

DEPARTMENT OF AGRICULTURE

Animal Industry Division

LIVESTOCK DISEASE CONTROL

8 CCR 1201-19

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

Definitions:

The following definitions apply to all parts of 8 CCR 1201-19 below except where any part has a definition that is more specific in which case the specific controls over the general.

1. "Accredited Veterinarian" means an individual who is currently licensed and in good standing with a veterinary licensing board or agency in any state of the United States or the District of Columbia to practice veterinary medicine and is accredited by the United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services.
2. "Administrator" means The Administrator, Animal and Plant Health Inspection Service, or any person authorized to act for the Administrator.
3. "Animal and Plant Health Inspection Services (APHIS)" means the agency in the United States Department of Agriculture known as the Animal and Plant Health Inspection Service.
4. "Certificate of veterinary inspection (CVI)" means an official document issued by an accredited veterinarian at the point of origin of a shipment of livestock. The document shall include the date, the physical location of origin, the name and mailing address of the consignor; the physical location of destination, the name and mailing address of the consignee; the age, sex, number, and breed of the livestock; sufficient identifying marks, tags or other identification as may be approved by the State Veterinarian, to positively identify livestock; and the results of all required tests. Such document shall also include a statement verifying that the livestock identified on the document have been inspected and that they are free from clinical signs of any contagious, infectious, or communicable diseases and that the livestock do not originate from an area of quarantine, infestation, or infection. A certificate of veterinary inspection is valid for thirty (30) days after the date of issuance.
5. "Hold Order" means a written notice issued by the Commissioner of Agriculture or his designee ordering that livestock not move from a designated area, premises, county, or section of the state, pending the confirmation of laboratory testing.
6. "Infectious or contagious disease" means a disease of livestock caused by a virus, bacteria, fungi, protozoa, internal or external parasite or prion.
7. "Livestock" means cattle, horses, mules, burros, sheep, poultry, swine, llama, cervids, bison and goats, regardless of use. Livestock includes any animal that is used for working purposes on a farm or ranch, excluding dogs; or that is raised for food or fiber production; and any other animal designated by the Commissioner.

8. "Location identification number (LID)" means a nationally unique number issued by a state, tribal, or federal animal health authority to a location as determined by the state or tribe in which it is issued. The LID number may be used in conjunction with a producer's own unique livestock production numbering system to provide a nationally unique and herd unique identification number for an animal. It may also be used as a component of a group/lot identification number (GIN).
9. "Official eartag" means an identification tag approved by APHIS that bears an official identification number for individual animals. Beginning March 11, 2014, all official eartags manufactured must bear an official eartag shield. Beginning March 11, 2015, all official eartags applied to animals must bear an official eartag shield. The design, size, shape, color, and other characteristics of the official eartag will depend on the needs of the users, subject to the approval of the Administrator. The official eartag must be tamper-resistant and have a high retention rate in the animal.
10. "Official eartag shield" means the shield-shaped graphic of the U.S. Route Shield with "U.S." or the State postal abbreviation or Tribal alpha code imprinted within the shield.
11. "Official identification device or method" means a means approved by the Administrator of USDA APHIS for applying an official identification number to an animal of a specific species or associating an official identification number with an animal or group of animals of a specific species or otherwise officially identifying an animal or group of animals.
12. "Official identification number" means a nationally unique number that is permanently associated with an animal or group of animals and that adheres to one of the following systems:
 - a. National Uniform Eartagging System (NUES).
 - b. Animal identification number (AIN).
 - c. Location-based number system.
 - d. Flock-based number system.
 - e. Any other numbering system approved by the Administrator for the official identification of animals.
13. "Officially identified" means identified by means of an official identification device or method approved by the Administrator.
14. "Owner" means the person or entity owning the livestock and the owner's officers, members, employees, or agents.
15. "Premises identification number (PIN)" means a nationally unique number assigned by a state, tribal, or Federal animal health authority to a premises that is, in the judgment of the state, tribal, or Federal animal health authority, a geographically distinct location from other premises. The premises identification number is associated with an address, geospatial coordinates, or location descriptors that provide a verifiably unique location. The premises identification number may be used in conjunction with a producer's own livestock production numbering system to provide a unique identification number for an animal. It may also be used as a component of a group or lot identification number.
16. "Quarantine" means a written notice or order issued by the Commissioner of Agriculture or his designee ordering that livestock not move from a designated area, premises, county, or section of the state, pending release of the quarantine by the Commissioner of Agriculture or his designee.

17. "RFID" means a radio frequency identification device used as individual identification of livestock.
18. "State Veterinarian" means the veterinarian designated by the Commissioner of the Colorado Department of Agriculture as the director of the Division of Animal Health, Colorado Department of Agriculture.

Part 1: Standards for Livestock Certificates of Veterinary Inspection

I. Introduction

A Certificate of Veterinary Inspection (CVI) is an official document approved by the State Veterinarian and issued by an accredited veterinarian to a livestock owner prior to moving livestock across state lines. The CVI insures that livestock have been inspected by an accredited veterinarian and found to be free from clinical signs of infectious or contagious disease. The requirement of obtaining a CVI prior to moving livestock across state lines has been a very important tool in the surveillance and eradication of certain livestock diseases in the United States. Individual state animal health officials determine animal identification and disease testing requirements for potential importation of livestock into their respective states. The CVI document allows for the recording of animal identification and disease testing requirements in an orderly fashion.

II. Requirements for Certificates of Veterinary Inspection

- A. An official CVI is the legibly completed official form both written and electronically generated and approved by the State Veterinarian of the state of origin and issued by a licensed accredited veterinarian.
- B. Such CVI shall include the date, the physical location of origin, the name and mailing address of the consignor; the physical location of destination, the name and mailing address of the consignee; the age, sex, number, and breed of the livestock; sufficient identifying marks, tags or other identification as may be approved by the State Veterinarian, to positively identify livestock; and the results of all required tests.
- C. Such CVI shall indicate the applicable area, herd, or flock disease status, and required disease test results necessary for importation to the state of destination.
- D. Such CVI shall identify the type of carrier and their name and address. Such CVI shall show the permit number when a permit is required.
- E. The CVI shall also contain a statement by the accredited veterinarian that such livestock are free from clinical signs of all contagious, infectious, or communicable diseases and do not originate from a premises, district or state of quarantine, infestation or infection. Such statement shall substantially comply with the following: "I certify, as an accredited veterinarian that the above described animals have been inspected by me and that they are not showing signs of infections, contagious, or communicable disease (except where noted). The vaccinations and results of tests are as indicated on the certificate. To the best of my knowledge, the animals listed on this certificate meet the state of destination's and federal interstate requirements. No further warranty is made or implied."
- F. A CVI shall be void thirty (30) days after the date of its issuance.
- G. One copy of such certificate shall accompany the livestock. Within seven days after the date of issue, the accredited veterinarian who issued the CVI shall forward a copy of such CVI to the State Veterinarian.
- H. Livestock shall also meet all of USDA's animal disease traceability requirements.

III. Colorado Livestock Import Requirements

- A. Livestock imported into Colorado must comply either with the destination state's regulations or USDA's animal and disease traceability requirements.
- B. The State Veterinarian may require a statement by the issuing veterinarian concerning certain designated or reportable diseases that may be occurring in the livestock's state of origin.

IV. Colorado Livestock Export Requirements

- A. Official identification will be required as import regulations of the state of destination or USDA's animal disease traceability requirements.
- B. Livestock exported from Colorado must comply either with the destination state's regulations or USDA's animal and disease traceability requirements.

V. Quarantine for Animals Illegally Entering into Colorado

- A. Animals entering Colorado without a valid CVI or permit number, or both if required, may be held in quarantine at the owner's expense until released by an authorized representative of the State Veterinarian. Animals under quarantine for noncompliance with this rule may be released only after the State Veterinarian is satisfied by inspection, testing, treatment, or through observation over time, that the animals are not a threat to Colorado's livestock industry.
- B. The State Veterinarian may order that an imported animal failing to meet import requirements be returned to its state of origin; consigned directly to slaughter; or confined to a Colorado Approved Feedlot. The person responsible for the livestock at the time of entry shall comply with the State Veterinarian's order within five working days of its issuance. Any extension to the five-day deadline may be approved in writing and only by the State Veterinarian.
- C. If the owner or owner's agent fails to comply with an order to return livestock to the livestock's state of origin within the time-frame set forth in Section V.B of this Part 1, the Department may require that the livestock be immediately gathered at the owner's expense to avoid exposure of Colorado livestock. The isolation of said livestock shall be managed according to requirements approved by the State Veterinarian to limit potential disease spread to Colorado livestock.
- D. The State Veterinarian may require that livestock ordered returned to their state of origin be returned by a commercial livestock conveyance.

Part 2: Commuter Agreement

I. Introduction

A commuter agreement, as defined below, may be obtained by a herd owner, manager, or operator for the purposes of moving a livestock breeding herd between Colorado and a state that is contiguous to Colorado and for the purpose of returning livestock from Colorado to a state of origin that is contiguous to Colorado. Commuter agreements may allow for exemption from normal import disease testing requirements or allow for testing to be completed upon return to Colorado or return to the state of origin. In some cases, testing may be required prior to shipment of livestock. Commuter permit numbers are issued on a form provided by the State Veterinarian or by the state veterinarian's office of the state of origin.

II. Definitions

- A. "Commuter agreement" means a form, approved by the Colorado State Veterinarian and the state veterinarian of the contiguous state, that establishes an agreement between Colorado and a contiguous state to enable livestock owners, managers, or operators to move livestock across state borders for grazing purposes and to return to the state of origin.
- B. "Official Calvhoo Vaccinate (OCV)" means a female bovine that has been vaccinated with *Brucella abortus* RB-51 vaccine when the female bovine is between 4 and 12 months of age and when the female bovine identified as provided for in the Uniform Methods & Rules for Brucellosis Eradication.
- C. "Uniform Methods and Rules (UM&R) for Brucellosis Eradication" shall mean the standards set forth in APHIS Bulletin No. 91-45-013, which are effective October 1, 2003. This rule incorporates by reference APHIS Bulletin No. 91-45-013. This rule does not adopt any later amendments to or editions of this bulletin. Additionally, anyone seeking to review a copy of the referenced material may contact the Animal Health Division of the Department of Agriculture located at 305 Interlocken Parkway, Broomfield, Colorado, to learn how this information may be obtained or reviewed. This and any other material that is incorporated by reference may be examined at any state publications depository library.

III. Commuter Agreement Testing Requirements

- A. A commuter agreement may be obtained by herd owners, managers, or operators for the purposes of moving livestock into Colorado from a contiguous border state and for the purpose of returning the livestock to the state of origin or for moving livestock from Colorado to a border contiguous state and then returning the livestock to Colorado.
- B. Commuter agreements between states may allow for the exception from normal import testing requirements or testing accomplished in normal production cycles in that:
 - 1. testing may be completed upon return to Colorado or;
 - 2. testing may be required prior to movement of livestock.

IV. Commuter Agreement Form Requirements

- A. The State Veterinarian or the state veterinarian from the state of origin will issue permit numbers on forms that they provide and that meet the following criteria:
 - 1. A commuter agreement form shall list the approximate dates of departure and return; the type and number of livestock to be moved; and the livestock's location of origin and location of destination identified by address, section, township and range location, or legal description.
 - 2. The herd owner, operator, or manager shall identify, on the commuter agreement form, the veterinarian responsible for providing veterinary services for the herd in the state of origin.
 - 3. The commuter agreement form shall be signed by the herd owner, operator, or manager and by the state veterinarians or by designees from both participating states.
 - 4. The livestock shall be from a breeding herd or flock assembled for at least one year, which may include sires, dams, and their offspring. Purchased feeder or other temporary use livestock are not allowed to be included on the commuter agreement.

5. An accredited veterinarian and a brand inspector shall inspect such livestock prior to movement. A CVI will be issued with the commuter permit number identified on the CVI prior to the livestock's movement. Both the Brand Certificate and the CVI will accompany the movement to either state.
 6. All female cattle older than 12 months of age that are intended to commute shall be Brucellosis Official Calfhood Vaccinates.
 7. All commuting bulls shall be tested for *T. fetus* upon return of the herd to the state of origin after having been separated from female cattle for any period of time in excess of 30 days.
 8. All breeding bulls shall test negative for *T. fetus* prior to shipment into Colorado. In the event that breeding bulls are not available for *T. fetus* testing, the State Veterinarian may require quarantine and pregnancy testing of the cows in the appropriate herd.
 9. All Colorado origin rams may be required to be tested with a test approved by the State Veterinarian for *Brucella ovis* 60 to 120 days after returning to Colorado.
 10. When livestock are moved to states with higher disease incidence status or risk for diseases such as tuberculosis or brucellosis, the State Veterinarian may require other or additional testing as stated on the commuter agreement, either prior to movement or upon return to the state of origin.
- B. Nothing within this Part 3 of these Rules eliminates any state or federal requirement for a health or brand inspection.

V. Non Compliance with Commuter Agreements

- A. In the event that a livestock owner fails to comply with any disease-testing requirements set forth on a signed commuter agreement when moving a herd or flock, the State Veterinarian may exercise any or all of the following authorities:
1. The present commuter agreement may be immediately canceled. When a commuter agreement is canceled, the herd shall meet all Colorado's livestock import requirements prior to return to the Colorado premises.
 2. The commuter agreement requested in the following year may not be approved until the previously agreed testing has been completed.
 3. The livestock may be placed under quarantine until the previously agreed testing has been completed.

Part 3: Standards for Colorado Approved Feedlots

I. Introduction

Certain livestock diseases that both the USDA and the Colorado Department of Agriculture regulate pose a significant risk to Colorado livestock producers, specifically with regard to states that regularly import cattle for both breeding and finish-feeding purposes into Colorado. While some of these states may have program disease status for certain diseases, that status may not always be as strict as Colorado's. Disease risk in confined feeding operations can be managed such that the risk of spread to Colorado's breeding herd and livestock producers is extremely low or even non-existent. The potential for livestock disease entry into Colorado can be adequately mitigated and controlled through appropriate import requirements that require individual animal identification that denotes the state of origin, that require livestock remain in feedlots and exit only directly to slaughter or to another Colorado Approved Feedlot and that require that livestock feeding operations maintain appropriate records of the livestock they feed.

II. Definitions

- A. "Colorado Approved Feedlot" means a confined feedlot area approved and recorded by the State Veterinarian or his or her authorized agent. The approved feedlot shall be maintained for growing and/or finish-feeding of animals in dry lot with no provisions for pasturing or grazing. Animals leaving such a feedlot must move directly to slaughter or to another Colorado Approved Feedlot and must be accompanied by a current brand inspection certificate where and when applicable.
- B. "Import permit" means a permit issued by the State Veterinarian to an accredited veterinarian at the livestock's point of origin and used for the interstate import into Colorado or intrastate movement of livestock within Colorado.

III. Approved Feedlot Purpose and Facility Requirements

- A. Colorado Approved Feedlots may import cattle from states or areas within a state that have increased disease risk as determined by the State Veterinarian without required import tests, vaccinations, official IDs, or any other requirements according to USDA's animal disease traceability requirements upon obtaining a CVI, import permit, and other necessary import requirements.
- B. Colorado Approved Feedlot Facility Requirements:
 - 1. The entire Colorado Approved Feedlot shall prevent pasturing or grazing of any livestock. The Approved Feedlot shall be dry-lot feeding only.
 - 2. The Colorado Approved Feedlot shall have no perimeter fence line contact with livestock outside the feedlot.
 - 3. The entire feedlot shall be a Colorado Approved Feedlot except when the State Veterinarian approves portions therein that are segregated and have separate provisions for loading, unloading, processing, feeding, watering, and treatment of livestock therein.
 - 4. The end disposition of all cattle within Colorado Approved Feedlots shall be slaughter only. Upon approval of the State Veterinarian a Colorado Approved Feedlot may move cattle to another Colorado Approved Feedlot. All cattle exiting an Approved Feedlot may not be moved without a current Brand Inspection certificate, when and where required, and shall only be moved to a USDA Food Safety Inspection Service or other slaughter plant approved by the State Veterinarian or to another Colorado Approved Feedlot.

IV. Livestock Facility and Individual Animal Identification Requirements

- A. All Colorado Approved Feedlots shall have a USDA Premises Identification Number.
- B. All cattle contained within Colorado Approved Feedlots shall be identified with an official identification device or other individual ear tag approved by the State Veterinarian.
- C. All cattle imported from other states shall have either an official identification device that denotes the state of origin or any other identification device, approved by the State Veterinarian that enables approved feedlot inventory records to adequately denote the state of origin and the previous owner or previous location of the livestock.

V. Approved Feedlot Registration

- A. A feedlot may apply to the State Veterinarian to be registered as a Colorado Approved Feedlot. The application shall be on a form designated by the State Veterinarian.
- B. The Colorado Approved Feedlot may not become registered until the Colorado Department of Agriculture has received and approved the feedlot's application and until a representative of the State Veterinarian has performed an on-site inspection of the applicant's facility. Such on-site inspection shall insure that the feedlot meets the facility requirements and demonstrates the ability to comply with the individual animal identification requirements and approved feedlot facility record-keeping requirements as set forth herein.
- C. The registration of an approved feedlot shall remain active from the date of issuance unless:
 - 1. The feedlot fails to meet the minimum facility, animal identification, record-keeping or other requirements in which case the State Veterinarian may rescind the Colorado Approved Feedlot registration; or
 - 2. The approved feedlot voluntarily relinquishes its Colorado Approved Feedlot registration. In the event the Approved Feedlot voluntarily relinquishes its registration, the Approved Feedlot shall be required to meet all minimum requirements of this rule until all livestock the Approved Feedlot at the time of relinquishment have exited the facility to approved slaughter facilities or to other Colorado Approved Feedlot.
- D. Colorado Approved Feedlots shall be inspected for appropriate record keeping and other compliance annually or as deemed necessary by the State Veterinarian.

