

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES
ANIMAL INDUSTRY
ADMINISTRATIVE CODE

CHAPTER 80-3-8
LIVESTOCK MARKETS; SANITARY AND DISEASE CONTROL

TABLE OF CONTENTS

80-3-8-.01	Purpose
80-3-8-.02	Livestock Markets Considered Contaminated
80-3-8-.03	Requirements To Receive Out-Of-State Livestock
80-3-8-.04	Premises To Be Kept Clean
80-3-8-.05	Record Keeping Requirements
80-3-8-.06	Bills Of Sale To Be Cleared
80-3-8-.07	Tick Eradication
80-3-8-.08	Movement Of Infected Animals
80-3-8-.09	Federal Rules Applicable
80-3-8-.10	Inspection Of Livestock
80-3-8-.11	Disposal Of Carcasses
80-3-8-.12	Cattle For Exhibition Of Breeder's Sale Originating In Alabama
80-3-8-.13	Disease Control Rules For Swine At Sales Markets

80-3-8-.01 Purpose.

Pursuant to the provisions of Act No. 173 of the Legislature of Alabama of 1951, approved June 29, 1951, the following rules and regulations governing the operation of livestock markets in Alabama have been promulgated by the Commissioner of Agriculture and Industries and approved by the State Board of Agriculture and Industries.

NOTE: Act No. 173 Acts of Alabama 1951, set out in Rule 80-3-8-.01 above was specifically repealed by Act No. 386 Acts of Alabama 1975. The 1975 Act took the place of the 1951 Act but that portion of the 1951 Act upon which the rules in Chapter 80-3-8 were adopted was incorporated into the 1975 Act. It is not believed that any Rules in Chapter 80-3-8 were repealed when the 1951 Act was repealed due to the present language in the 1975 Act. The 1975 Act is codified in Code of Ala. 1975, §§2-15-60 through 2-15-71.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-15-64(c).

History: Filed April 19, 1982.

80-3-8-.02 Livestock Markets Considered Contaminated.

All livestock markets are considered as being contaminated with infectious and contagious diseases of livestock and are hereby designated as quarantined areas and all livestock moved from livestock markets shall comply with rules and regulations approved by the State Board of Agriculture and Industries governing the operation of livestock markets.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-15-64(c).

History: Filed April 19, 1982.

80-3-8-.03 Requirements To Receive Out-Of-State Livestock.

In order for a livestock market to be approved for receiving cattle and hogs originating outside of the State of Alabama, not accompanied by official health certificates, a full-time federally employed veterinarian, or a full-time competent livestock inspector, approved by the State Veterinarian and employed by the State Department of Agriculture and Industries shall be maintained.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-15-64(c).

History: Filed April 19, 1982.

80-3-8-.04 Premises To Be Kept Clean.

The premises of a livestock market, including yards, pens, alleys, chutes, and loading docks shall be kept clean and in a sanitary condition at all times.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-15-64(c).

History: Filed April 19, 1982.

80-3-8-.05 Record Keeping Requirements.

(a) The owner, manager, or party in charge of the livestock market shall keep complete records of all movement of animals into, within, and out of said yards and such records shall be open for examination by the Commissioner, or his authorized representative, at any time.

(b) Unless otherwise provided in this section, every person operating a livestock market in this state shall be required to

pay annually, on or before October 1. The exact amount of such annual permit fee for livestock markets, depending upon the annual gross business during the preceding 12-month period prior to October 1 totaled shall be as follows:

- (1) For an annual gross business of \$250,000.00 or less, the permit fee shall be \$85.00;
- (2) For an annual gross business of more than \$250,000.00 but less than \$500,000.00, the permit fee shall be \$170.00;
- (3) For an annual gross business of more than \$500,000.00 but less than \$1,000,000.00, the permit fee shall be \$250.00;
- (4) For an annual gross business of more than \$1,000,000.00 but less than \$2,500,000.00, the permit fee shall be \$340.00;
- (5) For an annual gross business of over \$2,500,000.00, the permit fee shall be \$425.00. For livestock markets which are beginning operations the permit fee shall be the minimum of \$85.00. The fee levied under this section for any permit issued on or after April 1 of any year shall be one half of the amount prescribed above for an annual permit fee unless the permit was actually required to be obtained prior to that date.

(c) A permit to operate scales at livestock markets as required under Section 2- 15-91 shall be obtained from the Commissioner of Agriculture and Industries and such permit shall expire on September 30 following the date of issuance. A permit fee of \$12.50 shall accompany each application for a livestock market scale permit, which fee shall be deposited into the Agricultural Fund of the State Treasury. Annual permits required under this rule shall cover the 12-month period beginning October 1 and ending September 30.

