

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1192
92ND GENERAL ASSEMBLY

Reported from the Committee on Agriculture March 3, 2004, with recommendation that the House Committee Substitute for House Bill No. 1192 Do Pass by Consent.

STEPHEN S. DAVIS, Chief Clerk

4098L.02C

AN ACT

To repeal sections 267.470, 267.472, 267.475, 267.480, 267.485, 267.490, 267.495, 267.500, 267.505, 267.510, 267.515, 267.520, 267.525, 267.531, 267.535, 267.540, 267.545, 267.550, 267.551, 267.552, 267.553, 267.554, 267.555, and 267.556, RSMo, and to enact in lieu thereof one new section relating to animal health and inspection.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 267.470, 267.472, 267.475, 267.480, 267.485, 267.490, 267.495,
2 267.500, 267.505, 267.510, 267.515, 267.520, 267.525, 267.531, 267.535, 267.540, 267.545,
3 267.550, 267.551, 267.552, 267.553, 267.554, 267.555, and 267.556, RSMo, are repealed and
4 one new section enacted in lieu thereof, to be known as section 267.471, to read as follows:

267.471. The director shall promulgate rules:
2 **(1) Consistent with and equal to the Federal Meat Inspection Act, the Federal**
3 **Poultry Products Inspection Act, and all related federal regulations; and**
4 **(2) Necessary to implement the inspection programs authorized under sections**
5 **265.300 to 265.470.**

2 [267.470. Unless otherwise indicated by the context, when used in sections
267.470 to 267.550, the following terms have the following meanings:

3 (1) "Accredited approved veterinarian" means a veterinarian who has been
4 accredited by the United States Department of Agriculture and approved by the state
5 department of agriculture and who is duly licensed under the laws of Missouri to
6 engage in the practice of veterinary medicine, or a veterinarian domiciled and
7 practicing veterinary medicine in a state other than Missouri, duly licensed under the

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.

- 8 laws of the state in which he resides, accredited by the United States Department of
9 Agriculture, and approved by the chief livestock sanitary official of that state;
- 10 (2) "Animal" means an animal of the bovine species;
- 11 (3) "Approved vaccine" or "vaccine" means vaccine containing brucella
12 microorganisms produced under license of the United States Department of
13 Agriculture and approved by the department for the immunization of animals against
14 brucellosis;
- 15 (4) "Bovine brucellosis" or "brucellosis" means the disease wherein an
16 animal of the bovine species is infected with brucella microorganisms, irrespective
17 of the occurrence or absence of clinical symptoms of the disease;
- 18 (5) "Cattle" means animals of the bovine species;
- 19 (6) "Certified brucellosis free herd" means a herd of cattle which has met the
20 requirements and conditions set forth in sections 267.470 to 267.550 for such status,
21 or a herd of cattle in another state which has met those minimum requirements and
22 conditions under the supervision of the livestock sanitary authority of the state in
23 which said cattle are domiciled and as recommended by the United States
24 Department of Agriculture for such status;
- 25 (7) "Commercial feeder" means any person, association, partnership or
26 corporation maintaining premises wherein cattle of various classes are held for
27 various feeding periods and after such period are moved to a recognized and
28 approved slaughtering establishment or consigned to a public stockyards market
29 under federal inspection service or a licensed market approved for the handling of
30 such cattle and are sold for slaughter purposes only;
- 31 (8) "Department" or "department of agriculture" means the department of
32 agriculture of the state of Missouri, and when by this law the said department of
33 agriculture is charged to perform a duty it shall be understood to authorize the
34 performance of such duty by the director of the department of agriculture of the state
35 of Missouri or his duly authorized deputies, acting under the supervision of the
36 director of the department of agriculture;
- 37 (9) "Infected animal" or "reactor" means an animal which has shown a
38 positive reaction to the agglutination test or any other recognized test for the
39 detection of bovine brucellosis approved by the department or if "brucella organisms"
40 are found in the body discharges or secretions of such animal or when a previous
41 abortion history of the animal justifies designating such animal as a reactor, with or
42 without a positive reaction to the test;
- 43 (10) "Isolated" or "isolation" means the condition in which cattle are
44 quarantined to a certain designated premise and maintained separately and apart from
45 any other cattle on the premise or from cattle on adjacent premises;
- 46 (11) "Livestock sale or market" means a sale or market as defined in and
47 licensed under chapter 277, RSMo;
- 48 (12) "Milk ring test" means a test made by using the standardized suspension
49 of milk ring test antigen of killed brucella microorganisms in combination with
50 proper amounts of whole milk or cream produced by a particular herd of cattle;

