

Chapter 16-604 WAC
PUBLIC LIVESTOCK MARKETS—HEALTH, FACILITIES, AND SANITATION

Last Update: 9/30/10

WAC

16-604-009 Definitions.
16-604-020 Facilities and sanitation.
16-604-025 Health regulations.
16-604-040 Penalty.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

16-604-001 Promulgation. [Order 1059, Promulgation, filed 7/24/67, effective 8/23/67; Order 1025, Promulgation, filed 7/22/66; Order 954, Promulgation, filed 8/20/64; Order 913, filed 4/1/63; Order 853, effective 7/19/61; Order 788, effective 6/17/59.] Repealed by WSR 98-19-037, filed 9/11/98, effective 10/12/98. Statutory Authority: RCW 16.57.160, 16.57.220, 16.57.240, 16.57.350, 16.58.030, 16.58.050, 16.65.037 and 16.65.090.

16-604-002 Promulgation. [Order 1102, Promulgation, § 16.604.002 (codified as WAC 16-604-002), filed 11/18/68, effective 12/19/68.] Repealed by WSR 98-19-037, filed 9/11/98, effective 10/12/98. Statutory Authority: RCW 16.57.160, 16.57.220, 16.57.240, 16.57.350, 16.58.030, 16.65.037 and 16.65.090.

16-604-003 Promulgation. [Order 1174, § 16-604-003, filed 12/15/70.] Repealed by WSR 98-19-037, filed 9/11/98, effective 10/12/98. Statutory Authority: RCW 16.57.160, 16.57.220, 16.57.240, 16.57.350, 16.58.030, 16.58.050, 16.65.037 and 16.65.090.

16-604-008 License fees. [Statutory Authority: Chapter 16.65 RCW. WSR 94-13-069 (Order 5049), § 16-604-008, filed 6/9/94, effective 7/10/94.] Repealed by WSR 98-19-037, filed 9/11/98, effective 10/12/98. Statutory Authority: RCW 16.57.160, 16.57.220, 16.57.240, 16.57.350, 16.58.030, 16.58.050, 16.65.037 and 16.65.090.

16-604-010 Brand inspection regulations. [Statutory Authority: Chapter 16.65 RCW. WSR 94-13-069 (Order 5049), § 16-604-010, filed 6/9/94, effective 7/10/94. Statutory Authority: RCW 16.65.445 and 16.65.390. WSR 92-06-013, § 16-604-010, filed 2/24/92, effective 3/26/92; Order 1102, § 16.604.010 (codified as WAC 16-604-010), filed 11/18/68, effective 12/19/68; Order 1059, Regulation 2, filed 7/24/67, effective 8/23/67; Order 1025, Regulation 2, filed 7/22/66, effective 8/22/66; Order 954, filed 8/20/64; Order 913, filed 4/1/63; Order 788, effective 6/17/59.] Repealed by WSR 99-04-069, filed 2/1/99, effective 3/4/99. Statutory Authority: Chapter 16.65 RCW.

16-604-012 Brand inspection facilities. [Statutory Authority: Chapter 16.65 RCW. WSR 94-13-069 (Order 5049), § 16-604-012, filed 6/9/94, effective 7/10/94.] Repealed by WSR 98-19-037, filed 9/11/98, effective 10/12/98. Statutory Authority: RCW 16.57.160, 16.57.220, 16.57.240, 16.57.350, 16.58.030, 16.58.050, 16.65.037 and 16.65.090.

16-604-015 Sales day. [Statutory Authority: RCW 16.65.445 and 16.65.390. WSR 92-06-013, § 16-604-015, filed 2/24/92, effective 3/26/92.] Repealed by WSR 98-19-037, filed 9/11/98, effective 10/12/98. Statutory Authority: RCW 16.57.160, 16.57.220, 16.57.240, 16.57.350, 16.58.030, 16.58.050, 16.65.037 and 16.65.090.

16-604-030 Scale installation regulations. [Order 1059, Regulation 5, filed 7/24/67, effective 8/23/67; Order 1025, Regulation 4, filed 7/22/66, effective 8/22/66; Order 954, filed 8/20/64; Order 913, filed 4/1/63; Order 788, effective 6/17/59.] Repealed by WSR 98-19-037, filed 9/11/98, effective 10/12/98. Statutory Authority: RCW 16.57.160, 16.57.220, 16.57.240, 16.57.350, 16.58.030, 16.58.050, 16.65.037 and 16.65.090.

