



STATE OF WASHINGTON  
DEPARTMENT OF AGRICULTURE

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## Concise Explanatory Statement

### Chapter 16-610 WAC, Livestock Brand Inspection

The Washington State Department of Agriculture held hearings on December 6, 2011 in Moses Lake, WA and December 12, 2011 in Olympia, WA to accept testimony on the proposal to amend chapter 16-610 WAC, Livestock Brand Inspection.

#### **Identifying the Agency's Reasons for Adopting the Rule:**

Industry representatives went before the 2011 legislature to introduce and support legislation that provided the department authority to designate when inspection certificates, certificates of permit, or other transportation documents must designate a physical address of a destination. In addition, the legislation made it unlawful to divert delivery of livestock from the physical address indicated on the transportation documents.

With the passage of Substitute House Bill 1538, the department initiated rule making to WAC 16-610 to conform to these recent statutory amendments. Animal disease traceability is a vital tool used to protect public health, safety, and welfare and to maintain the economic vitality of our livestock industries. Washington's number one source for in-state traceability is through livestock inspections at change of ownership or movement out-of-state. The rule making to require physical addresses and delivery to the designated address on inspection or transportation documents will aid in animal disease traceability when an adverse animal health event occurs.

#### **Differences Between the Text of the Proposed Rule and the Text of the Rule as Adopted:**

The following minor edits were made within the proposed rule language (*WAC 16-610-095, Penalty schedule for notices of infraction*) as a result of the Office of the Code Reviser codifying the laws of 2011 into RCW citations:

<del>Chapter 204, Laws of 2011</del> <del>RCW 16.57.440</del>	Transporting or delivering cattle or horses to any destination other than the designated physical address.
<del>Chapter 204, Laws of 2011</del> <del>RCW 16.57.160</del>	Failing to designate a physical address.

## **Summarizing All Comments Received Regarding the Proposed Rule and Responses:**

### Summary of supporting testimony:

- I support the proposed changes.  
*Response: WSDA appreciates the support for this rule.*
- I support the proposed changes, with one minor concern. We need a set of clear instructions on what to do at night or on the weekend.  
*Response: WSDA appreciates the support for this rule. The proposed rule does not establish notification requirements that would require night or weekend instructions or access to department personnel. However, the Livestock Inspection program has a general phone line or email available to producers after regular business hours.*
- I support the proposed changes. However, afterhours contact information or email to the public should be added.  
*Response: WSDA appreciates the support for this rule. The proposed rule does not establish notification requirements that would require afterhours access to department personnel. However, the Livestock Inspection program has a general phone line or email available for producers after regular business hours.*
- I support the proposed changes.  
*Response: WSDA appreciates the support for this rule.*
- The Washington Cattle Feeders Association is in support of the amendments as stated.  
*Response: WSDA appreciates the support for this rule.*
- The Washington State Dairy Federation is in support of the proposal.  
*Response: WSDA appreciates the support for this rule.*
- The Washington Cattlemen's Association is in support of the proposal.  
*Response: WSDA appreciates the support for this rule.*

### Summary of neutral testimony:

- None.

### Summary of opposing testimony:

- I vote no on your new proposals and fines.  
*Response: WSDA appreciates all input into the rule making process.*