

CHAPTER 1720

BOARD OF ANIMAL HEALTH

MISCELLANEOUS

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TRANSPORTATION AND RENDERING OF CARCASSES OF ANIMALS, POULTRY, FISH, AND OTHER RENDERABLE PRODUCTS

1720.0010 DEFINITIONS.

Subpart 1. **Scope.** The following words and terms where used in these rules shall be defined as follows.

Subp. 2. **Board.** "Board" shall mean the Minnesota Board of Animal Health.

Subp. 3. **Carcass.** "Carcass" shall mean the body or any part thereof of any domestic animal or fowl that has died or has been killed otherwise than by being slaughtered for human or animal consumption. The term "domestic animal" does not include any species of domestic animal which in common practice is maintained in the home of the owner whether or not the particular domestic animal was so housed at any time prior to its death.

Subp. 4. **Collecting station.** "Collecting station" shall mean an establishment maintained and operated by a rendering plant to which a permit for the transportation of carcasses has been issued, where carcasses may be unloaded from trucks operating under permit, for temporary keeping. Such carcasses shall be reloaded only in trucks operated by the same plant which maintains and operates the collecting station.

Subp. 5. **Mink ranch.** "Mink ranch" shall mean a premises equipped and operated for the purpose of raising mink on which no other domestic animals are raised in conjunction with or proximal to the mink operation unless kept completely apart and separate from the mink so no intermingling of other domestic animals with mink nor access by other domestic animals to mink food can exist.

Subp. 6. **Mink rancher.** "Mink rancher" shall mean an owner or operator of a mink ranch.

Subp. 7. **Rendering.** "Rendering" shall mean the processing of carcasses, fish, poultry, and parts thereof, including scraps and grease, by cooking under steam pressure. It shall include the skinning and dismembering of carcasses.

Subp. 8. **Rendering plant.** "Rendering plant" shall mean an establishment where rendering is conducted and shall include the rooms or buildings where skinning and dismembering of carcasses is conducted, the tanks in which carcasses are cooked, the rooms or buildings used for storage of hides or tankage or other products from such processing, and the adjacent area utilized in the operation of collecting, hauling, skinning, dismembering, and cooking carcasses, and the packaging, storing, and loading the finished product of the rendering operation, and the area used for the disposal of waste material unsuitable for rendering, and the liquid waste disposal facilities of such plant.

Subp. 9. **Truck.** "Truck" shall mean and include all vehicles or conveyances used for the transportation of carcasses and fish or other renderable parts or by-products thereof.

Statutory Authority: *MS s 35.15*

1720.0020 PERMITS.

A rendering plant permit may be issued by the board to the owner or operator of a rendering plant upon submission of an application for a permit on a form furnished by the board. The application shall include: name of rendering plant and location by city, village or township, and county; description of each truck to be used in the transportation of carcasses, including the license number and truck body number (see part 1720.0110); location of each collecting station, if any, by city, village or township, and county; signature of owner or operator of the rendering plant or his authorized agent.

Statutory Authority: *MS s 35.15*

1720.0030 TRUCK OWNED BY PERSON OTHER THAN OWNER OR OPERATOR OF RENDERING PLANT.

If the application lists a truck owned by some person other than the owner or operator of the rendering plant, said owner or operator of the rendering plant shall be responsible for compliance with all laws and regulations pertaining to the transportation of carcasses by the owner or operator of the truck listed. The application shall indicate the name and address of the owner of the truck, and the application shall be accompanied by a copy of a contract between the owner or operator of the rendering plant and the owner or operator of the truck.

Statutory Authority: *MS s 35.15*

1720.0040 INSPECTION OF PLANT FACILITIES AND TRUCKS.

Before permits are issued, an inspection of the plant, collecting station, and trucks listed on the application shall be made by an agent of the board to determine if the facilities of the plant and the trucks meet the requirements set forth below. A report of said inspection shall be filed with the board.

Statutory Authority: *MS s 35.15*

1720.0050 CARCASS OF ANIMAL WHICH HAS DIED FROM ANTHRAX OR RABIES.

Permits shall not allow the removal, transportation, or rendering of any car-

cass of an animal which has died from anthrax or rabies. When circumstances exist which do not reasonably allow the proper disposal of a carcass of an animal which has died from rabies or is suspected to have died from rabies, such carcasses may be transported by a qualified rendering truck directly to a rendering plant for special handling under the direct supervision of a veterinarian.

Statutory Authority: *MS s 35.15*

1720.0060 ENDANGERING HEALTH OF DOMESTIC ANIMALS OF STATE.

Whenever the board shall determine that the removal, transportation, or rendering of a carcass of an animal or fowl which has died or has been killed on account of some specified disease will endanger the health of the domestic animals of the state, they shall notify all rendering plants holding permits from the board, and thereafter no such plant shall remove, transport, or render the carcass of any animal or fowl which has died from or been killed because affected with or exposed to such disease.

Statutory Authority: *MS s 35.15*

1720.0070 PERMITS TO MINK RANCHERS.

Permits may be issued to mink ranchers to pick up individual carcasses when a veterinarian, after his examination, certifies to the board that to the best of his knowledge and belief the animal was not affected with any infectious, contagious, or communicable disease. Such certification shall be made on forms furnished by the board. Such permits shall contain sufficient information to identify the carcass or carcasses for which the permit is granted and the mink rancher to whom it is issued. The permit shall authorize the permittee to transport the specific carcass or carcasses from the premises where the animal died over public highways directly to the mink ranch operated by the permittee, but not across state lines. The board may refuse to issue such permit if the mink rancher making application therefor has in the past failed to comply with provisions of a special permit or these rules.

Statutory Authority: *MS s 35.15*

1720.0080 TRANSPORTATION OF CARCASSES, FISH, OR OTHER RENDERABLE PARTS OR BY-PRODUCTS THEREOF.

Trucks permitted for the transportation of carcasses, other than carcasses destined for mink food under special permit, shall be equipped with a truck body or tank that is watertight and so constructed that no drippings or seepings from such carcasses can escape. The truck body or tank shall have a permanent cover and be completely enclosed. Cover arrangements other than permanent may be used on trucks or trailers in special circumstances such as hauling carcasses from collecting stations directly to the main plant provided it passes inspection as being completely enclosed and prior approval is received from the board or its agent before it is used. The tailgate shall completely enclose the rear openings of the truck. Trucks used for hauling renderable products other than carcasses shall be adequately constructed to prevent dripping and equipped with a cover to prevent the transported product against undue exposure to the outside.

Statutory Authority: *MS s 35.15*

1720.0090 HAULING CARCASSES FOR MINK FOOD.

Persons hauling carcasses destined for mink food under special permit shall keep such carcasses completely covered while transporting same over any public road.

Statutory Authority: *MS s 35.15*

1720.0100 HAULING CARCASSES FOR MEDICAL OR SCIENTIFIC PURPOSES.

Persons hauling carcasses for medical or scientific purposes shall do so in leakproof containers designed to prevent spillage or the dripping of liquid waste.

Statutory Authority: *MS s 35.15*

1720.0110 TRUCK BODY NUMBER.

Each truck used for the transportation of carcasses shall be assigned a number by the rendering plant. This number shall be known as the "body number." Both the number of the permit issued the rendering plant and the body number of the truck shall be printed in a conspicuous place and manner on the left side of the truck bed or body in figures at least four inches high. No numbers are required on trucks hauling renderable parts, by-products, or fish other than carcasses, nor on trucks used to haul carcasses destined for mink food under special permit.

Statutory Authority: *MS s 35.15*

1720.0120 CLEANING AND DISINFECTION.

Whenever a truck or person in charge thereof or his agent has been upon premises for the purpose of removing a carcass, and before such truck can be taken upon a public highway or upon other premises, the wheels of such truck, and the shoes or boots of persons which have been upon such premises, shall be thoroughly cleaned and disinfected with a disinfectant of a prescribed strength approved by the Board of Animal Health. Such cleaning and disinfection shall also be conducted prior to each time the truck or persons in charge thereof leave the premises of the rendering plant.

