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Proposed Rule(s) Filing Form

Proposed rules are submitted pursuant to T.C.A. §4-5-205 in lieu of a rulemaking hearing. It is the intent of the Agency 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 rules are published. To be effective, the petition must be filed with the Agency and 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.

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Revision Type (check all that apply):

- Amendments
 New
 Repeal

Rule(s) Revised (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables. Please enter only ONE Rule Number/Rule Title per row)

Chapter Number	Chapter Title
0080-02-01	Health Requirements for Admission and Transportation of Livestock and Poultry
Rule Number	Rule Title
0080-02-01-.01	Definitions
0080-02-01-.02	General Requirements and Limitations
0080-02-01-.04	Entry Permits
0080-02-01-.05	Cattle
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0080-02-01-.15	Violation of Rules

Chapter 0080-02-01
Health Requirements for Admission and Transportation
of Livestock and Poultry

Amendments

Paragraph (1) of Rule 0080-02-01-.01 Definitions is amended by deleting the paragraph in its entirety and substituting instead the following language so that, as amended, the paragraph shall read:

(1) For Purposes of these Rules:

- (a) Accredited Veterinarian - An accredited veterinarian shall be as defined in 9 C.F.R. 160.1.
- (b) Approved Livestock Market - A stockyard, livestock market, buying station, concentration point, or any other premises under state or federal veterinary supervision where livestock are assembled for sale or sale purposes, and which has been approved by the USDA, or the appropriate state animal health official in accordance with 9 C.F.R. 71.20.
- (c) Approved Slaughter Establishment - Any slaughter establishment operating under the provisions of the Federal Meat Inspection Act, 21 U.S.C. 601, et seq.
- (d) Breeding Swine - Swine that are used or intended to be used for breeding, including all swine other than feeder swine or slaughter swine.
- (e) Brucellosis Suspect - An animal subjected to an official test resulting in a Brucellosis suspect classification or reclassified as a Brucellosis suspect by a designated epidemiologist, as provided in the definition of official test.
- (f) Certified Brucellosis-Free Herd - A herd of cattle that has qualified for such status in accordance with 9 C.F.R. 78.1.
- (g) Change of Ownership - Ownership changing from one individual or entity to another, either through selling, bartering, trading, or donating to another individual or entity.
- (h) Classification of States - The definitions of Class A, Class B, Class C and Class Free states shall be as set forth in 9 C.F.R. 78.1.
- (i) Commercial Production Swine - Those swine that are continuously managed and have adequate facilities and practices to prevent exposure to either transitional production or feral swine.
- (j) Dairy and Breeding Cattle - Shall include all intact male and female cattle other than feeder cattle or slaughter cattle.
- (k) Department - The Tennessee Department of Agriculture.
- (l) Domestic Animals - Shall include cattle, bison, horses, mules, asses, sheep, goats, swine, dogs, cats, avian species, and all Class III animals as defined by T.C.A. 70-4-403(3).
- (m) Entry Permits - A verbal or written pre-movement authorization for entry of livestock into Tennessee, issued by the Tennessee state veterinarian or his agent.
- (n) Exposed Animal (Brucellosis) - Any animal, except a Brucellosis reactor animal, that is part of a herd known to be affected by, or that has been in contact with, a Brucellosis reactor animal in marketing or other channels for twenty-four (24) hours, or for less than twenty-four (24) hours if such Brucellosis reactor animal has aborted or calved within the past thirty (30) days or has a vaginal discharge.

- (o) Farm of Origin (Cattle) - A farm or other premises where the cattle were born or have been kept for not less than four (4) months prior to the date of shipment, and which has not been used within such time to assemble, buy, or sell cattle from other sources.
- (p) Farm of Origin (Swine) - The farm on which swine were born or have resided for at least ninety (90) consecutive days immediately prior to shipment, and which has not been used within such time to assemble, buy, or sell swine from other sources
- (q) Feeder Cattle - Cattle which are intended for the sole purpose of feeding or grazing prior to slaughter and are less than eighteen (18) months of age as evidenced by the absence of eruption of the first permanent incisor teeth and are not parturient or post parturient, including steers and spayed heifers of any age.
- (r) Feeder Swine - Swine that are less than four (4) months of age and are intended for feeding purposes prior to slaughter.
- (s) Feral or Wild Swine - Swine that have lived part (feral) or all (wild) of their lives as free-roaming animals.
- (t) Herd - A herd is all animals under common ownership or which have been in physical contact with each other within the preceding twelve (12) months, whether located on one or more premises.
- (u) Negative - The designation of an animal as "negative" shall be as determined by a test approved by the USDA for such disease.
- (v) Official Backtag - A backtag issued by the USDA that uniquely identifies each animal.
- (w) Official Certificate of Veterinary Inspection
 1. An official certificate of veterinary inspection is a legible record on a form adopted and approved for such use by the appropriate animal health official of the state of origin, that is prepared by an accredited veterinarian of the state of origin, and that certifies the inspection or examination of the animal(s) described thereon. Legal requirements shall not be met until an approved copy is forwarded by the appropriate animal health official of the state of origin to the Tennessee state veterinarian.
 2. The official certificate of veterinary inspection shall list the names and addresses of the consignor and consignee, the origin of the animals, and the final destination of the animals, if different. It shall include an accurate description sufficient to identify each animal(s), which may include information about the animal's age, sex, breed, tags, tattoos, and/or brands. It shall include the dates and results of required tests, and the dates of required vaccinations.
 3. Certificates of veterinary inspection shall be void after thirty (30) days from the date of inspection. No certificate of veterinary inspection shall be issued except in compliance with all import requirements of the State of Tennessee, unless otherwise specifically authorized by the Tennessee state veterinarian.
 4. An Equine Interstate Event Permit (a/k/a an equine passport) is an official document that has been signed by the state veterinarian, the chief animal health officer, or the equivalent, of the state issuing the permit. At minimum, such permits shall include: the owner's name, complete address and phone number; the official certificate of veterinary inspection number that was the basis for issuing the permit; the date the official certificate of veterinary inspection was issued; a unique permit number issued by the state; the expiration date of the permit; a complete description of the horse, including its name, breed, color, age, and sex; the date of the horse's last EIA test; the name of the laboratory that performed the test; and the laboratory accession number of the laboratory that performed the test. The Equine

Interstate Event Permit shall be valid for six (6) months when accompanied by proof of the official, negative EIA test (VS Form 10-11 or other equivalent document) specified in the Equine Interstate Event Permit. In no instance shall a permit be valid for more than twelve (12) months after the date of a negative EIA test. Equine shall have permanent, individual, animal identification in the form of a unique lip tattoo, brand, electronic implant, or digital photograph, which must be incorporated into the permit. Where digital photography is used for identification, the photograph must include images of the entire left and right sides of the animal, and a front view of the animal, including the head from the ear tips to below the lower lip.

- (x) Official Proof of Test - Any documentation approved by state and federal animal health officials that bears a permanent individual identification of an animal and certification by an accredited veterinarian or regulatory animal health employee that the animal has been tested for a particular disease.
- (y) Official Seal - A serially numbered metal or plastic strip that is self-locking and cannot be reused if opened, and which is applied by a representative of the USDA, or state veterinarian.
- (z) Official Test - Official tests for specifically named diseases as referred to herein shall be such tests as are recognized as official by the appropriate animal health official of the state of origin and the USDA. The date of the test shall be the date the sample is taken from the animal.
- (aa) Official Vaccinate - Any animal vaccinated and identified in accordance with 9 C.F.R. 78.1 and 85.1.
- (bb) Parturient - Visibly pregnant; commonly referred to as "springing".
- (cc) Person - An individual, corporation, association, partnership, or other legal entity.
- (dd) Pet Swine – Non-commercial swine, including, but not limited to, those kept as pets, rescued, kept in collections or menageries, or used in displays, petting zoos or attractions at fairs or exhibitions.
- (ee) Post Parturient - Having already given birth.
- (ff) Pseudorabies-monitored Feeder Pig Herd - A swine breeding herd, of which the breeding animals over six (6) months of age have tested negative on an official Pseudorabies test according to the criteria below. Such test shall be conducted at least once a year, but may be required more frequently as ordered by the state veterinarian.

1-10 sows	test all
11-35 sows	test 10
36 or more	test 30% or 30 head, whichever is less
- (gg) Qualified Pseudorabies Negative Herd - A herd of swine that has qualified for such status in accordance with 9 C.F.R. 85.1.
- (hh) Quarantined Feedlot - A confined area as set forth by 9 C.F.R. 78.1 and 85.1.
- (ii) Reactor – Any animal that is subjected to an official test and found positive.
- (jj) Shipping Permit - Shall mean a VS Form 1-27 or other document defined as a "permit" in 9 C.F.R. that is required to accompany livestock when movement is restricted.
- (kk) Slaughter Cattle - Any cattle shipped directly to an approved slaughter establishment for slaughter within five (5) days. The designation of cattle as slaughter cattle is determined solely by the fact that such animals are consigned and shipped directly to an approved slaughter

establishment, not by the origin, type, condition, health, or any other characteristic of such animals.

- (ll) Slaughter Swine - Swine of any age, breed, or sex, which have been consigned and transported directly to an approved slaughter establishment for slaughter within five (5) days, or to an approved swine market for sale to a slaughter establishment.
- (mm) Sporting Swine – Swine that are intended to be used solely for hunting.
- (nn) Test-Eligible Cattle - All cattle, with the exception of steers and spayed heifers, that are eighteen (18) months of age or older as evidenced by the eruption of the first permanent incisor teeth, regardless of vaccination status; and all female cattle that are parturient or post-parturient, regardless of vaccination status and age.
- (oo) Transitional Production Swine - Swine that have had reasonable opportunities to be exposed to feral or wild swine.
- (pp) Transportation Document - Any document that accompanies a shipment of animals, including, but not limited to, a certificate of veterinary inspection, waybill, bill-of-sale, bill-of-lading, cargo manifest, shipping permit or an invoice that lists:
 - 1. The point from which the animals are moved;
 - 2. The destination of the animals;
 - 3. The number and kind of animals covered by the document; and
 - 4. The name and address of the owner or shipper.
- (qq) USDA – The United States Department of Agriculture.
- (rr) Validated Brucellosis-Free Herd (Swine) - A swine herd that has qualified for such status in accordance with 9 C.F.R. 78.1.

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

Rule 0080-02-01-.02 General Requirements and Limitations is amended by deleting the language of the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

- (1) All domestic animals imported into Tennessee, except poultry and those animals expressly exempted herein, shall be accompanied by an official certificate of veterinary inspection or other transportation document recognized by the state veterinarian. The certificate of veterinary inspection or other recognized travel document shall be in possession of the driver of the vehicle transporting such animals.
- (2) Domestic animals entering Tennessee without an official certificate of veterinary inspection or otherwise entering the state in violation of these rules shall be held in quarantine at the owner's risk and expense until released or disposed of as ordered by the state veterinarian.
- (3) All animals entering Tennessee shall meet the requirements for interstate movement set out in 9 C.F.R., in addition to the specific requirements set forth herein.
- (4) No animal, including poultry and birds of any species, that is affected by or has been exposed to any infectious, contagious, or communicable disease, or that originated from a quarantined area, shall be transported or moved into Tennessee; except as allowed herein or permitted by the state veterinarian.

