

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 80 Department or Agency Department of Agriculture and Industries  
Chapter No. 80-3-6-.39

Chapter Title: Bovine Trichomoniasis

X New          Amend     X     Repeal          Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?         No        

Is there a reasonable relationship between the state's police power and the protection of the public health, safety or welfare?         Yes        

Is there another, less restrictive method of regulation available that could adequately protect the public?         No        

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?         No        

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?         N/A        

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?         Yes        

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule?         NO        

\*\*\*\*\*

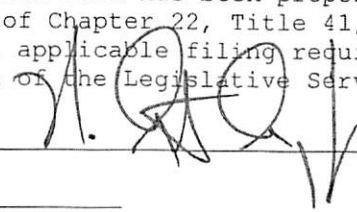
Does the proposed rule have any economic impact?         NO        

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection(f) of Section 41-22-23, Code of Alabama 1975.

\*\*\*\*\*

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer 

Date:     11-18-20    

REC'D & FILED

NOV 18 2020

A-2

LEGISLATIVE SVC AGENCY

(DATE FILED)  
(STAMP)

APA-2

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES  
Animal Industry

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Agriculture and Industries

RULE NO. & TITLE: 80-3-6-.39 Bovine Trichomoniasis

INTENDED ACTION: To Repeal & Replace with New Rule.


SUBSTANCE OF PROPOSED ACTION: This rule will make it easier for cattle producers to import bulls into Alabama, while still ensuring that the bulls are free of Bovine Trichomoniasis. Because there is no cure for Bovine Trichomoniasis in bulls, bulls in Alabama that are confirmed positive would be subject to an official quarantine and slaughter. This further protects cattle producers from the potential spread of this disease from positive bulls and the negative financial impact it could have on the cattle industry.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Views may be presented in writing to the contact person below or in person on Tuesday, February 9, 2021, at 10:00 a.m., in the auditorium of the Richard Beard Building, 1445 Federal Drive, Montgomery, Alabama, 36117.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: February 9, 2021.

CONTACT PERSON AT AGENCY: Norman Gunter Guy, Jr., General Counsel, Department of Agriculture and Industries, 1445 Federal Drive, Montgomery, Alabama 36107-1123, Telephone No. (334) 240-7117.

11-18-2020  
Date

  
\_\_\_\_\_  
Rick Pate  
Commissioner of Agriculture  
and Industries

**"REPEALED"**

**80-3-6-.39 Bovine trichomoniasis**

Bovine trichomoniasis is a venereal disease caused by the protozoon *Tritrichomonas foetus*. This disease can result in: decreased reproductive efficiency, early embryonic death, abortion, pyometra and transient infertility in infected cattle. Trichomoniasis has the potential to severely impact the reproductive health of cattle in Alabama. In view of the threat posed by this disease to the health of the state's livestock and the economy of the livestock industry, the following rule will be considered and so ordered by the state veterinarian:

1. All virgin and non-virgin bulls 18 months of age and older entering the state of Alabama must test negative for Trichomoniasis within 60 days prior to entry into the state. The sample utilized for this test shall be collected by an accredited veterinarian. The testing requirements mandate that bulls shall be negative based on an official confirmatory realtime Polymerase Chain Reaction (PCR) on a single sample. These tests shall be performed by a laboratory accredited by the American Association of Veterinary Laboratory Diagnosticians, a laboratory operated by another state government, or another USDA approved laboratory. All bulls tested must be identified with official USDA approved ear tag, registry brand or registry tattoo. Any bull comingled with female cattle between testing and importation into Alabama must be retested as outlined above.
2. All bulls entering the state must be accompanied by a Certificate of Veterinary Inspection (CVI) containing the date of the negative Trichomoniasis test, the name of the lab used for testing, complete address of consignor and consignee, a complete description of the bull including official identification, and signature of the accredited veterinarian issuing the CVI.
3. The following animals shall be exempt from Trichomoniasis testing:
  - a. Exhibition and rodeo bulls that are temporarily in the state for the purpose of an event with no comingling with female cattle and will be leaving the state after the event.
  - b. Bulls consigned directly to slaughter.

- c. Bulls being transported through Alabama in interstate commerce and not offloaded to be comingled with female cattle in Alabama.
- d. Virgin bulls under 18 months of age as determined by breed registry records or the absence of permanent central incisor teeth in wear. A Virgin bull must be accompanied by a CVI containing a complete description of the bull including age and official identification, declaring that the bull is virgin and less than 18 months of age, and signed by the issuing accredited veterinarian.

**Author:** Patrick B. Moody

**Statutory Authority:** Code of Ala. § 2-15-150, § 2-15-170, §2-15-171

**History:** Filed May 16, 2012, effective June 21, 2012.

Amended: Filed February 12, 2014, effective March 20, 2014.

