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STATE OF NEVADA
DEPARTMENT OF AGRICULTURE

405 South 21st St.
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agri.nv.gov

**PROPOSED REGULATION OF THE
NEVADA DEPARTMENT OF AGRICULTURE**

LCB File No. R104-20
DIVISION OF ANIMAL INDUSTRY

NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATION

The Nevada Department of Agriculture, 405 South 21st Street, Sparks, Nevada, 89431, is proposing the Amendment of regulations pertaining to Nevada Administrative Code (NAC) Chapter 571. A workshop has been set for:

Date: Tuesday, November 29, 2022
Time: 1:00PM PDT
Location: This meeting will be held in combination of in-person location and via Zoom, which allows participation by computer or telephone.

Location: 3C Event Complex (formerly Churchill County Fairgrounds)
325 Sheckler Rd
Fallon, NV 89406

Video conference to:

Nevada Department of Agriculture
2300 E. St. Louis Avenue
Las Vegas, NV 89104
Phone: (702) 668-4590

Nevada Department of Agriculture
4780 E. Idaho Street
Elko, NV 89445
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Nevada Department of Agriculture
405 S 21st Street
Sparks, NV 89431
Phone: (775) 353-3601

Remote Meeting Information*:

To join the meeting virtually, click on the URL and enter the meeting number and password when prompted:

<https://us02web.zoom.us/j/88015507498?pwd=eXh1TlhUTHFtTTBLU2wxWEN1akxtUT09>

Meeting ID: 880 1550 7498

Passcode: 112065

To join by telephone, call the phone-in number and enter the access code when prompted.

Phone-in Access #: +1 669 444 9171 US

Meeting ID: 880 1550 7498

Passcode: 112065

Nevada Revised Statute Chapter 287 has been amended through [2021 AB 253](#) to allow public meetings to be completed by use of remote technology and without a physical location.

This workshop will be conducted in accordance with the Open Meeting Law ([NRS 241.020](#)).

The purpose of the workshop is to solicit comments from interested persons on changes to NAC Chapter 571; LCB File No. R104-20.

- 1) NRS 571.210 prohibits any Elk, Mule Deer, White-tailed deer, Moose, alternative livestock, and any other animal declared to be susceptible to chronic wasting disease (CWD) from being imported into the state, which is what we want so as to not introduce CWD into Nevada. Currently, Nevada is CWD-free. So, subsection 2 of NAC 571.065 needs to be eliminated because it indicates that North American Elk and any species of the family Cervidae (ex. Deer, elk, moose, etc.) can enter the state if they test negative for brucellosis and tuberculosis.
- 2) To clarify language regarding age brucellosis vaccinations are received. If cattle are vaccinated under 12 months of age, they are considered calfhood vaccinates and if greater 12 months they would be considered adult vaccinates. The state of Nevada does not accept adult vaccinates currently.
- 3) To update regulations to allow livestock under emergency evacuation orders in neighboring states safe transport refuge, until conditions allow for safe return to state of origin.
- 4) To update import and transportation requirements to reflect changes in disease(s) and advancements in diagnostics.
- 5) To update Trichomoniasis regulations to reflect advancements in diagnostics and disease management, to achieve decreased incidence of this infectious disease in the State.

Effective date: Upon passage and approval.

A copy of all materials relating to the proposal may be obtained by visiting the Department's website at agri.nv.gov or by contacting the Division of Animal Industry at (775)353-3709 or animalindustry@agri.nv.gov. Copies may also be requested or inspected by visiting the NDA offices located in Elko, Las Vegas or Sparks or the Nevada State Library and Archives at 100 Stewart Street, Carson City, NV 89701. A reasonable fee for

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copying or postage may be charged for those requesting a print copy. Members of the public who would like additional information about a proposed regulation may contact the Division of Animal Industry by animalindustry@agri.nv.gov or (775)353-3709.

Persons wishing to make oral comment upon the regulation draft of the Nevada Department of Agriculture may participate at the scheduled workshop. Persons wishing to submit written testimony or documentary evidence may submit the material by emailing animalindustry@agri.nv.gov or by mailing to the following address: Nevada Department of Agriculture, Attn: Animal Industry, 405 S. 21st ST, Sparks, NV 89431.

Reasonable efforts will be made for members of the public who have disabilities and require special accommodations for assistance at the meeting. Please contact the Department at (775)353-3709 or animalindustry@agri.nv.gov prior to the meeting.

Notice of this meeting was sent to all persons on the Department's mailing list for administrative regulations and posted on or before 9 a.m. fifteen days before the meeting at the following locations: the Nevada Department of Agriculture website at agri.nv.gov, Nevada Public Notice website at <https://notice.nv.gov/> and Nevada Legislature Administrative Regulation Notices at <https://www.leg.state.nv.us/App/Notice/A/>.

NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATION AGENDA

October 29, 2022 @ 1:00PM, PDT

Note: Items on the agenda may be taken out of the posted order, items may be combined for consideration, and items may be pulled or removed from the agenda.

I. Call to Order

II. Public Comment: In consideration of others who may wish to provide public comment, please avoid repetition and limit your comment to three minutes per person. Unused time may not be reserved by the speaker nor allocated to another speaker.

III. Overview of Proposed Changes to NAC Chapter 571: Review and discussion on proposed regulations.

IV. Public Comment: In consideration of others who may wish to provide public comment please avoid repetition and limit your comment to three minutes per person. Unused time may not be reserved by

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the speaker nor allocated to another speaker.

V. Adjourn

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Purpose: To update the regulations pertaining to Animal Industries as follows:

- 1) NRS 571.210 prohibits any Elk, Mule Deer, White-tailed deer, Moose, alternative livestock, and any other animal declared to be susceptible to chronic wasting disease (CWD) from being imported into the state, which is what we want so as to not introduce CWD into Nevada. Currently, Nevada is CWD-free. So, subsection 2 of NAC 571.065 needs to be eliminated because it indicates that North American Elk and any species of the family Cervidae (ex. Deer, elk, moose, etc.) can enter the state if they test negative for brucellosis and tuberculosis.
- 2) To clarify language regarding age brucellosis vaccinations are received. If cattle are vaccinated under 12 months of age, they are considered calfhood vaccinates and if greater 12 months they would be considered adult vaccinates. The state of Nevada does not accept adult vaccinates currently.
- 3) To update regulations to allow livestock under emergency evacuation orders in neighboring states safe transport refuge, until conditions allow for safe return to state of origin.
- 4) To update import and transportation requirements to reflect changes in disease(s) and advancements in diagnostics.
- 5) To update Trichomoniasis regulations to reflect advancements in diagnostics and disease management, to achieve decreased incidence of this infectious disease in the State.

Effective date: Upon passage and approval.