VI. Colorado Approved Feedlot Record-Keeping Requirements

- A. Colorado Approved Feedlots shall keep an inventory of all livestock confined on the registered facility.
- B. Colorado Approved feedlots shall keep records through brand inspection of all cattle exiting the facility to approved slaughter facilities.
- C. Colorado Approved Feedlots shall reconcile inventories of cattle to include cattle that enter the feedlot, mortalities, realizer cattle, and cattle that exit the facility to approved slaughter facilities or to other Colorado Approved Feedlots.
- D. Records shall be made available to a representative of the State Veterinarian annually or as requested by the State Veterinarian.

Part 4: Bovine Tuberculosis

I. Introduction

Bovine tuberculosis is caused by *Mycobacterium bovis* and can be transmitted from livestock to humans and other animals. Tuberculosis is a chronic disease seldom becoming apparent until it has reached an advanced stage in cattle and other livestock. Some infected livestock can appear to be in good health, showing no clinical signs of disease until they are found to be infected through diagnostic tests or by slaughter inspection. Livestock with tuberculosis develop an immune response which can be detected by a tuberculin skin test. Although young animals and humans can contract the disease by drinking raw milk from infected dams, the most common means of transmission is through inhaling the infectious organism. Tuberculosis lesions may be found in any organ or body cavity of diseased animals. In later stages of the disease nodules or lumps caused by bovine tuberculosis can become evident in the lungs and certain lymph nodes.

Methods used toward the goal of continued disease eradication in Colorado are tuberculosis testing and a nationwide surveillance program in slaughter plants. State or Federal meat inspectors check the glands and organs of cattle for signs of tuberculosis. If these inspectors find lesions indicative of infection, tissue samples are sent to the Animal and Plant Health Inspection Service (APHIS) National Veterinary Services Laboratories (NVSL) in Ames, IA, for further testing. If the laboratory confirms that the lesions are the result of tuberculosis the livestock are traced back through market channels to the originating herd, which is then tuberculin tested.

II. Definitions

- A. **"Accredited free state"** means a state that maintains full compliance with all of the provisions of the United States Department of Agriculture (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 and has been classified by the USDA as Accredited Free.
- B. **"Accredited herd (cattle, bison, or dairy goats)"** means a herd 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 Part.
- C. **"Accredited veterinarian"** means a veterinarian licensed by the Colorado Department of Regulatory Agencies, Veterinary Medical Examiners and approved by the USDA in accordance with 9 Code of Federal Regulations § 161 (2002) to perform functions required for state or cooperative state and federal animal disease control and eradication programs.
- D. **"Adjacent herd"** means a group or groups of animals having potential direct contact with the affected herd. Herds separated by a single fence are considered adjacent herds.
- E. **"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.
- F. **"Annual tests"** means those tests conducted at intervals of not less than ten (10) months nor more than fourteen (14) months.
- G. **"Auction"** means a public sale of cattle, bison or dairy goats to the highest bidder.
- H. **"Auctioneer"** means a person who sells or makes a business of selling cattle, bison or dairy goats at auction.

- I. **"Bison"** means a bovine-like animal (genus *Bison*) commonly referred to as American buffalo or buffalo.
- J. **"Bovine Tuberculosis"** means a disease in cattle, bison or dairy goats caused by *Mycobacterium bovis*.
- K. **"Cattle"** means all domestic bovine (genus *Bos*).
- L. **"Caudal Fold Tuberculin (CFT) Test"** means the intradermal injection of 0.1 milliliter 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 will not be subjected to a caudal fold retest at intervals of less than sixty (60) days.
- M. **"Commission firm"** means a person, partnership or corporation that buys and/or sells livestock as a third party and reports to the seller and/or to the buyer details of the transactions. This includes any such person or group regardless of whether or not a fee is charged for the services.
- N. **"Commission sales"** means those sales that are conducted by a third party who reports to the seller and/or to the buyer details of the transactions.
- O. **"Comparative Cervical Tuberculin (CCT) Test"** means the intradermal injection of 0.1 milliliter 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.
- P. **"Dairy goats"** means domestic caprine (genus *Capra*) kept for the purpose of producing milk for human consumption.
- Q. **"Dealer"** means any person, firm or partnership engaged in the business of buying or selling cattle, bison or dairy goats in commerce, either on his or her own account or as the employee or agent of the vendor and/or purchaser or any person engaged in the business of buying or selling cattle, bison, or dairy goats in commerce on a commission basis. The term shall not include a person who: (1) buys or sells cattle, bison or dairy goats as a part of his or her own bona fide breeding, feeding or dairy operation; (2) is not engaged in negotiating the transfer of cattle, bison or dairy goats; or, (3) receives cattle, bison or dairy goats exclusively for immediate slaughter on his or her own premise.
- R. **"Designated Feedlot"** means a confined area approved and recorded by the State Veterinarian or authorized agent. The designated feedlot shall be maintained for finish feeding of animals in dry lot with no provisions for pasturing or grazing. Animals leaving such a feedlot must move directly to slaughter and be accompanied by permit and brand inspection. Animals may move from the designated feedlot with appropriate testing approved by the State Veterinarian.
- S. **"Entry permit"** means a permit obtained through the Colorado Department of Agriculture for the interstate import or intrastate movement of livestock into Colorado.
- T. **"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.
- U. **"Exposed animals"** means cattle, bison or dairy goats that have been exposed to bovine tuberculosis by reason of associating with known tuberculous animals.

- V. **"Feedlot"** means a confined dry lot area for the finish feeding of animals on a concentrated feed with no facilities for pasturing or grazing.
- W. **"Herd"** means a group of 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. (A group is construed to mean one (1) or more animals.)
- X. **"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.
- Y. **"Hold order"** means a written notice or order issued pursuant to Section 35-50-103(5) C.R.S. (2005 Colo. Sess. Laws Chapter 132, page 447) when the results of tests are pending.
- Z. **"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.
- AA. **"National Animal Identification System (NAIS)"** means a national program intended to identify specific animals and premises in the United States developed by the USDA, State agencies and the livestock industry. This system is designed to enable traceback of the movements of any diseased or exposed animal.
- BB. **"Natural additions"** means animals born and raised in a herd.
- CC. **"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 Comparative Cervical Tuberculin (CCT).
- DD. **"No Gross Lesion (NGL) Animals"** means any cattle, bison or dairy goats that do not reveal a lesion(s) of bovine tuberculosis upon postmortem inspection. (An animal with skin lesions alone will be considered in the same category as an NGL animal.)
- EE. **"Non-modified accredited State"** means a state that has not received accredited free status or modified accredited state status.
- FF. **"Official ear tag"** means a metal identification eartag that provides unique identification for each individual animal by conforming to the nine (9)-character alpha-numeric national uniform eartagging system or any other unique identification device approved by the Colorado Department of Agriculture.
- GG. **"Official Tuberculin Test"** means a test for tuberculosis applied and reported by approved personnel in accordance with this Part 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 USDA.
- HH. **"Permit"** means an official document (USDA form VS-127) issued by an authorized agent of the Department of Agriculture, a representative of the Animal and Plant Health Inspection Service Veterinary Services (APHIS VS) or an accredited veterinarian that is required to accompany reactor, suspect, or exposed animals to slaughter. The permit will list 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 must be issued by authorized personnel. No diversion from the destination on the permit is allowed.

- II. **"Quarantine"** means a written notice or order issued by an authorized agent of the Colorado Department of Agriculture showing the boundaries of the area or premises affected, the animals restricted and the conditions, if any. No livestock held under quarantine may be moved or released until a VS-127 permit or quarantine release signed by an authorized agent has been executed.
- JJ. **"RFID"** means a radio frequency identification device used as individual identification of livestock.
- KK. **"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.
- LL. **"Responder"** 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 have demonstrated a response by a CCT.
- MM. **"Routine screening tuberculin test"** means a caudal fold tuberculin test, or any other test which 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.
- NN. **"Single cervical tuberculin test"** means the intradermal injection of 0.1 milliliter 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.
- OO. **"Suspect"** means any cattle, bison or goats that have been classified as a suspect by a comparative cervical test.
- PP. **"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.
- QQ. **"Uniform Methods and Rules (UM&R)"** for Bovine Tuberculosis Eradication shall mean the standards set forth by the USDA Animal and Plant Health Inspection Service (APHIS Bulletin No. 91-45-011) which are effective January 1, 2005.
- RR. **"USDA Premises Identification Number"** means a unique identification number allocated to an owner's facility or premises by the USDA national repository under the National Animal Identification System.
- SS. **"VS -127 permit"** means the official USDA Veterinary Services form used in transportation under sealed conveyance. A state or federal animal health official seals the conveyance at its origin and breaks the seal only at destination.
- III. **Authority to Require Test**
- A. The State Veterinarian, or any accredited veterinarian as defined by USDA-APHIS and working under the State Veterinarian's direction, upon epidemiological evidence and/or surveillance testing resulting in reliable information that tuberculosis exists in any bovine, bison or goats, or that any of these animals may have been exposed to tuberculosis, may cause the tuberculin test to be applied to such animals.

- B. Should the owner or caretaker refuse or neglect to comply with the instructions of the accredited veterinarian, the State Veterinarian or his/her duly authorized representative or authorized agent, said animals shall be placed under a hold order to prohibit the movement of any animals from said premises.
 - 1. The hold order shall be issued by an authorized agent of the Colorado Department of Agriculture showing the boundaries of the area or premises affected, the animals restricted and the conditions.
 - 2. The livestock shall be held under a hold order until testing has been completed at which time animals will be released from the hold order or quarantined based on the test results.
- C. The State Veterinarian reserves the right to supervise, or have supervised, any test conducted by an accredited veterinarian.

IV. Personnel Authorized to Apply Tuberculin Tests

- A. Tuberculin tests shall be applied by a veterinarian employed as a full-time state or federal regulatory veterinarian or by an accredited veterinarian
- B. Animal technicians employed by state or federal governments and approved by said governments may conduct routine screening tuberculin tests when directly supervised by state or federal veterinarians.

V. Reporting of Tests

- A. A report, by the official USDA test form of all tuberculin tests, including the date of injecting and palpating, individual identification of each animal by eartag number, electronic identification, individual permanent numerical brand, or registration tattoo, age, sex, and breed and a record of the size of the response and test interpretation, shall be submitted to the Colorado Department of Agriculture, Animal Industry Division, 700 Kipling Street, Suite 4000, Lakewood, CO 80215 within ten (10) days of the date the test is read.

VI. Approved Laboratories

- A. The primary laboratory for all tuberculosis diagnostic purposes shall be the National Veterinary Services Laboratories (NVSL), Ames, Iowa.

VII. Identification

- A. All animals tested shall be individually identified by official eartag, official electronic identification, individual tattoo, individual permanent numerical brand or any other identification method approved by the State Veterinarian at the time of the initiation of testing.
- B. All premises where testing for tuberculosis occurs shall have a USDA premises identification number registered in the NAIS premises repository.
- C. Animals tested to be moved in channels of trade shall be individually and uniquely identified and in accordance with the NAIS standards and may include RFID technology or any other identification system approved by the State Veterinarian.

VIII. Dealers and Record Keeping

- A. All dealers, auction markets and commission firms shall keep sufficient records for a minimum of five (5) years of all animals purchased for resale to enable any authorized agent to trace such animals satisfactorily to their herd of origin and to their disposition at the time of sale.
- B. These records shall be made available to any authorized agent of the Colorado Department of Agriculture for the purpose of inspection or photocopying during normal business hours.
- C. Failure to maintain or provide adequate records shall constitute a violation of this rule.

IX. Initial Diagnostic Tests

- A. The caudal fold test, or any other test approved by the USDA, is the official tuberculin test for routine use in individual cattle, bison or dairy goats in herds of such animals where the tuberculosis status of the animals is unknown.
- B. Animals that respond to the caudal fold test shall be placed under a hold order until the responding animals are tested with a supplemental test.
- C. The supplemental test must be conducted within 10 days of the caudal fold test or after 60 days.
- D. No animal with a response to a caudal fold test is eligible for intrastate or interstate movement unless said animal is subsequently classified "negative for *M. bovis*" based on an official comparative cervical test or other new testing technology as stated in Section XII.D. or accompanied by a VS-127 permit and consigned direct to slaughter with no diversion from the approved destination.

X. Caudal Fold Test Interpretation

- A. When testing herds not known to be infected with *Mycobacterium bovis*, Accredited Veterinarians using the caudal fold test shall classify the animals as "responders" if the test produces a response. The animal(s) shall be retested by a state or federal veterinarian.
- B. Decisions regarding tuberculin test interpretations will be based upon the professional judgment of the testing veterinarian in accordance with policies established by the cooperating state and federal officials.
- C. The injection site on each animal shall be observed and palpated. Observation without palpation is not acceptable and shall constitute a violation of these rules.

XI. Supplemental Diagnostic Tests

- A. The comparative cervical test (CCT), or any other test approved by the USDA and State Veterinarian, is the official tuberculin test for retesting of responders.
- B. The CCT shall be applied only by a full-time state or federal regulatory veterinarian and shall not be used in known infected herds.
- C. The CCT shall not be used as a primary test for animals of unknown status.
- D. The Gamma interferon test may be used as a confirmatory test when approved by the State Veterinarian.

XII. Classification of Supplemental Testing in Cattle, Bison and Goats

- A. CCT responses shall be recorded and plotted on the CCT scattergram. Classification shall be according to the zone in which the animal is plotted on the scattergram. Animals plotting in the negative zone may be reclassified as negative. Animals may be classified as a suspect or reactor according to their plotted response on the scattergram.
- B. Animals classified as reactors shall not be retested or reclassified. An animal in the suspect zone on two successive comparative cervical tests will be classified as a reactor and appropriate identification applied.
- C. Animals classified as suspects to the comparative cervical test shall be reclassified as reactors when included in a herd test that results in the confirmation of bovine tuberculosis in the herd.
- D. Animals classified as reactor shall have, and suspects may have a post mortem performed and witnessed by a regulatory veterinarian. Appropriate tissue samples shall be submitted for laboratory examination at the NVSL. If the animal fails to demonstrate infection based on the lack of gross or microscopic evidence of bovine tuberculosis or other approved diagnostic tests, the herd may be considered free of bovine tuberculosis.
- E. In the event new technology and advancements provide alternative testing procedures, which are approved by the USDA, the State Veterinarian may alter testing procedures listed above to conform and utilize the new approved methods and tests.

XIII. Disposition of Supplemental Test Responding Cattle, Bison and Goats

- A. Suspect and reactor animals shall remain on the premises where they were disclosed until a VS-127 permit for movement has been obtained.
- B. Movement for immediate slaughter will be directly to a slaughtering establishment where approved state or federal inspection is maintained within fifteen (15) days of classification.
- C. Alternatively, the animals may be destroyed under the direct supervision of a regulatory veterinarian to insure that a proper post mortem examination can be conducted and that the carcass is disposed of according to methods approved of in the tuberculosis Code of Federal Regulations.
- D. Suspects to the comparative cervical test shall remain under a hold order until:
 - 1. They are retested by the comparative cervical test in sixty (60) days, or
 - 2. Shipped under VS-127 permit directly to slaughter.

XIV. Quarantine Procedures

- A. Herds where only responder or suspect animals are disclosed shall be quarantined on the premises until retested and classified negative or shipped directly to slaughter under VS-127 permit accompanied by a state or federal veterinarian in order to collect samples.
- B. All herds in which reactor animals are shown to be infected through confirmatory tests shall be quarantined. Movement for immediate slaughter must be directly to an approved slaughtering establishment, under a VS-127 permit, where federal inspection is administered. Animals must be identified by official eartags or other individual unique identification as may be required by the State Veterinarian. Addition of animals shall be allowed only upon the approval of the State Veterinarian.

- C. The sale of calves from quarantined herds shall be restricted. All calves that have passed a caudal fold tuberculin test within sixty (60) days may be permitted to move intrastate to a Designated Feedlot.
- D. Herds in which *Mycobacterium bovis* infection has been confirmed shall remain under quarantine if not depopulated and must pass two tuberculin tests of intervals of at least sixty (60) days and one (1) additional test after one hundred eighty (180) days. All animals moved from the farm shall be shipped directly to slaughter and shall be accompanied by a VS-127 permit issued by a state or federal representative.
- E. Herds in which only NGL reactor(s) occur and in which no evidence of *Mycobacterium bovis* infection has been disclosed may be released from quarantine.

XV. Identification of Reactor Cattle, Bison and Goats

- A. Reactor cattle and bison shall be identified by branding the letter "T" on the tail head, not less than two (2) inches wide, nor less than three (3) inches high, and by tagging with an approved metal eartag bearing a serial number and inscription "US reactor", or a similar state approved reactor tag suitably attached to the left ear of each animal.
- B. Reactor goats shall be identified by tagging with an approved metal eartag bearing a serial number and inscription "US reactor", or a similar state approved reactor tag suitably attached to the left ear of each animal.

