

Inspection and Health Requirements of Livestock Exhibited in Ohio

2014 HEALTH INSPECTION OPEN CLASS AND JUNIOR FAIR EXHIBITOR:

No prior health certificate inspection or blood testing is required.

NEW IN 2014: There will be NO veterinary check at the NORTH GATE. There will be, however, a MANDATORY Veterinarian Check at 8:00pm on Thursday August 7th. Procedure:

1. Market animals (with exception of all Market Steers & Market Heifers) will be weighed as they are unloaded. Please have your animals unblanketed to allow for an initial assessment of the animal as it crosses the scale. After being weighed, you may place your animal in their assigned stall/pen. NO PADLOCKS OR ZIP LOCK TIES ON CAGES OR PENS AT THIS TIME!
2. All animals MUST be in their assigned stall/pen promptly at 8:00pm– uncovered. NO ANIMALS ARE TO BE TIED OUT AT THAT TIME! Exhibitors are to be with their project animal at 8:00pm. If the exhibitor is not able to be present due to work or practice or an emergency they are to have an adult representative present who they authorize to sign and speak on their behalf.

*The Veterinarian, Senior Fair Board Dept. Superintendent NOR Junior Fair Board representative will track down any exhibitor or their animal for this inspection. Exhibitors are expected to have your animal in the barn and you or your adult representative present.

At the time of the IN BARN Vet Inspections members will be notified if a project animal/s needs to be removed from exhibition and the reason for the removal. JUNIOR FAIR MARKET ANIMAL and LACTATING DAIRY AND DAIRY GOAT exhibitors: DRUG USE NOTIFICATION FORM at that time. Please be sure it is filled out in its entirety.

5. If any JUNIOR FAIR exhibitor's animal is excused for health concerns and the exhibitor has taken their trailer home or was trailered by someone else, arrangements by Senior Fair Board will be made to assist the exhibitor in removing the animal.

*The Senior Fair Board Dept. Superintendent will make any/all decisions with regards to animals in violation of rules and regulations of the department or exhibition

There will be a daily vet walk-thru inspection TBA. A message board is available for exhibitors to identify problem animals to be examined by a fair veterinarian during this time. The vet will leave a message with a diagnosis attached to your pen if you are not present during examination. Any animals requiring attention other than the designated walk-thru inspection hour are subject to regular vet fees. Owners will be responsible for payment of such services.

If you would like a full list of the rules and requirements, please go to <http://codes.ohio.gov/oac/901%3A1-18> and <http://codes.ohio.gov/oac/901%3A1-19>, or pick up a copy at the Henry County Fair Board office or the OSU Extension office.

LIVESTOCK SHOW FACT SHEET

WHAT'S NEW FOR LIVESTOCK EXHIBITION IN 2014

by Tony M. Forshey, DVM, Ohio Department of Agriculture

The Ohio Livestock Show Reform Act authorizes the Director of Agriculture to adopt mandatory and optional rules. Mandatory rules apply to all livestock shows, while the sponsor has the option to opt out of the optional rules on an individual rule basis. If a sponsor decides not to opt out of an optional rule, the rule then becomes mandatory. The following is a clarification of how the statute (Ohio Revised Code) and rules (Ohio Administrative Code) are to be interpreted and applied at all **terminal, partial terminal and non-terminal** livestock exhibitions in Ohio:

1. Livestock is inclusive of all species, except equine;
2. Livestock exhibitions include all county and independent fairs, the Ohio State Fair and **all preview and jackpot shows**;
3. A sponsor is any entity who conducts an exhibition **including preview and jackpot shows**;
4. The sponsor **may** opt out of any or all of the optional rules at least **30 days prior to the opening** (a form will be provided and must be returned to the Ohio Department of Agriculture, Division of Animal Industry, 8995 East Main Street, Reynoldsburg, Oh. 43068);
5. Effective February 13, 2004, exhibitors shall annually attend or complete a quality assurance program before exhibiting terminal or partial terminal market livestock, or at the option of Ohio State University Extension, annually pass a test administered by or under the supervision of Ohio State University Extension.
6. Effective February 19, 2007, OAC 901-19-07, exhibitors may pass a test based on age and skill level to be exempt from quality assurance re-certification. This exemption is at the discretion of OSU Extension or Ohio agricultural education.
7. Swine being sent to a licensed livestock facility or going out of state for slaughter or commingled with out of state swine must be identified with an official eartag or four digit tattoo.
8. The department does not require Certificates of Veterinary Inspection for exhibition livestock originating in Ohio including swine. However, an exhibition sponsor can choose to require additional regulations above those of the department.
9. Ohio obtained Stage 5 pseudorabies status on January 1, 2001. Pseudorabies testing is no longer required for Ohio swine to be exhibited. **October 2004** - all states achieved Stage 5 status.
10. Effective February 15, 2003, the optional rule, OAC 901-19-33 (D), prohibits the slick clipping or body shaving of market hogs except on the ears and tails. The word "underline" has been removed from this rule;
11. Effective February 15, 2003, OAC 901-19-02 (II) "slick clipping" or "body shaving" means having hair that is less than one half inch in length on the body of market hogs;
12. **Even if the sponsor opts out of one or more of the optional tampering rules, the statute prohibits the use of any material, gas, solid, or liquid, that conceals, transforms or enhances the true confirmation or configuration of all livestock, including by way of example but not limited to rope, false hair, graphite, and hemp**;
13. For **breeding classes** the rules of the breed association will constitute **acceptable** grooming practices;
14. Effective May 31, 2001, an acceptable practices rule, **OAC 901-19-12 (Q)**, only permits drenching of lambs for a medical condition at an exhibition when diagnosed by a licensed veterinarian and an unacceptable practices rule, **OAC 901-19-13 (H)**, drenching of lambs at an exhibition is prohibited except as permitted under paragraph (Q) of rule 901-19-12 of the Administrative Code.
15. Effective February 13, 2004, OAC 901-19-38 (C), **accessory reproductive tissue was removed from the false, deceptive or unacceptable practices rule**.
16. Effective February 12, 2007, identification requirements for sheep and goats were added to OAC 901:1-18-07 and OAC 901:1-18-09.

17. The Exhibition Livestock Health Rules apply to any exhibition over **36 hours** in duration or has livestock **whose origin is not Ohio** and that exhibition must have an **approved veterinarian** (a form will be provided and must be returned to the Ohio Department of Agriculture at least **20 days prior to the opening date**);
18. Junior market livestock shows at county and independent fairs and the Ohio State Fair are defined as either terminal or partial terminal shows:
 - a. partial means that at least the grand and reserve grand champion animals are required to go to slaughter or **directly** to a licensed livestock facility for slaughter only,
 - b. terminal means all market livestock go to slaughter or **directly** to a licensed livestock facility for slaughter only;
19. Preview and jackpot shows, as well as breeding classes are **non-terminal shows**;
20. At all terminal, partial terminal and non-terminal shows **urine and hair samples** may be collected;
21. A Drug Use Notification Form (DUNF) **will be required** to be completed for all livestock for which a test sample is collected;
22. OAC 901-19-06 (D) the Director of Agriculture shall require a DUNF be completed for livestock including market steer, market hog, market lamb, veal calf, market dairy steer, market goats, market poultry, lactating dairy cattle and lactating dairy goats, and **be reviewed locally** (assistance will be available from the Ohio Department of Agriculture by faxing the form to 614-728-6310);
23. **For all shows the statute prohibits** the misuse of legal drugs (including but not limited to the use of drugs approved for use in humans, but not approved for animal use) and the use of illegal drugs;
- 24. The statute **prohibits** the showing of **tranquilized** livestock, including products such as Calf Calm, and **diuretics for cosmetic purposes**;
25. All livestock entered in a carcass contest at a terminal, partial terminal, and non-terminal show must be **drug free on the day of show**:
 - a. the withdrawal time must have elapsed by the day of show, or
 - b. the drug must not exceed the tolerance level on the day of show;
26. Immediately before or during a terminal and partial terminal show and sale and within a **valid veterinarian-client-patient-relationship (VCPR)** or for a **valid medical purpose** a drug or an over-the-counter (OTC) drug may be used if it is **declared on a DUNF** and the drug's **side effect does not conceal, transform or enhance** the conformation of the treated livestock, any such permitted drug use must be **disclosed at the time of sale**;
27. The drug use notification form shall be filed with the records official **prior** to the show in which the animal is entered. If at any time, the information on the original drug use notification form changes, an updated form shall be filed **immediately** with the records official.
28. At non-terminal shows the use of drugs requires a **VCPR** for prescription and extra-label use of drugs, and OTC drugs must be used for a **valid medical purpose** and according to label directions and **must be declared on a DUNF**.

The preceding is not intended to be an all encompassing review of the statute and rules as they pertain to livestock exhibitions in Ohio. Exhibitors, exhibition sponsors, parents, advisors, and veterinarians are encouraged to call the Ohio Department of Agriculture, Tony M. Forshey, D.V.M., at 614-728-6220 with any questions.

