

## **CHAPTER 5C-31 CATTLE IDENTIFICATION**

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### **5C-31.001 DEFINITIONS.**

1. Approved Livestock Facility. A livestock market or stockyard under state or federal veterinary supervision where livestock are assembled and that has been approved under 9 C.F.R. § 71.20 (2015), as incorporated in Rule 5C-31.006, F.A.C.
2. Approved Tagging Site. A site or location specifically approved by the department to apply official individual identification to cattle.
3. Approved Tagging Site Manager. The individual responsible for an approved tagging site.
4. Cattle. Any bull, steer, ox, cow, heifer, calf, or any other bovine animal including bison.
5. Moved directly. The transport of cattle, without offloading, from one premises to another.
6. Official Individual Identification. An individual animal identification that uniquely identifies the animal, the premises of origin or the premises where the animal was uniquely identified, and the state in which the official individual identification was applied, and
  - (a) Is approved by the United States Department of Agriculture in accordance with 9 C.F.R. § 86.4(a)(1) (2015) as incorporated in Rule 5C-31.006, F.A.C., or
  - (b) Is submitted to the department and verified by the department as meeting the requirements for official individual identification such that state officials can determine the herd in which the animal was officially identified.
7. Premises Identification Number. A nationally unique number assigned by a state, tribal and/or federal animal health authority to a premises that is, in the judgment of the state, tribal and/or federal animal health authority, a geographically distinct location from other premises.
8. Premises of Origin. The farm or ranch at which the official individual identification is applied, or if the official identification is applied at an approved tagging site, the farm or ranch from which the cattle have been brought to the approved tagging site.
9. Purchaser. The new owner of the cattle purchased during or as part of an auction or sale at an Approved Livestock Facility.
10. Recognized Slaughter Establishment. Any slaughter establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. §§ 601 et seq.) as incorporated in subsection 5C-3.001(36), F.A.C., or the state meat inspection act of the state in which the establishment is located.

*Rulemaking Authority 534.071, 570.07(23), 585.002(4), 585.08(2)(a) FS. Law Implemented 570.07(15), 585.08(2)(a), 585.11, 585.145 FS. History—New 2-19-14, Amended 9-4-14.*

### **5C-31.002 APPLICATION OF OFFICIAL INDIVIDUAL IDENTIFICATION.**

1. Official individual identification may be applied by a cattle owner, veterinarian, or other person employed or contracted by an owner on an owner's premises; or at an approved tagging site, by the tagging site manager or a person employed by such manager.
2. Official individual identification may be obtained:
  - (a) From United States Department of Agriculture Approved Providers as provided in 9 C.F.R. § 86.4(a)(1) (2015), as incorporated in Rule 5C-31.006, F.A.C.
  - (b) From Florida Department of Agriculture and Consumer Services, Division of Animal Industry at no charge. Official individual identification tags may be requested using the form entitled Request For Official Identification Devices, FDACS-09246, Rev. 12/13, as incorporated in Rule 5C-31.006, F.A.C. In order to obtain official identification devices from the department, a premises identification number is required. The premises identification number can be applied for using the form the Application for Premises Registration, FDACS-09215, Rev. 05/13, as incorporated in Rule 5C-31.006, F.A.C. The department shall provide written notification containing a premises identification number to the applicant upon approval.

*Rulemaking Authority 534.071, 570.07(23), 585.002(4), 585.08(2)(a) FS. Law Implemented 570.07(15), 585.08(2)(a), 585.11, 585.145 FS. History—New 2-19-14.*

### **5C-31.003 APPROVED TAGGING SITE REQUIREMENTS.**

1. Applicant shall submit the Application for Approved Tagging Site and Tagging Site Manager, FDACS-09254, 03/13, as incorporated in Rule 5C-31.006, F.A.C., to the address provided on the application. This application provides the physical location of the proposed site and the signature of the individual of record serving as tagging site manager.
2. The department shall provide written notification to the applicant upon approval or disapproval of the site as an approved tagging site.
3. Each approved tagging site shall:
  - (a) Report any change in management to the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, and
  - (b) Be open to inspection by the Florida Department of Agriculture and Consumer Services, Division of Animal Industry during tagging or as requested for review of official records.
4. An approved tagging site manager shall:
  - (a) Maintain records of official individual identification tags applied using the form entitled Record of Official Individual Identification

Applied to Cattle in Florida, FDACS-09255, Rev. 05/14, as incorporated in Rule 5C-31.006, F.A.C., unless official individual identification tags are provided by the owner. If official individual identification tags are provided by the owner to be applied at the approved tagging site, then the tagging site manager is not required to maintain records as provided above.

