

NEBRASKA ADMINISTRATIVE CODE

TITLE 23, NEBRASKA ADMINISTRATIVE CODE, CHAPTER 2

NEBRASKA DEPARTMENT OF AGRICULTURE

ANIMAL IMPORTATION REGULATIONS

November, 2012 Amended

NEBRASKA ADMINISTRATIVE CODE

TITLE 23 - NEBRASKA DEPARTMENT OF AGRICULTURE

CHAPTER 2 - ANIMAL IMPORTATION REGULATIONS

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TITLE 23 - DEPARTMENT OF AGRICULTURE

Chapter 2 - ANIMAL IMPORTATION REGULATIONS

001 Statement of Purpose. The purpose of these regulations is to aid in administering the Animal Importation Act, Neb. Rev. Stat. §§54-784.01 to 54-796, other acts under the department's jurisdiction, and in Title 9 of the Code of Federal Regulations adopted by reference related to the importation of animals. Copies of all items listed in the Appendix, 015 Publications Adopted, are attached and are on file and available for viewing at the office of the Nebraska Department of Agriculture, located in the State Office Building, Fourth Floor, 301 Centennial Mall South, Lincoln, Nebraska, and at the office of the Secretary of State, Division of Rules and Regulations, Room 1305 of the Nebraska State Capitol, 1445 K Street, Lincoln, Nebraska.

002 Definitions. The definition of terms found in the Animal Importation Act, other laws, and regulations under the department's jurisdiction and in those sections of 9 C.F.R. Parts 1 to 199 (2012), adopted and incorporated herein by reference related to the importation of animals shall apply to such terms when found in these regulations, except where inconsistent, in which case definitions in the Animal Importation Act and these regulations control. The terms and their definitions set out in this section shall have the same meaning throughout these regulations.

002.01 ACCREDITATION PREPARATORY STATE or ZONE means a state or zone that complies with the provisions of the Bovine Tuberculosis Eradication, Uniform Methods and Rules, (2005), (Bovine TB UM&R) a copy of which is attached as Appendix A, and is adopted and incorporated herein by reference, and in which tuberculosis (TB) is prevalent in less than 0.5 percent of cattle herds in the state.

002.02 ACCREDITED FREE STATE or ZONE means a state or zone that has zero percent (0%) herd prevalence of TB affected cattle herds, or one (1) infected herd during the previous twelve (12) months, and complies with the provisions of the Bovine TB UM&R.

002.03 ACCREDITED HERD means a herd that has passed at least two (2) consecutive official tuberculin tests of all eligible animals conducted at 9 to 15 month intervals, has no evidence of, or exposure potential to, bovine tuberculosis and meets the standards of the Bovine TB UM&R. Pursuant to 9 C.F.R. §77.5, all cattle and bison in a herd must be free from TB for purposes of maintaining accredited herd status.

002.04 ACCREDITED VETERINARIAN means a veterinarian approved by the Animal and Plant Health Inspection Service (APHIS) of the United States Department of Agriculture (USDA) in accordance with 9 C.F.R. subchapter J, Parts 160 to 162.

002.05 ADMINISTRATOR means the Administrator of APHIS, or any person authorized to act for the Administrator.

002.06 ANIMAL means (1) all vertebrate members of the animal kingdom, except humans, fish, amphibians, and reptiles, Neb. Rev. Stat. §54-786(1); (2) for the purposes of Chronic Wasting Disease (CWD) ANIMAL means any captive cervid.

002.07 APHIS means the Animal and Plant Health Inspection Service of the USDA.

002.08 APPROVED LIVESTOCK FACILITY means premises where cattle are assembled for sale or sale purposes which meet the standards set forth in 9 C.F.R. §71.1 and is approved under §71.20.

002.09 ASSEMBLED GROUP means, for purposes of TB testing only, cattle from more than one original premises which have been brought together as a herd, typically by a broker or dealer, for resale.

002.10 CATTLE means all domestic bovine animals of all ages, including beef cattle, dairy cattle, and bison, except where otherwise noted herein.

002.11 CERTIFICATE OF VETERINARY INSPECTION (CVI) means a legible document, either paper copy or electronic, issued by an accredited veterinarian at the point of origin of an animal movement, which meets the requirements in subsection 004.03 of these regulations, an example of which is attached as Appendix B, and is adopted and incorporated herein by reference.

002.12 CERVIDAE or CERVID means any elk, deer, or other member of the family cervidae legally obtained from a facility which has a license, permit, or registration authorizing domesticated cervine animals, which has been issued by the state where the facility is located, and such animal is raised in a confined area.

002.13 CERVID HUNT PASTURE means a facility occupied by a cervid herd consisting entirely of animals of the same sex that is maintained for hunting purposes.

002.14 CLASS FREE AND CLASS A, STATE OR AREA means a brucellosis classification of a state or area so classified by APHIS as provided in 9 C.F.R. §78.1, and in the Brucellosis Eradication: Uniform Methods and Rules, Effective October 1, 2003 (Brucellosis UM&R), a copy of which is attached as Appendix C, and is adopted and incorporated herein by reference.

002.15 CODE OF FEDERAL REGULATIONS (C.F.R.) means a codification of the general and permanent rules published in the *Federal Register* by the executive departments and agencies of the Federal Government revised as of January 1, 2012, copies of relevant parts, sections, and subsections of Title 9, Code of Federal Regulations §§ 54, 55, 71, 75, 77, 78, 79, 85, 93.400, 93.417, 93.418, 93.420, 93.424 to 93.427, 93.429, 145, 146, 147, 160, 161 and 162 are attached in Appendix D, and are adopted and incorporated herein by reference.

002.16 CONCENTRATION POINT means any facility where livestock from two (2) or more herds are assembled and subsequently dispersed to one (1) or more locations.

002.17 CWD-ENDEMIC AREA means any area, as designated by the Department, USDA, or another state's regulatory agency, where a wild cervid animal has been diagnosed with Chronic Wasting Disease (CWD).

002.18 CWD-EXPOSED ANIMAL means an animal that is part of a CWD-positive herd, or that was part of a herd within sixty (60) months prior to that herd's designation as CWD positive, or an animal that has been housed with or been in direct contact with a positive animal, or an animal that has been on a contaminated premises.

002.19 CWD-EXPOSED HERD means a herd in which a Chronic Wasting Disease (CWD)-positive or exposed animal has resided at any time during the sixty (60) months prior to the diagnosis of CWD.

002.20 CWD-POSITIVE ANIMAL means an animal that has had a diagnosis of CWD confirmed by means of two (2) official CWD tests as defined in 9 C.F.R. §55.1.

002.21 CWD-POSITIVE HERD means a herd in which a CWD positive animal resided at the time it was diagnosed and which has not been released from quarantine.

002.22 CWD-TRACE HERD means: (1) a herd in which a CWD-positive animal resided in any of the sixty (60) months prior to diagnosis; or (2) a herd that received exposed animals from a positive herd within sixty (60) months prior to the diagnosis of CWD in the positive herd.

002.23 DEPARTMENT means the Nebraska Department of Agriculture or its authorized agent, and shall include: (1) state veterinarian, deputy state veterinarian, animal epidemiologist, and any other veterinarians, livestock inspectors, investigators, and other employees all of whom are employed by the Department; and (2) veterinarians, animal health technicians, and investigators employed by USDA/APHIS/VS when performing duties delegated to them by the Nebraska Department of Agriculture.

