

SECOND REGULAR SESSION

[TRULY AGREED TO AND FINALLY PASSED]

HOUSE BILL NO. 1662

95TH GENERAL ASSEMBLY

4379L.01T

2010

AN ACT

To repeal sections 267.565 and 267.600, RSMo, and to enact in lieu thereof two new sections relating to diseased animals.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 267.565 and 267.600, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 267.565 and 267.600, to read as follows:

267.565. Unless the context requires otherwise, as used in sections 267.560 to 267.660, the following terms mean:

(1) "Accredited approved veterinarian", a veterinarian who has been accredited by the United States Department of Agriculture and approved by the state department of agriculture and who is duly licensed under the laws of Missouri to engage in the practice of veterinary medicine, or a veterinarian domiciled and practicing veterinary medicine in a state other than Missouri, duly licensed under laws of the state in which he resides, accredited by the United States Department of Agriculture, and approved by the chief livestock sanitary official of that state;

(2) "Animal", an animal of the equine, bovine, porcine, ovine, caprine, or species domesticated or semidomesticated;

(3) "Approved laboratory", a laboratory approved by the department;

(4) "Approved vaccine" or "bacterin", a vaccine or bacterin produced under the license of the United States Department of Agriculture and approved by the department for the immunization of animals against infectious and contagious disease;

(5) "Bird", a bird of the avian species;

(6) "Certified free herd", a herd of cattle, swine, goats or a flock of sheep or birds which has met the requirements and the conditions set forth in sections 267.560 to 267.660 and as required by the department and as recommended by the United States Department of Agriculture,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

19 and for such status for a specific disease and for a herd of cattle, swine, goats or flock of sheep
20 or birds in another state which has met those minimum requirements and conditions under the
21 supervision of the livestock sanitary authority of the state in which said animals or birds are
22 domiciled, and as recommended by the United States Department of Agriculture for such status
23 for a specific disease;

24 (7) **"Condition", upon examination of any animal or bird in this state by the state**
25 **veterinarian or his or her duly authorized representative, the findings of which indicate**
26 **the presence or suspected presence of a toxin in such animal or bird that warrants further**
27 **examination or observation for confirmation of the presence or nonpresence of such toxin;**

28 (8) "Department" or "department of agriculture", the department of agriculture of the
29 state of Missouri, and when by this law the said department of agriculture is charged to perform
30 a duty, it shall be understood to authorize the performance of such duty by the director of
31 agriculture of the state of Missouri, or by the state veterinarian of the state of Missouri or his duly
32 authorized deputies acting under the supervision of the director of agriculture;

33 (9) **"Holding period", restriction of movement of animals or birds into or out of a**
34 **premise under such terms and conditions as may be designated by order of the state**
35 **veterinarian or his or her duly authorized representative prior to confirmation of a**
36 **contagious disease or condition;**

37 [(8)] (10) "Infected animal" or "infected bird", an animal or bird which shows a positive
38 reaction to any recognized serological test or growth on culture or any other recognized test for
39 the detection of any disease of livestock or poultry as approved by the department or when
40 clinical symptoms and history justifies designating such animal or bird as being infected with a
41 contagious or infectious disease;

42 [(9)] (11) "Isolated" or "isolation", a condition in which animals or birds are quarantined
43 to a certain designated premises and quarantined separately and apart from any other animals or
44 birds on adjacent premises;

45 [(10)] (12) "Licensed market", a market as defined and licensed under chapter 277,
46 RSMo;

47 [(11)] (13) "Livestock", horses, cattle, swine, sheep, goats, ratite birds including but not
48 limited to ostrich and emu, aquatic products as defined in section 277.024, RSMo, llamas,
49 alpaca, buffalo, elk documented as obtained from a legal source and not from the wild and raised
50 in confinement for human consumption or animal husbandry, poultry and other domesticated
51 animals or birds;

52 [(12)] (14) "Official health certificate" is a legal record covering the requirements of the
53 state of Missouri executed on an official form of the standard size from the state of origin and
54 approved by the proper livestock sanitary official of the state of origin or an equivalent form

55 provided by the United States Department of Agriculture and issued by an approved, accredited,
56 licensed, graduate veterinarian;

57 [(13)] (15) "Public stockyards", any public stockyards located within the state of
58 Missouri and subject to regulations of the United States Department of Agriculture or the
59 Missouri department of agriculture;

60 [(14)] (16) "Quarantine", a condition in which an animal or bird of any species is
61 restricted in movement to a particular premises under such terms and conditions as may be
62 designated by order of the state veterinarian or his duly authorized deputies;

63 [(15)] (17) "Traders" or "dealers", any person, firm or corporation engaged in the
64 business of buying, selling or exchange of livestock on any basis other than on a commission
65 basis at any sale pen, concentration point, farm, truck or other conveyance including persons,
66 firms or corporations employed as an agent of the vendor or purchaser excluding public
67 stockyards under federal supervision or markets licensed under sections 267.560 to 267.660 and
68 under the supervision of the department, breed association sales or any private farm sale.

267.600. 1. Animals, livestock or birds under test **or investigation** for a contagious and
2 infectious disease **or condition** may not be removed from the premises until the results of the
3 tests are known and the owner of such animals, livestock or birds receives a record of the test
4 from the veterinarian certifying that the animals or birds are free of the disease **or specified**
5 **condition** and until any infected animals or birds are sold for slaughter on permit and as may be
6 required by the state veterinarian, or until such animals or birds are recovered and incapable of
7 spreading the disease **or condition** or until the animals or birds in the herd or flock have been
8 released by the state veterinarian or his representative. The method of eradicating the disease
9 **or condition** shall be at the discretion of the state veterinarian and in accordance with such
10 procedures as may be outlined by the state veterinarian or his representative.

11 2. **The state veterinarian or his or her representative may implement a holding**
12 **period for the premise until the investigation and confirmation of the contagious and**
13 **infectious disease or condition is completed.**

14 3. **Once investigation and testing is complete, animals or birds shall be released**
15 **from the holding period or placed under permanent quarantine by the state veterinarian**
16 **or his or her representative.**

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