

CHAPTER 2
VACCINATION AGAINST AND SURVEILLANCE FOR BRUCELLOSIS

Section 1. Authority to Create Rules.

(a) Pursuant to the authority vested in the Wyoming Livestock Board by virtue of W.S. 11-18-103 (a) (v) the following rules are hereby promulgated.

Section 2. Purpose of Rules.

(a) These rules are adopted to provide guidance to Wyoming's livestock industry, including producers, veterinarians, markets, livestock inspectors, and the public, regarding the prevention of and surveillance for Brucellosis to ensure the health and marketability of Wyoming livestock. These rules further acknowledge and address the ongoing disease exposure of cattle to Brucellosis in infected wildlife for the foreseeable future. It is imperative that we be proactive in Brucellosis prevention and surveillance efforts.

Section 3. Severability

(a) If any portion of these rules is found to be invalid or unenforceable, the remainder of the rules shall continue in effect.

Section 4. Definitions.

(a) The following definitions are applicable for these rules. If not defined or listed herein, refer to the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service's Brucellosis Eradication Uniform Methods and Rules (UMR) as issued and amended. Copies of the UMR are available to the public from the office of the Wyoming Livestock Board located at 1934 Wyott Drive, Cheyenne, WY 82002 (307) 777-7515.

(i) "Approved Livestock Market" means a livestock market that is licensed by the Board, and has in place a signed livestock marketing facility agreement with the United States Department of Agriculture, Animal and Plant Health Inspection Service (APHIS), to handle cattle under conditions required by the Cooperative State-Federal Brucellosis Eradication Program.

(ii) "Approved Tagging Site" means the premises, authorized by APHIS, State or Tribal animal health officials, where livestock may be officially identified on behalf of their owner or the person in possession, care, or control of the animals when they are brought to the premises.

(iii) "B Brand" means a 2" X 3" or larger hot iron single B character brand applied to the left hip near the tail-head of a Bovinae signifying that the animal is a reactor to Brucellosis.

(iv) "Board" means the Wyoming Livestock Board, State Agency 051, 1934 Wyott Drive, Cheyenne, WY 82002 (307) 777-7515.

(v) "Board Approved Individual Identification" means:

(A) A metal, 9-digit Wyoming identification ear tag; or

or

(B) A tamper evident, metal, 9-digit USDA/APHIS/VS identification ear tag;

or

(C) A tamper evident, 840 series, 15-digit, USDA-approved identification tag;

(D) Any other identification device approved by the USDA or the Wyoming State Veterinarian for use in cattle and bison.

(vi) “Bovinae” means a subfamily classification of the family Bovidae. For the purposes of these rules, Bovinae specifically means animals in the genus *Bos* (domestic cattle and yaks) and animals in the genus *Bison* (domestic bison animals) regardless of age or gender.

(vii) “Breeding Class Bovinae” means all sexually intact female Bovinae twelve (12) months of age and over.

(viii) “Brucellosis” means an infectious disease of animals and humans caused by *Brucella abortus*.

(ix) “Brucellosis Affected Herd Plan” means a written document approved and signed by the USDA, the Wyoming State Veterinarian, and the affected Herd owner, outlining practices a livestock producer will undertake to eliminate Brucellosis infection from his Herd and the requirements for the release of Quarantine.

(x) “Brucellosis Area of Concern” means an area designated by the Board and approved by the Governor as an area where risk of exposure to documented Brucellosis-infected wildlife is of concern.

(xi) “Brucellosis Class Free Status” means a classification standard for a state that has been certified as fulfilling the requirements of this status on initial classification or reclassification by the state animal health official, and the United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services.

(xii) “Calfhood Vaccination Eligible” means sexually intact female Bovinae four (4) through twelve (12) months of age.

(xiii) “Category II Accredited Veterinarian” means an individual who is licensed to practice veterinary medicine and is approved by the USDA/APHIS to perform Category II accredited duties on all livestock species and poultry in the specific state(s) where he or she practices.

(xiv) “CFR” means the United States Code of Federal Regulations, 9 CFR.

