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# Texas Administrative Code

[TITLE 4](#)

AGRICULTURE

[PART 2](#)

TEXAS ANIMAL HEALTH COMMISSION

[CHAPTER 43](#)

TUBERCULOSIS

[SUBCHAPTER A](#)

CATTLE AND BISON

RULE §43.2

General Requirements

(a) Tuberculosis: This subchapter shall govern procedures for the prevention, surveillance, control, management and eradication of bovine tuberculosis in Texas. For the purpose of controlling and eradicating tuberculosis the following documents are incorporated by reference: The January 1, 2005, Edition of "Bovine Tuberculosis Eradication Uniform Methods and Rules" (UM&R) and the Code of Federal Regulations, Title 9, Parts 71, 77, and 161.

(b) Movement Restrictions: Whenever the Texas Animal Health Commission (Commission) has reason to believe that any livestock or exotic livestock have been exposed to or is infected with tuberculosis, that premises and all livestock and exotic livestock thereon shall have movement restricted, using either a "hold order" or "quarantine", subject to a determination or results of tuberculosis test conducted by authorized personnel or as directed by the Designated Tuberculosis Epidemiologist or the Executive Director. Movement of livestock or exotic livestock under movement restrictions must be authorized by the Designated Tuberculosis Epidemiologist or the Executive Director and accompanied by a written permit. The permit will list:

- (1) the reactor tag number or official ear tag number in the case of reactor, suspect, or exposed livestock;
- (2) the owner's name and address;
- (3) origin and destination locations;
- (4) number of animals covered;
- (5) the purpose of the movement; and
- (6) if the animals are required to be shipped under seal then the permit should also show the number on the seal. If a change in destination becomes necessary, a new permit must be issued by authorized personnel. No diversion from the destination on the permit is allowed.

(c) Official Tests: All official tuberculosis tests shall be conducted by a designated personnel employed by the Commission, or the United States Department of Agriculture (USDA) or by an accredited veterinarian designated to perform approved tuberculosis tests by the Executive Director of the Commission. Each individual designated to conduct official tuberculin tests shall meet a performance standard, as referenced in the UM&R - Appendix C; entitled "Performance Standards for Caudal Fold Tuberculin (CFT) Testing". Each individual authorized to conduct official CFT tests shall be in compliance with these standards for the CFT.

(d) Reporting: All official tests shall be reported on VS Form 6-22 and continuation sheet VS Form 6-22B and mailed to the Commission within seven days of reading the results. The information on the VS Form 6-22B, shall include:

- (1) the official individual identification;
- (2) the name and post office address of the owner;
- (3) the location of the premises and the animals;
- (4) the dates of injection and reading of the test;
- (5) the kind of test conducted;
- (6) the result of the test;
- (7) the reason for testing (i.e., Herd Accreditation, Sale or Show, Other); and
- (8) the signature and accreditation number of the testing veterinarian.

(e) Identification. All animals tested must be permanently individually identified by an official identification device, an official registration tattoo or an official registration brand as specifically recognized or authorized by the commission.

(f) Tuberculin Test Interpretation, Classification, and Reporting Requirements.

(1) The site of administration of a tuberculin test shall be examined at 72 (+/-6) hours following injection. Examination shall be made by visual observation and palpation. Observation without palpation shall constitute cause for removal of veterinary accreditation.

(2) Any animal with a visible or palpable response at the site of injection shall be classified as a Suspect by the testing veterinarian.

(3) Any animal classified as a Suspect shall:

(A) be reported by the testing veterinarian to the appropriate Area Office within 48 hours following examination; and

(B) the reporting veterinarian shall inform the owner or caretaker that the herd is restricted from movement until a determination of disease status has been made by the Commission.

(g) Disposition of Suspects and Reactors

(1) Reactors shall remain on the premise where they were disclosed until a State or Federal permit for movement has been obtained. Movement for immediate slaughter shall be within 15 days of classification and shall be directly to a slaughtering establishment where approved State or Federal inspection is maintained. Alternatively, the animals may be destroyed on the premises or in a postmortem examination facility under the direct supervision of a State or Federal animal health veterinarian to ensure that a proper postmortem examination is conducted; that the carcasses are disposed of by deep burial or burning, and that the facilities are adequately cleaned and disinfected.