51 (13) "Modified certified brucellosis free area" means an area which has met
52 the requirements and conditions set forth in sections 267.470 to 267.550 for such
53 status, or an area in another state which has met those minimum requirements and
54 conditions under the supervision of the livestock sanitary authority of the state in
55 which such area is located and as recommended by the United States Department of
56 Agriculture for such status;

57 (14) "Plan A" means test-and-slaughter, with or without calfhood
58 vaccination, under provisions of the law;

59 (15) "Plan B" means testing and calfhood vaccination, with temporary
60 retention of reactors for not longer than three years and until they can be disposed of
61 for slaughter, under provisions of the law;

62 (16) "Plan C" means calfhood vaccination without test of any part of the herd
63 and the plan is confined to those herds in which movement of animals is restricted
64 to special permits issued by the department;

65 (17) "Plan D" means adult vaccination to be practiced in cases of emergency,
66 with the approval of the department;

67 (18) "Public stockyards" means any public stockyards located within the state
68 of Missouri and subject to regulations under the provisions of the Packers and
69 Stockyards Act enacted by Congress of the United States;

70 (19) "Quarantine" means the condition in which cattle or other species of
71 animals are restricted in movement and to a particular premise under such terms and
72 conditions as may be designated in the order by the department;

73 (20) "Test for brucellosis" means a test recognized by the United States
74 Department of Agriculture in the diagnosis of brucellosis.]
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2 [267.472. 1. Premises maintained and operated by a commercial feeder for
3 feeding purposes shall, when so used, be under a continuous state of quarantine and
4 breeding animals shall not be maintained on such premises.

5 2. Surface drainage and any contact with cattle on adjacent premises shall be
6 controlled in a manner designated by the state veterinarian or his representative when
7 deemed necessary for the protection of breeding animals on the adjacent premises.

8 3. Commercial feeders shall make application for a permit from the
9 department and if issued by the department may then purchase untested nonbred
10 female cattle under the permit from any licensed market, terminal stockyards market
11 or producer within the state for feeding purposes.

12 4. The department may suspend or revoke the permit for any violation of this
13 chapter or of the rules and regulations of the department.

14 5. Commercial feeders shall retain all incoming permits, waybills, bills of
15 lading, conductors' manifests, health certificates, and copies of all outgoing permits,
16 certificates, waybills and bills of lading. Permission to enter the premises of a
17 commercial feeder shall be granted to a duly authorized agent of the department or
18 of the United States Department of Agriculture. The books and records of all
commercial feeders shall be exhibited to such authorized persons upon demand;

19 provided further, that all incoming and outgoing permits and bills of lading shall be
20 surrendered to each authorized person upon demand. Complete books relating to a
21 commercial feeding operation shall be kept in a current manner.

22 6. The state veterinarian may elect to discontinue the practice of licensing
23 quarantined commercial feedlots if their existence conflicts with other disease
24 eradication requirements.]
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[267.475. 1. The department is authorized and directed to cooperate with the
2 United States Department of Agriculture and other agencies and departments of the
3 state of Missouri in the suppression, eradication and control of bovine brucellosis in
4 this state.

5 2. The department is authorized and empowered to make and adopt rules and
6 regulations for the administration and enforcement of sections 267.470 to 267.550,
7 and may waive the signing of individual agreements by cattle owners on areawide or
8 countywide control and eradication programs.