16-604-100, 16-604-110, 16-604-120, 16-604-130, 16-604-140, 16-604-150. [Order 958, Promulgation, and Regulations 1-5, filed 8/31/64.] Superseded by Order 1059, Promulgation, Regulations 1-6, filed 7/24/67, effective 8/23/67. Later promulgation, see WAC 16-604-001 through 16-604-040.

WAC 16-604-009 Definitions. For the purposes of this order:

"C.F.R." means Code of Federal Regulations.

"Consigned" means to deliver for sale at a public livestock market.

"Department" means the department of agriculture of the state of Washington.

"Director" means the director of the department or the director's duly authorized representative.

"Licensee" means any person licensed to operate a public livestock market.

"Livestock" means cattle, bison, horses, mules, donkeys, swine, sheep, goats, rabbits, llamas, alpacas, ratites, poultry, waterfowl, game birds, and other species so designated by statute. "Livestock" does not mean free ranging wildlife as defined in Title 77 RCW.

"Lot" means livestock of one ownership.

"Market" means public livestock market as defined in RCW 16.65.010(1).

"Market veterinarian" means a veterinarian licensed in the state of Washington, accredited by USDA, and contracted with a public livestock market.

"Official individual identification" means identifying an animal or group of animals using USDA-approved or WSDA-approved devices or methods including, but not limited to, official tags, unique breed registry tattoos, and registered brands when accompanied by a certificate of inspection from a brand inspection authority who is recognized by the director.

[Statutory Authority: Chapters 16.36 and 34.05 RCW. WSR 10-20-094, § 16-604-009, filed 9/30/10, effective 10/31/10. Statutory Authority: RCW 16.36.040 and 16.36.096. WSR 92-21-022, § 16-604-009, filed 10/13/92, effective 11/13/92; Order 1102, § 16.604.009 (codified as WAC 16-604-009), filed 11/18/68; Order 1059, Regulation 1, filed 7/24/67, effective 8/23/67; Order 1025, Regulation 1, filed 7/22/66, effective 8/22/66.]

WAC 16-604-020 Facilities and sanitation. Licensees shall provide facilities and sanitation for the prevention of livestock diseases at their public livestock markets, as follows:

(1) The licensee shall be responsible for the moving and yarding of livestock necessary for animal disease traceability, brand, or animal health inspection. Personnel employed by the public livestock market will be required to sort and designate any unhealthy animals, as determined by the market veterinarian, before they are admitted into trade channels.

(2) The floors of all pens and alleys that are part of a public livestock market shall be constructed of concrete or similar impervious material and kept in good repair, with a slope of not less than one-fourth inch per foot to adequate drains leading to an approved system. The director may designate certain pens within such public livestock markets as feeding and holding pens and the floors and alleys of such pens shall not be subject to the aforementioned surfacing requirements.

(3) Feeding and holding pens maintained in an area adjacent to a public livestock market shall be constructed and separated from such public livestock market, in a manner prescribed by the director, in order to prevent the spread of communicable diseases to the livestock sold or held for sale in such public livestock market.

(4) All yards, chutes and pens used in handling livestock shall be constructed of such material which will render them easily cleaned and disinfected, and such yards, pens and chutes shall be kept clean, sanitary and in good repair at all times, as required by the director.

(5) Sufficient calf pens of adequate size to prevent overcrowding shall be provided, and such pens when used shall be cleaned and disinfected no later than the day subsequent to each sale.

(6) All swine pen facilities shall be covered and when used shall be cleaned and disinfected no later than the day subsequent to each sale.

(7) A water system carrying a pressure of forty pounds psi and supplying sufficient water to thoroughly wash all pens, floors, alleys and equipment shall be provided.

(8) Sufficient quarantine pens of adequate capacity shall be provided. Such pens shall be used to hold only cattle reacting to brucel-

losis and tuberculosis or to quarantine livestock with other contagious or communicable diseases and shall be:

(a) Hard surfaced with concrete or similar impervious material and shall be kept in good repair.

(b) Provided with separate watering facilities.

(c) Painted white with the word "quarantine" painted in red letters not less than four inches high on such quarantine pen's gate.

(d) Provided with a tight board fence not less than five and one-half feet high.