002.24 DEPARTMENT ACCEPTED EARTAG means an eartag that bears a unique identification number for each individual animal and the unique identification number on such eartag shall be recorded in a manner which allows the animal to be traced to the location where the tag was applied to the animal. Such eartag shall be tamper resistant and have a high-retention rate in the animal.

002.25 DESTINATION means a location designated on a CVI where the animals imported will be unloaded at the final shipping point.

002.26 DIRECT TO SLAUGHTER means delivered directly to a federally recognized slaughter establishment, as such establishment is defined in 9 C.F.R. §78.1.

002.27 EXOTIC ANIMAL means any animal whose species is not now, or was not historically, indigenous to the State of Nebraska.

002.28 EXPOSED ANIMAL means any animal that has had contact with an affected herd or infected animal such that transmission of an infective disease agent may have occurred.

002.29 FEEDING means the conditioning or fattening of animals in a confinement which does not contain growing grass or herbage for nutritional purposes.

002.30 FEMALE means any sexually intact animal of the female gender.

002.31 GRAZING means to feed on growing grass or herbage.

002.32 HERD means (1) any group of animals maintained on common ground for any purpose; or (2) two or more groups of animals under common ownership or supervision, geographically separated but which have an interchange of animals without regard to whether the animals are infected or exposed.

002.33 IMPORTED FOR BREEDING PURPOSES means sexually intact cattle imported into Nebraska for reproductive purposes, including all processes from breeding through weaning.

002.34 IMPORTED FOR FEEDING PURPOSES means cattle imported into Nebraska moving direct to slaughter, or to a feedlot and then to slaughter, and not diverted for breeding or exhibition.

002.35 INDIVIDUAL IDENTIFICATION means a unique number which is assigned to an animal for purposes of interstate movement, disease control, or both. Individual identification may be: (a) a Department accepted eartag as defined herein; (b) a radio frequency identification device; (c) a legible breed registry tattoo; or (d) a registered herd hot brand in combination with a unique, legible freeze brand which identifies a specific animal within the herd.

002.36 KNOWN NEGATIVE *Tritrichomonas foetus* (*T. foetus*) MALES means breeding males which have been found negative for *T. foetus* in compliance with the testing protocol in accordance with part 005.04A of these regulations.

002.37 MALE means any sexually intact animal of the male gender.

002.38 MARKET means a livestock auction market as defined in the Livestock Auction Market Act and approved under 9 C.F.R. §71.20.

002.39 MODIFIED ACCREDITED ADVANCED STATE or ZONE means a state or zone that complies with the provisions of the Bovine TB UM&R and in which tuberculosis is prevalent in less than 0.01 percent of cattle herds in the state or 1-3 infected herds in states with fewer than 30,000 herds.

002.40 MODIFIED ACCREDITED STATE or ZONE means a state or zone that complies with the provisions of the Bovine TB UM&R for the past twelve (12) months and in which TB is prevalent in less than 0.1 percent of cattle herds in the state or a maximum of ten (10) infected herds in states with fewer than 10,000 herds.

002.41 NEUTERED means any sexually altered animal.

002.42 NONACCREDITED STATE or ZONE means a state or zone that does not meet the minimum standards of the Bovine TB UM&R or in which TB is prevalent in 0.5 percent or more of the total number of herds of cattle in the state.

002.43 NON-INDIGENOUS CERVID ANIMALS means any cervine animal whose species is not native to Nebraska and shall include, but not be limited to sika deer, fallow deer, reindeer and Père David's deer.

002.44 OFFICIAL BRUCELLOSIS TEST means, for purposes of these regulations only, an official test for brucellosis as provided in 9 C.F.R. §78.1.

002.45 OFFICIAL GENOTYPE TEST means any test to determine the genotype of a live or dead animal that is conducted at either an approved laboratory or at the National Veterinary Services Laboratory when the animal is officially identified and the samples used for the test are collected and shipped to the laboratory by either an accredited veterinarian or a Department or APHIS representative.

002.46 OFFICIAL TUBERCULIN TEST means, for purposes of these regulations only, an official test for TB as provided in 9 C.F.R. §77.1.

002.47 PERMANENT INDIVIDUAL IDENTIFICATION (domesticated cervine only) means (1) a USDA approved silver, metal eartag which has a nine-character alpha-numeric identification; or (2) an ear tattoo which is legible and provides a unique number that can identify an individual animal. New tattoos applied in Nebraska shall have the state code "NE" followed by the domesticated cervine animal herd number in

the right ear, along with a unique four (4) digit number on each animal that may be applied to either ear. All tattoos shall be at least three-eighths (3/8) inch high; or (3) a form of tamper-proof eartag, approved by the Department, which includes the domesticated cervine animal herd number and a unique animal number; or (4) an electronic identification device eartag, or (5) a radio frequency identification device (RFID).

002.48 PERMIT FOR ENTRY or IMPORT PERMIT means a pre-movement authorization for entry into the State of Nebraska obtained from the Department, an example of which is attached as Appendix E and is adopted and incorporated herein by reference. This authorization shall state the conditions under which the movement may be made. The permit number shall be recorded on the CVI.

002.49 PSEUDORABIES PROGRAM STANDARDS means, for purposes of these regulations, those standards set forth in the Pseudorabies Eradication, State-Federal-Industry Program Standards, Effective November 1, 2003, as approved by the USDA/APHIS/VS, a copy of which is attached as Appendix F, and is adopted and incorporated herein by reference.

002.50 QUARANTINE means a movement restriction placed on an animal or animals issued by the Department. The quarantine is a written document outlining the restriction of movement for a specific animal, animals, or herd of animals located in Nebraska or entering Nebraska. The quarantine document shall list: (1) the animals restricted; (2) the reason for the restriction; (3) the conditions of the restriction; and (4) the location of the quarantined animal or animals. Any animal, animals, or herd of animals placed under quarantine shall remain quarantined to the specified location until such quarantine is released by the Department.

002.51 RADIO FREQUENCY IDENTIFICATION DEVICE (RFID) means an electronic tag or device approved for use by APHIS or the Department as individual animal identification.

002.52 RATITE BIRD means any ostrich, emu, rhea, kiwi, or cassowary.

002.53 RODEO CATTLE means cattle used or intended to be used for, or have previously been used for, but not limited to, rodeos and timed events.

002.54 SCRAPIE ERADICATION PROGRAM means the cooperative state-federal program administered by USDA/APHIS/VS and States to control and eradicate scrapie. For purposes of interstate movement only, official identification and testing requirements may be found in 9 C.F.R. part 79 and Scrapie Eradication, Uniform Methods and Rules (Scrapie Eradication UM&R), June 1, 2005, copies of which are attached as Appendix G, and adopted and incorporated herein by reference.

002.55 SCRAPIE HIGH-RISK ANIMAL means a sexually intact animal that is: (1) the progeny of a scrapie-positive dam; or (2) born in the same flock during the same lambing season as progeny of a scrapie-positive dam, unless the progeny of the scrapie-positive

dam are from separate contemporary lambing groups; or (3) born in the same flock during the same lambing season that a scrapie-positive animal was born, or during any subsequent lambing season, if born before the flock completes the requirements of a flock plan; or (4) an exposed female sheep determined to be genetically susceptible or of an unknown genotype.

