

Chapter 202: RULES FOR THE INTRASTATE MOVEMENT OF SHEEP AND GOATS

Section I. PURPOSE

The purpose of the Rules for the Intrastate Movement of Sheep and Goats is to ensure that Maine sheep and goats remain free of scrapie and to meet United States Department of Agriculture (USDA) requirements for Consistent State Status as specified in 9 CFR Part 79.6. Consistent states are required to impose intrastate movement regulations requiring identification upon change of ownership for sheep and goats. These rules are intended to comply with those requirements. These rules will ensure the continued ability for sheep and goat owners to move their animals across state lines for any purpose.

Adoption of these rules requiring identification of sheep and goats on change of ownership for intrastate movement does not in any way obligate Maine or Maine producers to participate in the National Animal Identification System.

Section II. DEFINITIONS

1. **Animal.** A sheep or goat.
2. **Department:** The Maine Department of Agriculture, Conservation and Forestry.
3. **Direct Movement to Slaughter.** Transported to a facility for slaughter, without stops or unloading except for feeding and watering during which the animals are not commingled with any other animals.
4. **Official Identification.** Identification mark or device approved by the USDA or Department for use in the Scrapie Eradication Program. An approved identification ear tag must be sufficiently tamper-resistant for the intended use and provide unique identification for each animal. Examples of official identification may include: scrapie identification tags issued by the USDA or by the Department; breed registration tattoos accompanied by breed registration certificates or other tattoos approved by the Department; or USDA-approved electronic identification devices.
5. **Owner.** A person, partnership, company, corporation or any other legal entity that has legal or rightful title to animals, whether or not they are subject to a mortgage.
6. **Scrapie.** Scrapie is a nonfebrile, transmissible, insidious degenerative disease affecting the central nervous system of sheep and goats.
7. **Scrapie Eradication Program.** The cooperative State-Federal program administered by the USDA APHIS and consistent states to control and eradicate scrapie.
8. **Scrapie Flock Certification Program (SFCP).** The cooperative Federal-State-industry voluntary program for the control of scrapie.

9. **Slaughter Channels.** Animals in slaughter channels include any animal that is sold, transferred, or moved either directly to a slaughter facility, to an individual for custom slaughter, or for feeding for the express purpose of improving the animals' condition for movement to slaughter. When selling animals for slaughter, owners should note on the bill of sale that the animals are sold only for slaughter.
10. **United States Department of Agriculture.** The United States Department of Agriculture, Animal and Plant Health Inspection Service (APHIS). The Animal and Plant Health Inspection Service of the United States Department of Agriculture.

Section III. IDENTIFICATION REQUIREMENTS

All sexually intact animals must be officially identified on change of ownership for movement within the State of Maine, except for those animals less than 18 months of age moving direct to slaughter or those animals less than 18 months of age moving in slaughter channels.

Section IV. SLAUGHTER CHANNEL MOVEMENTS

No sheep or goat may be removed from slaughter channels unless it is identified to the flock of birth, and the animal is not exposed to scrapie or from an infected or source flock.

Section V. RECORDKEEPING

1. The owner must maintain records for a minimum of five years from the date of application of the identification. These records must be made available upon request during normal business hours to any authorized employee of the USDA or the Department. The records must include the following:
 - a. the official identification number applied;
 - b. the number of animals identified, by species;
 - c. the type of official identification; and
 - d. the date on which the official identification was applied.
2. In addition to maintaining records specified above, each individual who applies official identification must provide the following, upon request.
 - a. the name, premises, mailing address, and if available, phone number of the individual for which the official identification was applied;
 - b. the name and address of the owner of the flock of birth, if the flock of birth is known, and
 - c. the name, premises, mailing address, and if available phone number of the individual or premises that purchased or otherwise received these animals.

3. Each individual or entity who receives, purchases, acquires, sells, or disposes of any sheep or goats must keep records of each transaction for a minimum of five years from the date of the transaction. Each record must include the following:
 - a. the number of animals included in the transaction;
 - b. the date of the transaction;
 - c. the name, address, and if available, the phone number of the second party involved in the transaction;
 - d. the species and breed of the animals involved;
 - e. a copy of the brand inspection certificate or certificate of veterinary inspection for all animals that have official identification consisting of brands or ear notches; and
 - f. all business records, including sale tickets or invoices.

Section VI. SCRAPIE FLOCK CERTIFICATION PROGRAM

Owners of sheep and goats may enroll in the Scrapie Flock Certification Program. Owners may contact the USDA in Sutton, MA at 508-865-1421.

Section VII. VIOLATIONS

Whoever violates any provisions of this rule, commits a civil violation for which a forfeiture not to exceed \$500 per day for each violation may be adjudged, except that the total of the forfeitures may not exceed \$50,000.

STATUTORY AUTHORITY: 7 M.R.S.A. §1752

EFFECTIVE DATE:

March 31, 2007 – filing 2007-114

CORRECTIONS:

February, 2014 – agency names, formatting