The success of this program is based on the continued input and cooperation of educators, industry, and government. Through your continued support, Ohio will continue to be a national leader in livestock show reform.

OHIO'S LIVESTOCK TAMPERING EXHIBITION RULES

901-19-01 Definitions.

As used in Chapter 901-19 of the Administrative Code:

- (A) Accessory reproductive tissue includes but is not limited to epididymis.
- (B) Agricultural society or society means a county agricultural society or an independent agricultural society that is organized under the laws of the state of Ohio.
- (C) Approved, when used in reference to drugs, means approval by the United States food and drug administration for use in the species indicated on the label.
- (D) Breed show or class means a show or class limited to breeding stock of a specific breed of livestock.
- (E) Class means a division within a show or exhibition as defined by a sponsor.
- (F) Department means the department of agriculture created under section 121.02 of the Revised Code.
- (G) Designee, when used in reference to an exhibitor, means a member of the exhibitor's family or household or any other registered or authorized representative of the exhibitor.
- (H) Director means the director of agriculture appointed pursuant to section 121.03 of the Revised Code.
- (I) Drug means drug as defined in division (C) of section 4729.02 of the Revised Code and its metabolites.
- (J) Drug use notification form means the document completed in accordance with rule 901-19-06 of the Administrative Code.
- (K) Exhibition drug residue legal means an animal has not been administered a drug; or if administered a drug the withdrawal period has elapsed at the time the drug use notification form is completed.
- (L) Exhibitor means any person who shows, displays, or exhibits livestock at an exhibition.
- (M) Extra label use means the actual or intended use of a drug in livestock in a manner other than in accordance with the drug label directions.
- (N) Fair means the annual exhibition held by the Ohio expositions commission, pursuant to division (A)(1) of section 991.03 of the Revised Code, or a county agricultural society or independent agricultural society, as reported to the director pursuant to rule 901-5-11 of the Administrative Code.
- (O) Family means the immediate family of an exhibitor, including but not limited to the exhibitor's parent, step-parent, foster parent, grandparent, step-grandparent, foster grandparent, brother, sister, step-brother, step-sister, half-brother, half-sister, son, daughter, step-son, step-daughter, or guardian.
- (P) Grand champion means the highest placing livestock entry of a show.
- (Q) Household means the permanent residence address of the exhibitor.
- (R) Immediately means the time period between the cessation of administration of a drug and the point at which drug residues in the livestock are within tolerance levels or at zero tolerance, unless a safe level has been established by the United States food and drug administration.
- (S) Internal rule means any rule adopted by a sponsor or applicable to the sponsor's exhibition, and includes all mandatory rules and those optional rules from which the sponsor does not exempt itself or its exhibition.
- (T) Junior livestock show means a show limited to exhibitors nine years of age or in the third grade through nineteen years of age, or as authorized to participate in either 4-H, FFA or other youth organization.
- (U) Label means the attached label or the accompanying brochure that lists the approved species, dose, route of administration, withdrawal time and any cautionary statement; a prescription label; the requirements of labeling for an extra label use drug as permitted by the United States food and drug administration; and information provided by the food animal residue avoidance databank (FARAD).

- (V) Licensed livestock facility means a livestock facility licensed pursuant to Chapter 943. of the Revised Code or a similar law of another state.
- (W) Mandatory rule means any rule adopted by the director relating to food safety or the health, safety, or welfare of livestock and from which a sponsor may not exempt itself or its exhibition.
- (X) Market flock style project means ownership including an individual junior exhibitor, family of a junior exhibitor or a cooperative made up of junior exhibitors. Through this type of ownership, the junior exhibitor(s) are to care for, groom, and select any and all birds to be used in exhibitions as well as actively participate in any decision making processes for the flock.
- (Y) Market livestock means exhibition livestock bred, raised and intended for slaughter for food purposes.
- (Z) Market poultry means birds including, but not limited to, meat chickens, turkeys, geese and ducks.
- (AA) Non-terminal show means a show in which no livestock is required to be slaughtered.
- (BB) Optional rule means any rule adopted by the director from which a sponsor may exempt itself or its exhibition.
- (CC) Outstanding market project means the exhibitor ranking highest in the outstanding market project competition in a show.
- (DD) Over the counter drug means any drug that lawfully may be purchased without a prescription.
- (EE) Partial terminal show means a show in which no fewer than the grand champion and reserve grand champion in each show or market class of livestock are sent directly to slaughter or to a licensed livestock facility no later than or immediately following the conclusion of the exhibition.
- (FF) Prescription means prescription as defined in division (G) of section 4729.02 of the Revised Code.
- (GG) Quarantine means isolation pursuant to section 941.07 of the Revised Code.
- (HH) Reserve grand champion means the second highest placing livestock entry of a show.
- (II) Residue means residues as defined in division (I) of section 941.01 of the Revised Code.
- (JJ) Show means that part of the exhibition restricted to exhibiting a single species and category of livestock such as, by way of example, but not limited to, market steer, dairy goats and market lambs.
- (KK) Slick clipping or body shaving means having hair that is less than one half inch in length on the body of market hogs.
- (LL) Terminal show means a show in which all livestock entered in the show are sent directly to slaughter or to a licensed livestock facility no later than or immediately following the conclusion of the exhibition.
- (MM) Tolerance level means the detectable level of a residue or other substance in livestock, in a livestock test sample, or in food, as that word is defined in division (A)(5) of section 3715.01 of the Revised Code, in a level less than or equal to the maximum level determined to be safe, acceptable or non-violative by the United States food and drug administration.
- (NN) Unlawful substance means any of the following:
 - (1) Any drug prohibited by division (E)(1)(b) of section 901.76 or section 2925.04 of the Revised Code; or
 - (2) A substance which is not normally found in or does not naturally occur in livestock; or
 - (3) A substance which is normally found in or does naturally occur in livestock, but is detected or discerned in an amount or area greater than normal; or
 - (4) Any drug required to be listed, but which is not listed on a drug use notification form; or
 - (5) Any drug present in an animal regardless of how the drug came to be present if the drug was not administered under paragraphs (A), (B) or (C) of rule 901-19-04 of the Administrative Code.
- (OO) Veterinarian means any person licensed to practice veterinary medicine under Chapter 4741. of the Revised Code or under the similar laws of another state.
- (PP) Withdrawal period or withdrawal time means the interval from the time livestock is removed from medication until all residues are within the tolerance level.

901-19-02 Types of shows; slaughter.

This is a mandatory rule.

- (A) The sponsor of an exhibition shall designate each of the shows held at the exhibition as one of the following types: terminal show, partial terminal show, or non-terminal show.
- (B) All of the following junior livestock shows or classes at a fair must be terminal shows or partial terminal shows: market beef steer, market hog, market lamb, market dairy steer, veal calf and market goat unless at least thirty days prior to the opening of the show, the sponsor has submitted a written request to exempt a show from this provision, and the director has provided written authorization granting this request prior to the start of the fair.
- (C) All livestock which participate in a terminal show shall be slaughtered. The livestock shall be consigned to slaughter either at the conclusion of the show or immediately following the exhibition.
- (D) In a partial terminal show at least the grand champion and the reserve grand champion shall be slaughtered. Prior to the show, the sponsor of the exhibition may require that additional livestock from a partial terminal show shall be slaughtered. The livestock shall be consigned to slaughter either at the conclusion of the show or immediately following the exhibition.
- (E) All livestock required to be slaughtered under this rule shall be slaughtered at a meat establishment either licensed by the department or granted inspection by the United States department of agriculture.
- (F) Notwithstanding paragraphs (B), (C) and (D) of this rule, livestock required to be slaughtered under this rule may, at the option of the sponsor of the exhibition, be consigned to a licensed livestock facility for sale provided that:
 - (1) The livestock is consigned either at the conclusion of the show or immediately following the exhibition; and,
 - (2) The livestock is sold only for slaughter.
- (G) From the beginning of the exhibition until departure for slaughter or consignment to a licensed livestock facility, the exhibitor or the exhibitor's designee shall be responsible for caring for the livestock.
- (H) Livestock destined for slaughter or consignment to a licensed livestock facility shall not be removed from the exhibition grounds until the livestock is transported to slaughter or to the licensed livestock facility or until the sponsor approves movement of the livestock to another secure area for:
 - (1) Disease control in accordance with paragraph (B)(4) of rule 901:1-18-03 of the Administrative Code; and
 - (2) Quarantine for residue to allow a withdrawal time as determined by the approved fair veterinarian or in accordance with the instructions listed on the drug use notification form to elapse and may be subject to testing.
- (I) All livestock destined for slaughter shall be subject to testing by the director in accordance with section 901.73 of the Revised Code.
- (J) Livestock carcasses passing inspection may be released for normal disposition.
- (K) During inspection or testing, if the livestock carcass is preliminarily determined to have been tampered with or found to contain an unlawful substance, one of the following shall occur:
 - (1) If the livestock carcass must be trimmed or reconditioned to comply with the meat inspection requirements, the carcass shall be trimmed and reconditioned and released to the exhibitor, unless the successful bidder accepts the trimmed or reconditioned carcass.
 - (2) If the livestock carcass cannot be trimmed or reconditioned, it shall be condemned in accordance with the meat inspection requirements.
- (L) Livestock entered in or eligible for a carcass contest prior to or during a terminal, partial terminal or non-terminal show must be exhibition drug residue legal at the time of show and eligible for immediate slaughter.