9 3. The department in performing the duties and exercising the powers vested
10 in it under sections 267.470 to 267.550 is empowered to enter, during usual working
11 hours, any premises, barns, stables, sheds, vehicles, or other places where cattle are
12 kept, or plants where milk or cream is received or collected, for the purpose of
13 administering and enforcing the provisions of sections 267.470 to 267.550.]
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[267.480. The department is hereby authorized, upon request to supply
2 brucella vaccine, and to employ the services of veterinarians, in cooperation with the
3 United States Department of Agriculture, to administer such vaccine to, and conduct
4 blood tests on, animals, owned by any person or persons in the state of Missouri, who
5 having first signified, in writing, their intention to cooperate with the department and
6 the United States Department of Agriculture, by signing an agreement to qualify his
7 herd as a brucellosis certified free herd or to participate in the program for the control
8 and eradication of brucellosis, under plan A, B, C, or D, as approved by the state and
9 federal departments of agriculture. Such vaccine and veterinary service and testing
10 shall be furnished without expense to the owner, as long as funds are available for
11 that purpose.]
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[267.485. Official calfhood vaccination for brucellosis shall mean that such
2 animals are vaccinated with an approved vaccine when such animal is of an age as
3 may be fixed by rules and regulations of the department. Such vaccination shall be
4 administered by an accredited veterinarian in good standing, approved by the
5 department, who shall execute and give the owner a certificate in a form approved
6 by the department, certifying an identification of the animal or animals, their age, the
7 serial number of the vaccine, the expiration of the effective date of the vaccine, the
8 dosage used, and if the animal or animals were tested for brucellosis prior to the
9 vaccination, the result of such test. Grade animals vaccinated in compliance with this
10 section shall be permanently identified by a tattoo symbol and a vaccination tag, both

11 as approved by the department, and such tags may be provided at cost by the
12 department. Registered animals shall be identified by the registration tattoo, or the
13 registration name and number of such animal.]
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2 [267.490. 1. The department is hereby authorized to pay, within the limit of
3 its appropriations, an indemnity in the manner and in the amounts herein set forth to
4 the owner of any cattle carrying on an approved brucellosis control program in his
5 herd, in order to reimburse such owner for a part of the loss suffered by such owner
6 in disposing of the cattle exposed to, infected with, or reacting to a test for
7 brucellosis.

8 2. The value of any cattle on which an indemnity is sought by the owner
9 thereof shall not exceed an amount recognized by the state veterinarian and the owner
10 as just compensation in relation to current market conditions, breeding value and
11 other criteria of valuation for the animal destroyed. Each animal destroyed shall be
12 identified separately on the appraisal form. The appraisal form shall be
13 made out in triplicate, and one copy sent to the department, one copy retained by the
14 duly authorized agent, and one copy retained by the owner.

15 3. Any such cattle on which an indemnity is sought shall be kept in isolation
16 and within fifteen days of identification or branding shall be sold for slaughter and
17 a report of the net proceeds (being the total amount received less expense of
18 transportation, commissions and other expense of such sale) derived from the sale of
19 such infected or reactor cattle shall be delivered by the owner to the department. The
20 department shall determine the owner's loss by deducting the amount of the net
21 proceeds so derived by the sale of the cattle for slaughter from the appraised value.

22 4. The indemnity to be paid by the department shall be an amount set at the
23 discretion of the state veterinarian and shall not exceed breeding value of the animal.
24 The department shall certify to the state commissioner of administration the amount
25 to be paid by the department, and such amount shall constitute a legal claim against
26 the state within the limits of available appropriations, and the commissioner of
27 administration shall approve the same and cause the same to be paid by issuing his
28 warrant on the state treasurer therefor in payment to such owner.

29 5. Indemnity for animals slaughtered as reactors or as infected cattle shall be
30 paid to the owner thereof, only if the owner cooperates with the department, if
31 requested by the state veterinarian or his agent, in carrying out recommended
32 practices in eradicating the disease from his animals.

33 6. No indemnity shall be paid if, in the judgment of the state veterinarian, the
34 animal does not qualify for indemnity or the owner is ineligible for payments.]