GENERAL PROVISIONS

<u>571.002</u>	Definitions.
<u>571.0025</u>	“Administrator” defined.
<u>571.0029</u>	“Approved laboratory” defined.
<u>571.0033</u>	“Breeding animal” defined.
<u>571.004</u>	“Department” defined.
<u>571.007</u>	“Director” defined.
<u>571.008</u>	“Entry permit” defined.
<u>571.0082</u>	“Exposed animal” defined.
<u>571.0084</u>	“Exposed flock” defined.
<u>571.0086</u>	“Flock” defined.
<u>571.009</u>	“Genetically less susceptible exposed sheep” defined.
<u>571.0092</u>	“Genetically resistant exposed sheep” defined.
<u>571.0094</u>	“Genetically susceptible exposed animal” defined.
<u>571.010</u>	“Health certificate” <i>“Certificate of Veterinary Inspection”</i> defined.
<u>571.0104</u>	“High-risk animal” defined.
<u>571.0108</u>	“Inconsistent state” defined.
<u>571.011</u>	“Infected flock” defined.
<u>571.012</u>	“Livestock” defined.
<u>571.0124</u>	“Low-risk commercial flock” defined.
<u>571.0126</u>	“Low-risk commercial goat” defined.
<u>571.0128</u>	“Low-risk commercial sheep” defined.
<u>571.013</u>	“Low-risk exposed animal” defined.
<u>571.0135</u>	“Noncompliant flock” defined.
<u>571.014</u>	“Official” defined.
<u>571.0145</u>	“Official scrapie identification” defined.
<u>571.016</u>	“Registered” defined.
<u>571.0164</u>	“Scrapie” defined.
<u>571.0166</u>	“Scrapie-positive animal” defined.
<u>571.017</u>	“Slaughter channels” defined.
<u>571.0174</u>	“Source flock” defined.

[571.0178](#) “Suspect animal” defined.
[571.018](#) “Swine” defined.
[571.0185](#) “Test-positive animal” defined.
[571.019](#) “Uniform Methods and Rules” defined.

[TRICHOMONOSIS] Trichomoniasis

[571.600](#) Definitions.
[571.602](#) “Accredited veterinarian” defined.
[571.604](#) “Exposed to female cattle” defined.
[571.606](#) “Herd” defined.
[571.607](#) “Hold order” defined.
[571.608](#) “Negative test result” defined.
[571.610](#) “Neighboring herd” defined.
[571.612](#) “Official laboratory” defined.
[571.614](#) “Official protocol” defined.
[571.616](#) “Official tag” defined.
[571.618](#) “Official test for ~~[trichomonosis]~~ *Trichomoniasis*” defined.
[571.620](#) “Positive test result” defined.
[571.622](#) “Qualified feedlot” defined.
[571.624](#) “Slaughter channel” defined.
[571.626](#) “Slaughter facility” defined.
[571.628](#) “Specimen” defined.
[571.630](#) “Stockyard” defined.
[571.632](#) “Test chart” defined.
[571.633](#) “Test eligible bull” defined.
[571.634](#) “Total confinement operation” defined.
[571.636](#) ~~["Trichomonosis"]~~ [“*Trichomoniasis*” defined.
[571.638](#) “Veterinary technician” defined.
[571.640](#) Registration of accredited veterinarian or veterinary technician to perform official tests for ~~[trichomonosis]~~ *Trichomoniasis*.
[571.642](#) Prerequisites to movement of test eligible bull into State; exemption from requirements.
[571.644](#) Testing of commuter bull that is test eligible bull; application for commuter permit.
[571.646](#) Testing of test eligible bull before sale or lease for reproductive purposes.
[571.648](#) Written declaration required before sale of test eligible bull at stockyard; exceptions.
[571.650](#) Testing of stray or stray test eligible bull.
[571.652](#) Official tags: Use; designation of color.
[571.654](#) Procedure upon receipt of positive test result to official test for ~~[trichomonosis]~~ *Trichomoniasis* .
[571.656](#) Infected herd: Release from hold order; lease or transfer of ownership; release to slaughter channel.
[571.658](#) Exposed herd: Classification; placement under and release from hold order; lease and transfer of ownership; release to slaughter channel.
[571.660](#) Duties of owner of herd or qualified feedlot regarding bull receiving positive test result to official test for ~~[trichomonosis]~~ *Trichomoniasis*.
[571.662](#) Additional testing after bull receives positive test result to official test for ~~[trichomonosis]~~ *Trichomoniasis*-.
[571.664](#) Handling of specimen collected from bull.
[571.666](#) Official laboratory: Duties of operator; annual inspection.
[571.668](#) Penalties.

NAC 571.010 ~~["Health-certificate"]~~ “Certificate of Veterinary Inspection” defined. (~~NRS 571.120~~, [571.210](#)) ~~["Health-certificate"]~~ “Certificate of Veterinary Inspection” means ~~a-certificate~~ *an official document that records* ~~[concerning]~~ the

health *status, origin, destination, and identification* of an animal that is issued by a licensed veterinarian who is accredited by the *United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services in accordance with 9 C.F.R. Part 161*. ~~[Federal Government or a health authority of the State or Federal Government.]~~ The term includes, without limitation, a ~~[certificate of veterinary inspection]~~ *Certificate of Veterinary Inspection (CVI) as approved by the Department, in accordance with 9 C.F.R. Part 161*.

[Dep't of Agriculture Reg., 55, eff. 9-1-64; A 7-15-71; 10-1-71; 4-1-77] — (NAC A by St. Quarantine Officer, 7-8-92; A by Dep't of Agriculture by R019-15, 12-21-2016)

NAC 571.020 Address for mailing copies of documents. ([NRS 571.120](#), [571.210](#))

All copies of health certificates, applications for permits and requests for additional information relative to the provisions for entry of foreign livestock should be addressed to the Administrator of the Division of Animal Industry, State Department of Agriculture, ~~[350 Capitol Hill Avenue, Reno, Nevada 89502, telephone number (775) 688-1180]~~ *405 South 21st Street, Sparks, Nevada 89431, telephone number (775) 353-3709, email address entrypermits@agri.nv.gov*.

NAC 571.030 Horses, mules and asses. ([NRS 571.120](#), [571.210](#))

1. A person shall not ship, transport or otherwise move a horse, mule or ass into this State unless the horse, mule or ass:

(a) Is accompanied by a certificate of veterinary inspection; and

(b) Except as otherwise provided in subsection 2, reacts negatively to a test, *approved by the Department*, for equine infectious anemia that was conducted within 1 year before the date of entry into this State.

2. The following horses, mules or asses are exempt from testing for equine infectious anemia:

(a) A nursing foal which is less than 6 months of age and which is accompanied by its dam if its dam has reacted negatively to such a test.

(b) Horses from Nevada that are used outside the State for seasonal ranching purposes only.