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

Rule 0080-02-01-.04 Entry Permits is amended by deleting the language of the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

- (1) Requests for entry permits, where required by these rules, shall be directed to the Tennessee Department of Agriculture, Division of Regulatory Services - Animal Health, P.O. Box 40627, Nashville, Tennessee 37204, and shall set forth the species, number, age, sex, and breed of the animals; the consignee and consignor; the origin and destination of the animals; and the purpose of the shipment.
- (2) Such entry permits shall be valid for no more than thirty (30) days from issuance and shall apply only to the shipment for which the permit was requested.
- (3) The entry permit number shall be recorded on the official certificate of veterinary inspection that accompanies the shipment.

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

Rule 0080-02-01-.05 Cattle is amended by deleting the rule in its entirety and substituting the following language so that, as amended, the rule shall read:

- (1) Feeder Cattle
 - (a) Feeder cattle transported into or through Tennessee shall be accompanied by an official certificate of veterinary inspection. Individual animal identification is not required, provided that all animals are identified as to breed, sex, and average age and/or weight, according to the number of head in the shipment.
 - (b) Official certificates of veterinary inspection are not required for feeder cattle that are moved by the producer or his agent directly from a farm of origin to an approved livestock market for sale.
- (2) Slaughter Cattle
 - (a) General requirements
 1. Slaughter cattle transported into, within, or through the state of Tennessee shall be accompanied by a transportation document. This requirement shall not apply to such cattle moved directly from a farm of origin by the producer or his agent.
 2. Cattle consigned and/or shipped to any location other than an approved slaughter establishment are not considered slaughter cattle for purposes of these rules, and shall be tested for Brucellosis as dairy and breeding cattle under 0080-02-01-.05(3)(b) below.
 - (b) Additional Requirements for Assembled Cattle from Class B and Class C States – Test-eligible slaughter cattle shipped from approved markets or other assembly points in Class B and Class C states that would otherwise be required to be tested for Brucellosis as dairy and breeding cattle under 0080-02-01-.05(3)(d) are exempt from such test, provided they are:
 1. Accompanied by official proof of test for Brucellosis within the preceding thirty (30) days; or
 2. S-Branded and accompanied by a shipping permit; or
 3. Transported in officially sealed vehicles and accompanied by a shipping permit.
 - (c) Reactor, Exposed or Other Cattle Under Quarantine - Cattle that are classified as reactor animals, exposed animals, or that are under quarantine for any reason shall bear appropriate individual

identification and be accompanied by a shipping permit.

(3) Dairy and Breeding Cattle

- (a) General Requirements - All dairy and breeding cattle transported into or through the state of Tennessee, regardless of age and origin and except as specifically exempted by (b) below, shall be:
 - 1. Officially, individually identified by permanent means such as a coded metal ear tag, RFID device, registration tattoo, registration hot brand, registration freeze brand, or other official means as set forth in 9 C.F.R. 71; and
 - 2. Accompanied by an official certificate of veterinary inspection.
- (b) Exception to General Requirements - The certificate of veterinary inspection and identification requirements above shall not apply to cattle consigned and shipped by the producer or his agent directly from a farm of origin to an approved livestock market for sale.
- (c) Test-eligible cattle from Class B and Class C states shall have an entry permit.
- (d) Brucellosis
 - 1. Brucellosis Testing Requirements - Unless specifically exempted, all test-eligible cattle are subject to the Brucellosis testing requirements outlined herein.
 - 2. Cattle from Class A and Class B States - Dairy and breeding cattle entering Tennessee from non-quarantined herds in Class A and Class B states shall be accompanied by proof that such cattle have tested negative on an official test for Brucellosis that was conducted within the preceding thirty (30) days.
 - 3. Cattle from Class C States - Dairy and breeding cattle entering Tennessee from non-quarantined herds in Class C states shall comply with the following requirements:
 - (i) Non-Vaccinates - Non-vaccinates from Class C states must have had negative results on two consecutive official tests for Brucellosis prior to movement, according to the following:
 - (I) The first test shall be conducted not less than sixty (60) days and not more than twelve (12) months before movement.
 - (II) The second test shall have been conducted not less than sixty (60) days after the first test and not more than thirty (30) days before movement.
 - (III) Between tests, the cattle being tested shall be kept separated from all other cattle.
 - (IV) The dates for both tests shall be recorded on the certificate of veterinary inspection.
 - (ii) Official Vaccinates - Official vaccinates from Class C states must have tested negative on one (1) official test for Brucellosis conducted within thirty (30) days prior to entering the state.
 - (iii) Cattle originating from a Class C state that are consigned and shipped directly to an approved livestock market in Tennessee for sale:
 - (I) The required thirty (30) day test for official vaccinates and the second test for non-vaccinates as outlined above may be conducted at the market upon arrival.
 - (II) Documentation of prior tests or vaccination status shall be provided to the

Department representative or market management when the cattle are unloaded, pursuant to the following:

- I. Vaccination status may be indicated by an official calfhood vaccination, eartag and/or tattoo.
 - II. Prior test status may be determined by an official certificate of veterinary inspection and/or Brucellosis test record.
 - III. In cases where the official vaccination or prior test status of test eligible cattle cannot readily be substantiated by the Department's representative, the cattle shall be:
 - A. Shipped directly to slaughter or a quarantined feedlot in accordance with the provisions of 9 C.F.R. § 78.9(c)(1) or § 78.9(c)(2); or
 - B. Allowed to return to the point of origin upon receiving special permission from the appropriate animal health official of the state of origin.
4. Cattle from Class B and Class C States – Quarantine and Retesting. Test-eligible cattle originating from Class B and Class C states shall be quarantined and retested for Brucellosis not less than forty-five (45) days and not more than one hundred twenty (120) days after arrival, with the following exceptions:
- (i) Cattle imported to approved markets or to the premises of licensed dealers in Tennessee shall be permitted a single movement, under quarantine, to a farm premises where retesting shall be accomplished as provided above, subject to the following:
 - (I) The purchaser or consignee at the first farm premises may not reassign or sell such cattle until the required testing has been done, with the exception that such cattle may be sent directly to slaughter, to a quarantined feedlot or an approved market for sale to slaughter, or to quarantined feedlot at any time before the required retesting is due, provided such cattle are S-branded and accompanied by a shipping permit.
 - (ii) The following cattle shall also be exempt from the quarantine and retesting requirements above:
 - (I) Cattle imported to approved markets, or to pens of licensed dealers, and shipped to out-of-state consignees within forty-five (45) days. The destination state should be consulted for its requirements before such shipments are made.
 - (II) Cattle entering Tennessee temporarily for exhibition.
5. Exceptions - The Brucellosis testing requirements outlined above shall not apply to:
- (i) Dairy and breeding cattle from non-quarantined herds in brucellosis-free states.
 - (ii) Cattle originating directly from a Certified Brucellosis-Free Herd. Such cattle shall have their certified herd number listed on the accompanying certificate of veterinary inspection.
 - (iii) Cattle consigned and shipped from a farm of origin to an approved livestock market in Tennessee for sale, provided that such cattle are tested at the market.
 - (iv) Cattle consigned and shipped directly to an approved slaughter facility for slaughter. Note the exceptions for assembled cattle from Class B and Class C states outlined under 0080-02-01-.05(2)(b) above.

(e) Tuberculosis

1. Cattle originating in Mexico, including M-branded steers:
 - (i) Shall have tested negative on an official tuberculosis test conducted in the United States not more than thirty (30) days prior to entering Tennessee; and
 - (ii) Shall enter Tennessee under quarantine and be retested for tuberculosis not less than sixty (60) days and not more than one hundred and twenty (120) days after arrival.
 - (iii) Are exempt from the retesting requirements above, provided they are intended for exhibition only, are not based or pastured in Tennessee, and are staying in the state less than sixty (60) days. Such cattle shall be maintained under quarantine during the exhibition period.
- (f) Scabies - Cattle that are known to be infected with or have been exposed to psoroptic scabies, or cattle originating from any area that is under a state or federal quarantine for psoroptic scabies, may enter Tennessee only under the following conditions:
 1. If shipped directly from a point of origin to an approved slaughter establishment in a sealed vehicle; or
 2. If treated for scabies by a method and material currently approved by the USDA within ten (10) days prior to movement.
- (g) Other Diseases – The import requirements for infectious, contagious diseases not named herein shall be as provided in 9 C.F.R.

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

Rule 0080-02-01-.06 Horses and Other Equidae is amended by deleting the language of the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

- (1) Certificate of Veterinary Inspection - Horses, mules or other Equidae transported into or through Tennessee shall be accompanied by an official certificate of veterinary inspection or Equine Interstate Event Permit (a/k/a an equine passport). Owners or transporters of Equine accompanied by Equine Interstate Event Permits must have an accurate event itinerary in their possession for each Equine movement.
- (2) Equine Infectious Anemia - Each horse or other member of the Equidae family, except foals less than six (6) months of age in the company of their EIA-negative dam(s), shall be accompanied by evidence that it has tested negative on an official test for Equine Infectious Anemia (EIA) conducted not more than twelve (12) months prior to entering the state.
- (3) Equidae that have been consigned to an approved livestock market sale may enter Tennessee without evidence that each individual animal has tested negative on an official test for Equine Infectious Anemia (EIA) conducted not more than twelve (12) months prior to entering the state for such sale, provided they are shipped directly to such market with a transportation document.
- (4) The certificate of veterinary inspection requirement under (1) may be waived for equine that are shipped directly to an approved livestock market sale or slaughter establishment, provided they are accompanied by a transportation document.

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

Rule 0080-02-01-.07 Swine is amended by deleting the language of the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

- (1) Commercial Production Swine

(a) Breeding and Feeder Swine

1. Breeding and feeder swine transported into or through the state of Tennessee shall be individually identified to the farm of origin by an official coded metal ear tag or other official means as set forth in 9 C.F.R. 71; and
2. Except by permission of the state veterinarian, be accompanied by an official certificate of veterinary inspection.

(b) Additional Requirements for Breeding Swine

1. Brucellosis

- (i) Breeding Swine transported into or through the state of Tennessee shall:
 - (I) Be accompanied by proof that such swine tested negative on an official test for Brucellosis conducted not more than thirty (30) days prior to entering the state; or
 - (II) Have originated directly from a Validated Brucellosis-Free Herd and have a certificate of veterinary inspection listing the herd validation number; or
 - (III) Have originated directly from a Validated Brucellosis-Free State.

2. Pseudorabies

- (i) Breeding Swine transported into or through the state of Tennessee shall:
 - (I) Be accompanied by proof that such swine tested negative on an official test for Pseudorabies conducted not more than thirty (30) days prior to entering the state, and by proof that such swine originated from a herd not known to be infected with Pseudorabies during the twelve (12) month period immediately preceding the entry of such swine; or
 - (II) Have originated directly from a Qualified Pseudorabies-Negative Herd and have a certificate of veterinary inspection identifying such herd; or
 - (III) Have originated directly from a herd in a Pseudorabies Stage IV or Stage V State.

3. Post-Entry Testing for Brucellosis and Pseudorabies

- (i) Breeding swine are subject to surveillance testing for Brucellosis and Pseudorabies within sixty (60) days after entering the state, at the discretion of the state veterinarian.