002.56 SCRAPIE INFECTED FLOCK means any flock in which the Department or APHIS has determined that a scrapie-positive female has resided unless an epidemiologic investigation conducted by a designated scrapie epidemiologist shows that the animal did not lamb or abort while in the flock. A flock will no longer be considered an infected flock after it has completed the requirements of a flock plan.

002.57 SCRAPIE POSITIVE ANIMAL means an animal for which a diagnosis of scrapie has been made by an approved laboratory through one of the following: (1) Histopathological examination of the central nervous system (CNS) tissues from the animal for characteristic microscopic lesions of scrapie; (2) The use of proteinase-resistant protein analysis methods including but not limited to immunohistochemistry or western blotting on CNS or peripheral tissue samples from a live or dead animal for which a given method has been approved by the Administrator for use on that tissue; (3) Bioassay; (4) Scrapie associated fibrils detected by electron microscopy; or (5) Any other test method approved by the Administrator in accordance with 9 C.F.R. § 54.10.

002.58 SCRAPIE SOURCE FLOCK means a flock in which a Department or APHIS representative has determined that at least one animal was born that was diagnosed as a scrapie-positive animal at an age of seventy-two (72) months or less. The determination that an animal was born in a source flock shall be in accordance with the guidelines in 9 C.F.R. parts 54 and 79. A flock will no longer be a source flock after the requirements of a flock plan, as defined in §54-2719 of the Scrapie Control and Eradication Act, have been completed.

002.59 SCRAPIE SUSPECT ANIMAL means (1) a sheep or goat that exhibits any of the following possible signs of scrapie and that has been determined to be suspicious for scrapie by an accredited veterinarian, or the Department or APHIS representative. Possible signs include: weight loss despite retention of appetite; behavioral abnormalities; itching; wool pulling; biting at legs or side; lip smacking; motor abnormalities such as incoordination, high stepping gait of forelimbs, bunny hop movement of rear legs, or swaying of back end; increased sensitivity to noise and sudden movement; or tremor, star gazing, head pressing, recumbency, or other signs of neurological disease or chronic wasting; (2) A sheep or goat that has tested positive for scrapie or for the proteinase resistant protein associated with scrapie on a live-animal screening test or any other official test, unless the animal is designated a scrapie-positive animal; and (3) A sheep or goat that has tested inconclusive or suggestive on an official test for scrapie.

002.60 SLAUGHTER CHANNELS means movement of an animal into Nebraska to be sold, transferred, or moved: (a) direct to slaughter; or (b) to a feedlot and then to slaughter.

002.61 STAGE shall refer to the designation I, II, III, IV, and V assigned to a state or area of a state by APHIS with respect to the level of pseudorabies as defined in Part III of the Pseudorabies Program Standards.

002.62 TEST-ELIGIBLE CATTLE means: (1) for purposes of brucellosis testing, six (6) months of age and older; (2) for purposes of trichomoniasis testing, all sexually intact, non-virgin males of any age; and all males twenty-four (24) months of age and older; and (3) for purposes of TB testing, two (2) months of age and older.

002.63 UNIFORM METHODS AND RULES (UM&R) means the minimum standards approved by the USDA/APHIS/VS for the detection, control, prevention, and eradication of specific livestock diseases.

002.64 USDA means the United States Department of Agriculture.

002.65 USDA/APHIS/VS means the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Veterinary Services (VS).

002.66 VETERINARY SERVICES (VS) means the animal health division of the United States Department of Agriculture, Animal and Plant Health Inspection Service.

002.67 VIRGIN means any sexually intact animal which has not been exposed to breeding activity.

002.68 VISIBLE INDIVIDUAL IDENTIFICATION (domesticated cervine only) means identification that is used to differentiate a domesticated cervine animal from a wild cervine animal and shall consist of a plastic eartag that is at least one and three-fourths inches by one and three-fourths inches (1 3/4" x 1 3/4") in size, and shall be of a color that is clearly distinguishable from the animal on which it is placed.

002.69 VS FORM 1-27 means a USDA/APHIS/VS Permit for Movement of Restricted Animals form which, when properly completed, is a permit authorizing the movement of diseased or exposed animals, and shall be issued only by an accredited veterinarian or authorized regulatory personnel, a copy of which is attached as Appendix H, and is adopted and incorporated herein by reference.

002.70 WILD PIG means all wild species in the family Suidae, including any Suidae exhibiting the morphological or behavioral characteristics of a wild pig, whether raised in captivity or not, including European wild boar.

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003 Administration. These regulations shall be administered by the Department of Agriculture located in the State Office Building, Fourth Floor, 301 Centennial Mall South, Lincoln, Nebraska. The mailing address is P.O. Box 94787, Lincoln, Nebraska 68509-4787. The telephone number is (402) 471-2351. The fax number is (402) 471-6893.

004 Importation of Animals in General.

004.01 No animal infected with, exposed to, or suspected of having been exposed to any infectious, contagious, or otherwise transmissible disease, or originates from a quarantined area, herd, or flock, shall be transported into the state, except those animals consigned to direct slaughter and accompanied by a VS Form 1-27, and those animals specifically allowed entry by a permit issued by the Department under Neb. Rev. Stat. §54-787.

004.02 Except as otherwise provided in this section, all animals brought into the state shall be accompanied by a complete and legible CVI. Animals not required to be accompanied by a CVI are: (a) animals brought directly to a federally recognized slaughter establishment, (b) cattle, swine, horses, sheep, and goats brought from the farm or ranch of origin directly to an establishment approved under 9 C.F.R. parts 71, 75, 78, 79, or 85; (c) poultry under eight (8) weeks of age accompanied by a VS Form 9-3, "Report of Sales of Hatching Eggs, Chicks, and Poults", which is attached as Appendix I and is adopted and incorporated herein by reference, and classified prior to movement into Nebraska as pullorum and typhoid clean or equivalent status pursuant to the National Poultry Improvement Plan (NPIP), 9 C.F.R. parts 145 to 147, which are attached as Appendix D and (d) animals moving directly to a veterinary clinic for diagnosis, treatment, or health examination.

004.03 The CVI shall be signed by an accredited veterinarian who acknowledges the apparent absence of any infectious, contagious, or otherwise transmissible disease. If a permit for entry is required for movement into the state, the permit number shall be recorded on the CVI. The CVI shall be valid for thirty (30) days from the date of examination, unless otherwise stated by the Department, and is valid for no more than one (1) movement into the state, with one (1) copy accompanying the animals to their Nebraska destination, and one (1) copy forwarded to the state of origin. NPIP (National Poultry Improvement Plan) VS FORM 9-3 may be used as a CVI for poultry under eight (8) weeks of age. A copy shall accompany the animals and a copy shall be forwarded to the state of origin. Each CVI shall contain the following information:

004.03A Name and address of both consignor and consignee;

004.03B Purpose of movement into the state;

004.03C Destination in the state which includes the physical street address, or Enhanced 911 address of the premises;

004.03D Age, breed, sex, and number of animals in the shipment;

004.03E Description of the animals;

004.03F Individual identification, where otherwise required herein;

004.03G Disease-specific importation requirements as prescribed in §§005 to 014, herein; or as prescribed in importation embargoes or orders; and

004.03H Health examination date of the imported animals.

