarian (OSV) for a license to operate in accordance with KRS Chapter 261, by submitting the form Application for Kentucky Stockyard Approval.
- (2) All stockyards shall be maintained in a workable and sanitary condition. Stockyards shall be inspected as required by the OSV, based on sanitation and safety.
- (3) After an occurrence of any infectious, contagious, parasitic, or communicable disease of livestock in a stockyard, exposed facilities capable of transmitting disease shall be cleaned and disinfected according to 9 C.F.R. 71.10, 71.11, and 71.12, and at the direction and under the supervision of the OSV.
- (4) Livestock found to be infected and showing clinical or diagnostic symptoms of an infectious, contagious, parasitic, or communicable disease shall, upon recommendation of the market veterinarian or representative of the OSV, be quarantined in an isolated portion of the yards for treatment, additional diagnostic laboratory procedures, disposition to slaughter, or other disposition pursuant to accepted methods of disease prevention and control.
- (5) All livestock originating from a quarantined herd or premises shall be sold only with specific written approval from the OSV, for immediate slaughter.
- (6) A bill of sale or other document showing the number of livestock, purchaser, and physical description shall be given to the purchaser. The purchaser shall be responsible for providing any necessary documentation required for movement to the entity hauling livestock away from the facility.
- (7) It is the responsibility of the seller to document and identify livestock prior to the sale as if they are moving under 9 C.F.R. 86. This shall include official identification for all sexually intact cattle over eighteen (18) months of age, and dairy heifers. Sellers may elect to have the stockyards perform these requirements at the expense of the seller.
- (8) Stockyards shall submit to the OSV a Stockyards Multipurpose Form within seven (7) calendar days of a sale. Beginning January 1, 2021 the Stockyards Multipurpose Form or the contents therein shall be submitted to the OSV electronically as an excel or other importable format.
- (9) The person operating a stockyard shall provide separate pens for isolating animals classed as reactors to brucellosis or any contagious, infectious, or communicable disease.
  - (a) The pens shall be permanently identified as isolation or quarantine pens, and these words shall be legibly and prominently posted on the pen gates.
  - (b) The pens shall be constructed so as to facilitate easy cleaning and disinfecting after each use.
  - (c) The pens shall have concrete floors and complete walls with no fences or gates to permit contact with adjacent animals.
  - (d) Any watering troughs or feed bunks in the isolation or quarantine pens shall be located so that no other livestock in the market can access them at any time.
  - (e) All diseased animals shall be yarded in the isolation or quarantine pens and shall be sold last.

- (f) The animals shall be identified as reactors or diseased animals on the invoices of both the buyer and the seller.
  - (g) The isolation or quarantine pens shall not be used at any time except for known or suspected contagious, infectious, or communicable disease reactors, or diseased animals.
  - (h) Livestock from these pens shall move directly to a recognized slaughter establishment or to any place that is requested and authorized by the OSV in writing.
  - (i) Isolation, or quarantine pens may be used if necessary and if prior approval for the use of the pens has been obtained from an agent of the OSV. Temporary pens shall be identified as isolation or quarantine pens as provided in this section.
- (10) The owner operating a stockyard shall provide adequate space, utilities, hot water, and assistance for the market veterinarian to carry out the provisions of this administrative regulation. All licensed Kentucky livestock markets shall comply with this subsection to assist the market's official market veterinarian. This space shall:
- (a) Be constructed and equipped so as to be maintained at room temperature (normal working temperature) in both summer and winter (i.e., heaters and air conditioners);
  - (b) Contain a sink with hot and cold running water;
  - (c) Be equipped with a refrigerator in good working condition;
  - (d) Be constructed so that the market veterinarian shall have sufficient space and privacy to conduct the required tests and fill out the associated records and forms;
  - (e) Be constructed so that it can be kept clean easily and locked at all times if not in use;
  - (f) Contain a work counter and sufficient shelf space, cabinets with locks, and storage space to keep forms, ear tags, and other supplies as required by the official market veterinarian in carrying out his or her duties;
  - (g) Be supplied with adequate artificial light. The electrical wiring shall be adequate to carry at a minimum a centrifuge, electrical refrigerator, and cooling facility and have at least two (2) additional electrical outlets; and
  - (h) Be located so as to be convenient for the public and the veterinarian while conducting his or her duties as the official market veterinarian.
- (11) The owner or operator shall provide and maintain one (1) or more cattle chutes suitable for restraining animals for inspection of any infectious, contagious, or parasitic condition, testing, tagging, branding, and other procedures routinely required in providing livestock sanitary services and identification for movement at stockyards.

Section 2. A Stockyard Must Employ a Market Veterinarian. The owner or manager operating a stockyard shall arrange for an USDA accredited, Kentucky licensed veterinarian, approved by the State Veterinarian, to be available to carry out the provisions of this administrative regulation.

- (1) A veterinarian seeking to be designated as an official market veterinarian shall submit a completed form Responsibilities of the Market Veterinarian form.
- (2) The official market veterinarian shall be responsible for providing a replacement veterinarian, approved by the State Veterinarian, if he or she finds it necessary to be absent from the market.
- (3) The failure or neglect to properly perform any of the responsibilities and duties of the official market veterinarian shall be cause for termination.
- (4) The stockyard shall not conduct a sale without an approved official market veterinarian.