901-19-03 Auction sales at terminal or partial terminal shows.

This is a mandatory rule.

- (A) A sponsor may hold an auction sale of livestock exhibited at a terminal or partial terminal show.
- (B) An exhibitor who exhibits livestock at a terminal show or partial terminal show consents to participating in the subsequent auction sale.
- (C) All bidders at an auction sale following a terminal show or partial terminal show consent to the slaughter of the livestock or delivery to a licensed livestock facility.
- (D) Title to livestock sold at an auction sale and subsequently presented for slaughter or sale at a licensed livestock facility shall remain vested in the exhibitor, or if the exhibitor is not the owner, in the owner until the livestock has been passed by inspection and released in accordance with paragraph (K)(1) and (K)(2) of rule 901-19-02 of the Administrative Code and passes all testing performed by or at the direction of the department or the sponsor.
- (E) At the discretion of the sponsor, the sponsor may collect the sale proceeds from the successful bidder and retain the proceeds until the carcass of the livestock has been released, or may allow the successful bidder to withhold payment of the proceeds until the carcass is released. In the event the carcass is not released, the sponsor shall return the sale proceeds to the successful bidder.
- (F) Prior to the auction, the sponsor shall announce the identification of the exhibition livestock which have been administered drugs for which the withdrawal time has not elapsed.

901-19-04 Prohibited practices.

This is a mandatory rule.

No person shall:

- (A) Administer or cause or permit to be administered a prescription drug to livestock either immediately before an exhibition or during an exhibition unless the prescription drug is administered:
 - (1) By or under the supervision and direction of a veterinarian; and,
 - (2) Only in accordance with label directions; and,
 - (3) In conjunction with a valid veterinarian-client-patient relationship; and,
 - (4) For a valid medical purpose; and,
 - (5) A drug use notification form is completed and filed in accordance with the applicable requirements of rule 901-19-06 of the Administrative Code.
- (B) Administer or cause or permit to be administered an over the counter drug to livestock either immediately before an exhibition or during an exhibition unless the over the counter drug is administered:
 - (1) By or under the supervision or direction of the exhibitor, the exhibitor's designee, the owner of the livestock or a veterinarian; and,
 - (2) Only in accordance with label directions; and,
 - (3) Only for a valid medical purpose; and,
 - (4) A drug use notification form is completed and filed in accordance with the applicable requirements of rule 901-19-06 of the Administrative Code.
- (C) Administer or cause or permit to be administered either a prescription drug or an over the counter drug other than in accordance with the drugs label directions unless extra label use of the drug is:
 - (1) By or under the supervision and direction of a veterinarian; and,
 - (2) Only in accordance with the extra label directions provided by the veterinarian; and,
 - (3) In conjunction with a valid veterinarian-client-patient relationship; and,
 - (4) For a valid medical purpose; and,
 - (5) A drug use notification form is completed and filed in accordance with the applicable requirements of rule 901-19-06 of the Administrative Code; and,
 - (6) An extended withdrawal time is assigned to the drug by the veterinarian as part of the extra label directions and reported on the drug use notification form.
- (D) Show, sell, or offer for sale any livestock which contains an unlawful substance or has been subjected to unacceptable practices.

- (E) Show any livestock which contains a drug in an amount which exceeds the tolerance level if established or sale level; or, a drug for which the withdrawal period has not elapsed unless administered in accordance with paragraphs (A),(B) or (C) of this rule.
- (F) Sell or offer for sale in an auction at a terminal or partial terminal show an animal that contains a drug in an amount which exceeds the tolerance level if established or safe level; or, a drug for which the withdrawal period has not elapsed unless administered in accordance with paragraphs (A),(B) or (C) of this rule.
- (G) Exhibit an animal which has been tranquilized.
- (H) Make a false statement on a drug use notification form.
- (I) Fail to file or update a drug use notification form as required by 901-19-06 of the Administrative Code.
- (J) Negligently cause an unlawful substance to be present in an animal.
- (K) Fail to sign a chain of custody form.
- (L) Violate a mandatory rule.
- (M) Violate any optional rule from which a sponsor could have exempted itself or its exhibition, but did not.
- (N) Fail to render assistance as provided by section 901.73 of the Revised Code.

901-19-05 Responsibilities of an exhibition sponsor.

This is a mandatory rule.

- (A) Every sponsor of an exhibition shall appoint a person as its records official. The records official shall receive and maintain the drug use notification forms filed under rule 901-19-06 of the Administrative Code.
 - (1) The records official shall reject any drug use notification form that is incomplete, illegible or unsigned. At the close of the exhibition the records official shall turn over the drug use notification forms received by him to the sponsor.
 - (2) The sponsor shall maintain all drug use notification forms for a period of one year from the close of an exhibition. The drug use notification forms shall be made available to the department for inspection and copying upon request.
 - (3) Review the submitted drug use notification forms prior to the show for compliance with paragraph (I) of rule 901-19-06 and rule 901-19-07 of the Administrative Code.
 - (4) Review the submitted drug use notification forms for compliance with paragraph (B) of rule 901-19-38 of the Administrative Code if applicable.
- (B) The sponsor of an exhibition shall provide information requested by the director on a form prescribed by the director at least ten days before the start of the exhibition.
- (C) The sponsor of an exhibition shall, prior to the start of an exhibition, establish a method of identifying each animal in a terminal, partial terminal, and non-terminal show and maintain a chain of custody for each market livestock animal from the show through consignment to either slaughter or a licensed livestock facility for sale. The sponsor shall maintain a record of the identity of each animal and its chain of custody for a period of one year from the date of the last day of an exhibition.
- (D) All county and independent agricultural societies and the Ohio expositions commission shall print Chapter 901:1-18 of the Ohio Administrative Code (Ohio's livestock health exhibition rules) in their premium book for the current year.
- (E) The sponsor of a county or independent agricultural society or the Ohio exposition commission shall provide a livestock exhibitor or an adult advisor, upon request, a copy of Chapter 901-19 of the Administrative Code and print in their current premium book the following notice:

Chapter 901-19 of the Administrative Code (Ohio's livestock tampering exhibition rules) will be made available to a livestock exhibitor or an adult advisor, upon request.
- (F) If Chapter 901-19, of the Administrative Code (Ohio's livestock tampering exhibition rules) for the upcoming show season are available prior to the sponsors printing deadline, the sponsor may elect to include the entire text of these rules within their premium book.

- (G) All other exhibitions shall provide to exhibitors, upon request, a copy of Chapters 901:1-18 and 901-19 of the Administrative Code and shall include the following statement in at least one written announcement prior to the beginning of the exhibition, the exhibitions management will provide, upon request of an exhibitor, a copy of Chapters 901:1-18 (Ohio's livestock health exhibition rules) and 901-19 (Ohio's livestock tampering exhibition rules) of the Administrative Code.

901-19-06 Drug use notification.

This is a mandatory rule.

- (A) The exhibitor and the owner of an animal are jointly and severally responsible for completing and filing the drug use notification form in the manner required by this rule.
- (B) The drug use notification form shall be signed by either the exhibitor or the owner. If the person signing the form is a minor child, the form may be cosigned by a parent or guardian of the minor child.
- (C) A drug use notification form shall be completed for every animal from which a test sample is collected at every terminal and partial terminal or non-terminal show and for every animal that is administered a drug either immediately before or during an exhibition.
- (D) The director shall require a drug use notification form to be completed for livestock including market steer, market hog, market lamb, veal calf, market dairy steer, market goats, market poultry, lactating dairy cattle and lactating goats exhibited in a junior livestock show at a fair.
- (E) The drug use notification form shall be filed with the records official prior to the show in which the animal is entered.
- (F) The director may require a drug use notification form to be completed for livestock exhibited at any type of show including a non-terminal show.
- (G) If at any time after the drug use notification form is filed the information on the form regarding drug use changes or if a drug is subsequently administered, an updated drug use notification form shall immediately be filed with the records official.
- (H) No person shall submit an incomplete, illegible or unsigned drug use notification form.
- (I) When a drug use notification form submitted to a records official for livestock is incomplete, illegible or unsigned neither the exhibitor nor the owner shall, until the defect is corrected:
 - (1) Receive any prizes or awards from shows in which the livestock was exhibited prior to the time the drug use notification form was to be filed.
 - (2) Participate in any shows or sales held subsequent to the time the drug use notification form was to be filed.

901-19-07 Quality assurance.

This is a mandatory rule.