- (b) Ensure that official individual identification is correctly correlated to the owner/premises of origin; and
- (c) Ensure that official individual identification tags provided by an owner are applied only to cattle belonging to that owner; and
- (d) Forward records to Florida Department of Agriculture and Consumer Services, Division of Animal Industry within 7 days of application of tags.

*Rulemaking Authority 534.071, 570.07(23), 585.002(4), 585.08(2)(a) FS. Law Implemented 570.07(15), 585.08(2)(a), 585.11, 585.145 FS. History—New 2-19-14, Amended 9-4-14.*

### **5C-31.004 USDA APPROVED LIVESTOCK FACILITIES.**

1. Unidentified cattle required to be officially identified in accordance with Rule 5C-31.005, F.A.C., and brought to an Approved Livestock Facility (Facility) shall be:
  - (a) Tagged with Official Individual Identification by the Facility in accordance with subsection (2); or
  - (b) Tagged with Official Individual Identification by the Facility on behalf of the seller in accordance with Rule 5C-31.003, F.A.C.; or
  - (c) Placed into designated “slaughter only” sale channels; or
  - (d) Denied entry to the market.
2. The Purchaser of unidentified cattle shall ensure that the cattle receive Official Individual Identification by either of the following methods.
  - (a) Option 1: Subsequent to a request made by the Purchaser, the Approved Livestock Facility shall tag the unidentified cattle with Official Individual Identification prior to the unidentified cattle departing the Approved Livestock Facility if the following conditions are met:
    1. The Approved Livestock Facility shall be registered with the department as an Approved Tagging Site in accordance with Rule 5C-31.003, F.A.C.
    2. The Approved Livestock Facility shall record the following information using the form entitled Record of Official Individual Identification Applied to Cattle in Florida, FDACS-09255, Rev. 05/14, which is incorporated in Rule 5C-31.006, F.A.C.
      - a. The numbers of the Official Individual Identification tags applied to each of the cattle by the Approved Livestock Facility.
      - b. The corresponding number of the “back tags” applied by the Approved Livestock Facility to each of the unidentified cattle.
      - c. The Purchaser’s name and contact information.
      - d. The Purchaser’s Premises Identification Number.
    3. The Approved Livestock Facility shall submit the completed form to the department in accordance with the instructions provided on the form. The completed form must be received by the department within 7-days of the conclusion of the Approved Livestock Facility’s auction or sale in which the cattle were purchased.
    4. The Approved Livestock Facility shall retain the sales transaction information (including the date of sale and the seller’s and Purchaser’s name and contact information) along with a copy of the completed form described above for a minimum of 5-years and make these records available to the department upon request.
  - (b) Option 2: The Purchaser shall tag the unidentified cattle with Official Individual Identification upon delivery to a premises with a Premises Identification Number if the following conditions are met:
    1. The Purchaser shall have registered and obtained a Premises Identification Number for the premises where the unidentified cattle will be delivered.
    2. The Purchaser shall provide the Premises Identification Number for the premises where the unidentified cattle will be delivered to the Approved Livestock Facility prior to departing with the unidentified cattle.
    3. The Purchaser shall tag the unidentified cattle with Official Individual Identification and record the following information using the form entitled Record of Official Individual Identification Applied by the Purchaser, FDACS-09269, 05/14, which is incorporated in Rule 5C-31.006, F.A.C.
      - a. The date of the sale or auction where the unidentified cattle were purchased.
      - b. The name and location of the Approved Livestock Facility where the unidentified cattle were purchased.
      - c. The numbers of the unique Official Individual Identification tags applied to each of the cattle.
      - d. The corresponding number of the “back tags” applied by the Approved Livestock Facility to each of the unidentified cattle.
      - e. The Purchaser’s name and contact information.
      - f. The Purchaser’s Premises Identification Number.
      - g. A certification that the Purchaser has tagged the unidentified cattle in accordance with Rule Chapter 5C-31, F.A.C.
    4. The Purchaser shall submit the completed Record of Official Individual Identification Applied by the Purchaser, FDACS-09269, 05/14, to the department in accordance with the instructions provided on the form. The completed form must be received by the department within 7-days of the conclusion of the Approved Livestock Facility’s auction or sale in which the cattle were purchased.

