

STATE OF MINNESOTA BOARD OF ANIMAL HEALTH

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In the Matter of the Proposed Amendments  
of the Rules of the Board of Animal Health,  
Governing Parts 1715.0200 thru 1715.0580,  
The Sale of Livestock at Auction Markets,  
Consignment, Community and Other Sales

STATEMENT OF NEED  
AND REASONABLENESS

The Minnesota Board of Animal Health has authority under MS 235.03 to adopt rules to protect the health of domestic animals of the state. The Board has determined that tests, inspections and other requirements and procedures involving the sale of livestock at markets protects the health of livestock of this state.

The Board of Animal Health proposes to amend rules governing the sale of livestock at auction markets, consignment, community and other sales. The reasons and need for the changes follow.

The last revision of the Parts 1715.0200 thru 1715.0580 was made March 18, 1985. The Pseudorabies Advisory Committee has recommended changes to remove marketing obstacles for certain classes of swine.

The Board, on the advice of the Pseudorabies Advisory Committee, proposes changes to allow freer marketing of pseudorabies quarantined feeder pigs consistent with effective disease control. The sale of quarantined feeder pigs is allowed in Part 1705.2430, Infected Herd Quarantine and Disposal Procedures. The proposal to allow sales of feeder pigs from pseudorabies quarantined herds through specially designated markets will relieve some economic hardship to feeder pig producers. Currently, feeder pig producers under pseudorabies quarantine do not have the advantage of competitive bidding for their product.

The Board proposes to allow the sale of feeder pigs from quarantined herds at special classes of markets with provisions for prevention of the spread of pseudorabies to uninfected herds. These provisions are: 1. Limit sale at restricted feeder pig markets only to quaran-

tined feeder pigs. 2. Not allow unloading of vehicles onto common facilities. 3. Require documents to convey quarantined feeder pigs into and out of the market. 4. Allow sale only to approved feeder pig finishing premises.

Pseudorabies restricted feeder pig markets cannot be established in the northern zone or in Stage III areas.

The Board has determined that lightweight market hogs are not acceptable to hog slaughtering establishments. Under the pseudorabies control rules, Parts 1705.2400 to 1705.2530, lightweight swine are not eligible for sale from a market because monitored herd status cannot be established. The Board proposes to remove this restriction to allow the sale of lightweight market hogs to approved premises authorized in Part 1705.2434. This provides that such swine cannot be sold to go to the northern zone and will restrict sale to finishing lots authorized and under the control of the Board.

For purposes of compliance with MS 14.11, the Board estimates that there will be no expenditure of money by local public bodies and there will not be any adverse impact on agricultural land in Minnesota.

With respect to MS 14.115 as it relates to the impact on small business, the Board has determined that all markets that will be affected by this rule are small businesses as defined in subdivision 1.

The Board considered the provisions of subdivision 2 for reducing the impact on small business and has concluded:

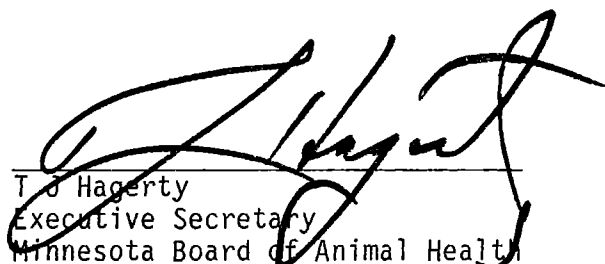
(1) Less stringent compliance and reporting requirements would defeat the purpose of the proposed rule amendments and would not meet the requirements of 1705.2400 thru 1705.2530.

(2) Exception of small businesses from compliance is not in the best interests of swine and livestock industry of the state of Minnesota.

(3) There will be decreased impact on market operation to the extent that sale of lightweight market swine at auction markets allows more competitiveness at the market.

The Board has complied with subdivision 4 by notifying all existing markets of the proposed amendments to the rule by direct notification of the proposed rule making.

Date 11-6-89

  
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T. J. Hagerty  
Executive Secretary  
Minnesota Board of Animal Health