Sponsors shall require exhibitors at fairs sponsored by county or independent agricultural societies or the Ohio exposition commission to annually attend or complete a quality assurance program sponsored and conducted cooperatively by the exhibition sponsor, Ohio state university extension, Ohio agricultural education, or agricultural commodity organizations. Alternatively, at the discretion of Ohio state university extension, annually pass a test based on the appropriate skill level for their age (twelve to fourteen or fifteen to eighteen) under the supervision of Ohio state university extension or Ohio agricultural education before exhibiting terminal or partial terminal market livestock, including market poultry, lactating dairy cattle and lactating goats in a junior livestock show. Youth who pass the test will be exempt from annual quality assurance re-certification until they move to the next age bracket or they are no longer a junior exhibitor (nineteen years of age or older on January first of their last year). Minimum standards for youth food quality assurance are as set forth in Appendix A attached hereto.

901-19-09 Drug residues in non-terminal show animals.

This is a mandatory rule.

- (A) A person may, notwithstanding paragraph (E) of rule 901-19-04 of the Administrative Code, show at a non-terminal show an animal which has been administered a drug provided they are in compliance with all of the following:
 - (1) The drug is a prescription drug or an extra label use of a drug and the drug is prescribed by a veterinarian pursuant to a valid veterinarian-client-patient relationship; and,
 - (2) The drug is administered or used only in accordance with label directions or the prescription; and,
 - (3) The drug is administered or used only for medical purposes; and,
 - (4) A drug use notification form is completed and filed in accordance with the applicable requirements of rule 901-19-06 of the Administrative Code.
- (B) Milk or other food obtained from livestock administered or treated with a drug and permitted to exhibit pursuant to paragraph (A) of this rule shall not be used for human consumption.

901-19-10 Testing requirements and test results.

This is a mandatory rule.

- (A) Urine, blood, tissue and other test samples shall be collected in accordance with the Ohio department of agriculture's protocol for the collection of livestock test samples at exhibitions. Test samples may be collected before, during or immediately after a show. Deviation from the protocol shall be noted.
- (B) The director may at his discretion, collect any urine, blood, tissue or other test samples from exhibition animals at the time of slaughter.

901-19-11 Humane treatment of livestock.

This is a mandatory rule.

- (A) A person shall treat livestock in a humane manner and in accordance with acceptable commercial practices so as to protect the health, safety and welfare of the livestock.
- (B) All exhibitors shall comply with and abide by the policy statement and code of practices of the Ohio Livestock Coalition.

901-19-12 Acceptable practices.

This is a mandatory rule.

The following practices are deemed acceptable to protect and promote the health, safety, and welfare of livestock:

- (A) Adding caffeine free soda pop, gelatin, or other sweeteners to drinking water in nominal amounts to encourage water consumption;
- (B) Hoof trimming;
- (C) Cosmetic dehorning in market class livestock;
- (D) Using collodion as a teat sealant, but for no longer than eighteen hours;
- (E) Adding molasses or other sweeteners to feed to encourage consumption;
- (F) Properly administered and approved growth implants;
- (G) Castration;
- (H) Beak trimming;
- (I) Dehorning;
- (J) Tattooing;
- (K) Hot or freeze branding;
- (L) Humane ringing;
- (M) Tail docking;
- (N) Ear notching;
- (O) Ear tagging;
- (P) Shearing;
- (Q) Drenching of lambs for a medical condition at an exhibition when diagnosed by a licensed veterinarian;
- (R) Acceptable surgery, including clamps, bands and chemical castration.

- (S) Application of ice, ice packs, cold packs or cold compresses prescribed to relieve heat stress or a medical condition diagnosed by a licensed veterinarian at an exhibition.

901-19-13 Unacceptable practices.

This is a mandatory rule.

The following practices are detrimental to the health, safety, and welfare of livestock and are prohibited:

- (A) Applying any electrical, mechanical, or other appliance to livestock repeatedly or for a prolonged time period in violation of section 313.2 of the United States code of federal regulations;
- (B) Hitting, striking, beating, or otherwise impacting livestock that induces swelling or enhances, transforms or changes the true conformation, configuration, or appearance of the livestock;
- (C) Plugging of teats;
- (D) Sealing of teats using unapproved substances or for longer than eighteen hours using approved substances;
- (E) Injecting material into udders or teats for non-medical purposes or otherwise artificially modifying the appearance or conformation of the udder or teat;
- (F) Using ice, ice packs, cold packs or cold compresses internally or externally other than in accordance with paragraph (S) of rule 901-19-12 of the Administrative Code;
- (G) Using a stomach tube or pump for any purpose other than for the relief of tympany or gas on the day of exhibiting.
- (H) Drenching of lambs at an exhibition is prohibited except as permitted under paragraph (Q) of rule 901-19-12 of the Administrative Code.

901-19-19 Absolute liability.

This is a mandatory rule.

- (A) Both the exhibitor and the owner of livestock are absolutely liable to discipline under rule 901-19-21 of the Administrative Code for the presence of an unlawful substance in livestock and unacceptable practices done to livestock.
- (B) If the exhibitor or the owner was a minor child at the time the unlawful substance or unacceptable practice was detected, the parent or guardian of the person shall also be absolutely liable to discipline under rule 901-19-21 of the Administrative Code for the presence of an unlawful substance in livestock and unacceptable practices done to livestock.
- (C) The director or the sponsor in imposing discipline under paragraph (A) of this rule upon a person, shall mitigate the discipline imposed based upon one or more of the following facts if established.
 - (1) The person did not introduce the unlawful substance into the animal or do any unacceptable practices to the livestock;
 - (2) The person had no actual or constructive knowledge that the unlawful substance was introduced into the livestock or that unacceptable practices had been done to the livestock;
 - (3) The unlawful substance was not introduced into the livestock and the unacceptable practices were not done to the livestock through the person's negligence.

901-19-21 Disciplinary action.

This is a mandatory rule.

- (A) Any person who violates a provision of sections 901.70 through 901.76 inclusive, or 2925.04 of the Revised Code or any provision of this chapter, is subject to any of the following disciplinary actions:
 - (1) Disqualification from any exhibition;
 - (2) Disqualification of the exhibition livestock from any exhibition;
 - (3) Continuing education;
 - (4) Written letter of reprimand;

- (5) Forfeiture or return of awards, prizes, premiums or proceeds;
- (6) Pre-exhibition drug testing.
- (B) Disqualification may include any or all shows and classes and may be for any number of years.
- (C) Anyone who violates rule 901-19-07 of the Administrative Code may be given a letter of reprimand for the first offense.

901-19-31 Responsibilities of and assistance to junior fair exhibitors.

This is an optional rule.

- (A) A junior livestock show exhibitor shall be responsible for the continuous care, grooming, and preparation of the livestock entered in the junior livestock show.
- (B) An exhibitor may receive assistance in the care, grooming, and preparation of the livestock entered in the junior livestock show, provided that the assistance shall be limited to explanation or demonstration provided by the following:
 - (1) Family members;
 - (2) Household members;
 - (3) Advisors or adult volunteers of 4-H or FFA in the exhibitor's club or county;
 - (4) Vocational agriculture instructors;
 - (5) County extension agents;
 - (6) Department representatives;
 - (7) Veterinarians;
 - (8) Members of the exhibitor's 4-H club, FFA chapter, or other youth organizations;
 - (9) Guest speakers of the 4-H, FFA, or other youth organizations.
- (C) Any person not specified in paragraph (B) of this rule who provides assistance to a junior livestock show exhibitor shall register in writing with the sponsor. The responsibility to register rests with the exhibitor. An assistant may register for more than one exhibitor. Failure to register constitutes grounds for disciplinary action against the exhibitor. Assistance shall be limited to explanation and minimal demonstration.

901-19-32 Breed shows or classes.

This is an optional rule.

In breed shows or classes, the rules of the breed association shall constitute accepted grooming practices for that breed's show or class, unless otherwise modified by a mandatory rule.

901-19-33 Prohibited grooming practices.

This is an optional rule.

The following grooming practices are prohibited in market classes, non-breed shows or classes, and breed shows or classes unless those grooming practices are permitted under rule 901-19-32:

- (A) Using any substance to enhance or change the color of the livestock, including the livestock's hide or hooves;
- (B) Adding any substance externally to build up, change or alter the shape or conformation of the livestock, including by way of example but not limited to rope, false hair, graphite, hemp, and powders;
- (C) Pigmented grooming aides or materials.
- (D) Slick clipping or body shaving of market hogs except on the ears and tails.

901-19-34 Outstanding market project competition.

This is an optional rule.

An exhibition may provide for an outstanding market project competition in one or more classes. The competition may include an evaluation of the livestock, demonstration of the exhibitor's showmanship abilities, and a skillathon or interview judging. The skillathon or interview judging may include demonstration of the exhibitor's knowledge of quality assurance principles, as set forth in an

industry publication or in a publication such as the caring for animals handout or by viewing the Caring for Animals Video available from a county extension office.

901-19-35 Recognition of disciplinary actions.

This is an optional rule.

