

Proposed Rules
of the
Tennessee Department of Agriculture
Division of Regulatory Services

Chapter 0080-2-3
Rules and Regulations Governing Movement and
Handling of Livestock at Fairs and Exhibitions

Presented herein are proposed amendments of Division of Regulatory Services, Department of Agriculture submitted pursuant to T.C.A. § 4-5-202 in lieu of a rulemaking hearing. It is the intent of the Division of Regulatory Services, Department of Agriculture to promulgate these rules without a rulemaking hearing unless a petition requesting such hearing is filed within thirty (30) days of the publication date of the issue of the Tennessee Administrative Register in which the proposed amendments are published. Such petition to be effective must be filed with the Department of Agriculture, Box 40627, Nashville, Tennessee 37204, and the Department of State, 8th Floor, William R Snodgrass Tower, 312 Eighth Avenue North, Nashville, Tennessee 37243-0307, and must be signed by twenty-five (25) persons who will be affected by the amendments, or submitted by a municipality which will be affected by the amendments, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly.

For copies of the entire text of the proposed amendments, contact: Dr. Ronald B. Wilson, State Veterinarian, Department of Agriculture, P. O. Box 40627, Nashville, Tennessee, 37204, 615-837-5120.

The text of the proposed rules and amendments is as follows:

Amendments

Chapter 0080-2-3 is amended by deleting the Chapter in its entirety and substituting the following language so that, as amended, the Chapter shall read:

Chapter 0080-2-3
Rules and Regulations Governing Movement and
Handling of Livestock at Fairs and Exhibitions

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0080-2-3-.01 General

- (1) All livestock which enter fairs and exhibitions shall be accompanied by an official veterinary health certificate with individual permanent identification or sufficient description to identify each animal. Certificates for this purpose shall be valid for ninety (90) days from date of issue.
- (2) All stalls, pens, chutes, etc., located on the grounds of fairs and exhibitions shall be thoroughly cleaned and disinfected with a disinfectant approved by USDA, APHIS between each scheduled fair or exhibition.
- (3) No animal showing clinical signs of infectious or communicable disease shall be allowed to enter or remain on premises of fair or exhibitions. It shall be the responsibility of the manager of each event to assure prompt removal of such animals.

Authority: T.C.A. §§ 4-3-203 and 44-2-102.

0080-2-3-.02 Definitions

- (1) For the purposes of these Rules, the “Definitions” outlined in Chapter 0080-2-1-.01 of the Published Rules of the Department of Agriculture shall apply unless otherwise indicated herein.

Authority: T.C.A. §§ 4-3-203 and 44-2-102.

0080-2-3-.03 Cattle

- (1) All cattle which enter fairs and exhibitions shall be accompanied by an official veterinary health certificate with individual permanent identification or sufficient description to identify each animal.

Authority: T.C.A. §§ 4-3-203 and 44-2-102.

0080-2-3-.04 Swine

- (1) All swine which enter fairs and exhibitions shall be accompanied by an official veterinary health certificate with individual permanent identification or sufficient description to identify each animal.

Authority: T.C.A. §§ 4-3-203 and 44-2-102.

0080-2-3-.05 Poultry

- (1) Sponsors of poultry shows or exhibitions shall notify the Tennessee Department of Agriculture at least thirty (30) days prior to such show or exhibition.
- (2) All poultry assembled at shows or exhibitions shall be accompanied by evidence of a negative test within ninety (90) days for Pullorum-Typhoid or shall originate directly from a flock which has been certified as Pullorum-Typhoid clean under the Tennessee Poultry Improvement Plan.
- (3) Poultry found not to be in apparent good health shall be removed immediately from any show or exhibition.

Authority: T.C.A. §§ 4-3-203 and 44-2-102.

0080-2-3-.06 Horses and Other Equidae

- (1) Horses and other Equidae six (6) months of age and older which enter fairs and exhibitions must have a negative Equine Infectious Anemia test within the preceding twelve (12) months.

Authority: T.C.A. §§ 4-3-203 and 44-2-102.

0080-2-3-.07 Sheep

- (1) Sheep which enter fairs and exhibitions must have an official veterinary health certificate as provided in Rule 0080-2-3-.01 (1) and meet the requirements of the National Scrapie Identification Program.

Authority: T.C.A. §§ 4-3-203 and 44-2-102.

0080-2-3-.08 Goats

- (1) Goats which enter fairs and exhibitions must have an official veterinary health certificate as provided in Rule 0080-2-3-.01 (1) and meet the requirements of the National Scrapie Identification Program.

Authority: T.C.A. §§ 4-3-203 and 44-2-102.

0080-2-3-.09 Camelids

- (1) Camelids which enter fairs and exhibitions must have an official veterinary health certificate as provided in Rule 0080-2-3-.01 (1).

Authority: T.C.A. §§ 4-3-203 and 44-2-102.

0080-2-3-.10 Captive Cervidae

- (1) Captive Cervidae which enter fairs and exhibitions must have an official veterinary health certificate as provided in Rule 0080-2-3-.01 (1).

Authority: T.C.A. §§ 4-3-203 and 44-2-102.

0080-2-3-.11 Imported Livestock and Poultry

- (1) Domestic animals entering fairs and exhibitions from areas outside the State of Tennessee shall be subject to current Tennessee import requirements found in Chapter 0080-2-1 and any emergency rules in effect at the time which can be found on the Tennessee Department of Agriculture website: www.state.tn.us/agriculture.

Authority: T.C.A. §§ 4-3-203 and 44-2-102.

0080-2-3-.12 Enforcement

- (1) Fair association or exhibition management shall inform exhibitors of the rules of this chapter, and shall notify the State Veterinarian or his agent of any violation. Exhibitors shall present evidence of compliance with this chapter to the State Veterinarian or his agent upon request.
- (2) These Rules and Regulations in no way restrict fairs and exhibitions from establishing additional or more stringent health requirements.
- (3) Persons dealing with the movement and handling of domestic animals at fairs and exhibitions shall submit records for inspection and copies of

documents immediately upon the request of the Commissioner or his agent.

Authority: T.C.A. §§ 4-3-203 and 44-2-102.

The proposed rules set out herein were properly filed in the Department of State on the 16th day of November, 2005, and pursuant to the instructions set out above, and in the absence of the filing of a petition calling for a rulemaking hearing, will become effective on the 30th day of March, 2006.