(c) Additional Requirements for Feeder Swine

1. Feeder swine imported into Tennessee shall be identified in accordance with 9 C.F.R. 71.19.

2. Pseudorabies

- (i) Feeder swine transported into or through the state of Tennessee shall:
 - (I) Have tested negative for Pseudorabies not more than thirty (30) days prior to entering the state; or
 - (II) Have originated from a Pseudorabies-Monitored Feeder Pig Herd; or
 - (III) Have originated from a Qualified Pseudorabies-Negative Herd; or

(IV) Have originated from a Pseudorabies Stage III, IV, or V state.

- (d) Commercial Production Swine for Exhibition – Import requirements for commercial production swine that have been brought into Tennessee for exhibition purposes are the same as those for breeding swine, except that:
1. Barrows are exempt from Brucellosis testing.
 2. Swine that have been entered in events where all swine on the premises will be consigned to slaughter upon leaving the event are exempt from Brucellosis and Pseudorabies testing.

(2) Slaughter Swine

- (a) Slaughter swine transported into or through the state of Tennessee shall be accompanied by a transportation document, except that this requirement shall not apply to such swine moved directly from the farm of origin by the producer or his agent.
- (b) No slaughter swine shall be imported from any area where swine are under a state or federal quarantine except by the permission of the Tennessee state veterinarian.

(3) Transitional Production Swine

- (a) Prior to entering the state, Transitional Production Swine shall:
1. Have an entry permit from the Tennessee state veterinarian's office;
 2. Be accompanied by an official certificate of veterinary inspection;
 3. Bear official, individual identification as set forth in 9 C.F.R. 71; and
 - (i) Have evidence that such swine tested negative on official tests for Pseudorabies and Brucellosis conducted within thirty (30) days prior to entering the state; or
 - (ii) Have originated from a Validated Brucellosis-Free and Qualified Pseudorabies-Negative herd that has maintained such statuses through testing;
- (b) Upon order of the state veterinarian, transitional production swine shall be quarantined at the swine's destination and retested within thirty to sixty (30-60) days of entering the state.

(4) Sporting Swine

- (a) Except by permission of the state veterinarian, prior to entering the state, sporting swine shall:
1. Have an entry permit from the Tennessee state veterinarian's office;
 2. Be accompanied by an official certificate of veterinary inspection;
 3. Bear official, individual identification as set forth in 9 C.F.R. 71; and
 - (i) Have proof that such swine tested negative on official tests for Pseudorabies and Brucellosis conducted within thirty (30) days prior to entering the state; or
 - (ii) Have originated from a Validated Brucellosis-Free and Qualified Pseudorabies-Negative herd that has maintained such statuses through testing;
- (b) Upon order of the state veterinarian, sporting swine shall be quarantined at the swine's destination and retested within sixty (60) days of entering the state.

(5) Pet Swine

(a) Except by permission of the state veterinarian, prior to entering the state, Pet Swine shall:

1. Have an entry permit from the Tennessee state veterinarian's office;
2. Be accompanied by an official certificate of veterinary inspection;
3. Bear official, individual identification as set forth in 9 C.F.R. 71; and
 - (i) Have evidence of negative Pseudorabies and Brucellosis tests taken within thirty (30) days prior to entering the state; or
 - (ii) Have originated from a Validated Brucellosis-Free and Qualified Pseudorabies-Negative herd that has maintained such statuses through testing;

(b) Upon order of the state veterinarian, pet swine shall be quarantined at the swine's destination and retested within sixty (60) days of entering the state.

(6) Feral or Wild Swine - No feral or wild swine are allowed to enter the state of Tennessee.

(7) General Disease Requirements - Except by permission of the Tennessee state veterinarian, no swine shall be imported from any state where foreign swine diseases are known to exist, or where any portion of a state of origin is under state or federal quarantine for any disease.

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

Paragraph (2) of Rule 0080-02-01-.08 Sheep is amended by deleting the language of paragraph (2) and substituting instead the following language so that, as amended, the paragraph shall read:

- (2) Sheep that move within the state, with the exception of wethers under the age of 18 months that are produced for slaughter only, including for change of ownership, shows, fairs, exhibitions or slaughter, shall be permanently, individually identified by a method approved in 9 C.F.R. 79.1-79.4.

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

Rule 0080-02-01-.09 Goats is amended by deleting the language of the rule in its entirety and substituting instead the following language so that, as amended, the paragraph rule shall read:

- (1) Goats imported into or through Tennessee shall be accompanied by an official certificate of veterinary inspection and be in compliance with 0080-02-01-.02 and 9 C.F.R. 79.1-79.4.
- (2) Goats imported into Tennessee to an approved slaughter establishment for immediate slaughter or to an approved livestock market for sale to a slaughter establishment shall only be required to have a transportation document and be in compliance with 9 C.F.R. 79.1-79.4.
- (3) All registered breeding goats, goats that have been commingled with sheep, goats for exhibition and dairy goats that move within the state, including for change of ownership, shows, fairs, exhibitions or slaughter shall be permanently, individually identified by a method approved in 9 C.F.R. 79.1-79.4.

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

Rule 0080-02-01-.10 Poultry is amended by deleting the language of the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

- (1) Live Poultry - Except for poultry directly consigned to slaughter, live poultry entering Tennessee shall:

- (a) Be in apparent good health and have originated from a Pullorum-Typhoid clean flock or the equivalent, as determined by that flock's participation in the National Poultry Improvement Plan or equivalent disease control program, and be accompanied by proof of such participation; or
 - (b) Be in apparent good health and accompanied by proof that such poultry tested negative on a blood agglutination test for Pullorum-Typhoid disease that was conducted within ninety (90) days prior to entering the state.
- (2) Hatching eggs shall have originated from a Pullorum-Typhoid clean flock or the equivalent, as determined by that flock's participation in the National Poultry Improvement Plan or equivalent disease control program, and be accompanied by proof of such participation.
 - (3) Upon order of the state veterinarian, poultry or poultry products entering Tennessee shall be tested for avian influenza, Exotic Newcastle Disease or other diseases.

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

Rule 0080-02-01-.11 Dogs and Cats is amended by changing the title of the rule from "Dogs and Cats" to "Dogs and Cats Entering Tennessee," and by deleting the language of the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

- (1) Dogs and cats transported into Tennessee for any purpose shall be accompanied by a certificate of veterinary inspection.
- (2) Subparagraph (1) above does not apply to dogs and cats entering Tennessee for less than fifteen (15) days, provided such animals are leashed at all times or otherwise restrained or confined.
- (3) Rabies Vaccination Required - Dogs more than three (3) months of age and cats more than six (6) months of age shall:
 - (a) Be vaccinated against rabies not more than twelve (12) months prior to entering the state and be so identified. Where a certificate of veterinary inspection is required, the date of the rabies vaccination shall be indicated thereon; or
 - (b) Be vaccinated against rabies not more than thirty-six (36) months prior to entering the state using a vaccine approved for such duration according to the most recent edition of the Compendium of Animal Rabies Prevention and Control published by the Centers for Disease Control. The rabies vaccination certificate, as well as the certificate of veterinary inspection, when required, shall document the date of vaccination, the name of the vaccine and the name of the vaccine's manufacturer; and shall contain a statement by the issuing veterinarian that such vaccine is approved for a three-year duration of immunity according to the most recent edition of the Compendium of Animal Rabies Prevention and Control.

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

Rule 0080-02-01-.12 Bison and Other Ruminants is amended by changing the title of the rule to Bison and Cervidae, and by deleting the language of the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

- (1) Bison shall comply with the requirements for cattle as set forth under 0080-02-01-.05 above and as ordered by the state veterinarian.
- (2) Requirements for Cervidae

(a) Tuberculosis

1. All cervidae under the jurisdiction of the Department of Agriculture shall have originated from herds that have tested negative on a whole herd test for tuberculosis, using the USDA-approved single cervical test or other USDA-approved tests, not more than twelve (12) months prior to entering the state. In addition, individual imported animals shall have tested negative on the USDA-approved single cervical test or other USDA-approved tests not more than thirty (30) days prior to entry; or
2. Shall have originated from an accredited herd, and individual imported animals shall have tested negative on the USDA-approved single cervical test or other USDA-approved test not more than thirty (30) days prior to entry; or
3. Animals that have not originated from tested herds as described above must have tested negative on two (2) single cervical tests at least ninety (90) days apart, with the second test conducted not more than thirty (30) days prior to entry.

(b) Brucellosis

1. All sexually intact cervidae six months of age or older shall:
 - (i) Have tested negative for brucellosis within 30 days prior to entry; or
 - (ii) Have originated directly from a certified brucellosis-free cervid herd.

(3) Other Requirements for Captive, Chronic Wasting Disease-Susceptible Cervidae:

- (a) No cervidae shall be imported from an area where Chronic Wasting Disease (CWD) has ever been diagnosed in wildlife. The control zone around such area shall be as defined by the Tennessee state veterinarian.
- (b) Chronic Wasting Disease-susceptible cervidae entering Tennessee shall have originated from a herd that has participated in an approved CWD surveillance program, has never been diagnosed with CWD, and has never been identified as a traceback or trace-forward herd. The herd shall have enrolled in such program at least five (5) years prior to shipment, and have had no loss or reduction in status during the enrollment period.
- (c) A prior entry permit shall be obtained by the issuing veterinarian from the office of the Tennessee state veterinarian during regular office hours.
- (d) The following statement must be on the certificate of veterinary inspection: "To the best of my knowledge, the animals listed herein are in compliance with the Tennessee CWD import rules for cervidae."
- (e) The owner/agent section of the certificate of veterinary inspection must be signed.

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

Rule 0080-02-01-.14 Other Animal Species Not Named is amended by deleting the language of the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

Domestic animal species not named herein shall be tested as ordered by the Tennessee state veterinarian. A certificate of veterinary inspection is required before entering the state.

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

Rule 0080-02-01-.15 Violation of Rules is amended by deleting the language of the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

- (1) Any person who violates the provisions of this chapter is subject to prosecution as provided by law.
- (2) Livestock that have entered Tennessee in violation of this chapter shall be quarantined at a stockyard or other premises having suitable facilities to handle livestock, or shipped to their Tennessee destination, where they shall remain under quarantine until released by the state veterinarian. Prior to the livestock's release, the owner of such livestock or his agent shall:
 - (a) Have such livestock inspected by an accredited veterinarian and have such tests conducted as may be required to comply with these rules;
 - (b) Provide proof of prior compliance with these rules, as determined by the state veterinarian or his agent;
 - (c) Consign such livestock to be shipped directly to slaughter; or
 - (d) Return such livestock to the state of origin with permission from the appropriate animal health official of the state of origin, and under such restrictions as determined by the animal health officials of both Tennessee and the state of origin.
- (3) All expenses and costs for damages, feed, water, tests, and veterinary inspections shall be the responsibility of the owner of such livestock. Livestock owners who elect to consign livestock to slaughter under (c) above will not be indemnified for the loss of such animals by the State of Tennessee.

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

Rule 0080-02-01-.17 Reserved is amended by changing the title of the rule to 0080-02-01-.17 Vesicular Stomatitis, and by adding the following text, so that, as amended, the paragraph shall read:

- (1) No horses, cattle, bison, swine, sheep, goats, cervidae or other susceptible species as determined by the state veterinarian may enter Tennessee from a premises or area that has been quarantined for vesicular stomatitis.
- (2) Horses, cattle, bison, swine, sheep, goats, cervidae or other susceptible species as determined by the state veterinarian may enter Tennessee from non-quarantined areas of an affected state, provided they are accompanied by a certificate of veterinary inspection issued within 7 days of entering the state, with the following statement written by the accredited veterinarian on the certificate: "The animals represented on this health certificate have not originated from a premises or area under quarantine for vesicular stomatitis and are not exhibiting clinical signs of the virus."