- (A) Disciplinary action by a sponsor against a person for a violation of sections 901.70 to 901.76, inclusive, or 2925.04 of the Revised Code or chapter 901-19 of the Administrative Code shall be given full faith and credit and shall be honored at all exhibitions.
- (B) A person who has been convicted of violating section 901.70 to 901.76, inclusive, or 2925.04 of the Revised Code shall be prohibited from participating in any exhibition for a minimum period of three years.

901-19-38 False, deceptive or unacceptable practices.

This is an optional rule.

The following are unacceptable practices:

- (A) Castration of livestock for purposes of this rule which exceed the following criteria:
 - (1) Cattle over eight months of age;
 - (2) Swine over seventy-five pounds; or
 - (3) Sheep over seventy-five pounds.
- (B) Showing any market livestock which has been treated in accordance with paragraph (A), (B) or (C) of 901-19-04 of the Administrative Code when a side effect of the drug conceals, enhances, transforms or changes the true confirmation or condition of the livestock.
- (C) Any natural occurrence or surgical process which results in testicular tissue remaining in the body of exhibition livestock except rabbits and poultry.

901-19-39 Ownership Requirements.

- (A) No person shall register, enter, or exhibit in a junior livestock exhibition any of the livestock listed in paragraphs (A)(1) to (A)(7) of this rule unless the person has owned the livestock for not less than the length of time listed:
 - (1) market steers - 150 days;
 - (2) market dairy steers - 150 days;
 - (3) market hogs - 60 days;
 - (4) market lambs - 60 days;
 - (5) market goats - 60 days;
 - (6) veal calves - 60 days; and
 - (7) market poultry – within five days of hatch including all individual participants in a cooperative.
- (B) No person shall register, enter or exhibit livestock in a junior breeding livestock exhibition unless the person has owned the livestock for not less than sixty days or, if the livestock is registered, the livestock has been registered in the persons name for not less than sixty days.
- (C) For any exhibition other than those listed in paragraphs (A)(1) to (A)(6) and paragraph (B) of this rule, the length of time a person shall own livestock before the person may register, enter or exhibit the livestock at an exhibition may be set by either the sponsor of the exhibition or a breed association.

OHIO'S LIVESTOCK HEALTH EXHIBITION RULES

901:1-18-01 Chapter's application.

- (A) Animals listed in this chapter when moved or imported into Ohio for exhibition purposes only shall comply with the requirements of this chapter and when in compliance with the provisions of this chapter shall, with the exception of rules governing movement and importation of quarantined animals, be exempt from any other rules governing movement within or importation into Ohio.
- (B) Animals moved within or imported into Ohio for any purpose in addition to exhibition shall meet all movement and import requirements of Chapter 901:1-17 of the Administrative Code.

901:1-18-02 Definitions.

As used in this chapter:

- (A) "Exhibition" means any public show of animals which is sponsored by or under the control of an Ohio county or independent agricultural society organized under chapter 1711. of the revised code; or the Ohio state fair; or which is assembled for a period which exceeds thirty-six hours or contains animals of origins other than Ohio.
- (B) "Certificate of veterinary inspection" means a form from the state of origin which has been issued and completed by a licensed and accredited veterinarian attesting to the health status and identification of an animal listed thereon.
- (C) "Approved veterinarian" means any licensed and accredited veterinarian approved by the Ohio department of agriculture, or an employee of the Ohio department of agriculture or the United States department of agriculture, animal plant health inspection service, veterinary services.
- (D) "Licensed and accredited veterinarian" means a person who is licensed by the state of Ohio to practice veterinary medicine and who is certified by the United States department of agriculture, animal plant health inspection service, veterinary services, to be an accredited veterinarian.
- (E) "Residue" means any poisonous or deleterious pesticide governed by 40 C.F.R. 180, any poisonous or deleterious substance governed by 21 C.F.R. 109.6, or any other substance governed by 21 C.F.R. 556.
- (F) "Contagious or infectious disease" means any disease, including any foreign animal disease, or vector, capable of transmission by any means from a carrier animal to a human or to another animal and includes dangerously contagious or infectious diseases.
- (G) "Tuberculosis accredited free herd" is one that has passed at least two consecutive annual negative official tests for tuberculosis in accordance with the "Uniform Methods and Rules - Bovine Tuberculosis Eradication", and has no other evidence of bovine tuberculosis.

901:1-18-03 Exhibitions: sanitation, inspection and records.

- (A) Each entity sponsoring an exhibition shall have in attendance an approved veterinarian for the duration of the exhibit.
- (B) Each entity sponsoring an exhibition shall:
 - (1) Immediately, prior to an exhibition and under the direction of the approved veterinarian, thoroughly clean and disinfect each building, pen, stall, ring or other enclosure in which animals are to be quartered for exhibition;
 - (2) Have the approved veterinarian:
 - (a) Examine the certificate of veterinary inspection when required for an animal brought to the exhibition;
 - (b) Inspect within a reasonable time of arrival each animal brought to the exhibit for symptoms of any infectious or contagious diseases;

- (c) Daily inspect each animal present at the exhibition for symptoms of infectious or contagious disease.
- (3) Maintain a record for one year from the date of the exhibition of each animal present at the exhibit. The record shall contain the name and address of the owner of each animal and the species and breed of the animal.
- (4) May order the immediate removal of any animal which in the opinion of the approved veterinarian places other animals at unacceptable risk of disease.
- (C) An exemption from the requirements of paragraph (B)(1) of this rule may be requested from the department and will be granted when, in the judgment of the department, cleaning and disinfection will serve no purpose. By way of example only, cleaning and disinfection will generally serve no purpose in a newly constructed building that has never been occupied.

901:1-18-04 Exhibitors.

- (A) No person shall present for exhibition or exhibit an animal which he knows or has reason to suspect is affected with or has been exposed to a dangerously contagious or infectious disease or residue.
- (B) The owner or bailee of an animal with symptoms of an infectious or contagious disease shall, when directed by an exhibition official, the approved veterinarian, or an employee of the Ohio department of agriculture, immediately remove the animal from the exhibition premises.
- (C) Upon request, each person who presents for exhibition or exhibits an animal, shall make available any certificate of veterinary inspection, registration certificates, vaccination certificate, and other documents to exhibition officials, the approved veterinarian or an employee of the Ohio department of agriculture.
- (D) Each person who presents for exhibition or exhibits an animal for which a certificate of veterinary inspection is required by rules 901:1-18-01 to 901:1-18-11 of the Administrative Code shall forward a copy of the certificate of veterinary inspection to the Ohio department of agriculture's division of animal industry.

901:1-18-05 Poultry and fowl.

- (A) All turkeys, chickens and gamebirds moved within or imported into Ohio for exhibition must:
 - (1) Originate directly from a flock or hatchery which is a participant in the national poultry improvement plan for the eradication of disease and be accompanied by documentary evidence that they meet the requirements of this paragraph; or
 - (2) Originate directly from a flock which has had a negative test for pullorum/fowl typhoid disease within twelve months preceding the opening date of exhibition and be accompanied by documentary evidence that they meet the requirement of this paragraph; or
 - (3) Have had a negative test for pullorum/fowl typhoid disease, within ninety days, preceding the opening date of the exhibition and be accompanied by documentary evidence that they meet the requirement of this paragraph; or
 - (4) Be tested for pullorum/fowl typhoid disease upon arrival at the exhibition by a tester approved by the Ohio department of agriculture and found negative.
- (B) The rapid whole blood test shall not be used to test turkeys for compliance with the requirements of paragraph (A)(2),(A)(3) and (A)(4) of this rule.
- (C) Waterfowl, doves and pigeons are exempt from this rule.

901:1-18-06 Cattle.

- (A) Cattle moved within Ohio for exhibition:
 - (1) The animals presented for exhibition must show no symptoms or evidence of an infectious or contagious disease.
- (B) All cattle imported into Ohio for exhibition must:
 - (1) Be accompanied by a certificate of veterinary inspection issued within thirty days preceding the opening date of the exhibition and be identified with official individual identification;
 - (2) Originate from a tuberculosis-accredited free herd, an accredited free state or zone, or a modified accredited advanced state or zone;
 - (3) If originate from a modified accredited state or zone must comply with Rule 901:1-17-03 of the Administrative Code;
 - (4) If originate from an accreditation preparatory or a non-accredited state or zone are prohibited from exhibition;
 - (5) If from a brucellosis class A state or area/zone must be negative to an official brucellosis test within thirty days of the opening date of the exhibition unless: they are under six months of age, steers, or official vaccinates under twenty months of age (dairy) or twenty-four months of age (beef); and
 - (6) If from a brucellosis class B or C state or area/zone must meet all requirements for pre-entry testing as specified in 9 C.F.R. 78.9 and obtain an Ohio permit prior to movement.
- (C) Cattle from a brucellosis certified free herd or class free state or area/zone are not required to be brucellosis tested.

901:1-18-07 Goats.