004.04 Animals entering the state without the proper documents, when required by these regulations, may be quarantined at the expense of the owner until released by the Department or may be immediately returned to the state of origin, and a citation may be issued.

004.05 No animal or shipment shall be diverted from the Nebraska destination stated on the CVI, or similar document, except by a permit issued by the Department.

004.06 All blood samples required for testing animals for movement into the state shall be drawn by or under the supervision of an accredited veterinarian and the tests shall be conducted by a state-federal laboratory or a laboratory approved by the state of origin prior to shipment.

004.07 Requests for permits for entry, when required by these regulations, shall be made to the Department at (402) 471-2351. The permit number shall be recorded on the CVI, and such permit shall be valid for one (1) shipment only.

004.08 Whenever circumstances require an exception to these regulations, such exception may be granted by the Department. The exceptions shall be granted only when it is in the best interest of the livestock industry of Nebraska and when it is consistent with sound animal health practices. Applications for an exception shall be in writing, and completely and accurately describe the need for the exception. Exceptions granted shall be in writing although applicants may be advised in advance by telephone or in person that an exception has been granted.

004.09 All animals entering the state shall be in compliance with federal interstate movement requirements except when such requirements are inconsistent with these regulations.

004.10 Animals entering the state which are subject to post-entry import requirements shall be restricted by quarantine to the location listed on the permit for entry and CVI until released by the Department. Any post-entry testing required to release a quarantine shall be done at owner expense.

004.11 The Department may issue greater restrictions should disease conditions warrant. These greater restrictions will be in the form of orders or embargoes issued on a case by case basis as new disease concerns arise.

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004.12 Vesicular Stomatitis. In addition to those general requirements contained in this section, all importers of cattle, camelids (including camels, llamas, alpaca, etc.), cervidae, equidae (including horses, donkeys, mules, etc.), sheep, goats, and swine from any state which has a herd or area quarantined for vesicular stomatitis shall:

004.12A Obtain a permit prior to import into Nebraska, with the permit number recorded on the CVI;

004.12B Require the issuing veterinarian to record the following statement on the CVI: "The animals represented on this CVI have not originated from a premises or area under quarantine for vesicular stomatitis or a premises on which vesicular stomatitis has been diagnosed in the last thirty (30) days. I have examined the animals and found no signs of vesicular stomatitis"; and

004.12C For exhibition purposes, all animals imported into Nebraska shall be examined for vesicular stomatitis by an accredited veterinarian within forty-eight (48) hours of importation into Nebraska and so stated on the CVI.

005 Importation of Cattle. In addition to those general requirements contained in 23 NAC 2-004, the following requirements shall be met:

005.01 General Requirements.

005.01A All cattle requiring a permit for entry into Nebraska, as set forth in these regulations, shall have the permit number recorded on the CVI; and

005.01B All cattle requiring individual identification for entry into Nebraska, as set forth in these regulations, shall have the individual identification number recorded on the CVI; and

005.01C Calves under two-hundred (200) pounds shall, prior to entry, have individual identification, meet the requirements in (1) subsection 005.02, and (2) any individual disease identification or testing requirements pertaining to such calves as set forth in these regulations; and

005.01C(1) Originate from the farm or ranch where they were born and move directly to an approved livestock facility in Nebraska; or

005.01C(2) They may be imported by Nebraska residents, or their agents, provided that a permit for entry is first obtained and the calves move directly to the destination named on the permit to be held for a minimum of sixty (60) days.

005.02 Tuberculosis (TB).

005.02A Cattle entering Nebraska shall meet the general requirements set forth in 23 NAC 2-004 and 2-005.01 and this subsection;

005.02B Cattle being moved direct to slaughter at a federally recognized slaughter establishment may be imported without further restriction of this subsection;

005.02C Accredited Free State or Zone. Cattle which originate from a herd not under quarantine for TB in an accredited free state or zone may be imported into the state under the following conditions:

005.02C(1) Beef cattle and all neutered cattle of any age may be imported without further restriction of this subsection.

005.02C(2) Male and female dairy and dairy cross cattle shall have:

005.02C(2)(a) Individual identification;

005.02C(2)(b) A permit prior to entry into Nebraska; and

005.02C(2)(c) One of the following:

005.02C(2)(c)(i) If less than two (2) months of age:

005.02C2c(1)(a) Originate from an accredited herd; or

005.02C2c(1)(b) Be quarantined to their Nebraska destination, and test negative to an official tuberculin test within sixty (60) days after reaching two (2) months of age; or

005.02C2c(1)(c) Be quarantined to their Nebraska destination and neutered within sixty (60) days after reaching two (2) months of age; or

005.02C(2)(c)(ii) If two (2) months of age or older:

005.02C2c(2)(a) Originate from an accredited herd, with the accredited herd number recorded on the CVI; or

005.02C2c(2)(b) Be tested and found negative to an official tuberculin test after reaching two (2) months of age and within sixty (60) days prior to entry into Nebraska.

005.02D Modified Accredited Advanced State or Zone. Cattle which originate from a herd not under quarantine for TB in a modified accredited advanced state or zone may be imported into the state under the following conditions:

005.02D(1) Beef cattle and bison less than two (2) months of age and neutered cattle of any age shall have:

005.02D(1)(a) A permit prior to entry into Nebraska; and

005.02D(1)(b) Individual identification.

005.02D(2) Male and female beef cattle and bison two (2) months of age and older, shall have:

005.02D(2)(a) A permit prior to entry into Nebraska; and

005.02D(2)(b) Individual identification; and

005.02D(2)(c) One of the following:

005.02D(2)(c)(i) Originate from an accredited herd, with the accredited herd number recorded on the CVI; or

005.02D(2)(c)(ii) Originate from a herd that has had a negative whole herd test within three hundred sixty-five (365) days prior to entry and the individual animals to be imported shall have been part of the whole herd test; or

005.02D(2)(c)(iii) Be individually tested and found negative to an official tuberculin test within sixty (60) days prior to entry.

005.02D(3) Male and female dairy and dairy cross cattle less than two (2) months of age shall have:

005.02D(3)(a) A permit prior to entry into Nebraska;

005.02D(3)(b) Individual identification; and

005.02D(3)(c) One of the following:

005.02D(3)(c)(i) Originate from an accredited herd with the accredited herd number recorded on the CVI; or

005.02D(3)(c)(ii) Originate from a herd that has had a negative whole herd test within three hundred sixty-five (365) days, and be quarantined to their Nebraska destination until tested and found negative to an official tuberculin test within sixty (60) days after reaching two (2) months of age; or

005.02D(3)(c)(iii) Be quarantined to their Nebraska destination and be neutered within one hundred twenty (120) days after reaching two (2) months of age.

005.02D(4) Male and female dairy and dairy cross cattle, two (2) months of age and older, except as set forth in subpart 005.02D(5) below, shall have:

005.02D(4)(a) A permit prior to entry into Nebraska;

005.02D(4)(b) Individual identification; and

005.02D(4)(c) One of the following:

005.02D(4)(c)(i) Originate from an accredited herd with the accredited herd number recorded on the CVI; or

005.02D(4)(c)(ii) Be individually tested and found negative to an official tuberculin test within sixty (60) days prior to entry, except that no cattle shall be tested prior to two (2) months of age.