[Dep't of Agriculture Reg., 55, eff. 9-1-64; A 7-15-71; 10-1-71; 4-1-77] — (NAC A by St. Quarantine Officer, 7-8-92; A by Dep't of Agriculture by R019-15, 12-21-2016)

NAC 571.035 Sheep. ([NRS 562.250](#), [571.120](#), [571.210](#)) A person shall not ship, transport or otherwise move sheep into Nevada unless:

1. Each sheep is:

(a) Accompanied by an entry permit;

(b) Individually identified using official scrapie identification; and

(c) Specified on a ~~[health certificate]~~ *certificate of veterinary inspection* that includes:

(1) A statement by the issuing veterinarian, *approved by the Department, and consistent with current federal Scrapie program requirements, indicating that the animal(s) in the shipment are not suspect, showing signs of clinical illness, or originating from an exposed, infected, source, or noncompliant flock;* ~~[that the sheep is not exhibiting clinical signs associated with scrapie at the time of examination;~~

~~— (2) A statement by the owner verifying that the sheep is not a scrapie positive animal, suspect animal, high risk animal or exposed animal and that the sheep did not originate from an infected flock, source flock, exposed flock or noncompliant flock;]~~

~~(3)~~ (2) For a breeding animal, the flock of birth of the sheep, *and/or similar identification as required by the Department;* and

~~(4)~~(3) A unique identifying number for the sheep that is consistent with official scrapie identification.

2. All breeding rams that are 6 months of age or older are tested for *Brucella ovis on a test approved by the Department* ~~[the Enzyme Linked Immunosorbent Assay (ELISA) test]~~ and react negatively to that test within 30 days before entry into this State.

3. The person complies with any additional rules and regulations governing the importation of sheep adopted by the State Quarantine Officer.

(Added to NAC by St. Quarantine Officer, eff. 7-8-92; A by R060-06, 6-28-2006)

NAC 571.040 Cattle and bison. (NRS 571.120, 571.210)

~~1.— Except as otherwise provided in subsection 3, a person shall not ship, transport or otherwise move into Nevada any cattle or bison that do not react negatively to a test for brucellosis.~~

2. Except as otherwise provided in subsection 3, a person shall not ship, transport or otherwise move cattle or bison into Nevada unless:

(a) Each animal is accompanied by a ~~[health]~~ certificate *of Veterinary Inspection* and an entry permit.

(b) All female cattle and bison that are 12 months of age or older bear a legible official tattoo *and associated official ID, or official 840 EID vaccination tag* as evidence of *official brucellosis* calfhood vaccination. ~~[against brucellosis.]~~

(c) The following cattle and bison react negatively to a test for brucellosis within the 30 days before entry into Nevada:

(1) ~~[All bulls that are 18 months of age or older;]~~ *All sexually intact cattle of any age moving from the Designated Surveillance Area (DSA), unless approved by the Department based on seasonal grazing.*

(2) ~~[Vaccinated female bison that are 24 months of age or older;]~~ *All sexually intact bison*

(3) ~~[Vaccinated female dairy cattle that are 20 months of age or older; and]~~ *Any cattle or Bison originating from a state or herd not listed as brucellosis free, or where*

brucellosis status may present an increased disease risk, as determined by the Department.

~~[(4) Other vaccinated female cattle that are 24 months of age or older.]~~

(d) ~~[All]~~ Cattle and bison ~~[that are 12 months of age or older]~~ react negatively to a test for tuberculosis as follows:

(1) Within the 30 days before entry into Nevada;

(a) All sexually intact dairy cattle 6 months of age and older

(b) All bison, 6 months of age or older

(c) Any cattle or bison originating from a state or herd not listed as tuberculosis free, or where that livestock may present an increased disease risk, as determined by the Department.

(2) ~~[Not earlier than 90 days after such entry but not later than 120 days after such entry; and]~~ *Within the 12 months before entry into Nevada:*

(a) All sexually intact cattle 12 months of age and older, entering Nevada for events, rodeos, shows, or exhibitions

~~[(3) Not earlier than 180 days after such entry but not later than 210 days after such entry.]~~

(e) All *cattle* ~~[steers]~~ originating from Mexico:

(1) ~~[Are]~~ *Shall be* branded with the letter “M” on the ~~[right jaw]~~ *upper right hip or similar permanent brand as approved by the Department and consistent with current USDA requirements*; and

(2) Have reacted negatively to a test for tuberculosis within the 12 months before entry into Nevada.

(3) All Mexican origin cattle used in a rodeo, roping, exhibition, sporting, or similar timed event shall be tested for tuberculosis on an annual basis after entry into the United States. Testing records shall be in the possession of any owner, manager, agent or representative in possession of these cattle at all times. Testing records shall include all official ID numbers which coincide with the Mexican origin cattle in possession.

(4) Official Mexico ID ear-tag(s) must be retained after entry into the United States.

(5) Official ID must be individually listed on the CVI for all Mexican origin cattle of any age.

(6) Only steers and spayed heifers may be imported into Nevada.

(7) Mexican-origin cattle must not be co-pastured or comingled with any other tuberculosis susceptible livestock.

NAC 571.065 Game, fur-bearing and wild animals. ([NRS 571.120](#), [571.210](#))

1. ~~[In addition to the requirements of subsection 2, if applicable, a]~~ A person shall not ship, transport or otherwise move game, fur-bearing, or wild animals into Nevada unless he or she complies with any additional requirements of the Department for entry into this State for that animal.

~~[2.—A person shall not ship, transport or otherwise move into Nevada:~~

~~(a) A North American elk unless it reacts negatively to a test for brucellosis within the 30 days before entry into Nevada; and~~

~~(b) Any species of the family Cervidae that is domesticated unless it reacts negatively to tests for tuberculosis and brucellosis within the 30 days before entry into Nevada.]~~

(Added to NAC by St. Quarantine Officer, eff. 7-8-92)

NAC 571.080 Dogs and cats. (NRS 571.120, 571.210) A person shall not ship, transport or otherwise move a dog or cat into Nevada unless:

1. Each dog or cat is accompanied by a health certificate; and

2. A dog or cat that is **12 weeks** ~~[3-months]~~ of age or older is vaccinated against rabies pursuant to the *Annual National Compendium of Animal Rabies Control* which is hereby adopted by reference. The compendium is available **at nasphv.org**. ~~[without charge from the National Association of State Public Health Veterinarians, Dr. Kathy Smith, Secretary, Ohio Department of Health, 246 North High Street, P.O. Box 118, Columbus, Ohio 43266-0118, telephone number (614) 466-0283.]~~

[Dep't of Agriculture Reg., 55, eff. 9-1-64; A 7-15-71; 10-1-71; 4-1-77] — (NAC A by St. Quarantine Officer, 7-8-92)

NAC 571.095 Transportation of livestock: Stops for inspection; possession of health certificates; sanitation. (NRS 571.120, 571.210)

1. A person who is transporting livestock shall stop at a check point for inspection of the livestock if requested by an employee of the Department.

2. Except as otherwise provided in subsection 3, a person who is transporting livestock shall carry health certificates for the livestock. The health certificates must have been issued within the previous 30 days~~[-]~~, **or as directed by the Department**.

3. The following livestock are not required to have health certificates:

(a) Livestock being transported only within Nevada, **unless directed otherwise as indicated by a hold or quarantine order issued by the Department**.

(b) Livestock being transported into Nevada for grazing if the driver has in his or her immediate possession a grazing permit issued by the Department.