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

I certify that this is an accurate and complete copy of proposed rules, lawfully promulgated and adopted by the Tennessee Department of Agriculture on March 25, 2010, and is in compliance with the provisions of TCA 4-5-222. The Secretary of State is hereby instructed that, in the absence of a petition for proposed rules 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.

Date: May 10, 2010

Signature: [Handwritten Signature]

Name of Officer: Terry J. Oliver

Title of Officer: Deputy Commissioner, Department of Agriculture



Subscribed and sworn to before me on: May 10, 2010

Notary Public Signature: [Handwritten Signature: Joyce M. Jackson]

My commission expires on: Sept. 8, 2013

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.

[Handwritten Signature: Robert E. Cooper, Jr.]
Robert E. Cooper, Jr.
Attorney General and Reporter
5-21-10
Date

Department of State Use Only

Filed with the Department of State on: 6/3/10

Effective on: 11/28/10

[Handwritten Signature: Tre Hargett]
Tre Hargett
Secretary of State

Regulatory Flexibility Addendum

Pursuant to Public Chapter 464 of the 105th General Assembly, prior to initiating the rule making process as described in § 4-5-202(a)(3) and § 4-5-202(a), all agencies shall conduct a review of whether a proposed rule or rule affects small businesses.

- (1) Type or types of small business subject to the proposed rule that would bear the cost of, and/or directly benefit from the proposed rule:

Livestock owners, livestock sales (primarily non-traditional) and their suppliers, exhibitors and dog and cat owners would bear the cost and/or benefit from the proposed amendments.

- (2) Identification and estimate of the number of small businesses subject to the proposed rule:

The proposed amendments will likely affect livestock sales (primarily non-traditional) and their suppliers, and small auctions, including flea markets. There is no way to reliably estimate the number of livestock suppliers in Tennessee. The number of livestock sales, small auctions and flea markets in Tennessee that would be subject to the proposed amendments is probably 30-50.

- (3) Projected reporting, recordkeeping and other administrative costs required for compliance with the proposed rule, including the type of professional skills necessary for preparation of the report or record:

Costs associated with the proposed amendments would be negligible.

- (4) Statement of the probable effect on impacted small businesses and consumers:

The proposed amendments will clarify existing Department rules and bolster disease control safeguards to protect the health of Tennessee's livestock, and especially the commercial livestock industry, against regulated infectious diseases. Consumers would not be adversely affected, but would benefit from the added livestock protections.

- (5) Description of any less burdensome, less intrusive or less costly alternative methods of achieving the purpose and/or objectives of the proposed rule that may exist, and to what extent, such alternative means might be less burdensome to small business:

There are no less burdensome, less intrusive or less costly alternative methods of achieving the purpose and/or objectives of the proposed amendments.

- (6) Comparison of the proposed rule with any federal or state counterparts:

The proposed amendments are consistent with existing federal regulations, and adopt by reference provisions of federal law where noted. The proposed amendments also mirror regulations already in force in other states.

- (7) Analysis of the effect of the possible exemption of small businesses from all or any part of the requirements contained in the proposed rule.

Exempting small businesses from the proposed amendments would render them pointless, and would increase the risk posed to Tennessee livestock and the commercial livestock industry by regulated infectious diseases.

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. 4-5-226(i)(1).

- (A) A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

The proposed amendments would clarify the animal identification and testing requirements of the existing import rules, which are deficient by appearing to allow swine and cattle to be identified by unofficial means, by not requiring a test for non-commercial production swine, and by leaving open to question when the test for poultry must be conducted. In addition, the proposed amendments would require cervids imported into Tennessee to be tested for brucellosis, because brucellosis-free states are only designated as such for brucellosis in cattle.

- (B)** A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

There is no federal law or regulation or state law or regulation mandating the promulgation of, or establishing guidelines for, the new rule.

- (C)** Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

The proposed amendments would most directly affect persons and organizations conducting livestock sales (primarily non-traditional) and their suppliers, and small auctions, including flea markets. It is unknown whether such persons or organizations would urge adoption or rejection of these amendments. As the proposed amendments merely clarify existing State regulations and provide consistency with federal regulations and guidelines, there should not be significant opposition to them.

- (D)** Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule;

There are no attorney general opinions or judicial rulings that directly relate to the proposed amendments.

- (E)** An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars (\$500,000), whichever is less;

There will be no change in state and local government revenues and expenditures resulting from the promulgation of the proposed amendments. This assumption and reasoning is based on the facts that the new rule does not require industry to pay the State anything, and will not cost the State anything to implement.

- (F)** Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Dr. Charles Hatcher, State Veterinarian, Tennessee Department of Agriculture

- (G)** Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

Dr. Charles Hatcher, State Veterinarian, Tennessee Department of Agriculture

- (H)** Office address and telephone number of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

Dr. Charles Hatcher, State Veterinarian
Tennessee Department of Agriculture
400 Hogan Road
Nashville, Tennessee 37214
Phone: (615) 837-5120

- (I)** Any additional information relevant to the rule proposed for continuation that the committee requests.

The Department has not received a request for additional information.

**RULES
OF
THE TENNESSEE DEPARTMENT OF AGRICULTURE
DIVISION OF REGULATORY SERVICES**

**CHAPTER 0080-2-1
HEALTH REQUIREMENTS FOR ADMISSION AND
TRANSPORTATION OF LIVESTOCK AND POULTRY**

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0080-2-1-.01 DEFINITIONS.

- (1) For the purpose of these rules, the following definitions shall apply unless otherwise indicated herein.
 - (a) Accredited Veterinarian - An accredited veterinarian as defined in 9 C.F.R. ~~Section 160.1~~.
 - (b) Approved Livestock Market - A stockyard, livestock market, buying station, concentration point, or any other premises under State or Federal veterinary supervision where livestock are assembled for sale or sale purposes, and which has been approved by USDA-APHIS-VS and the appropriate state animal health official in accordance with 9 C.F.R. ~~Sections 76 and 78 71.20~~.
 - (c) Approved Slaughter Establishment - Any slaughtering establishment operating under the provisions of the Federal Meat Inspector Act (21 U.S.C. 601 et seq.).
 - (d) Breeding Swine - Shall include all swine other than feeder swine or slaughter swine.
 - (e) Brucellosis suspect - An animal subjected to an official test resulting in a brucellosis suspect classification or reclassified as a Brucellosis suspect by a designated epidemiologist, as provided in the definition of official test.
 - (fe) Certified Brucellosis-Free Herds - A herd of cattle which has qualified for such status in accordance with the Uniform Methods and Rules (UM&R) and/or 9 C.F.R. ~~Section 78.1~~.
 - (gf) Change of Ownership - Ownership changing from one individual or entity to another, either through selling, bartering, trading, or donating to another individual or entity.
 - (hg) Classification of States - The classification of "Free", "Class A", "Class B" and "Class C" states shall be as set forth in the Uniform Methods and Rules (UM&R) and/or Title 9 C.F.R. ~~Section 78.1~~.
 - (i) Commercial Production Swine - Those swine that are continuously managed and have adequate facilities and practices to prevent exposure to either transitional production or feral swine.

- (jh) Dairy and Breeding Cattle - Shall include all intact male and female cattle other than feeder cattle or slaughter cattle.
- (ki) Department - The Tennessee Department of Agriculture.
- (lj) Domestic Animals - Shall include cattle, bison, horses, mules, asses, sheep, goats, swine, dogs, cats and avian species, and all Class III animals as defined by T.C.A. 70-4-403(3).
- (mk) Entry Permits - A verbal or written pre-movement authorization for entry of livestock into Tennessee, issued by the Tennessee State Veterinarian or his agent.
- (nl) Exposed Animal (Brucellosis) - Any animal, except a brucellosis reactor animal, that is part of a herd known to be affected or that has been in contact with a brucellosis reactor animal in marketing or other channels for a period of twenty-four (24) hours or for a period of less than twenty-four (24) hours if such brucellosis reactor animal has aborted or calved within, the past thirty (30) days or has a vaginal discharge.
- (om) Farm of Origin (Cattle) - A farm or other premises where the cattle were born or have been kept for not less than four (4) months prior to the date of shipment, and which has not been used within such time, to assemble, buy, or sell cattle from other sources.
- (pn) Farm of Origin (Swine) - A farm where the swine were born, or on which they have resided for at least ninety (90) consecutive days immediately prior to shipment, and which has not been used within such time to assemble, buy, or sell swine from other sources.
- (qe) Feeder Cattle - Cattle which are intended for the sole purpose of feeding or grazing prior to slaughter and are less than eighteen (18) months of age as evidenced by the absence of eruption of the first permanent incisor teeth and are not parturient or post parturient, including steers and spayed heifers of any age.
- (rf) Feeder Swine - Swine that are less than four (4) months of age and are intended for feeding purposes prior to slaughter.
- (s) Feral or Wild Swine – Swine that have lived part (feral) or all (wild) of their lives as free-roaming animals.
- (tg) Herd - A herd is all animals under common ownership or which have been in physical contact with each other within the preceding twelve (12) months whether located on one or more premises.
- (uf) ~~Negative - The designation of an animal as “Nnegative” shall be as defined in the Uniform Methods and Rules (UM&R) and/or 9 C.F.R. Section 78, based on recommended serologic or other approved tests for brucellosis determined by a test approved by the USDA for such disease.~~
- (vs) ~~Official Backtag – A bBacktags approved issued by the Department or USDA-APHIS VS. that uniquely identifies each animal.~~
- (wt) ~~Official Health Certificate of Veterinary Inspection~~
 1. ~~An official health certificate of veterinary inspection is a legible record on a form adopted and approved for such use by the appropriate animal health official of the State of origin, prepared by an accredited veterinarian of the State of origin, certifying to the health of the animal(s) described thereon. Legal requirements shall not be met until an approved copy is forwarded by the appropriate animal health official of the State of origin to the Tennessee State Veterinarian.~~

2. ~~The health certificate of veterinary inspection shall list the name and address of the consignor and consignee and shall also reflect the origin and final destination of the animals if different. It shall include an accurate description sufficient for individual identification of the animal(s); this may include: age, sex, breed, tags, tattoos, and/or brands. It shall indicate the health status of the animals listed, including dates and results of required tests and dates of pertinent vaccinations.~~
3. ~~Health eCertificates of veterinary inspection shall be void after thirty (30) days from date of issuance. No health certificate of veterinary inspection shall be issued except in compliance with all import requirements of the State of Tennessee, unless otherwise specifically authorized by the Tennessee Sstate Veterinarian.~~
4. ~~An Equine Interstate Event Permit (equine passport) is an official document, valid for 6 months, signed by the State Veterinarian, Chief Animal Health Officer, or equivalent, of the state issuing the permit. At minimum, such permits shall include: the owner's name, complete address and phone number; the official certificate of veterinary inspection number that was the basis for issuing the permit; the date the official certificate of veterinary inspection was issued; a unique permit number issued by the state; the expiration date of the permit; a complete description of the horse, including its name, breed, color, age, and sex; the date of the horse's last EIA test; the name of the laboratory that performed the test; and the laboratory accession number of the laboratory that performed the test. The Equine Interstate Event Permit shall be valid for six (6) months when accompanied by proof of the official, negative EIA test (VS Form 10-11 or other equivalent document) specified in the Equine Interstate Event Permit. In no instance shall a permit be valid for more than twelve (12) months after the date of a negative EIA test. Equine shall have permanent, individual, animal identification in the form of a unique lip tattoo, brand, electronic implant, or digital photograph, which must be incorporated into the permit. Where digital photography is used for identification, the photograph must include images of the entire left and right sides of the animal, and a front view of the animal, including the head from the ear tips to below the lower lip. Permits must minimally include: the owner with complete address and phone number, the official Certificate of Veterinary Inspection number that was the basis for issuing the permit, a unique permit number issued by the state, the expiration date of the permit, date of issue of the official Certificate of Veterinary Inspection, a complete description of the horse including name of horse, breed, color, age, sex, date of the EIA test, laboratory performing test and laboratory accession number.~~