(xv) “Commuter Herd” means an established Herd of breeding Bovinae that has not been assembled within the previous six months and that moves between Wyoming and an adjacent state for the purpose of feeding or grazing and then returns to the origin state following normal ranching operations. No change of ownership may occur before returning

to the origin state. An interstate Livestock Health Movement Agreement between Wyoming and the other state involved is required.

(xvi) “Custom Slaughter Facility” means a slaughter plant that is licensed and or inspected by the State of Wyoming where livestock is slaughtered and processed for the owner of the livestock only and the product is not offered for public sale or commercial use.

(xvii) “Designated Feedlot” means any feedlot that is designated by the Board to feed –with no provision for grazing - and properly identify and manage Restricted Livestock in a designated portion of the feedlot preventing direct contact between restricted and non-restricted livestock.

(xviii) “Designated Surveillance Area” is defined as an area enclosed by the following boundaries: Beginning where the Wyoming-Montana state line intersects the Park and Big Horn County Line, southerly along said county line to the Park and Washakie County line; south along said county line to the Washakie and Hot Springs County line; east then south along said county line to State Highway 431; west along said highway to State Highway 120; southeasterly along said highway to the Upper Cottonwood Creek Road (Hot Springs County Road 10); westerly then southerly along said road to the Owl Creek Road (Hot Springs County Road 1); southerly along said road to South Fork Owl Creek; westerly up said creek to the Northwest corner of the Wind River Indian Reservation boundary; southerly along the west boundary of said Reservation to the boundary between Fremont and Sublette Counties; southeasterly along said county line to the boundary between Sublette and Sweetwater Counties; west along said county line to the Sublette and Lincoln County line; west along said county line to U.S. Highway 189; southwesterly along said highway to U.S. Highway 30; westerly along said highway to State Highway 89; west along said highway to the Wyoming state line; north along said state line to the boundary between Wyoming and Yellowstone National Park (YNP); east along the southern boundary of YNP to the southeast corner of YNP; following the YNP border north to the Montana/Wyoming line; east along said state line to the Park-Big Horn County line. The DSA can be modified by Board order if exposure risks beyond described boundaries arise.

(xix) “Direct Movement” means movement in which the Bovinae are not unloaded en route to their final destination.

(xx) “Exposed Domestic Bovinae” means any domestic Bovinae, that has been exposed to a Reactor Domestic Bovinae or its reproductive tract discharge.

(xxi) “Farm or Ranch of Origin” means the farm or ranch that Bovinae have resided on immediately prior to testing for Brucellosis.

(xxii) “Feeding Channels” means feeding in any feedlot, pasture, or on range for purposes of conditioning Bovinae for eventual slaughter. This does not include pasturing or range grazing for a Breeding Bovinae Herd.

(xxiii) “Herd” means all Bovinae under common ownership or management that are grouped on one or more parts of any single premise; or all Bovinae under common ownership or management on two or more premises that are geographically separated but in which the animals have been interchanged or had contact with animals from different premises. It will be assumed that contact between animals of the same species on the

different premises has occurred unless the owner establishes otherwise and the results of the epidemiologic investigation are consistent with the lack of contact between premises.

(xxiv) “Herd of Birth” means the herd into which a Bovinae was born.

(xxv) “Herd Risk Assessment” means an evaluation of the potential risk a cattle or domestic bison herd has for exposure to Brucellosis infected elk, bison, or cattle. The Assessment shall be performed by Wyoming Livestock Board personnel.

(xxvi) “Herd Plan” means a written document outlining practices a livestock producer will utilize to minimize the exposure of his/her Bovinae to Brucellosis. The herd plan shall be valid when the State Veterinarian or his designee and the herd owner/manager have signed it.

(xxvii) “Immediate Slaughter” means the slaughter of a Bovinae within three (3) working days at a Recognized Slaughter Establishment. The animals cannot be offloaded at any point other than the Recognized Slaughter Establishment.

(xxviii) “Interstate Livestock Health Movement Agreement (Commuter Permit)” means a written permit that allows for the movement of Bovinae between Wyoming and an adjacent state. This Agreement shall be approved by state animal health officials in the state of origin and state of destination prior to movement.

