

Proposed Rules
of the
Department of Agriculture
Division of Animal Industries

Chapter 0080-2-5
Brucellosis Testing and Quarantine Regulations

Presented herein are proposed amendments of Division of Animal Industries, Department of Agriculture submitted pursuant to T.C.A. §44-5-202 in lieu of a rulemaking hearing. It is the intent of the Division of Animal Industries, 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, 440 Hogan Road, Nashville, Tennessee 37220, and the Department of State, 5th Floor, James K. Polk State Office Building, Sixth and Deadrick, Nashville, Tennessee 37219-0130, 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. Robert Hartin, State Veterinarian, Department of Agriculture, P. O. Box 40627, Nashville, Tennessee, 37204, 615-837-5120.

The text of the proposed amendments are as follows:

Amendments
New Rules

0080-2-5-.13 Waiver of Brucellosis Testing Requirements

- (1) When Tennessee and all adjacent states have obtained Brucellosis-Free status and a risk analysis supports the policy, the State Veterinarian may waive the requirements of a negative Brucellosis test prior to sale or exhibition.

Authority: T.C.A. §§44-2-1302 and 4-3-203.

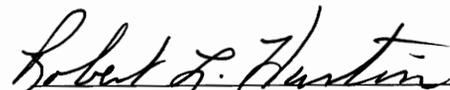
Legal Contact and/or party who will approve final copy:

Peggy Williams
Chief Counsel
Department of Agriculture
P. O. Box 40627
Nashville, TN 37204
615-837-5093

Contact for disk acquisition:

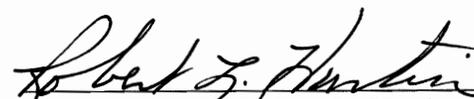
Tina Rogers
Department of Agriculture
P. O. Box 406267
Nashville, TN 37204
615-837-5120

Signature of the agency officer or officers directly responsible for proposing and/or drafting these rules:

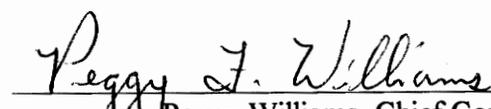

Robert L. Hartin, D.V.M.
State Veterinarian

I certify that this is an accurate and complete copy of proposed rules, lawfully promulgated and adopted by the Department of Agriculture on the 23rd day of

July, 19 98.


Robert L. Hartin, D.V.M.
State Veterinarian

The Secretary of State is hereby instructed that, in the absence of a petition for rulemaking hearing being filed under the conditions set out herein and in the locations described, he is to treat the proposed rules as being placed on file in his office as rules at the expiration of thirty (30) days after the publication date of the issue of the Tennessee Administrative Register in which these proposed rules are published.


Peggy Williams, Chief Counsel
Department of Agriculture

Subscribed and sworn to before me this the 23 day of July, 19 98

Marie P. Sullivan
Notary Public

My commission expires on the 29 day of January, 19 2000

All proposed rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Paul G. Summers
Paul G. Summers
Attorney General and Reporter

The proposed rules set out herein were properly filed in the Department of State 6 day of May, 1999, and pursuant to the instructions set out above, and in the absence of the filing of an appropriate petition calling for a rulemaking hearing, will become effective on the 28 day of Sept., 1999.

Riley C. Darnell
Riley C. Darnell
Secretary of State

By: [Signature] (Signature)

RECEIVED
1999 MAY 2 30 PM
SECRETARY OF STATE
PLANNING

RECEIVED
1999 MAY -6 PM 2:33