

This is an amendment to 21.30.6, Sections 7, 8, 9, 10, 11 and 12 effective 2/26/10.

21.30.6.7 DEFINITIONS:

- A.** “**Board**” means the New Mexico livestock board.
- B.** “**Agent**” means the executive director, deputy director, veterinarian, livestock inspectors or employee of the board.
- C.** “**Acceptable specimen**” means a specimen determined satisfactory for diagnostic testing by the testing laboratory, including complete documentation.
- D.** “**Accredited veterinarian**” means an individual who is currently licensed to practice veterinary medicine and is accredited by the United States department of agriculture, animal plant health inspection service, veterinary services, in the state ~~[where the veterinarian practices]~~ of New Mexico.
- E.** “**Approved laboratory**” means any laboratory designated and approved by the state veterinarian for examining T. fetus samples.
- F.** “**Approved veterinarian**” means an accredited veterinarian who has attended trichomoniasis training that is approved by the New Mexico state veterinarian. Such training must include preputial sampling, sample handling and shipping, appropriate record keeping and official bull trichomoniasis identification.
- G.** “**Bovine**” means any sexually intact male and female animal of the genus bos.
- H.** “**Certificate of veterinary inspection (CVI)**” means the form issued by the state of origin that records the consignor, consignee, identity, origin, destination and health status of animals, issued by an accredited veterinarian of that state. It is commonly known as a health certificate.
- I.** “**New Mexico commuter permit**” means a permit issued by the New Mexico state veterinarian’s office to New Mexico livestock producers who utilize pasture lands and other livestock operations in one or multiple states that are contiguous with New Mexico.
- J.** “**Commingle**” means animals of opposite sex and belonging to different owners in the same enclosure or pasture with a reasonable opportunity for sexual contact.
- K.** “**Complete bull herd test**” means an official T. fetus test from each non-virgin bull in the herd.
- L.** “**Direct slaughter**” means transporting an animal to a slaughter plant without unloading prior to arrival at the slaughter plant.
- M.** “**Disease management plan**” means a plan developed to eradicate the disease from a positive herd. The disease management plan will be developed by the producer and shall be approved by the state veterinarian.
- N.** “**Exposed herd**” means a herd adjacent to a premises occupied by an affected herd, herds sharing common pasture or having contact with affected herd(s) as determined by the state veterinarian.
- ~~[M.]~~**O.** “**Herd**” means the group of animals consisting of all bovines over 12 months of age (male and female) which have commingled during the last 12 months.
- ~~[N.]~~**P.** “**Import permit**” means a document issued by the state veterinarian’s office authorizing specific livestock movements into New Mexico. Permits expire 30 days after issuance and are not transferable.
- ~~[O.]~~**Q.** “**Official T. fetus laboratory testing**” means the laboratory procedures that shall be approved by the state veterinarian for culture and identification of T. fetus.
- ~~[P.]~~**R.** “**Official T. fetus bull test**” means the sampling of the preputial content of a bull by a licensed, accredited and trich test certified veterinarian or a veterinarian from the New Mexico livestock board. Such test must be conducted after ~~[a]~~ at least one week separation from all female bovine. The bull and sample must be positively and individually identified and documented for laboratory submission. The official laboratory test shall be a genetic based test such as polymerase chain reaction (PCR), either standard or real time, or other technologies as approved by the state veterinarian.
- ~~[Q.]~~**S.** “**Quarantine**” means movement restriction issued by a ~~[regulatory veterinarian]~~ New Mexico livestock inspector that shall be placed on all cattle in a positive T. fetus herd. Such restriction shall specify the identity of the animals and the premises where the animals shall be confined.
- ~~[R.]~~**T.** “**Quarantine feedlot**” means a dry lot feeding facility approved by the state veterinarian where positive T. fetus bulls and or bovine females from a T. fetus positive herd may be fed prior to slaughter and there is no sexual contact with the opposite sex bovine.
- ~~[S.]~~**U.** “**Quarantine release**” means that a herd has completed all regulatory requirements to eliminate T. fetus infection in that herd and is no longer classified a positive herd.
- ~~[T.]~~**V.** “**Positive T. fetus bull**” means a bull that has had a positive T. fetus test.

~~[U.]~~**W.** “**Positive T. fetus herd**” means the group of all bovines which have had any opportunity for sexual contact in the previous breeding season and in which any animal (male or female) has had a positive diagnosis for T. fetus.

