

Title 2. Agriculture

Chapter III. Arkansas Board of Animal Health, Department of Agriculture

Subchapter C. Movement of Animals

Part 190. Arkansas Rules for Concentration Points of Cattle (Auction Markets, Farm Sales, Private Sales, etc.) Involving Infectious, Contagious, and Communicable Diseases

Codification Notes. This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows: "Issued in Little Rock, Arkansas on August 24, 2015."

Subpart 1. Generally

2 CAR § 190-101. Dealer licensing.

- (a) All persons who deal in livestock must have a dealer license.
- (b) Such license will be renewed yearly.

Authority. Arkansas Code §§ 2-33-107, 2-40-103.

2 CAR § 190-102. Records and document requirements.

(a) Individuals, dealers, and auction market operators shall retain records for a minimum of five (5) years (for each intact bovine involved in a transaction over eighteen (18) months of age and dairy animals and rodeo animals of all ages) containing the following information:

- (1) Name and address of consignor (seller);
- (2) Name and address of consignee (buyer);
- (3) Date and location of transaction; and
- (4) A record of the back tag sequence (from beginning number to ending number) used per sale day.

(b) Employees and representatives of the Arkansas Board of Animal Health and Veterinary Services of the United States Department of Agriculture shall be granted read access to, and given assistance with, said records upon request.

(c)(1) Removal of official identification from cows will be prohibited.

(2) When existing permanent tags for identification are already in place, that number will be used instead of adding another one.

Authority. Arkansas Code §§ 2-33-107, 2-40-103.

2 CAR § 190-103. Sanitation and husbandry requirements.

(a)(1) Regular concentration points shall be inspected for adequate sanitation and husbandry practices on a periodic basis by a representative of the Arkansas Board of Animal Health or Veterinary Services of the United States Department of Agriculture.

(2) The following will be evaluated:

(A) In the opinion of the aforementioned inspector, the yards, chutes, pens, alleys and associated pastures must be maintained in a clean and sanitary condition; and

(B)(i) Animals infected with any contagious, infectious, or communicable disease shall be segregated from the other animals in a pen by themselves as directed by an official authorized by the board.

(ii) After they are removed, the pen shall be cleaned and disinfected before it is used again.

(3) Cleaning and disinfecting equipment, including a pressure sprayer, and a United States Department of Agriculture-approved phenol-coefficient (cresylic) disinfectant shall be maintained on the premises.

(b) Sanitation requirements concerning the handling of exposed animals and other quarantined animals, as determined by the board, at the facility:

(1) A quarantined pen shall be distinctly designated, marked accordingly as "Quarantine Pen", and maintained:

(A) It shall be constructed so that there is no contact between reactors and nonrestricted animals;

(B) The floor shall be covered with an impermeable surface;

(C) Drainage from the pen shall not drain back into an area accessible to nonrestricted animals; and

(D) It shall be thoroughly cleaned and disinfected after each sale day and before it is used again.

(2) In the event of an inordinate number of reactors, exposed animals, or other quarantined animals, other pens shall be designated as "overflow pens" and treated as a reactor pen after they are used.

Authority. Arkansas Code §§ 2-33-107, 2-40-103.

2 CAR § 190-104. Requirements regarding the management of infected and exposed animals flowing through or disclosed at the sale.

(a) Sanitation standards, as described in 2 CAR § 190-103(b), must be maintained in order to protect the health and safety of both the livestock and the personnel working them.

(b) **Logistics and procedures.** Disease exposed animals shall be sold at the last of every sale and must be maintained separately from nonrestricted animals.

Authority. Arkansas Code §§ 2-33-107, 2-40-103.

2 CAR § 190-105. Testing and vaccination facility requirements at regular concentration points.

(a) Testing chute and alley:

(1) Must be judged to be safe and humane by the designated inspector for both the animals and personnel involved in handling animals;

(2) Must have adequate lighting and ventilation as judged by the inspector;

(3) Adequate help must be provided by the auction market or dealer for:

- (A) Adequate restraint of the animals being tested or vaccinated; and
 - (B) To provide a flow of animals to the testing and vaccinating chutes so that all procedures can be completed on timely basis; and
 - (4) Must have adequate structural strength and design to facilitate completion of the required procedures without undue delay.
- (b) Laboratory:
- (1) Located in close proximity to the testing chute and secluded away from other market activities;
 - (2) Must be sufficiently heated to maintain at least a seventy-degree temperature in cold weather;
 - (3) Must have sufficient cooling and ventilation to maintain a temperature of between seventy and seventy-five degrees (°70-75°) in warm weather;
 - (4) Must have adequate lighting and electrical outlets for equipment needed for testing procedures;
 - (5) Must provide a refrigeration unit sufficient to maintain antigens and vaccines in a viable state;
 - (6) Must have running water and a sink to facilitate proper cleanliness in the laboratory procedures; and
 - (7) Must have a secure door which can be locked to prohibit the unauthorized entry of those other than auction market and animal health regulatory personnel.