005.02D(5) Male and female dairy and dairy cross cattle, two (2) months of age and older, from an assembled group shall have:

005.02D(5)(a) A permit prior to entry into Nebraska;

005.02D(5)(b) Individual identification; and

005.02D(5)(c) Two (2) negative official tuberculin tests as follows:

005.02D(5)(c)(i) The first negative tuberculin test shall not be conducted less than sixty (60) days nor more than one hundred twenty (120) days prior to entry into Nebraska; and

005.02D(5)(c)(ii) The second negative tuberculin test shall not be conducted less than sixty (60) days after the first test, nor more than sixty (60) days prior to entry into Nebraska.

005.02E Modified Accredited State or Zone. Cattle which originate from a herd not under quarantine for TB in a modified accredited state or zone may be imported under the following conditions:

005.02E(1) The cattle originate from an accredited herd and shall have:

005.02E(1)(a) A permit prior to entry into Nebraska;

005.02E(1)(b) The accredited herd number recorded on the CVI;

005.02E(1)(c) Individual identification; and

005.02E(1)(d) One of the following:

005.02E(1)(d)(i) If less than two (2) months of age:

005.02E1d(1)(a) Be quarantined to their Nebraska destination and tested and found negative to an official tuberculin test within sixty (60) days after import into Nebraska, and after reaching two (2) months of age; or

005.02E(1)(d)(ii) If two (2) months of age and older:

005.02E1d(2)(a) Be tested and found negative to an official tuberculin test within sixty (60) days prior to entry, except that no cattle shall receive an official tuberculin test prior to two (2) months of age.

005.02E(2) The cattle originate from a herd which has been tested and found negative to an official whole herd test within three hundred sixty-five (365) days prior to entry, and shall have:

005.02E(2)(a) A permit prior to entry into Nebraska;

005.02E(2)(b) Individual identification; and

005.02E(2)(c) One of the following:

005.02E(2)(c)(i) If less than two (2) months of age:

005.02E2c(1)(a) Be quarantined to their Nebraska destination and tested and found negative to an official tuberculin test after reaching two (2) months of age, and

005.02E2c(1)(b) Remain quarantined until a second test is completed within sixty to one hundred twenty (60 to 120) days after the first test; or

005.02E(2)(c)(ii) If two (2) months of age and older:

005.02E2c(2)(a) Be tested and found negative to an official tuberculin test within sixty (60) days prior to entry, except that no cattle shall be tested prior to two (2) months of age, and

005.02E2c(2)(b) Be quarantined to their Nebraska destination until tested and found negative to a second official tuberculin test within sixty to one hundred twenty (60 to 120) days after import.

005.02F Accreditation Preparatory State or Zone. Cattle originating from an accreditation preparatory state or zone shall only be imported if they originate from an accredited herd, and shall have:

005.02F(1) A permit prior to entry into Nebraska;

005.02F(2) The accredited herd number recorded on the CVI;

005.02F(3) Individual identification; and

005.02F(4) Tested negative to two (2) official tuberculin tests prior to entry. The first test shall have been conducted sixty to one hundred twenty(60 to 120) days prior to entry and the second test zero to sixty (0 to 60) days prior to entry. The test dates and results of such tests shall be recorded on the CVI.

005.02G Cattle consigned for sale to a Nebraska livestock auction market, which have not met TB testing requirements pursuant to 23 NAC 2-005 prior to entry, shall only be sold direct to slaughter.

005.02H Nonaccredited State or Zone. Cattle which originate from a herd in a nonaccredited state or zone are prohibited from being imported into the state of Nebraska, except when being moved directly to a federally recognized slaughter establishment.

005.03 Brucellosis.

005.03A The following cattle shall be allowed to enter the state with no further restrictions regarding brucellosis:

005.03A(1) Neutered cattle and bison; and

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005.03A(2) Cattle less than test-eligible age originating from a certified brucellosis-free herd, a Class Free state, a Class A state, or from a country recognized by APHIS as free of brucellosis.

005.03B Test-eligible cattle originating directly from a certified brucellosis-free herd, a Class Free state, or a country recognized by APHIS as free of brucellosis shall meet the following requirement:

005.03B(1) Such cattle imported for breeding purposes shall have individual identification.

005.03C Test-eligible cattle originating from a Class A state shall meet the following requirements:

005.03C(1) Such cattle shall have individual identification; and

005.03C(2) Be tested and found negative to an official brucellosis test within thirty (30) days prior to entry into Nebraska.

005.04 Trichomoniasis. Beef and dairy breeding cattle, except bison, imported for breeding purposes shall enter Nebraska with individual identification; and:

005.04A Males:

005.04A(1) All males over twenty-four (24) months of age and all non-virgin males less than twenty-four (24) months of age shall have:

005.04A(1)(a) Tested negative for trichomoniasis by a test or tests, approved by the Department, within thirty (30) days prior to importation;

005.04A(1)(b) Samples submitted for testing which shall be collected by an accredited veterinarian trained to collect such samples, and conducted by a laboratory accredited by the American Association of Veterinary Laboratory Diagnosticians (AAVLD);

005.04A(1)(c) Not been used for breeding purposes for at least two (2) weeks prior to commencing trichomoniasis testing, nor shall there be any breeding activity from the time of the first test until after the males are imported into Nebraska; and

005.04A(2) A CVI signed by an accredited veterinarian shall state: "The breeding males represented on this CVI are not from a known positive *T. foetus* herd and have tested negative for trichomoniasis by a test or tests, approved by the Department, within thirty (30) days prior to importation"; and

005.04A(3) All males offered for sale at a Nebraska livestock auction market, imported for breeding purposes, shall meet the requirements of subparts 005.04A(1) through 005.04A(2) of this subsection prior to being offered for sale.

005.04B Exceptions to Trichomoniasis Testing Requirements For Males. The following males shall be exempt from the trichomoniasis testing requirements:

005.04B(1) Virgin males twenty-four (24) months of age or less. Such males shall be accompanied by a CVI containing a signed statement by an accredited veterinarian stating that the males have had no contact with breeding females.

005.04B(2) Males imported into Nebraska for slaughter purposes only, or those consigned directly to a licensed slaughter establishment, or to a licensed Nebraska livestock auction market and then directly to a licensed slaughter establishment.

005.04B(3) Males imported into Nebraska for a purpose other than breeding, such as males imported for exhibitions, rodeos, bull test stations, or to feedlots for feeding purposes and then direct to slaughter.

005.04B(4) Nebraska origin breeding males exported for seasonal grazing purposes may return to Nebraska without testing if accompanied by a CVI containing the following statement: "These breeding males have not commingled with any other herd." The CVI shall be issued within thirty (30) days prior to import into Nebraska.

005.04C Females.

005.04C(1) Female cattle originating from a known positive *T. foetus* herd shall not enter Nebraska unless they are consigned direct to slaughter.

005.04C(2) Except as set forth in subpart 005.04C(1), all females imported into Nebraska for breeding purposes, which are not consigned to an approved Nebraska livestock auction market, shall have one or more of the following statements recorded on the CVI and signed by an accredited veterinarian of the herd of origin:

005.04C(2)(a) “The females listed on this CVI are known virgins”;
or

005.04C(2)(b) “Females listed on this CVI were exposed for their first breeding only to a known negative *T. foetus* male, or were artificially inseminated, and are not yet one hundred twenty (120) days pregnant”; or

005.04C(2)(c) “Females listed on this CVI are at least one hundred twenty (120) days pregnant”; or

005.04C(2)(d) “The females listed on this CVI did not originate from a known positive *T. foetus* herd, have a calf at side, and have not had any exposure to known positive *T. foetus* males or males of unknown *T. foetus* status since calving”; or

005.04C(2)(e) “The females listed on this CVI have had no exposure to other than known negative *T. foetus* males since parturition”.

