



Arizona Department of Agriculture

Animal Services Division
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We were pleased to hear that the Governor's Office and Governor's Regulatory Review Council (GRRC) want to partner with agencies to remove outdated, unnecessary rules and improve rules in need of amendment. As a result, the Animal Services Division (ASD) has begun to review our 40 pages of rules (http://apps.azsos.gov/public_services/Title_03/3-02.pdf). First, we have determined the rules we think need to be eliminated. Once the necessary rules are eliminated, we will begin to review the rules that need to be amended. Once we have identified the rules that need to be amended, we will share that information with you.

We have identified the following four rules as candidates for elimination:

R3-2-205. Requirements for Designation of Rendering Plants to Produce Certified Animal Fat

This rule includes the requirements for exporting animal fat to foreign countries. This rule isn't necessary since products from state-inspected facilities cannot be exported out of state let alone out of the country.

R3-2-402. Individual Identification of Swine at Market

This rule includes requirements for identifying swine at auctions. This rule isn't necessary since livestock information is already recorded at auctions pursuant to ARS 3-1332, 3-1334, and 3-1336. Also, swine shouldn't be held to a different standard than other livestock.

R3-2-621. Non-restricted Live Wildlife Cervidae

This rule includes requirements for cervidae entering the state. There is no reason for this rule to be in ASD's rules since non-restricted live wildlife cervidae are included in Game and Fish's rules (see R12-4-406 at http://apps.azsos.gov/public_services/Title_12/12-04.pdf). We've reached out to Game and Fish, and they agree that we should eliminate this rule.

R3-2-622. Monkeys

This rule includes requirements for monkeys entering the state. There is no reason for this rule to be in ASD's rules since monkeys are included in Game and Fish's rules (see R12-4-406 at http://apps.azsos.gov/public_services/Title_12/12-04.pdf). We've reached out to Game and Fish, and they agree that we should eliminate this rule.

The attachment includes the language for each of these four rules.

If you would like to provide feedback on whether or not these rules should be eliminated, **please email me at lmclaughlin@azda.gov by close of business on Wednesday, November 2.** Once I receive your comments, I will let GRRC know the rules that we agree should be eliminated. Once I notify GRCC, it should take 3 – 7 weeks to eliminate the rules. Please let me know if you have any questions or concerns.

Sincerely,

Leatta McLaughlin
Associate Director, Animal Services Division
Arizona Department of Agriculture

ASD Rules Recommended for Elimination

R3-2-205. Requirements for Designation of Rendering Plants to Produce Certified Animal Fat

- A. Certification of animal fat.
1. The Department shall provide certification of rendering facilities and of animal fats to be exported to foreign countries.
 2. Any licensed rendering plant in Arizona may apply in writing to the Department for certification of its plant or of the animal fat produced in the plant.
 3. As prescribed in subsection (G)(2), the certificate of animal fat shall state that the animal fat identified has been produced by renderers who exclude carcasses and parts condemned because of disease, and dead animals and materials not originally produced under federal or state inspection.
- B. Certification of facilities.
1. Upon written request from a renderer, an inspection shall be made of the rendering plant to determine the plant's category:
 - a. Category A: No raw materials from diseased carcasses and parts or dead animals are used in the rendering plant.
 - b. Category B: Diseased carcasses and parts and dead animals are processed only in segregated equipment within the plant.
 - c. Category C: Diseased carcasses and parts and dead animals are processed through the plant equipment at a separate time of the day from the production of certified animal fat. Raw materials used in the production of non-certified animal fats shall be segregated from raw material used in producing certified animal fat. Production of certified animal fat shall take place in equipment from which all non-certified material has been removed.
 2. The Department shall certify the plant's participation in the certified animal fat program if it finds that the rendering plant meets the following requirements:
 - a. The plant is licensed by the state of Arizona as a rendering plant pursuant to A.R.S. § 3-2081.
 - b. The plant is equipped and staffed to operate in accordance with the procedures designated in this rule.
- C. Processing certified animal fat.
1. Raw materials used in the production of certified animal fat shall be free from condemned and/or diseased material and shall be derived from products originally produced under federal and state inspection.
 2. The following materials shall be excluded from the production of certified animal fat.
 - a. All carcasses and parts from dead, dying, or diseased animals;
 - b. All meat and meat products not originally inspected by state or federal inspectors;
 - c. All meat and meat products condemned because of disease during state or federal meat and poultry inspection.
 3. Separation of raw materials.
 - a. Raw materials not certified pursuant to subsection (G)(2) for certified animal fat production shall be separated from other material at the plant of origin by storing the raw material in separate marked containers which shall be identified as containing material not approved for use in producing certified animal fat.
 - b. The separation of raw materials as described in subsection (C)(3)(a) shall be maintained at all times including during transportation, storage, and rendering.
- D. Registration and recordkeeping. All persons engaged in the business of buying, selling, storing and exporting certified animal fat shall be registered with the Department and shall maintain records of all transactions in connection with such fats.
- E. Inspection.
1. Inspectors shall make one or more unannounced inspections a year to ensure that only raw materials certified pursuant to subsection (G)(2) are used in certified animal fat production and that the separation of finished products is maintained.
 2. Rendering plants certified under this rule shall make all premises of the rendering plant including storage and export facilities open to inspection by the Department inspectors during the normal hours of operation.
- F. General.
1. The inspector shall sign the renderer's certificate verifying the animal fat produced in the plant.
 2. If the renderer's certificate has been suspended or revoked, the renderer shall surrender the certificate upon request of the inspector.
 3. No animal fats shipped into Arizona may be mixed with certified animal fat produced in Arizona unless it is certified by the producing state or the USDA.
 4. A copy of the certificate shall be available for inspection by a representative of the Department during normal business hours.
- G. Certificates of certification.
1. Certification of facilities

Exhibit A

Arizona Department of Agriculture

Date

This is to certify that _____
(Company)

at its plant located at _____
produces animal fat obtained by rendering raw materials (free from condemned and/or diseased materials) collected only from sources which process meat products or slaughter animals for edible consumption under Category _____
of A.A.C. R3-2-205.