Section 3. Veterinary Compensation. The fees shall be deducted from the seller's check or added to the buyer's check, depending upon conditions of sale, and shall be paid to the market veterinarian. Any deductions shall be printed on the sales documents.

Section 4. Veterinary Duties. The market veterinarian, in cooperation with a representative from the department, shall:

- (1) Be available to inspect livestock to clarify the health status of the animals and to qualify the animals for interstate movement;
- (2) Collect blood and tissue samples and submit samples to a state-federal approved laboratory to qualify animals for movement as required;
- (3) Visually inspect livestock for clinical signs of a contagious, infectious, or communicable disease prior to the sale;
- (4) Report the presence of any animal showing symptoms suggestive of a reportable disease or any other disease that could cause animals to become infected or exposed to a communicable livestock disease;
- (5) Forward copies of all forms to the Office of the State Veterinarian. All official forms, certificates, or documents shall be dated and signed by the agent of the market. An official document shall not be presigned by any veterinarian under any circumstance;
- (6) Prevent the transmission of infectious agents to livestock; and
- (7) Not resign market duties without written notice to the sale company and the State Veterinarian's office at least ten (10) days prior to resignation.

Section 5. Records Required. The owner or operator shall maintain records of the seller and purchasers of all livestock for at least five (5) years. These records shall be made available to OSV representatives for inspection upon request during regular business hours.

Section 6. Swine Requirements. A qualifying stockyard shall select designation as either an all class swine market or a slaughter only market at the time of application.

- (1) All class swine stockyards shall:
  - (a) Maintain well-constructed pens and swine handling facilities that are clean and in good repair;
  - (b) Provide pens surfaced with impervious material for holding and handling all swine;
  - (c) Provide, well-lighted facilities for inspection and proper restraint;
  - (d) Clean and disinfect handling and holding pens and alleys after being used by each lot of swine. Procedures for cleaning and disinfecting shall be performed according to 9 C.F.R. 71.10, 71.11, and 71.12;
  - (e) Maintain records of origin and the buyer for all swine entering market and grant federal and state inspectors access to the records. Identification as to farm where farrowed shall be maintained for all feeder pigs and breeding stock and all slaughter swine, which may be diverted for purposes other than slaughter. Records shall be maintained for at least five (5) years;
  - (f) Place feeding and breeding swine in pens separate and apart from slaughter swine;
  - (g) Deliver swine designated for slaughter directly to an approved slaughter establishment with no diversion en route. The stockyard shall record the name and information of the slaughter facility destination. All swine exiting the stockyard shall require official identification as required in 9 C.F.R. 71.19. The stockyard shall record the owner and premises of destination information; and
  - (h) Not permit feeder pigs or breeding swine to remain in the market more than seventy-two (72) hours.
- (2) Slaughter swine stockyards
  - (a) Swine moving interstate to the stockyard shall be identified in accordance with 9 C.F.R. Part 71.
  - (b) Slaughter swine stockyards shall maintain well-constructed pens and swine handling facilities that are clean and in good repair.
  - (c) Slaughter swine stockyards shall maintain records of origin and destination for all swine entering market and grant federal and state inspectors access to the records. Records shall be maintained for at least one (5) year.

(d) Slaughter swine stockyards shall isolate all swine suspected of being affected with or exposed to an infectious disease, promptly notify the state or federal agency, and hold the swine in isolation pending instructions on disposition.

(e) Slaughter swine stockyards shall clean and disinfect holding and handling pens, alleys, and other facilities used in selling swine according to 9 C.F.R. 71.10, 71.11, and 71.12.

(f) Swine entering onto the stockyards premises shall be only for slaughter, and swine shall not be permitted to leave the stockyard premises for any purpose other than slaughter.

(g) All swine shall be delivered directly to an approved slaughter establishment with no diversion en route, except for swine designated as farm slaughter. The stockyard shall record the name and information of the slaughter facility destination.

(h) The number of swine purchased for farm slaughter for family consumption only shall not exceed six (6) head of animals per premises within twelve (12) months.

(i) Farm slaughter swine shall not be commingled with other swine on the purchaser's premises.

(j) The purchaser of farm slaughter swine shall document slaughter of animals within seven (7) days of purchase. This record shall be made available to the OSV upon request.

(k) All swine exiting the stockyard shall require official identification as required in 9 C.F.R. 71.19. The stockyard shall record the owner and premises of destination information.

#### Section 7. Sheep and Goat Requirements.

(1) All sheep and goats shall be required to be tagged with an Official Scrapie Tag prior to unloading into the stockyards facility.

(2) All sheep or goats that show evidence of an infectious, contagious, communicable, or parasitic disease shall be moved only with permission of the OSV.

#### Section 8. Horse Requirements. All equine presented shall require a valid CVI and a negative Equine infectious anemia test prior to entering the stockyards premises.

#### Section 9. Material Incorporated by Reference.

(1) The following material is incorporated by reference:

(a) "Application for Kentucky Stockyard Approval", 2020;

(b) "Stockyards Multipurpose Form", 2020

(c) "Responsibilities Of The Market Veterinarian", 2020; and

(d) "Owner-Shipper Statement", 2020.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Department of Agriculture, Division of Animal Health, 111 Corporate Drive, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (46 Ky.R. 2263, 2970; 47 Ky.R. 60; eff. 9-17-2020)