(e) Cleaned and disinfected not later than one day subsequent to the date of sale.

To prevent the spread of communicable diseases among livestock, the director shall have the authority to cause the cleaning and disinfecting of any area or all areas of a public livestock market and equipment or vehicles with a complete coverage of disinfectants approved by the director.

[Statutory Authority: Chapters 16.36 and 34.05 RCW. WSR 10-20-094, § 16-604-020, filed 9/30/10, effective 10/31/10. Statutory Authority: RCW 16.36.040 and 16.36.096. WSR 92-21-022, § 16-604-020, filed 10/13/92, effective 11/13/92; Order 1174, § 16-604-020, filed 12/15/70; Order 1059, Regulation 3, filed 7/24/67, effective 8/23/67; Order 1025, Regulation 3, filed 7/22/66, effective 8/22/66; Order 954, filed 8/20/64; Order 913, filed 4/1/63; Order 853, filed 6/19/61; Order 788, effective 6/17/59.]

WAC 16-604-025 Health regulations. (1) The director shall require such testing, treating, identifying, examining and recordkeeping of livestock by a market veterinarian and/or livestock market as in the director's judgment may be necessary to prevent the spread of brucellosis, tuberculosis, or any other infectious, contagious or communicable disease among the livestock of this state.

(2) For livestock health purposes, the director shall establish procedures for inspection of livestock markets for compliance with sanitary requirements and to observe livestock being handled. Such inspections shall be conducted by animal health inspection personnel working under the jurisdiction of the director. Such inspectors will not issue health certificates, perform "private treaty work" or engage in functions other than those in connection with surveillance for communicable, infectious animal diseases and sanitary measures. Operators of markets shall arrange with a market veterinarian to perform animal health inspections, issue health certificates or certificates of veterinary inspection, perform private treaty work, and perform any testing, quarantine, or movement restrictions of animals as directed by the director of agriculture or required by federal law. Departmental inspectors will work in cooperation with any market veterinarians in performing yard inspections.

(3) Markets handling swine shall be required to identify all boars and sows with official identification. Markets must comply with chapters 16-54 and 16-80 WAC and 9 C.F.R. Sec. 71.19 and 71.20 when handling swine for market.

(4) No livestock may leave the market for points outside the state of Washington without first meeting the requirements of the state of destination and 9 C.F.R. Parts 71 through 89, interstate transportation of animals (including poultry) and animal products.

(5) Any animal or animals which have been found by the market veterinarian to be diseased or unhealthy shall be handled in accordance with instructions from the state veterinarian as to disposition. The market veterinarian may require they be marked "slaughter only" and:

(a) Be sold only to immediate slaughter at a federally inspected slaughter plant;

(b) Require they be sold "as is" with an announcement;

(c) Require they be returned to consignor with or without quarantine; or

(d) Require they be held under quarantine in the yard.

(6) Market requirements.

(a) Animal health requirements as prescribed in chapters 16-54 and 16-86 WAC shall be met for animals entering or released from the public livestock markets. Those public livestock markets that are not specifically approved as per 9 C.F.R. Part 78 that wish to provide brucellosis blood testing as approved by the director shall comply with the facilities requirements for specifically approved public livestock markets. Specifically approved markets (9 C.F.R. Part 78) can accept cattle and bison from out-of-state without meeting the import requirements provided that all Washington state animal health requirements are met at the market upon arrival and the animals are consigned to sell through that market. Those markets not specifically approved can receive from out-of-state only those cattle and bison that have met all animal health requirements prior to entering the state.

(b) Animals released from Washington markets to points outside the state shall be in compliance with subsection (4) of this section.

(c) Public livestock market brucellosis reactors will be:

(i) Tagged with reactor identification tags in the left ear and branded "B" according to 9 C.F.R. Sec. 78.1.

(ii) Placed in a "quarantine pen."

(iii) Sold at the close of the regular sale to licensed slaughterer or their designated agent operating under federal or state inspection or return to the farm of origin under a written quarantine.

(iv) The market veterinarian shall issue VS Form 1-27 on all suspects or reactors immediately after their sale or detection and the original copy must accompany the animals to slaughter or back to the farm of origin. The pink and yellow copies are to be mailed immediately to the state veterinarian's office at P.O. Box 42560, Olympia, Washington, 98504-2560 and the green copy mailed immediately to the destination of shipment.