Authority. Arkansas Code §§ 2-33-107, 2-40-103.

2 CAR § 190-106. Results of noncompliance.

If the designated inspector finds that the auction market operators, dealers, or individuals involved in change of ownership transactions are not in compliance with the above-stated standards, that person or establishment will:

- (1) Be notified in writing explaining the deficiencies and recommendations made on what improvements should be made to achieve compliance; and

(2) Notify the Arkansas Board of Animal Health within fifteen (15) days after receipt of such notice to certify that the steps have been taken to comply with the standards:

(A)(i) If there is a failure to respond, or if the board or its designated inspector determines that the establishment has not complied with the standards, the market shall be inspected by a committee consisting of:

(a) One (1) livestock market representative;

(b) Two (2) livestock producers; and

(c) The State Veterinarian.

(ii) Members of the committee shall be appointed by the Chair of the Arkansas Board of Animal Health and those members shall be from outside the incriminated establishment's trade area.

(iii) Per diem and mileage for committee members shall be paid as provided for by the State of Arkansas;

(B) If the committee finds that the incriminated establishment does not meet the prescribed standards, the board shall order the market closed immediately until the market is found to be in compliance with the defined standards;

(C) That they have knowingly sold for dairy or breeding purposes livestock which were affected with livestock diseases;

(D) That they have demonstrated to the satisfaction of the board their inability or unwillingness to carry out the record keeping requirements of this part; or

(E) That they have ceased to operate the business for which the license was issued.

Authority. Arkansas Code §§ 2-33-107, 2-40-103.

2 CAR § 190-107. Records required.

(a) Each licensed person or firm shall keep a record of all livestock purchased, sold, or otherwise handled.

(b) The records required shall be recorded in an appropriate record book or other system that will permit the recording of information relating to each transaction in such a manner that will enable personnel of the state and federal animal health agencies to identify the origin and disposition of each required animal purchased or sold.

Authority. Arkansas Code §§ 2-33-107, 2-40-103.

2 CAR § 190-108. Contents of records.

(a) The records shall include the following information:

(1)(A) Ear tag numbers or other identifying numbers carried by, or assigned to the animal at the time of purchase by, or consignment to, and at the time of sale by:

- (i) A dealer;
- (ii) A broker;
- (iii) An auctioneer;
- (iv) An auction market operator; or
- (v) Other intermediary or agent.

(B) Any animal requiring identification which does not carry such individual identification at the time of purchase or sale, shall be at that time identified with acceptable identification tags, brands, and/or tattoos.

(C) Official back tags will be acceptable individual identification for animals purchased in the country for immediate sale at regular scheduled auction sales, stockyards yards of slaughtering establishments;

(2)(A) The name and address of the person who consigned the animal for sale or from whom the animal was purchased.

(B) If such animal was purchased at an auction, the:

- (i) Name and address of the auction market; and
- (ii) Date of such consignment and purchase;

(3) The name and address of the person or firm to whom the animal was sold and the date of such sale or consignment;

(4) The breed, sex, approximate age, and weight of each animal; and

(5) The date and result of any test required for sale or movement of each animal, or a copy of the official test record may be identified to the transaction and filed with the records.

(b) The required information relating to the purchase shall be recorded immediately upon completion of the purchase, but no later than twenty-four (24) hours after the purchase, and the required information relating to the sale of such animals shall be recorded immediately (within twenty-four (24) hours) upon completion of the consignment or sale.

Authority. Arkansas Code §§ 2-33-107, 2-40-103.

2 CAR § 190-109. Retention of records.

(a) The records of livestock sales, purchases, and transactions shall be kept and retained in the possession of the dealer, auctioneer, commission company, for a period of at least five (5) years for bovine animals and two (2) years for other species after each purchase or sale of any livestock.

(b) All records, together with the entries therein shall be available for examination by agents of the Arkansas Board of Animal Health.

Authority. Arkansas Code §§ 2-33-107, 2-40-103.

2 CAR § 190-110. Fees.

(a) There will be a ten-dollar fee for each application or renewal.

(b) Fee will be refunded if application is rejected.

(c) Fees must be paid on or before July 31 each year.

Authority. Arkansas Code §§ 2-33-107, 2-40-103.

2 CAR § 190-111. Noncompliance.

Noncompliance with any section of this part is a Class A misdemeanor.

Authority. Arkansas Code §§ 2-33-107, 2-40-103.