Amended: Filed November 12, 2015, effective December 17, 2015.

## "New Rule"

### 80-3-6-.39 Bovine Trichomoniasis.

Bovine trichomoniasis is a venereal disease caused by the protozoon *Tritrichomonas foetus*. This disease can result in: decreased reproductive efficiency, early embryonic death, abortion, pyometra and transient infertility in infected cattle. Trichomoniasis has the potential to severely impact the reproductive health of cattle in Alabama. In view of the threat posed by this disease to the health of the state's livestock and the economy of the livestock industry, the following rule will be considered and so ordered by the state veterinarian:

1. All virgin and non-virgin bulls 18 months of age and older entering the State of Alabama must test negative for Trichomoniasis within the 60 days prior to entry into the state. The sample utilized for this test shall be collected by a trained, accredited veterinarian. The testing requirements mandate that bulls shall be negative based on an official confirmatory real-time Polymerase Chain Reaction (PCR) on a single sample. These tests shall be performed by a laboratory accredited by the American Association of Veterinary Laboratory Diagnosticians, a laboratory operated by another state government, or another USDA approved laboratory. All bulls tested must be identified with an official USDA approved ear tag. Any bull comingled with female cattle between testing and importation into Alabama must be retested as outlined above.
2. All bulls entering the state must be accompanied by a Certificate of Veterinary Inspection (CVI) containing the date of the negative Trichomoniasis test, the name of the lab used for testing, complete address of consignor and consignee, a complete description of the bull including official identification, and signature of the accredited veterinarian issuing the CVI.
3. The following bulls entering the state shall be exempt from Trichomoniasis testing:
  - a. Exhibition and rodeo bulls that are temporarily in the state for the purpose of an event with no comingling with female cattle and will be leaving the state after the event.
  - b. Bulls consigned directly to slaughter.
  - c. Bulls being transported through Alabama in interstate commerce and not offloaded to be comingled with female cattle in Alabama.
  - d. Virgin bulls under 18 months of age as determined by breed registry records or the absence of permanent central incisor teeth in wear. A virgin bull must be accompanied by a CVI containing a complete description of the bull including age and official identification, declaring that the bull is virgin and less than 18 months of age, and signed by the issuing accredited veterinarian.
4. All positive test results for trichomoniasis within the state shall be reported by the accredited veterinarian and the approved laboratory to the state veterinarian within 72 hours after receipt of positive test results.

5. Any bull testing positive for trichomoniasis within the state shall be immediately separated from the herd, isolated, officially identified as needed, and shall be placed under official quarantine. A request can be made to the state veterinarian within five days to confirm the positive test result with official PCR testing performed, at the owner's expense, by trained, accredited veterinarians from the state veterinarian's office. If the confirming PCR test is positive, then the bull shall be considered infected and subject to the restrictions set out in these regulations. Three consecutive negative official tests performed at least fourteen days apart by trained, accredited veterinarians from the state veterinarian's office shall be required for the bull to be designated trichomoniasis negative and have the quarantine released. All three, confirmatory tests must be completed within 90 days of the original positive test. Confirmed positive bulls shall be consigned to slaughter or permitted directly for slaughter and shall only be moved under an official permit issued by the state veterinarian or his/her representative. An infected bull accompanied by an official permit issued by the state veterinarian or his/her representative shall be moved directly to slaughter or permitted directly for slaughter through a licensed livestock market within thirty days from receipt of the positive test results of the original test or the results of the confirmatory PCR test, whichever is later.
6. All breeding bulls commingled with females within the state that have been comingled with a trichomoniasis-positive bull for any period of time within six months prior to the receipt of a positive trichomoniasis test result shall immediately be separated from other cattle and shall be placed under official quarantine, officially identified as needed, and tested by an accredited veterinarian for trichomoniasis by PCR. Test samples shall not be pooled. Each official test conducted on a bull shall demonstrate a negative result before the tested bull will be released from quarantine.
7. Females testing positive for trichomoniasis within the state shall be separated from all breeding bulls. All breeding bulls comingled with a positive female shall be quarantined and trichomoniasis tested by an accredited veterinarian. The quarantine shall be released once the bulls have tested negative by PCR. Bulls testing positive shall be subject to the restrictions set out in these regulations.
8. Any trichomoniasis positive animal or herd within the state shall be subject to a Trichomoniasis Response Herd Plan developed by the State Veterinarian in consultation with the owner's accredited veterinarian and the state extension veterinarian.

Author: Patrick B. Moody, N. Gunter Guy, Jr.

Statutory Authority: Code of Ala. 1975, §§2-15-150, 2-15-170, 2-15-171.

History: New Rule: Filed May 16, 2012; effective June 20, 2012.

Amended: Filed February 12, 2014; effective March 19, 2014.

Amended: Filed November 12, 2015; effective December 17, 2015.

Amended: