

Rule Changes: Livestock Exhibitions - 2024

Ohio Department of
Agriculture

Dennis M. Summers,
DVM, DACVPM

Kristy Shaw, DVM

Jacquie Keller-Potvin,
Division Programs
Administrator

Cindy Bodie, Fair and
Exhibitions, Program
Administrator

Background

- Ohio Advisory Committee on Livestock Exhibitions
 - Sub-Committee Working Group
 - Reviewed Chapter 901:1-18 on March 9, 2023
 - Reviewed Chapter 901-19 on August 21, 2023
- **GOAL: Update, clarify, simplify, reduce rules for livestock exhibitions**
 - Based on modern scientific information, available research, best practices, advancing technology, and exhibition/exhibitor feedback

Administrative Rule Making Process

- Early Stakeholder Outreach Public Comment Period
 - Held from 12/18/2023 to 1/2/2024
- Common Sense Initiative (CSI) Office Public Comment Period
 - Held from 1/26/2024 to 2/23/2024
- Joint Committee on Agency Rule Review
 - Rules submitted 3/8/2024
 - Testimony Opportunity at ODA: 4/11/2024 at 10am
 - Testimony Opportunity at Committee Hearing
 - Enroll for notices via RuleWatch Ohio

• **EFFECTIVE DATE: 5/23/2024**



“CLICK”

Animal
Health-
Animal
Exhibitions
5 Year Rule
Review

901:1-18

901:1-18-02 Definitions*

- For the purposes of chapter 901:1-18 of the Administrative Code:
- "Approved veterinarian" is now "Official veterinarian"
- "Official eartag" means a United States department of agriculture, animal plant health inspection services approved electronic identification device that is both visibly and electronically readable.

901:1-18-05 Poultry and fowl*

- Any co-mingling of birds voids National Poultry Improvement Plan (NPIP) status from the original flock or hatchery
- NPIP status is only valid for one year

901:1-18-06 Cattle*

901:1-18-10 Swine*

- All cattle imported and upon entry into Ohio for exhibition must comply with rule 901:1-17-03 of the Administrative Code and be identified with an official eartag.
- Swine imported and upon entry into Ohio for exhibition shall comply with rule 901:1-17-09 of the Administrative Code and be identified with an official eartag.

Ear tags, RFID Tags, etc.

- Strongly encourage use
- ODA has **FREE Cattle RFID Tags** available
- ODA is working to purchase Swine RFID Tags (TBD)
- ODA has readers and wands available for use in exhibitions
- Call 614-728-6220 for more information



901-19

901-19-01 Definitions*

- "Approved drug" means a drug with an established tolerance approved by the United States food and drug administration listed at 21 C.F.R. Part 556 when used according to label directions for the species indicated on the label.
- "Exhibition drug residue legal" means livestock:
 - (1) Have only been administered an approved drug, for which the withdrawal time has elapsed and met tolerance;
 - (2) Have not been administered an unapproved drug; and
 - (3) Do not contain an unlawful substance.
- "Extra label use" or "extra label" means the same as the definition as listed in 21 C.F.R. 530.3.

901-19-01 Definitions*

- "Label" means the attached label, labeling statement, or the accompanying brochure that lists the approved species, dose, route of administration, withdrawal time and any cautionary statement as permitted by the United States food and drug administration; a prescription label; or the requirements of labeling for an extra label use drug as permitted by the United States food and drug administration.
- "Livestock" means any animal generally used for food or in the production of food, including cattle, sheep, goats, rabbits, poultry, swine, alpacas, and llamas.

901-19-01 Definitions*

- "Market livestock" means exhibition livestock bred, raised, and intended for slaughter for food purposes. For the purposes of this chapter, horses are not considered livestock.
- "Official eartag" means a United States department of agriculture animal and plant health inspection service approved electronic identification device that is both visibly and electronically readable and approved by the department.

901-19-01 Definitions*

- "Tolerance" means the lowest of the maximum concentrations of a marker residue, or other residue indicated for monitoring, that can legally remain in edible tissues of a treated animal species according to label instructions under United States food and drug administration regulations found in 21 C.F.R. Part 556.

901-19-01 Definitions*

- "Unapproved drug" means:
 - (1) Any drug, chemical, or pharmacologic compound not approved for use in livestock by the United State food and drug administration;
 - (2) A drug, or approved drug used extra label, for which no established tolerance has been listed by the United States food and drug administration under 21 C.F.R. 556, but has been detected through testing;
 - (3) Any drug, chemical, or compound that alters the mental or behavioral status of the animal, including, but not limited to sedatives, tranquilizers, depressants, stimulants, or dissociative or psychoactive compounds;
 - (4) Any drug prohibited by division (E)(1)(b) of section 901.76 of the Revised Code; or
 - (5) An approved drug administered to livestock not in accordance with paragraph (M) 901-19-12 of the Administrative Code.