- (~~xw~~) Official Proof of Test - Any documentation approved by the state and federal animal health officials which bears permanent individual identification of an animal and certification by an accredited veterinarian or full-time regulatory animal health employee that the animal has been tested for a particular disease.
- (~~yv~~) Official Seal - A serially numbered metal or plastic strip that is self-locking and cannot be reused if opened, and which is applied by a representative of the USDA-APHIS-VS or State Veterinarian.
- (~~zw~~) Official Test - Official tests for specifically named diseases as referred to herein shall be such tests as are recognized as official by the appropriate animal health official of the state of origin and the USDA-APHIS-VS. The date of the test shall be the date the sample is taken from the animal.
- (~~aa~~) Official Vaccinate - Any animal vaccinated for brucellosis and identified in accordance with the Uniform Methods and Rules (UM&R) and applicable section of Title 9 C.F.R. 78.1 and

85.1.

- (bby) Parturient - Visibly pregnant; commonly referred to as “springing”.
- (ccz) Person - An individual, corporation, association, partnership, or other legal entity.
- (dd) Pet Swine – Non-commercial swine, including, but not limited to, those kept as pets, rescued, kept in collections or menageries, or used in displays, petting zoos or attractions at fairs or exhibitions.
- (eeaa) Post Parturient - Having already given birth.
- (ffbb) ~~Pseudorabies-monitored Feeder Pig Herd - A percentage negative test for Pseudorabies in the herd of breeding animals over six (6) months of age to be conducted at least once a year at a rate to be determined by the state veterinarian but at a rate not less than:-~~ A swine breeding herd, at least six (6) months of age, which has tested negative on an official pseudorabies test according to the criteria below. Such test shall be conducted at least once a year, but may be required more frequently as ordered by the state veterinarian.
- | | |
|------------------------|--|
| 1-10 5 sows | test all |
| 6-10 sows | test 6 |
| 11-35 sows | test 10 |
| 36 and over or more | test 30% or 30 head, whichever is less |
- (ggee) Qualified Pseudorabies Negative Herd - A herd of swine which has qualified for such status in accordance with 9 C.F.R. Section 85.1.
- (hhdd) ~~Quarantined Feedlot - A confined area approved in accordance with~~ as set forth by Uniform Methods and Rules (UM&R) and/or 9 C.F.R. Section 78.1 and 85.1.
- (iiee) ~~Reactor - The designation of an animal as a “reactor” shall be as defined in the Uniform Methods and Rules, (UM&R), and/or 9 C.F.R. Section 78 based on recommended serologic or other approved tests for brucellosis. Any animal that is subjected to an official test and found positive.~~
- (jjff) ~~Shipping Permit - Except for the term “Entry Permit”, s~~ Shall mean a VS Form 1-27 or other official document defined as a “permit” approved for such use required to accompany livestock where movement is restricted or as may be defined in the Uniform Methods and Rules (UM&R) and/or applicable sections of Title in 9 C.F.R. that is required to accompany livestock when movement is restricted.
- (kkeg) Slaughter Cattle - Any cattle shipped directly to an approved slaughter establishment for slaughter within five (5) days. Note: Designation of slaughter cattle is determined solely by the fact that the animals are consigned and shipped directly to an approved slaughter establishment. This designation is not affected by origin, type, condition, health, or any other characteristic of the animal.
- (llhh) Slaughter Swine - Swine of any age, breed, or sex consigned and transported directly to an approved slaughter establishment for slaughter within five (5) days, or to an approved swine market for sale to a slaughter establishment.
- (mm) Sporting Swine – Sporting Swine – Swine that are intended to be used solely for hunting.
- (ii) ~~Suspect – The designation of an animal as a “Suspect” shall be as defined in the Uniform Methods and Rules (UM&R) and/or 9 C.F.R. Section 78 based on recommended serologic or other approved tests for brucellosis.~~

- (nn) Test-Eligible Cattle - All cattle, with the exception of steers and spayed heifers, that are eighteen (18) months of age or older as evidenced by the eruption of the first permanent incisor teeth, regardless of vaccination status; and all female cattle that are parturient or post-parturient, regardless of vaccination status and age.
- (oo) Transitional Production Swine - Swine that have had reasonable opportunities to be exposed to feral or wild swine.
- (ppjj) Transportation Document - Any document that accompanies ~~ing the~~ a shipment of animals, ~~such as including, but not limited to,~~ a health certificate of veterinary inspection, waybill, bill-of-sale, bill-of-lading, cargo manifest, shipping permit or an invoice that lists:
1. The point from which the animals are moved;
 2. The destination of the animals;
 3. The number and kind of animals covered by the document; and
 4. The name and address of the owner or shipper.
- ~~(qqkk)~~ USDA-APHIS-VS - ~~The United States Department of Agriculture, Animal and Plant Health Inspection Services~~ Veterinary Services.
- ~~(ll)~~ Uniform Methods and Rules (UM&R) - ~~The recommended Rules of Brucellosis Eradication as published by USDA-APHIS-VS.~~
- ~~(rrmm)~~ Validated Brucellosis-Free Herd of (Swine) - A herd of swine which ~~that~~ has qualified for such status in accordance with the ~~Uniform Methods and Rules (UM&R) and/or applicable section of 9 C.F.R. Section 78.1.~~

Authority: T.C.A. §§4-3-203 and 44-2-102. **Administrative History:** Original rule certified June 4, 1974. Repeal by Public Chapter 261. New rule filed June 20, 1983; effective July 20, 1983. Amendment filed November 1, 1986; effective December 25, 1986. Amendment filed December 15, 1989; effective January 29, 1990. Amendment filed February 20, 2002; effective June 28, 2002. Amendment filed November 16, 2005; effective March 30, 2006.

0080-2-1-.02 GENERAL REQUIREMENTS AND LIMITATIONS.

- (1) All domestic animals imported into Tennessee, except poultry, ~~or~~ and those animals expressly exempted herein, shall be accompanied by an official ~~health certificate~~ certificate of veterinary inspection or other transportation document as recognized by the state veterinarian. The certificate of veterinary inspection or other recognized travel document shall be in the possession of the driver of the vehicle transporting such animals.
- (2) Domestic animals entering the ~~State of~~ Tennessee without ~~proper~~ an official health certificate ~~certificate of veterinary inspection~~ or otherwise entering the state in violation of these rules shall be held in quarantine at the owner's risk and expense until released or disposed of as ~~determined~~ ordered by the ~~S~~state ~~V~~veterinarian.
- (3) All animals entering the State of Tennessee shall meet the requirements for interstate movement as set out in ~~Title 9, Code of Federal Regulations~~ C.F.R., in addition to the specific requirements set forth herein.
- (4) No animal, including poultry and birds of any species, that is affected with by or has been exposed to any infectious, contagious, or communicable disease, or that ~~originates~~ originated from a

quarantined area, shall be in any manner transported or moved into Tennessee; except as allowed herein or permitted by the State Veterinarian.

Authority: T.C.A. §§4-3-203 and 44-2-102. **Administrative History:** Original rule certified June 4, 1974. Repeal by Public Chapter 261. New rule filed June 20, 1983; effective July 20, 1983. Amendment filed November 16, 2005; effective March 30, 2006.

0080-2-1-.03 DUTIES OF COMMON CARRIERS AND OTHER HAULERS OF DOMESTIC ANIMALS.

- (1) Owners and operators of common carriers and private conveyances shall be forbidden to transport or otherwise move any domestic animal into, within, or through the State of Tennessee except in compliance with the provisions set forth in these regulations.
- (2) All common carriers and private conveyances transporting domestic animals into, within, or through the State of Tennessee shall be subject to inspection and may be stopped by any agent or employee of the department or any other law enforcement officer commissioned in the State of Tennessee, to make an investigation to determine compliance with the provisions set forth in these rules.
- (3) All railway cars, trucks and other conveyances used for the transportation of domestic animals and poultry shall be maintained in a sanitary condition.
- (4) Owners and operators of conveyances that have been used to transport domestic animals infected with or exposed to infectious, contagious or communicable diseases shall have such conveyances thoroughly cleaned and disinfected upon order of the Tennessee State Veterinarian or his agent.

Authority: T.C.A. §§4-3-203 and 44-2-102. **Administrative History:** Original rule certified June 4, 1974. Repeal by Public Chapter 261. New rule filed June 20, 1983; effective July 20, 1983.

0080-2-1-.04 ENTRY PERMITS.

- (1) Requests for entry permits, where required by these rules, shall be directed to the Tennessee Department of Agriculture, Division of Animal Industries~~Health~~, P. O. Box 40627, Nashville, Tennessee 37204, and shall set forth the species, number, age, sex, and breed of the animals; the consignee, and consignor; the point of origin and, the point of destination of the animals; and the purpose of the shipment.
- (2) Such entry permits, ~~upon issuance,~~ shall be valid for no more than thirty (30) days from issuance and shall apply only to the shipment for which the permit was requested.
- (3) The entry permit number shall be recorded on the official ~~health certificate~~certificate of veterinary inspection that accompanies the shipment.

Authority: T.C.A. §§4-3-203 and 44-2-102. **Administrative History:** Original rule certified June 4, 1974. Repeal by Public Chapter 261. New rule filed June 20, 1983; effective July 20, 1983.

0080-2-1-.05 CATTLE.

- (1) Feeder Cattle
 - (a) Feeder cattle transported into or through the State of Tennessee, shall be accompanied by an official ~~health certificate~~ of veterinary inspection. Individual animal identification is not required, provided ~~they~~ that all animals are identified as to breed, sex, and average ages and/or weights, according to the number of head in the shipment.
 - (b) ~~Health~~ Official certificates of veterinary inspection shall are not be required for feeder cattle

that are moved by the producer or his agent directly from a farm of origin by the producer or his agent, to an approved livestock market for sale.

(2) Slaughter Cattle

(a) General requirements

1. Slaughter cattle transported into, within, or through the State of Tennessee shall be accompanied by a "transportation document." This requirement shall not apply to such cattle moved directly from a farm of origin by the producer or his agent.
2. Cattle consigned and/or shipped to any location other than an approved slaughter establishment are not considered slaughter cattle" for the purposes of these rules, and shall comply with the be tested for bBrucellosis requirement set out for "as Dairy and Breeding Cattle" under 0080-2-1-.05(3) below.