(d) Any person doing business as a "livestock dealer" as defined in §2-15-40 of the Code of Ala. 1975 shall, in addition to any and all other statutory or regulatory requirements for obtaining a permit under §2-15-40 of the Code of Ala. 1975, remit to the Department of Agriculture and Industries on or before October 1 of each year a permit fee of \$30.00.

(e) Any person doing business as a "livestock dealer" as defined in §2-15-132 of the Code of Ala. 1975 shall, in addition to any and all other statutory or regulatory requirements for obtaining a permit under §2-15-132 of the Code of Ala. 1975, remit to the Department of Agriculture and Industries on or before October 1 of each year a permit fee of \$30.00.

Author: John P. Hagood

Statutory Authority: Code of Ala. 1975, §§2-15-41, 2-15-62, 2-15-64(c), 2-15-92, 2-15-132.

History: Filed April 19, 1982. **Amended:** Filed August 16, 2004; effective September 20, 2004.

80-3-8-.06 Bills Of Sale To Be Cleared.

Bills of sale issued to buyers of livestock at livestock markets shall be cleared through the Livestock Inspector, and the necessary permits and health certificates obtained, before the livestock are released from the stockyards.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-15-64(c).

History: Filed April 19, 1982.

80-3-8-.07 Tick Eradication.

Any lots of cattle on which visible ticks of any species are present must be dipped, or sprayed in standard arsenical dip, or other chemical dips or sprays approved by the State Veterinarian, or his authorized representative, before being released from the yards for any purpose.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-15-64(c).

History: Filed April 19, 1982.

80-3-8-.08 Movement Of Infected Animals.

No animals known to be infected with a contagious or infectious disease shall be received in or admitted to any livestock market except upon special permit issued by the State Veterinarian, or his authorized representative. All animals affected with, or exposed to, any contagious or infectious disease, or any animal that reacts to a test indicating the presence of such disease, shall be quarantined separate and apart from healthy animals and shall not be sold, traded, or otherwise disposed of except upon special permit from the State Veterinarian, or his authorized representative. Such animals may be disposed of for immediate slaughter only. The owner of the animals shall be responsible for the costs of maintaining the quarantine, the necessary treatment, feed and care of the animals which are under quarantine.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-15-64(c).

History: Filed April 19, 1982.

80-3-8-.09 Federal Rules Applicable.

At all public stockyards where federal inspection is maintained, the regulations of the United States Bureau of Animal Industry governing such yards shall be in effect and supplementary to the above rules.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-15-64(c).

History: Filed April 19, 1982.

80-3-8-.10 Inspection Of Livestock.

All cattle or other livestock assembled in sales yards will be carefully inspected by the State Veterinarian, or his authorized livestock inspectors for evidence of any contagious or infectious diseases. Any animal showing suspicious symptoms of infectious or contagious diseases shall be isolated and held in quarantine until examined by an approved, qualified veterinarian. Such animal will be disposed of in accordance with the state regulations.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-15-64(c).

History: Filed April 19, 1982.

80-3-8-.11 Disposal Of Carcasses.

Carcasses or parts of carcasses of all animals that die from disease shall be burned or buried, and when buried, covered with not less than four (4) feet of dirt or rendered or cooked in a pressure rendering tank where the temperature may be held not lower than 220°F for not less than four (4) hours.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-15-64(c).

History: Filed April 19, 1982.

80-3-8-.12 Cattle For Exhibition Of Breeder's Sale Originating In Alabama.

(1) Brucellosis:

(a) Steers -- no restrictions

(b) Calves under six (6) months old -- no restrictions.

(c) Officially vaccinated females that are properly tattooed -- no restrictions.

(d) All other cattle must be accompanied by an official health certificate, issued by an approved licensed veterinarian, showing them to be negative to the agglutination test for Brucellosis within thirty (30) days of the date of sale or show, or that the cattle are from a Brucellosis Free Accredited herd.

(2) Tuberculosis:

(a) Cattle from clean herds in Tuberculosis Free Accredited counties may be exhibited without testing.

(b) All other cattle must have passed a clean tuberculosis test within thirty days of the date of show or sale.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-15-64(c).

History: Filed April 19, 1982.

80-3-8-.13

Disease Control Rules For Swine At Sales Markets.