~~[V.]~~**X.** “**Negative T. fetus bull**” means a bull which qualifies by one of the following:

(1) ~~[originate]~~ originates from a herd not known to be infected and has had a negative official T. fetus bull test within the last ~~[year]~~ thirty days;

(2) ~~[originate]~~ originates from a positive herd but has a series of three negative official T. fetus bull tests at intervals of at least one week; or

(3) qualified with a negative import and negative in-state official T. fetus bull test.

~~[W.]~~**Y.** “**Regulatory veterinarian**” means the state veterinarian or his designee. This may be a state or USDA employed veterinarian or any accredited veterinarian holding a current state license.

~~[X.]~~**Z.** “**State veterinarian**” means the veterinarian designated by the New Mexico livestock board.

~~[Y.]~~**AA.** “**Suspect T. fetus bull**” means a bull from a positive T. fetus herd that has not yet had three consecutive negative official T. fetus bull tests.

~~[Z.]~~**BB.** “~~[Trichomonas fetus (or T. fetus)]~~” means a contagious venereal protozoan parasite disease of the ~~trichomonas fetus species that causes infertility, pyometra, abortions and reproductive inefficiency in female bovine~~ **Trichomonas fetus (or T. fetus)**” means a protozoan parasite that is the causative agent to the contagious venereal disease trichomoniasis. The disease exhibits as infertility, pyometra, abortions and reproductive inefficiency in the female bovine.

~~[AA.]~~**CC.** “**Unacceptable sample**” means a sample that is deemed not diagnostic by the official testing laboratory.

~~[BB.]~~**DD.** “**USDA form 1-27**” means ~~[an official restriction of livestock movement]~~ the official form used when livestock movement is restricted. The form is issued by a regulatory veterinarian and specifies the owner, owner’s address, owner’s telephone, premises affected, number, breed, age, sex, positive unique individual identification and destination of animals included.

~~[CC.]~~**EE.** “**Virgin bull**” means a sexually intact male bovine less than 12 months of age ~~[or a sexually intact male bovine between 12 and 24 months that is accompanied by signed affidavit from the owner/manager as having had no potential breeding contact with females]~~.
[21.30.6.7 NMAC - N, 7/15/05; A, 2/26/10]

21.30.6.8 IMPORT REQUIREMENTS:

A. Breeding Bull.

(1) ~~[All bulls entering New Mexico must be accompanied by a certificate of veterinary inspection (CVI). All non-virgin bulls, except as noted in 7 below, shall have an import permit and a negative T. fetus test within thirty days prior to entry.]~~ All bulls entering New Mexico must be accompanied by a certificate of veterinary inspection (CVI) and an import permit. All non-virgin bulls, except as noted in Paragraph (7) of this subsection (below), shall be accompanied by a certificate of veterinary inspection (CVI), import permit and a negative official T. fetus test within thirty days prior to entry.

(2) If the pre entry test is conducted at other than a laboratory approved by the American association of veterinary diagnostic laboratories, or the New Mexico state veterinarian, an in state post entry test shall be required within 10 days of entry into New Mexico.

(3) No bull which has ever previously tested positive for T. fetus shall enter New Mexico unless the bull is consigned directly to slaughter and is individually identified for movement on a USDA form 1-27.

(4) No bull from a known positive T. fetus herd shall enter New Mexico unless the bull has three consecutive negative official tests at least a week apart within 30 days prior to entry. The post entry official test is also required. Bulls must be isolated from all females until the in-state test results are known. Identification procedures are listed below.

(5) Each CVI issued for bulls covered under this rule shall bear one of the following statements:

(a) “[~~trichomonas~~] T. fetus has not been diagnosed in the herd of origin”; or

(b) “the bull(s) represented on this CVI have three consecutive negative [~~trichomonas~~] official T. fetus test which were at least seven days apart within 30 days prior to entry and there has been no female contact since the last qualifying test.”

(6) The veterinarian issuing the CVI shall forward a copy of all official negative T. fetus tests for the bull(s) represented on the CVI to the New Mexico state veterinarian’s office.

(7) Exceptions to the importation requirements are:

- (a) transient rodeo or exhibition (show) bulls, which shall have no sexual contact with a female bovine and are held in a secure facility to prevent such contact (does not include pasture) while in New Mexico;
- (b) bulls consigned direct to slaughter; or
- (c) bulls consigned to a feedlot for feeding purposes where they will be isolated from all females; bulls moved from a feedlot must have three consecutive official negative T. fetus tests at least one week apart unless consigned directly to slaughter; any ~~[known positive T. fetus]~~ bull quarantined in a feedlot testing positive for T. fetus shall go directly to slaughter from such feedlot.