(b) Additional Requirements for Assembled Cattle from Class B and Class C States – Test-eligible slaughter cattle shipped from approved markets or other assembly points in Class B and Class C states that would otherwise be required to be tested for Brucellosis as dairy and breeding cattle under Rule 0080-2-1-.05(3)(d) are exempt from such test, provided they are:

1. Accompanied by official proof of test for brucellosis within the preceding thirty (30) days;
2. S-Branded and accompanied by a shipping permit; or
3. Transported in officially sealed vehicles and accompanied by a shipping permit.

(b) ~~Additional Requirements for Assembled Cattle from "Class B" and "Class C" States:~~

~~Test eligible slaughter cattle shipped from approved markets or other assembly points in "Class B" and "Class C" states which would be required to be tested for brucellosis as dairy and breeding cattle in 0080-2-1-.05(3)(b) shall be either:~~

1. ~~Accompanied by official proof of test for brucellosis within the preceding thirty (30) days, or~~
2. ~~S-Branded and accompanied by shipping permit, or~~
3. ~~Transported in officially sealed vehicles and accompanied by shipping permit.~~

(c) Reactor, Exposed or Other Cattle Under Quarantine.

Cattle ~~which~~ that are classified as "reactors" animals, or "exposed" animals, or that are under quarantine for any reason shall bear appropriate individual identification and be accompanied by a shipping permit.

(3) Dairy and Breeding Cattle

- (a) General Requirements - All dairy and breeding cattle transported into or through the state of Tennessee, regardless of age and origin and except as specifically exempted by (b) below, shall be: General Requirements - All dairy and breeding cattle, regardless of age or origin, transported into or through the State of Tennessee, except as specifically exempted, shall be:

- (I) The required thirty (30) day test for official vaccinates and the second test for non-vaccinates as outlined above may be conducted at the market upon arrival.
- (II) Documentation of prior tests or vaccination status shall be provided to the Department representative or market management when the cattle are unloaded, pursuant to the following:
 - I. Vaccination status may be indicated by an official calfhood vaccination, eartag and/or tattoo.
 - II. Prior test status may be determined by an official certificate of veterinary inspection and/or Brucellosis test record.
 - III. In cases where the official vaccination or prior test status of test eligible cattle cannot readily be substantiated by the Department's representative, the cattle shall be:
 - A. Shipped directly to slaughter or a quarantined feedlot in accordance with the provisions of 9 C.F.R. § 78.9(c)(1) or § 78.9(c)(2); or
 - B. Allowed to return to the point of origin upon receiving special permission from the appropriate animal health official of the state of origin.

4. Cattle from Class B and Class C States – Quarantine and Retesting

Test-eligible cattle originating from Class B and Class C states shall be quarantined and retested for Brucellosis not less than forty-five (45) days and not more than one hundred twenty (120) days after arrival, with the following exceptions:

- (i) Cattle imported to approved markets or to the premises of licensed dealers in Tennessee shall be permitted a single movement, under quarantine, to a farm premises where retesting shall be accomplished as provided above, subject to the following:
 - (I) The purchaser or consignee at the first farm premises may not reconsign or sell such cattle until the required testing has been done, with the exception that such cattle may be sent directly to slaughter, to a quarantined feedlot or an approved market for sale to slaughter, or to quarantined feedlot at any time before the required retesting is due, provided such cattle are S-branded and accompanied by a shipping permit.
- (ii) The following cattle shall also be exempt from the quarantine and retesting requirements above:
 - (I) Cattle imported to approved markets, or to pens of licensed dealers, and shipped to out-of-state consignees within forty-five (45) days. The destination state should be consulted for its requirements before such shipments are made.
 - (II) Cattle entering Tennessee temporarily for exhibition.

5. Exceptions - The Brucellosis testing requirements outlined above shall not apply to:

- (i) Dairy and breeding cattle from non-quarantined herds in brucellosis-free states shall be exempt from the brucellosis testing requirements outlined herein.
- (ii) Cattle originating directly from a Certified Brucellosis-Free Herd. Such cattle shall have their certified herd number listed on the accompanying certificate of veterinary inspection.

(iii) Cattle consigned and shipped from a farm of origin to an approved livestock market in Tennessee for sale, provided that such cattle are tested at the market.

(iv) Cattle consigned and shipped directly to an approved slaughter facility for slaughter. Note the exceptions for assembled cattle from Class B and Class C states outlined under 0080-2-1-.05(2)(b) above.

~~Brucellosis testing requirements as outlined herein shall apply to all test eligible cattle unless specifically exempted. Test eligible cattle shall include all cattle regardless of vaccination status that are eighteen (18) months of age or older as evidenced by the eruption of the first permanent incisor teeth. Test eligible cattle shall include any female regardless of vaccination status or age that is parturient or post parturient. Test eligible cattle shall not include steers and spayed heifers.~~

~~1. Exceptions: The test requirements shall not apply to:~~

~~(i) Cattle originating directly from a "Certified Brucellosis-Free Herd." The certified herd number shall be listed on the accompanying health certificate~~

~~(ii) Cattle consigned and shipped from a farm of origin to an approved livestock market in Tennessee for sale provided that the cattle are tested at the market. Note the exemption for cattle from "Class C" states in 0080-2-1-.05(4)(iii) herein.~~

~~(iii) Cattle consigned and shipped directly to an approved slaughtering for slaughtering for slaughter. Note the exception for assembled cattle from Class "B" and Class "C" states as outlined in 0080-2-1-.05(2)(b) under "Slaughter Cattle."~~

~~2. Cattle from "Free States"~~

~~Dairy and breeding cattle from non-quarantined herds in "Free" states shall be exempt from brucellosis testing requirements.~~

~~3. Cattle from "Class A" and "Class B" states shall be~~

~~Dairy and breeding cattle entering Tennessee from non-quarantined herds in "Class A" and Class "B" states shall be negative to an official test for brucellosis conducted within preceding thirty (30) days.~~

~~4. Cattle from "Class C" States~~

~~Dairy and breeding cattle entering Tennessee from non-quarantined herds in "Class C" states shall comply with the following requirements:~~

~~(i) Non Vaccinates:~~

~~TWO CONSECUTIVE NEGATIVE OFFICIAL TESTS FOR BRUCELLOSIS REQUIRED PRIOR TO MOVEMENT. (I) The FIRST test shall be conducted not less than sixty (60) days nor more than twelve (12) months before movement.~~

~~(II) The SECOND test shall be conducted not less than sixty (60) days after the first test nor more than thirty (30) days before movement.~~

~~(III) Between tests, the cattle shall be kept separated from all other cattle.~~

~~(IV) The dates for both tests shall be recorded on the health certificate.~~

(ii) Official vaccines shall be tested negative to one (1) official test for brucellosis conducted within the preceding thirty (30) days.

(iii) Cattle originating from any point in a "Class C" state consigned and shipped directly to an approved livestock market in Tennessee for sale:

(1) The required thirty (30) day test for official vaccines, or the second test for non-vaccinates as outlined above may be conducted at the market upon arrival:

(ii) Documentation of prior tests or vaccination status shall be provided to the Department representative or market management when the cattle are Unloaded:

I. Vaccination status may be determined by an official earthenhood vaccination ear tag and/or tattoo:

II. Prior test status may be determined by an official health certificate and/or brucellosis test record:

III. In cases where the official vaccination or prior test status of test eligible cattle cannot readily be substantiated by the Department's representative, the cattle shall be:

A. Shipped direct to slaughter or quarantined feedlot in accordance with the provisions of 9 C.F.R. Part 78.9 (e) (1) or (2), or

B. Allowed to return to point of origin upon receiving special permission from the appropriate animal health official of the state of origin.

5. Cattle from "Class B" and "Class C" States - Quarantine and Retest Required

Test eligible cattle originating from "Class B" and "Class C" states shall be quarantined and retested for brucellosis not less than forty-five (45) days nor more than one hundred twenty (120) days after arrival.

(i) Cattle imported to approved markets or to premises of licensed dealers in Tennessee shall be permitted a single movement, under quarantine, to a farm premises where the retesting shall be accomplished as provided above.

(1) The purchaser or consignee at the first farm premises may not re consign or sell such cattle until the required testing is completed.

(ii) PROVIDED, however, such cattle may be S-Branded and accompanied by shipping permit direct to slaughter, quarantined feedlot or an approved market for sale to slaughter or quarantined feedlot at any time before the required retest is due:

(iii) The following cattle shall also be exempted from quarantine and retest:

(1) Cattle imported to approved markets or to pens of licensed dealers, and shipped to out of state consignees within forty-five (45) days. NOTE: State of Destination should be consulted for their requirements before such

shipments are made.

~~(H) Cattle entering Tennessee temporarily for exhibition.~~

(ee) Tuberculosis

1. ~~Cattle originating in Mexico, including "M"-branded steers, must be negative to an official tuberculosis test conducted in the United States not more than thirty (30) days prior to entry into Tennessee.~~

(i) Shall have tested negative on an official tuberculosis test conducted in the United States not more than thirty (30) days prior to entering Tennessee; and

(ii) Shall enter Tennessee under quarantine and be retested for tuberculosis not less than sixty (60) days and not more than one hundred and twenty (120) days after arrival.

(iii) Are exempt from the retesting requirements above, provided they are intended for exhibition only, are not based or pastured in Tennessee, and are staying in the state less than sixty (60) days. Such cattle shall be maintained under quarantine during the exhibition period.

~~2. The above cattle shall enter Tennessee under quarantine and be retested for tuberculosis not less than sixty (60) days nor more than one hundred and twenty (120) days after arrival.~~

~~(i) Cattle for exhibition only, not based or pastured in Tennessee, but entering temporarily and staying less than sixty (60) days are exempt from retest but shall be maintained under quarantine during the exhibition period.~~

~~(ii) Cattle for exhibition which are based or pastured in Tennessee are not exempt from the quarantine and retest.~~

(df) Scabies - Cattle ~~which~~ that are known to be infected with, or have been exposed to, psoroptic scabies, or cattle originating in ~~from~~ any area ~~which~~ that is under a ~~s~~State or ~~f~~Federal quarantine for psoroptic scabies, may enter Tennessee only under the following conditions:

~~(i) If shipped directly from a point of origin to an approved slaughter establishment in a sealed vehicle; or Cattle may be shipped direct from a point of origin to an approved slaughter establishment in a sealed vehicle, or~~

(ii) If treated for scabies by a method and material currently approved by USDA-APHIS-VS within ten (10) days prior to movement.~~Cattle shall be treated for scabies by a method and a material currently approved by USDA-APHIS-VS within ten (10) days prior to movement.~~

(eg) Other Diseases - The import requirements for infectious, contagious diseases not named herein shall be as provided in 9 C.F.R.~~Other Diseases-All other infectious, contagious diseases not named:~~

Authority: T.C.A. §§4-3-203 and 44-2-102. **Administrative History:** Original rule certified June 5, 1974. Amendment filed May 15, 1974; effective June 14, 1977. Repeal by Public Chapter 261. New rule filed June 20, 1983; effective July 20, 1983. Amendment filed April 30, 1993; effective July 28, 1993. Amendment filed September 14, 1999; effective January 28, 2000.

0080-2-1-.06 HORSES AND OTHER EQUIDAE.