005.04C(3) Females, imported for breeding purposes and offered for sale at a Nebraska livestock auction market, shall be accompanied to their destination with an affidavit, attached as Appendix J, and is adopted and incorporated herein by reference, stating one of the conditions listed in divisions 005.04C(2)(a) through 005.04C(2)(e) above. The affidavit shall be signed by the owner or custodian of the cattle, the livestock auction market veterinarian, or both, prior to being offered for sale.

005.04D Exception to the Trichomoniasis statement requirements for females:

005.04D(1) Females moving direct to slaughter, or to a feedlot for feeding purposes and then to slaughter, are not subject to this subsection.

005.05 Rodeo Cattle. All rodeo cattle imported into Nebraska shall have:

005.05A A permit prior to entry into Nebraska;

005.05B Individual identification;

005.05C Met all other requirements governing cattle importation set forth in these regulations or by order or embargo issued by the Department; and

005.05C(1) Brucellosis Testing Requirements;

005.05C(1)(a) Test-eligible rodeo males from a herd not known to be affected with brucellosis may move into Nebraska provided they have met the applicable requirements of subsection 005.03; and

005.05C(1)(b) The CVI accompanies the movement of the males into Nebraska; and

005.05C(1)(c) The males are tested and found negative to an official brucellosis test conducted less than three hundred and sixty-five (365) days prior to entry; Provided, however, that the official brucellosis test is not required for a male that is moved only between class free states; and

005.05C(1)(d) No change of ownership since the date of the last official brucellosis test.

005.05C(2) TB Testing Requirements. All rodeo cattle two (2) months of age and older shall be tested and found negative to an official tuberculin test within six (6) months prior to import into Nebraska. The date of the official tuberculin test shall be recorded on the CVI.

005.06 Commuter and Grazing Permits. The Department may enter into written agreements with adjacent states setting forth conditions under which commuter and grazing permits may be issued. Movement of cattle for such purposes shall be in compliance with federal regulations not inconsistent with the requirements set forth herein.

005.07 Cattle of Mexico origin shall meet the requirements in 23 NAC 2-011.

005.08 Cattle of Canada origin shall meet the requirements in 23 NAC 2-012.

006 Importation of Swine. In addition to those general requirements contained in 23 NAC 2-004, the following requirements shall be met:

006.01 General Requirements.

006.01A Wild pigs are prohibited from entering Nebraska pursuant to the Nebraska Administrative Code, Title 163, Chapter 4.

006.01B All swine changing ownership and moving to a destination in Nebraska shall move directly or through no more than one (1) concentration point, and shall be confined to the premises of destination for not less than thirty (30) days, unless moving direct to slaughter, or permission has been granted for other movement by the Department.

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006.01C All swine imported for feeding or breeding shall have individual identification with the identification number recorded on the CVI.

006.02 Feeder Swine. Feeder swine imported into Nebraska shall originate from a herd which is located in a state or area of a state which is classified as Stage IV or V, or a country recognized by APHIS as being free of pseudorabies.

006.03 Breeding swine imported into Nebraska shall meet the following requirements:

006.03A Brucellosis requirements. Breeding swine over four (4) months of age shall originate directly from a state or areas of a state classified as a validated brucellosis free state or from a country recognized by APHIS as being free of brucellosis as set forth in 9 C.F.R. §§78.40 to 78.43, which is attached as Appendix D, and in accordance with the Swine Brucellosis Control/Eradication, State-Federal-Industry Uniform Methods and Rules, Issued April 1998 which is attached as Appendix K, and is adopted and incorporated herein by reference.

006.03B Pseudorabies requirements. Breeding swine shall originate directly from a state or area of a state classified as Stage IV or V, or a country recognized by APHIS as being free of pseudorabies.

006.04 Swine from pseudorabies quarantined herds moving to Nebraska slaughter establishments shall move on a VS Form 1-27, and shall move direct to slaughter in conveyances sealed by state or federal regulatory personnel or an accredited veterinarian. Such conveyance shall be cleaned and disinfected after unloading, but prior to transporting other animals.

006.05 Commuter Agreements. The Department may enter into written agreements with adjacent states setting forth conditions under which swine may move interstate within a swine production system in accordance with 9 C.F.R. §71.19(h).

007 Importation of Sheep and Goats. In addition to those general requirements contained in 23 NAC 2-004, the following requirements shall be met:

007.01 Sheep.

007.01A Sheep imported for breeding purposes, except scrapie exposed sheep, shall obtain a permit for entry. Scrapie exposed sheep imported for breeding purposes shall include the results of an official genotype test on, or attached to, the permit, and shall be QR or RR at codon 171;

007.01B Sheep imported into Nebraska shall have official identification, as such identification is defined in 9 C.F.R. §§ 79.1 and 79.2(a)(2), and attached as Appendix D, as required pursuant to the Scrapie Eradication Program. The official identification number shall be recorded on the CVI;

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007.01C Scrapie-positive sheep, scrapie suspect sheep, and sheep from any noncompliant flock, as such terms are defined in 9 C.F.R. §§ 79.1 and 79.2, are prohibited from being imported into Nebraska;

007.01D Female sheep at high-risk for scrapie and non-high-risk sheep from an infected or source flock require a permit for entry and are only allowed to be imported into Nebraska if they are being sold direct to slaughter, through slaughter channels to slaughter, or to feedlots for later movement to slaughter; and

007.01E Pregnant sheep and sheep with a visible vaginal discharge that are scrapie exposed, or considered high-risk, require a permit for entry and may only be imported direct to slaughter.

007.02 Goats.

007.02A All goats imported into Nebraska for breeding purposes shall obtain a permit for entry;

007.02B All goats imported into Nebraska shall have official identification, as such identification is defined in 9 C.F.R. §§ 79.1 and 79.2(a)(2), as required pursuant to the Scrapie Eradication Program. The official identification number shall be recorded on the CVI;

007.02C Scrapie-positive goats, scrapie suspect goats, and goats from any noncompliant flock, as such terms are defined in 9 C.F.R. §§ 79.1 and 79.2, are prohibited from being imported into Nebraska;

007.02D Goats at high-risk for scrapie and non-high-risk goats from an infected or source flock require a permit for entry and are only allowed to be imported into Nebraska if they are being sold direct to slaughter, through slaughter channels to slaughter, or to feedlots for later movement to slaughter; and

007.02E All dairy goats less than two (2) months of age shall be quarantined to their Nebraska destination and tested negative to an official tuberculin test within sixty (60) days after reaching two (2) months of age. Such goats shall remain at their Nebraska destination and not be removed from this premises without the approval of the Department; or

007.02F All dairy goats two (2) months of age and older shall be tested and found negative to an official tuberculin test after reaching two (2) months of age and within sixty (60) days prior to entry into Nebraska.