(c) Livestock being transported into Nevada only for slaughter.

(d) Livestock being transported through Nevada if the state of destination for the livestock does not require a health certificate.

4. An owner or operator of a conveyance used for transporting livestock shall maintain the conveyance in a sanitary condition. If a conveyance is used to transport

livestock infected with or exposed to an infectious disease, the owner or operator must have the conveyance cleaned and disinfected if so ordered by the Administrator.

(Added to NAC by St. Quarantine Officer, eff. 7-8-92; A by R031-01, 4-2-2002)

NAC 571.100 Livestock for use in rodeo. ([NRS 571.120](#), [571.210](#)) A person shall not ship, transport or otherwise move livestock into Nevada for use in a rodeo, *roping, exhibition, sporting, or similar timed event* unless:

1. Each animal is accompanied by a health certificate and an entry permit;
2. ~~[Cattle]~~ *The following cattle* and bison react negatively to a test for brucellosis within the ~~[12 months]~~ *30 days* before the date of entry into Nevada; ~~[and]~~

(a) Sexually intact cattle of any age, moving from the Designated Surveillance Area (DSA), unless approved by Administrator.

(b) All bison 6 months of age and older

(c) Any cattle or bison originating from a herd or location that is not brucellosis free or presents an increased disease risk as determined by the Department, including the Designated Surveillance Area (DSA).

(3) Any cattle or bison originating from a herd or location that is not tuberculosis free, or presents an increased disease risk as determined by the Department.

(b) Within the 12 months before entering Nevada:

(1) All sexually intact cattle and bison 12 months of age and older

(2) All roping steers

(3) All Mexican origin cattle

~~[3. — Roping steers and fighting cattle imported from Mexico react negatively to a test for tuberculosis within the 12 months before the date of entry into Nevada.]~~

(Added to NAC by St. Quarantine Officer, eff. 7-8-92)

NAC 571.105 Livestock for sale, show, fairs or other public exhibition. ([NRS 571.120](#), [571.210](#)) A person shall not ship, transport or otherwise move *an animal or* livestock into Nevada for sale, show, fairs or other public exhibition unless the person complies with the applicable requirements for entry for that animal or livestock.

1. *Public livestock auctions that hold a current, federally approved agreement, may have additional provisions allowed for animal entry as detailed in that agreement, and approved by the Department.*

NAC 571.120 Quarantine Imposed If No Certificate or Permit Issued (NRS 571.045, 571.050)

- 1. Animals or livestock entering the State of Nevada without a valid Certificate of Veterinary Inspection or other approved certificate, and a permit, if required, shall be held in quarantine at the risk and expense of the owner.*

NAC 571.130 Emergency Importation of Livestock (NRS 571.120, 571.210)

- 1. In the event of natural disaster, fire, or similar emergency evacuation incident, the Department may temporarily waive entry permit requirements and allow the approved shipment to be imported into the State. All animals in the shipment must travel directly to a location approved by the Department, and shall be isolated from other livestock, and remain under immediate quarantine until released.*

CONTROL OF BIOLOGICAL PRODUCTS

NAC 571.300 Permit or license required for production of certain media used for diagnosis, prevention or treatment of disease. (NRS 571.120) A person may not sell, use or distribute in this State a serum, vaccine, bacterin, *veterinary biologic*, or *other* biological product which is used as a diagnostic agent or used in the prevention or treatment of diseases of *animals or* livestock unless it has been produced in accordance with a permit, *authorization*, or license granted by:

1. The United States Department of Agriculture;
2. The Department;

~~[3. The Agricultural Research Service; or]~~

- ~~4.~~ 3. An agency authorized by the Department.

[Dep't of Agriculture, part No. 48, eff. 6-1-62] — (NAC A by St. Quarantine Officer, 7-8-92)

NAC 571.310 Restricted vaccines and other products. (NRS 571.120) A person shall not sell, use, distribute or possess any of the following products without the written permission of the Administrator:

1. Brucella abortus vaccine;
2. Pseudorabies vaccine;
3. Paratuberculosis vaccine;
4. Rabies vaccine; or

5. Any vaccine, bacteriological or biological product ~~[which]~~ *that could present [is] a hazard to animals or livestock, or to the livestock industry of this State, as determined by the Department.*

[Dep't of Agriculture, part No. 48, eff. 6-1-62] — (NAC A by St. Quarantine Officer, 7-8-92)

NAC 571.355 Vaccination of female cattle or bison before change of ownership. (NRS 561.105, 571.120, 571.150)

1. Female cattle or bison that are at least 4 months of age and not more than 12 months of age must be *official brucellosis calfhood* vaccinated for brucellosis before any change of ownership occurs in Nevada unless the cattle or bison are sold and immediately transported to a qualified feedlot *or out of state*.

2. Female cattle or bison that are more than 12 months of age must be *official brucellosis calfhood vaccinates (OCV's)* ~~[vaccinated for brucellosis]~~ before any change of ownership occurs in Nevada unless the cattle or bison are:

(a) Identified as spayed females in a manner approved by the Administrator;

(b) Sold for slaughter directly to or through *an approved public livestock auction* ~~[sales yard that is approved]~~ *as authorized* by the Administrator;

(c) Sold and immediately transported to a destination that is located outside Nevada; or

(d) Consigned for finishing to a feedlot that is registered with the United States Department of Agriculture and, after finishing, are moved from the feedlot to a location for slaughter.

3. ~~[Nevada does not allow adult vaccination.]~~ *Entry of adult vaccinates and/or adult vaccination is not permitted in Nevada without prior authorization of the Administrator.*

~~3.~~ 4. As used in this section, “qualified feedlot” has the meaning ascribed to it in *NAC 571.622*.

[Dep’t of Agriculture, part No. 61, eff. 10-1-80] — (NAC A by St. Quarantine Officer, 7-8-92; R031-01, 4-2-2002; A by Bd. of Agriculture by R015-15, 12-21-2016)

EQUINE INFECTIOUS ANEMIA

NAC 571.390 Official tests and procedures. (NRS 571.120)

1. Positive diagnosis is made by using the agar gel immuno diffusion test (Coggins Test) or other *test approved by the Department*, ~~[approved tests]~~ to be conducted at any laboratory approved and recognized as an official laboratory for the diagnosis of the equine disease, equine infectious anemia.

2. ~~[Blood]~~ Samples collected for the purpose of testing for equine infectious anemia ~~[must]~~ *shall only* be ~~[done]~~ *collected* by a ~~[practicing]~~ *licensed* veterinarian at the owner’s request and expense, or by a veterinarian employed by the Federal Government or this State.

3. A complete, positive identification of the horse must be made by the veterinarian at the time of the blood sample collection, *on a form approved by the Department*.

4. An owner of a horse on which the approved test is to be conducted must be advised as to the agreed procedure that is to follow in the event the animal is positive

to the official test and an agreement must be signed by the owner of the animal in which the owner agrees to the disposition of the horse as outlined.