- (A) Goats moved within Ohio for exhibition:
 - (1) The animal presented for exhibition must show no symptoms or evidence of an infectious or contagious disease.
 - (2) All sexually intact animals and any wether eighteen months of age and older must be identified with an official identification as defined in rule 901:1-13-04 of the Ohio Administrative Code.
- (B) Goats imported into Ohio for exhibition:
 - (1) Must be accompanied by a certificate of veterinary inspection issued within thirty days preceding the opening date of the exhibition and be identified with official individual identification;
 - (2) The animal presented for exhibition must show no symptoms or evidence of an infectious or contagious disease; and
 - (3) The owner and the veterinarian must attest to the following statement written on the certificate of veterinary inspection "the goats in this shipment are not known to be under any movement restrictions because of scrapie."
 - (4) Originate from a tuberculosis accredited free herd as defined in rule 901-18-02 (G) of the Administrative Code for bovine tuberculosis eradication; or
 - (5) Originate from a bovine accredited free state or zone, or a bovine modified accredited advanced state or zone; or
 - (6) Originate from a bovine modified accredited state or zone must comply with Rule 901:1-17-06 of the Administrative Code.
- (C) If originate from a bovine accreditation preparatory or a bovine non-accredited state or zone are prohibited from exhibition.

901:1-18-08 Horses, mules and ponies.

- (A) Horses, mules and ponies moved within Ohio for exhibition:
 - (1) If not under quarantine and if they are free of any signs of a contagious or infectious disease; and
 - (2) If the animal is twelve months of age or older, the exhibition manager may require that the animal has been tested and classed negative to an official test for equine infectious anemia within twelve months of the opening date of the exhibition.
- (B) Horses, mules and ponies imported into Ohio for exhibition:
 - (1) Shall be accompanied by an official certificate of veterinary inspection issued within thirty days of the opening date of the exhibition; and
 - (2) If the animal is twelve months of age or older, it shall be accompanied by evidence the animal was negative to an official test for equine infectious anemia within twelve months of the opening date of the exhibition; and
 - (3) Upon request by an authorized representative of the Ohio department of agriculture, the person responsible for each animal must make available a chronological list of dates, places and events attended by this animal within thirty days prior to entry into Ohio.

901:1-18-09 Sheep.

- (A) Sheep moved within Ohio for exhibition:
 - (1) The animal presented for exhibition must show no symptoms or evidence of an infectious or contagious disease.
 - (2) All sexually intact animals and any wether eighteen months of age and older must be identified with an official identification as defined in rule 901:1-13-04 of the Ohio Administrative Code.
- (B) Sheep imported into Ohio for exhibition:
 - (1) Must be accompanied by a certificate of veterinary inspection issued within thirty days preceding the opening date of the exhibition and be identified with official individual identification; and
 - (2) The animal presented for exhibition must show no symptoms or evidence of an infectious or contagious disease; and
 - (3) The owner and the veterinarian must attest to the following statement written on the certificate of veterinary inspection "the sheep in this shipment are not known to be under any movement restrictions because of scrapie."

901:1-18-10 Swine.

- (A) Swine moved within Ohio for exhibition:
 - (1) The animals presented for exhibition must show no symptoms or evidence of an infectious or contagious disease.
 - (2) Will be exempt from the requirement of a certificate of veterinary inspection if they originate immediately and directly from a pseudorabies stage V area.
 - (3) Swine originating from a pseudorabies stage IV area shall:
 - (a) Be accompanied by a certificate of veterinary inspection issued within thirty days preceding the opening date of the exhibition; and
 - (b) Originate from a pseudorabies qualified herd; or

- (c) Be negative to an official pseudorabies test within thirty days of the exhibition.
- (B) Swine imported into Ohio for exhibition:
 - (1) Must be accompanied by a certificate of veterinary inspection issued within thirty days preceding the opening date of the exhibition; and
 - (a) Originate immediately and directly from a pseudorabies stage V area or an area or country recognized by the United States department of agriculture, animal plant health inspection service, veterinary services as pseudorabies free; or
 - (b) Originate immediately and directly from a pseudorabies stage IV area; and
 - (c) Be negative to an official pseudorabies test within thirty days of the exhibition.

901:1-18-11 Llama.

- (A) Camelids including, but not limited to, llamas, alpacas and vicuanas moved within Ohio for exhibition when presented for exhibition must show no symptoms or evidence of an infectious or contagious disease.
- (B) Camelids including, but not limited to, llamas, alpacas and vicuanas imported into Ohio for exhibition:
 - (1) Must be accompanied by a certificate of veterinary inspection issued within thirty days preceding the opening date of the exhibition and be identified with official individual identification.
 - (2) When presented for exhibition must show no symptoms or evidence of contagious disease.

LIVESTOCK SHOW REFORM LAW

As used in sections 901.70 to 901.76 of the Revised Code

Sec. 901.70

- (A) "Exhibition" means any of the following:
- (1) A show or sale of livestock at a fair or elsewhere that is sponsored by or under the control of a county or independent agricultural society organized under section 1711.01 or 1711.02 of the Revised Code;
 - (2) A show or sale of livestock at the Ohio state fair;
 - (3) A livestock show at a fair or elsewhere or a livestock sale at or associated with a fair or livestock show that is assembled for any length of time;
 - (4) A livestock show at a fair or elsewhere or a livestock sale at or associated with a fair or livestock show that includes livestock with origins outside Ohio;
 - (5) Any show or sale of livestock at a fair or elsewhere that is specified by rule of the director of agriculture adopted under section 901.72 of the Revised Code.
- (B) "Livestock" means any animal generally used for food or in the production of food, including cattle, sheep, goats, rabbits, poultry, swine, and any other animal included by the director by rules adopted under section 901.72 of the Revised Code.
- (C) "Sponsor" means any of the following:
- (1) A county or independent agricultural society organized under section 1711.01 or 1711.02 of the Revised Code;
 - (2) The Ohio state fair;
 - (3) Any other public or private entity sponsoring an exhibition.

Sec. 901.71.

- (A) There is hereby created the advisory committee on livestock exhibitions consisting of not more than twenty-one members, as follows:
- (1) The director of agriculture, or the director's designee, who may be the chief of the division of fairs;
 - (2) The state veterinarian, or the state veterinarian's designee;

- (3) A representative of the Ohio cattlemen's association, the Ohio purebred dairy cattle association, the Ohio pork producers council, the Ohio poultry association, the Ohio sheep improvement association, the Ohio fair managers association, the Ohio farm bureau federation, the Ohio farmers union, the Ohio department of education's agricultural service, the Ohio state university extension, the national farmers organization, and the Ohio state grange, or their designees. Each of these members shall be chosen by the organization the member represents.
- (4) The chairperson of the Ohio expositions commission, or the chairperson's designee;
- (5) Three persons who shall be appointed by the director, each of whom shall serve as a member of a board of directors of a county or independent agricultural society organized under section 1711.01 or 1711.02 of the Revised Code. Of the initial appointments made by the director, one shall be for a term ending on December 31, 1996; one shall be for a term ending on December 31, 1997; and one shall be for a term ending on December 31, 1998.
- (6) Not more than three additional members appointed at the option of the director. If the director appoints one or more additional members, the first additional appointment shall be for a term ending on December 31, 1996, the second additional appointment shall be for a term ending on December 31, 1997, and the third additional appointment shall be for a term ending on December 31, 1998.

Following the completion of the initial terms of the appointments made by the director, each term of office shall be three years, commencing on the first day of January and ending on the thirty-first day of December. A member appointed by the director shall hold office from the date of the member's appointment until the end of the term for which the member was appointed. Vacancies shall be filled in the same manner as the original appointment. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of the unexpired term. Any member shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office or until a period of ninety days has elapsed, whichever occurs first.

Members may be removed from the committee only for misfeasance, malfeasance, or nonfeasance. A vacancy on the committee shall not impair the right of the other members to exercise all of the functions of the committee. A simple majority constitutes a quorum for the conduct of business of the committee. On request, each member shall be reimbursed for the actual and necessary expenses incurred in the discharge of the member's duties as a committee member.

- (B) The committee shall be considered a part of the department of agriculture for the administrative purposes required by this section, including the payment of expenses authorized to each member of the committee under this section. The director or the director's designee shall serve as chairperson of the committee. The director shall designate an employee or official of the department to act as the secretary of the committee. The secretary shall keep the minutes of the committee's meetings and a permanent journal of all meetings, proceedings, findings, determinations, and recommendations of the committee, including an itemized statement of the

expenses allowed to each member of the committee under this section. The committee may request from the director, and the director shall provide, meeting space, assistance, services, and information to enable the committee to carry out its duties.

- (C) The committee shall meet at least once annually after the fifteenth day of October and before the first day of December. The committee may meet at other times as the chairperson or a majority of the committee members considers appropriate, provided the chairperson gives members written notice of any meeting at least seven days prior to the meeting.
- (D) The committee may propose rules and may advise and counsel the director on all matters relating to the administration of exhibitions and any other matters that the committee and the director consider appropriate in carrying out sections 901.71 to 901.76 of the Revised Code.

Sec. 901.72.