901-19-01 Definitions*

- "Unlawful substance" means any of the following:
 - (1) A substance which is not normally found in or does not naturally occur in livestock; or
 - (2) 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
 - (3) Any drug required to be listed, but which is not listed on a drug use notification form; or
 - (4) Any unapproved drug present in livestock regardless of how the drug came to be present; or
 - (5) Any other drug, chemical, or compound which is not considered an approved drug.
- "Withdrawal period" or "withdrawal time" means the period of time from when a drug is administered to when the drug concentration falls below the tolerance.

901-19-02 Types of shows; slaughter*

- All livestock shall be exhibition drug residue legal prior to the start of the show in which the livestock is entered into for exhibition.
 - ALL LIVESTOCK INCLUDING:
 - Terminal shows
 - Partial terminal shows
 - Open class shows
 - Breeding class shows

901-19-04 Prohibited practices*

- This is a mandatory rule.
- It is a prohibited practice to do any of the following:
 - (A) Show, sell, or offer for sale any livestock, including the sale or offering for sale in an auction at a terminal or partial terminal show, which:
 - (1) Has been subjected to unacceptable practices as outlined in rule 901-19-13 of the Administrative Code;
 - (2) Is not exhibition drug residue legal; or
 - (3) A withdrawal period for extra label use has not elapsed.
 - (D) Knowingly, recklessly, or negligently cause an unapproved drug or unlawful substance to be present in livestock.

901-19-05 Responsibilities of an exhibition sponsor*

- This is a mandatory rule.
- Animal Identification Requirement:
 - Prior to the start of an exhibition, the sponsor shall 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. In addition, effective **January 1, 2027**, cattle and swine are to be minimally identified with an official eartag. 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.

901-19-05 Responsibilities of an exhibition sponsor*

- This is a mandatory rule.
- Availability of regulations:
 - (C) All county and independent agricultural societies and the Ohio expositions commission shall provide the uniform resource locator (URL) in the premium book for the current year to the effective version of all of the following:
 - (1) Chapter 901:1-18, exhibitions of animals, of the Administrative Code;
 - (2) Chapter 901-19, livestock exhibitions, of the Administrative Code; and
 - (3) Sections 901.70 to 901.76 of the Revised Code.

901-19-06 Drug use notification*

- This is a mandatory rule.
- (C) The director requires a drug use notification form to be completed for the following livestock exhibited in a junior livestock show:
 - (1) Market beef;
 - (2) Market hog;
 - (3) Market lamb;
 - (4) Veal calf;
 - (5) Market dairy cattle;
 - (6) Market goats;
 - (7) Market poultry;
 - (8) Lactating dairy animals ;
 - (9) Market rabbits; and
 - (10) Feeder cattle.

901-19-06 Drug use notification*

- This is a mandatory rule.
- (D) Additionally, a drug use notification form shall be completed for all livestock eligible for a drug or residue test sample collected at every terminal, and partial terminal, or non-terminal show, and for every animal that is administered an approved drug either immediately before or during an exhibition.

901-19-06 Drug use notification*

- This is a mandatory rule.
- Amended definition in 901-19-01:
 - "Drug use notification form" means the declaration statement or document completed by the exhibitor attesting to responsible drug stewardship and to the slaughter eligibility of the livestock for food safety purposes.
- DUNF Completion:
 - Encourage completion prior to arriving on fairgrounds
 - Accurate completion may determine eligibility to exhibit

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 department'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 by the official veterinarian.
- (C) The collection of samples and coordination activities are the responsibility of the official veterinarian.

901-19-12 Acceptable practices*

- This is a mandatory rule.
- The following practices are acceptable practices for the purposes of this chapter:
 - (A) Treating livestock:
 - (1) Humane;
 - (2) In accordance with acceptable commercial practices to protect the health, safety, and welfare of livestock; and
 - (3) In accordance with the Ohio livestock care standards located in division 901:12 of the Administrative Code.