B. Reproductive Bovine Female.

(1) No female bovine originating from a known positive T. fetus herd will be allowed to enter New Mexico. Exceptions include the following:

(a) on the premises of origin there were three consecutive official negative T. fetus tests of the entire bull population and the only allowed females are those which:

- (i) have a calf at side and no exposure to other than known negative bulls since parturition; or
- (ii) are at least 120 days pregnant; or
- (iii) are known virgin heifers; or
- (iv) are heifers exposed only to known negative bulls and not yet 120 days pregnant; or
- (v) are documented to have had at least 120 days of sexual isolation; and
- (vi) no other female will be allowed entry into New Mexico for breeding purposes from such herds;

(b) consigned directly to slaughter or to a quarantined feedlot.

(2) Bovine breeding females must have the following statement placed on the CVI and signed by the owner/manager of the herd of origin:

- (a) “the cows listed on this CVI did not originate from a known positive [~~Trichomonas~~] T. fetus herd”; or
- (b) “the cows listed on this CVI are at least 120 days pregnant”; or
- (c) “the cows listed on this CVI originated from a positive [~~trichomonas~~] T. fetus herd and are consigned for slaughter”; or
- (d) “the heifers listed on this CVI were exposed for their first breeding only to a known negative T. fetus bull or artificially inseminated and are not yet 120 days pregnant” ; or
- (e) “the females listed on this CVI have had at least 120 days of sexual isolation immediately preceding the date of their movement into New Mexico.”

C. Commuter Permitted Cattle.

(1) Bulls must be tested annually after a separation of at least one week from all female bovine. All bulls must be negative to an official T. fetus test to be eligible to have a commuter permit issued for the following year. All purchased bulls added to herd shall comply with test provisions.

(2) In any herd, should a bull be a positive T. fetus bull, he shall be identified and sold to slaughter only.

(a) All remaining bulls must test negative on three consecutive official tests at least one week apart.

(b) Only females which have a calf at side and no exposure to other than known negative T. fetus bulls since parturition, are at least 120 days pregnant, are known virgin heifers or are heifers exposed only to known negative bull and not yet 120 days pregnant shall be allowed to accompany the commuting herd. Other open cows shall be sold to slaughter, moved under quarantine to be fed for slaughter or artificial insemination or held in sexual isolation for a 120 day period.

D. Import Permit.

(1) All non-virgin bulls must obtain an import permit, which will be recorded on the CVI.

(2) All cows originating from a [~~premise~~] premises where T. fetus has been diagnosed within the last year must obtain an import permit, which will be recorded on the CVI.

E. Public Livestock Sales (Auctions).

(1) All [~~non-virgin~~] out-of-state bulls must be accompanied [~~with~~] by an import permit.

(2) All non-virgin bulls (in state or import) shall be accompanied by an official laboratory negative T. fetus test, conducted within thirty days prior to sale. [~~Any bull without test may be placed under quarantine and tested at the livestock sale premise or at the New Mexico purchaser’s premise within 10 days of sale.~~] Any bull without a test will be placed under quarantine and tested at the livestock sale premises within 10 days of sale or will

be sold for slaughter purposes only. Bulls shall be isolated from all females until the in-state test results are known. Identification procedures are listed below.

(3) All bulls not qualifying as above will be announced in the sale ring as “slaughter only” and so designated on the buyer’s documents. Such bulls shall be identified with a back tag designating them as having no trich test prior to being offered for sale.

(4) Bovine breeding females shall be accompanied by one of the following statements signed by the owner/manager of the herd of origin on the CVI or other suitable document. In the absence of one of these statements, any female bovine over the age of 12 months shall be consigned and sold to slaughter (or quarantined feed for slaughter) only.

(a) “The cows listed on this document did not originate from a known positive [~~trichomonas~~] T. fetus herd.”

(b) “The heifers on this document have been exposed to only known negative bulls and are not yet 120 days pregnant.”

(c) “The cows listed on this document are at least 120 days pregnant.” or

(d) “The cows listed on this document originate from a positive [~~trichomonas~~] T. fetus herd and are consigned for slaughter.”

[21.30.6.8 NMAC - N, 7/15/05; A, 2/26/10]

21.30.6.9 INTRASTATE BREEDING BULLS:

A. All non-virgin bulls must have a negative T. fetus test within 30 days ~~of~~ prior to change of ownership or change of possession under lease.