Statutory Authority: *MS s 35.15*

1720.0130 INSECTICIDE.

Upon leaving any premises and prior to closing the permanent cover, a sufficient amount of insecticide shall be discharged into the truck body and cab to destroy and prevent accumulated flies from escaping at the next stop during the time from May 1 through September 30.

Statutory Authority: *MS s 35.15*

1720.0140 REMOVAL OF CARCASSES.

No carcasses shall be removed from the truck except at the rendering plant of final disposal or at collecting stations as provided in parts 1720.0160 to 1720.0190. All carcasses shall be unloaded within enclosures or a building provided therefor.

Statutory Authority: *MS s 35.15*

1720.0150 USE OF VEHICLE FOR OTHER PURPOSES.

No vehicle used for the transportation of carcasses or other renderable products shall be used for any other purpose until thoroughly cleaned and disinfected. Any unrenderable article or thing which may be transported with a carcass or parts thereof shall be unloaded only at the rendering plant and be there disposed of by burning or burying, except metal containers which shall be thoroughly cleaned and disinfected before leaving the rendering plant.

Statutory Authority: *MS s 35.15*

1720.0160 COLLECTING STATIONS.

No permit shall be issued to the owner of a rendering plant for the operation of a collecting station unless the station includes a building or buildings adapted to the purpose intended, provided with concrete floors with good drainage, and so constructed that it may be maintained in a sanitary condition. There shall be

provision to prevent entrance to said building of rodents or other animals. All windows, doors, and other openings shall be properly screened unless a program for insect extermination satisfactory to the board is followed in such buildings and on the premises where such buildings are located.

Statutory Authority: *MS s 35.15*

1720.0170 WASHING AND DISINFECTION OF TRUCKS.

Provision shall be made for washing and disinfection of trucks at the time carcasses are unloaded at collecting stations.

Statutory Authority: *MS s 35.15*

1720.0180 FLOORS AND WALLS OF COLLECTING STATION.

Floors and walls of the collecting station shall be thoroughly flushed or scrubbed immediately upon removal of all carcasses and at least once daily while the collecting station is in operation, with live steam or boiling water. All floor washings and other liquid waste or accumulation of water shall be disposed of through proper disposal facilities which conform to the regulations of the Department of Health and the Minnesota Pollution Control Agency.

Statutory Authority: *MS s 35.15*

1720.0190 CARCASSES UNLOADED AT COLLECTING STATION.

Carcasses unloaded at a collecting station shall be unloaded within enclosures or a building provided therefor. No such carcass shall be allowed to remain in the collecting station for a period longer than 24 hours before reloading into another permitted truck operated by the same rendering plant for transportation directly to such plant.

Statutory Authority: *MS s 35.15*

1720.0200 RENDERING PLANT.

No permit shall be issued to the owner of a rendering plant unless the plant includes a building or buildings adapted to the purpose intended, provided with concrete floors, and provided with good drainage, and so constructed that it may be maintained in a sanitary condition. There shall be provision to prevent entrance to said buildings of any rodents or other animals. All windows, doors, and other openings shall be properly screened unless a program for insect extermination satisfactory to the board is followed in such buildings and on such premises.

Statutory Authority: *MS s 35.15*

1720.0210 RENDERING CARCASSES.

All skinning and dismembering of carcasses shall be done in buildings properly constructed and provided therefor. The cooking vats shall be airtight except for proper escapes or vents for the live steam used in cooking. All such vents shall be furnished with adequate closing facilities and necessary steam valve gauges to ensure that cooking shall be at the required steam pressure. All carcasses and parts thereof shall be disposed of by subjecting them to a recognized cooking and rendering procedure in vats or tanks under steam pressure.

Statutory Authority: *MS s 35.15*

1720.0220 FLOORS AND WALLS.

Floors and walls of the plant shall be thoroughly flushed or scrubbed daily with live steam or boiling water when the plant is in operation. All floor washings and other liquid waste or accumulation of water from washing the viscera shall be disposed of through proper disposal facilities which conform to the rules of the Department of Health and the Minnesota Pollution Control Agency.

Statutory Authority: *MS s 35.15*

1720.0230 SANITATION GUIDELINES.

Every attempt should be made to comply with the following sanitation guidelines which are designed to decrease bacterial contamination of the plant and the finished product:

A. Raw material room, processing room, and finished product room should be divided into completely separate areas by solid walls and ceilings.

B. Control work pattern of employees from one work area to another or supply equipment and space for scrubbing footwear, changing clothes, and washing hands between such work areas.

C. Avoid the transfer of equipment, tools, mechanical loaders, or scrapers, particularly from the raw material or processing area to the storage and blending areas.

D. Maintain a constant and active rodent, bird, and insect control program especially in areas where the finished product is stored.

E. Exclude visitors or provide good security measures such as disposable or washable footwear, and conduct tour from finished product to raw material area.

F. Avoid excess production, accumulation, and distribution of dust in the grinding area. Cover conveyor belts and whirling machinery to keep air movement at a minimum. Dust that settles on beams, shelves, window sills, and equipment should be removed by vacuuming.

G. Reprocess all spillage through the cookers.

H. Conduct a thorough daily cleanup of floors and equipment. Avoid the accumulation of pools of water. Keep floor and equipment as dry as possible.

I. Make adequate washing, showering, and dressing facilities available to all employees.

J. Cooperate with the salmonella monitoring system carried out by field veterinarians employed by the Minnesota Board of Animal Health and the Animal Health Division, U.S. Department of Agriculture.

Statutory Authority: *MS s 35.15*

1720.0240 OFFAL DEPOSITORIES.

Stomach and intestinal contents from carcasses to be rendered, if not cooked with the carcass, or not washed into disposal facilities with other liquid waste, shall be deposited in a pit or depository provided therefor, and shall be allowed to remain in such pit or depository for at least three months. At the end of the three month period, such offal shall be buried or removed and spread on fields to which no domestic animals have access. No parts of carcasses other than stomach and intestinal contents shall be deposited in offal pits or depositories.

Statutory Authority: *MS s 35.15*

1720.0250 LOCATION OF PITS OR DEPOSITORIES.

Pits or depositories shall not be located near any river, stream, lake, pond, or well, or any gulch or draw which is the source of any stream or drain, or on ground which may be flooded by the overflow water of any river, stream, lake, or pond.

Statutory Authority: *MS s 35.15*

1720.0260 ACCUMULATION OF FLUID FROM PITS OR DEPOSITORIES.

Facilities shall be provided to drain any accumulation of fluid from pits or depositories directly into the waste disposal facilities as provided in part 1720.0220, excepting where pits are used, and provided such pits are so located that all fluids are absorbed by the underlying soil.

Statutory Authority: *MS s 35.15*

1720.0270 CONSTRUCTION OF PITS.

Pits and depositories shall be so constructed that no dogs or other animals can gain access to the offal deposited therein.

Statutory Authority: *MS s 35.15*

1720.0280 REVOCATION OF OR REFUSAL TO ISSUE RENDERING PLANT PERMITS.

The board may refuse to issue or may revoke a rendering plant permit for any of the following reasons: the plant is operated in such an unsanitary manner as to endanger the health of domestic animals and fowl of this state or any other state; for violation of Minnesota Statutes, section 35.82 or any rule promulgated by the board by authority of that statute.

Statutory Authority: *MS s 35.15*

1720.0290 NOTICE OF REFUSAL TO ISSUE PERMIT.

A notice of refusal to issue a permit shall be in writing stating reasons therefor and shall be served personally upon or mailed by certified letter to the applicant.

Statutory Authority: *MS s 35.15*

1720.0300 NOTICE OF REVOCATION OF PERMIT.

A notice of revocation of permit shall be in writing stating reasons therefor and shall be effective not less than 30 days after service or mailing unless in the judgment of the board the health of domestic animals or fowl is endangered, in which case the revocation may be effective upon receipt by the permittee. Such notice shall be served personally or mailed by certified letter to the permittee at his last known address.

Statutory Authority: *MS s 35.15*

1720.0310 APPEALS.

Any rendering plant operator may appeal from a refusal of the board to issue him a permit or from a revocation of his permit. He shall file a notice of appeal with the board within 30 days of receipt of the notice of refusal to issue a permit or of a revocation. The board shall then promptly set a date for a hearing before a majority of the board or before a hearing officer appointed for that purpose. Such an appeal shall not have the effect of staying a revocation. The appealing party shall promptly be notified in writing of the date set for the hearing. The hearing shall be conducted in the manner provided by Minnesota Statutes, chapter 14.