XVI. Identification of Exposed Cattle, Bison and Goats

- A. Exposed cattle and bison shall be identified by branding the letter "S" on the tail head not less than two (2) inches wide nor less than three (3) inches high and by tagging with an approved metal eartag bearing a serial number attached to either ear of each animal.
- B. In lieu of branding, such animals may be accompanied to an approved slaughter facility by a state or federal representative or be shipped in vehicles closed with official seals.
- C. Exposed goats shall be identified by tagging with a serial number metal eartag attached to either ear.
- D. All such animals to be destroyed shall be transported to the place of destruction in vehicles closed with official seals or shall be accompanied to the place of destruction by a state or federal representative.
- E. The above conditions prevail provided that animals destroyed and disposed of under the direct supervision of a state or federal representative on the premises where the animals were exposed do not require individual identification.

XVII. Diagnostic Tests in Exposed or Affected Herds

- A. The single cervical test is for use in herds affected with bovine tuberculosis and for testing exposed cattle, bison, or goats from such herds. It shall be applied only by a full-time state or federal regulatory veterinarian.
- B. The caudal fold test is a primary diagnostic test when used in herds affected with bovine tuberculosis in lieu of the single cervical test. It shall be applied only by a full-time state or federal regulatory veterinarian. Animals responding to the test shall be classified as reactors.

- C. In the event new technology and advancements provide alternative testing procedures, which are approved by the USDA, the State Veterinarian may alter testing procedures listed above to conform and utilize the new approved methods and test.

XVIII. Procedures in Affected Herds

- A. Disclosure of tuberculosis in any herd shall be followed by a complete epidemiologic investigation and written report.
- B. All cattle, goats, and/or bison in herds from which tuberculosis cattle, goats, and/or bison originate, and all cattle, goats, and/or bison that are known to have been associated with affected cattle, goats and/or bison, shall be tested or an approved herd plan must be on file within thirty (30) days of the date disclosed.
- C. These procedures shall apply to adjacent and contact herds as well as to the evaluation and testing of possible source herds for the affected herd.
- D. Herds that have received exposed animals shall be tested following the slaughter or testing of exposed animals.
- E. Every effort shall be made to insure the immediate elimination of the disease from all species of domestic livestock on the premise.
- F. The first consideration in affected herds is the depopulation of the entire herd. If depopulation cannot be accomplished, the herd shall be handled following the quarantine procedures as outlined under Section XIV.

XIX. Procedures in Tuberculosis Infected Feedlots

- A. A tuberculosis infected feedlot shall be handled in the same manner as an affected herd in regard to epidemiologic investigation and the development of epidemiologic tracings for animal movements into and out of the feedlot.
- B. Emphasis on investigations and testing shall be to detect possible spread from the feedlot. Cattle and bison in feedlots known to be exposed to tuberculous cattle or bison shall be quarantined and shipped under VS-127 permit directly to slaughter.
- C. Feedlots or portions of feedlots, which have contained affected and exposed cattle or bison, may be vacated, cleaned and disinfected following removal of such cattle or bison to slaughter.

XX. Cleaning and Disinfection of Premises, Conveyances and Materials

- A. All cleaning and disinfection shall be completed according to Code of Federal Regulations 9 procedures approved by the State Veterinarian.

XXI. Minimum Standards for Accreditation and Reaccreditation of Tuberculosis Accredited Cattle or Bison Herds

- A. The minimum standards for accreditation and reaccreditation of tuberculosis accredited cattle and bison herds are as follows:
1. All animals must pass two (2) consecutive negative official tuberculin tests not less than ten (10) months nor more than fourteen (14) months apart of all test eligible animals. Test eligible animals include all cattle or bison twelve (12) months of age and older and all animals other than natural additions under twelve (12) months of age. Natural additions become test eligible at twelve (12) months.
 2. All animals in the herd to be accredited must be uniquely individually identified by an official metal eartag, electronic identification, registration tattoo or individual permanent numerical brand.
 3. Movement of cattle into an accredited herd must be:
 - a) From an accredited free herd within a state with tuberculosis free status without test;
 - b) From a herd in an accredited free state, with a test required on all cattle 6 months or older, within 60 days prior to entry;
 - c) Cattle from any state or area with less than free status must originate from an accredited herd. Individual animal(s) shall be tested negative sixty (60) days prior to entering the premise and be kept in isolation and retested negative sixty (60) days following entry.
 4. Animals added under Section XXI.A.3.b) and c) shall not receive new herd status for sale purposes until they have been a herd member for at least sixty (60) days and are included in a complete herd test.
 5. All additions, both purchased and natural, will be uniquely and individually identified and included as herd members for annual retest.
 6. Accurate records on each individual animal must be kept, including disposal and/or death of each animal, natural additions and purchased additions.
 7. Accreditation is valid for a twelve (12) month period. The original date of accreditation will serve as the herd's official accreditation date.
 8. Reaccreditation shall require a negative test of all test eligible herd members not less than ten (10) nor more than fourteen (14) months from the official accreditation date. All animals must be bona fide members of the herd.
 9. No evidence of bovine tuberculosis may be disclosed in the herd for the purposes of accreditation or reaccreditation.

XXII. Minimum Standards for Accreditation and Reaccreditation of Tuberculosis Accredited Goat Herds

- A. Minimum standards for accreditation and reaccreditation of tuberculosis accredited goat herds are as follows:
1. Testing of herds for accreditation or reaccreditation shall include all goats over six (6) months of age and any animals other than natural additions under six (6) months of age. All natural additions shall be individually identified and recorded on the test report as members of the herd at the time of the annual test.
 2. Herd additions must originate directly from one of the following:
 - a) Accredited herd, or
 - b) Herd in an accredited free state, or
 - c) Herd in a modified accredited area that has passed a herd test of all animals over six (6) months of age within 12 months, and the individual animals for addition were negative to the official tuberculin test conducted within 60 days.
 3. Animals added under Section XXII.A.2.b) and c) shall not receive accredited herd status for sale purposes until they have been members of the herd at least 60 days and are included in a herd retest.
 4. Reaccreditation shall require a negative test of all test eligible herd members not less than ten (10) nor more than fourteen (14) months from the official accreditation date. All animals must be bona fide members of the herd.
 5. No evidence of bovine tuberculosis may be disclosed in the herd for the purposes of accreditation or reaccreditation.

XXIII. Interstate Importation of Cattle or Bison

- A. All dairy cattle six (6) months and older shall be tested and negative for tuberculosis prior to entry into Colorado.
- B. All dairy cattle that are less than six (6) months of age at the time of importation into Colorado, must be identified to their birth premises; which shall include premises identification and a unique individual identification that conforms to the NAIS and is a RFID.
- C. Dairy cattle less than 6 months of age that are imported into Colorado shall:
1. Have a valid Certificate of Veterinary Inspection;
 2. Have an entry permit;
 3. Be placed on a hold order, until tested for tuberculosis at greater than 6 months and less than 7 months of age, the hold order shall be in effect until tuberculosis test results are reported to the State Veterinarian and all animals tested are negative.
- D. Sexually intact beef cattle six (6) months and older from states with less than a Accredited free state shall be tuberculosis tested and negative to the test prior to entry into Colorado.

- E. Feeder cattle from states with less than free status may be imported to Designated Feedlots without test.

XXIV. International Importation of Sexually Intact Livestock from Areas Without Recognized Status

- A. All sexually intact cattle, goats, and bison, from any foreign country or part thereof with no recognized tuberculosis status comparable to the UM&R standards for Bovine Tuberculosis Eradication, shall not be allowed to enter Colorado unless imported for immediate slaughter and unless the owner of such animals;
1. Obtains an entry permit issued by the Colorado Department of Agriculture;
 2. Obtains a VS-127 permit issued by the Colorado Department of Agriculture prior to entry; and
 3. Consigns those animals directly to an approved slaughter establishment.

XXV. Importation of Steers and Spayed Heifers from Mexico

- A. Owners of steers and spayed heifers from Mexican states, that have been determined by the State Veterinarian, to have fully implemented the Control/Preparatory Phase of tuberculosis eradication in accordance with 9 CFR 93.427 (c) may enter Colorado provided they have been tested negative for tuberculosis in accordance with the USDA UM&R standards within 60 days prior to entry into the United States and obtain a telephone entry permit prior to entering Colorado.
- B. Owners of steers and spayed heifers from Mexican states and areas which have not met the criteria above must show evidence that the herd of origin has had a complete herd test in the last 12 months and that there was no evidence of tuberculosis in that herd. The animals crossing into the United States and destined for Colorado must be retested prior to arriving in Colorado.
- C. All dairy and dairy-cross steers and spayed heifers from Mexico are prohibited from entering Colorado regardless of test history.
- D. Rodeo and roping stock from Mexico must be tested negative for tuberculosis between 60 and 90 days after entry into the United States and prior to their utilization as rodeo or roping stock by a U.S. accredited veterinarian, or State or Federal animal health official. Retesting for tuberculosis is required every 12 months thereafter. Such stock qualified by testing above may be imported into Colorado only after obtaining a telephone entry permit. No sexually intact rodeo stock from Mexico will be permitted into Colorado.

Part 5: *Brucella ovis*

I. Introduction

Brucella ovis is a bacteria which causes the disease known as ram epididymitis in breeding rams. It is principally spread from ram to ram during the non-breeding season. The disease causes decreased fertility or sterility in affected rams. This results in economic losses to sheep producers in the form of reduced lamb crops, a lengthened breeding season, an increased number of rams required to service a flock of breeding ewes, and the increased costs from replacing infected rams.

No effective vaccine is available to prevent this disease. The only effective means of controlling the disease at the current time is to test the rams with an approved test described in these regulations and remove the positive rams from the flock. These regulations are necessary to prevent transmission of the disease due to movement of positive rams from one flock to another.

II. Definitions

- A. "Approved laboratory" means a laboratory approved by the State Veterinarian to conduct testing for *Brucella ovis*.
- B. "Approved test" means a test approved by the State Veterinarian for the diagnosis of *Brucella ovis* in test eligible rams.
- C. "*Brucella ovis* exposed ram" means any test negative or untested test eligible ram which has been in contact with a ram that tests positive to approved test within the last 30 days.
- D. "*Brucella ovis* free flock" means a flock of sheep in which all rams six months of age and older have passed two negative serology tests at least 45 days apart. After the initial testing, an annual negative test of all test eligible rams is required to maintain the *Brucella ovis* free status.
- E. "*Brucella ovis* reactor eartag" means an eartag used to identify rams that test positive to an approved *Brucella ovis* test. The design and color of the *Brucella ovis* slaughter only eartag shall be approved by the State Veterinarian and shall be supplied through the Colorado Department of Agriculture.
- F. "*Brucella ovis* reactor ram" means a ram that tests positive to an approved *Brucella ovis* test.
- G. "*Brucella ovis* slaughter only eartag" means an eartag used to identify *Brucella ovis* exposed rams or untested rams. The design and color of the *Brucella ovis* slaughter only eartag shall be approved by the State Veterinarian and shall be supplied through the Colorado Department of Agriculture.
- H. "Colorado Approved feedlot" means a confined area approved and recorded by the State Veterinarian or authorized agent. The approved feedlot shall be maintained for finish feeding of rams in dry lot with no provisions for pasturing or grazing. Rams leaving an approved feedlot shall move directly to slaughter.
- I. "ELISA" test means the enzyme linked immunoassay test.
- J. "Scrapie tag" means the official tag issued by USDA APHIS for use in the Scrapie Disease Eradication Program. These tags are unique for the premises of origin and unique for individual animal identification. These tags are required for change of ownership and movement across state lines and should also be used in *B. ovis* disease testing and eradication.
- K. "Test eligible ram" means any ram six months of age and older.

III. Requirements for Laboratory Testing

- A. All rams six months of age, and older, that are transferred, leased, or loaned for breeding purposes or flock certification, shall be tested prior to any such transfer, lease, or loan.
- B. All blood samples must be submitted to an approved laboratory for testing.
- C. Official identification of the rams must be recorded and accompany all blood samples to the approved laboratory whether for official or unofficial testing.
- D. Official tests for *Brucella ovis*: All sample collection for interstate or intrastate sale or transfer of breeding rams or to qualify rams for a *Brucella ovis* free flock must be performed by an accredited veterinarian.
- E. Unofficial tests for *Brucella ovis*: An owner may collect blood samples from rams and have the samples tested at an approved laboratory. This test cannot be used for sale or transfer of breeding rams or to qualify rams for a *Brucella ovis* free flock
- F. The test methodology shall be approved by the State Veterinarian.

IV. Requirements for Sale or Transfer, Lease, or Loan

- A. No person may transfer, lease, or loan a ram six months or older for breeding purposes in the state of Colorado, unless said ram has been tested for *Brucella ovis* within 30 days prior to the date of the transfer, lease, or loan and unless such test result is negative. It shall be the responsibility of the owner to provide necessary official test records to the recipient at the time of transfer, lease, or loan.
- B. Rams from *Brucella ovis* free flocks, as defined herein, may be transferred, leased, or loaned without a test. A copy of the current *Brucella ovis* Free Certificate shall be provided to the recipient and the certificate number recorded on the certificate of veterinary inspection if such inspection is required.
- C. No *Brucella ovis* exposed ram may be transferred, leased, or loaned for breeding purposes within Colorado unless all exposed rams in the flock test negative, are sent to slaughter, or are castrated in accordance with provisions of Section VI.B of this Part 5 of these rules.

V. Livestock Auctions Market Sales

- A. All rams six months of age and older that arrive at market without proof of an official negative *Brucella ovis* test, as in Section III.D., completed within 30 days of the sale date, shall be identified with an official *Brucella ovis* slaughter only eartag supplied by the Colorado Department of Agriculture or with a paint brand on the top of the back. This brand shall be a "Q" not less than 4 inches in height.
- B. Rams arriving at market without official identification shall have an official identification device applied. The market veterinarian or designee shall apply a standard USDA scrapie tag as a second form of positive identification when the *Brucella ovis* slaughter only eartag is applied.

VI. Quarantine of Test Positive Rams and Premises

- A. All confirmed test positive *Brucella ovis* rams and all exposed rams shall be immediately placed under quarantine and remain under quarantine until such positive rams are castrated, are sent to slaughter, or are transferred to an Approved Feedlot. Exposed rams that are isolated from all known infected rams may be tested and classified as negative with an official *Brucella ovis* test at least 45 days after isolation.
- B. Upon completion of the above requirements and receipt of the following information the State Veterinarian may release the quarantine.
1. Official test results of a negative test at least 45 days after isolation from all positive rams; or
 2. Permits where exposed rams were transported directly to slaughter or to a sale for direct slaughter; or
 3. A written statement from the owner, manager, or operator or that person's veterinarian, stating that all reactor or exposed rams were castrated. The written statement shall include the identification numbers of the castrated rams.

VII. Requirements for the Identification and Disposition of Exposed or Infected Rams

- A. Prior to transfer, lease, or loan any *Brucella ovis* exposed rams, and all untested rams six months of age or older (not originating from a *Brucella ovis* free flock), shall be identified by the following methods:
1. With an official *Brucella ovis* slaughter only eartag or
 2. With a paint brand on the top of the back. This brand shall be a "Q" not less than 4 inches in height.
- B. Any ram found to be positive on an approved test for *Brucella ovis* shall be identified with an official *Brucella ovis* reactor eartag or with a paint brand on top of the back. This brand shall be a "Q" not less than 4 inches in height. All reactor rams shall be sold directly to slaughter or moved to an Approved Feedlot or be castrated and then sold or moved without restriction.

Part 6: Cattle and Bison Brucellosis

I. Introduction

It is the purpose of the State Veterinarian's Office to maintain Colorado's Certified Brucellosis Free Status and further reduce the possibility of infection to the cattle and bison within Colorado. Methods will include continuation of slaughter and sale surveillance programs, control of import animals appropriately by origin and use, and vaccination as long as it is an effective tool. The preferred method of management of any infected Colorado herd will be indemnified depopulation pending available federal or state funds.

II. Definitions

- A. **"Accredited Veterinarian"** means a veterinarian licensed by the Colorado Board of Veterinary Medical Examiners and approved by the Deputy Administrator of the Animal and Plant Health Inspection Service (APHIS) in accordance with 9 Code of Federal Regulations § 161 (2002) to perform functions required for cooperative State/Federal animal disease control and eradication programs.

- B. **"Adjacent herd"** means a group or groups of animals having potential direct contact with the affected herd. Herds separated by a single fence are considered adjacent herds.
- C. **"Affected herd"** means a herd of cattle, bison that contains, or has recently contained, one (1) or more animals infected with *Brucella abortus* and that has not passed the required tests necessary for release from quarantine.
- D. **"Annual test"** means a test conducted at intervals of not less than ten (10) months nor more than fourteen (14) months.
- E. **"Approved test"** means a laboratory test used in the diagnosis of *Brucella abortus* approved by the State Veterinarian.
- F. **"Bison"** means a bovine-like animal (genus *Bison*) commonly referred to as American buffalo or buffalo.
- G. **"Cattle"** means all domestic bovine (genus *Bos*).
- H. **"Certificate of Veterinary Inspection (Health certificate)"** means an official document approved by the State Veterinarian and issued by an accredited veterinarian at the point of origin prior to the shipment of livestock and includes electronically generated and transmitted Certificates of Veterinary Inspection.
- I. **"Certified free herd"** means a herd of cattle or bison that has qualified for and has been issued a Certified Brucellosis-Free Herd certificate issued by the State Veterinarian or state animal health official in the state of origin. The Certified Brucellosis-Free Herd status is valid for 12 months unless evidence of brucellosis is disclosed.
- J. **"Class free state"** means a state classified by VS/APHIS, as set forth in the UM&R, based upon the incidence of brucellosis infection existing in said state.
- K. **"Class A State"** means a state classified by VS/APHIS, as set forth in the UM&R, based upon the incidence of brucellosis infection existing in said state.
- L. **"Class B State"** shall mean a state classified by VS/APHIS, as set forth in the UM&R,, based upon the incidence of brucellosis infection existing in said state.
- M. **"Class C State"** shall mean a state classified by VS/APHIS, as set forth in the UM&R, based upon the incidence of brucellosis infection existing in said state.
- N. **"Commission"** means the Colorado Agricultural Commission.
- O. **"Commissioner"** means the Colorado Commissioner of Agriculture.
- P. **"Designated Feedlot"** means a confined area approved and recorded by the State Veterinarian or authorized agent. The designated feedlot shall be maintained for finish feeding of animals in dry lot with no provisions for pasturing or grazing. Animals leaving such a feedlot must move directly to slaughter and be accompanied by permit and brand inspection. Animals may move from the designated feedlot with appropriate testing approved by the State Veterinarian.
- Q. **"Entry permit"** means a permit obtained through the Colorado Department of Agriculture for the interstate import or intrastate movement of livestock into Colorado.
- R. **"Exposed Animals"** means cattle or bison that have been exposed to brucellosis by reason of associating with known infected animals.

