



Eric Milstead
Director

Legislative Services Office Idaho State Legislature

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MEMORANDUM

TO: Senators RICE, Bayer, Ward-Engelking and,
Representatives ANDRUS, Boyle, Pence

FROM: Katharine Gerrity - Deputy Division Manager

DATE: August 04, 2016

SUBJECT: Temporary Rule

IDAPA 02.04.21 - Rules Governing the Importation of Animals - Adoption of Temporary Rule - Docket
No. 02-0421-1602

We are forwarding this temporary rule to you for your information only. No analysis was done by LSO. This rule is posted on our web site. If you have any questions, please call Katharine Gerrity at the Legislative Services Office at (208) 334-4834. Thank you.

Attachment: Temporary Rule

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IDAPA 02 - DEPARTMENT OF AGRICULTURE
02.04.21 - RULES GOVERNING THE IMPORTATION OF ANIMALS
DOCKET NO. 02-0421-1602
NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is July 1, 2016.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Sections 22-101(3), 22-2403, 22-2411, 22-2412, and 22-2413, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

USDA no longer requires a CAN brand on animals imported from Canada as long as they have two other forms of identification. The additional requirement to CAN brand imported bison adds to the stress and risk of injury to an animal before shipment.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

USDA changed its animal import standards. Only cattle imported from Canada are required to have a CAN brand, not bison. Compliance with these national standards requires two other forms of identification for bison imported from Canada.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

ISDA does not anticipate any fiscal impact from the changes to be made to the Rule during this rulemaking.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Dr. Bill Barton, Administrator – Division of Animal Industries at (208) 332-8544 or email Bill.Barton@isda.idaho.gov. Materials pertaining to the temporary rulemaking can be found on the ISDA website at the following web address: http://www.agri.idaho.gov/AGRI/Categories/LawsRules/sub_rules/Rulemaking.php.

DATED this 7th Day of July, 2016.

Brian J. Oakey, Deputy Director
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THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 02-0421-1602
(Only Those Sections With Amendments Are Shown.)

201. CATTLE AND BISON IMPORTED FROM CANADA.

All cattle and bison imported into Idaho from Canada, except those imported directly to slaughter, must: (5-8-09)

~~01. CAN Brand. Be permanently hot iron branded with the letters CAN, not less than two (2) inches high nor more than three (3) inches high, placed high on the right hip. (5-8-09)~~

021. Idaho Requirements. Meet all Idaho import requirements. (5-8-09)

032. USDA Requirements. Meet all USDA import requirements. (5-8-09)

043. Individually Identified. Be individually identified on a certificate of veterinary inspection. (5-8-09)

054. Import Permit. Be accompanied by an import permit issued by the Division. (5-8-09)