- (1) Certificate of Veterinary Inspection Health Certificate— Horses, mules or other equidae Equidae transported into or through the State of Tennessee shall be accompanied by an official Health Certificate of veterinary inspection or Equine Interstate Event Permit (a/k/a an equine passport). Owners or transporters of Equine accompanied by Equine Interstate Event Permits must have an accurate event itinerary in their possession for each Equine movement.
- (2) Equine Infectious Anemia - Each horse or other member of the Equidae family, except foals less than six (6) months of age in the company of their EIA-negative dam(s), shall be accompanied by evidence that it has tested negative on an official test for Equine Infectious Anemia (EIA) conducted not more than twelve (12) months prior to entering the state. Equine Infectious Anemia— All horses or other equidae six (6) months of age or older shall be accompanied by evidence of a negative official test for Equine Infectious Anemia (EIA, Swamp Fever) conducted not more than six (6) months prior to entry for sale, or not more than twelve (12) months prior to entry for any other purpose.
- (3) Equidae that have been consigned to an approved livestock market sale may enter Tennessee without evidence that each individual animal has tested negative on an official test for Equine Infectious Anemia (EIA) conducted not more than twelve (12) months prior to entering the state for such sale, a current Equine Infectious Anemia test provided they are shipped directly to such market with a transportation document.
- (4) The Health Certificate certificate of veterinary inspection Requirement requirement under (1) may be waived for equines that are shipped to an approved equine livestock market sale or slaughter establishment, provided they are accompanied by a “transportation document.”

Authority: T.C.A. §§4-3-203 and 44-2-102. Administrative History: Original rule certified June 5, 1974. Amendment filed May 15, 1974; effective June 14, 1977. Repeal by Public Chapter 261. New rule filed June 20, 1983; effective July 20, 1983. Amendment filed December 15, 1989; effective January 29, 1990. Amendment filed February 20, 2002; effective June 28, 2002. Amendment filed November 16, 2005; effective March 30, 2006.

0080-2-1-.07 SWINE.

- (1) Breeding and Feeding Commercial Production Swine
 - (a) Breeding and Feeding Swine, transported into or through the State of Tennessee shall be:
 1. Breeding and feeding swine transported into or through the state of Tennessee shall be individually identified to the farm of origin by an official coded metal ear tag or other official means as set forth in 9 C.F.R. 71; and Individually identified to the farm of origin by an official coded metal ear tag or other approved means; and
 2. Except by permission of the state veterinarian, be Accompanied by an official health certificate of veterinary inspection; and,
 3. Maintained under quarantine, on one premise where first unloaded, isolated from all other swine for thirty (30) days from the date of entry.
 - (b) Additional Requirements for Breeding Swine.
 1. Brucellosis:
 - (i) Breeding swine transported into or through the state of Tennessee, four (4)

~~months of age and older shall~~

~~(I) be accompanied by evidence proof of that such swine tested negative on an official test for Brucellosis conducted not more than thirty (30) days prior to the date of entry entering the state, or~~

~~(ii) (II) Have originated directly from a Validated Brucellosis-Free Herd and have a health certificate of veterinary inspection shall listing the herd validation number, or~~

~~(iii) Have originated directly from a Validated Brucellosis-Free State.~~

2. Pseudorabies:

(i) Breeding Swine transported into or through the state of Tennessee shall: ~~Breeding swine four (4) months of age and older shall be accompanied by evidence of a negative official test for pseudorabies conducted not more than have been infected with pseudorabies for at least twelve (12) months immediately~~

~~(I) Be accompanied by proof that such swine tested negative on an official test for Pseudorabies conducted not more than thirty (30) days prior to entering the state, and by proof that such swine originated from a herd that was not known to be infected with Pseudorabies during the twelve (12) month period immediately preceding the entry of such swine; or~~

~~(II) Have originated directly from a "Qualified Pseudorabies Negative" herd. The and have a health certificate of veterinary inspection shall identifying list the qualified Pseudorabies negativesuch herd; or~~

~~(III) Have originated directly from a herd in a Pseudorabies Stage IV or Stage V (Pseudorabies Free) State~~

~~(iv) Pseudorabies vaccinated swine or swine originating from quarantined herds, shall not be imported.~~

3. Quarantine and retest required Post-Entry Testing for Brucellosis and Pseudorabies:

~~(i) All breeding swine entering the state shall be maintained under quarantine on one premises where first unloaded, isolated from all other swine and~~

~~(ii) Retested for pseudorabies not less than thirty (30) days nor more than sixty (60) days after arrival.~~

~~(i) Breeding swine are subject to surveillance testing for pseudorabies and brucellosis within sixty (60) days after entering the state, at the discretion of the state veterinarian~~

(c) Additional Requirements for Feeder Swine.

1. Feeder swine ~~imported~~ transported into or through the state of Tennessee shall be identified in accordance with 9 C.F.R. 71.19, and shipped to approved premises of licensed feeder pig dealers for assembly and reshipment may be exempt from the thirty (30) day quarantine provided such swine are:

- (i) ~~Maintained as a group properly and individually identified to the state and farm of origin;~~
 - (ii) ~~Reshipped within seventy-two (72) hours after arrival.~~
2. ~~Feeder swine originating directly from a single farm of origin, shipped by the producer or his agent directly to a Tennessee farm premises for feeding to a finished weight prior to slaughter may be imported into Tennessee without the required individual identification, provided they otherwise meet the requirements as set forth herein.~~
23. Pseudorabies:
- (i) Feeder swine transported into or through the state of Tennessee shall:
 - (I) Have tested negative for Pseudorabies not more than thirty (30) days prior to entering the state; or
 - (II) Have originated from a Pseudorabies-Monitored Feeder Pig Herd; or
 - (III) Have originated from a Qualified Pseudorabies-Negative Herd; or
 - (IV) Have originated from a Pseudorabies Stage III, IV, or V state.
 - (i) ~~Feeder swine transported imported into the state must originate from a pseudorabies-monitored feeder pig herd or~~
 - (ii) ~~Originated from a herd in a Pseudorabies Stage III, IV, V State, or~~
 - (iii) ~~must be tested negative to Pseudorabies within thirty (30) days prior to entry.~~
- (d) Commercial Production Swine for Exhibition – Import requirements for commercial production swine that have been brought into Tennessee for exhibition purposes are the same as those for breeding swine, except that:
- 1. Barrows are exempt from Brucellosis testing.
 - 2. Swine that have been entered in events where all swine on the premises will be consigned to slaughter upon leaving the event are exempt from Brucellosis and Pseudorabies testing.

~~No breeding or feeding swine shall be imported from any state where hog cholera, African swine fever, or other foreign swine diseases are known to exist, or any portion of the state is under state or federal quarantine because of such diseases, except by permission of the Tennessee State Veterinarian.~~

(2) Slaughter Swine

- (a) Slaughter swine transported into or through the State of Tennessee shall be accompanied by a "transportation document,"²² ~~except that,~~ this requirement shall not apply to such swine moved directly from a farm of origin by the producer or his agent.
- (b) No slaughter swine shall be imported from any area where swine are under a state or federal quarantine except by the permission of the Tennessee State Veterinarian.

(3) Transitional Production Swine

- (a) Prior to entering the state, Transitional Production Swine shall:

1. Have an entry permit from the Tennessee state veterinarian's office;

2. Be accompanied by an official certificate of veterinary inspection;

3. Bear official, individual identification as set forth in 9 C.F.R. 71; and

(i) Have evidence that such swine tested negative on official tests for Pseudorabies and Brucellosis conducted within thirty (30) days prior to entering the state; or

(ii) Have originated from a Validated Brucellosis-Free and Qualified Pseudorabies-Negative herd that has maintained such statuses through testing;

(b) Upon order of the state veterinarian, transitional production swine shall be quarantined at the swine's destination and retested within thirty to sixty (30-60) days of entering the state.

(4) Sporting Swine

(a) Except by permission of the state veterinarian, prior to entering the state, sporting swine shall:

1. Have an entry permit from the Tennessee state veterinarian's office;

2. Be accompanied by an official certificate of veterinary inspection;

3. Bear official, individual identification as set forth in 9 C.F.R. 71; and

(i) Have proof that such swine tested negative on official tests for Pseudorabies and Brucellosis conducted within thirty (30) days prior to entering the state; or

(ii) Have originated from a Validated Brucellosis-Free and Qualified Pseudorabies-Negative herd that has maintained such statuses through testing;

(b) Upon order of the state veterinarian, sporting swine shall be quarantined at the swine's destination and retested within sixty (60) days of entering the state.

(5) Pet Swine

(a) Except by permission of the state veterinarian, prior to entering the state, Pet Swine shall:

1. Have an entry permit from the Tennessee state veterinarian's office;

2. Be accompanied by an official certificate of veterinary inspection;

3. Bear official, individual identification as set forth in 9 C.F.R. 71; and

(i) Have evidence of negative Pseudorabies and Brucellosis tests taken within thirty (30) days prior to entering the state; or

(ii) Have originated from a Validated Brucellosis-Free and Qualified Pseudorabies-Negative herd that has maintained such statuses throughout testing;

(b) Upon order of the state veterinarian, pet swine shall be quarantined at the swine's destination and retested within sixty (60) days of entering the state.

(6) Feral or Wild Swine – No feral or wild swine are allowed to enter the state of Tennessee.

- (3) ~~Exhibition Swine Same as Breeding Swine Except:~~
- (a) ~~Feeding and breeding swine are exempted from the thirty (30) day quarantine.~~
 - (b) ~~Barrows are exempt from brucellosis testing.~~
 - (c) ~~Swine entered in events where all swine on the premises will be consigned to slaughter upon leaving the event are exempt from brucellosis and pseudorabies testing.~~
- (7) General Disease Requirements – Except by permission of the Tennessee state veterinarian, no swine shall be imported from any state where foreign swine diseases are known to exist, or where any portion of a state of origin is under state or federal quarantine for any disease.

Authority: T.C.A. §§4-3-203 and 44-2-102. **Administrative History:** Original rule certified June 4, 1974. Repeal by Public Chapter 261. New rule filed June 20, 1983; effective July 20, 1983. Amendment filed November 1, 1986; effective December 25, 1986. Amendment filed September 14, 1999; effective January 28, 2000.

0080-2-1-.08 SHEEP.

- (1) All sheep imported into or through Tennessee shall be accompanied by an official health certificate and be in compliance with 0080-2-1-.02, and Title 9, Code of Federal Regulations, Part 79.1 through 79.4.
- (2) ~~All~~ sheep that move within the state, with the exception of wethers under the age of 18 months that are produced for slaughter only, including for change of ownership, shows, fairs, expositions or slaughter, shall be permanently, individually identified by a method approved in ~~Title 9, C.F.R. Code of Federal Regulations, Part 79.1 through 79.4.~~

Authority: T.C.A. §§4-3-203 and 44-2-102. **Administrative History:** Original rule certified June 4, 1974. Repeal by Public Chapter 261. New rule filed June 20, 1983; effective July 20, 1983. Emergency rules filed August 30, 2006; effective through February 11, 2007. Amendment filed August 30, 2006; effective December 29, 2006.

0080-2-1-.09 GOATS.