- S. **"Hold order"** means a written notice or order issued pursuant to Section 35-50-103(5) C.R.S. (2005 Colo. Sess. Laws Chapter 132, page 447) when the results of tests are pending.
- T. **"Market Cattle Identification (MCI)"** means a USDA program, set forth in the UM&R, which tests cattle or bison cows and bulls 2 years of age and older slaughtered at a recognized slaughter establishment, and all test-eligible cattle or bison moving through livestock markets or stockyards. Also, they are those test-eligible cattle and/or bison assembled at farms or ranches and prepared for movement to markets, stockyards, slaughter establishments, or other sales, such as consignment or dispersal sales. These cattle and/or bison are to be identified by eartag and/or backtag to the herd of origin before being moved or at the first point of concentration (such as a livestock market or slaughter establishment) that they reach in marketing channels.
- U. **"Milk Ring Test"** means an official test which may be performed on pooled milk from dairy herds and represents all of the lactating cows that contributed milk to that sample.
- V. **"National Animal Identification System (NAIS)"** means a national program intended to identify specific animals and premises in the United States developed by the USDA, State agencies and the livestock industry. This system is designed to enable traceback of the movements of any diseased or exposed animal.
- W. **"Natural Additions"** means animals born and raised in a herd.
- X. **"Official calfhood vaccinate (OCV)"** means a female bovine or bison animal vaccinated against brucellosis with RB-51 brucellosis vaccine between four and twelve (12) months of age. All vaccination must be conducted under the supervision of a federal or state veterinary official or accredited veterinarian. Vaccinated animals must be permanently identified as vaccinates and reported at the time of vaccination to the appropriate state or federal agency cooperating in the eradication of brucellosis.
- Y. **"Official ear tag"** means a metal identification eartag that provides unique identification for each individual animal by conforming to the nine (9)-character alpha-numeric national uniform eartagging system, as defined in the UM&R, or any other unique identification device approved by the Colorado Department of Agriculture.
- Z. **"Quarantine"** means a written notice or order issued by an authorized agent of the Colorado Department of Agriculture showing the boundaries of the area or premises affected, the animals restricted and the conditions, if any. No livestock held under quarantine may be moved or released until a VS-127 permit or quarantine release signed by an authorized agent has been executed.
- AA. **"RFID"** means a radio frequency identification device used as individual identification of livestock.
- BB. **"Reactor"** means any cattle or bison that shows a positive result to an approved test for brucellosis.
- CC. **"Uniform Methods and Rules (UM&R)"** for Cattle and Bison Brucellosis means the standards set forth by the USDA Animal Plant and Health Inspection Service (APHIS Bulletin No. 91-45-013), effective October 1, 2003.
- DD. **"USDA premises identification number"** means a unique identification number allocated to an owner's facility or premises by the USDA national repository under the NAIS.
- EE. **"VS-127 permit"** means the official USDA Veterinary Services form used in transportation under sealed conveyance. A state or federal animal health official seals the conveyance at its origin and breaks the seal only at destination.

III. Certified Free Herd Requirements

- A. Initial certification of the certified free herd may be accomplished by either of the following methods:
1. At least two consecutive negative approved blood tests of all test eligible cattle or bison not less than 10 months, nor more than 14 months apart, are required for initial certification. Additional herd tests may be conducted if the owner so desires or if the certifying agencies deem it necessary.
 2. A minimum of four consecutive negative milk ring tests conducted at not less than 90 day intervals, following by a negative herd blood test conducted within 90 days after the last negative milk ring test are required for initial qualification.
- B. The following requirements apply to recertification of a Certified Free Herd:
1. A negative herd test of all test eligible animals conducted within 60 days of each anniversary date is required for continuous certification.
 2. If the herd certification test is conducted within 60 days following the anniversary date the certification period will be 12 months from the anniversary and not 12 months from the date of the recertifying test.
 3. If a herd test for recertification is not conducted within 60 days following the anniversary date, then certification requirements are the same as for initial certification.
 4. Milk ring test procedures may not be used for herd recertification.

IV. Certified Free Herd Import Requirements

- A. Cattle from Certified Free Herds may be imported into Colorado without a test for brucellosis. A herd of cattle or bison may qualify as Certified Brucellosis-Free by meeting the applicable requirements that follow:
1. There has been a whole herd test within 12 months, in which all test eligible cattle or bison have tested negative to an approved test.
 2. Additions to a certified free herd may originate from other certified free herds that are approved by the animal health officials from the state of origin.
 3. Additions to a certified free herd may originate from Class Free States that have tested negative to an approved test within 30 days of entry.
 4. Additions to a certified free herd from Class A States must test negative to an approved brucellosis test within 30 days prior to shipment and be isolated on the certified free herd premises and retested within 45 to 120 days after arrival.
 5. Additions to a certified herd may not originate from Class B or C States.
 6. Herd inventory verification of certified free herds must be approved by the animal health or brand officials from the state of origin.
 7. The certified free herd number, issued by the state animal health officials in the state of origin, must be listed on the certificate of veterinary inspection.

IV. Testing Requirements

- A. Intrastate movements: In the absence of evidence of exposure to test suspect or positive cattle or bison there is no testing requirement for change of ownership or movement within Colorado.
- B. Free states Beef and Bison Brucellosis Import Test Requirements:
1. OCV cattle over 12 months of age and bison over 6 months of age may enter Colorado without a test and shall be individually identified with an OCV ear tag with the ear tag number recorded on a certificate of veterinary inspection
 2. All non OCV beef cattle over 12 months of age and bison over 6 months of age entering Colorado must be test negative for Brucellosis with an approved test within 30 days prior to entry. All such animals must be individually identified with a RFID electronic ear tag with the RFID number recorded on the certificate of veterinary inspection. Exceptions to this requirement apply to cattle or bison that are:
 - a) Steers or spayed heifer cattle;
 - b) Consigned and shipped with a Certificate of Veterinary Inspection and entry permit to a federally inspected slaughtering establishment for immediate slaughter;
 - c) Consigned and shipped with a Certificate of Veterinary Inspection and entry permit to a designated feedlot for feeding and then to immediate slaughter; or
 - d) Imported directly from a "Certified Brucellosis Free Herd." Each animal must be individually identified and listed on a Health Certificate. The herd certification number and date of last herd test must be recorded on the Health Certificate.
- C. Free States Dairy Brucellosis Import Test Requirements:
1. All dairy heifers and cows over 20 months of age must be test negative for brucellosis as determined by an accredited veterinarian using an approved test within 30 days prior to entry into Colorado unless they are:
 - a) Spayed heifers;
 - b) Consigned and shipped by VS-127 permit to a designated feedlot;
 - c) Consigned and shipped by a VS-127 permit to a federally inspected slaughtering establishment; or
 - d) Imported directly from a "Certified Brucellosis Free Herd". Each animal must be individually identified and listed on a Health Certificate. The herd certification number and date of last herd test must be recorded on the Health Certificate.
 2. All dairy bulls over four months of age must test negative for brucellosis within 30 days prior to entry into Colorado unless they are:
 - a) Consigned and shipped by a VS-127 permit to a federally inspected slaughtering establishment;
 - b) Consigned and shipped by a VS-127 permit to a designated feedlot;

- c) Imported directly from a "Certified Brucellosis Free Herd." Each animal must be individually identified and listed on a Health Certificate. The herd certification number and date of last herd test must be recorded on the Health Certificate.

D. Class A States' Beef, Dairy and Bison Brucellosis Import Test Requirements:

1. OCV dairy and beef cattle over 12 months of age and bison over 6 months of age shall be test negative to an approved brucellosis test within 30 days prior to entry and quarantined and isolated then retested 45-120 days after arrival. These cattle or bison shall be individually identified with an OCV ear tag and an RFID ear tag with both ear tag numbers recorded on a certificate of veterinary inspection and an entry permit obtained prior to shipment.
2. Non OCV dairy and beef cattle and bison may not enter Colorado unless they are:
 - a) Steers or spayed heifers;
 - b) Consigned and shipped by a VS-127 permit to a federally inspected slaughtering establishment;
 - c) Consigned and shipped by a VS-127 permit to a designated feedlot; or
 - d) Imported directly from a "Certified Brucellosis Free Herd." Each animal must be individually identified and listed on a Health Certificate. The herd certification number and date of last herd test must be recorded on the Health Certificate.
3. All beef bulls over 12 months of age, dairy bulls over 4 months of age and bison bulls over 6 months of age shall be test negative to an approved brucellosis test within 30 days prior to entry. These cattle or bison shall be individually identified with an RFID ear tag with the ear tag number recorded on a certificate of veterinary inspection and an entry permit obtain prior to shipment. Exceptions to this requirement would be cattle or bison that are:
 - a) Consigned and shipped by a VS-127 permit to a federally inspected slaughtering establishment;
 - b) Consigned and shipped by a VS-127 permit to a designated feedlot; or
 - c) Imported directly from a "Certified Brucellosis Free Herd." Each animal must be individually identified and listed on Health Certificate. The herd certification number and date of last herd must be test recorded on the Health Certificate.

E. Class B or C States Beef, Dairy and Bison Brucellosis Import Test Requirements:

1. No bovine or bison originating from Class B or C states may enter Colorado.

VI. Colorado Cattle and Bison Vaccination Requirements

- A. Vaccination of beef, dairy and bison heifer calves shall be administered by an accredited veterinarian or by a technician under the direct supervision of the accredited veterinarian.
- B. All heifers shall be vaccinated with strain RB-51 administered between 4 and 12 months of age. These cattle shall be properly identified by official tattoos and ear tag (either official USDA vaccination tag or RFID of approved design) and shall be reported on an official vaccination certificate (VS Form 4-24) within 30 days to the State Veterinarian.

VII. Class Free States' Dairy, Beef and Bison Import Vaccination Requirements

- A. All dairy, beef and bison females over 4 months of age from Class Free States must be OCVs with a legible tattoo and OCV ear tag prior to entering Colorado unless they are:
1. Spayed heifers;
 2. Non OCV beef females over 12 months of age or non-OCV bison over 6 months of age which test negative for brucellosis by an approved test within 30 days of entry into Colorado and are individually identified with an RFID ear tag with the ear tag number recorded on a certificate of veterinary inspection and an entry permit obtained prior to shipment;
 3. Consigned and shipped by a VS-127 permit to a federally inspected slaughtering establishment; or
 4. Consigned and shipped by a VS-127 permit to a designated feedlot.
- B. Female dairy, beef or bison calves under 4 months of age may be imported into Colorado provided they are individually identified with an RFID ear tag and enter under permit for quarantine and brucellosis vaccination upon age eligibility.

VIII. Class A States' Dairy, Beef and Bison Import Vaccination Requirements

- A. All dairy, beef and bison females over 4 months of age from Class A States must be OCVs with a legible tattoo and OCV ear tag prior to entering Colorado unless they are:
1. Spayed heifers;
 2. Consigned and shipped by a VS-127 permit to a federally inspected slaughtering establishment; or
 3. Individually identified with an RFID ear tag, consigned and shipped by a VS-127 permit to a designated feedlot.

IX. Slaughter Surveillance

- A. The MCI program as outlined in the UM&R will govern the routine slaughter surveillance at slaughter points in Colorado.

X. Epidemiologic Investigations, Hold Orders, and Testing

- A. As set forth in Section 35-50-109(3) (2005 Colo. Sess. Laws Chapter 132, Page 447), any owner whose livestock are suspected, after epidemiological investigation of being affected with or exposed to brucellosis shall upon order of the Commission or its authorized representative, assemble such livestock and provide the necessary facilities for collection of such samples as may be deemed necessary to conduct testing of such livestock for diagnostic purposes and shall render such assistance as required.
- B. A hold order shall be placed on the herd pending test results and if not already obtained, the herd owner shall obtain a premises identification number through the NAIS.

- C. All samples drawn in testing for brucellosis shall be forwarded to the state-federal cooperative Rocky Mountain Regional Animal Health Laboratory (RMRAHL), or any other laboratory approved by the Colorado Department of Agriculture for testing. Whenever any livestock are tested, the livestock shall be individually identified. Cattle and bison shall have an official ear tag placed in the right ear or approved RFID device applied, unless an official ear tag is already present, in which case the number of such tag shall be recorded. No exception is allowed for registered purebred livestock even though they may be otherwise permanently identified with a legible registered individual tattoo or registered individual brand. Official ear tags shall not be removed from the ear of such livestock.

XI. Quarantine Procedures

- A. In herds where a reactor animal is disclosed, all cattle or bison in the herd shall be quarantined on the premises. If not already obtained, the herd owner shall obtain a premises identification number from the NAIS.
- B. The preferred method of disease eradication response in a quarantined herd shall be depopulation, provided state or federal indemnity funding is available.
- C. The herd owner has the alternative of shipping cattle or bison within the quarantined herd direct to slaughter under a VS-127 permit.
- D. Affected herds shall remain under quarantine until such time that they are depopulated or all reactor or suspect cattle or bison have been removed from the herd and the remaining cattle or bison test and retest negative in accordance with the requirements of the UM&R for quarantine removal.
- E. Reactor or suspect cattle or bison shall be moved from the premises only under a VS-127 permit direct to slaughter.

XII. Identification and Disposal of Reactor Livestock

- A. All brucellosis reactor cattle and bison shall be permanently identified by hot iron branding with the letter "B", measuring at least two inches by two inches, placed on the left tailhead over the fourth to the seventh coccygeal vertebrae, and an approved reactor tag must be placed in the left ear. Identification of reactor livestock shall be completed within fifteen days after the test date. The time may be extended fifteen days for reasons mutually acceptable to the cooperating state and federal officials in charge. If not already obtained, the owner of the affected premises shall obtain a premises identification number as issued through the NAIS.
- B. All such brucellosis reactor livestock shall be removed from the herd where found, quarantined, and held in isolation until shipment for immediate slaughter under a VS-127 permit from the State Veterinarian or the State Veterinarian's authorized agent. All such livestock shall be condemned and shipped for immediate slaughter within thirty days of being classified as reactors. The time may be extended by the State Veterinarian.
- C. Partial herd depopulations may be approved if a complete herd test and an epidemiological investigation discloses that certain separate groups of cattle within the herd have passed a negative test and have had no exposure to the affected livestock for at least 180 days. Heifers which were progeny of cows in the affected herd(s) will be considered as exposed and required to be included in the depopulation or spayed. Bull calves produced by cows in the affected herd(s) will be required to be castrated or shipped directly to slaughter under a VS-127 permit issued by the State Veterinarian or his/her authorized agent.

- D. All other livestock in a herd in which such brucellosis reactor livestock are found may be branded with the letter "S" on the left tailhead over the fourth to the seventh coccygeal vertebrae. They shall remain under quarantine until sold directly to slaughter and shipped under sealed conveyance with a VS-127 permit.

XIII. Indemnity

- A. The Commissioner of Agriculture, upon the recommendation of the State Veterinarian, may authorize the payment of indemnity to any livestock owner whose herd is voluntarily sold for slaughter because it is exposed to brucellosis; however, such indemnification, when combined with any other moneys received by the owner for the livestock, shall not exceed ninety percent of the market value for animals of comparable grade and of the same or similar type. Notwithstanding said provisions, indemnity shall not be paid for brucellosis reactor animals.

Part 7: Equine Infectious Anemia

I. Introduction

Equine infectious anemia (EIA) is an infectious and potentially fatal viral disease in members of the horse family. No vaccine or treatment exists for the disease. It is often difficult to differentiate from other fever-producing diseases, such as equine influenza or equine encephalitis. The disease can be acute, chronic or at times inapparent. Infected horses may exhibit fever, anemia, depression, weight loss, or edema. The EIA virus is most frequently transmitted between horses in close proximity by large biting insects, such as horseflies. Disease prevention and control are accomplished through insect control and routine diagnostic tests used to identify infected horses.

II. Definitions

- A. **"Accredited veterinarian"** means a veterinarian licensed by the Colorado Department of Regulatory Agencies, Veterinary Medical Examiners and approved by the United States Department of Agriculture (USDA) in accordance with 9 Code of Federal Regulations § 161 (2002) to perform functions required for state or cooperative state and federal animal disease control and eradication programs.
- B. **"Adjacent herds"** means a group or groups of Equidae having any direct contact with an affected herd or positive animal. Herds separated by a distance of less than two hundred (200) yards are adjacent herds.
- C. **"Affected herd"** means a herd of Equidae that contains or has contained one or more animals infected with equine infectious anemia and that has not passed all tests required for release from quarantine.
- D. **"Approved laboratory"** means a laboratory approved prior to operating by the State Veterinarian and the Federal Area Veterinarian in Charge to conduct an official test for equine infectious anemia.
- E. **"Equidae"** means a family of Equidae which includes but is not limited to horses, asses, jacks, jennies, hennies, mules, donkeys, burros, ponies, and zebras.
- F. **"Equine infectious anemia (EIA)"** means a blood borne viral infection of Equidae.
- G. **"Exposed animals"** means Equidae that have been in contact with, associated with, or adjacent to animals known to be equine infectious anemia positive.