- (2) Herds containing suspects to the CFT test shall be quarantined until the suspect animals are:
- (A) Negative to a CCT test; or
  - (B) Negative on the bovine interferon gamma assay; or
  - (C) Shipped, under permit, directly to slaughter in accordance with State and Federal laws and regulations with postmortem examinations conducted according to requirements outlined in paragraph (5) of this subsection.
- (3) Suspects to the CCT test must be:
- (A) Negative to a CCT retest 60 or more days after the previous CCT injection; or
  - (B) Shipped under permit directly to slaughter.
- (4) Animals positive on the bovine interferon gamma assay and classified as suspect must be:
- (A) Negative on a bovine interferon gamma assay retest conducted within 30 days of the CFT injection (the DTE or Regional Tuberculosis Epidemiologist must concur with the retest); or
  - (B) Shipped, under permit, directly to slaughter for postmortem examination.
- (5) Postmortem examinations shall be witnessed by a State or Federal animal health veterinarian and selected tissue specimens, to include any tissue with granulomatous appearing lesions and representative head and thoracic lymph nodes, must be submitted for laboratory examination.
- (h) Requirements on Dealer Recordkeeping: Any dealer must maintain records of livestock and exotic livestock that are purchased or sold. Such records shall show the buyer's and seller's name and address, county of origin, number of animals, and a description of each animal, including sex, age, color, breed, brand, and official identification. Records at auctions and commission firms shall show the delivery vehicle license number. These records must be maintained for a minimum of five years. Such records must be made available to State or Federal animal health officials, upon request, during normal business hours.
- (i) Slaughter Plant Collections and Submissions: Slaughter plants for cattle are required to collect and submit diagnostic specimens for the purpose of testing for tuberculosis as directed by state or federal inspection personnel. The slaughter of cattle shall be conducted so that the carcass and any diagnostic specimens can be identified as being derived from a particular animal. Handling shall include, but is not limited to, the retention of official eartags, official backtags, herd identification ear tags, ear bangles, electronic implants, and other man made identifying devices affixed to the animal, in a way that correctly relates the diagnostic specimen to the carcass from which it was taken. All identification devices shall be included with the documentation submitted with a diagnostic specimen to an approved laboratory.
- (j) Retesting and release of movement restrictions.
- (1) Sale of feeder calves from quarantined herds will be restricted. Feeder calves under 12 months of age that have passed a CFT test within 60 days prior to movement may be "S" branded and permitted to move intrastate to an approved feedlot or approved pens in a feedlot.

- (2) Herds in which *Mycobacterium bovis* infection has been confirmed shall be depopulated; or shall remain under quarantine until all requirements of an individual herd plan have been completed in accordance with procedures prescribed in the UM&R.
- (3) Herds in which NGL reactor(s) only occur and no evidence of *Mycobacterium bovis* infection has been disclosed may be released from movement restrictions after a 60 day negative retest on the entire herd.
- (4) Herds in which Suspect animal(s) are disclosed shall remain under movement restrictions until the Suspect(s) have been retested and classified negative, or are shipped direct to slaughter under permit and no evidence of *Mycobacterium bovis* infection is disclosed. If animals are slaughtered as suspects but show no gross lesions and selected tissues, to include representative head and thoracic lymph nodes, are found negative on histopathology and bacteriological culture for *Mycobacterium bovis* and a complete epidemiologic investigation, including a herd test of all eligible animals, fails to disclose evidence of infection with or exposure to bovine tuberculosis, the herd, with the concurrence of the DTE and Regional Tuberculosis Epidemiologist, may be considered free of bovine tuberculosis.
- (k) A person may protest an initial test or a herd plan each herd classified as increased risk for Tuberculosis:
- (1) To protest, the herd owner must request a meeting, in writing, with the Executive Director of the Commission within 15 days of receipt of the herd plan or notice of an initial test and set forth a short, plain statement of the issues that shall be the subject of the protest, after which:
- (A) the meeting will be set by the Executive Director no later than 21 days from receipt of the request for a meeting;
- (B) the meeting or meetings shall be held in Austin; and
- (C) the Executive Director shall render his decision in writing within 14 days from date of the meeting.
- (2) Upon receipt of a decision or order by the executive director which the herd owner wishes to appeal, the herd owner may file an appeal within 15 days in writing with the Chairman of the Commission and set forth a short, plain statement of the issues that shall be the subject of the appeal.
- (3) The subsequent hearing will be conducted pursuant to the provisions of the Administrative Procedure and Texas Register Act, and Chapter 32 of this title (relating to Hearing and Appeal Procedures).
- (4) If the Executive Director determines, based on epidemiological principles, that immediate action is necessary, the Executive Director may shorten the time limits to not less than five days. The herd owner must be provided with written notice of any time limits so shortened.
- (l) Tuberculosis accredited herd. A herd must meet the standards of the UM&R as provided in Part IV.
- (m) Interstate Movement Requirements: See §51.8 of this title (relating to Cattle).
- (n) Intrastate Movement of Dairy Cattle. All dairy cattle being transported within Texas shall be identified prior to movement with official identification device or identification device approved by the commission.
- (o) Requirements for cattle originating from Mexico: Any certificate, form, record, report or chart issued by an authorized person for cattle that originate from Mexico, have resided in Mexico or are "M" branded shall include the statement, "the cattle represented on this document are of

Mexican origin."

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**Source Note:** The provisions of this §43.2 adopted to be effective January 1, 2006, 30 TexReg 8676; amended to be effective October 14, 2007, 32 TexReg 7038; amended to be effective June 3, 2014, 39 TexReg 4236

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