Statutory Authority: *MS s 35.15*

CLEANING AND DISINFECTING OF VEHICLES**1720.0320 CLEANING AND DISINFECTION OF VEHICLES USED AS CARRIERS.**

Vehicles used as carriers for livestock which are affected with or suspected of being affected with a contagious, infectious, or communicable disease shall be cleaned and disinfected before use for transportation of other livestock.

Statutory Authority: *MS s 35.15*

1720.0330 PROCEDURES FOR CLEANING AND DISINFECTION.

The vehicles shall first be thoroughly cleaned by the removal of all litter, manure, and refuse. Provision shall be made for the disposition of all manure, litter, and refuse removed from the vehicles into an area where other livestock cannot come in contact with it. The floors, interior walls, and chassis of the vehicles shall then be disinfected with a disinfectant approved by the USDA.

Statutory Authority: *MS s 35.15*

PET FOOD PROCESSING; CARCASSES**1720.0340 PERMITS.**

The Minnesota Board of Animal Health may issue a permit to owners or operators of pet animal food processing plants or mink food processing plants to transport the carcasses of domestic animals that have died or have been killed, otherwise than by being slaughtered for human consumption, over the public highways to their plant for processing into pet animal food or mink food upon receipt of a properly executed application form furnished by the board.

Statutory Authority: *MS s 35.15*

1720.0350 INSPECTION OF FACILITIES AND VEHICLES.

The facilities and vehicles must be inspected by an agent of the Minnesota Board of Animal Health, and sanitation standards and procedures for hauling and processing carcasses into inedible meat be in compliance with the requirements set forth in these rules before a permit can be issued.

Statutory Authority: *MS s 35.15*

1720.0360 REMOVAL, TRANSPORTATION, OR PROCESSING OF CERTAIN CARCASSES.

Permits shall not allow the removal, transportation, or processing of a carcass of any animal which knowingly has died from anthrax, rabies, or highly toxic materials, or which is decomposed.

Statutory Authority: *MS s 35.15*

1720.0370 VALIDITY OF PERMITS.

Permits shall be valid for one year from date of issue unless revoked in accordance with parts 1720.0510 to 1720.0530.

Statutory Authority: *MS s 35.15*

1720.0380 PLANT REQUIREMENTS.

A plant shall be a structurally enclosed building with adequate ventilation, and constructed so it can be maintained at all times in a sanitary condition.

Statutory Authority: *MS s 35.15*

1720.0390 STRUCTURAL PARTS OF BUILDING OR BUILDINGS.

Floors, walls, ceilings, posts, doors, and other structural parts of the building or buildings shall be of impervious materials or protected with impervious materials.

Statutory Authority: *MS s 35.15*

1720.0400 INSECT-VERMIN EXTERMINATION PROGRAM.

All windows, doors, and other openings shall be screened or constructed to prevent, as far as is practical, entry of mice, rats, flies, and other animals or insects. Management shall establish and maintain a routine insect-vermin extermination program.

Statutory Authority: *MS s 35.15*

1720.0410 WATER.

The water shall be ample, potable, and approved. Install equipment to provide hot water, temperature 185 degrees Fahrenheit, or steam to all areas of the plant.

Statutory Authority: *MS s 35.15*

1720.0420 GUTTERS AND DRAINS.

Provide adequate gutters and drains with approved traps and vents. Floor

washings, liquid waste, and sewage shall be disposed of through facilities which conform to the standards of the Department of Health and the Minnesota Pollution Control Agency.

Statutory Authority: *MS s 35.15*

1720.0430 TRANSPORTATION.

A permit from the Minnesota Board of Animal Health must be obtained by all establishments or persons transporting decharacterized inedible meat or carcass parts within or out of the state of Minnesota. Permits are issued on an annual basis.

Statutory Authority: *MS s 35.15*

1720.0440 PERMITTED VEHICLES MEETING APPLICABLE REQUIREMENTS.

Only permitted vehicles meeting the applicable requirements in parts 1720.0010 to 1720.0310 may be used for transporting carcasses received or picked up from livestock owners and carcasses, carcass parts, or other material transported to and from rendering plants, pet animal food processing plants, and mink food processing plants operating under permit from the Minnesota Board of Animal Health.

Statutory Authority: *MS s 35.15*

1720.0450 OFFICIAL VETERINARIAN.

The plant management shall employ or engage the services of an accredited licensed veterinarian for the purpose of inspecting carcasses and supervising plant sanitation. The veterinarian selected may designate, with plant manager approval, an alternate veterinarian to perform this service in his absence. The veterinarian and alternate, if any, shall be named on the permit application. The veterinarian and alternate veterinarian shall be authorized by the Minnesota Board of Animal Health to act as official veterinarian.

Statutory Authority: *MS s 35.15*

1720.0460 PLANT MANAGEMENT FAILURE TO CARRY OUT SANITARY PROCEDURES.

The official veterinarian shall report to the board any failure on the part of plant management to carry out sanitary procedures set forth in these rules.

Statutory Authority: *MS s 35.15*

1720.0470 COMPENSATION FOR OFFICIAL OR ALTERNATE VETERINARIAN.

All compensation for services rendered by the official or alternate veterinarian shall be paid by the processing plant management.

Statutory Authority: *MS s 35.15*

1720.0480 PROCESSING.

All processing of animal carcasses into pet animal or mink food shall be accomplished in a plant maintained in a sanitary condition.

Statutory Authority: *MS s 35.15*

1720.0490 INSPECTION BY VETERINARIAN.

Carcasses presented to the veterinarian for inspection shall have the lungs, heart, liver, and kidneys attached. Prior to inspection, such carcasses shall be held in a chill room at a temperature of 40 to 45 degrees Fahrenheit to prevent decomposition.

Statutory Authority: *MS s 35.15*

1720.0500 CONDEMNED CARCASSES.

Carcasses which show evidence of a dangerous communicable disease, decomposition, or any toxic material shall be declared unfit for processing into pet animal or mink food. Such carcasses shall be identified as condemned by slashing and denaturing with a material approved by the board. Condemned carcasses shall be held in a room or area separate from the processing area and removed from the plant within a reasonable time for processing by rendering only. Condemned carcasses or parts thereof shall be transported in permitted vehicles only.

Statutory Authority: *MS s 35.15*

1720.0510 CARCASSES PASSED FOR USE IN PET ANIMAL AND MINK FOOD.

Carcasses passed for use in pet animal and mink food shall be identified, cut up, decharacterized, packaged, weighed, labeled, stored, and transported in accordance with Code of Federal Regulations, title 9, chapter III, section 325.11 (1974).

Statutory Authority: *MS s 35.15*

1720.0520 CLEANING PROCESSING AREA AND EQUIPMENT.

The entire processing area and equipment shall be thoroughly cleaned by hot water, 185 degrees Fahrenheit, or steam at the end of each working day.

Statutory Authority: *MS s 35.15*

1720.0530 RECORDS.

All plants operating under a permit to process carcasses into pet animal and mink food shall keep the following records and make them available at all reasonable times to any agent of the Minnesota Board of Animal Health upon request: the name and address of the owner and the date an animal carcass was picked up and received for inspection and processing; inventory of number of cartons of inedible meat and carcass parts and the weight of the carton processed each day; running inventory of the number of cartons of inedible meat and carcass parts and weight of each carton stored and transported.

Statutory Authority: *MS s 35.15*

1720.0540 REVOCATION OF OR REFUSAL TO ISSUE PET ANIMAL OR MINK FOOD PROCESSING PLANT PERMIT.

The Minnesota Board of Animal Health may refuse to issue or may revoke a pet animal or mink food processing plant permit for any of the following reasons: the plant is operated in such an unsanitary manner as to endanger the health of domestic animals and fowl of this state or any other state; for violation of Minnesota Statutes, section 35.82, or any rule promulgated by the board by authority of that statute.