- H. **"Herd"** means one or more Equidae maintained on common ground and includes all Equidae under single or multiple ownership or supervision that are geographically separated but can have an interchange or movement without regard to health status.
- I. **"Herd plan"** means a herd management and testing agreement designed by a state or federal veterinarian and a herd owner to control and eradicate equine infectious anemia from an affected, adjacent, or exposed herd of Equidae.
- J. **"Hold order"** means a written notice or order issued pursuant to Section 35-50-103(5) C.R.S. (2005 Colo. Sess. Laws Chapter 132, page 447) when the results of tests are pending.
- K. **"Index case"** means the first disclosed case of EIA on a premises or area.
- L. **"ISO compliant microchip"** means a microchip used to identify individual Equidae that is compliant with the International Organization of Standardization.
- M. **"National Animal Identification System (NAIS)"** means a national program intended to identify specific animals and premises in the United States developed by the U.S. Department of Agriculture (USDA), State agencies and the livestock industry. This system is designed to enable traceback of the movements of any diseased or exposed animal.
- N. **"NVSL"** means the USDA, National Veterinary Services Laboratory in Ames, Iowa.
- O. **"Official test"** means the agar gel immunodiffusion (AGID) or "Coggins" test, the competitive enzyme-linked immunosorbent assay (CELISA) test, the synthetic antigen enzyme-linked immunosorbent assay (SA-ELISA) test, any USDA licensed tests, and/ or any other diagnostic test approved by the State Veterinarian.
- P. **"Owner"** means any person with the legal right of possession or having legal control over any Equidae, and shall include but not be limited to agents, caretakers, and other persons acting on behalf of that person.
- Q. **"Positive"** means any Equidae which discloses a positive reaction to an official test for equine infectious anemia.
- R. **"Quarantine"** means a written notice or order issued by an authorized agent of the Colorado Department of Agriculture showing the boundaries of the area or premises affected, the Equidae restricted, and any conditions of such restriction.
- S. **"State or federal veterinarian"** means any veterinarian employed by a state or federal regulatory agency.
- T. **"Test eligible"** means all Equidae other than foals less than six (6) months of age accompanied by their negative tested dam.
- U. **"Uniform Methods and Rules (UM&R)"** for Equine Infectious Anemia shall mean the standards set forth by the USDA Animal and Plant Health Inspection Service (APHIS Bulletin No. 91-55-064) which are effective March 1, 2002.
- V. **"USDA premises identification number"** means a unique identification number allocated to an owner's facility or premises by the USDA national repository under the NAIS.
- W. **"VS Form 10-11"** means the official USDA Veterinary Services laboratory submission form used in testing equidae for Equine Infectious Anemia.

- X. “**VS -127 permit**” means the official USDA Veterinary Services form used in transportation under sealed conveyance where a state or federal animal health official seals the conveyance at its origin and breaks the seal only at the destination.

III. EIA Rule and UM&R and Exceptions

- A. All rules applying to Equine Infectious Anemia shall comport to the UM&R unless otherwise stated in this rule.
- B. The Colorado State Veterinarian may grant an exception to this rule only on an individual basis.

IV. Authority to Require Test

- A. The State Veterinarian, any state or federal veterinarian, or any accredited veterinarian acting under authority of the State Veterinarian may cause an official test to be conducted on any test eligible Equidae known or suspected to be infected with or exposed to EIA.
- B. If the owner refuses or neglects to comply with the testing requirements, the Equidae shall be restricted by a hold order and the movement of any Equidae from the premises shall be prohibited.
- C. The State Veterinarian may provide and require supervision for any collection of test samples submitted by an accredited veterinarian.

V. Authority to Enter Premises

- A. An authorized agent of the Colorado Department of Agriculture shall have the authority to enter any premises, place, building, or enclosure, upon consent of the equine owner or agent, for the purpose of inspecting, testing, identifying, and examining Equidae found or suspected to be exposed or infected with EIA.
- B. The owner or agent of the Equidae shall assist in handling and restraining the animals as the State Veterinarian or agent requires.
- C. Any person interfering with the inspection, testing, identification, or examination through acts, words, or threats shall be in violation of these rules.

VI. Personnel Authorized to Collect Blood Samples

- A. All official samples collected from Equidae for EIA testing shall be collected and submitted by an accredited veterinarian or a state or federal veterinarian or other properly trained animal health technicians approved by the State Veterinarian or the USDA.

VII. Submission of Sample and Test Charts

- A. All blood samples submitted for official tests shall be accompanied by a properly completed VS Form 10-11 or electronic form approved by the USDA and the State Veterinarian. The Equine Infectious Anemia Laboratory Test form shall list the following:
1. Description of the Equidae, including the age, breed, color, sex, animal's name, any registration number, or if present electronic identification, all distinctive markings, including color patterns, brands, tattoos, scars, or blemishes. Digital or electronic pictures of proper quality that adequately identify the equine may be used. In the absence of any distinctive color markings or visible permanent identifications, the Equidae shall be identified by indicating the location of all hair whorls, vortices, or cowlicks with an "X" on the illustration provided on the VS Form 10-11.
 2. Owner's name and address, date and telephone number.
 3. The animal's stabled address and county and if available the premises identification registered with the national repository in accordance with the NAIS including all identification, i.e. brands, tattoos, RFID device and Global Positioning System (GPS) coordinates.
 4. The name, address and NAIS non-producer premises identification of the accredited veterinarian collecting the test sample.
 5. The laboratory conducting the test including its name and address along with the NAIS non-participant premises identification.
 - a) All blood samples shall be submitted in appropriate tubes and the tubes shall be marked to satisfactorily identify the sample to the animal recorded on the VS Form 10-11.
 - b) Samples submitted without proper identification and proper test charts shall not be classified.
 - c) Authorized personnel shall use only one chart or VS Form 10-11 for each Equidae to be tested. Electronic forms may be used if approved by the Area Veterinarian In Charge and the State Veterinarian.

VIII. Requirements for Approved EIA Testing Laboratories

- A. No person shall operate an EIA testing laboratory without first obtaining NVSL training and certification and approval from the Area Veterinarian in Charge and the State Veterinarian.

IX. Reporting of Test Results

- A. Approved laboratories shall notify the State Veterinarian's office and the individual submitting the sample for testing within seventy two (72) hours of all positive test results.
- B. Approved laboratories shall report test results only when samples are properly submitted and accompanied by a completed VS Form 10-11 or other electronic form in accordance with Section VII.A.5.a).
- C. An approved laboratory that reports results prior to the appropriate time period necessary for the proper completion of an official test shall be in violation of these rules and may be subject to removal of the laboratory's approved status and other administrative remedies.

X. Classification of Equidae Tested

- A. All Equidae tested for EIA pursuant to an official test shall be classified as negative or positive.
- B. Positive Equidae and retests.
 - 1. A positive is any Equidae which discloses a positive reaction to an official test.
 - 2. Equidae classified as positive shall be retested no more than seven (7) days following the date of the original test.
 - 3. Any Equidae found to be positive to a USDA approved test for equine infectious anemia shall be placed under quarantine by the State Veterinarian or his authorized representative.
 - 4. A second test shall be conducted at the same laboratory using the same original test method. If the second test is found to be positive the Equidae shall be declared EIA positive, unless the owner or State Veterinarian requests that an additional sample be sent to the NVSL. If the second test is determined to be negative a specimen shall be forwarded to the NVSL for testing. The NVSL results shall determine the Equidae's true EIA status.
 - 5. All positive Equidae shall be held in isolation, as described in Section XVI and under quarantine until the retest results are received.
 - 6. All other Equidae on the premises shall be placed under quarantine until the retest results are received.
 - a) All other Equidae on the premises shall be EIA tested if an index positive case is confirmed.
 - b) If the positive EIA Equidae is identified during the EIA vector season, all Equidae on the premises shall be retested after 60 days of the initial test and not longer than 120 days.
 - 7. All Equidae that show a negative response to an official test, as described in 6.a) and b) above, shall be classified negative by the Colorado Department of Agriculture approved laboratory.

XI. Quarantines and Hold Orders

- A. Any Equidae testing positive to an official test shall be quarantined to the premises of origin.
- B. The quarantine shall include the positive Equidae and other Equidae on the premises.
- C. A hold order shall be placed on all premises within 200 yards of the premises of the index case and on exposed herds based on epidemiologic evidence.

XII. Identification of Positive Equidae

- A. Any Equidae that has been confirmed positive, as in Section X, shall be permanently identified by branding with an "84A" and implanted with an ISO-compliant microchip or other electronic identification device approved by the State Veterinarian no more than fifteen (15) days after the date of the official test. The information pertaining to the electronic identification shall be reported to the State Veterinarian.

- B. The brand shall be clearly visible and permanently applied by an authorized agent of the Colorado Department of Agriculture using a hot iron brand or freeze brand marking no less than two (2) inches high.

XIII. Disposition of EIA Positive Equidae

- A. A positive EIA Equidae shall be euthanized or sent direct to slaughter or sent to a livestock market on a VS-127 permit for slaughter only.
- B. Positive EIA Equidae may be housed as described in Section XVI.E. if approved by the State Veterinarian.
- C. All Equidae destroyed prior to branding shall be reported immediately to the State Veterinarian and then described in a written statement by the accredited veterinarian or authorized agent certifying the destruction.

XIV. Testing Requirements in Affected Herds

- A. All test eligible Equidae determined to have been on the same premises as an EIA positive animal shall be tested in accordance with Section XV, by a state or federal veterinarian or an authorized agent of the Colorado Department of Agriculture within thirty (30) days of the confirmation of the positive EIA test.
- B. A second test shall be conducted not less than sixty (60) days nor more than one hundred twenty (120) days, following removal of the last positive Equidae in order for the quarantine to be released. The second test may not be required if the initial test samples were obtained sixty (60) days past the vector season as determined by the State Veterinarian.
- C. Foals nursing EIA positive mares shall be tested not less than sixty (60) days nor more than one hundred twenty (120) days after weaning and isolation from any positive animal. If positive, foals may remain under quarantine for additional testing at the discretion of the State Veterinarian.

XV. Testing in Exposed, Contact and Adjacent Herds

- A. All test eligible Equidae epidemiologically determined to have been exposed to an EIA positive animal shall be placed under a hold order and tested by a state or federal veterinarian, an accredited veterinarian, or an authorized agent of the Colorado Department of Agriculture.
- B. All test eligible animals within exposed, contact, or adjacent herds within the state shall be tested within thirty (30) days of notification.
- C. A second test shall be conducted not less than sixty (60) days nor more than one hundred twenty (120) days following the removal of the last positive animal from the exposed, contact or adjacent herd. The second test may not be required if the initial test samples were obtained sixty (60) days past the vector season as determined by the State Veterinarian.
- D. Exposed, contact, or adjacent herds tested by state or federal veterinarians shall be tested at state or federal expense providing funds are available.
- E. Exposed, contact, or adjacent herds tested by accredited veterinarians shall be tested at the owner's expense unless state or federal funds are available.
- F. Epidemiologic data may be considered in the testing requirements and release of quarantine for exposed, contact, and adjacent herds.

XVI. Movement and Stabling of Positive Exposed Animals

- A. All positive and exposed Equidae shall be accompanied by a VS-127 permit when moved from any quarantined premises.
- B. Any change in location of positive or exposed Equidae to an alternate quarantined premises shall be approved in advance following an epidemiological investigation of the receiving premises by the State Veterinarian. If approved the new receiving premises shall be required to obtain a NAIS premises identification.
- C. No diversion from the destination identified on the permit is allowed.
- D. All positive Equidae shall be stabled at a distance of at least 200 yards from any other Equidae on the owner's premises and Equidae on adjacent premises.
- E. All positive Equidae shall be stabled within a screened stable, during the vector season, as approved by the State Veterinarian. The owner shall also be required to abide by a herd plan approved by the State Veterinarian for the remainder of the affected herd.
- F. The owner of an adjacent herd shall enter into a herd plan with the State Veterinarian.
- G. The place of origin and the location where the positive animal is maintained shall be identified with an official USDA premises identification number issued under the NAIS. The USDA premises identification number shall be on record at the Colorado State Veterinarian's Office.

XVII. Release of Quarantine

- A. No Equidae held under quarantine shall be moved or released until a VS-127 permit or quarantine release has been issued by an authorized agent of the Colorado Department of Agriculture or the USDA.
- B. The EIA quarantine may be released by an authorized agent of the Colorado Department of Agriculture, after all quarantined Equidae in the affected herd test negative to an official test conducted at the approved laboratory, no less than sixty (60) days nor more than one hundred twenty (120) days following the identification and removal of the last EIA positive animal.
- C. When evaluating the release of the quarantine, the vector season may be considered when reviewing epidemiologic factors.

XVIII. Misrepresentation or Material Misstatement

- A. Test charts, permits, and other official forms shall be completed with the name of the owner or person responsible for the Equidae.
- B. An approved market, market operator, or market veterinarian shall not be held responsible for recording erroneous information if provided by an owner, buyer, or seller.
- C. Any person providing erroneous or fictitious information shall be in violation of these rules.
- D. Any person altering, defacing, or falsifying information on a test chart, permit, certificate of veterinary inspection, or any form associated with the EIA program shall be in violation of these rules.

Part 8: Swine Health, Pseudorabies and Brucellosis

I. Introduction

Pseudorabies is a viral disease most prevalent in swine that can also affect cattle, horses, dogs, cats, sheep, and goats. The disease is caused by an extremely contagious herpesvirus that causes reproductive problems, including abortion, stillbirths, and even occasional death losses in breeding and finishing hogs. The disease often causes newborn pigs to die and older pigs can survive infection, becoming carriers of the pseudorabies virus for life. Other animals infected from swine can die from pseudorabies, which is also known as Aujeszky's disease and "mad itch." Infected cattle and sheep can first show signs of pseudorabies by scratching and biting themselves. The virus does not cause illness in humans. Pseudorabies is primarily spread through direct animal-to-animal (or nose-to-nose) contact between an infected and a noninfected pig. If present on inanimate objects, such as boots, clothing, feed, trucks, and equipment, the virus can also spread from herd to herd and farm to farm.

Swine brucellosis is caused by a bacteria, *Brucella suis*. *Brucella suis* is usually spread mainly by ingestion of infected tissues or wastes. Common manifestations of brucellosis in swine are abortion, temporary or permanent sterility, orchitis, lameness, posterior paralysis, spondylitis, and occasionally metritis and abscess formation in extremities or other areas of the body. Infected boars may transmit the disease during service; the organism can be recovered from semen. Pigs raised for breeding purposes are sources of infection. Suckling pigs may become infected from sows, but most reach weanling age without becoming infected.

II. Definitions

- A. **"Accredited veterinarian"** means a veterinarian licensed by the Colorado Board of Veterinary Medical Examiners and approved by the Deputy Administrator of the United States Department of Agriculture (USDA) in accordance with 9 Code of Federal Regulations § 161 (2002) to perform functions required for state or cooperative state and federal animal disease control and eradication programs.
- B. **"Breeding swine"** means all swine six (6) months of age or older being kept for reproductive purposes.
- C. **"Brucellosis"** means a disease in swine caused by *Brucella suis*.
- D. **"Certificate of veterinary inspection"** means an official document issued by an accredited veterinarian at the point of origin of a shipment of swine. It shall include the name and address of the consignor; the name and address of the consignee; the entry permit number, if applicable; the age, sex, number, and breed of the swine; sufficient identifying marks, tags or other identification as may approved by the State Veterinarian, to positively identify each pig; and the results of all required tests. It shall also include a record of an inspection of the swine verifying that each pig is free from visible evidence of any contagious, infectious, or communicable diseases and that the swine do not originate from an area of quarantine, infestation, or infection. A certificate of veterinary inspection is valid for thirty (30) days after the date of issuance.
- E. **"Entry permit"** means official permit from the State Veterinarian obtained prior to moving swine into Colorado. An entry permit may be obtained by telephone and is valid for thirty (30) days after the date of issuance.
- F. **"Exposed swine"** means swine that have been in contact with, associated with, or adjacent, within a one (1) mile radius, to any animal known to be pseudorabies positive swine.
- G. **"Feeder swine"** means swine intended to be fed to a finished slaughter weight and not intended for breeding or exhibition.