2 [267.495. Every person conducting agglutination tests shall execute, in
3 triplicate, a certificate on each test made, in the form to be prescribed by the
4 department and one copy of said certificate of test shall be mailed or delivered to the
5 department, and one copy shall be delivered to the owner of the animal tested, and
one copy shall be retained by the person conducting the test and executing the

6 certificate. If the animal tested shows a positive reaction to the agglutination test, the
7 person conducting the test shall brand and tag such animal as required by rules and
8 regulations of the department.]
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2 [267.500. 1. No person shall operate or conduct a laboratory in this state for
3 the purpose of making agglutination tests, nor shall any person make such tests,
4 without first securing from the department a permit to do so. The application for
5 such permit shall be on a form prescribed by the department and shall set forth the
6 name of the applicant and, if a corporation, the names of its principal officers, the
7 location where such laboratory will be conducted, such tests made and the records
8 thereof kept, a brief description of the training and experience of the applicant or the
9 person in charge of making such tests, and such other information as the department
10 may require to enable the department to determine the responsibility, qualifications
11 and ability of the applicant to make agglutination tests.

12 2. If the department finds that the applicant is responsible and appears to be
13 qualified to make such tests, it shall issue a permit to the applicant. Such permit shall
14 be issued for the period ending on the following June thirtieth, and shall be
15 renewable from year to year on like application.

16 3. Each person holding a permit to conduct such a laboratory and make such
17 tests shall keep a record of all tests so made, including the name and address of the
18 person for whom the tests were made, and shall report to the department the results
19 of all tests made for persons or upon cattle located in this state. Such reports shall
20 be made upon forms to be provided by the department and at such times as are
21 required by sections 267.470 to 267.550 or by rules and regulations of the
22 department.

23 4. If the department finds that any applicant for permit is not responsible or
24 is not qualified to make tests, it may refuse to issue a permit or to renew a permit.
25 If the department finds that any person holding a permit is not correctly reporting the
26 results of the tests made by such persons or if such persons shall fail to report the
27 results of the tests made to the department, as herein required, the department may
28 revoke such permit or may refuse to renew any such permit.]

2 [267.505. 1. All cattle eight months of age or over entering Missouri from
3 any point outside the state and all cattle eight months of age or over exchanged,
4 bartered or offered for sale or transported within the state of Missouri must have
5 passed a negative test for brucellosis, conducted in an approved laboratory within
6 thirty days prior to entry or within thirty days prior to sale, exchange, barter or being
7 transported within the state. The state veterinarian may eliminate the test
8 requirements on certain groups or classes of animals by specific regulations.

9 2. All cattle entering Missouri from any point outside the state shall be
10 accompanied by an official health certificate stating that all animals listed thereon
11 have passed a negative blood test for brucellosis within the previous thirty days or
showing that they are eligible for entry into Missouri in accordance with the

12 regulations of the department. All other shipments within the state must be
13 accompanied by official certification of tests, vaccinations, health certificate, permits
14 or waybills, which properly identify all the animals in the shipment or as otherwise
15 specified in the regulations of the department.]
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2 [267.510. A "certified brucellosis free herd" is one which has qualified for
3 such status as herein provided. Any herd owner desiring such status must file a
4 signed application and agreement form with the department. The department shall
5 authorize the necessary tests in order to qualify or requalify for such status.

6 (1) A herd may be certified as brucellosis free when it has met all the
7 requirements for qualifications as set out in current uniform methods and rules of the
8 Animal and Plant Health Inspection Service of the U.S.D.A. and as required by the
9 United States Department of Agriculture and the state department of agriculture.

10 (2) The certification of a herd may be extended for another year when the
11 herd retest requirements as outlined by current department regulations have been met.

12 (3) "Certified brucellosis free herd" certificates which shall be valid for one
13 year, unless revoked, will be issued by cooperating state and federal officials, to
14 owners whose herd meets the provisions of sections 267.470 to 267.550.]

2 [267.515. A "modified certified brucellosis free area" may be established as
3 provided in this section.