- (1) Goats imported into or through Tennessee shall be accompanied by an official health ~~certificate~~ certificate of veterinary inspection and be in compliance with 0080-2-1-.02, and 9 C.F.R. 79.1-79.4 ~~Title 9, Code of Federal Regulations, Part 79.1 through 79.4.~~
- (2) Goats imported into Tennessee for immediate slaughter to an approved slaughter establishment or to an approved livestock market for sale to a slaughter establishment shall only be required to have a transportation document and be in compliance with 9 C.F.R. 79.1-79.4 ~~Title 9, Code of Federal Regulations, Part 79.1 through 79.4.~~
- (3) All registered breeding goats, goats that have been commingled with sheep, goats for exhibition and dairy goats that move within the state, including for change of ownership, shows, fairs, expositions or slaughter shall be permanently, individually identified by a method approved in 9 C.F.R. 79.1-79.4 ~~Title 9, Code of Federal Regulations, Part 79.1 through 79.4.~~

Authority: T.C.A. §§4-3-203 and 44-2-102. **Administrative History:** Original rule certified June 5, 1974. Amendment filed April 18, 1979; effective June 4, 1979. Repeal by Public Chapter 261. New rule filed June 20, 1983; effective July 20, 1983. Amendment filed September 14, 1999; effective January 28, 2000. Emergency rule filed August 30, 2006; expire on February 11, 2007. Amendment filed August 30, 2006; effective December 29, 2006.

0080-2-1-10 POULTRY.

- (1) Except for poultry directly consigned to slaughter, live poultry entering Tennessee shall:
 - (a) Be in apparent good health and have originated from a Pullorum-Typhoid clean flock or the equivalent, as determined by that flock's participation in the National Poultry Improvement Plan or equivalent disease control program, and be accompanied by proof of such participation; or
 - (b) Be in apparent good health and accompanied by proof that such poultry tested negative on a blood agglutination test for Pullorum-Typhoid disease that was conducted within ninety (90) days prior to entering the state
- (2) Hatching eggs shall have originated from a Pullorum-Typhoid clean flock or the equivalent, as determined by that flock's participation in the National Poultry Improvement Plan or equivalent disease control program, and be accompanied by proof of such participation.
- (3) Upon order of the state veterinarian, poultry or poultry products entering Tennessee shall be tested for avian influenza, Exotic Newcastle Disease or other diseases.
- (1) ~~No live poultry, or hatching eggs, shall be imported into Tennessee except those which originate in Pullorum Typhoid clean flocks or their equivalent. Said flocks shall be so classified by virtue of their participation in the National Poultry improvement Plan, the National Turkey Improvement Plan, or equivalent disease control program.~~
- (2) ~~Poultry entering the State for exhibition, which do not meet item one (1), may qualify by being in apparent good health and by having a negative blood agglutination test for Pullorum Disease within ninety (90) days of entering the State.~~
- (3) ~~Item one (1) shall not apply to poultry consigned directly to slaughter.~~

Authority: T.C.A. §§4-3-203 and 44-2-102. **Administrative History:** Original rule certified June 5, 1974. Amendment filed April 18, 1979; effective June 4, 1979. Repeal by Public Chapter 261. New rule filed June 20, 1983; effective July 20, 1983.

0080-2-1-11 DOGS AND CATS ENTERING TENNESSEE.

- (1) Dogs and cats transported into Tennessee for any purpose shall be accompanied by an official health certificate of veterinary inspection.
- (2) ~~Subsection-Subparagraph (1) above~~ does not apply to dogs and cats entering Tennessee temporarily for less than fifteen (15) days, provided that the animal is at all times under leash or otherwise confined.
- (3) Rabies Vaccination Required - Dogs more than three (3) months of age and cats more than six (6) months of age shall:
 - (a) Be vaccinated against rabies not more than twelve months prior to entering the state and be so identified. Where a certificate of veterinary inspection is required, the date of the rabies vaccination shall be indicated thereon; or
 - (b) Be vaccinated against rabies not more than thirty-six (36) months prior to entering the state using a vaccine approved for such duration according to the most recent edition of the Compendium of Animal Rabies Prevention and Control published by the Centers for Disease Control. The rabies vaccination certificate, as well as the certificate of veterinary inspection, when required, shall document the date of vaccination, the name of the vaccine and the name of the vaccine's

manufacturer; and shall contain a statement by the issuing veterinarian that such vaccine is approved for a three-year duration of immunity according to the most recent edition of the Compendium of Animal Rabies Prevention and Control.

- ~~(3) Rabies Vaccination Required Dogs more than three (3) months of age or cats more than six (6) months of age shall be vaccinated against rabies not more than twelve (12) months prior to entry and so identified. Where a health certificate is required, the date of rabies vaccination shall be listed thereon.~~

Authority: T.C.A. §§4-3-203 and 44-2-102. **Administrative History:** Original rule certified June 5, 1974. Amendment filed April 18, 1979; effective June 4, 1979. Repeal by Public Chapter 261. New rule filed June 20, 1983; effective July 20, 1983.

0080-2-1-.12 BISON AND OTHER RUMINANTSCERVIDAE.

- ~~(1) Bison and other ruminants not covered herein shall comply with the requirements for cattle as set forth in under 0080-2-1-.05 above and as ordered by the state veterinarian, or as directed by the state veterinarian.~~

- ~~(2) Additional Tuberculosis Requirements For Cervidae~~

~~(a) Tuberculosis~~

- ~~(a)1. All cervidae under the jurisdiction of the Department of Agriculture shall have originated in from herds which that have had a tested negative on a whole herd test for tuberculosis, using the USDA-approved single cervical test or other USDA-approved tests, not more than within twelve (12) months prior to entering the state, with a USDA approved single cervical test and In addition, individual imported animals shall be have tested negative onto the USDA-approved single cervical test or other USDA-approved tests within not more than thirty (30) days of prior to entry; or~~

- ~~(b)2. Shall have originated from an accredited herd, and individual imported animals shall have tested negative on the USDA-approved single cervical test or other USDA-approved test not more than thirty (30) days prior to entry.~~

- ~~(b)3. Animals that have not orientating-originated in from tested herds as described above must have tested negative to of two (2) single cervical tests at least ninety (90) days apart, with the second test conducted not more than thirty (30) days prior to entry.~~

~~(b) Brucellosis~~

~~1. All sexually intact cervidae six months of age or older shall:~~

~~(i) Have tested negative for brucellosis within 30 days prior to entry; or~~

~~(ii) Have originated directly from a certified brucellosis-free cervid herd.~~

- ~~(3) Other Requirements Ffor Captive, Chronic Wasting Disease-Susceptible Cervidae:~~

- ~~(a) No cervidae shall be imported from an geographic areas where Chronic Wasting Disease (CWD) has ever been diagnosed in wildlife. For purposes of this rule, "geographic area" is any location where CWD has been diagnosed and the control zone around such area as defined by the Tennessee State Veterinarian at the time a permit is requested.~~

- (b) ~~All~~ Chronic Wasting Disease-susceptible cervidae entering Tennessee ~~must~~shall:
1. ~~Be a member of~~have originated from a herd that has participated in an approved CWD surveillance program ~~in which no CWD has ever been diagnosed with CWD, and no~~ has never ~~the herd~~ been identified as a traceback or trace-forward herd. The herd ~~must~~ shall have an enrollment date in the such program on or before January 1, 2000 at least five (5) years prior to shipment, with and have had no loss or reduction of in status during the enrollment period.
- (c) A prior entry permit shall be obtained by the issuing veterinarian from the office of the Tennessee State Veterinarian during regular office hours.
- (d) The following statement must be recorded on the ~~C~~certificate of ~~V~~veterinary ~~I~~inspection: "To the best of my knowledge, the animals listed herein are in compliance with the Tennessee CWD import rules for cervidae".
- (e) The owner/agent section of the ~~C~~certificate of ~~V~~veterinary ~~I~~inspection must be signed.

Authority: T.C.A. §§4-3-203 and 44-2-102. **Administrative History:** Original rule certified June 5, 1974. Amendment filed April 18, 1979; effective June 4, 1979. Repeal by Public Chapter 261. New rule filed June 20, 1983; effective July 20, 1983. Amendment filed April 30, 1993; effective July 28, 1993. Amendment filed September 14, 1999; effective January 28, 2000. Amendment filed June 28, 2002; effective October 28, 2002.

0080-2-1-13 NATIVE WILDLIFE AND OTHER WILD ANIMALS.

Consult Tennessee Wildlife Resources Agency, Chief of Game Management, P. O. Box 40747, Melrose Station, Nashville, Tennessee 37204, for import requirements.

Authority: T.C.A. §§4-2-203 and 44-2-102. **Administrative History:** Original rule certified June 5, 1974. Amendment filed April 18, 1979; effective June 4, 1979. Repeal by Public Chapter 261. New rule filed June 20, 1983; effective July 20, 1983.

0080-2-1-14 OTHER ANIMAL SPECIES NOT NAMED.

Domestic animal species not named herein shall be tested as ordered by the Tennessee state veterinarian. A certificate of veterinary inspection is required before entering the state. (~~Psittacine birds, primates, zoo animals, etc.~~)
~~No requirements by Tennessee Department of Agriculture.~~

Authority: T.C.A. §§4-3-203 and 44-2-102. **Administrative History:** Original rule filed June 20, 1983; effective July 20, 1983.

0080-2-1-15 VIOLATION OF RULES.

- (1) Any person who violates the provisions of this chapter is subject to prosecution as provided by law.
- (2) Livestock that have entered Tennessee in violation of this chapter may be quarantined at a stockyard or other premises having suitable facilities to handle livestock, or shipped to their Tennessee destination, where they and they shall remain under quarantine until released by the ~~S~~state ~~V~~veterinarian ~~after meeting one of the following:~~ Prior to being released, the owner of such livestock or his agent shall:
 - (a) ~~Proper examination~~Have such livestock inspected by an accredited veterinarian and have such testings conducted as may be required to ~~be in compliance~~comply with these rules, or
 - (b) ~~Provision of evidence~~proof of prior compliance with the ~~requirements of these rules as determined by the S~~state ~~V~~veterinarian or his agent, or

- (c) Consigned and such livestock to be shipped directly to slaughter without indemnity, or:
 - (d) Return such livestock to the state of origin with permission from the appropriate animal health official of the state of origin, and under such restrictions as determined by the animal health officials of both Tennessee and the state of origin.
- (3) All expenses and costs for damages, feed, water, tests, and veterinary inspections shall be the responsibility of the owner of such livestock. Livestock owners who elect to consign livestock to slaughter under (c) above will not be indemnified for the loss of such animals by the State of Tennessee.

Authority: T.C.A. §§4-3-203 and 44-2-102. **Administrative History:** Original rule filed June 20, 1983; effective July 20, 1983.

0080-2-1-16 REFERENCES TO RULES AND REGULATIONS OF OTHER JURISDICTIONS.

All references to rules and regulations of other jurisdictions, including the Code of Federal Regulations, include all cited material that may be contained in the rules on the effective date of these rules and any future amendments as may occur from time to time.

Authority: T.C.A. §§4-3-203 and 44-2-102. **Administrative History:** Original rule filed June 20, 1983; effective July 20, 1983.

0080-2-1-17 ~~RESERVED~~ VESICULAR STOMATITIS.

- (1) No horses, cattle, bison, swine, sheep, goats, cervidae or other susceptible species as determined by the state veterinarian may enter Tennessee from a premises or area that has been quarantined for vesicular stomatitis.
- (2) Horses, cattle, bison, swine, sheep, goats, cervidae or other susceptible species as determined by the state veterinarian may enter Tennessee from non-quarantined areas of an affected state, provided they are accompanied by a certificate of veterinary inspection issued within 7 days of entering the state, with the following statement written by the accredited veterinarian on the certificate: "The animals represented on this health certificate have not originated from a premises or area under quarantine for vesicular stomatitis and are not exhibiting clinical signs of the virus."

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