901-19-12 Acceptable practices*

- This is a mandatory rule.
- The following practices are acceptable practices for the purposes of this chapter:
 - (D) In preparation and prior to exhibition in accordance with sponsor and best management practices:
 - (1) Cosmetic dehorning in market class livestock;
 - (2) Castration;
 - (3) Beak trimming;
 - (4) Dehorning;
 - (5) Hot or freeze branding;
 - (6) Humane ringing; and
 - (7) Tail docking in accordance with division 901:12 of the Administrative Code;

901-19-12 Acceptable practices*

- This is a mandatory rule.
- The following practices are acceptable practices for the purposes of this chapter:
 - (M) Treatment and administration of livestock with approved drugs during an exhibition under the following conditions:
 - (1) By or under the supervision and direction of an official veterinarian;
 - (2) In conjunction with a valid veterinarian-client-patient relationship;
 - (3) Only in accordance with label directions;
 - (4) For a valid medical purpose;
 - (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;
 - (6) The livestock remain exhibition drug residue legal at the time of the show; and
 - (7) If applicable, 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.

901-19-13 Prohibited and unacceptable practices*

- This is a mandatory rule.
- The following practices are unacceptable and prohibited:
 - Applying any electrical, mechanical, or other appliance to livestock repeatedly or for a prolonged time period in violation of 9 C.F.R. 313.2 (1979) or division 901:12 of the Administrative Code.;
 - Hitting, striking, beating, or otherwise impacting livestock that induces swelling or enhances, transforms or changes the true natural conformation, configuration, performance, physiological state, or appearance of the livestock.;

901-19-13 Prohibited and unacceptable practices*

- This is a mandatory rule.
- The following practices are unacceptable and prohibited:
 - Applying any physical practice, electrical or mechanical appliance, device, or apparatus that enhances, transforms, or changes the true natural conformation, configuration, performance, physiological state, or appearance of the livestock, unless prescribed by the official veterinarian for the immediate treatment and welfare of the livestock. If such treatment is applied during the exhibition, the livestock are ineligible to be shown.
 - Using ice, ice packs, cold packs, or cold compresses internally or externally, unless prescribed by the official veterinarian other than in accordance with rule 901-19-12 of the Administrative Code.
 - Using a stomach tube or pump for any purpose other than for the relief of tympany or gas during an exhibition.

901-19-13 Prohibited and unacceptable practices*

- This is a mandatory rule.
- The following practices are unacceptable and prohibited:
 - Drenching of livestock at an exhibition is prohibited, unless prescribed by the official veterinarian.
 - Castration of livestock for the purposes of this rule which exceed the following criteria:
 - (1) Cattle over eight months of age;
 - (2) Swine over one hundred and fifty pounds;
 - (3) Sheep over seventy-five pounds; or
 - (4) Goats over fifty pounds.

901-19-13 Prohibited and unacceptable practices*

- This is a mandatory rule.
- The following practices are unacceptable and prohibited:
 - Showing livestock which have been treated with an approved drug when a side effect or pharmacological effect of the drug conceals, enhances, transforms, or changes the natural conformation, physiological status, or condition of the livestock.
 - Any natural occurrence or surgical process which results in testicular tissue remaining in the body of exhibition livestock, except for rabbits and poultry.

901-19-19 Absolute liability*

- This is a mandatory rule.
- 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 unapproved drug, residue, an unlawful substance, or an approved drug that exceeds tolerance in livestock and unacceptable practices.

901-19-21 Disciplinary action*

- This is a mandatory rule.
- Failure to comply with the rules of this chapter may result in the department taking action pursuant to section 941.07 of the Revised Code, issuing a quarantine order, or issuing a notice of violation until such time that the violation has been remedied.

901-19-34 Outstanding market project competition

Rescinded

901-19-38 False, deceptive or unacceptable practices

RESCINDED and COMBINED with rules 901-19-13 and 901-19-04

901-19-39 Ownership requirements*

- No exhibitor shall register, enter, or exhibit livestock in a junior breeding livestock exhibition unless the household, as defined in paragraph (R) of rule 901-19-01 of the Administrative Code, at which the exhibitor is registered:
 - Has owned the livestock for at least sixty days;
 - Has had the livestock registered under the exhibitor's name for at least sixty days; or
 - Has leased the livestock under the exhibitor's name for at least sixty days.

901-19-39 Ownership requirements*

- For the purposes of this rule, no exhibitor will be considered to own livestock if the livestock has been:
 - Leased to an individual after the applicable possession date; or
 - Exhibited in an exhibition outside of a junior livestock exhibition by an individual other than an immediate family member after the applicable possession date.

Questions

- Scan the QR Code to submit questions to the Ohio Department of Agriculture Fairs and Exhibitions Team