B. Bulls shall not be exposed to females at the new [~~premise~~] premises until the results of the test are known.

C. Any bull with a positive test shall be immediately quarantined.

D. The quarantine shall be in effect until the bull is sent to slaughter.

E. The positive T. fetus bull’s herd of origin will be placed under quarantine.

F. The quarantine will be released in accordance to the regulatory section of this rule.

[21.30.6.9 NMAC - N, 7/15/05; A, 2/26/10]

21.30.6.10 VOLUNTARY NEW MEXICO T. FETUS FREE HERD CERTIFICATION REQUIREMENTS - MAY BE AN INDIVIDUAL HERD, RANCH, GRAZING ASSOCIATION OR FEDERAL LAND PERMITEE:

A. Breeding Bulls.

(1) All non-virgin breeding bulls shall be tested annually for T. fetus for the three years following the adoption of this rule.

(2) During the three year inception period, all non-virgin breeding bulls with changes of ownership, leased, rented or otherwise shall be tested for T. fetus within 30 days prior to such change unless consigned direct to slaughter. The test will be completed and test results known prior to the time a bull(s) is physically transferred to the receiving premises or herd.

(3) Negative T. fetus bulls will be identified with the official New Mexico negative T. fetus tag described in the identification section of this part.

(4) All slaughter bulls removed from the herd will be tested for T. fetus. The test may be performed at a slaughter facility if prior arrangement with a veterinarian and an appropriate agreement with the slaughter facility management is made.

(5) Bovine females added to a certified herd shall not originate from known T. fetus infected herd. Female herd additions must originate from a New Mexico certified T. fetus free herd or qualify in one of the following categories:

(a) calf at side and no exposure to other than known negative T. fetus bulls;

(b) checked by an accredited veterinarian, at least 120 days pregnant and so recorded;

(c) virgin; or

(d) heifers exposed as virgins only to known negative T. fetus infected bulls and not yet 120 days pregnant.

(6) Records must be maintained for all tests including all non-virgin bulls entering the herd and made available for inspection by a designed accredited veterinarian or state animal health official.

(7) Following successful completion of the three-year testing requirement, the participating entity shall receive a T. fetus free certification from the New Mexico state veterinarian’s office. Annual re-certification

will require documented evidence that all male herd additions were virgin or that non-virgin breeding bulls added to the herd had three official negative T. fetus test within 30 days prior to commingling with female bovine and that all slaughter bulls removed from the herd have been negative for T. fetus prior to or at slaughter.

(8) A herd in which a bull has a confirmed T. fetus infection will be classified as a positive T. fetus herd and shall be removed from the “free” status. The herd will be quarantined until positive T. fetus bulls are sent to slaughter and all other bulls in the herd test negative to three consecutive official T. fetus tests at least seven days apart. The third T. fetus test will be completed within 12 months of T. fetus confirmation in the herd and will be conducted after the bulls have had breeding exposure to the cow herd. The bulls will be removed from the cow herd at least seven days prior to the official T. fetus test. If more than 12 months have passed since confirmation of T. fetus in the herd, the state veterinarian may require additional T. fetus testing prior to release of quarantine. The initial negative T. fetus test is included in the three negative tests.

B. A non-tested non-virgin bull that commingles with a herd which holds or is actively working toward the New Mexico certified trich free status, by fence breach or any commingled situation shall obligate the owner of the non-tested bull to test the bull from one to three times at the option of the state veterinarian in consultation with the owner and veterinarian of the negative herd.

C. A bull from a herd which holds a current or has pending a **free** certification and which commingles with a non-tested herd, shall undergo one to three official T. fetus test(s) prior to return to his herd of origin. Shall such test be positive, all bulls from both herds may be subject to test. The state veterinarian in consultation with the herd owner and herd veterinarian will determine the appropriate number of tests and number of bulls to be tested.

[21.30.6.10 NMAC - N, 7/15/05; A, 2/26/10]

21.30.6.11 REGULATORY ACTION:

A. Public Grazing and Grazing Associations. [(4)] All bulls commingling in grazing association and/or public lands, regardless if private or multiple user permits, shall have the official T. fetus bull test conducted annually. Virgin bulls added to a herd are exempt from testing requirements during their first breeding season.

[(a)](1) If a bull is found positive, the entire bull population, regardless of owners, will be required to have three consecutive negative tests prior to turn out time.

[(b)](2) Any stray non-virgin bull from an untested group that enters the grazing area of tested animals may be held under quarantine until the bull has one or more official T. fetus test(s) conducted. The test(s) shall be the responsibility of the bull’s owner. The conditions of the quarantine and number of tests will be determined by the state veterinarian.

B. Positive T. Fetus Bull & Herd. [(4)] Any confirmed T. fetus bovine and its herd (as defined by state animal health officials) shall immediately be placed under quarantine and will continue under quarantine until the following rules are completed.

[(a)](1) Positive T. fetus bulls shall be identified with ~~[an official positive T. fetus test tag by an approved veterinarian within 5 days of diagnosis]~~ the official New Mexico livestock board “N” fire brand.