- H. **"Herd"** means one or more swine maintained on common ground and includes all swine under common ownership or supervision that are geographically separated.
- I. **"Hold"** means a temporary order issued by the State Veterinarian when an infectious or contagious disease is suspected in swine to isolate any swine to a premises or specified area pending completion of testing.
- J. **"Identification"** means a permanent ear tag or other method approved by the Colorado Department of Agriculture that provides unique identification for each animal.
- K. **"Infected herd"** means a herd in which an animal has been determined to be infected with pseudorabies using an official pseudorabies test.
- L. **"Isolation"** means the separation of swine by a physical barrier in such a manner that other swine do not have access to the isolated swine's body, excrement, or discharges. Owners of swine kept in isolation shall be subject to a herd plan approved by the State Veterinarian that considers biosecurity appropriate to the premises.
- M. **"Official pseudorabies test"** means a test approved by the USDA to be conducted on swine for the diagnosis of pseudorabies and performed in a laboratory approved by the State Veterinarian.
- N. **"Pseudorabies"** means the infectious and communicable disease of livestock and other animals also known as Aujeszky's disease, mad itch, or infectious bulbar paralysis.
- O. **"National Animal Identification System (NAIS)"** means a national program intended to identify specific animals and premises in the United States developed by the USDA, State agencies and the livestock industry. This system is designed to enable traceback of the movements of any diseased or exposed animal.
- P. **"Quarantine"** means an order issued by the State Veterinarian when testing has confirmed the presence of disease in swine and which order isolates specific swine to a premises or specific area and restricts their movement unless otherwise permitted by the state.
- Q. **"Stage V Free status"** means a state or area that has been designated as free of pseudorabies.
- R. **"Uniform Methods and Rules (UM&R)"** for Swine Brucellosis Control/Eradication shall mean the standards set forth by the USDA Animal and Plant Health Inspection Service (APHIS Bulletin No. 91-55-042) issued April 1, 1998.
- S. **"Uniform Methods and Rules (UM&R)"** for Pseudorabies Eradication shall mean the standards set forth by the USDA Animal and Plant Health Inspection Service (APHIS Bulletin No. 91-55-071) which are effective November 1, 2003.

III. Test Positive Swine, Quarantine and Disposition

- A. Any swine herd found to have positive animals to the serum neutralization test or any other approved recognized test for pseudorabies shall be placed under quarantine by the State Veterinarian or his authorized representative.
- B. A hold shall be placed on any herd when epidemiological evidence indicates that adjacent, traceforward, or traceback movements have occurred from an infected herd.
- C. Such herd shall be depopulated. Indemnity shall be paid if state or federal funding is available.

- D. Positive animals and herd mates shall be shipped for immediate slaughter or depopulated and disposed of in an appropriate manner and in accordance with the UM&R.

IV. Swine Imports into Colorado

- A. An entry permit number and certificate of veterinary inspection are required on all shipments of swine except for swine consigned for immediate slaughter. Only an accredited veterinarian may obtain a swine entry permit.
- B. All feeding and breeding swine shall be individually identified or have an NAIS group identification and the identification shall be shown on the certificate of veterinary inspection. The NAIS premises identification of both premises of origin and destination must be shown on the certificate of veterinary inspection. The following statement must be placed on the certificate of veterinary inspection for swine originating from states with less than Stage V Free status by the issuing veterinarian: "The swine listed on this certificate are under quarantine for 30 days and are to be kept separate and apart from all other swine." This statement is not required for exhibition swine.
- C. Breeding swine shall be accompanied with an official certificate of veterinary inspection (health certificate) issued within thirty days of importation into Colorado. The swine must originate from a NAIS premises and the receiving premises in Colorado shall have a NAIS premises. Swine shall have either individual unique identification or group identification. Breeding swine must originate from herds not known to be infected with pseudorabies and shall originate from a Stage V Free status state.
- D. Swine imported into the State of Colorado for feeding purposes must be qualified by one of the following methods prior to entry:
 - 1. Originate from a state designated as Stage V Free status; or
 - 2. Originate from a qualified pseudorabies negative herd; or
 - 3. Be tested for pseudorabies within 30 days prior to entry.
- E. Breeding swine which originate from Stage V Free status states that have a significant feral swine population, as determined by the State Veterinarian, may be required to be negative to an approved pseudorabies test within 30 days of entry into Colorado.

V. Livestock Markets

- A. Swine consigned to an approved market shall be individually or group identified in accordance with the NAIS standards.
- B. A livestock market shall record all identification of swine presented for sale and the swine identification listed on all purchase sheets.
- C. Feeding and breeding swine originating from markets or concentration points cannot move to a Colorado market for sale.
- D. Diseased swine or swine exposed to an infectious or contagious disease cannot be offered for sale at a Colorado market.

VI. Swine Slaughter

- A. Swine consigned to federally inspected slaughtering establishments for immediate slaughter shall be accompanied by a valid certificate of veterinary inspection.

- B. Swine originating from a pseudorabies quarantined premises, area or state are not permitted to enter Colorado for slaughter or any other purpose.

VII. Exhibition Swine

- A. Exhibitions, fairs, and shows that exhibit swine shall be terminal events.
- B. Swine that participate in these events shall be immediately destined for slaughter or a sale for slaughter only, after the event.
- C. The event personnel shall be prepared to provide evidence that all participating swine arrive at a slaughter plant or at a sale restricted for direct slaughter only.
- D. Swine that are shipped to exhibitions, fairs, and shows must be accompanied by a certificate of veterinary inspection. This is in addition to all other requirements listed in this section. Swine used for racing, petting zoo or other recreational activities shall meet the same requirements.
- E. Swine breeding exhibitions, fairs, shows, and out of state participants must meet the importation requirements of Section IV.A., B., and C.

VIII. Swine Brucellosis

- A. Breeding swine over 180 days of age, prior to import into Colorado, must be tested and negative for brucellosis except animals originating from a Validated Brucellosis Free state, as defined in the UM&R or from a currently validated herd with the herd number shown on the health certificate.
- B. Breeding swine residing in or imported into Colorado shall meet all other Brucellosis regulations as in the APHIS 91-55-042, Swine Brucellosis Control and Eradication, Uniform Methods and Rules, April 1998.

Part 9: Trichomoniasis

I. Introduction

The purpose of this rule is to prevent the introduction of and to control the spread of the bovine venereal disease trichomoniasis, specifically *Tritrichomonas foetus* (*Trichomonas fetus* or *T. fetus*) infection.

II. Definitions

- A. "Acceptable Specimen" means a specimen determined satisfactory for diagnostic testing by the approved laboratory, including complete documentation.
- B. "Colorado Approved Feedlot" shall have the meaning set forth in Part 3 of these rules.
- C. "Approved Laboratory" means any laboratory designated and approved by the State Veterinarian for testing *T. fetus* samples.
- D. "Bovine" means any sexually intact male or female animal of the genus *Bos*.
- E. "Colorado Commuter Permit" means a permit issued by the Colorado State Veterinarian's Office to Colorado livestock producers who use pasture lands and other livestock operations in one or more states that are contiguous to Colorado.

- F. “Commingle” means having both male and female bovines in the same enclosure or pasture where such animals would have a reasonable opportunity for sexual contact.
- G. “Complete Herd Test” means an official *T. fetus* test of all breeding-age bulls as determined by the State Veterinarian.
- H. “Directly to Slaughter” means transporting an animal to a slaughter plant after loading into a transit device without unloading prior to arrival at the destination slaughter plant.
- I. “Herd” means a group of bovines (male and female) that have commingled for any period of time during the last 12 months.
- J. “Import Permit” means a document issued by the State Veterinarian’s office authorizing specific livestock movements into Colorado. Permits expire 30 days after issuance and are not transferable.
- K. “Official *T. Fetus* Bull Test” means the sampling of the preputial content of a bull by an accredited veterinarian or a veterinarian employed by USDA or Colorado Department of Agriculture in order to perform an official *T. Fetus* PCR test. The bull and sample must be individually identified and documented for laboratory submission.
- L. “Official *T. Fetus* PCR test (Polymerase Chain Reaction)” means a method approved by the State Veterinarian that detects, through in vitro amplification, the presence of *T. fetus* DNA.
- M. “Positive *T. Fetus* Bull” means a bull that has had a positive *T. fetus* test.
- N. “Positive *T. Fetus* Herd” means the group of all bovines that have commingled and in which group any bovine (male or female) has had a positive diagnosis for *T. fetus*.
- O. “Negative *T. Fetus* Bull” means a bull that qualifies by one of the following: a) originates from a herd not known to be infected and which herd has had a negative official *T. fetus* bull test within the last year; b) originates from a positive herd but has had a series of two negative official *T. fetus* PCR bull tests at intervals of at least one week; or c) has an import permit and a negative in-state official *T. fetus* PCR test.
- P. “Regulatory Veterinarian” means the State Veterinarian or his or her designee. This may be a state or USDA employed veterinarian or any accredited veterinarian holding a current state license to practice veterinary medicine.
- Q. “Suspect *T. Fetus* Bull” means a bull from a positive *T. fetus* herd that has not yet had two consecutive negative official *T. fetus* PCR bull tests.
- R. “*Trichomonas Fetus* (or *T. Fetus*)” means a contagious venereal protozoan parasite disease of the *Trichomonas foetus* species that causes infertility, pyometra, abortions, and reproductive inefficiency in female bovine.
- S. “Unacceptable Sample” means a sample that is deemed not diagnostic by the approved testing laboratory.

III. Import Rules

A. Bulls

1. All bulls 18 months of age and older that are entering into Colorado must be accompanied by a CVI, an import permit, and a negative official *T. fetus* PCR test within 60 days prior to entry. Exemptions to the requirement for having a negative official *T. fetus* PCR test 60 days prior to import are the following:
 - a) transient rodeo or exhibition (show) bulls that will have no sexual contact with a female bovine and that will be held in a secure facility to prevent such contact (does not include pasture) while in Colorado;
 - b) bulls consigned directly to slaughter; or;
 - c) bulls consigned to an Approved Feedlot for feeding purposes where they will be isolated from all females. Any known positive *T. fetus* bull quarantined in a feedlot shall go directly to slaughter from such feedlot.
2. If the pre-entry test is conducted at a facility other than a laboratory approved by the American Association of Veterinary Laboratory Diagnosticians (AAVLD) or the Colorado State Veterinarian, an in-state, post-entry official *T. fetus* PCR test shall be required within 10 days of entry into Colorado.
3. No bull that has ever previously tested positive for *T. fetus* shall enter Colorado unless the bull is consigned directly to slaughter.
4. No bull from a known positive *T. fetus* herd shall enter Colorado unless the bull has two consecutive negative official *T. fetus* PCR tests at least a week apart within 30 days prior to entry and an in-state, post-entry official *T. fetus* PCR test within 10 days of entry into Colorado. Bulls must be isolated from all females until the in-state test results are known.

B. Reproductive Bovine Female

1. No female bovine originating from a known positive *T. fetus* herd will be allowed to enter Colorado. Exceptions include the following:
 - a) Those on the premises of origin in which there were two consecutive negative official *T. fetus* PCR tests of the entire bull population, and the only allowed females are those that:
 - 1) have a calf at side and no exposure to other than known negative bulls since parturition;
 - 2) are at least 120 days pregnant;
 - 3) are known virgin heifers; or
 - 4) are documented to have had at least 120 days of sexual isolation.
 - b) Those consigned directly to slaughter or to an Approved Feedlot.
 - c) No other female will be allowed entry into Colorado for breeding purposes from such herds.

2. Bovine breeding females must have the following statement placed on the CVI and signed by the owner, manager, or operator of the herd of origin.
 - a) "The cows listed on this CVI did not originate from a known positive *Trichomonas fetus* herd"; or
 - b) "The cows listed on this CVI are at least 120 days pregnant"; or
 - c) "The heifers listed on this CVI were exposed for their first breeding only to a known negative *T. fetus* bull or artificially inseminated and are not yet 120 days pregnant"; or
 - d) "The females listed on this CVI have had at least 120 days of sexual isolation immediately preceding the date of their movement into Colorado."; or
 - e) "The cows listed on this CVI originated from a positive *Trichomonas fetus* herd and are consigned for slaughter".
- C. Commuter Permitted Cattle
 1. Bulls must be tested annually after a separation of at least 30 days from all female bovine. All bulls must be negative to an official *T. fetus* PCR test to be eligible to have a commuter permit issued for the following year. All purchased bulls added to the herd shall comply with test provisions.
- D. Import Permit
 1. All bulls 12 months of age and older must obtain an import permit, which will be recorded on the CVI.
 2. All non-OCV breeding cows must obtain an import permit, which will be recorded on the CVI.
- E. Public Livestock Sales (Auctions)
 1. All out-of-state bulls 12 months of age and older must be accompanied by an import permit.
 2. All bulls that are 18 months of age and older shall be accompanied by a negative official *T. fetus* PCR test, conducted within 30 days prior to sale. Any bull 18 months or older presented for sale without test report may be placed under quarantine and tested at the livestock sale premises or at the Colorado purchaser's premises within 10 days of sale. Bulls shall be isolated from all females until the in-state test results are known.
 3. All bulls not qualifying as above (III.E.2) will be announced in the sale ring as "slaughter only" and so designated on the buyer's documents. Such bulls shall be identified with a back tag or reasonable method approved by the State Veterinarian designating them as having no *T. fetus* test prior to being offered for sale. All bulls not qualifying as above in III.E.2 (bulls at a livestock sale premises without an official *T. fetus* PCR test) shall be sold directly to slaughter or to an Approved Feedlot.

4. Bovine breeding females shall be accompanied by one of the following statements signed by the owner, manager, or operator of the herd of origin, on the CVI or other suitable document. In the absence of one of these statements, any female bovine over the age of 12 months shall be consigned and sold to slaughter (or quarantined feed for slaughter) only.
 - a) "The cows listed on this document did not originate from a known positive *Trichomonas fetus* herd"; or
 - b) "The heifers on this document have been exposed to only known negative bulls, and are not yet 120 days pregnant"; or
 - c) "The cows listed on this document are at least 120 days pregnant"; or
 - d) "The females offered for sale have had at least 120 days of sexual isolation immediately preceding the date of their transfer of ownership"; or
 - e) "The cows listed on this document originate from a positive *Trichomonas fetus* herd and are consigned for slaughter."

F. Identification Requirements

1. Bulls that must be separated and identified for purposes of this section shall be identified consistent with procedures set forth in section VI of these rules.

IV. Intrastate Breeding bulls

- A. All bulls 18 months and older must have a negative official *T. fetus* PCR test within 60 days prior to change of ownership or change of possession under lease. Bulls shall not be exposed to females at the new premises until the results of the test are known. Any bull with a positive test shall be immediately quarantined. The quarantine shall be in effect until the bull is sent to slaughter. The positive *T. fetus* bull's herd of origin will be placed under a hold order. The hold or quarantine order will be released in accordance with the regulatory section of this rule.

V. Regulatory Action

A. Public Grazing & Grazing Associations

1. All breeding bulls commingling in grazing associations, regardless of whether public or private associations, or on public lands, regardless if private or multiple user permits, shall have the official *T. fetus* bull test conducted annually. Negative bulls shall be identified as in VI.A. below.
 - a) If any bull is found positive, the entire bull population, regardless of owner, manager, or operator, will be required to have two consecutive negative official *T. fetus* PCR tests prior to turn out time. Any stray bull from an untested group that enters the grazing area of tested animals may be held under quarantine until the bull has one or more official *T. fetus* PCR test(s) conducted. The test(s) shall be the responsibility of the bull's owner. The conditions of the quarantine and number of tests will be determined by the State Veterinarian.

B. Positive *T. fetus* Bull & Herd

1. Any confirmed *T. fetus* bovine and its herd (as defined by state animal health officials) shall immediately be placed under quarantine, and will remain under quarantine as follows:
 - a) Positive *T. fetus* bulls shall be identified with an official Positive *T. fetus* test tag by an approved veterinarian within 5 days of diagnosis.
 - b) Positive *T. fetus* bulls shall be quarantined then sent directly to slaughter or to public livestock market for slaughter or to an Approved Feedlot.
 - c) All other bulls in a positive *T. fetus* herd shall remain quarantined until they have tested negative to two consecutive official *T. fetus* PCR tests at least one week apart. The initial negative official *T. fetus* PCR test is included in the series of negative tests required.

C. Reproductive Bovine Females from a Positive *T. fetus* Herd

1. Females over 12 months of age (not known to be virgin heifers) from a positive *T. fetus* herd may be sold directly to slaughter or quarantined on the premises of origin. Individual females will be released from quarantine when there are two consecutive negative official *T. fetus* PCR tests of the entire bull population and the cow(s) has a calf at side (with no exposure to other than known negative *T. fetus* bulls since parturition), has documented 120 days of sexual isolation, or is determined by an accredited veterinarian to be at least 120 days pregnant.
2. Heifers known to be virgin at the time of turnout, or heifers exposed only to known negative *T. fetus* bulls and not yet 120 days pregnant, may remain within the herd.
3. Open females shall be sold to slaughter, moved to an Approved Feedlot, or held in isolation from all bulls for 120 days. Any female sold to slaughter through a livestock market shall be identified with an official Colorado positive *T. fetus* tag during the quarantine period.
4. Breeding by artificial insemination with semen from a known negative bull is allowed during the quarantine period.

D. Management Procedures of *T. fetus* Positive herds

1. The State Veterinarian may require additional testing of bulls, pregnancy testing of females, segregation of cattle within a herd, and may hold or quarantine a herd until the owner, lessor, or manager of the herd has complied with any additional requirements set forth by the State Veterinarian.

E. Management Procedures Regarding Stray Bulls

1. Any stray bull found on public or private land, from a known or unknown herd of origin, may be confined and placed under a hold order until the bull has one or more official *T. fetus* PCR test(s) conducted. The test(s) shall be the responsibility of the bull's owner. The conditions of the hold or quarantine orders and number of tests will be determined by the State Veterinarian.

VI. Identification

- A. Bulls that are determined official *T. fetus* PCR test negative by an official test shall be identified with an official Colorado negative *T. fetus* tag. The official tag shall be embossed with "Colorado Negative *T. fetus*" and a number. Tags will be supplied by the Colorado Department of Agriculture and be assigned to accredited veterinarians who shall apply such tags at the time samples are collected. The official negative *T. fetus* tag color shall be changed annually.
- B. Bulls identified pending negative test results shall be isolated from all females until the test result is reported negative.
- C. The accredited veterinarian shall record the bull's official identification device on the *T. fetus* test submission form or apply an official identification device to any bull that does not have one and record it on the *T. fetus* test submission form.
- D. Positive *T. fetus* bulls shall be identified with an official red positive *T. fetus* tag supplied by the Colorado Department of Agriculture.
- E. Any quarantined cows moved from the original premises of quarantine shall be identified with an official red positive *T. fetus* ear tag.