(xxix) “Official Adult Vaccinate” means a female Bovinae that is over twelve (12) months of age when first vaccinated for Brucellosis using the recommended dose of a Brucella vaccine approved by the USDA APHIS VS Administrator and the Board. Prior approval by the Wyoming State Veterinarian, or his authorized representative, is required and may include Brucellosis testing. All adult vaccinates will be identified as such by an appropriate tattoo in the right ear or other method approved by the Wyoming State Veterinarian. Each Bovinae shall have a USDA-approved individual official identification device which shall be reported on the appropriate certificate and forwarded to the appropriate state and federal animal health agencies within 14 days of vaccination.

(xxx) “Official Booster Vaccinate” means either an Official Adult Vaccinate or an Official Calftlood Vaccinate re-vaccinated for Brucellosis using the recommended dose of a Brucella vaccine approved by the USDA APHIS VS Administrator and the Board. Prior approval by the Wyoming State Veterinarian, or his authorized representative, is required either on a case-by-case basis or through a Herd Plan. Individual official identification will be confirmed and recorded for each Bovinae which shall be reported on the appropriate certificate and forwarded to the appropriate state and federal animal health agencies.

(xxxi) “Official Calftlood Vaccinate” means a female Bovinae that has been inoculated at four (4) monthsthrough twelve (12) months of age with a USDA/APHIS/VS and Board approved Brucella vaccine, by a State or Federal veterinarian or a Category II Accredited Veterinarian using the approved vaccination procedure outlined in the Brucellosis Eradication Uniform Methods and Rules (UMR). The Bovinae shall be properly identified as a vaccinate by an orange USDA Brucellosis Vaccination tag, or other USDA approved official identification, and a vaccination tattoo or other method approved by the Wyoming State Veterinarian, and shall be reported on the appropriate certificate to the appropriate State and Federal animal health agencies.

(xxxii) “Post Parturient” means a Bovinae that has given birth.

(xxxiii) “Quarantine” as used in these rules, means an official document, issued by the Wyoming State Veterinarian, or his authorized representative that restricts the movement of specific Bovinae and shall set forth requirements for Quarantine release.

(xxxiv) “Quarantine Movement Permit” means an official document (VS Form 1-27) that is issued by a State or Federal veterinarian or designee, or by a Category II Accredited Veterinarian. The Permit shall accompany all Brucellosis Reactor Bovinae, all Brucellosis Exposed or Suspect Bovinae, and any Bovinae otherwise quarantined that are being moved to a specified destination.

(xxxv) “Reactor Domestic Bovinae” means any domestic Bovinae that the designated Brucellosis epidemiologist classifies as reactor based on the serological results as defined in the UMR or from which a field strain isolate of *Brucella abortus* has been confirmed by a recognized laboratory.

(xxxvi) “Recognized Slaughter Establishment” means any slaughter establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. 601-695) as amended or the Wyoming Food Safety Rule found at Chapter 1 Purpose, Variances, Definitions, Demonstrations of Knowledge, and Health Status as promulgated and amended by the Wyoming Department of Agriculture. These documents are available to the public at the office of the Board or online at <http://wyagric.state.wy.us/divisions/chs/meat-a-poultry-program>.

(xxxvii) “Restricted Livestock” means untested Trichomoniasis Test Eligible Male Bovine, Trichomoniasis Infected Bovine, Trichomoniasis Exposed Bovine, Brucellosis non-vaccinated adult females and other livestock that are determined as such by the Wyoming State Veterinarian.

(xxxviii) “S Brand” means a 2” X 3” hot iron single S character brand applied to the left hip near the tail-head of a Bovinae signifying that the animal is a Brucellosis suspect or exposed to Brucellosis.

(xxxix) “Test-Eligible” means all sexually intact female Bovinae eighteen (18) months of age and over (as evidenced by the full eruption of at least one of the first pair of permanent incisor teeth). All Bovinae that are visibly pregnant or Post Parturient are test eligible regardless of age.

(xl) “UMR” means the Brucellosis Eradication Uniform Methods and Rules as issued and amended as of October 2003 by the United States Department of Agriculture, Animal and Plant Health Inspection Service. These Rules do not include any later amendments of the UMR past October 2003. Copies of the UMR are available to the public at the office of the Board.