(v) All brucellosis reactors consigned and transported directly to a licensed slaughtering establishment for immediate slaughter cannot be transported with any animals not so consigned. All trucks and railway cars or other conveyances used for the transportation of such reactors shall be cleaned and disinfected at destination under state and federal supervision.

(7) The market must provide to the department a certificate of permit (haul slip) for all livestock consigned to the market.

(8) All public livestock markets shall officially identify all sexually intact cattle and bison over eighteen months of age with official individual identification prior to being presented for sale. Records of official individual identification applied to the animal indicating seller, buyer, and brucellosis vaccination status if animal is a female shall be maintained by the market for a period of one year.

(9) Slaughter-only livestock.

(a) Livestock purchased through a market in the state of Washington for slaughter-only must be consigned to a federally inspected slaughter plant, restricted feedlot, or a category 2 restricted holding facility. Such animals will be cleared from the market on a Washington state cattle brand certificate and must reach the declared point of destination, slaughter establishment, category 2 restricted holding facility or restricted feedlot, within twelve hours of first being declared slaughter-only livestock. Official individual identification must not be removed and cattle brand certificates must be presented with the animals at declared point of destination and livestock shall not be diverted to any other point.

(b) Cattle that have been declared slaughter-only cattle shall not be commingled with cattle not so declared.

(c) No Washington state cattle brand certificate will be issued at any market unless the purchaser first provides the full name of the purchaser and seller and the complete physical address of the destination, and the cattle are identified to herd of origin.

(10) Health of swine.

(a) Intrastate consignments. Washington swine that are healthy, not known to be affected with or exposed to any contagious or infectious swine diseases, and not under quarantine may enter and leave any market in the state after veterinary inspection.

(b) Interstate consignments.

(i) Slaughter swine. Swine not known to be affected with or exposed to infectious or communicable swine diseases may be imported into the state without a certificate of veterinary inspection to a recognized federally inspected slaughter plant, or specifically approved livestock market under 9 C.F.R. Sec. 71.19 for immediate slaughter, and may not be diverted en route. The waybills or certificates for shipment must contain an entry permit number obtained from the office of the state veterinarian and must state for "slaughter only to a federally inspected slaughter plant."

(ii) Feeder and breeder swine - Must have originated from states in Stage IV or Stage V pseudorabies free status and/or comply with the entry requirements as stated in chapter 16-54 WAC. Animals must be accompanied by an official certificate of veterinary inspection stating that they are clinically free of symptoms of infectious and contagious disease or exposure thereto, unless consigned to a specifically approved livestock market under 9 C.F.R. Part 85. The certificate of veterinary inspection will contain an entry permit number obtained from the office of the state veterinarian and the consignor and consignee will be properly listed with exact physical origin and destination addresses clearly shown. Such swine must not come in contact with swine from states of unlike status prior to or during shipment, and must have been transported in one continuous movement.

(c) Swine brucellosis. All interstate swine over six months of age entering public livestock markets to be sold for breeding purposes must have been tested and found negative to swine brucellosis within thirty days prior to entry or originate in a validated swine brucellosis free herd or state. Swine not in compliance with this requirement will not be sold as breeder swine.

[Statutory Authority: Chapters 16.36 and 34.05 RCW. WSR 10-20-094, § 16-604-025, filed 9/30/10, effective 10/31/10. Statutory Authority: RCW 16.36.040 and 16.36.096. WSR 92-21-022, § 16-604-025, filed 10/13/92, effective 11/13/92; Order 1174, § 16-604-025, filed 12/15/70; Order 1059, Regulation 4, filed 7/24/67, effective 8/23/67;

Order 1025, Regulation 3, 7/22/66, effective 8/22/66; Order 954, filed 8/20/64; Order 913, filed 4/1/63; Order 853, filed 6/19/64; Order 788, effective 6/17/59.]

WAC 16-604-040 Penalty. The violation of any regulation set forth in this order shall constitute a violation of the applicable statute under which such regulation was adopted.

[Order 1174, § 16-604-040, filed 12/15/70; Order 1059, Regulation 6, filed 7/24/67, effective 8/23/67; Order 1025, Regulation 6, filed 7/22/66, effective 8/22/66; Order 954, filed 8/20/64; Order 913, filed 4/1/63; Order 788, effective 6/17/59.]