



ADMINISTRATIVE RULES OF MONTANA



32.4.101 DEFINITIONS

In this subchapter the following terms have the meanings or interpretations indicated below and must be used in conjunction with and supplemental to those definitions contained in 87-4-406, MCA.

- (1) "Alternative Livestock" means the animals defined as alternative livestock and cloven hoofed ungulates in 87-4-406, MCA except domestic water buffalo (*Bubalus bubalis*).
- (2) "Alternative livestock veterinarian" means a deputy state veterinarian who has been trained and approved by the department to perform regulatory work on alternative livestock.
- (3) "Bill of sale" means the alternative livestock bill of sale form utilized by the Department of Livestock to document the valid transfer of ownership of alternative livestock.
- (4) "Catch pen" means a fenced enclosure used in conjunction with the handling facility to hold alternative livestock for individual inspection, marking, or treatment.
- (5) "Certificate of veterinary inspection" means the Department of Livestock inspection certificate form conforming to the requirements of the health certificate under ARM 32.3.206, for the inspection of alternative livestock. The form must include the number, species, age, sex, individual animal identification, owner, alternative livestock farm information and the reason for the inspection.
- (6) "Confirmation sample" means a second sample taken from the same animal and submitted to a laboratory to confirm the results of the original sample.
- (7) "Department" means the Department of Livestock.
- (8) "Department designated agent" means an individual empowered by the department to act on behalf of the department in performing regulatory duties strictly defined by department policy.
- (9) "Disease, communicable" means a disease that can spread from one animal to another animal or to humans.
- (10) "Disease, quarantinable" means any disease defined under ARM 32.3.104, 32.3.116 or identified by order of the state veterinarian.
- (11) "Elk-red deer hybrid" means an animal that is produced by the mating of an elk and red deer (*Cervus elaphus*) and all subsequent progeny.
- (12) "Emergency" means a sudden unexpected medical condition demanding immediate medical care not available on the alternative livestock farm whereby if medical treatment is not obtained immediately, the animal may die.

- (13) "Alternative livestock farm" means the enclosed land area upon which game farm animals may be kept, as defined by 87-4-406(3), MCA.
- (14) "Alternative livestock parts" means parts of an alternative livestock carcass that may be taken from an alternative livestock farm in accordance with the provisions of 87-4-415 and 87-4-416, MCA. Alternative livestock parts does not include the regenerable parts harvested annually from alternative livestock farm animals.
- (15) "H of A tag" means the Canadian equivalent of the United States Department of Agriculture (USDA) official eartag.
- (16) "Handling device" means a mechanical structure or animal restraining device (such as a squeeze chute) that facilitates inspection and handling of individual alternative livestock.
- (17) "Health certificate" has the meaning defined in ARM 32.3.201.
- (18) "Herd plan" means a written disease management plan that is designed by the herd owner and the state veterinarian to eradicate disease from an affected herd while reducing human exposure to the disease. The herd plan will include appropriate herd test frequencies, tests to be employed, and any additional disease or herd management practices deemed necessary to eradicate a disease from the herd in an efficient and effective manner.
- (19) "Herd tattoo" means the recorded whole herd mark or brand required by 81-3-102, MCA for alternative livestock identification.
- (20) "Hybrid test" means a laboratory test recognized for the identification of elk-red deer hybrid animals.
- (21) "Members of the same family" means a group whose membership is determined by including an individual, the individual's spouse, and the individual's parents, children, grandchildren, and the spouses of each.
- (22) "Montana official eartag" means an alternative livestock identification tag provided by the Department of Livestock that meets the requirements of 87-4-414(4), MCA.
- (23) "Permit" means an official document issued by the Montana Department of Livestock after proper application which allows the movement of animals, or biologics into Montana. The permit shall conform to the requirements of ARM 32.3.207.
- (24) "Prohibited alternative livestock" means animals that are prohibited from importation for purposes of alternative livestock farming pursuant to 87-4-424, MCA.
- (25) "Quarantine facility" means a department approved enclosure, separate from the catch pen and handling device, used to isolate newly acquired or diseased alternative livestock.
- (26) "Restricted alternative livestock" means animal species, subspecies and their hybrids subject to specific importation restrictions.
- (27) "Solid wall" means a wall constructed with no visible cracks between construction units or underneath the wall unit.
- (28) "State waters" means a body of water so defined by 75-5-103, MCA.
- (29) "Transfer" means the change in ownership interest or any part of an ownership interest in an alternative livestock animal.

- (30) "Transportation" means the movement of alternative livestock to or from a licensed alternative livestock farm to another licensed alternative livestock farm, a market, or any other approved destination.
- (31) "USDA official eartag" means an identification eartag that provides unique identification for each individual animal by conforming to the alphanumeric national uniform ear tagging system.
- (32) "Whole herd mark" means an artificial mark or brand recorded by the department for the exclusive sole use of the individual in whose name the mark or brand is recorded. The whole herd mark assigned by the department for alternative livestock is the herd tattoo.

Authorizing statute(s): 81-2-102, 81-2-103, 87-4-422, MCA

Implementing statute(s): 81-2-102, 81-2-103, 87-4-422, MCA

History: NEW, 1999 MAR p. 136, Eff. 1/15/99; AMD, 2010 MAR p. 2974, Eff. 12/24/10; AMD, 2018 MAR p. 1960, Eff. 10/6/18; AMD, 2019 MAR p. 2380, Eff. 12/28/19.