Statutory Authority: *MS s 35.15*

1720.0550 NOTICE OF REFUSAL TO ISSUE PERMIT.

A notice of refusal to issue a permit shall be in writing stating reasons therefor and shall be served personally upon or mailed by certified letter to the applicant.

Statutory Authority: *MS s 35.15*

1720.0560 NOTICE OF REVOCATION OF PERMIT.

A notice of revocation of permit shall be in writing stating reasons therefor and shall be effective not less than 30 days after service or mailing unless in the judgment of the board the health of domestic animals or fowl is endangered, in which case the revocation may be effective upon receipt by the permittee. Such

notice shall be served personally or mailed by certified letter to the permittee at his last known address.

Statutory Authority: *MS s 35.15*

1720.0570 APPEALS.

Any pet animal or mink food processing plant operator may appeal from a refusal of the board to issue him a permit or from a revocation of his permit. He shall file a notice of appeal with the board within 30 days of receipt of the notice of refusal to issue a permit or of a revocation. The board shall then promptly set a date for a hearing before a majority of the board or before a hearing officer appointed for that purpose. Such an appeal shall not have the effect of staying a revocation. The appealing party shall promptly be notified in writing of the date set for the hearing. The hearing shall be conducted in the manner provided by Minnesota Statutes, chapter 14.

Statutory Authority: *MS s 35.15*

SALE AND DISTRIBUTION OF BIOLOGICAL PRODUCTS AND ANTIGENS**1720.0580 BIOLOGICS.**

No person, persons, pharmacists, companies, or corporations located within or without the state of Minnesota, engaged in the manufacture, wholesale or retail sale, or distribution of biological products containing the active virus or infective agent of any communicable, infectious disease of domestic animals shall sell or distribute these products to any person or persons located within the state of Minnesota except to veterinarians licensed to practice in Minnesota and to pharmacists, companies, and corporations engaged in the retail sale of such products, who shall not sell to persons other than licensed veterinarians except on the written prescription of a veterinarian licensed to practice in Minnesota.

Statutory Authority: *MS s 35.03*

1720.0590 ANTIGENS.

No person, persons, pharmacists, companies, or corporations located within or without the state of Minnesota, engaged in the manufacture, wholesale or retail sale, or distribution of antigens and all other biological products used in the detection and diagnosis of communicable, infectious diseases of domestic animals shall sell or distribute these products to any person or persons located within the state of Minnesota except to veterinarians licensed to practice in Minnesota and to pharmacists, companies, and corporations engaged in the retail sale of such products, who shall not sell to persons other than licensed veterinarians.

Statutory Authority: *MS s 35.03*

1720.0600 PRESCRIPTIONS.

Prescriptions shall not be written by veterinarians for Brucella abortus vaccine, anthrax vaccine, modified live rabies vaccine, antigens, and all other biological products used in the detection and diagnosis of communicable, infectious diseases of livestock, or other biological products that may be determined by the board to be too dangerous for lay use.

Statutory Authority: *MS s 35.03*

1720.0610 RETENTION OF PRESCRIPTION COPIES.

A copy of all written prescriptions shall be maintained on file by the issuing veterinarian for a period of two years.

Statutory Authority: *MS s 35.03*

1720.0620 SALE OR DISTRIBUTION OF BIOLOGICAL PRODUCTS AND ANTIGENS.

No person, persons, pharmacists, companies, or corporations shall sell or distribute in Minnesota biological products containing the active or infective agent of any communicable, infectious disease of livestock, or antigens used in the detection and diagnosis of communicable, infectious diseases of domestic animals unless such products are licensed by the United States Department of Agriculture and are in the original unopened container of the manufacturer.

Statutory Authority: *MS s 35.03*

1720.0630 STORAGE OF BIOLOGICAL PRODUCTS OR ANTIGENS.

Such products shall at all times be maintained in storage in accordance with the recommendations of the manufacturer.

Statutory Authority: *MS s 35.03*

1720.0640 SALE, DISTRIBUTION, AND USE OF POULTRY BIOLOGICALS AND ANTIGENS.

With the exceptions of parts 1720.0620 and 1720.0630 the provisions of these rules shall not apply to biological products and antigens manufactured and sold exclusively for use in poultry; provided, the Board of Animal Health may impose restrictions on the sale, distribution, and use of poultry biologicals and antigens if deemed necessary to protect the health of livestock and poultry in Minnesota.

Statutory Authority: *MS s 35.03*

LICENSING INSTITUTIONS TO PROCURE IMPOUNDED ANIMALS

1720.0650 AUTHORITY.

Pursuant to Minnesota Statutes 1949, sections 35.71 and 15.042, the Board of Animal Health hereby amends the following rules.

Statutory Authority: *MS s 35.71 subd 7*

1720.0660 DEFINITIONS.

Subpart 1. Scope. When used in these rules, the following words shall have the meaning subjoined to them.

Subp. 2. Board. The "board" shall mean the Board of Animal Health.

Subp. 3. Establishment. "Establishment" shall mean any pound, yard, or building, or combination thereof maintained or operated by or for a municipality or other governmental unit for the impounding, care, or disposal of animals seized by lawful authority.

Subp. 4. Institution. "Institution" shall mean any school or college of agriculture, veterinary medicine, medicine, pharmacy, dentistry, or other educational or scientific organization properly concerned with the investigation of or instruction concerning the structure or function of living organisms, the cause, prevention, control, or cure of disease or abnormal conditions of human beings or animals.

Subp. 5. Persons entitled to claim or redeem animals. "Persons entitled to claim or redeem animals" shall mean the owner of such animal or his agent, or any other person permitted by municipal ordinance or the rules or regulations of the establishment to purchase or otherwise secure ownership of such animals within the period of time designated in subpart 8.

Subp. 6. Requisitioned animal. "Requisitioned animal" shall mean any unredeemed animal obtained by an institution from an establishment by requisition.

Subp. 7. Supervisor. "Supervisor" shall mean the pound master or person in charge of any establishment.

Subp. 8. Unredeemed animal. "Unredeemed animal" shall be any animal

seized by public authority impounded in an establishment as defined in subpart 3 for not less than five days or such other minimum period of time as may be specified by municipal ordinance, and which has not been claimed or redeemed by the owner of such animal or by any other person entitled to claim or redeem such animal.

Statutory Authority: *MS s 35.71 subd 7*

1720.0670 LICENSES.

Any institution desiring authority to requisition unredeemed animals may apply to the board on a form furnished by the board for a license. The application shall include: name and address of the institution; activities conducted by the institution; the purpose to which the animals will be put; name of the person who will be responsible for the procurement, care, and disposal of the animals, and carrying out the rules of the board pertaining thereto; the number and species of requisitioned animals which will be maintained at any one time by the institution.

Statutory Authority: *MS s 35.71 subd 7*

1720.0680 INVESTIGATION.

Upon receipt of a proper application accompanied by a fee of \$50 the board shall cause an investigation to be made by a qualified representative of the board. If it is determined that the institution is equipped with facilities and personnel in compliance with parts 1720.0690 to 1720.0730, and that the public interest will be served thereby, the board may issue a license authorizing such institution to requisition animals from any establishment.

Statutory Authority: *MS s 35.71 subd 7*

1720.0690 INSTITUTIONS.

All licensed institutions shall comply with the provisions of parts 1720.0690 to 1720.0730 in the handling, care, and disposal of all requisitioned animals.

Statutory Authority: *MS s 35.71 subd 7*

1720.0700 FACILITIES.

Facilities shall be provided as follows: a kennel room which can be maintained in a sanitary condition and which shall be provided with an impervious floor with adequate drainage, adequate light, adequate ventilation, window and door screens in good condition, cages in sufficient number so a separate cage can be provided for each animal and the cages of such size that each animal may stand and lie in a normal position, and adequate space for the exercise of the animals. If separate runways or exercise yards are provided, they shall be equipped with impervious floor and shall be so constructed that they may be maintained in a sanitary condition at all times.

Statutory Authority: *MS s 35.71 subd 7*

1720.0710 PERSONNEL.

Personnel shall be provided as follows: a qualified person in charge with authority who shall be responsible for the care, transportation, handling, and disposal of animals procured under these rules and for the proper maintenance of the premises where animals are confined; personnel in addition to the person in charge sufficient to ensure humane and proper care, handling, and transportation of all animals and to maintain the premises where animals are confined and vehicles in which they are transported in a clean and sanitary condition.