- (A) The director of agriculture, in accordance with Chapter 119. of the Revised Code, may adopt rules for the governance and administration of exhibitions, and to provide for related food safety and the health, safety, and welfare of livestock, and may adopt by reference rules adopted by other public or private agencies such as the Ohio farm animal care commission. Rules of the director may specify those grooming, commercial, or medical practices that are generally accepted within the community of persons exhibiting livestock and may specify false, deceptive, misleading, unethical, or unprofessional practices that constitute grounds for disciplinary action under section 901.74 of the Revised Code.
- (B) Rules of the director that apply to exhibition-related food safety and the health, safety, and welfare of livestock shall apply to every exhibition operated within this state and to every sponsor. A sponsor may exempt itself from any other rules adopted by the director under this section that do not apply to food safety or the health, safety, or welfare of livestock, including, without limitation, rules for the governance and administration of exhibitions, by, not later than thirty days before the commencement of its exhibition, filing with the director, on a form prescribed and provided by the director, a list of the rules that shall not apply to its exhibition.
- (C) The director may provide mediation, dispute resolution, and arbitration services in any dispute involving an alleged violation of a rule adopted under division (A) of this section from which the sponsor could have exempted itself under division (B) of this section, but chose not to.
- (D) Nothing in this section or in sections 901.73 or 901.74 of the Revised Code precludes any sponsor from doing any of the following:
 - (1) Adopting rules or written policies for the governance and administration of its own exhibition, including, without limitation the adoption of any rule by reference to a rule adopted by other public or private agencies;
 - (2) Adopting rules or written policies providing for appeals regarding alleged violations of rules or written policies adopted by the sponsor;

- (3) Taking any disciplinary action established in the rules or written policies adopted by the sponsor in connection with violations of the sponsor's rules or written policies for the governance and administration of its exhibition. Any such disciplinary action taken by a sponsor in regard to its own exhibition is in addition to any disciplinary action taken by the director under section 901.74 of the Revised Code.
- (4) Establishing by rule or written policy criteria and procedures for the reinstatement of any person disqualified from participation in the sponsor's exhibition by a disciplinary action taken by the sponsor and for deciding requests for reinstatement submitted under those rules.

Sec. 901.73.

(A)

- (1) The director of agriculture may inspect and investigate any matter involving livestock that is not present at an exhibition, but is registered or entered in an exhibition, or raised with the apparent intent of being so registered or entered, when the director reasonably suspects any of the following:
 - (a) There has been a violation of section 901.76 or 2925.04 of the Revised Code or a rule adopted under section 901.72 of the Revised Code;
 - (b) The livestock's health, safety, or welfare may be threatened;
 - (c) The livestock constitutes a threat to or may adversely affect food safety.
- (2) The director may conduct random inspections and investigations regarding any matter involving livestock present at an exhibition.
- (3) With the consent of the property owner and the livestock owner, the director or the director's designee may enter at all reasonable times any premises, facility, pen, yard, vehicle, or means of conveyance for the purpose of sampling and testing livestock registered or entered in an exhibition or raised with the apparent intent of being so registered or entered. If the director or the director's designee is denied access to any premises, facility, pen, yard, vehicle, or means of conveyance by the property owner or to livestock by the livestock owner, and if the director reasonably suspects that food safety or the health, safety, or welfare of livestock is threatened, the director may apply to a court of competent jurisdiction in the county where the premises, facility, pen, yard, vehicle, means of conveyance, or livestock are located for a search warrant authorizing access to the premises, facility, pen, yard, vehicle, means of conveyance, or livestock for the purposes of this section. The court shall issue the search warrant for the purposes requested if there is probable cause to believe that livestock is involved that is registered or entered in an exhibition or raised with the apparent intent of being so registered or entered, and that food safety or the health, safety, or welfare of livestock is threatened. The finding of probable cause may be based on hearsay, provided there is a substantial

basis for believing that the source of the hearsay is credible and that there is a factual basis for the information furnished.

The director may designate employees of the department of agriculture, employees of the United States department of agriculture, licensed veterinarians, or employees or students of an approved or accredited veterinary school or college to perform the inspecting, sampling, and testing. The director may contract with laboratories, universities, or other persons or institutions, both public and private, to perform the livestock testing.

- (B) While the director or the director's designee is sampling or testing the livestock, the owner or custodian of the livestock shall render assistance in accordance with sections 941.05 and 941.08 of the Revised Code. Any person who refuses to cooperate with the director or the director's designee in the inspection, sampling, and testing of livestock may be prohibited by the director acting under section 901.74 of the Revised Code from participating in any exhibition.
- (C) A person may register, enter, or exhibit at any exhibition only livestock owned by that person for the length of time specified by rule of the director, unless one of the following applies:
 - (1) The livestock owner suffers from a recognized physical handicap that prevents the owner from showing the livestock;
 - (2) The sponsor provides written permission to someone other than the livestock owner to register, enter, or exhibit the livestock;
 - (3) A rule of the director provides that this division shall not apply to an exhibition.

Sec. 901.74.

- (A) Any person involved in any activity in connection with exhibiting livestock at an exhibition or with raising livestock with the apparent intent that the livestock eventually is to be entered in an exhibition is subject to disciplinary action by the department of agriculture for any of the following reasons:
 - (1) The person has been convicted of or pleaded guilty to a violation of section 901.76 or 2925.04 of the Revised Code, or has been found by the director of agriculture to have tampered with or sabotaged livestock;
 - (2) The director reasonably suspects that the person's conduct in regard to raising or exhibiting the livestock threatens, endangers, or adversely affects food safety or the health, safety, or welfare of livestock;
 - (3) The person has refused to cooperate with the director or the director's designee in the inspection, sampling, and testing of livestock under section 901.73 of the Revised Code, unless the person withheld consent to the inspection, sampling, and testing and no search warrant was issued;

- (4) The person has violated a rule adopted by the director under section 901.72 of the Revised Code from which the sponsor of the exhibition at which the violation occurred could have exempted itself under that section, but chose not to.
- (B) If one or more of the grounds for disciplinary action listed in division (A)(1), (2), or (3) of this section exist, the director, upon the director's own initiative, may conduct an adjudication in accordance with Chapter 119. of the Revised Code and may take any disciplinary action established by the director by rules adopted in accordance with Chapter 119. of the Revised Code. If one or more of the grounds for disciplinary action listed in division (A) of this section exist, the director, upon the request of a sponsor, may conduct an adjudication in accordance with Chapter 119. of the Revised Code and may take any disciplinary action established by the director by rules adopted in accordance with Chapter 119. of the Revised Code. Disciplinary action imposed under this section by the director may include disqualifying the person, the person's family, members of the person's household, or any other person associated with the activity resulting in the disciplinary action from participating in any class or with any species of livestock in any current or future exhibition.
- (C) The director, in accordance with Chapter 119. of the Revised Code, may adopt rules establishing the criteria and procedures for the reinstatement of any person disqualified from participation in an exhibition as a result of disciplinary action taken by the director under this section. Any person disqualified by disciplinary action of the director may file a written request with the director to seek reinstatement after the period of disqualification ends or at any other time established by rule. Upon the written request of the person seeking the reinstatement, the director shall conduct an adjudication in accordance with Chapter 119. of the Revised Code.

Sec. 901.75

No person shall exhibit livestock owned or raised by another person if the person owning or raising the livestock has been disqualified by the director of agriculture under section 901.74 of the Revised Code or has been disqualified from exhibiting livestock by any court having jurisdiction.

Sec. 901.76.

- (A) No person shall tamper with any livestock.
- (B) No person shall sabotage any livestock exhibited at any exhibition.
- (C) In addition to the penalties established in section 901.99 of the Revised Code, whoever violates division (A) or (B) of this section is subject to disciplinary action by the director of agriculture under section 901.74 of the Revised Code.
- (D) This section does not apply to either of the following:
 - (1) Any action taken or activity performed or administered by a licensed veterinarian or in accordance with instructions of a licensed veterinarian in the action or activity was undertaken for accepted medical purposes during the course of a valid veterinarian-

client-patient relationship;

- (2) Accepted grooming, commercial, or medical practices as defined by rules of the director adopted under section 901.72 of the Revised Code.

