

<p>ARIZONA DEPARTMENT OF AGRICULTURE</p> <p><u>SUBSTANTIVE POLICY STATEMENT</u></p> <p>ANIMAL SERVICES DIVISION</p> <p>New Mexico Cattle destined for Arizona Livestock Auctions</p>	<p><u>DIVISION/</u> <u>PROGRAM</u> ASD</p> <hr/> <p>SP 12-01</p> <hr/> <p><i>Donald Butler</i> SIGNATURE</p> <hr/> <p>10/3/2012 DATE</p>
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This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedure act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under section 41-1033, Arizona Revised Statutes, for a review of the statement.

1. BACKGROUND

Cattle producers in New Mexico are having difficulty traveling interstate to reach Arizona markets like the Willcox Livestock Auction. This situation stems from a lack of available veterinarians and other nearby auctions.

Arizona Administrative Code Title 3, chapter 2, article 6 governs the importation of cattle into Arizona. This policy describes the Department's current approach to the requirements of these rules with respect to New Mexico cattle coming into Arizona for sale at auction.

This policy was developed through input of the Arizona Cattle Growers' Association and the New Mexico Department of Agriculture.

2. POLICY

Cattle may not enter Arizona without a permit. See A.A.C. R3-2-602(A) & R3-2-604. A person may obtain a permit by contacting the State Veterinarian and complying with R3-2-607. The permit number must be written on any official documents, including the brand inspection certificate. See A.A.C. R3-2-607(D).

According to the Department's rules, imported cattle must also have an official eartag that has been applied by an accredited veterinarian. See A.A.C. R3-2-612(A)(2). The problem in portions of New Mexico, however, is the unavailability of accredited veterinarians to perform this task. As a result, the Department will still require an official eartag on all imported cattle, but will not require that an accredited veterinarian attach the eartag for New Mexico cattle going directly to auction in Arizona and will not take any action under R3-2-605 merely because the eartag was attached by someone other than an accredited veterinarian. Normally, the eartag numbers would be written on the health certificate issued by the veterinarian. See A.A.C. R3-2-606(A)(4)(a)(i). Because of the lack of veterinarians, some New Mexico cattle growers are unable to obtain health certificates. The Arizona State Veterinarian has authority to impose

additional permit conditions not specifically established in rule. See A.A.C. R3-2-607(C). Accordingly, the State Veterinarian will accept the practice of writing the eartag numbers of any cattle imported under this policy on the brand inspection certificate in place of on a health certificate.

Cattle entering Arizona are also subject to certain disease testing requirements. See A.A.C. R3-2-612. Native range cattle from New Mexico do not require brucellosis testing if the owner's brand is listed on the brand inspection certificate because the New Mexico brand inspection program is approved by the Arizona State Veterinarian. See A.A.C. R3-2-612(C)(4)(b). Dairy cattle from New Mexico may be subject to brucellosis testing as described in R3-2-612(C). Native commercial cattle from New Mexico do not need tuberculosis testing if the state's accredited-free status is documented on a health certificate. See A.A.C. R3-2-612(G)(1)(b). New Mexico's accredited-free status is actually identified in federal law at 9 CFR 77.7(a), so further documentation of that fact is not necessary. Bulls generally may not enter Arizona without prior trichomoniasis testing, and the test samples must be taken by an accredited veterinarian. See A.A.C. R3-2-612(J). If a bull is being sold at auction for slaughter only, as established by the bull and the bull's paperwork being specially marked to indicate that fact, then the Department considers the bull exempt from trichomoniasis testing under R3-2-612(J)(1)(a)(ii). Cattle owners are also responsible for complying with the bovine scabies requirements in R3-2-612(I).

R3-2-611 requires transporters to possess a valid health certificate. Cattle importation under this policy is allowed using a brand inspection certificate; therefore, transporters moving cattle covered by this policy can possess the brand inspection certificate described in this policy instead of a health certificate.

This policy incorporates the following protocol established on August 10, 2012:

1. New Mexico brand inspectors will conduct their routine inspection.
2. Upon inspection, the NM brand inspector will deliver NM official ID, to be placed on the cattle prior to shipping or at the Livestock Auction Facility.
3. The brand inspection certificate will contain official ID numbers listed in group lots.
4. The NM livestock owner will be responsible to contact the Arizona State Veterinarian's Office for the Arizona Entry Permit. That number will be placed on the brand inspection certificate.

In order to protect the livestock industry from disease, this policy only applies to New Mexico cattle from non-quarantined areas and that have a destination of an Arizona Livestock Auction.

3. EFFECTIVE DATE

This policy is effective as of August 10, 2012 and shall continue in effect until repealed, modified, or superseded.