(1) All swine, except those for immediate slaughter, that are moved into any livestock market or other place where swine are offered for sale that come from two or more separate locations or premises shall be identified with ear tag or by other methods of individual identification as prescribed by the State Veterinarian. The identification of swine as required herein shall be made when the swine are unloaded and received at the livestock market or other place of sale and the identification tag numbers shall be recorded on the lotting-in slips used by the sales market.

(2) All swine held at a livestock market or other place of sale to be sold for feeding or breeding purposes must be held separate from slaughter swine and shall be maintained on imperviously surfaced pens, alleys, docks, scales and sales rings for their entire stay in the market. If swine for breeding and feeding purposes are kept in close proximity to areas used for slaughter swine, they must be separated by a solid partition of at least four (4) feet in height. No drainage shall be allowed to flow from the area used for slaughter swine into the area used for breeding and feeding swine. Sales rings, scales, alleys, and all other such facilities used for all classes of swine shall be cleaned and disinfected prior to each sales day.

(a) Swine held at a livestock market or other place of sale that are to be sold for feeding or breeding purposes shall not be driven along alleys or loaded from chutes that are used for the handling of slaughter swine unless such chutes and alleys

have been cleaned and disinfected after being used for slaughter swine.

(b) Swine held at a livestock market or other place of sale to be sold for feeding or breeding purposes shall be sold prior to slaughter swine.

(3) All swine, except those for immediate slaughter and those hereinafter exempt, before being moved from any livestock market or from any other place where swine are offered for sale that come from two or more separate locations or premises, shall be accompanied by a certificate issued by an accredited veterinarian which shall bear the identification tag number of the swine and shall state that such swine have been examined; that they are free of any indications of infectious or contagious diseases, and that the swine have received a proper dose of anti-hog cholera serum not more than five (5) days prior to the date of their sale.

(4) When all swine offered for sale at livestock markets or other places of sale where swine are offered for sale that come from two or more locations or premises have originated directly from farms located in areas officially designated as **Hog Cholera Free Areas** by the United States Department of Agriculture, they may be sold for breeding and feeding purposes without being required to receive anti-hog cholera serum before leaving the market to return to farms in Alabama.

(5) All swine received for sale at livestock markets or other places of sale where swine are offered for sale that come from two or more separate locations or premises shall have originated directly from farms on which all swine have been examined by a person or persons designated by the State Veterinarian. All swine on the farm shall have been found free from any indication of any illness. All such swine so examined on the farm must also meet all requirements set forth in the standards of the State Veterinarian for such inspections. Such swine sold for breeding and feeding purposes shall be exempt from the requirement of receiving anti-hog cholera serum before leaving the market to return to farms in Alabama, provided the owner who offered the swine for sale has signed a statement that he did not leave any apparently sick swine on his farm and that he has not had any apparently sick swine since the last inspection.

(6) All swine that return to farms from any livestock market or from any other place where swine are offered for sale that come to the livestock market from two or more separate locations or premises shall be held in isolation from other swine and in quarantine on the farm to which they return for a period of not less than thirty (30) days. No swine that have passed through any livestock market or other place where swine are offered for sale that come from two or more separate locations or premises, shall again be offered or accepted for sale at any other livestock market or other place of sale during a period of thirty (30) days.

Such swine may be moved from the farm to which they have been transported only on permit from the State Veterinarian or his authorized representative and then only for immediate slaughter or under quarantine to other premises.

(7) No swine shall return to farms in Alabama from any livestock market or from any other place where swine are offered for sale in Alabama that come from two or more premises that have passed through more than one concentration point after such swine leave the farm of origin.

(8) No swine, including those for immediate slaughter, shall remain in any livestock market or other place where swine are offered for sale that come from two or more separate locations or premises for more than seventy-two (72) hours.

(9) A list of the days on which breeding or feeding swine will be sold at livestock markets or other places of sale must be furnished to and approved by the State Veterinarian, and no breeding or feeding swine shall be permitted to leave the livestock market or other place of sale except on the days as approved by the State Veterinarian.

(10) These regulations expressly repeal regulations heretofore adopted which require the dipping and spraying of all swine with 2% cresol solution before leaving livestock markets or other places of sale.

NOTE: The above rule (80-3-8-.13) was previously denoted as Chapter 80-3-9. It has now been downgraded into rule status and incorporated into Chapter 80-3-8. The bonding and insurance requirements originally found in Chapter 80-3-8 have been transferred to Chapter 80-3-13 entitled Rules for Operating Livestock Markets.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §2-15-64(c).

History: Filed April 19, 1982.