008 Importation of Equidae. In addition to those general requirements contained in 23 NAC 2-004, the following requirements shall be met:

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008.01 Equidae shall be accompanied by a CVI which certifies that such equidae have been tested and found negative for Equine Infectious Anemia (EIA) within one (1) year of shipment into the State of Nebraska, except that foals under six (6) months of age accompanying their dam shall be exempt from this requirement. The name of the laboratory performing the EIA test and date of such test shall be stated on the CVI.

008.02 Horses going directly to a federally recognized slaughter establishment or through an approved livestock facility to a federally recognized slaughter establishment shall be exempt from the Equine Infectious Anemia (EIA) testing requirement.

009 Importation of Dogs and Cats. In addition to those general requirements contained in 23 NAC 2-004, the following requirements shall be met:

009.01 All dogs and cats entering the state shall be accompanied by a CVI which certifies such dog or cat is currently immunized against rabies; or

009.02 Dogs and cats, over three (3) months of age, not vaccinated for rabies at the time of import into the state shall be vaccinated against rabies within thirty (30) days after arrival, in accordance with Neb. Rev. Stat. §§71-4401 to 71-4412 and the rules and regulations adopted and promulgated thereunder by the Nebraska Department of Health and Human Services. All inquiries concerning rabies vaccination should be made to the Department of Health and Human Services which is located in the State Office Building, Third Floor, 301 Centennial Mall South, Lincoln, Nebraska 68509. The telephone number is (402) 471-2133.

010 Importation of Poultry and Ratite Birds. In addition to those general requirements contained in 23 NAC 2-004, the importation requirements for poultry and ratite birds to control and eradicate hatchery-disseminated diseases shall be as prescribed by the Nebraska Poultry Disease Control Act, Neb. Rev. Stat. §§2-3001 to 2-3008, and 23 NAC 9, adopted thereunder, and the following:

010.01 Poultry and ratite birds under eight (8) weeks of age shall:

010.01A Be accompanied by a VS Form 9-3;

010.01B Obtain a pre-assigned out of state poultry permit, Permit to Ship Poultry and/or Hatching Eggs into Nebraska, a copy of which is attached as Appendix L, and is adopted and incorporated herein by reference; and

010.01C Originate from an National Poultry Improvement Plan (NPIP) participating flock or hatchery, or flock with equivalent status, pursuant to 9 C.F.R. parts 145 to 147.

010.02 Poultry and ratite birds over eight (8) weeks of age shall:

010.02A Be accompanied by a CVI;

010.02B Obtain a permit for entry; and

010.02C Originate from an NPIP participating flock or be individually tested and found to be negative for pullorum and typhoid within ninety (90) days prior to importation.

011 Importation of Mexico Origin Cattle. In addition to those general requirements contained in 23 NAC 2-004 and 23 NAC 2-005.04, cattle which have lived any part of their lives in Mexico may enter the state provided they are accompanied by a CVI and the following requirements are met:

011.01 All such cattle have entered the United States by meeting the pertinent requirements of 9 C.F.R. §§93.424 through 93.427, and 93.429 a copy of which is attached as Appendix D, and is adopted and incorporated herein by reference; and

011.02 A permit for entry shall be obtained for such cattle except for cattle moving direct to slaughter; and

011.03 All such cattle are individually identified by a USDA official identification device or method as defined in 9 C.F.R. §93.400, a copy of which is attached as Appendix D, and is adopted and incorporated herein by reference or an official eartag issued by the Ministry of Agriculture, Livestock, Rural Development, Fisheries and Food (SAGARPA). The official identification shall be recorded on the CVI.

011.04 Brucellosis requirements (except neutered cattle).

011.04A All female cattle over four (4) months of age, shall be officially calfhood vaccinated; and

011.04A(1) All cattle which are test-eligible age shall be tested and found to be negative to an official brucellosis test conducted within thirty (30) days prior to entry into Nebraska and remain at the Nebraska destination under quarantine until they are subjected to an official brucellosis test conducted at least sixty (60) but not more than one hundred twenty (120) days after entry into Nebraska.

011.04A(2) All cattle which are less than test-eligible age, may enter Nebraska provided such cattle remain at the destination in Nebraska under quarantine until they are moved to slaughter, or become test-eligible age and are subjected to an official brucellosis test conducted within one hundred twenty (120) days after reaching test-eligible age.

011.05 Tuberculosis (TB) requirements.

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011.05A All cattle shall be subjected to an official tuberculin test and found to be negative within sixty (60) days prior to entry into Nebraska. Such cattle shall remain at the Nebraska destination under quarantine until they have been subjected to an official tuberculin test conducted at least sixty (60) days after the date of the importation tuberculin test, but not more than one hundred twenty (120) days after entry into Nebraska; except

011.05B Neutered cattle may move to a feedlot in Nebraska where adequate separation is maintained to prevent contact with animals being fed for purposes other than slaughter. Such cattle will be placed under a quarantine until moved to slaughter. The person responsible for the cattle shall notify the Department when and where the cattle are slaughtered; except:

011.05B(1) Neutered cattle which have been tested and found negative to an official tuberculin test conducted at least sixty (60) days after import into the United States, may move into Nebraska for grazing or feeding with no further restrictions regarding TB .

011.06 In lieu of a retest for brucellosis and TB as required above, the owner may sign a statement that the cattle will be slaughtered within one hundred eighty (180) days of entry into the state. The owner shall notify the Department when and where the cattle are slaughtered to release the quarantine.

012 Importation of Canada Origin Cattle. In addition to those general requirements contained in 23 NAC 2-004 and 23 NAC 2-005 herein, cattle which have lived any part of their lives in Canada may enter the state provided they are accompanied by a CVI and the following requirements are met:

012.01 All such cattle have entered the United States by meeting the pertinent requirements of 9 C.F.R. §§93.417 through 93.418, and 93.420;

012.02 Were born on or after March 1, 1999; and

012.03 Are individually identified with either an official Canadian Food Inspection Agency (CFIA) RFID tag or an official identification device or method as defined in 9 C.F.R. §93.400, a copy of which is attached as Appendix D, and is adopted and incorporated herein by reference, and the identification number shall be recorded on the CVI; and

012.04 Are imported for the purpose of immediate slaughter; or

012.05 If not imported for the purpose of immediate slaughter, shall meet the following requirements:

012.05A A permit shall be obtained prior to entry, with the permit number recorded on the CVI; and

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012.05B Purebred registered bovine animals may be imported with ear tattoos, provided the following requirements are met:

012.05B(1) All tattoos shall be legible; and

012.05B(2) All tattoos shall be official breed registration tattoos; and

012.05B(3) All animals identified with a breed registration tattoo shall also be identified with a "CAN" tattoo applied to the inside of the left ear; or

012.05C Non-registered cattle shall be properly hot iron or freeze branded with a "CAN" brand, high on the right hip prior to entry. Hairbrands are not acceptable.

013 Importation of Cervidae. In addition to those general requirements contained in 23 NAC 2-004 herein, the following requirements shall be met:

013.01 Cervidae (with the exception of white-tail deer, mule deer, and red deer, or any of their hybrids) may enter the state when they are accompanied by a CVI; and

013.01A A permit for entry is issued by the Department to a premises with a valid Domesticated Cervine Animal Permit issued by the Department; and

013.01B The cervidae shall be individually identified by both permanent individual identification and visible individual identification and all identification numbers shall be recorded on the CVI; and

013.01C Cervidae less than six (6) months of age that accompany their dam will be subject to the same retest requirements as their dam, but will not require any brucellosis or TB testing prior to importation into Nebraska; and

013.01D Cervidae less than six (6) months of age that do not accompany their dam will be subject to an official cervidae test for brucellosis and TB in not less than one hundred twenty (120) days, but not more than three hundred sixty-five (365) days after importation into Nebraska; and

013.01E Cervidae imported into Nebraska shall have moved through no more than one concentration point within the previous ninety (90) days.