Statutory Authority: *MS s 35.71 subd 7*

1720.0720 RECORDS.

The institution shall keep complete records of all animals procured under

requisition which shall be available for inspection by an authorized representative of the board at any time. They shall include: description of animal; the date and place where the animal was procured, and requisition number; condition of the animal on arrival at institution; cage number or other identification; final disposition of the animal.

Statutory Authority: *MS s 35.71 subd 7*

1720.0730 TRANSPORTATION OF ANIMALS.

Animals shall be transported from the establishment to the institution at the expense of the institution in vehicles maintained for that purpose and properly equipped. The number of animals transported at one time shall not exceed the number which can ride comfortably, and provision shall be made to prevent injuries from fighting or overcrowding during transportation.

Statutory Authority: *MS s 35.71 subd 7*

1720.0740 REQUISITIONS.

Every licensed institution may issue requisitions for animals to any establishment as defined in part 1720.0660, subpart 3. The requisition shall be executed in triplicate on forms furnished by the board. The original shall be furnished the establishment, one copy shall be mailed to the board, and one copy retained by the institution. The requisition shall include: name and address of the institution; name and address of the establishment; number, species, size, and sex of animals desired; date of issue.

Statutory Authority: *MS s 35.71 subd 7*

1720.0750 DUTIES OF ESTABLISHMENTS.

Whenever a request is submitted to a supervisor of an establishment, it shall be his duty to make available to the institution the number of animals of the species, size, and sex specified in the requisition, from the unredeemed animals in his charge. If the number of such animals specified by the requisition is not available, the supervisor shall immediately make available all such unredeemed animals as are then in the establishment under his supervision. The supervisor shall then withhold from destruction all unredeemed animals of the species, size, and sex specified by the requisition until the number of such animals is sufficient to complete the requisition. Any time unredeemed animals of the species, size, and sex specified in the requisition become available, even though the number of such animals is not sufficient to fill the requisition, the supervisor may notify the institution issuing the requisition of the availability of such unredeemed animals by collect telegram; and as soon as sufficient unredeemed animals of the species, size, and sex are available to fill the requisition, the supervisor shall immediately so notify the institution issuing the requisition. Upon receipt of any such notice, the institution shall accept the available animals and provide for their transportation to the institution.

Statutory Authority: *MS s 35.71 subd 7*

1720.0760 COMPENSATION FOR HOLDING ANIMALS BEYOND TIME OF NOTICE.

The institution shall compensate the establishment for the actual expense for holding such animals beyond the time of notice to such institution of their availability, until they have been obtained by the institution.

Statutory Authority: *MS s 35.71 subd 7*

1720.0770 CANCELLATION OF REQUISITION.

If at any time after a requisition has been issued to an establishment and before notice of the availability of the animals requisitioned has been made to the institution, the institution may cancel all or any unfilled part of the requisition by notice of such action by registered mail or telegram.

Statutory Authority: *MS s 35.71 subd 7*

1720.0780 RECEIPTS.

Whenever unredeemed animals are received by an institution which has requisitioned the same, the institution shall furnish the supervisor of the establishment a receipt therefor. Receipts shall be issued in triplicate and shall be countersigned by the supervisor of the establishment. A copy shall be mailed immediately to the board by the institution and one copy retained by the institution. The receipt shall show the number of animals obtained, the date when they were delivered to the agent of the institution by the supervisor, and the signature of the person to whom they were delivered.

Statutory Authority: *MS s 35.71 subd 7*

1720.0790 DELIVERY OF UNCLAIMED ANIMAL TO ORIGINAL OWNER.

No animals secured by an institution on requisition as herein provided shall be sold or given into the possession of any other person after being delivered by the establishment. All such animals shall be immediately transported to the institution and there maintained on the premises covered by the license during the life of the animal; provided that nothing herein shall prohibit an institution from delivering an unclaimed animal to the original owner thereof if he shall furnish proof of ownership satisfactory to the institution and the state Board of Animal Health, and pays actual expense maintaining the animal by the institution from the time it is received from the establishment until delivered to the previous owner.

Statutory Authority: *MS s 35.71 subd 7*

1720.0800 HUMANE TREATMENT OF ANIMALS.

All animals maintained by licensed institutions shall be handled, transported, and disposed of in a humane manner.

Statutory Authority: *MS s 35.71 subd 7*

1720.0810 SUSPENSION AND CANCELLATION OF LICENSE.

Any violation of Laws of Minnesota 1949, chapter 195, or these rules shall be cause for cancellation of any license issued under these rules. Upon receipt of evidence of such violation, the executive secretary of the board shall immediately suspend the license of the institution violating the law or rules and shall notify the institution when the next meeting of the board will be held. The board shall then grant a hearing to the institution to show cause why the permit shall not be canceled. If after such hearing the board decides the license shall be canceled, such action shall be final.

Statutory Authority: *MS s 35.71 subd 7*

History: *13 SR 2859*

QUARANTINED FEEDLOTS**1720.0820 DEFINITIONS.**

Subpart 1. Scope. For the purposes of parts 1720.0820 to 1720.0850, the terms defined in this part have the meanings given them.

Subp. 2. Board. "Board" means the Board of Animal Health or its authorized agents.

Subp. 3. Quarantined feedlot. "Quarantined feedlot" means a confinement area under official state quarantine for feeding cattle, jointly approved by the board and the Veterinary Services Division, Animal and Plant Health Inspection Service of the United States Department of Agriculture or its successor.

Subp. 4. Shipping permit. "Shipping permit" means an official document prepared by an accredited veterinarian, an agent of the board, or a veterinary services representative listing the following information about cattle to be shipped: identification numbers; owner's name and address; origin and destination locations; number of cattle; and the purpose of the movement.

Subp. 5. **"S" brand permit.** "'S' brand permit" means a document prepared by an accredited veterinarian, an agent of the board, a veterinary services representative, or an official of a quarantined feedlot listing the following information about cattle to be moved: origin; destination; number of cattle; identification numbers; and the purpose of the movement. Use of an "S" brand permit is restricted to movement from a quarantined feedlot to slaughter.

Subp. 6. **"S" branded cattle.** "'S' branded cattle" means cattle that are identified by a hot iron brand with the letter "S" at least two inches by two inches on the left jaw or high on the tailhead.

Statutory Authority: *MS s 35.03; 35.75*

1720.0830 APPROVAL OF QUARANTINED FEEDLOT.

The executive secretary of the board and the veterinarian in charge, Veterinary Services Division, Animal and Plant Health Inspection Service, United States Department of Agriculture or their designees shall approve any premises within the state to be a quarantined feedlot if the applicant for approval complies with the requirements of this part. An applicant for approval must submit a drawing of the feedlot facilities in sufficient detail for the approving authority to determine the potential for the spread of disease. The drawing shall include: lot sizes; building locations; fence locations and type of fence; water tank and feed bunk locations; distances to all adjoining premises; location of all watercourses, drainage directions, and bodies of water on the premises.

An applicant for approval must agree to maintain cattle in compliance with part 1720.0850.

An applicant for approval must submit the names and addresses of property owners immediately adjoining the quarantined feedlot for purposes of community notification.

Statutory Authority: *MS s 35.03; 35.75*

History: *13 SR 2859*

1720.0840 EXPIRATION, RENEWAL, AND REVOCATION OF APPROVAL.

Approval of a quarantined feedlot shall expire each year on June 30 and may be renewed for a period of one year. Revocation of approval of a quarantined feedlot shall be made by the board 21 days following written notice if no cattle have been in the feedlot for one year or the requirements of this rule and the other applicable rules of the board are not met.

Statutory Authority: *MS s 35.03; 35.75*

1720.0850 REQUIREMENTS; PROHIBITIONS.

Subpart 1. Requirements. The holder of a quarantined feedlot permit shall:

A. allow no cattle that are not permanently branded with a hot iron letter "S" to enter the premises;

B. allow entry of representatives of the board for inspection purposes at any reasonable time;

C. allow no other species of livestock in the quarantined feedlot;

D. remove manure to fields not used for livestock;

E. keep complete records available for inspection at any reasonable time; and

F. submit monthly reports indicating the number of cattle placed in the feedlot and the source of those cattle, the number of cattle sold and where those cattle were sold, and the number of cattle deaths or cattle slaughtered.