(xli) “USDA/APHIS/VS” means the United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services.

(xlii) “USDA/APHIS/VS/AD” means the USDA/APHIS/VS Assistant Director who is the veterinary official of USDA/APHIS/VS assigned to supervise and perform the official animal health work of USDA/APHIS/VS in Wyoming.

(xlili) “Wyoming Licensed Veterinarian” means an individual who is licensed by the State of Wyoming to practice veterinary medicine in Wyoming.

(xliv) “Wyoming State Veterinarian” means a Wyoming Accredited Veterinarian, employed by the Board, who serves as the State Veterinarian for the State of Wyoming as outlined in W.S. 11-19-101.

Section 5. Penalty for a Violation of Rules.

(a) Penalties for a violation of these rules shall be pursuant to law.

Section 6. Mandatory Vaccination of Female Bovinae.

(a) Before a change in ownership can occur for any sexually intact female Bovinae over twelve (12) months of age, the Bovinae shall be an Official Calfhod Vaccinate or an official Adult Vaccinate.

(i) The following are exemptions from this mandatory vaccination requirement:

(A) Bovinae consigned for Immediate Slaughter at a Recognized Slaughter Establishment and moving under Direct Movement from a Herd to the Recognized Slaughter Establishment;

(B) Bovinae that are moving under Direct Movement to a Wyoming Approved Livestock Market where they will be sold and destined to a state or nation that will accept Bovinae not vaccinated against Brucellosis or moved by direct movement to a Recognized Slaughter Establishment or under Direct Movement to a Designated Feedlot;

(C) Bovinae that are moving under Direct Movement to a Wyoming Approved Livestock Market where they will be vaccinated prior to leaving the market if remaining in Wyoming.

(D) Bovinae moving directly to a state or nation that will accept Bovinae not vaccinated against Brucellosis;

(E) Bovinae that are moving under Direct Movement to a Designated Feedlot;

(F) Bovinae that have been approved by the Wyoming State Veterinarian for adult vaccination to become Official Adult Vaccinates. Any movement from Farm or Ranch of Origin prior to vaccination requires a Quarantine.

(b) All Brucellosis vaccination certificates shall be submitted directly to the Board by a Category II Accredited Veterinarian or a State or Federal representative within two (2) weeks of the vaccination being performed.

Section 7. Mandatory Brucellosis Vaccination of Domestic Bovinae within the Boundaries of the Designated Surveillance Area.

(a) All sexually intact female domestic Bovinae imported to, grazed, or kept within the boundaries of the Designated Surveillance Area including the boundaries of the Bridger-

Teton National Forest, Shoshone National Forest and the Targhee National Forest shall be Official Calftood Vaccinates or Official Adult Vaccinates.

- (i) The following is an exemption from this vaccination requirement:
 - (A) Nursing female calves at their mother's side.

Section 8. Written Approval Required for Vaccination of Adult Female Bovinae.

(a) Written Approval from the Wyoming State Veterinarian shall be obtained prior to the vaccination of individual female domestic Bovinae over twelve (12) months of age to become Official Adult Vaccinates. The owner of the Bovinae shall make a request to the Wyoming State Veterinarian who may grant approval on an Adult Vaccination application form provided by the Board. The application form shall be forwarded from the Wyoming State Veterinarian to the veterinarian who is authorized to perform the Adult Vaccination.

(b) Whole-herd vaccination of female Bovinae over twelve (12) months of age will require the additional approval of the USDA/APHIS/VS/AD, which will be obtained by the Wyoming State Veterinarian.

(c) Approval to booster and/or adult vaccinate may be granted in an individual Herd Plan.

(d) Approval for vaccination shall not be issued for Bovinae imported in violation of import requirements until the illegal import violation has been adjudicated.

Section 9. Testing of Specific Bovinae.

(a) All Breeding Class Bovinae within the Designated Surveillance Area are required to be tested negative for Brucellosis within the time provided in (a) (i) below prior to a change of ownership, prior to interstate movement, and prior to leaving the Designated Surveillance Area.

(i) Breeding Class Bovinae within the Designated Surveillance Area must have a negative Brucellosis test within 30 days prior to moving or changing ownership, except that any negative test performed between August 1 and January 31 of the following calendar year will be valid from the time of test until the end of that time period (January 31).

