

FIRST REGULAR SESSION

# SENATE BILL NO. 526

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CLEMENS.

Read 1st time February 26, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

2245S.011

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Section A. Sections 267.565 and 267.600, RSMo, are repealed and two new  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

267.565. Unless the context requires otherwise, as used in sections  
2 267.560 to 267.660, the following terms mean:

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

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

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

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

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

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

19 (6) "Certified free herd", a herd of cattle, swine, goats or a flock of sheep  
20 or birds which has met the requirements and the conditions set forth in sections  
21 267.560 to 267.660 and as required by the department and as recommended by  
22 the United States Department of Agriculture, and for such status for a specific  
23 disease and for a herd of cattle, swine, goats or flock of sheep or birds in another  
24 state which has met those minimum requirements and conditions under the  
25 supervision of the livestock sanitary authority of the state in which said animals  
26 or birds are domiciled, and as recommended by the United States Department of  
27 Agriculture for such status for a specific disease;

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

34 (8) "Department" or "department of agriculture", the department of  
35 agriculture of the state of Missouri, and when by this law the said department of  
36 agriculture is charged to perform a duty, it shall be understood to authorize the  
37 performance of such duty by the director of agriculture of the state of Missouri,  
38 or by the state veterinarian of the state of Missouri or his duly authorized  
39 deputies acting under the supervision of the director of agriculture;

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

45 [(8)] (10) "Infected animal" or "infected bird", an animal or bird which  
46 shows a positive reaction to any recognized serological test or growth on culture  
47 or any other recognized test for the detection of any disease of livestock or poultry  
48 as approved by the department or when clinical symptoms and history justifies  
49 designating such animal or bird as being infected with a contagious or infectious  
50 disease;

51 [(9)] (11) "Isolated" or "isolation", a condition in which animals or birds  
52 are quarantined to a certain designated premises and quarantined separately and  
53 apart from any other animals or birds on adjacent premises;

54 [(10)] (12) "Licensed market", a market as defined and licensed under

55 chapter 277, RSMo;

56 [(11)] (13) "Livestock", horses, cattle, swine, sheep, goats, ratite birds  
57 including but not limited to ostrich and emu, aquatic products as defined in  
58 section 277.024, RSMo, llamas, alpaca, buffalo, elk documented as obtained from  
59 a legal source and not from the wild and raised in confinement for human  
60 consumption or animal husbandry, poultry and other domesticated animals or  
61 birds;

62 [(12)] (14) "Official health certificate" is a legal record covering the  
63 requirements of the state of Missouri executed on an official form of the standard  
64 size from the state of origin and approved by the proper livestock sanitary official  
65 of the state of origin or an equivalent form provided by the United States  
66 Department of Agriculture and issued by an approved, accredited, licensed,  
67 graduate veterinarian;

68 [(13)] (15) "Public stockyards", any public stockyards located within the  
69 state of Missouri and subject to regulations of the United States Department of  
70 Agriculture or the Missouri department of agriculture;

71 [(14)] (16) "Quarantine", a condition in which an animal or bird of any  
72 species is restricted in movement to a particular premises under such terms and  
73 conditions as may be designated by order of the state veterinarian or his duly  
74 authorized deputies;

75 [(15)] (17) "Traders" or "dealers", any person, firm or corporation  
76 engaged in the business of buying, selling or exchange of livestock on any basis  
77 other than on a commission basis at any sale pen, concentration point, farm,  
78 truck or other conveyance including persons, firms or corporations employed as  
79 an agent of the vendor or purchaser excluding public stockyards under federal  
80 supervision or markets licensed under sections 267.560 to 267.660 and under the  
81 supervision of the department, breed association sales or any private farm sale.

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

10 representative. The method of eradicating the disease **or condition** shall be at  
11 the discretion of the state veterinarian and in accordance with such procedures  
12 as may be outlined by the state veterinarian or his representative.

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

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

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Bill

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