Subp. 2. Movement without testing. The board shall issue permits for importation of cattle into Minnesota or movement of cattle from a public stockyard in

Minnesota to a quarantined feedlot without testing for brucellosis, tuberculosis, or anaplasmosis if the following conditions are met: a health certificate which lists each animal's individual ear tag number accompanies the cattle; and each animal is branded with the letter "S" with a hot brand on the left jaw or high on the tail-head.

Subp. 3. Branding of added cattle. Cattle added to a quarantined feedlot from any other place must be "S" branded immediately upon arrival at the quarantined feedlot.

Subp. 4. Removal of cattle. Cattle with a visible "S" brand may be sold for slaughter to a slaughtering establishment or market for slaughter purposes if: a shipping permit is issued by an accredited veterinarian or the board showing the identity numbers, point of origin, destination, and number of cattle in the shipment; or an "S" brand permit is issued by a designated official of the quarantined feedlot with identity numbers or backtag numbers listed on the permit.

Statutory Authority: *MS s 35.03; 35.75*

FEEDING OF GARBAGE TO LIVESTOCK AND POULTRY

1720.0860 DEFINITIONS.

Subpart 1. Scope. The following words and terms shall be defined as follows when used in these rules.

Subp. 2. Board. "Board" shall mean the Board of Animal Health.

Subp. 3. Feeding premises. "Feeding premises" shall mean the premises on which garbage is fed to livestock and poultry.

Subp. 4. Garbage. "Garbage" shall mean refuse matter, animal and vegetable, and includes all waste material, by-products of a kitchen, restaurant, or slaughter house, and refuse accumulation of animal, fruit, or vegetable matter, liquid or solid, but shall not mean any vegetable waste or by-products resulting from the manufacture or processing of canned or frozen vegetables.

Subp. 5. Garbage truck. "Garbage truck" shall mean all forms of conveyance used to haul garbage from points of origin to feeding premises.

Subp. 6. Operator. "Operator" shall mean an individual, firm, partnership, company, or corporation, including the state of Minnesota, its public institutions and agencies, and all political subdivisions of the state engaged in the feeding of garbage to livestock or poultry, or transporting garbage for the purpose of feeding such garbage to livestock or poultry.

Statutory Authority: *MS s 35.79*

1720.0870 EXCLUSION.

These rules do not apply to a person who feeds animals and poultry owned by him, only garbage obtained from his own private household.

Statutory Authority: *MS s 35.79*

1720.0880 LICENSES.

No person shall operate a feeding premise or a garbage truck unless he has first obtained a permit from the board to do so.

Statutory Authority: *MS s 35.79*

1720.0890 PROVISIONS FOR ANNUAL LICENSE.

An annual license valid until June 30 following date of issuance, unless previously revoked, may be issued for operating a feeding premises and garbage trucks when the following provisions have been complied with: an application properly executed on a form furnished by the board shall be filed with the board; and the premises and garbage trucks designated in the application shall be inspected by a representative of the board, and a report of such inspection indicating that parts 1720.0910 to 1720.0940 have been complied with shall be filed with the board.

Statutory Authority: *MS s 35.79*

1720.0900 REFUSAL TO GRANT OR REVOCATION OF LICENSE.

The board may refuse to grant or may revoke the license when the applicant or permit holder has violated the laws of the state or the rules of the board pertaining to the control and elimination of infectious, communicable diseases of livestock or poultry.

Statutory Authority: *MS s 35.79*

1720.0910 MAINTENANCE OF FEEDING PREMISES.

The feeding premises shall be maintained in a reasonably sanitary condition. No refuse shall be permitted to accumulate. All refuse shall be disposed of in such a way that the refuse shall not be a source of infection to the livestock and poultry on the premises.

Statutory Authority: *MS s 35.79*

1720.0920 COLLECTED GARBAGE.

Until such time as the collected garbage has been properly heated, it shall be handled in such a way that no livestock or poultry shall be permitted to contact it or have access to it.

Statutory Authority: *MS s 35.79*

1720.0930 GARBAGE AND GARBAGE TRUCKS.

Facilities shall be provided on the feeding premises by the operator so that all garbage can be thoroughly heated for a continuous period of at least 30 minutes at a minimum temperature of 212 degrees Fahrenheit. Such facilities shall be located so that no contamination from raw garbage or the garbage trucks hauling the same will contaminate the enclosures where any livestock or poultry are confined.

Statutory Authority: *MS s 35.79*

1720.0940 WAGON BED OR TANK ON GARBAGE TRUCK.

The wagon bed or tank on the garbage truck shall be watertight and constructed so that no drippings or seepage from such garbage can escape. The top of the wagon bed or tank shall be covered at all times by means of a tarpaulin or similar cover except during the time the garbage is being loaded or unloaded or the garbage truck not in use. The wagon bed or tank shall be cleaned as often as necessary to maintain the wagon bed or tank in a reasonably sanitary condition.

Statutory Authority: *MS s 35.79*

1720.0950 QUARANTINES.

The feeding premises shall be under quarantine, and all livestock and poultry on the premises to which garbage is being fed shall be covered by the quarantine.

Statutory Authority: *MS s 35.79*

1720.0960 PERMIT FOR REMOVAL OF LIVESTOCK OR POULTRY.

No garbage fed livestock or poultry shall be removed from a feeding premise without the operator first obtaining a permit from the board to do so.

Statutory Authority: *MS s 35.79*

1720.0970 PERMIT FOR IMMEDIATE SLAUGHTER.

Permits may be issued for immediate slaughter only by the board or its agent. Livestock or poultry for immediate slaughter shall be consigned to a point where the federal or state government maintains ante mortem and post mortem inspection. Permits for shipment shall be void after 15 days.

Statutory Authority: *MS s 35.79*

1720.0980 CONSIGNMENT TO COMMISSION COMPANY.

If such garbage-fed livestock or poultry is consigned to a commission company, the permit shall be presented to the representative of the commission company by the person who delivers such livestock or poultry. The commission company shall indicate thereon the number of animals in the shipment and the slaughtering establishment to which such livestock or poultry are sold. The commission company shall then return the permit to the office of the board.

Statutory Authority: *MS s 35.79*

1720.0990 CONSIGNMENT TO SLAUGHTERING ESTABLISHMENT.

If the livestock or poultry are consigned directly to a slaughtering establishment, the permit shall be presented to the agent thereof who shall indicate thereon the number of animals in the shipment and return the certificate to the office of the board.

Statutory Authority: *MS s 35.79*

1720.1000 SPECIAL PERMITS.

Special permits may be issued by the board for the removal of garbage-fed livestock and poultry for purposes other than immediate slaughter when consigned directly to a feeder or breeder on application by the operator to the office of the board. Such application shall state:

A. the name and address of the veterinarian who will be employed at the expense of the operator to inspect all garbage-fed livestock and poultry on the feeding premise, such inspection to be made within 24 hours prior to the date of the removal of the livestock and poultry;

B. number and kind of livestock and poultry for which permit is requested;

C. name and address of consignee; and

D. location of premises by section, township, and county to which livestock and poultry will be moved; and the reason for requesting the permit.

Statutory Authority: *MS s 35.79*

1720.1010 QUARANTINE ON PREMISES OF FEEDER OR BREEDER.

Livestock and poultry moved from a quarantined feeding premise for purposes other than immediate slaughter shall be quarantined by the board on the premises of the feeder or breeder until such time as they are moved from such premises under permit issued by the board for immediate slaughter, or the quarantine may be released after 21 days if the pigs are examined by a qualified veterinarian and found to be free from symptoms of any serious communicable disease.

Statutory Authority: *MS s 35.79*

1720.1020 VEHICLES USED FOR TRANSPORTATION OF GARBAGE FED SWINE OR POULTRY.

All vehicles used for the transportation of garbage fed swine or poultry shall be thoroughly cleaned and disinfected with one of the disinfectants approved by the board or the Animal Disease Eradication Division, Agricultural Research Service, U.S. Department of Agriculture immediately after unloading such livestock or poultry. The approved disinfectants are as follows: soda ash (sodium carbonate), one pound to three gallons of water; sal soda, 13-1/2 ounces to one gallon of water; lye (sodium hydroxide), 13 ounces to five gallons of water.