VII. Specimen Collection Facilities

- A. The bull's owner must provide adequate corrals and restraint to protect the animal and veterinarian from undue injury and risk. The accredited veterinarian shall determine the adequacy of such facilities and may require the bulls be delivered to a mutually agreed facility if the owner's facility is deemed inadequate for specimen collection purposes.

VIII. Approved Laboratory Responsibilities

- A. An approved laboratory is required to immediately report any positive specimen to the State Veterinarian's Office. Such report should include the official identification device, brand, owner name, address, telephone number and the submitting veterinarian's name, address, and telephone number.
- B. In order for *T. fetus* testing results to be considered official test results, the packaging and transportation of samples for *T. fetus* testing must explicitly follow the approved laboratory's protocol for transport of specimens. Failure to follow the appropriate submission protocol and policy may result in an unacceptable sample.
- C. The laboratory shall report unacceptable samples to the State Veterinarian. If any sample is deemed unacceptable the submitting veterinarian shall submit a retest specimen. The State Veterinarian may report the unacceptable samples and the name of the veterinarian who took the unacceptable standards to the USDA Assistant District Director who may report the information to the APHIS Administrator, who shall retain authority to suspend or revoke a veterinarian's accreditation pursuant to 9 C.F.R. §161.

Part 10: Equine Viral Arteritis

I. Introduction

The purpose of this rule regarding equine viral arteritis (EVA) is to protect the equine industry of the State of Colorado. Clinical disease due to EAV infection is a reportable disease to the Colorado State Veterinarian. Equine viral arteritis (EVA) is a contagious disease of horses caused by the equine arteritis virus (EAV). EVA is of special economic concern because it can result in abortion in pregnant mares, illness and death in young foals, and establishment of the carrier state in stallions. The import control policies of most countries currently deny entry to carrier stallions and EAV-infective semen because of the associated disease risks. It is important to enable the ability to require testing of some horses prior to vaccination to demonstrate that antibody titers are due to vaccination rather than natural infection. The vast majority of Colorado horses have never been exposed to the virus; therefore, the risk of spread of infection in Colorado is significant.

II. Definitions

- A. "Approved laboratory" means a laboratory approved by the State Veterinarian to conduct official testing for equine viral arteritis.
- B. "Book" or "booking" means the contracting or scheduling of a mare to be bred to a stallion.
- C. "Carrier" means a stallion that has a positive EAV virus isolation test or polymerase chain reaction (PCR) test from semen.
- D. "EAV" means equine arteritis virus, the organism that causes the disease equine viral arteritis.
- E. "Equine" means a family of Equidae which includes, but is not limited to, horses, asses, jacks, jennies, hennies, mules, donkeys, burros, ponies, and zebras.
- F. "EVA" means equine viral arteritis, a communicable disease in equine resulting in abortion in pregnant mares, illness and death in young foals, and potential establishment of the carrier state in stallions.
- G. "Isolated" means the protocols to prevent the transfer of EAV through the appropriate separation, movement controls, and biosecurity procedures approved by the State Veterinarian.
- H. "ISO compliant microchip" means a microchip used to identify individual Equidae that are compliant with the International Organization of Standardization and the USDA's animal disease traceability requirements.
- I. "Owner" means any person with the legal right of possession or having legal control over any Equidae, and shall include but not be limited to agents, caretakers, and other persons acting on behalf of that person.
- J. "PCR test" Polymerase chain reaction test to detect EAV in samples.
- K. "Semen" Secretion or ejaculate from the reproductive tract of a stallion containing spermatozoa and seminal fluid from the accessory sex glands.
- L. "Sero-negative test mare" means a mare that has been tested sero-negative (SN titer <1:4) and has been isolated from other horses prior to being bred.
- M. "Sero-negative" means a horse that has reacted negatively (SN titer <1:4) to a blood test for antibodies to EAV.

- N. "Sero-positive" means a horse has demonstrated a positive reaction in serum neutralization with a titer of equal to or greater than one (1) to four (4) to a blood test for antibodies to EAV.
- O. "Shedder" or "shedding" means an equine has been determined to have EAV in its body and has potential of transmitting the EAV to other equine.
- P. "Stallion" means a sexually intact male equine.
- Q. "Standard insemination volume" means 10 ml of semen.
- R. "Test breeding" means breeding a suspect carrier stallion to 2 sero-negative mares a minimum of twice a day for 2 – to 4 days in the same estrus period.
- S. "Vaccinated" or "vaccination" means an equine has been vaccinated with the approved EVA modified live virus vaccine and the vaccination status has been kept current in accordance with the manufacturer's recommendations.
- T. "Vaccinated sero-positive stallion" means a stallion that was sero-negative prior to being vaccinated against EVA and which has a positive titer ($>1:4$) post vaccination.

III. General EVA Information

- A. All laboratory samples pertaining to this rule shall be submitted by an accredited veterinarian to an approved laboratory.
- B. It is recommended that all breeding stallions be tested for EAV prior to use as a breeding stud or collection for artificial insemination.
- C. It is recommended that frozen semen or semen from unknown stallions be tested negative by virus isolation or PCR prior to being used for artificial insemination.

IV. EVA Shedding Stallions

A stallion is considered to be a carrier if any of the following apply: the virus can be cultured from his semen, if the virus can be detected in his semen by PCR test or if sero-negative mares seroconvert to sero-positive status within 28 days following breeding or insemination.

A stallion known to be a carrier shall not be permitted to breed or be collected for artificial insemination until the State Veterinarian determines that the stallion does not pose a risk of transmitting EAV. In making this determination, the State Veterinarian shall consider whether the requirements of subsections B. and C. of this section will be complied with by the premises on which the carrier stallion is located. The following restrictions shall apply to a carrier stallion that is permitted to breed or be collected for artificial insemination:

- A. The owner or agent of an EAV carrier stallion shall notify in writing the owner or agent of a mare booked or seeking to book a mare to that stallion that has been classified as an EAV carrier. A written copy of the booking confirmation shall be sent to the State Veterinarian.
- B. A carrier stallion shall be housed, handled and bred or collected for artificial insemination in a facility isolated from non-shedding stallions.
- C. A carrier stallion shall be bred to a mare(s) that:
 - 1. Have been vaccinated against EVA at least twenty-one (21) days and not more than 1 year prior to being bred; or

2. Has an existing EAV titer from vaccination or natural exposure to EAV, if the serological for EVA test was performed prior to date of breeding.

V. Sero-Positive Non-shedding Stallions

- A. A stallion may be considered to be a “vaccinated sero-positive stallion” if a blood sample collected within 10 days prior to administration of an approved vaccine was negative (SN titer < 1:4) for antibodies to EAV. See Section VIII for recommended vaccination protocols.
- B. It is required that a sero-positive vaccinated stallion that did not have an EVA negative test prior to vaccination comply with one of the following testing procedures to ensure that the stallion is not at risk of transmitting the virus:

1. A standard insemination volume (10ml) of semen should be collected and either virus isolation tested for EAV or evaluated using a PCR test; or
2. The stallion should be bred to two (2) mares negative for EAV antibodies. The two (2) mares should have blood collected for an EVA test twenty-eight (28) days after breeding or artificially inseminated from two ejaculates, separately collected.

The sero-positive stallion would be considered a non-carrier if the semen virus isolation tested, semen PCR or test-breeding results are negative.

- C. A stallion may be considered a ‘non-vaccinated sero-positive stallion’ if the stallion has seroconverted following a natural exposure to the virus. It is required that a non-vaccinated sero-positive stallion be tested as outlined below prior to breeding to ensure that he is not at risk of transmitting the virus.

1. Semen should be collected and either tested by virus isolation or evaluated using a PCR test for EAV; or
2. The stallion should be bred to two (2) mares negative for EAV antibodies. The two (2) mares should have blood collected for an EVA test twenty-eight (28) days after breeding or artificial insemination.

The sero-positive stallion will be considered a non-carrier if the semen by virus isolation, PCR, or test breeding results is negative.

- D. A stallion previously classified as a carrier stallion may be re-classified as a non-carrier stallion if the following criteria are met:

1. During the first breeding season following the stallion's classification as a non-carrier, the first five (5) sero-negative mares bred or artificially inseminated using semen collected from separate ejaculates from this stallion shall be test negative to a blood sample collected for an EVA test twenty-eight (28) days after breeding or artificial insemination.
2. During the second breeding season, the stallion shall be bred to two (2) mares negative for EAV antibodies that will be tested twenty-eight (28) days after breeding or have its semen collected and be virus isolation negative for EAV or have the semen tested negative by PCR for EAV. If the semen virus isolation test or PCR test and blood samples are negative for EAV, there shall not be restrictions placed on a future breeding season.

- E. The final determination that a stallion is not an EAV carrier shall be made based on scientific procedures described in this section and approved by the State Veterinarian. Until this determination is made the stallion shall be considered as an EAV carrier.

VI. Requirements for Breeding Mares to a Carrier Stallion or Inseminating Mares with Known EAV Infected Semen

The following guidelines are required when breeding mares to a carrier stallion or inseminating mares with known EAV infected semen.

- A. If a sero-negative mare is to be bred to a carrier stallion for the first time.
1. It is required that the mare be vaccinated a minimum of twenty-one (21) days prior to the first breeding or artificial insemination by an EAV carrier stallion and subsequently isolated a minimum of twenty-one (21) days after the first breeding or artificial insemination.
 - a) During isolation, the mare shall be physically separated from other equine in a separate isolation area approved by the State Veterinarian or designated personnel.
 - b) After the isolation period, the mare may move without restriction.
- B. Mares that have been vaccinated against EAV or have been bred to an EAV carrier stallion within the previous two (2) years may be re-bred to a carrier stallion but should be isolated for a minimum of twenty-one (21) days after breeding as noted above.
- C. When a mare bred to a carrier stallion is returned to the premises of origin within 21 days of breeding, it shall be in a transport vehicle or trailer by herself or with other sero-positive horses. Upon returning to the premises of origin, the transport vehicle or trailer and equipment used to move the mare must be immediately cleaned and disinfected according to procedures approved by the State Veterinarian.

VII. Actions for Newly Diagnosed Sero-positive Stallions

A stallion infected with EAV during the breeding season shall immediately cease breeding or immediately cease having semen collected for artificial insemination or semen collected and stored for future use. Since EVA is a reportable disease in the State of Colorado, the State Veterinarian must be immediately notified in the event of clinical EVA disease demonstrated by a positive laboratory test on serum or semen. An owner or agent with a mare booked or bred to a stallion that became infected with EAV during the breeding season shall be immediately notified in writing by the stallion's owner or agent. A copy of the written notification shall be sent to the State Veterinarian. A stallion infected with EAV during the breeding season shall be classified as an EAV carrier and shall be handled according to the requirements of this rule. Following the stallion's classification as a carrier, the State Veterinarian may reclassify the stallion as a non-carrier in accordance with this rule.

VIII. Equine Vaccinated Against EVA

Following are the recommendations that will provide for a more effective program for mares or stallions to be vaccinated for EVA in Colorado:

- The equine owner's facility should have a premises identification number (PIN).
- The mare or stallion receiving EVA vaccine should have an ISO compliant microchip implanted according to USDA's animal disease traceability requirements.

- That mares be tested for antibodies to EAV prior to an initial EVA vaccination.
- Testing for antibodies in blood of mares be submitted to an approved veterinary laboratory.
- A certificate documenting the mare has been vaccinated be sent to the State Veterinarian within seven (7) days of the vaccination date.
- The EVA vaccination certificate for mares be on a form prescribed by the State Veterinarian.
- The prior negative EVA test and vaccination of intact colts between 6-12 months of age and of adult teaser stallions.

Following are the requirements for mares or stallions to be vaccinated with EVA vaccine in Colorado:

- Testing of stallions for antibodies in blood or evidence of EAV in semen shall be submitted to an approved veterinary laboratory.
- Stallions vaccinated for the first time against EVA shall be test negative to a blood sample collected by an accredited veterinarian prior to vaccination.
- Stallions vaccinated for the first time against EVA shall have the EVA vaccine administered by an accredited veterinarian within ten (10) days after the sample collection date.
- A certificate documenting that the stallion has been vaccinated shall be sent to the State Veterinarian within seven (7) days of the vaccination date.
- The EVA vaccination certificate for stallions shall be on a form prescribed by the State Veterinarian.
- All equids vaccinated for the first time against EVA shall not have direct exposure to an EVA affected animal or a pregnant mare for twenty-one (21) days after vaccination.
- A vaccinated stallion shall not be used for breeding or artificial insemination within twenty-eight (28) days after vaccination. A vaccinated mare shall not be bred within twenty-one (21) days of vaccination.

IX. VA Test Mares

- A. An EVA test mare shall be isolated from the other equine and under the supervision of the State Veterinarian if the mare becomes:
 - 1. Clinically affected with EVA after breeding or artificial insemination; or
 - 2. Sero-positive after breeding or artificial insemination.
- B. An isolated mare shall be released from isolation by the State Veterinarian after:
 - 1. Twenty-eight (28) days in isolation and providing test results are negative; or
 - 2. The spread of EAV is no longer a risk, whichever is longer.

Part 11 Rule Exception

- A. The Commissioner of Agriculture or his designee, the Colorado State Veterinarian, may grant exceptions to any portion of this rule when disease management standards permit or require.
- B. Any such exception will be limited to individual cases.

Parts 12 – 15: Reserved

Part 16: Statements of Basis, Specific Statutory Authority and Purpose

I. Adopted: September 14, 2005 – Effective: December 1, 2005

The statutory authority for this rule is C.R.S. 35-50-101-133, The Livestock Health Act.

The basis of this rule is to implement Senate Bill 05-024 titled The Livestock Health Act. This law repealed and reenacted authorities of the State Veterinarian to control and prevent livestock diseases. The law granted the State Veterinarian new authorities, most notably the authority to order a “hold” on all livestock on a premises while tests for the presence of a disease are conducted. The law also removed from statute language dealing with specific livestock diseases and granted the Colorado Commissioner of Agriculture the authority to adopt rules to control diseases.

Part 1 of this rule establishes procedures and requirements for the issuance of Certificates of Veterinary Inspection. These certificates offer proof that an animal is free from clinical signs of specific diseases and documents vaccinations and tests that may have been administered.

Part 2 establishes a commuter agreement process whereby existing breeding herds from border states are shipped into Colorado and later return to the herd of origin. This Part facilitates cross-border shipments that recur for grazing on a regular basis.

Part 3 establishes measures to prevent bovine tuberculosis, a disease that can be transmitted from cattle to other warm blooded mammals. The measures are designed to achieve continual eradication of bovine tuberculosis through herd testing and surveillance at slaughter plants.

Part 4 creates a process to control *brucella ovis*, a bacterium that causes a highly infectious disease affecting breeding rams known as ram epididymitis which causes infertility. Without an effective vaccine, management of the disease relies on surveillance of rams within herds. This part sets out surveillance requirements for movement of rams from one flock to another.

Part 5 creates a process to maintain Colorado’s Certified Brucellosis Free Status and further reduce the possibility of infection to cattle and bison in Colorado. This Part establishes surveillance and vaccination requirements on cattle and bison herds.

Part 6 deals with an infectious disease that threatens Colorado’s horse industry. Equine infectious anemia (EIA) is an infectious and potentially fatal disease without an effective vaccine or treatment regimen. This Part establishes an EIA surveillance process and disease control mechanism.

Part 7 creates a surveillance and testing program for swine herds to control pseudorabies and swine brucellosis. Pseudorabies is a viral disease most prevalent in swine that can also affect cattle, horses, sheep and other mammals that causes reproductive problems and can be fatal to newborn swine. Swine brucellosis is caused by the bacterium *Brucella suis* that causes reproductive and other problems.

Part 8 of this rule deals with trichomoniasis and was previously adopted. The provisions are moved to this rule.

Pursuant to Section 24-4-103(12.5) of the Administrative Procedures Act, Section 24-4-101 *et seq.* C.R.S. (2004), the Colorado Department of Agriculture will comply with the following rules, codes or standards, which are incorporated herein by reference: Swine Brucellosis Control/Eradication, State-Federal-Industry, Uniform Methods and Rules, USDA APHIS Bulletin No. 91-55-042, issued April 1998; Brucellosis Eradication, Uniform Methods and Rules, USDA APHIS Bulletin No. 91-45-013, effective October 1, 2003; Pseudorabies Eradication State-Federal-Industry Program Standards, USDA APHIS Bulletin No. 91-55-071, effective November 1, 2003; Bovine Tuberculosis Eradication, Uniform Methods and Rules, USDA APHIS Bulletin No. 91-45-011, effective January 1, 2005; 9CFR § 161 (2002), Requirements and Standards for Accredited Veterinarians and Suspension or Revocation of Such Accreditation; and 9 CFR 93-427 (c) (2005), Cattle From Mexico.

This rule does not include later amendments or additions of the incorporated material. Information on obtaining copies of these incorporated materials may be found by contacting the Director of the Division of Animal Industry, Colorado Department of Agriculture, 710 Kipling Street, Suite 202, Lakewood, Colorado 80215. The incorporated materials may be examined at any state publications depository library.

II. Adopted: November 13, 2006 – Effective: November 13, 2006

The Colorado Department of Agriculture adopts the following emergency rules according to its authority as found in Colo. Rev. Stat. § 35-50-105, *et seq.*, and 24-4-103(6).

