TITLE 21 AGRICULTURE AND RANCHING
CHAPTER 30 ANIMALS AND ANIMAL INDUSTRY GENERAL PROVISIONS
PART 8 USE OF LIVESTOCK DRUGS AND BIOLOGICALS

21.30.8.1 ISSUING AGENCY: New Mexico Livestock Board.
[21.30.8.1 NMAC - N, 12/31/2012]

21.30.8.2 SCOPE: All manufacturers, importers, distributors and users of livestock drugs and biologicals, including all serums, vaccines and other biologicals intended for administration, injection or use to or upon livestock, and including virulent blood or living virus of any disease affecting livestock.
[21.30.8.2 NMAC - N, 12/31/2012]

21.30.8.3 STATUTORY AUTHORITY: Section 77-2-7 NMSA 1978.
[21.30.8.3 NMAC - N, 12/31/2012]

21.30.8.4 DURATION: Permanent.
[21.30.8.4 NMAC - N, 12/31/2012]

21.30.8.5 EFFECTIVE DATE: December 31, 2012, unless a later date is cited at the end of a section.
[21.30.8.5 NMAC - N, 12/31/2012]

21.30.8.6 OBJECTIVE: To protect livestock in New Mexico against disease and to safeguard and promote therapeutic and efficacious livestock drugs and biologicals.
[21.30.8.6 NMAC - N, 12/31/2012]

21.30.8.7 DEFINITIONS:

A. "Board" means the New Mexico livestock board.

B. "Livestock" means cattle, sheep, swine, bison, goats, horses, mules, asses, poultry, ratites, camelids, and farmed cervidae.

[21.30.8.7 NMAC - N, 12/31/2012]

21.30.8.8 MANUFACTURER REGISTRATION REQUIREMENTS:

A. Permit required: No person, firm, corporation or company shall import into New Mexico, distribute, administer or use within New Mexico or manufacture within New Mexico, any livestock drugs and biologicals, including all serums, vaccines and other biologicals intended for administration, injection or use to or upon livestock, and including virulent blood or living virus of any disease affecting livestock, unless the manufacturer of the livestock drugs or biologicals has first obtained a permit from the state veterinarian of the New Mexico livestock board.

B. Application required: Any manufacturer who wishes to import into New Mexico, distribute, administer or use within New Mexico or to manufacture within New Mexico, any livestock drugs or biologicals, as provided in paragraph A, must first make a timely and proper application to the state veterinarian of the New Mexico livestock board requesting permission to do so.

C. Application form: A letter requesting permission or registration must include the name, address and primary contact telephone number of the applicant. The correspondence must also provide product name and description and protocol and labeling information. The livestock board may charge a fee for the registration permit, including a renewal fee, in an amount not to exceed $100 pursuant to Subsection K of Section 77-2-7.

D. Approval authority: The authority to approve and to issue a permit rests with the state veterinarian of the New Mexico livestock board.

E. Duration of permit: Permits must be renewed by renewal application made annually to the state veterinarian.

F. Conditions of approval: In order to receive approval, the drugs or biologicals must first be approved by the proper federal approval authority, either the USDA, EPA or FDA, or by a state's approval authority for conditional use drugs or biologics. The drugs or biologicals must be used, injected or administered according to the protocols, conditions for use and other restrictions established by the manufacturer and the federal approval authority respecting each drug or biological. The state veterinarian may establish other conditions as he determines necessary to safeguard New Mexico's livestock and may disallow importation, distribution and use within New

Mexico of drugs or biologicals if the state veterinarian determines that the use of those drugs or biologicals would undermine or threaten the board's ability to protect the health and safety of New Mexico's livestock, subject to board review if contested.

G. Investigational drugs: Investigational drugs and biologicals intended for livestock use are also subject to the prior approval and permitting requirements of this rule.

H. Fees.

(1) The same fees apply to initial registration permits and to renewed permits.

(2) For products with unrestricted licenses, the fee of each manufacturer is $50.00 for the first product and $25.00 for each similar product.

(3) For products with conditional use licenses, the fee for each manufacturer is $75.00 for each product.

(4) For unlicensed, investigational use products the fee for each manufacturer is $100.00 for each product.

[21.30.8.8 NMAC - N, 12/31/2012]

HISTORY OF 21.30.8 NMAC: [RESERVED]