[(b)](2) Positive T. fetus bulls shall be quarantined and sent directly to slaughter or to public livestock market for slaughter only. A quarantined feed period may be allowed under special conditions. Positive bulls ~~[shall]~~ may be required to move on an official USDA 1-27 permit.

[(c)](3) All other bulls in a positive T. fetus herd shall test negative to three consecutive official T. fetus tests at least seven days apart. The third T. fetus test will be completed within 12 months of T. fetus confirmation in the herd and will be conducted after the bulls have had breeding exposure to the cow herd. The bulls will be removed from the cow herd at least seven days prior to the official T. fetus test. If more than 12 months have passed since confirmation of T. fetus in the herd, the state veterinarian may require additional T. fetus testing prior to release of quarantine. The initial negative T. fetus test is included in the three negative tests.

[(d)](4) If a disease management plan has not been developed and activated within 30 days of confirmation of T. fetus infection in the herd, all cattle, except steers and spayed heifers, will be required to go directly to slaughter upon leaving the ranch.

C. Reproductive Bovine Females from a Positive T. Fetus Herd.

(1) Females over 12 months of age (not known to be virgin heifers) from a positive T. fetus herd may be sold direct to slaughter or quarantined on the premises of origin. Individual females will be released from quarantine when there are three consecutive negative T. fetus tests of the entire bull population and the cow(s) has a calf at side with no exposure to other than known negative T. fetus bulls since parturition, has documented 120 days of sexual isolation or is determined by an accredited veterinarian to be at least 120 days pregnant. Heifers known to

be virgin at the time of turnout or heifers exposed only to known negative T. fetus bulls and not yet 120 days pregnant are allowed.

(2) Open females shall be sold to slaughter or held in isolation from all bulls for 120 days. Any female sold to slaughter through a livestock market shall be identified with an official New Mexico positive T. fetus tag during the quarantine period.

(3) Breeding by artificial insemination is allowed during the quarantine period and cows confirmed by an accredited veterinarian to be at least 120 days pregnant as well as cows documented to have 120 days sexual isolation will be released from quarantine.

(4) If a disease management plan has not been developed and activated within 30 days of confirmation of T. fetus infection in the herd, all cattle, except steers and spayed heifers, will be required to go directly to slaughter upon leaving the ranch.

D. Regulatory Action.

(1) Any stray non-virgin bull from an untested group that enters land of another and commingles with a negative herd may be held under quarantine until the bull has one or more official T.fetus test(s) conducted.

(2) The test(s) shall be the responsibility of the bull(s) owner. The conditions of the quarantine and the number of test(s) will be determined by the state veterinarian.

E. Neighboring Facilities of a Positive T. Fetus Herd.

(1) All facilities that share a common boundary with a positive T. fetus herd may be required to test all of the bulls on the facility at their own expense. The decision to require such testing will be made by the state veterinarian based on results of epidemiological investigation.

(2) Any exposed herds found positive on testing will be designated as a positive T. fetus herd.
[21.30.6.11 NMAC - N, 7/15/05; A, 2/26/10]

21.30.6.12 IDENTIFICATION:

A. Bulls which have passed the official negative T. fetus test shall be identified with an official New Mexico negative T. fetus tag. Virgin bulls should also be tagged with the official negative T. fetus tag. The official tag shall be embossed with "New Mexico negative T. fetus" and a number. Tags will be supplied by the New Mexico livestock board and be assigned to approved veterinarians, who shall apply such tags at the time samples are collected. The approved veterinarian shall record any second form of positive identification available or apply a standard USDA metal tag as a secondary identification. Bulls so identified pending test results shall be isolated from all females until the test result is reported. The official negative T. fetus tag color shall be changed annually.

B. ~~[Positive T. fetus bulls shall be identified with an official red positive T. fetus tag supplies by the New Mexico Livestock Board. The approved veterinarian shall apply or record the existing standard USDA metal ear tag as a second form of positive identification when the positive T. fetus tag is applied.]~~ Positive T. fetus bulls shall be identified with the official New Mexico livestock board "N" fire brand or other identification approved by the state veterinarian and applied by the attending livestock inspector. Existing standard USDA metal ear tag and the official T. fetus tag shall be recorded when the "N" brand is applied.

C. ~~[Any quarantined cows moved from the original premise of quarantine shall be identified with an official red positive T. fetus ear tag.]~~ Any quarantined bovids moved from the original premises of quarantine shall be identified with the official New Mexico livestock board "N" fire brand or other identification approved by the state veterinarian.

[21.30.6.12 NMAC - N, 7/15/05; A, 2/26/10]