(Inspector)
2. Certification of animal fat

Exhibit B

This certification is for _____ pounds
(Weight)

of rendered animal produced by renderers who exclude carcasses and parts condemned because of disease and dead animals and materials not originally produced under federal inspection or A.A.C. R3-2-205 during the period _____ to _____ represented

(Date) (Date)
by invoice(s) _____

(Invoice Numbers)
dated _____ sold or shipped to
(Date)

(Firm Name and Address)

(Authorized Signature)

This certificate and a copy of the invoice shall follow the lot of animal fat to the export terminal.

Historical Note

Adopted effective August 19, 1983 (Supp. 83-4). Section R3-2-205 renumbered from Section R3-9-205 (Supp. 91-4). Amended effective July 13, 1995 (Supp. 95-3).

R3-2-403. Individual Identification of Swine at Market

The owner, or the owner's agent, of an auction licensed by the USDA shall individually identify all swine in Arizona moving through the auction or other concentration point in intrastate and interstate commerce and shall submit the following information by the first of each month, to the State Veterinarian:

1. The name of the owner of the swine;
2. The name of the buyer of the swine;
3. The farm of origin;
4. The individual identification of each swine; and
5. The destination of the swine.

Historical Note

Adopted effective August 19, 1983 (Supp. 83-4). Section R3-2-403 renumbered from Section R3-9-403 (Supp. 91-4). Former Section R3-2-403 repealed; new Section R3-2-403 renumbered from Section R3-2-402 and amended by final rulemaking at 6 A.A.R. 25, effective December 8, 1999 (Supp. 99-4). December 8, 1999 effective date corrected to reflect what is on file in the Office of the Secretary of State; correct effective date is January 1, 2000 (Supp. 01-1).

R3-2-621. Non-restricted Live Wildlife Cervidae

The owner of non-restricted live wildlife Cervidae entering Arizona, or the owner's agent, shall comply with the requirements in Article 6 and the following conditions:

1. Pay the expenses incurred to quarantine, test, and retest the imported non-restricted live wildlife cervids;
2. Ensure that each non-restricted live wildlife cervid is individually identified on the health certificate by an official eartag number;
3. Tuberculosis testing.
 - a. Except for non-restricted live wildlife Cervidae from a tuberculosis accredited-free herd, a tuberculosis qualified herd, or a tuberculosis monitored herd, ensure that non-restricted live wildlife Cervidae are tested negative twice for tuberculosis no less than 90 days apart with the second test conducted within 90 days before the date of entry;
 - b. Test non-restrictive live wildlife Cervidae originating from a tuberculosis qualified or monitored herd for tuberculosis once within 90 days before entry.
4. Brucellosis testing.
 - a. Certified brucellosis-free cervid herd. No testing required.
 - b. Brucellosis-monitored cervid herd. All sexually intact non-restricted live wildlife Cervidae six months of age or older shall be tested negative for brucellosis within 90 days before entry.
 - c. Other cervid herds. Sexually intact non-restricted live wildlife Cervidae six months of age or older shall be tested negative for brucellosis within 30 days before entry. A retest shall be conducted within 90 days after entry.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 25, effective December 8, 1999 (Supp. 99-4). December 8, 1999 effective date corrected to reflect what is on file in the Office of the Secretary of State; correct effective date is January 1, 2000 (Supp. 01-1). Amended by final rulemaking at 14 A.A.R. 876, effective May 3, 2008 (Supp. 08-1).

R3-2-622. Monkeys

The owner or owner's agent of macaque entering Arizona shall comply with Article 6, except for R3-2-607, and the following conditions:

1. Each macaque shall be tested negative for Simian Herpes B virus within 30 days before entry into Arizona. If the macaque is less than two months of age, it shall be accompanied by a document issued and signed by an accredited veterinarian in the state of origin attesting that the biologic maternal parent of the macaque tested negative for Simian Herpes B virus not more than 30 days before the macaque's arrival in Arizona.
2. Each macaque shall be tested negative for tuberculosis within 30 days before movement into Arizona. Animals less than three months of age shall be accompanied by a health certificate with a statement attesting that no macaques housed within a circumference of 300 ft. from the macaque being shipped have exhibited symptoms of or tested positive for tuberculosis within 90 days.
3. Each macaque shall be permanently and uniquely identified with either a tattoo or microchip and the identification noted clearly on the health certificate and any accompanying document.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 25, effective December 8, 1999 (Supp. 99-4). December 8, 1999 effective date corrected to reflect what is on file in the Office of the Secretary of State; correct effective date is January 1, 2000 (Supp. 01-1).