[Dep't of Agriculture, part No. 59, eff. 1-12-75]

~~[TRICHOMONOSIS]~~ **TRICHOMONIASIS**

NAC 571.607 “Hold order” defined. (NRS 561.295, 571.120, 571.150, 571.170) “Hold order” means an order issued pursuant to NRS 561.295 ~~[for]~~ *due to exposure or* infection with *trichomoniasis* ~~[trichomonosis]~~

(Added to NAC by St. Quarantine Officer by R208-08, eff. 2-11-2009)

NAC 571.608 “Negative test result” defined. (NRS 571.120, 571.150) “Negative test result” means that *an official laboratory has determined an official test sample to be negative for the presence of Tritrichomonas foetus.* ~~[a specimen taken from a bull by an accredited veterinarian or veterinary technician is determined [not] to be free from infection with trichomoniasis by an official laboratory. [contain trichomonas organisms.]~~

(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007)

NAC 571.612 “Official laboratory” defined. (NRS 571.120, 571.150) “Official laboratory” means a laboratory that is approved by the Department and follows official protocol

1. ~~[To conduct a culture test on a specimen for the presence of trichomoniasis infection [trichomonas organisms] ; or 2.]~~ To confirm by polymerase chain reaction (PCR), or a test approved by the Department ~~[testing]~~ whether ~~[a specimen]~~ *an official test* is ~~[positive]~~ *non-negative or negative* for ~~[trichomoniasis infection]~~ *Tritrichomonas foetus.*

(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007)

NAC 571.616 “Official tag” defined. (NRS 571.120, 571.150) “Official tag” means a tag authorized by the Department and approved by the Administrator that is ~~[usually]~~ placed *preferably* in the right ear of a bull by an accredited veterinarian, or veterinary technician *under the indirect supervision of an accredited veterinarian,* to indicate *the year of the* bull’s most recent official trichomoniasis test. ~~[status of the bull with respect to trichomonosis.]~~

(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007)

NAC 571.618 “Official test for ~~[trichomonosis]~~ *trichomoniasis*” defined. (NRS 571.120, 571.150) “Official test for *trichomoniasis* ~~[trichomonosis]~~.”

means a test for trichomoniasis that is performed on a *test eligible* bull, *by polymerase chain reaction (PCR), or other test approved by the Department, [in this State]* where:

1. The test *sample* is *collected [performed]* by an accredited veterinarian, or a veterinary technician *under the indirect supervision of an accredited veterinarian*, who is registered with the Department pursuant to NAC 571.640;
2. The specimen collected from the bull is tested in an official laboratory;
3. The testing complies with the provisions of NAC 571.664 and 571.666; and
4. The testing is performed in accordance with any testing procedures approved by the Administrator.

(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007; A by R208-08, 2-11-2009)

NAC 571.620 “Positive test result” defined. (NRS 571.120, 571.150) “Positive test result” means that *an official laboratory has determined an official test sample to be non-negative for the presence of Tritrichomonas foetus. [a specimen collected from a bull by an accredited veterinarian or veterinary technician is determined to be infected with trichomoniasis by an official laboratory contain trichomonas organisms].*

(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007)

NAC 571.632 “Test chart” defined. (NRS 571.120, 571.150) “Test chart” means an official document signed by an accredited veterinarian ~~[or veterinary technician]~~ which certifies that a bull has been subjected to an official test for *trichomoniasis [trichomonosis]* and indicates the results of the test.

(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007)

NAC 571.634 “Total confinement operation” defined. (NRS 571.120, 571.150) “Total confinement operation” means a dry lot feeding operation, where none of the sexually *intact [active]* cattle are allowed access to pasture or to mingle with other cattle outside the confines of the premises of the operation.

(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007)

NAC 571.636 “Trichomoniasis[Trichomonosis]” defined. (NRS 571.120, 571.150) “Trichomoniasis” means a sexually transmitted disease of cattle caused by the protozoan parasite *Tritrichomonas foetus*.

(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007)

NAC 571.640 Registration of accredited veterinarian or veterinary technician to collect samples for [perform] official tests for [trichomonosis] trichomoniasis. (NRS 571.120, 571.150) An accredited veterinarian, *or veterinary technician under the indirect supervision of an accredited veterinarian, [may] shall* register with the Department *to collect samples [perform official tests]* for

trichomoniasis testing [~~trichomonosis~~] if he or she has completed a *certification* [~~training~~] program approved by the Department. [~~on trichomoniasis~~ [~~trichomonosis~~] and ~~official test sample collection how properly to perform an official test for trichomoniasis~~ [~~trichomonosis~~] on a bull, or demonstrates adequate knowledge of such matters to the satisfaction of the Director.]

(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007)

NAC 571.641 Annual Trichomoniasis Testing Requirement (NRS 571.140, 571.150) The trichomoniasis testing season begins on September 1 of each calendar year and continues until August 31 of the succeeding year. All test eligible bulls entering or located within the State of Nevada shall be tested negative utilizing an official test for trichomoniasis annually, during the trichomoniasis testing season prior to being allowed access to female cattle, or by August 31 of each trichomoniasis testing season, whichever occurs first, except:

(a) Bulls that are to be turned out on public grazing allotments shall be tested for trichomoniasis by August 31 of each trichomoniasis testing season, or forty-five (45) days prior to turnout on a public grazing allotment, whichever occurs first.

(b) Bulls consigned directly to a qualified feedlot for finish feeding for slaughter or directly entering slaughter channels are exempt from testing requirements.

NAC 571.642 Prerequisites to movement of test eligible bull into State; exemption from requirements. (NRS 571.120, 571.150, 571.210)

1. Except as otherwise provided in subsection 2 and NAC 571.644, a person shall not ship, transport or otherwise move into this State any test eligible bull unless the test eligible bull:

(a) Has tested negative for *trichomoniasis* [~~trichomonosis~~] as evidenced by ~~[a]~~ *an official* test performed on a specimen taken from the test eligible bull by an accredited veterinarian within 60 days *prior to entry and has not had contact with female cattle from the time of test to the time of import*; [~~before entering this State~~] and

(b) Is accompanied by a *Certificate of Veterinary Inspection* [~~health certificate~~] issued by the accredited veterinarian which specifies the date of the testing and collection of the specimen and which:

(1) Verifies that the test eligible bull has tested negative for trichomoniasis *on an official test* and that *trichomoniasis* [~~trichomonosis~~], has not been diagnosed in the herd of origin of the test eligible bull during the previous 12 months; or

(2) If the test eligible bull is from a herd that has tested positive for *trichomoniasis* [~~trichomonosis~~], during the previous 12 months, verifies that the test eligible bull has tested negative *by official test* [~~via individual PCR~~] for *trichomoniasis* [~~trichomonosis~~], in each of its *two* [~~three~~] most recent *official* tests before entering this State and that each such test was performed at least 1 week apart and complied with the official program to test for *trichomoniasis* [~~trichomonosis~~], in the state of origin of the

test eligible bull. *The official test that identified the positive bull in the herd can be used to fulfill this requirement, as long as the test eligible bull applying for entry tested negative.*

2. The Administrator may exempt from the requirements of subsection 1 a person who wishes to ship, transport or otherwise move into this State:

(a) A test eligible bull bearing a tag issued by an accredited veterinarian of another state that has an official program to test for *trichomoniasis* ~~[trichomonosis]~~;

(b) A test eligible bull moving directly to slaughter or to a qualified feedlot;

(c) A feeder bull;

(d) A rodeo bull for the purpose of exhibition so long as the bull will not:

(1) Have access to grazing;

(2) Be exposed to female cattle; or

(3) Be offered for sale or lease; or

(e) A test eligible bull for the purpose of exhibition at a livestock show so long as the test eligible bull will be returned to its state of origin upon the completion of the exhibition and will not:

(1) Have access to grazing;

(2) Be exposed to female cattle; or

(3) Be offered for sale or lease.