4 (1) If sixty-five percent or more of the cattle owners within an area owning
5 sixty-five percent of the cattle in such area sign a petition requesting eradication of
6 brucellosis on an areawide basis, and the petition is filed with the department, then
7 all cattle owners within such area shall be required to inaugurate and carry out
8 brucellosis control plan A.

9 (2) All persons responsible for obtaining signatures of cattle owners on the
10 petitions shall submit therewith an affidavit certifying that the petitions are true and
11 accurate as witnessed, and the petitions shall be filed with the department along with
12 an affidavit of the county clerk of the county that the petitions contain the names of
13 not less than sixty-five percent of the cattle owners owning sixty-five percent of the
14 cattle within the area as disclosed by the last assessment rolls of the one or more
15 townships therein.

16 (3) When the last complete test of all herds within an area indicates that the
17 number of reactors, exclusive of officially calfhood vaccinated animals under thirty
18 months of age and steers and spayed heifers of any age, does not exceed one percent
19 and the herd infection does not exceed five percent, the area may be declared a
20 "modified certified brucellosis free area" for a period of three years. Infected herds
21 shall be quarantined until they have tested sufficiently as outlined in current
22 brucellosis eradication regulations.

23 (4) The certification of an area may be extended when requirements, as
24 jointly agreed upon by the United States Department of Agriculture and the state
department of agriculture, are being carried out.

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(5) The department may require the testing of all eligible cattle leaving a public stockyards market, licensed market and dealers premises for the purpose of screening beef type herds and for determining the level or rate of infection for the respective area of origin. If the total of the cattle screened or tested for the area is insufficient, then sufficient additional measures may be required by the department, including testing of herds at the farm level. The consignor of cattle shall, immediately upon delivery to a market, furnish the correct name and address of the owner of the herd or herds of origin, the county or other point of origin for all cattle in the consignment, and all dealers shall maintain records which provide such information in order to facilitate the proper screening of the herds of origin, and for the recertification of an area. Market operators and dealers shall make such information available to a representative of the department upon demand and to the veterinarian charged with testing of such cattle.

(6) The department is hereby granted the authority to enter all milk or dairy plants and cream buying stations for the purpose of collecting milk or cream for the conduct of the milk ring test. Operators of all such milk plants and cream buying stations shall maintain accurate records of all herd owners selling milk or cream to their plant and shall maintain an individual milk sample for the department on all milk collected in bulk, and shall make such information available to a representative of the department upon demand.

(7) Cattle which have passed a negative test for brucellosis shall be maintained separate and apart from any other untested cattle when such cattle are to be offered for sale, barter, exchange or movement within thirty days from date of the test.

(8) "Area" as used in this section shall include one or more townships in any county.

(9) When the livestock owners in ninety or more counties have petitioned the department for the eradication of brucellosis on an areawide basis under the provisions of plan A, all cattle owners in the remaining counties in the state shall be required to inaugurate and carry out brucellosis eradication plan A upon notice from the department]

[267.520. The owner of cattle which are under quarantine shall comply with all rules and regulations adopted by the department relating to the quarantine of cattle and with all orders issued by the department pertaining to the sale, movement, transfer or transportation of such cattle. Cattle under quarantine may be sold, transferred or transported only upon a permit issued by the department; provided that infected or reactor cattle under quarantine shall not be sold, moved, or transported for any purpose except on a permit issued by the department.]

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[267.525. Notwithstanding any provision in any of sections 267.470 to 267.550, the department shall allow and permit the owner of any animal which is found to be a reactor, to retain such animal in quarantine and use the animal for

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4 breeding purposes in his own herd, where necessary or desirable in order to preserve
5 valuable breeding cattle; but the permission shall not be granted if the state
6 veterinarian determines that the eradication program would be adversely affected and
7 permission shall not be granted unless the United States Department of Agriculture
8 agrees that county brucellosis status will not be affected. Such reactor animal may
9 not be sold, transferred, or moved except on a special permit issued by the
10 department.]