Statutory Authority: *MS s 35.79*

ISOLATION AND QUARANTINE OF LIVESTOCK AND POULTRY FOR INFECTIOUS AND DANGEROUS COMMUNICABLE DISEASES

1720.1030 ISOLATION AND QUARANTINE.

All livestock and poultry affected with or which shows symptoms of or has been exposed to a disease determined by the board to be dangerous, infectious, communicable disease shall be quarantined and isolated from all other unexposed livestock or poultry until the board, its executive officer, or agent shall release the quarantine.

Statutory Authority: *MS s 35.03*

1720.1040 ENTRY INTO ENCLOSURES.

No person except the owner, attendants, or medical advisers shall enter any enclosures where any livestock or poultry quarantined and isolated are being kept.

Statutory Authority: *MS s 35.03*

OFFICIAL IDENTIFICATION TAGS AND BRANDS

1720.1050 DEFINITION.

For the purposes of parts 1720.1055 to 1720.1070, "official identification tag" means a metal identification ear tag conforming to the nine-character alphanumeric National Uniform Eartagging System, contained in chapter 1, part I, paragraph M, of the Brucellosis Eradication Uniform Methods and Rules, May 1, 1982 edition, issued by the United States Department of Agriculture. It provides unique identification for each individual animal.

Statutory Authority: *MS s 35.03*

1720.1055 SALE AND APPLICATION.

Official identification tags may be sold only to veterinarians accredited under Code of Federal Regulations, title 9, section 160.1(d.), and may be applied only by or under the direct supervision of an accredited veterinarian. This requirement does not apply to official identification tags issued to artificial insemination technicians, identified as 41XAA through 41XZZ, or issued to the Dairy Herd Improvement Association, identified as 41WAA through 41WZZ.

Statutory Authority: *MS s 35.03*

1720.1060 OTHER TAGS PROHIBITED.

Every person applying ear tags to cattle for purposes of compliance with rules of the Board of Animal Health shall use official identification tags.

Statutory Authority: *MS s 35.03*

1720.1065 ANIMALS WITH EXISTING TAGS.

When an animal is already identified by an official identification tag, that tag number must be recorded for official records and another official identification tag may not be applied, except when the owner of an animal already identified by an official identification tag wants the animal identified by an official vaccination identification tag at the time of the animal's vaccination against brucellosis.

Statutory Authority: *MS s 35.03*

1720.1070 REMOVAL PROHIBITED; EXCEPTION.

No person may remove official identification tags, market cattle testing tags, or leg bands, or efface brands approved and registered by the Board of Animal Health under Minnesota Statutes, section 35.822, except that market cattle testing tags may be removed by a veterinarian securing a blood sample for a brucellosis test.

Statutory Authority: *MS s 35.03*

MOVEMENT OF LIVESTOCK FROM SLAUGHTERING ESTABLISHMENTS TO POINTS IN MINNESOTA

1720.1080 PERMITS TO REMOVE LIVESTOCK UNDER QUARANTINE.

No cattle, sheep, or swine shall be removed from slaughtering establishments or the yards immediately contiguous thereto and operated by such slaughtering establishment as holding, sorting, or weighing pens, to other points in Minnesota except that under extenuating circumstances and upon application by the owner of the livestock, the executive secretary of the board may issue permits to allow removal of livestock under quarantine.

Statutory Authority: *MS s 35.03*

History: *13 SR 2859*

MAINTENANCE, OPERATION, AND INSPECTION OF KENNELS AND DEALERS

1720.1330 DEFINITIONS.

Subpart 1. **Scope.** The following words and terms are defined as follows where used in parts 1720.1330 to 1720.1578.

Subp. 2. **Board.** "Board" means the Minnesota Board of Animal Health.

Subp. 2a. **Dealer.** "Dealer" has the meaning given in Minnesota Statutes, section 347.31, subdivision 4.

Subp. 3. [Repealed, 13 SR 2859]

Subp. 4. **Duly authorized agent.** "Duly authorized agent" means an agent of the board, any sheriff or deputy sheriff, or police officer, or humane agent registered with the board and appointed pursuant to Minnesota Statutes, section 343.01.

Subp. 4a. **Humane agent.** "Humane agent" means a person appointed as an agent under Minnesota Statutes, section 343.01.

Subp. 5. **Institution.** "Institution" has the meaning given in Minnesota Statutes, section 347.31, subdivision 5.

Subp. 5a. **Kennel.** "Kennel" has the meaning given in Minnesota Statutes, section 347.31, subdivision 2.

Subp. 6. **Person.** "Person" means any individual, firm, partnership, or corporation.

Subp. 7. **Premises.** "Premises" has the meaning given in Minnesota Statutes, section 347.31, subdivision 3.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1340 [Repealed, 13 SR 2859]

1720.1350 [Repealed, 13 SR 2859]

1720.1360 [Repealed, 13 SR 2859]

1720.1370 [Repealed, 13 SR 2859]

1720.1380 [Repealed, 13 SR 2859]

1720.1390 MAINTENANCE OF PREMISES.

Housing facilities must be structurally sound and maintained in good repair. Indoor housing facilities must be adequately ventilated and have ample light, either natural or artificial.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1400 DOGS AND CATS KEPT OUTSIDE.

Dogs and cats kept outside must be provided with access to shelter to protect them from the sun, wind, rain, and snow together with adequate bedding when the temperature falls below 50 degrees Fahrenheit.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1410 DOGS AND CATS CONFINED BY CHAINS.

If dogs or cats are confined by chains, the chains must be so attached that they cannot become entangled with the chains of other animals or any other objects. Chains must be of a size commonly used for the size of dog or cat involved and must be attached to the dog or cat by means of a well-fitted collar. Chains must be at least three times the length of the dog or cat as measured from the tip of its nose to the base of its tail.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1420 ENCLOSURES.

Enclosures must be of sufficient size to allow each dog or cat to turn about fully and to stand, sit, and lie in a comfortable normal position. The enclosure must be constructed so as to prevent injury to the dog or cat.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1430 TEMPERATURE FOR INDOOR HOUSING FACILITIES.

The temperature for indoor housing facilities must not be allowed to fall below 50 degrees Fahrenheit for dogs and cats not acclimated to lower temperatures.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1440 DISPOSAL FACILITIES.

Disposal facilities must be provided to minimize vermin infestation, odors, and disease hazards.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1450 ADEQUATE STORAGE AND REFRIGERATION.

Adequate storage and refrigeration must be provided to protect food supplies against contamination and deterioration.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1460 CLEAN AND SANITARY CONDITION.

The premises, cages, enclosures, and all housing facilities must be cleaned and disinfected as often as it is necessary to maintain a clean and sanitary condition.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1470 [Repealed, 13 SR 2859]

1720.1480 FEEDING OF DOGS AND CATS.

Dogs and cats must be fed at least once a day with clean, wholesome food

sufficient to meet the normal daily nutritive requirements for the dog's or cat's age, size, and condition.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1490 WATER.

Clean potable water must be made available to all dogs and cats at least twice daily for periods of not less than one hour.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1500 FEEDING AND WATERING RECEPTACLES.

All feeding and watering receptacles must be kept clean and sanitary.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1510 HOUSING IN SAME PRIMARY ENCLOSURE.

Dogs or cats housed in the same primary enclosure must be maintained in a compatible group. Puppies or kittens must not be housed in the same primary enclosure with adult dogs or cats other than their dam.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1520 DOGS OR CATS WITH VICIOUS DISPOSITIONS.

Any dog or cat exhibiting a vicious disposition must be housed separately.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1530 FEMALES IN ESTRUS.

Females in estrus must not be confined in the same enclosure with males except for breeding purposes. Dogs or cats used for breeding must be of compatible size and only one male and one female may be confined in a primary enclosure for breeding.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1535 HUMANE TREATMENT.

All dogs and cats must be treated humanely while in the premises.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1537 TRANSPORTATION OF DOGS AND CATS.