(E) As used in this section:

(1) "Tamper" means any of the following:

- (a) Treatment of livestock in such a manner that food derived from the livestock would be considered adulterated as defined in division (A),(B),(C),(D),(E),(H),(I), or (J) of section 3715.59 of the Revised Code;
- (b) The injection, use, or administration of any drug that is prohibited under any federal law or law of this state, or any drug that is used in any manner that is not authorized under any federal law or law of this state. Whenever the commissioner of the United States food and drug administration or the secretary of the United States department of agriculture, pursuant to the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, or the federal "Virus-Serum-Toxin Act," 37 Stat. 832 (1913), 21 U.S.C.A. 151, as amended, approves, disapproves, or modifies the conditions of the approved use of a drug, the approval, disapproval, or modification automatically is effective for the purposes of division (E)(1)(b) of this section, unless the director, in accordance with Chapter 119. of the Revised Code, adopts a rule to alter for the purposes of that division the action taken by the commissioner or secretary. The director may adopt such a rule if the director considers it to be necessary or appropriate for the protection of food safety or the health, safety, or welfare of livestock or to prevent the use of a drug for the purpose of concealing, enhancing, transforming, or changing the true conformation, configuration, or condition of livestock. No such rule shall authorize the use of any drug the use of which is prohibited by, or authorize the use of any drug in a manner not authorized by, the commissioner or secretary under either of those acts.
- (c) The injection, or other internal or external administration of any product or material, whether gas, solid, or liquid, to livestock for the purpose of concealing, enhancing, transforming, or changing the true conformation, configuration, condition, or age of the livestock or making the livestock appear more sound than it actually is;
- (d) The use or administration, for cosmetic purposes, of steroids, growth stimulants, or internal artificial filling, including paraffin, silicone injection, or any other substance;
- (e) The use or administration of any drug or feed additive affecting the central nervous system of the livestock;

- (f) The use or administration of diuretics for cosmetic purposes;
 - (g) The surgical manipulation or removal of tissue so as to change, transform, or enhance the true conformation or configuration of, or to conceal the age of, the livestock.
- (2) "Sabotage" means intentionally tampering with any livestock belonging to or owned by another person that has been registered, entered in, or exhibited in any exhibition, or raised with the apparent intent of being entered in an exhibition.

Sec. 901.99

- (A) Whoever violates section 901.51 of the Revised Code is guilty of a misdemeanor of the fourth degree.
- (B) Whoever violates section 901.75 or division (C) of section 901.73 of the Revised Code is guilty of a misdemeanor of the first degree.
- (C) Whoever violates division (A) of section 901.76 of the Revised Code is guilty of a felony of the fourth degree on a first offense. On each subsequent offense, the offender is guilty of a felony of the third degree.
- (D) Whoever violates division (B) of section 901.76 of the Revised Code is guilty of a felony of the third degree.

Sec. 941.043.

If the owner of the animal or the operator of the vehicle or conveyance is unable or refuses to comply with the permit issued under division (C) of section 941.04 of the Revised Code, or if necessary during a detention or impoundment in accordance with that division, the director of agriculture or the director's authorized representative may order the immediate slaughter of the animal in accordance with division (D)(3) of section 941.10 of the Revised Code and in the manner the director determines is most efficient, or may board or stable the animal at a location that can provide and care for the animal. All costs incurred as the result of a slaughter or boarding under this section shall be assessed against the owner of the animal, and the department of agriculture shall provide written notice to the owner demanding reimbursement for the costs. The owner shall reimburse the department for any such costs it has incurred within seventy-two hours after receiving the notice. The director may retain any proceed from the slaughter of the animal to apply against any costs the department has incurred.

No person taking action as authorized by this section is liable for any losses incurred as the result of that action.

Sec. 2925.04.

- (A) No person shall administer, dispense, distribute, manufacture, possess, sell, or use any drug, other than a controlled substance, that is not approved by the United States food and drug

administration, or the United States department of agriculture, unless one of the following applies:

- (1) The United States food and drug administration has approved an application for investigational use in accordance with the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, and the drug is used only for the approved investigational use;
- (2) The United States department of agriculture has approved an application for investigational use in accordance with the federal "Virus-Serum-Toxin Act," 37 Stat. 832 (1913), 21 U.S.C.A. As amended, 151, as amended, and the drug is used only for the approved investigational use;
- (3) A practitioner, other than a veterinarian, prescribes or combines two or more drugs as a single product for medical purposes;
- (4) A pharmacist, pursuant to a prescription, compounds and dispenses two or more drugs as a single product for medical purposes.

(B)

- (1) As used in this division, "dangerous drug," "prescription," "sale at retail," "wholesale distributor of dangerous drugs," and "terminal distributor of dangerous drugs," have the meanings set forth in section 4729.02 of the Revised Code.
- (2) Except as provided in division (B)(3) of this section, no person shall administer, dispense, distribute, manufacture, possess, sell, or use any dangerous drug to or for livestock or any animal that is generally used for food or in the production of food, unless the drug is prescribed by a licensed veterinarian by prescription or other written order and the drug is used in accordance with the veterinarian's order or direction.
- (3) Division (B)(2) of this section does not apply to a registered wholesale distributor of dangerous drugs, a licensed terminal distributor of dangerous drugs, or a person who possesses, possesses for sale, or sells, at retail, a drug in accordance with Chapters 3719., 4729., or 4741. of the Revised Code.

- (C) Whoever violates division (A) or (B)(2) of this section is guilty of a felony of the fourth degree on a first offense. On each subsequent offense, the offender is guilty of a felony of the third degree.

Section 1.

That sections 901.99 and 941.043 be amended and sections 901.70, 901.71, 901.72, 901.73, 901.74, 901.75, 901.76, and 2925.04 of the Revised Code be enacted as above.

Section 2.

That existing sections 901.99 and 941.043 of the Revised Code are hereby repealed.

Section 3.

This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that livestock exhibitions are seasonal, and are largely held in May through September. For this act to have a uniform application, it must be effective at the commencement of the exhibition season. Therefore, this act shall go into immediate effect.

LIVESTOCK SHOW REFORM LAW

Ohio Department of Agriculture

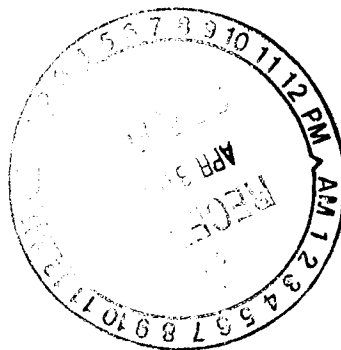
Division of Animal Industry

8995 E. Main Street

Reynoldsburg, OH 43068

614-728-6220

FAX: 614-728-6310



SHEEP AND GOAT EXHIBITION REQUIREMENTS

From The Ohio Department of Agriculture

6/18/04

NO PERSON MAY REMOVE OR TAMPER WITH OFFICIAL SHEEP AND GOAT IDENTIFICATION IN ACCORDANCE WITH 9 CFR PART 79.2

In order for Ohio to maintain Consistent State Status, Ohio sheep and goat exhibitions will be considered Interstate Commerce.

- A. Requirements for bringing sheep and goats into Ohio for exhibition, sale or breeding
1. Certificate of Veterinary Inspection (CVI) issued within 30 days of the opening date of the exhibition.
 2. CVI must be signed by the owner and the veterinarian attesting to the following statement: "the sheep/goats in this shipment are not known to be under any movement restrictions because of scrapie."
 3. Show no evidence of infectious or contagious disease.
 4. All sheep and goats must be identified with official USDA identification (USDA approved sheep tags, USDA approved tattoos, or identification in the Scrapie Flock Certification Program)
 5. If the animal was born after January 1, 2002, it must have official USDA sheep/goat identification and be identified to the flock of birth.
- B. Identification requirements for sexually intact sheep and goats moving within Ohio for exhibition including sales
1. Official USDA sheep/goat identification in the form of an approved tag or tattoo
 2. If the animal was born after January 1, 2002, it must have official USDA sheep/goat identification and be identified to the flock of birth either by an eartag or tattoo placed by the owner of the flock of birth, or a tag or tattoo placed by the purchaser.
 3. The identification requirements for flocks enrolled in the Voluntary Scrapie Flock Certification Program qualify as official USDA identification for exhibition and interstate movement; no other special identification is needed.
- Ohio sheep and goat wethers that are less than 18 months of age exhibited in Ohio do not require USDA identification.
- C. "Exhibition" means any public show of animals which is sponsored by or under the control of an Ohio county or independent agricultural society OR the Ohio State Fair OR which is assembled for a period which exceeds 36 hours OR contains animals of origins other than Ohio.
- Includes show lamb and goat sales, consignment sales of livestock and jackpot shows
- D. Responsibilities of an exhibition sponsor (**includes show lamb and goat sales, consignment sales of livestock and jackpot shows**):
1. Must have an approved veterinarian
 2. Buildings, pens, stalls, rings and other enclosures in which animals are to be quartered for exhibition must be cleaned and disinfected prior to the exhibition under the direction of the approved veterinarian.
 3. The approved veterinarian is required to:
 - a. Examine CVI when required; and
 - b. Inspect livestock for infectious or contagious diseases within a reasonable time of arrival; and
 - c. Inspect livestock daily.
 4. May order the immediate removal of any animal which, in the opinion of the approved veterinarian, places other animals at unacceptable risk of disease.
 5. Maintain a record for one year from the date of the exhibition of each animal present at the exhibit. **Sheep and goat sale records must be kept for 5 years. (see (F) below)**
- E. For livestock purchased at an exhibition and moved out of state, an accredited veterinarian must issue a certificate of veterinary inspection before the animal moves across the state line.
- F. The Code of Federal Regulations requires that sheep and goat sale records be kept for 5 years by the seller, the buyer and the exhibition/sale sponsor. The records must contain the following information:
1. Name and address of the seller, telephone number if available; and
 2. Name and address of the buyer, telephone number if available; and
 3. Official identification when required as indicated in part A and B of these requirements; and
 4. Date of sale.