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2 [267.531. 1. Cattle which are held, moved or transported in violation of the
3 provisions of sections 267.470 to 267.550, or the rules and regulations adopted
4 hereunder, on order of the department of agriculture shall be seized and taken into
5 custody by an authorized agent of the department of agriculture or by any state or
6 county law enforcement officer at the request of the department. The order, together
7 with a notice stating the reasons for the seizure and the rights of the owner under this
8 section, shall be served upon the custodian at the time of seizure and copies thereof
9 shall be mailed to the owner, if a person other than the custodian, by certified mail
10 to his address as given by the custodian within twenty-four hours after the seizure.
11 The department shall impound and hold all cattle seized and taken into custody at the
12 owner's expense and without liability to the department. Any cattle so seized and
13 impounded may be redeemed by the owner and released to him by the department,
14 provided that all such animals shall have been tested for brucellosis and any reactors
15 shall be tagged and branded or tagged as provided by law at the owner's expense. In
16 order to redeem such cattle the owner shall pay all expenses including the care and
17 feeding of such cattle and the expense of testing and branding. Any reactor cattle
18 shall be consigned by the owner to slaughter upon redemption thereof.

19 2. Any person aggrieved by an order of seizure and impoundment may appeal
20 therefrom by filing with the director of the department of agriculture a petition stating
21 in detail his objections to the order, within five days after service or mailing of the
22 order and notice. The director, or his authorized agent, within forty-eight hours of
23 the filing of the appeal, shall hold a hearing to determine the validity of the order and
24 shall either affirm the order or release the cattle. The hearing shall be conducted and
25 judicial review of the director's decision may be had in the manner provided by
26 chapter 536, RSMo. If an order of seizure and impoundment is determined to be
27 invalid, the expense of caring for the cattle and the cost of the proceedings shall be
28 borne by the department of agriculture.

29 3. If the cattle are not redeemed by the owner, and if no appeal is taken
30 within five days after service or mailing of the notice and order of seizure, the
31 department may apply to the circuit court of any county in which the cattle are
32 impounded and the department under court order shall sell the cattle for slaughter and
33 deduct from the net proceeds thereof all expenses of the department in connection
34 with the seizure and impoundment of the cattle and remit the balance to the owner.]

2 [267.535. In addition to the remedies provided for in sections 267.470 to
3 267.550 or by law, the prosecuting attorney of any county in which a violation of any
4 provision of sections 267.470 to 267.550 occurs or the attorney general of the state
5 is hereby authorized to apply to any court of competent jurisdiction for, and such
6 court shall have jurisdiction upon hearing and for cause shown to grant, a temporary
7 or permanent injunction to restrain any person from violating any provision of
8 sections 267.470 to 267.550.]

2 [267.540. Any person who shall knowingly or willfully make any false
3 certificate or falsify any statement in any certificate provided for in sections 267.470
4 to 267.550 shall be deemed guilty of a misdemeanor, and upon conviction shall be
5 punished as provided by law.]

2 [267.545. Any person violating any provision of sections 267.470 to 267.550
3 shall be deemed guilty of a misdemeanor, and upon conviction shall be punished as
4 provided by law.]

2 [267.550. Sections 267.470 to 267.550 shall be cited as "The Missouri
3 Brucellosis Control and Eradication Law".]

2 [267.551. As used in sections 267.551 to 267.556, the following terms shall
3 mean:

- 4 (1) "Accredited and approved veterinarian", a veterinarian who has been
5 accredited by the United States Department of Agriculture and approved by the
6 department of agriculture of this state and who is duly licensed under the laws of this
7 state to engage in the practice of veterinary medicine;
- 8 (2) "Bovine", male and female cattle or buffalo;
- 9 (3) "Director", the director of the department of agriculture of this state;
- 10 (4) "Official calthood vaccinate", female cattle of any breed or female bison
11 vaccinated while legal age by a veterinary services veterinarian, state veterinarian,
12 or an accredited veterinarian with brucella abortus strain 19 vaccine;
- 13 (5) "Quarantined feedlot", a confined area under official state quarantine and
14 approved jointly by the director of the department of agriculture and officials of the
15 United States Federal Animal Health Office where all animals are to be classified as
16 exposed to brucellosis;
- 17 (6) "'S' branded cattle", cattle which have been identified by branding with
18 a hot iron bearing the letter "S" to be placed on the left jaw with a letter at least two
19 inches high by two inches wide;
- 20 (7) "Spay", sterilization of a female animal by removal of the ovaries.]