Dogs and cats must be transported in vehicles equipped with ample cargo space and enclosures. The number of dogs or cats transported at one time must not exceed the number that can ride comfortably. Vehicles must be adequately equipped to provide sufficient ventilation and still protect the dogs or cats from the elements, injurious drafts, and exhaust fumes.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1538 CARGO SPACE FOR DOGS AND CATS.

The dog and cat cargo space must be constructed and arranged to prevent injuries from fighting and allow for compatible grouping in terms of age, breed,

size, and disposition. Separate enclosures must be provided for females in estrus. Dogs or cats must not be placed in enclosures over other animals unless the upper enclosure is constructed to prevent excreta from entering the lower enclosures. All crates, compartments, transport cages, and cargo space must be cleaned and disinfected between uses.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1540 MINIMIZING DISSEMINATION OF DISEASE.

Dogs or cats affected with any clinical evidence of infectious, contagious, or communicable disease must be separated from other dogs or cats.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1542 VETERINARY CARE.

Kennels and dealers shall establish and maintain a program of disease control and prevention, euthanasia, and adequate veterinary care under the supervision of a doctor of veterinary medicine.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1545 HEALTH OF DOGS AND CATS AT TIME OF RELEASE.

The following conditions make a dog or cat unfit for sale or release, other than to the previous owner:

- A. obvious signs of infectious disease;
- B. obvious signs of nutritional deficiencies;
- C. obvious signs of severe parasitism;
- D. fractures;
- E. blindness; and
- F. serious congenital abnormalities.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1546 DOGS AND CATS UNFIT FOR SALE OR RELEASE.

Dogs or cats determined to be unfit for sale or release as described in part 1720.1545 must be isolated and treated by a licensed veterinarian or euthanized in a humane manner. If treatment for the conditions in part 1720.1545 brings about a satisfactory recovery to a normal state of health, the animals are fit for release or sale.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1550 CONTROL OF PESTS.

The kennel or dealer shall establish and maintain an effective program for the control of insects, ectoparasites, rodents, and other pests.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1555 IDENTIFICATION OF DOGS AND CATS IN KENNELS.

Each dog and cat must be identified with a numbered tag affixed to the neck by the means of a collar.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1560 RECORDS.

A licensed kennel or dealer shall maintain the following records:

A. the name and address of the person from whom a dog or cat three months of age or over was received and, in the case of a dealer, the person's driver's license number or social security number;

B. the identification of each dog or cat confined to the premises as described in part 1720.1555;

C. description of the dog or cat by approximate age, breed, and sex;

D. the name and address of the person to whom a dog or cat three months of age or over was transferred; and

E. the history of disease conditions diagnosed by a veterinarian or diagnostic laboratory on animals housed on the premises.

Records required by this part must be preserved for a minimum of two years and available to duly authorized agents upon demand at any reasonable time.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1570 INSPECTIONS.

Periodic inspections must be made in cooperation with the United States Department of Agriculture, pursuant to Minnesota Statutes, section 347.35.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1575 INVESTIGATION OF COMPLAINTS.

Complaints must be referred to local enforcement authorities. If the complainant is not satisfied with the results obtained and the complainant wants an investigation by the board, the complainant must send to the board a written and signed complaint and a deposit of \$100. Upon investigation, if the complaint is warranted, the deposit must be returned and the board shall take action as provided in Minnesota Statutes, section 347.38. If the complaint is deemed unfounded by the board investigator, the deposit must go into the general fund. Duly authorized agents are exempt from the \$100 deposit for investigation of a complaint.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1576 EXPENSES OF INVESTIGATION.

A person who violates Minnesota Statutes, section 346.55 or sections 347.31 to 347.40, is liable for at least the amount of the expenses of the investigation. Expenses of investigation may be recovered by a court action in the county where the violation occurred.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1578 COST RECOVERY.

Money from license fees, fines, penalties, or deposits under Minnesota Statutes, section 346.55 or sections 347.31 to 347.40, goes into the general fund and must be accounted for by the state treasurer to the board to enable a showing that costs of inspection and enforcement of Minnesota Statutes, sections 346.55 and 347.31 to 347.40, have been recovered.

Statutory Authority: *MS s 35.03; 347.35*

History: *13 SR 2859*

1720.1580 [Repealed, 13 SR 2859]

1720.1590 [Repealed, 13 SR 2859]

1720.1600 [Repealed, 13 SR 2859]

1720.1610 [Repealed, 13 SR 2859]

1720.1620 [Repealed, 13 SR 2859]

1720.1630 [Repealed, 13 SR 2859]

1720.1640 [Repealed, 13 SR 2859]

1720.1650 [Repealed, 13 SR 2859]

1720.1660 [Repealed, 13 SR 2859]

1720.1670 [Repealed, 13 SR 2859]

SLAUGHTER CATTLE AND SLAUGHTER SWINE IDENTIFICATION

1720.1680 SLAUGHTER CATTLE IDENTIFICATION.

It shall be the duty of every livestock trucker, livestock dealer, livestock market operator, and slaughtering establishment subject to or maintaining meat inspection, to identify upon receipt unless previously identified by backtag, all bovine breeding animals two years of age and over originating from herds in this state and received for sale or shipment to a slaughtering establishment. Such identification unless otherwise authorized by the Board of Animal Health shall consist of an official backtag issued by the Board of Animal Health, or Veterinary Services, APHIS, USDA, and shall be affixed to such animals at a point approximately four inches behind the shoulder and four inches below the top line.

Statutory Authority: *MS s 35.03*

1720.1690 REPORTS.

Every person required to identify animals in accordance with these rules shall file reports on forms prescribed by the board, including thereon the backtag number and date of application; the name, address, and county of residence of the person who owned or controlled the herd from which such animals originated; and whether the animal was of beef or dairy type. Whenever animals are identified, a report shall be filed with the board at the end of each 14-day period covering all animals identified during such a period.

Statutory Authority: *MS s 35.03*

1720.1700 EXCLUSION FROM IDENTIFICATION REQUIREMENT.

The requirements in parts 1720.1680 and 1720.1690 shall not apply to livestock truckers with respect to animals delivered directly to a livestock market agreeing to accept responsibility for backtag identification if at the time of delivery the market is furnished with information identifying the herd of origin.

Statutory Authority: *MS s 35.03*

1720.1710 SLAUGHTER SWINE IDENTIFICATION.

Subpart 1. Agent transporting swine. It shall be the legal obligation of each agent transporting sows, boars, and stags from a producer to a livestock dealer, livestock market, stockyards, commission company, other concentration point, or slaughter establishment subject to or maintaining meat inspection to supply the receiving agent or agency with the name and address of the producer so the sows, boars, and stags can be identified to the herd of origin.

Subp. 2. Agent or agency receiving swine. It shall be the legal obligation of the agent or agency — livestock dealer, livestock market operator, stockyard operator, commission company, buying station, operator of any concentration

point at which the herd of origin of individual sows, boars, and stags would be lost, or slaughtering establishment subject to or maintaining meat inspection — receiving sows, boars, and stags from a transporting agent to identify the sows, boars, and stags, unless so previously identified, with a tattoo or other identification authorized by the board. Failure of the first agent or agency receiving the sows, boars, and stags to properly identify the sows, boars, and stags does not relieve other agents or agencies receiving the sows, boars, and stags from the responsibilities of identification of the sows, boars, and stags to the herd of origin.

Statutory Authority: *MS s 35.03*

1720.1720 IDENTIFICATION CODE.

Tattoos or other identification shall be applied as directed by the board, using a code approved by the board which will identify the herd of origin of the sows, boars, and stags.

Statutory Authority: *MS s 35.03*

1720.1730 RECORD OF IDENTIFICATION.

Every agent or agency identifying sows, boars, and stags shall maintain a record of the identification used, date of application, name, and address of the producer of all sows, boars, and stags identified for at least 120 days. These records shall be made available to the board at any time.

Statutory Authority: *MS s 35.03*

1720.1740 VIOLATION.

Each agent or agency failing to comply with the provisions of these rules is in violation of Minnesota Statutes, section 35.70.

Statutory Authority: *MS s 35.03*