3. As used in this section, "feeder bull" means a test eligible bull that is:

(a) Sufficiently restrained from female cattle such that breeding is not a possibility; and

(b) Kept in a total confinement operation, for the purpose of feeding and eventual slaughter.

(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007; A by R208-08, 2-11-2009)

NAC 571.644 Testing of commuter bull that is test eligible bull; application for commuter permit. (NRS 571.120, 571.150, 571.210)

1. The owner or lessee of a commuter bull that is a test eligible bull shall ensure that the commuter bull has ~~been~~ tested *negative by official test* for *trichomoniasis* ~~[trichomonosis, by an accredited veterinarian or veterinary technician:]~~

(a) Annually, between ~~[October]~~ *September* 1 and the following ~~[May]~~ *August* 31; and

~~[(b) Except as otherwise provided in subsection 2, before it is exposed to female cattle.]~~

2. If the commuter bull is from an infected herd, the owner or lessee of the commuter bull shall ensure that the commuter bull is not exposed to female cattle unless:

(a) The commuter bull has received a negative ~~[individual PCR]~~ *official* test result in each of its two most recent tests for *trichomoniasis*~~[trichomonosis]~~, that were performed at least 7 days apart; and

(b) The sample for each test was collected at least 7 days apart and tested for *trichomoniasis*~~[trichomonosis]~~.

3. An application for a commuter permit must be accompanied by a copy of the results of the required testing with respect to each commuter bull covered by the permit.

4. As used in this section:

(a) “Commuter bull” means a bull that is traveling across state lines for grazing purposes pursuant to a commuter permit.

(b) “Commuter permit” means a permit that is issued pursuant to NAC 571.045.

(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007; A by R208-08, 2-11-2009)

NAC 571.646 Testing of test eligible bull before sale or lease for reproductive purposes. (NRS 571.120, 571.150) No test eligible bull may be offered for sale or lease in this State for reproductive purposes unless the test eligible bull:

1. Tested negative for *trichomoniasis*~~[trichomonosis]~~, as evidenced by an official test for *trichomoniasis*~~[trichomonosis]~~, on a ~~[specimen]~~ *sample* taken from the test eligible bull within 60 days before the sale or lease, except that a test eligible bull must be retested before the sale or lease if the test eligible bull is exposed to female cattle after the official test for *trichomoniasis*~~[trichomonosis]~~; and

2. Bears an official tag.

(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007; A by R208-08, 2-11-2009)

NAC 571.648 Written declaration required before sale of test eligible bull at stockyard *or public livestock auction*; exceptions. (NRS 571.120)

1. Before a test eligible bull may be sold at a stockyard *or public livestock auction* in this State, the owner or the owner’s agent must declare in writing whether or not the test eligible bull is positive for *trichomoniasis*~~[trichomonosis]~~, except that if the test eligible bull is an untested bull, it may be sold for slaughter or for direct movement to a qualified feedlot or total confinement operation without such a written declaration.

(a) Any untested bull originating from an infected or exposed herd, is subject to a quarantine or hold order, and must first comply with the conditions of the quarantine or hold order.

2. As used in this section, “untested bull” means a test eligible bull that does not bear an official tag.

(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007; A by R208-08, 2-11-2009)

NAC 571.650 Testing of estray or stray test eligible bull. (NRS 561.295, 571.120, 571.150, 571.170)

1. The Administrator may require:

(a) A test eligible bull to receive an official test for *trichomoniasis* ~~[trichomonosis]~~ if the test eligible bull is found estray or stray and is found commingling with a cow belonging to another person.

(b) The owner of a test eligible bull described in subsection 1 to pay all costs associated with the official test for *trichomoniasis* ~~[trichomonosis]~~.

2. As used in this section:

(a) "Estray" means any test eligible bull showing signs of domestication, running at large upon public or private lands in the State, whose owner is unknown in the section where the test eligible bull is found.

(b) "Stray" means any test eligible bull showing signs of domestication, running at large upon public or private lands in the State, whose owner is known in the section where the test eligible bull is found.

(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007; A by R208-08, 2-11-2009)

NAC 571.652 Official tags: Use; designation of color. (NRS 571.120, 571.150)

1. An accredited veterinarian, or veterinary technician *under the indirect supervision of an accredited veterinarian*, who collects a sample for ~~[performs]~~ an official test for *trichomoniasis* ~~[trichomonosis]~~ on a bull in this State shall *place an official test tag in the ear, with preference given to the right ear.* ~~[the bull in its right ear with an official tag.]~~

2. An accredited veterinarian may tag a bull entering this State with an official *test* tag if he or she receives a *trichomoniasis* ~~[trichomonosis]~~ test chart for the bull from an accredited veterinarian who tested the bull for trichomoniasis outside of this State.

3. The Administrator will designate a different color for official *test* tags each year.

4. *Official ID, either a metal NUES tag or 840 RFID, shall be recorded with corresponding official test tag for additional proof of testing in the event an official test tag is lost.*

(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007)

NAC 571.654 Procedure upon receipt of positive test result ~~[to official test]~~ for *trichomoniasis* ~~[trichomonosis]~~. (NRS 561.295, 571.120, 571.150, 571.160, 571.170)

1. An accredited veterinarian *who is responsible for sample collection* ~~[performs an official test]~~ for *trichomoniasis* ~~[trichomonosis]~~ on a bull in this State shall, within 48 hours after his or her receipt of a positive test result with respect to the bull:

(a) Report the result to the Administrator, the Director and the owner of the bull; and

(b) Classify the bull as an infected bull and its herd as an infected herd.

2. The Director will immediately place an infected bull and its infected herd under a hold order and ensure that the Administrator *or their designee*, or a federal animal health official conducts an epidemiological investigation of the infected herd.

3. As used in this section, “federal animal health official” means an employee of the Veterinary Services of the Animal and Plant Health Inspection Service of the United States Department of Agriculture who is authorized to perform animal health activities.