2 [267.552. 1. Brucella abortus vaccine shall be administered to all required
3 animals in accordance with a method to be approved by the Missouri department of

3 agriculture in rules and regulations to be issued by the director as otherwise provided
4 by law.

5 2. The director shall issue rules and regulations regarding the required use
6 and sale of brucella abortus vaccine. The vaccine shall only be sold to accredited and
7 approved veterinarians who have completed a training program sponsored by the
8 director on the use of the vaccine.

9 3. The director shall issue a health certificate of compliance for those animals
10 treated pursuant to the provisions of sections 267.551 to 267.556.

11 4. The director, at his discretion, may rescind the provisions of sections
12 267.551 to 267.556 as they pertain to calthood vaccination if the state of Missouri
13 has maintained a class "A" status for a period of two years, as such term is defined
14 by rules and regulations provided by the United States Department of Agriculture.
15 However, in the event this state cannot maintain a class "A" status, and goes back to
16 a class "B" status, then the provisions of sections 267.551 to 267.556 shall be in full
17 force.]
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2 [267.553. All female bovine born after January 1, 1984, and having reached
3 the age of four months, except those animals from a certified brucellosis free herd as
4 defined under section 267.510, shall be vaccinated as required by the director,
5 spayed, or "S" branded prior to transfer of ownership. Such animals may move
6 directly from a farm of origin to an approved market where the provisions of sections
7 267.551 to 267.556 will be complied with prior to the release of such animals from
8 the market. Any nonvaccinated female bovine born before January 1, 1984, may,
9 after normal testing procedures, be sold within the state. Finished fed heifers which
10 have not been vaccinated in accordance with the provisions of sections 267.551 to
11 267.556, but that are moving through cattle market channels directly to slaughter,
12 shall be exempt from the "S" branding or spaying requirement. "S" branded cattle
13 shall only be moved to a quarantined feedlot or through cattle market channels
14 directly to slaughter. Animals being moved from this state in interstate commerce
15 shall be exempt from the provisions of sections 267.551 to 267.556, but shall satisfy
16 all requirements of the state of destination. Any calves or cows brought into this
17 state shall meet the same calthood vaccination requirement that applies to calves and
18 cows raised in this state. Health certificates shall be issued by the director only for
19 calves and cows that satisfy the requirements of calthood vaccination and to
20 nonvaccinated calves and cows meeting the requirements of a certified brucellosis
21 free herd as provided under section 267.510.]

2 [267.554. Notwithstanding the other provisions of sections 267.551 to
3 267.556, the director shall be empowered to require the use of another type of
4 vaccine developed after January 1, 1984, found to be more effective than the vaccine,
5 brucella abortus.]

2 [267.555. 1. Notwithstanding any other provision of sections 267.551 to
3 267.556, any legally qualified heir or heirs who receive an interest in any female
4 bovine from a decedent's estate or who receives a controlling interest in such
5 livestock as the result of a death, and if said heir or heirs, or said heir or heirs' legal
6 representative make provisions to sell such livestock herd in its entirety, such
7 livestock shall be exempt from the provisions of section 267.553 if said livestock
8 shall pass two successive tests as defined under chapter 267, given at least sixty days
9 apart for the detection of the disease, brucellosis.

10 2. The director shall issue a health certificate of compliance for such
11 livestock herds that favorably pass such testing.

12 3. If such animals shall fail testing procedures prescribed by the director,
13 such livestock shall be treated equally with other animals that fail such testing
14 procedures.]

2 [267.556. To be eligible for an indemnity payment under section 267.490,
3 the owner of cattle for which the indemnity is sought must comply with the
provisions of sections 267.551 to 267.556.]