(A) Heifers born during the previous calendar year and shipped after June 1 of their yearling year shall be tested for Brucellosis as established in (a)(i) above.

(ii) The following are exemptions from this testing requirement:

(A) Breeding Class Bovinae that move to a Wyoming Approved Livestock Market or to an out-of-state livestock market that appears on the Wyoming State Veterinarian's list of Out of State Markets Approved for Brucellosis Market Testing can be tested at the market prior to leaving and held there until results are determined to be negative if the identity of the Herd of Origin is maintained and each animal is individually identified with Board approved identification.

(I) "DSA Origin – Brucellosis Test Required" shall be written in the brand inspection document.

(B) Out-of-state origin Commuter Herds moving from Wyoming, pursuant to an Interstate Livestock Health Movement Permit with an adjacent state, may have the movement testing requirement waived in part if the state veterinarians in each state and the owner of the cattle agree to it in the form of an addendum to the Commuter Permit that is signed by all parties. For cattle in the DSA between August 1 and January 31 of the following calendar year only, a minimum of 20 percent of the herd, to include open, late-bred, and cull cows, will be tested upon return to the state of origin. For cattle in the DSA any time between February 1 and July 31, the same minimum requirements will be in place; however, Wyoming recommends a full joint risk analysis unless testing of all cattle will be performed upon return to the state of origin. A copy of the Commuter Permit and addendum must be provided prior to issuance of a brand certificate for leaving. Movement and test documents will be required to be provided by the owner each year for renewal of Commuter Permit.

(C) Established Wyoming breeding Herds moving within or from Wyoming as part of their routine herd management may have the movement test requirement waived if the State Veterinarian's risk assessment deems it prudent and a Herd Plan is in effect.

(D) Breeding Bovinae fed on contract in a feedlot, not commingled with another producer's Bovinae and returning to the Farm or Ranch of Origin with no change of ownership, may have the movement test requirement waived if the State Veterinarian's risk assessment deems it prudent and a Herd Plan is in effect.

(E) Female Bovinae moving from a Herd with a valid Herd Plan will not be subject to additional testing other than that outlined in the Herd Plan, unless the Wyoming State Veterinarian deems it necessary.

Section 10. **Statewide Identification of Bovinae Upon Change of Ownership.**

(a) It is the livestock owner's responsibility to ensure that all sexually intact Bovinae twelve (12) months of age and over have been identified with Board Approved Individual Identification prior to a change of ownership.

(i) Bovinae moving to an Approved Tagging Site or a Designated Feedlot can do so without Board Approved Individual Identification if the identity of the Farm or Ranch of Origin is maintained and identification is applied at the tagging site or feedlot per the tagging agreement.

(ii) A Wyoming Green Tag is sufficient for movement within Wyoming but does not meet interstate official identification requirements.

(b) Multiple identification with Board Approved Individual Identification is not permitted except in the following cases:

(i) Bovinae already identified with a Wyoming Green Tag may have a USDA, 9-digit, silver or orange metal tag applied or a 15-digit, 840 tag applied in addition to the green tag.

(ii) Bovinae already identified with a USDA, 9-digit, silver or orange metal tag may have a 15-digit 840 tag applied in addition to the metal tag.

(iii) In any case of allowed, multiple tagging, records need to be kept by the entity to whom the tags were issued documenting and correlating the new and existing tag numbers in the animal.

(c) Board Approved Individual Identification may only be removed upon written approval of the Wyoming State Veterinarian or his authorized representative.

Section 11. Identification of Bovinae Leaving the Designated Surveillance Area.

(a) All sexually intact female cattle, regardless of age, that leave the Brucellosis Designated Surveillance Area (DSA) are required to be individually identified with Board Approved Identification, except:

(i) Non-vaccinated female cattle that temporarily leave the DSA for contiguous seasonal grazing purposes, and return to the DSA with no change of ownership;

(ii) Feeder heifers going to a Designated Feedlot and identified there with Board Approved ID according to the designation agreement and these rules;

(iii) Cattle specifically exempted in a Herd Plan to be identified at a specified location outside the DSA.