4. Trichomoniasis is a reportable disease in Nevada.

(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007; A by R208-08, 2-11-2009)

NAC 571.656 Infected herd: Release from hold order; lease or transfer of ownership; release to slaughter channel. (NRS 561.295, 571.120, 571.150, 571.170)

1. Before the Director releases an infected herd from a hold order, an accredited veterinarian must ensure that:

(a) Each test eligible bull in the infected herd *tests negative on two consecutive* ~~[receives the first of two]~~ official tests ~~[via individual PCR,]~~ for *trichomoniasis* ~~[trichomonosis]~~ within 8 months after the herd is placed under the hold order. *The official tests that identified the positive bull in the herd can be used to fulfill this requirement, as long as the test eligible bull sampled for purposes of satisfying the hold order, tested negative on that test.*

(b) Each test eligible bull is certified to be clear of *trichomoniasis* ~~[trichomonosis]~~ *by official test*, or enters a slaughter channel *within 30 days of a positive test*;

(c) Each test eligible bull receives and bears an official tag; and

(d) The official tag number and classification of each test eligible bull is recorded on a test chart.

2. Before a test eligible bull may be certified to be clear of *trichomoniasis* ~~[trichomonosis]~~ pursuant to subsection 1:

(a) The test eligible bull must have received a negative test result *on an official test*, in each of its *two* ~~[three]~~ most recent official tests for *trichomoniasis* ~~[trichomonosis]~~, with each such test being performed at least 7 days apart; and

(b) The sample for each test must have been collected at least 7 days apart, and tested for *trichomoniasis* ~~[trichomonosis]~~

3. Except as otherwise provided in subsection 4, the owner or lessee of an infected herd shall not lease or transfer ownership of any bull or cow, or any heifer that is ~~[20]~~ *[12]* 18 months of age or older, from the herd during a period in which the herd is under a hold order.

4. The owner or lessee of an infected herd may *consign* ~~[release]~~ any cattle from the herd to a slaughter channel. If an owner or lessee releases any cattle from the herd to a slaughter channel, the owner or lessee must provide documentation, on a form approved by the Administrator, to the Department that the cattle arrived at the slaughter

channel. *All cattle from an infected herd and entering a slaughter channel, shall remain under quarantine until moved to slaughter. All infected cattle being moved from the premises of origin to a slaughter channel shall move on a form, or other documentation approved by the Department ~~[issued by an accredited veterinarian or a State or Federal Animal Health Official.]~~*

5. As a condition of release of hold order, the Director may require additional testing within 1 year of release.

(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007; A by R208-08, 2-11-2009; A by Dep't of Agriculture by R017-15, 12-21-2016)

NAC 571.658 Exposed herd: Classification; placement under and release from hold order; lease and transfer of ownership; release to slaughter channel. (NRS 561.295, 571.120, 571.150, 571.170)

1. If, through an epidemiological investigation, a *trichomoniasis* ~~[trichomonosis]~~ epidemiologist ~~[determines that]~~ *identifies* a neighboring herd ~~[has had]~~ *at risk of* contact with an infected bull, the Director will classify the herd as an exposed herd and place it under a hold order.

2. Before the Director releases an exposed herd from a hold order, an accredited veterinarian must ensure that:

(a) Each test eligible bull in the exposed herd receives an official test ~~[via individual PCR,]~~ for *trichomoniasis* ~~[trichomonosis]~~ within 8 months after the herd was placed under a hold order, *and the sample was collected after the possible exposure occurred;*

(b) Each test eligible bull is determined to be clear of *trichomoniasis* ~~[trichomonosis]~~ within or is released to a slaughter channel;

(c) Each test eligible bull receives and bears an official tag; and

(d) The official tag number and classification of each test eligible bull is recorded on a test chart.

3. Before a test eligible bull may be certified to be clear of *trichomoniasis* ~~[trichomonosis]~~ pursuant to subsection 2, the test eligible bull must have received a negative ~~[individual-PCR]~~ test result in its most recent official test for *trichomoniasis* ~~[trichomonosis]~~.

4. Except as otherwise provided in subsection 5, the owner or lessee of an exposed herd shall not lease or transfer ownership of any bull or cow, or any heifer that is ~~[20]~~ ~~[12]~~ *18* months of age or older, from the herd during a period in which the herd is under a hold order.

5. The owner or lessee of an exposed herd may *consign* ~~[release]~~ any cattle from the herd to a slaughter channel. If an owner or lessee *consigns* ~~[releases]~~ any cattle from the herd to a slaughter channel, the owner or lessee must provide documentation, on a form approved by the Administrator, to the Department that the cattle arrived at the slaughter channel.

(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007; A by R208-08, 2-11-2009; A by Dep't of Agriculture by R017-15, 12-21-2016)

NAC 571.660 Duties of owner of herd or qualified feedlot regarding bull receiving positive test result to official test for *trichomoniasis*~~[trichomonosis]~~. (NRS 561.295, 571.120, 571.150, 571.170) Except as otherwise provided in NAC 571.662:

1. The owner of a herd shall ensure that each bull from the herd that receives a positive test result to an official test for *trichomoniasis*~~[trichomonosis]~~:

(a) ~~[Is branded with a hot iron to the left of its tail with the letter "V" in a size not less than 2 inches by 3 inches~~ *Is identified by a method approved by the Department, [including but not limited to special brand, VS 1-27 form, brand inspection notation, or similar documentation]* to signify that it is infected with *trichomoniasis*~~[trichomonosis]~~; and

(b) Is sent by direct movement within 30 days after the owner receives the positive test result to a slaughter channel. *All infected cattle being moved from the premise of origin to slaughter channels shall move on a form, or other documentation approved by the Department.* ~~[The owner shall provide documentation, on a form approved by the Administrator, to the Department that the cattle arrived at the slaughter channel].~~

2. The owner of a qualified feedlot which has a bull that has received a positive test result to an official test for *trichomoniasis*~~[trichomonosis]~~; shall:

(a) Segregate the bull from *all female cattle* ~~[every breeding cow and heifer]~~ housed at the qualified feedlot; and

(b) Confine the bull to a dry lot area that is used to upgrade or finish feed the bull before it goes to slaughter.

(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007; A by R208-08, 2-11-2009)

~~[NAC 571.662 Additional testing after bull receives positive test result to official test for *trichomoniasis*~~ ~~[trichomonosis]~~. (NRS 561.295, 571.120, 571.150, 571.170)

~~—1.— The owner or lessee of a bull that receives a positive test result to an official test for *trichomoniasis* [trichomonosis]; may request the accredited veterinarian or veterinarian technician who performed the test to submit the specimen of the bull which was found to *be infected with trichomoniasis* [contains trichomonas organisms] to an official laboratory to confirm *infection with trichomoniasis* [the presence of trichomonas organisms] by *individual PCR* [polymerase chain reaction] testing. As a prerequisite to exercising this option, the specimen must arrive at the laboratory within [48 hours] *a timeframe and condition designated by the Department, as to allow for an official test*, after being found to *be infected with trichomoniasis* [contain trichomonas organisms].~~

~~—2.— If individual [polymerase chain reaction testing] *PCR testing* determines that the specimen of the bull:~~

~~—(a) Is positive or inconclusive for *trichomoniasis* [trichomonosis]; infection, the bull will be considered positive for *trichomoniasis* [trichomonosis];-~~

~~—(b) Is negative for *trichomoniasis* [trichomonosis]; infection, the bull will be considered negative for *trichomoniasis* [trichomonosis];-~~

~~—(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007; A by R208-08, 2-11-2009)}~~

NAC 571.664 Handling of specimen collected from bull. (NRS 571.120, 571.150) An accredited veterinarian ~~[or veterinary technician]~~ shall:

1. Only use an official laboratory to test a ~~[specimen]~~ *sample* collected from a bull; and

2. Ensure that the ~~[specimen]~~ *sample*:

(a) Arrives at an official laboratory for testing within ~~[48 hours after it is collected],~~ *a timeframe and condition designated by the Department as to conduct an official test*; and

(b) Is transported and maintained pursuant to official protocol.

