

Rule 40-13-6-.01 General

(1) Definitions

- (a) "Animal disease traceability" (ADT) means a program that is administered by USDA Animal and Plant Health Inspection Service, Veterinary Services (APHIS VS), with cooperation of the Georgia Department of Agriculture, that specifies animal identification and record keeping requirements for livestock moving interstate.
- (b) "Approved livestock auction market" means a livestock auction market or livestock sales establishment that must comply with all federal and state laws and requirements set forth by the Georgia Department of Agriculture. For purposes of the following rules and regulations, buying stations and livestock concentration points are treated as livestock sales establishments. An auction market may operate as both a market and a dealer, which would require a separate license and surety.
- (c) "Association" means a formal business association where a group of persons have united for the attainment of a specific purpose or common object.
- (d) "Authorized livestock auction market veterinarian" means an individual who is licensed to practice veterinary medicine in Georgia; accredited by the USDA APHIS VS; and authorized by the Georgia Department of Agriculture to perform prescribed and required duties at and for the livestock auction market. This individual is hired and compensated by the livestock auction market with the approval of the Georgia State Veterinarian.
- (e) "Biosecurity" means preventive measures designed to prevent the introduction or reduce the spread of harmful organisms.
- (f) "Electronic livestock sales" means sales of livestock, poultry, equines, and non-traditional livestock conducted on a commission or other fee basis by any person through the use of online, video, or other electronic methods without the physical presence of buyer or seller and without a physical examination of the livestock performed by the buyer.
- (g) "Farmer" means a person who raises livestock, poultry, equines, or non-traditional livestock; or a person who raises animals for agricultural purposes.
- (h) "Livestock" means cattle, swine, equines, sheep, and goats of all kinds and species.
- (i) "Livestock dealer" means any livestock auction market, person, or agent of such person or livestock auction market which engages in or facilitates, including by electronic means, the business of buying, selling, exchanging, or otherwise transferring ownership of livestock or non-traditional livestock within the state for his or her own account or for that of another. For purposes of the following rules and regulations, brokers and packer buyers are treated as livestock dealers. The term "dealer" does not include:

1. Farmers acquiring livestock solely for the purpose of grazing and feeding as part of their farm operations;
2. Packers whose total annual purchases of livestock are less than \$50,000.00, and who buy only from licensed dealers and licensed sales establishments;
3. Persons selling only livestock of their own production or buying only for their own production; and
4. Persons auctioning livestock on behalf of a third party.

(j) "Livestock auction market operator" means any person or entity engaged in the business of operating a livestock sales establishment or a public auction or sale of livestock; or who houses livestock with the intended purpose of auction or sale.

(k) "Non-traditional livestock" means the species of the Order Artiodactyla listed as antelope, bison, buffalo, catalo, elk, deer other than white-tailed deer, and water buffalo; as well as members of the Camelidae family listed as camels, llamas, and alpacas that are held and possessed legally under the wild animal provisions of O.C.G.A. Title 27.

(l) "Official identification" means methods of species identification approved by the State Veterinarian. Backtags may be used as official identification only in circumstances outlined by the USDA ADT program or rules and regulations of the Georgia Department of Agriculture.

(m) "Person" means any person, firm, corporation, association, cooperative, or combination thereof.

(n) "Special livestock sale" means any livestock sale other than a regular sale at an establishment and any sale by a farmer of livestock owned by the farmer where direct payment is made to the farmer.

(o) "Surety" means a letter of credit, certificate of deposit, or other written instrument issued or executed by a lending institution or bonding, surety, or insurance company licensed to do business in this state, guaranteeing the faithful performance of the terms of the contract of purchase, including the payment of the purchase price of all livestock purchased by the holder of such instrument, made payable to the Commissioner for the benefit of persons sustaining loss resulting from the nonpayment of the purchase price or the failure to fulfill the terms of the contract of purchase.

(p) "Swine" means members of the species *Sus scrofa*.

1. "Domestic Swine" means swine breeds of the subspecies *Sus scrofa domesticus* commonly raised for meat production and housed in inside confinement.

2. "Transitional Swine" means domestic swine held in confinement in outside enclosures with increased risk of contact to feral swine.

3. "Non-traditional domestic swine" means swine, other than domestic swine, of recognized heritage breeds that are held in confinement.

4. "Feral Swine" means any hog which has lived any part of its life in a wild, free-ranging state and is currently in such state or has been taken.

(2) Livestock Auction Market Operation and Facility Requirements

(a) Any new livestock, poultry, equine, or non-traditional livestock auction market desiring to commence operation and any existing livestock auction market desiring to change sale day or days must write to the Commissioner of Agriculture for approval. Approval is contingent upon available Department personnel.