STATEMENT OF PURPOSE AND COMPLIANCE WITH COLO. REV. STAT. § 24-4-103(6).

The Colorado Department of Agriculture finds that immediate adoption of these rules is imperatively necessary for preservation of public health, safety or welfare and that compliance with the rulemaking requirements of § 24-4-103, C.R.S., would be contrary to the public interest.

Equine Viral Arteritis (EVA) is a contagious disease of horses that is caused by the equine arteritis virus (EAV). At this point, most of the Colorado equine population has yet to be exposed. The commencement of immediate testing to identify pre-antibody receiving mares and stallions and to locate those already infected/affected with/by EAV is of the utmost importance to ensure the continued safety and health of Colorado's equine population. Therefore, adoption of these emergency rules is imperative.

Without the adoption of these emergency rules, the public's interest is not served. Wherefore, the Colorado Department of Agriculture, pursuant to § 24-4-103(6), C.R.S., has an obvious and stated need to enact these rules.

Statements of Basis, Specific Statutory Authority and Purpose

The statutory authority of this rule lies in § 35-50-105, *et seq.*, C.R.S., 2005, specifically 35-50-105 (3)(f), (g) and (h), C.R.S., 2005, which grants authority to the Commissioner of Agriculture, with the approval of the Colorado Agricultural Commission, to set standards and requirements for testing livestock for infectious or contagious diseases and to set similar requirements for the vaccination of livestock to control infectious diseases. The Commissioner is further authorized to set standards and requirements for surveillance, testing, or implementation of other disease control measures.

The basis of this rule lies in the importance of controlling contagious disease among horses and other equine species and to facilitate commerce among citizens of Colorado and other states and countries. Equine viral arteritis (EVA) is a highly communicable disease spread among horses in two different manners. Infected equines with clinical signs of EVA can infect other equines by aerosol discharges from the mouth or nose. Male equines that have contracted EVA can then spread the disease to females by breeding or by artificial insemination. Therefore EVA is spread through both direct and venereal routes among equines. There is no direct treatment for the venereal disease, and therefore, male equines with the disease may have restricted ability to breed during the remaining period of their lives.

The purpose of this rule is to establish a widely accepted protocol for EVA disease control methods, testing, vaccination and record keeping requirements. This rule will enable owners of equines to contract for breeding their equines with increased confidence that EVA vaccination, testing, and disease control standards remain in effect in Colorado.

III. Adopted: January 4, 2007 – Effective: January 4, 2007

The Colorado Department of Agriculture adopts the following emergency rules according to its authority as found in Colo. Rev. Stat. § 35-50-105, et seq., and 24-4-103(6). These rules be effective on January 4, 2007.

STATEMENT OF PURPOSE AND COMPLIANCE WITH COLO. REV. STAT. § 24-4-103(6).

The Colorado Department of Agriculture finds that immediate adoption of these rules is imperatively necessary for preservation of public health, safety or welfare and that compliance with the rulemaking requirements of § 24-4-103, C.R.S., would be contrary to the public interest.

Equine Viral Arteritis (EVA) is a contagious disease of horses that is caused by the equine arteritis virus (EAV). At this point, most of the Colorado equine population has yet to be exposed. The commencement of immediate testing to identify pre-antibody receiving mares and stallions and to locate those already infected/affected with/by EAV is of the utmost importance to ensure the continued safety and health of Colorado's equine population. New Mexico, has reported confirmed cases of EVA. Because of New Mexico's proximate closeness to Colorado and because the breeding season is currently active, adoption of these emergency rules is imperatively necessary for preservation of public health, safety and welfare.

Without the adoption of these emergency rules, the public's interest is not served. Wherefore, the Colorado Department of Agriculture, pursuant to § 24-4-103(6), C.R.S., has an obvious and stated need to enact these rules.

Statements of Basis, Specific Statutory Authority and Purpose

The statutory authority of this rule lies in § 35-50-105, et seq., C.R.S., 2005, specifically 35-50-105 (3)(f), (g) and (h), C.R.S., 2005, which grants authority to the Commissioner of Agriculture, with the approval of the Colorado Agricultural Commission, to set standards and requirements for testing livestock for infectious or contagious diseases and to set similar requirements for the vaccination of livestock to control infectious diseases. The Commissioner is further authorized to set standards and requirements for surveillance, testing, or implementation of other disease control measures.

The basis of this rule lies in the importance of controlling contagious disease among horses and other equine species and to facilitate commerce among citizens of Colorado and other states and countries. Equine viral arteritis (EVA) is a highly communicable disease spread among horses in two different manners. Infected equines with clinical signs of EVA can infect other equines by aerosol discharges from the mouth or nose. Male equines that have contracted EVA can then spread the disease to females by breeding or by artificial insemination. Therefore EVA is spread through both direct and venereal routes among equines. There is no direct treatment for the venereal disease, and therefore, male equines with the disease may have restricted ability to breed during the remaining period of their lives.

The purpose of this rule is to establish a widely accepted protocol for EVA disease control methods, testing, vaccination and record keeping requirements. This rule will enable owners of equines to contract for breeding their equines with increased confidence that EVA vaccination, testing, and disease control standards remain in effect in Colorado.

IV. Adopted: January 4, 2007 – Effective: March 4, 2007 [Eff. 03/04/2008]

The Colorado Department of Agriculture adopts the following rules according to its authority as found in Colo. Rev. Stat. § 35-50-105, et seq.

Statements of Basis, Specific Statutory Authority and Purpose

The statutory authority of this rule lies in § 35-50-105, et seq., C.R.S., 2005, specifically 35-50-105 (3)(f), (g) and (h), C.R.S., 2005, which grants authority to the Commissioner of Agriculture, with the approval of the Colorado Agricultural Commission, to set standards and requirements for testing livestock for infectious or contagious diseases and to set similar requirements for the vaccination of livestock to control infectious diseases. The Commissioner is further authorized to set standards and requirements for surveillance, testing, or implementation of other disease control measures.

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The purpose of this rule is to establish a widely accepted protocol for EVA disease control methods, testing, vaccination and record keeping requirements. This rule will enable owners of equines to contract for breeding their equines with increased confidence that EVA vaccination, testing, and disease control standards remain in effect in Colorado.

V. Adopted: July 31, 2008 – Effective: August 1, 2008 [Emer. Rule eff. 8/1/2008]

SPECIFIC STATUTORY AUTHORITY:

The specific statutory authority of this rule is § 35-50-105(3)(c), C.R.S., which grants authority to the Commissioner of Agriculture, upon approval of the Colorado Agricultural Commission, to adopt rules related to the health standards for importation of livestock into the State of Colorado. With approval from the Colorado Agricultural Commission, the Commissioner of Agriculture adopts this rule as an emergency rule pursuant to § 24-4-103(6), C.R.S.

Statement of Emergency Purpose

The Colorado Commissioner of Agriculture, with approval of the Colorado Agricultural Commission, finds that immediate adoption of this rule is imperatively necessary for preservation of public health, safety or welfare and that compliance with the rulemaking requirements of § 24-4-103, C.R.S., would be contrary to the public's interest.

This rule creates a standardized method by which the Commissioner of Agriculture, through the Colorado State Veterinarian, may identify feedlots in the State of Colorado that are approved to import livestock that come from states whose regulated disease statuses may be different from those in Colorado. Specifically, the rule identifies the requirements for a feedlot to attain and maintain a registration and the methods to apply for a registration. In addition, the rule obviates the need for import testing or vaccination in livestock that come from states with different regulated disease statutes prior to importation.

The overall purpose of this rule is to protect both the economic vitality of Colorado's feedlots while continuing to protect the state's livestock producers from diseases that are currently eradicated or controlled within the state.

Immediate implementation of this rule is necessary to protect the economic viability of Colorado's livestock producers.

Factual and Policy Issues

The factual and policy issues encountered when developing these rules include:

Recent changes in neighboring states' regulated disease status have made it difficult and expensive for feedlots within the state to import certain livestock for the purpose of finishing at a feedlot prior to sending to slaughter. An import ban on livestock from states that have lost certain disease regulation status or that have lower disease control requirements than Colorado makes it difficult for feedlots to import the numbers of livestock needed to maintain economic vitality. At the same time, importing cattle from states that have different statuses could be harmful to Colorado's breeding herd and Colorado's livestock producers.

The Commissioner of Agriculture, in tandem with representatives from industry groups and the State Veterinarian's Office, recognized that the dual goal of protecting Colorado's livestock producers while providing feedlots a method to remain competitive could be achieved. This rule establishes a uniform method to identify those feedlots that are eligible to import livestock from states with different regulated disease statuses.

The rule permits immediate importation of livestock from neighboring states whose regulated disease status have changed with minimal output cost to the Colorado feedlot. In addition, this rule maintains the important protections provided to Colorado's livestock producers and breeding stock from diseases that are controlled or eradicated from within the State of Colorado.

VI. Adopted: September 9, 2008 – Effective: October 30, 2008

SPECIFIC STATUTORY AUTHORITY:

The specific statutory authority of this rule is § 35-50-105(3)(c), C.R.S., which grants authority to the Commissioner of Agriculture, upon approval of the Colorado Agricultural Commission, to adopt rules related to the health standards for importation of livestock into the State of Colorado. With approval from the Colorado Agricultural Commission, the Commissioner of Agriculture adopts this rule pursuant to § 24-4-103(4), C.R.S.

Statement of Purpose

The adoption of this rule makes permanent emergency rules and renumbers parts of the rule as appropriate.

This rule creates a standardized method by which the Commissioner of Agriculture, through the Colorado State Veterinarian, may identify feedlots in the State of Colorado that are approved to import livestock that come from states whose regulated disease statuses may be different from those in Colorado. Specifically, the rule identifies the requirements for a feedlot to attain and maintain a registration and the methods to apply for a registration. In addition, the rule obviates the need for import testing or vaccination in livestock that come from states with different regulated disease statutes prior to importation.

The overall purpose of this rule is to protect both the economic vitality of Colorado's feedlots while continuing to protect the state's livestock producers from diseases that are currently eradicated or controlled within the state.

Implementation of this rule is necessary to protect the economic viability of Colorado's livestock producers.

Factual and Policy Issues

The factual and policy issues encountered when developing these rules include:

Recent changes in neighboring states' regulated disease status have made it difficult and expensive for feedlots within the state to import certain livestock for the purpose of finishing at a feedlot prior to sending to slaughter. An import ban on livestock from states that have lost certain disease regulation status or that have lower disease control requirements than Colorado makes it difficult for feedlots to import the numbers of livestock needed to maintain economic vitality. At the same time, importing cattle from states that have different statuses could be harmful to Colorado's breeding herd and Colorado's livestock producers.

The Commissioner of Agriculture, in tandem with representatives from industry groups and the State Veterinarian's Office, recognized that the dual goal of protecting Colorado's livestock producers while providing feedlots a method to remain competitive could be achieved. This rule establishes a uniform method to identify those feedlots that are eligible to import livestock from states with different regulated disease statuses.

The rule permits importation of livestock from neighboring states whose regulated disease status have changed with minimal output cost to the Colorado feedlot. In addition, this rule maintains the important protections provided to Colorado's livestock producers and breeding stock from diseases that are controlled or eradicated from within the State of Colorado.

VII. Adopted: March 18, 2010 – Effective: April 30, 2010

SPECIFIC STATUTORY AUTHORITY:

The specific statutory authority of this rule is located in § § 35-50-105(3)(a), (b), (c), (f), (h), (j), (n), (p), and (q), C.R.S., which cumulatively grant authority to the Commissioner of Agriculture, upon approval of the Colorado Agricultural Commission, to adopt rules related to designations of livestock disease for control and reporting purposes; health standards for importation of livestock; livestock testing for contagious or infectious disease; standards for disease surveillance among and in livestock; the form and manner of disease reporting; standards and requirements for disease prevention; and livestock disease prevention.

Purpose

The purpose of this rule change is to update the rule to clarify definitions, strengthen testing procedures and guidelines, and implement an improved risk-based approach in preventing and controlling Bovine Trichomoniasis, also known as Trich.

The changes reflected in this rule-making represent new developments in the science of veterinary medical diagnostics and in the application of that science to better prevent and control the identified disease. In addition, these changes addressed the concerns of the livestock industry to mitigate the prevalence and economic implications of Trichomoniasis to the Colorado cattle industry.

Changes to the definitions of the rule add terms that have been identified and adopted in other parts of the Livestock Disease Control rules. In addition, changes in the definitions section amend previously adopted definitions to create consistency within the entire Livestock Disease Control rules. Further changes identify alternate official tests that may be used to identify Trich and reduce producers' costs in the testing and release of quarantined herds, and formatting changes within the definitions provide consistency and clarity to terms used throughout this part of the livestock disease control rules.

The "Import Rules" section of this part underwent changes to place more stringent requirements on the import of cattle and to ensure that sample collection and testing procedures apply the most recent scientific understanding to better prevent and control the disease prior to import. The rules within this section are re-organized for ease of reading and clarity of thoughts. Minor changes to testing requirements amend previous requirements so as to assure more accurate test results. Finally, changes throughout the section clarify disease control requirements for breeding females, bulls, commuter-permitted bovines, and bovines at public livestock auctions.

Changes throughout the rule also allow for virgin bull affidavits as an alternative to testing bulls that are 12 to 18 months of age that have no history of sexual contact, thereby implementing a risk-based approach that reduces the testing requirements, the testing costs, and the risk of injury to cattle, owners/operators, and veterinarians. Changes to the "Approved Laboratory Responsibilities" and "Approved Veterinarian" conform to law, removing requirements that the State Veterinarian could not legally enforce.

Factual and Policy Issues

The factual and policy issues encountered when developing these rules include:

The reviewers found that since the inception of this rule several years back, updates in the science related to testing for Trich and updates in general knowledge related to the prevention of the disease rendered portions of the previous rule unnecessary to accomplish the same goals. The veterinary scientific community identified ways to improve the accuracy of testing by making improvements to the sampling procedure and testing protocol, which improvements are reflected in the rule changes. The reviewers identified risks to field veterinarians who were performing sample collections on bulls and the dangers associated with repeated collections from bulls that had previously been sampled. At least one veterinarian had been seriously injured while collecting samples from a previously sampled bull. Additionally, the reviewers found that due to the newer diagnostic tests and capabilities, fewer tests were required to release a Trich quarantined herd as repeated testing of the same animals would not yield any more conclusive results. Therefore, the new testing protocol allowed in the rule will produce a more accurate test with less risk to producers and veterinarians.

Other issues that the reviewers considered include the fact that other definitions throughout the "Livestock Disease Control" rules had been amended or changed entirely. Part of the effort with this rule-making was to bring this rule into closer conformity to other parts within the "Livestock Disease Control" rules as a whole.

Finally, the reviewers found it necessary to amend requirements for bulls known to be virgin bulls such that an owner's affidavit would sufficiently and satisfactorily confirm the virgin status of their bulls without additional testing. Doing so will not increase the risk of spread of the disease because a risk-based testing approach to this age group of breeding bulls is already in place. Further, allowing affidavits will remove an undue financial burden on the livestock producers in testing all of their young bulls. Lastly, requiring the testing of virgin bulls over 18 months of age will increase disease surveillance and better control and prevent the disease.

The changes in these rules reflect the most up-to-date scientific studies, research, and knowledge available and apply that science in a manner that protects Colorado's livestock industry while encouraging and maintaining a healthy and robust livestock sector within Colorado's economy.

VIII. Adopted: November 12, 2014 – Effective: December 30, 2014

SPECIFIC STATUTORY AUTHORITY

The specific statutory authority of this rule is located in §§ 35-50-105(3)(a) through (d), (f), (h), (j), (n), (p), and (q), C.R.S., which cumulatively grant authority to the Commissioner of Agriculture, upon approval by the Colorado Agricultural Commission, to adopt rules related to designations of livestock disease for control and reporting purposes; health standards for importation of livestock; standards for livestock health certificates; livestock testing for contagious or infectious disease; standards for disease surveillance among and in livestock; the form and manner of disease reporting; standards and requirements for disease prevention; and livestock disease prevention.

Purpose

The purpose of this rule-making is to provide revisions to portions of the current Livestock Disease Control rules that will make the rules easier to read and understand while updating the rules to reflect changes in disease detection, surveillance, testing, and monitoring. These changes in this rule-making reflect the efforts of the reviewers to achieve the dual goal of protecting Colorado's livestock industry from disease while providing an environment where that industry may thrive.

In this rule-making, the reviewers focused on Parts 1, 2, 3, 5, 9, and 10. Generally, duplicative definitions from the rule were moved to an opening section, "Definitions." This section will apply to the entire rule except where a more specific definition remains or is set forth within a specific Part. Throughout the changed rules, the reviewers sought to clarify sentences, update language, removed duplicative terms, and increase readability.

Factual Policy and Issues

Since the time that these rules were last reviewed, the USDA has finalized its disease traceability requirements. The changes to USDA's rules effected changes in these rules. These changes come into these rules in new definitions and in changes to requirements for CVIs, movement between states, and movement between Approved Feedlots.

Additionally, these rule changes represent the most current veterinary science related to disease transmissibility, prevention, and monitoring.

These revisions incorporate changes as a result of the Department's Regulatory Efficiency Review Process conducted in accordance with the Governor's Executive Order D 2012-002.

Editor's Notes

History

Emer. rules Part 2.1; Part 16.V eff. 08/01/2008.

Parts 3 – 16 eff. 10/30/2008.

Part 9; Part 16 Sections II, III, VII eff. 04/30/2010.

Definitions, Parts 1 – 3, 5, 9 – 11, Part 16 Section VIII eff. 12/30/2014.