013.02 Chronic Wasting Disease (CWD) Requirements.

013.02A No elk shall be allowed to be imported into Nebraska from any province in Canada that has had a confirmed CWD-positive animal, or from an area that has been determined to be a CWD-endemic area in the United States, or from a cervid herd that is quarantined for any purpose, or has been determined to be exposed to CWD within the past sixty (60) months.

013.02B Cervids to be imported into the state shall originate from a herd which has participated for, at least, sixty (60) months in a Chronic Wasting Disease (CWD) Monitoring Program which is determined by the Department to be equivalent to the Program Guidelines for Nebraska Chronic Wasting Disease Cervid Monitoring Program and Cervid Risk Assessment forms, (IMP15, IMP16, IMP17, and State of Origin of Non-Indigenous Cervids), a copy of which is attached as Appendix M, and is adopted and incorporated herein by reference.

013.02B(1) Cervids that are going to a cervid hunt pasture shall originate from a herd that has participated in a CWD Monitoring Program for at least thirty-six (36) months. Cervids imported into Nebraska with a thirty-six (36) month CWD status shall be harvested within the following twelve (12) months.

013.02C No cervid animals of a species indigenous to Nebraska shall be allowed to be imported into the state without the Nebraska Cervid Risk Assessment Forms, provided by the Department, accompanying the CVI. The forms shall include a statement signed by the owner or seller stating that the herd of origin has had no diagnoses of CWD for the past sixty (60) months, or thirty-six (36) months for cervids moving to a cervid hunt pasture, the herd has been enrolled in a CWD-Monitoring Program for at least sixty (60) months, or thirty-six (36) months for cervids moving to a cervid hunt pasture, and the purpose for movement. The individual receiving cervids from a facility with a thirty-six (36) month status shall sign an agreement to harvest the animals in 12 months. The owner shall also include a herd addition form, a death loss report, an inventory of imported animals, and a list of all previous and current veterinarians, all of which are included in the Nebraska Cervid Risk Assessment Forms.

013.02D Non-indigenous cervid animals shall not be imported into Nebraska without a form, provided by the Department, accompanying the CVI containing a statement signed by the owner or seller certifying the animals have not spent any time within the past thirty-six (36) months in a zoo, animal menagerie, or like animals facility, and have not resided on the same premises as a cervid herd which have been classified as a CWD-infected herd, CWD-exposed herd, or a CWD-trace herd, and have not resided in any area determined to be an CWD-endemic area. The owner shall also include a herd addition form and an inventory of imported animals.

013.02E Cervids being granted entry into the state are required to be held separate and apart from other cervids until inspected by a Department veterinarian or livestock inspector.

013.03 Brucellosis requirements for cervidae other than parts 013.01C and 013.01D above.

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013.03A Cervidae six (6) months of age and older shall be tested and found to be negative by an official brucellosis test for cervidae conducted within ninety (90) days prior to entry, or originate directly from a certified brucellosis free herd.

013.04 TB requirements for cervidae other than parts 013.01C and 013.01D above.

013.04A Cervidae of any age imported into Nebraska directly from a TB accredited herd do not require TB testing prior to or after arrival in Nebraska; or

013.04B Cervidae over six (6) months of age imported into Nebraska directly from a TB qualified or monitored herd shall be tested and found to be negative by an official tuberculin test for cervidae within ninety (90) days prior to entry into the state; or

013.04C Cervidae over six (6) months of age imported into Nebraska directly from a herd which is not TB monitored, qualified, or accredited shall be segregated from other animals and subjected to two (2) official tuberculin tests for cervidae and found to be negative. Such tests shall be at least ninety (90) days, but not more than three hundred sixty-five (365) days apart with the last test being within ninety (90) days prior to entry into the state.

014 Importation of Exotic Animals. In addition to those general requirements contained in 23 NAC 2-004, the following requirements shall be met:

014.01 A permit for entry shall be obtained from the Department prior to each shipment; and

014.02 The following species shall meet the additional requirements:

014.02A Camelids, including but not limited to camels, llamas and alpacas, over six (6) months of age shall be tested and found to be negative for brucellosis and TB within sixty (60) days prior to entry into the state.

014.02B Bovids, except cattle and bison, over six (6) months of age shall be tested and found to be negative for brucellosis and TB within sixty (60) days prior to entry into the state.

014.02C Equids shall comply with 23 NAC 2-008 prior to entry into the state.

014.02D Psittacine birds shall be found to be free of signs of psittacosis for sixty (60) days prior to entry into the state.

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014.03 These regulations do not preclude these animals from meeting any requirements of the United States Fish and Wildlife Service and the Nebraska Game and Parks Commission. Game and Parks Commission regulations provide that it shall be unlawful to import into the state Asian raccoon dogs, white-tail deer, mule deer, and red deer or any of its hybrids, and wild pigs, and any other wildlife species identified as unlawful in the state by the Game and Parks Commission. (See Title 163, Chapter 4, Nebraska Game and Parks Commission - Wildlife Regulations, Keeping Wildlife in Captivity, 008.07 Restricted Species.)

015 Publications Adopted. See Appendix A through M.

016 Annotation. Neb. Rev. Stat. §§54-784.01 to 54-796, 54-701 to 54-705, 54-706.01 to 54-706.17, 54-726.04, 54-751 to 54-753, 54-753.05, 54-7,107, 54-1348 to 54-1366, 54-1367 to 54-1384, 54-1501 to 54-1521, 54-2235 to 54-22,100, 54-2302 to 54-2324, 54-2701 to 54-2761, 2-3001 to 2-3008, and 81-202 to 81-202.02.

APPENDIX

- A. Bovine Tuberculosis Eradication, Uniform Methods and Rules, Effective January 1, 2005
- B. Certificate of Veterinary Inspection example
- C. Brucellosis Eradication: Uniform Methods and Rules, Effective October 1, 2003
- D. Title 9, Code of Federal Regulations §§ 54, 55, 71, 75, 77, 78, 79, 85, 93.400, 93.417, 93.418, 93.420, 93.424 to 93.427, 93.429, 145, 146, 147, 160, 161 and 162 (2012)
- E. Import Permit
- F. Pseudorabies Eradication, State-Federal-Industry Program Standards, Effective November 1, 2003
- G. Scrapie Eradication, Uniform Methods and Rules, June 1, 2005
- H. VS Form 1-27, Permit for Movement of Restricted Animals
- I. VS Form 9-3, Report of Sales of Hatching Eggs, Chicks, and Poults
- J. Affidavit
- K. Swine Brucellosis Control/Eradication, State-Federal-Industry Uniform Methods and Rules, Issued April 1998
- L. Permit to Ship Poultry and/or Hatching Eggs into Nebraska
- M. Program Guidelines for Nebraska Chronic Wasting Disease Cervid Monitoring Program and Cervid Risk Assessment forms (IMP15, IMP16, IMP17, and State of Origin of Non-Indigenous Cervids)