(b) All livestock, poultry, equine, or non-traditional livestock auction markets, buying stations, and concentration points must be kept in a good state of repair, in a clean and sanitary condition, and must be disinfected as needed. Cleaning and disinfecting equipment, including disinfectants, must be maintained on the premises at all times.

(c) If animals have entered the market and are showing signs of an illness classified as a reportable animal disease under Georgia Department of Agriculture regulations, the Department Livestock Inspector must be notified. The Department Livestock Inspector will determine the disposition of the affected animal and all animals penned or closely associated with the diseased animals in a manner consistent with Department policy. Such animals may be held separate and may be released for slaughter as permitted by the State Veterinarian.

(d) All livestock auction markets must maintain isolation pens to ensure separation of diseased animals from other animals in the market and maintain biosecurity.

(e) All livestock auction markets must establish a biosecurity plan created in partnership with the Georgia Department of Agriculture covering all applicable species.

(f) Market toilet facilities must be provided and maintained in a clean and sanitary condition.

(g) Adequate lighting must be provided throughout all livestock auction market facilities.

(h) Adequate pens and chutes must be provided by the livestock auction market for carrying out livestock disease control measures and maintaining biosecurity. Adequate space and facilities must be provided for veterinary services, Department inspection activities, and any required laboratory tests. Facilities must be kept in a clean and sanitary condition. The laboratory must be equipped with hot running water, and the room temperature of the laboratory must be maintained within a temperature range of 50-80 degrees Fahrenheit.

(i) Each livestock auction market must make adequate provisions to isolate, insofar as practical, the auctioneer, weigher, clerk, and any other employee who has any duty in

regard to making any record of the sale; and an individual must not interfere with any such employee while he is performing any duty in connection with the sale.

(j) Each livestock auction market must be responsible for entering on a receiving ticket the license of all trucks which unload livestock at the market as determined by the State Veterinarian.

(k) Livestock auction markets must maintain adequate records of all transactions including the complete name and address of the seller, purchaser, and livestock dealer that buy or sell at the establishment. These records must be made available within 48-72 hours of request to authorized personnel of the Georgia Department of Agriculture. All records must be retained for five years except the records of swine transactions, which must be retained for two years.

(l) All electronic sales of livestock must meet the same requirements as an approved livestock auction market.

(m) For purposes of this Chapter, buying stations must meet the same requirements as livestock auction markets or sales establishments.

Authority: O.C.G.A. §§ 4-4-2, 4-4-82, 4-4-112, 4-5-7, 4-6-5, 4-6-6, 4-6-7, 4-6-51.

40-13-6-.04 Cattle Movements Through Livestock Auction Markets

(1) All cattle offered for sale at livestock auction markets must originate from herds apparently free of any contagious, infectious, or communicable disease.

(2) Cattle showing visible symptoms of disease must be isolated from apparently healthy cattle and consigned to slaughter, euthanized with proper disposal, or returned to the farm of origin under quarantine. Such cattle must be accompanied by a Georgia 29 permit or VS Form 1-27.

(3) All cattle moving through livestock auction markets must be individually identified with official USDA back tags furnished by the Georgia Department of Agriculture or the United States Department of Agriculture or other identification method approved by the State Veterinarian.

(a) Beef cattle 18 months of age or older must be officially identified using a National Uniform Eartagging System (NUES) ear tag or official USDA 840 Radio Frequency Identification Device (RFID) ear tag or other identification method approved by the State Veterinarian.

(b) All dairy cattle must be officially identified using a NUES ear tag or official USDA 840 RFID ear tag or other identification method approved by the State Veterinarian.

(c) Cattle moving directly to slaughter may move on a back tag alone.

(d) Cattle identified with an out-of-state USDA back tag must have the out-of-state back tag removed and replaced with a Georgia back tag. Both tag numbers must be recorded on the consignor's ticket.

(e) Feeder cattle may move in groups with group lot identification instead of individual identification.

(4) Cattle from out-of-state moved through Georgia livestock auction markets must meet interstate movement health requirements with the following exceptions:

(a) If the state of Georgia enters into a reciprocal agreement with other states, cattle may be moved in accordance with the provisions contained in such agreement.

(b) Cattle from a Designated Disease Surveillance Area or any area of high risk as determined by the State Veterinarian are subject to special import requirements. The Georgia State Veterinarian's Office may be contacted regarding such requirements.

Authority: O.C.G.A. §§ 4-4-64, 4-4-67.