5. The Purchaser shall retain a copy of the completed form described above for a minimum of 5-years and make it available to the department upon request.
6. The Approved Livestock Facility shall record the following information using the form entitled Record of Sale of Unidentified Cattle from an Approved Livestock Facility, FDACS-09270, 05/14, which is incorporated in Rule 5C-31.006, F.A.C.
  - a. The date of the sale or auction where the unidentified cattle were purchased.
  - b. The name and location of the Approved Livestock Facility where the unidentified cattle were purchased.
  - c. The Purchaser's name and contact information.
  - d. The Purchaser's Premises Identification Number.
  - e. The number of the temporary "back tag" applied by the Facility to each of the unidentified cattle.
7. The Approved Livestock Facility shall submit the completed Record of Sale of Unidentified Cattle from an Approved Livestock Facility, FDACS-09270, 05/14, to the department in accordance with the instructions provided on the form. The completed form must be received by the department within 24-hours of the conclusion of the Approved Livestock Facility's auction or sale in which the cattle were purchased.
8. The Approved Livestock Facility shall retain the sales transaction information (including the date of sale and the seller's and Purchaser's name and contact information) along with a copy of the completed form described above for a minimum of 5-years and make these records available to the department upon request.

*Rulemaking Authority 534.071, 570.07(23), 585.002(4), 585.08(2)(a) FS. Law Implemented 570.07(15), 585.08(2)(a), 585.11, 585.145 FS. History-New 2-19-14, Amended 9-4-14.*

### **5C-31.005 REQUIRED IDENTIFICATION FOR INTRASTATE MOVEMENT.**

Cattle 18 months of age or older, moving within the state of Florida, must have official individual identification unless the cattle are:

1. Being moved directly to a Recognized Slaughter Establishment or through no more than one USDA approved livestock facility and then to a recognized slaughter facility;
2. Being moved directly to an approved tagging site; or
3. Being moved from one premises to another premises with the cattle remaining under common ownership as part of normal farm or ranching operations. Cattle shall not be commingled with cattle under separate ownership.

*Rulemaking Authority 534.071, 570.07(23), 585.002(4), 585.08(2)(a) FS. Law Implemented 570.07(15), 585.08(2)(a), 585.11, 585.145 FS. History-New 2-19-14.*

### **5C-31.006 DOCUMENTS INCORPORATED BY REFERENCE.**

The following documents are hereby incorporated by reference. Copies of these documents may be obtained from the Division of Animal Industry, 407 South Calhoun Street, Tallahassee, Florida 32399-0800 or online as indicated.

1. Application for Premises Registration, FDACS-09215, Rev. 05/13, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03294>.
2. Request For Official Identification Devices, FDACS-09246, Rev. 12/13, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03477>.
3. Application for Approved Tagging Site and Tagging Site Manager, FDACS-09254, 03/13, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03296>.
4. Record of Official Individual Identification Applied to Cattle in Florida, FDACS-09255, Rev. 05/14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04498>.
5. 9 C.F.R. § 71.20 (2015), <http://www.flrules.org/Gateway/reference.asp?No=Ref-03299>.
6. 9 C.F.R. § 86.4(a)(1) (2015), <http://www.flrules.org/Gateway/reference.asp?No=Ref-03298>.
7. Record of Official Individual Identification Applied by the Purchaser, FDACS-09269, 05/14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04497>.
8. Record of Sale of Unidentified Cattle from an Approved Livestock Facility, FDACS-09270, 05/14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04496>.

*Rulemaking Authority 534.071, 570.07(23), 585.002(4), 585.08(2)(a) FS. Law Implemented 570.07(15), 585.08(2)(a), 585.11, 585.145 FS. History New 2-19-14, Amended 9-4-14.*

### **5C-31.007 PENALTIES.**

Violations of Chapter 5C-31, F.A.C., will be determined as referenced in Rule 5C-30.003, F.A.C.

*Rulemaking Authority 534.071, 570.07(23), 585.002(4), 585.08(2)(a) FS. Law Implemented 570.07(15), 585.08(2)(a), 585.11, 585.145 FS. History-New 2-19-14.*