(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007; A by R208-08, 2-11-2009)

~~[NAC 571.666 Official laboratory: Duties of operator; *biennial* [annual] inspection. (NRS 571.120, 571.150)]~~

~~—1. The operator of an official laboratory shall ensure that the laboratory is administered in accordance with official protocol.~~

~~—2. A laboratory must pass *a biennial* [an annual] inspection conducted by the Administrator *or designee* to maintain its status as an official laboratory.~~

~~—(Added to NAC by St. Quarantine Officer by R135-06, eff. 3-23-2007; A by R208-08, 2-11-2009)}~~

NAC 571.667 Diseased Animals: Limitations of transport and transfer of ownership. (NRS 565.155, 571.045)

1. Any owner, lessee or manager of animals or livestock that are the subject of an epidemiologic investigation, hold order, or disease quarantine by the Department, may be denied brand inspection(s) or other services, as directed by the Administrator or State Quarantine Officer.

2. Any owner, lessee or manager of livestock who does not meet the annual requirements set forth in NAC 571.641, may be denied brand inspection(s) or other services, as directed by the Administrator or State Quarantine Officer.

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SMALL BUSINESS IMPACT STATEMENT AS REQUIRED BY NRS 233B.0608

Revised LCB File No. R104-201

January 21, 2022

PROPOSED AMENDMENTS TO NAC CHAPTER 571

1. A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.

The Nevada Department of Agriculture (NDA) released a digital survey via email to industry members and businesses. The survey opened on June 3, 2021 and closed on June 18, 2021. In addition, the survey was posted to the NDA website at www.agri.nv.gov/survey on June 3, 2021. The survey was sent to a total of 6,047 licensed businesses and interested parties in Nevada. A link to all active surveys, including NAC 571, was shared on the NDA's social media pages on June 3, 2021, June 10, 2021, and June 16, 2021. The Nevada Farm Bureau also promoted the survey in their newsletters and social media on June 4, 2021 and June 10, 2021. During the administration of the survey, no requests were made for a printed copy.

In total, the survey received 197 responses with a 39% survey completion rate. Persons interested in obtaining the survey results and summary may do so by contacting the Division of Animal Industry at 775-353-3709 or animalindustry@agri.nv.gov.

Summary of survey responses:

- What level of negative impact will the proposed changes to NAC 571 have on your business?
 - No Impact: 23 respondents (27.06%)
 - Insignificant Impact: 13 respondents (15.29%)
 - Minor Impact: 17 respondents (20.00%)
 - Moderate Impact: 21 respondents (24.71%)
 - Major Impact: 10 respondents (11.76%)
 - Severe Impact: 1 respondent (1.18%)
- If enacted would the proposed changes to NAC 571 impact your ability to do business?
 - Yes: 34 (26.98%)
 - No: 41 (32.54%)
 - Maybe: 51 (40.48%)

- Estimate the total annual impact the proposed changes to NAC 571 will have on your business.
 - Reported cost of the proposed changes to NAC 571 on small business by respondents would be between \$177,632 and \$2,017,368. However, the median cost to individual small businesses would be between \$100 and \$1,000. In total, 29 respondents (33.7%) reported that there would be no cost due to NAC 571, while 67 respondents (77.9%) reported they would incur costs associated with the proposed regulations. 19 respondents (22%) stated that they would incur costs greater than \$5,001. Information on how estimates were determined was not provided by survey respondents.
- 58 respondents answered the survey question of “what level of financial impact would have on their businesses?” Most answered that the financial impact would be none to minimal. Others were uncertain about the financial impact or estimated the impact to be significant.
- 51 respondents answered the survey question “would any operational changes need to be made as a result of the financial impact of the proposed changes?” Most said they would not need to make operational changes, while others indicated that changes would have to be made.

2. The manner in which the analysis was conducted.

A statistical analysis of the survey results was compiled and considered along with comments from respondents. While most respondents indicated that the proposed changes would have an impact on their businesses, the majority indicated that the level of financial impact would be none to moderate.

3. The estimated economic effect of the proposed regulation on small business which it is to regulate, including, without limitation:

Of the 85 respondents, 12.94% indicated proposed changes to NAC 571 would have a major or severe impact on their business. Based upon comments provided in the follow up question “how would changes to NAC 571 impact your ability to do business?” 73.02% of the 126 respondents indicated it would have insignificant to no impact to their business.

The survey asked if the proposed changes to NAC 571 would impact their ability to do business. Of the 126 respondents, 26.98% indicated it would, 32.54% indicated it would not and 40.48% indicated maybe.

While numerous respondents expressed concern over additional state regulations and fee increases when asked what total annual impact the proposed changes to NAC 571 would have on their business, 33.7% of the 86 respondents indicated minor to no financial impact. 77.9% of respondents indicated they would incur costs between \$100 and \$1000, while 22% indicated they would incur costs greater than \$5,001.

4. A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.

In considering the establishment of different standards of compliance for small businesses, the agency determined that most of the affected agriculture businesses in Nevada would fall under the small business category of employing less than 150 employees. As the agency continues through

the regulatory adoption process required under the Nevada Administrative Procedure Act, it will consider any other methods to reduce the impact to small businesses that may be proposed.

5. The estimated cost to the agency for enforcement of the proposed regulation.

The agency does not anticipate that its ongoing costs to enforce the proposed changes to NAC 571 will increase. The agency anticipates one-time costs of approximately \$2,500 to print and mail a notice of the revised regulations to all registered livestock producers and industry partners following adoption of the regulation.

6. If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

Not applicable.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.

The proposed regulations are not duplicative or more stringent than federal, state or local standards.

8. The reasons for the conclusion of the agency regarding the impact of a regulation on small businesses.

While there will be an impact on small businesses as result of adoption of the proposed regulation, the agency concludes that the regulations are reasonable and necessary for the NDA to perform all statutorily mandated duties in control and eradication of diseases in animals. Based upon the survey responses received, the agency can only estimate the percentage of small businesses that may incur a cost greater than \$5,001 to be approximately 22%.

I certify that to the best of my knowledge or belief, a concerted effort was made to determine the impact of this proposed regulation on small businesses and the information contained in the statement was prepared properly and is accurate.

Jennifer Ott

Digitally signed by Jennifer Ott
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