Section 12. Brucellosis Ring Test of Bovinae in Dairy Herds.

(a) All dairy Herds shall be submitted to at least annual brucellosis ring tests and results will be reported to the Board, Wyoming State Veterinarian and the USDA/APHIS/Vs/AD in accordance with the UMR.

Section 13. Testing of Bovinae at Custom Slaughter Facility.

(a) All Bovinae twelve (12) months of age and over, slaughtered by a Wyoming Custom Slaughter Facility shall have a blood sample collected during the slaughter process. The sample will be submitted to the Wyoming State Veterinary Laboratory for testing. The Board will compensate custom slaughter facilities management on a per sample basis at a rate determined by the Board if funds are available.

Section 14. Retesting of Bovinae Indicating Suspicious Reaction to Test.

(a) Bovinae that are tested in Wyoming and give a suspicious reaction to an official blood test for Brucellosis shall be Quarantined in a pen at the Farm or Ranch of Origin and subject to an official retest made not less than thirty (30) nor more than sixty (60) days from the date of collecting the blood sample with the suspicious reaction, and shall be dealt with in a manner that is consistent with procedures outlined in the UMR, insofar as those procedures are not inconsistent with the rules, regulations and laws of the State of Wyoming.

Section 15. Quarantine of Brucellosis Reactor Domestic Bovinae.

(a) The Wyoming State Veterinarian, or his authorized representative, shall issue a Quarantine of all Brucellosis Reactor Domestic Bovinae and the Herd associated with the Reactor Domestic Bovinae. Brucellosis Reactor Domestic Bovinae shall be "B" Branded and be officially identified as per the Brucellosis UMR. All Reactor Domestic Bovinae and other

domestic Bovinae in the associated Herd shall be held subject to Quarantine and a Brucellosis Affected Herd Plan.

Section 16. Quarantine of Brucellosis Exposed Domestic Bovinae.

(a) The Wyoming State Veterinarian, or his authorized representative, shall issue a Quarantine of all Brucellosis Exposed Domestic Bovinae and the associated Herd which shall be held subject to the Quarantine and shall not be offered for sale, or given away except with written permission of the Wyoming State Veterinarian or his authorized representative, under Section 19 of this rule. The Exposed Domestic Bovinae and other domestic Bovinae in the associated Herd held subject to the Quarantine may also be moved pursuant to Section 17 of these Rules.

Section 17. Movement of Quarantined Bovinae.

(a) Movement of Quarantined Bovinae will only be allowed by a Quarantine Movement Permit as outlined in the UMR, insofar as those procedures are not inconsistent with the rules, regulations and laws of the State of Wyoming. Reactor Bovinae shall be B Branded prior to movement. All other Exposed or Suspect Bovinae shall be S Branded prior to movement. A permit may only be issued under the following conditions:

(i) Direct Movement to a Recognized Slaughter Establishment for Immediate Slaughter;

(ii) Direct Movement to an Approved Livestock Market, to be sent to a Recognized Slaughter Establishment for Immediate Slaughter

(iii) Direct Movement to a Designated Feedlot (S Branded Bovinae only); or

(iv) Direct Movement to a research or diagnostic facility as specifically approved by the Wyoming State Veterinarian.

(b) Exceptions to the requirement to S Brand Quarantined Bovinae are:

(i) If an exposed or suspect animal is moved in an officially sealed conveyance direct to slaughter, no S Brand is required. The animal must move under a Quarantine Movement Permit.

(ii) If an exposed or suspect animal is moved from an approved livestock market back to the Farm or Ranch of Origin, it is exempt from the S Brand requirement. The animal must move under a Quarantine Movement Permit.

Section 18. Release of Quarantined Bovinae.

(a) Release of Quarantine of an affected Herd is contingent upon satisfactory completion of all conditions set forth in the UMR for handling affected or restricted Herds, the properly signed Brucellosis Affected Herd Plan, and with approval of state and federal animal health officials.

(b) Release of Quarantine of an exposed or adjacent Herd is contingent upon satisfactory completion of all conditions set forth in the Brucellosis UMR for handling exposed or adjacent Herds, and other requirements as outlined by the Wyoming State Veterinarian.