

DEPARTMENT OF FOOD AND AGRICULTURE

ANIMAL HEALTH BRANCH

PROPOSED REGULATIONS – MODIFIED TEXT

LEGEND FOR MODIFIED TEXT

Added text is shown in double underline.

Deleted text is shown in double strikeout.

Text shown with no underline for added text and single strikeout was originally noticed to the public for a 45-day written comment period that closed on May 10, 2020.

California Code of Regulations
Title 3. Food and Agriculture
Division 2. Animal Industry
Chapter 2. Livestock Disease Control (Animal Quarantine)

1) Amend the heading of Chapter 2, Division 2, of Title 3 of the California Code of Regulations, to read as follows:

Chapter 2. Livestock Disease Control (~~Animal Quarantine~~)

5) Adopt new section 839 under Article 14 of Chapter 2, Division 2, Title 3 of the California Code of Regulations, to read as follows:

Section 839. Administrative Penalty Schedules

- (a) Failure to comply with the provisions of Division 5 (commencing with section 9101) of the Food and Agricultural Code, and any regulations adopted pursuant to Division 5, excluding any regulation adopted pursuant to Food and Agricultural Code sections 10781-10786, constitutes a violation and is subject to an administrative penalty of not less than one hundred dollars (\$100) or more than one thousand dollars (\$1,000) for each violation as authorized by section 9166 of the Food and Agricultural Code.
- (b) The Department shall use the provisions of this section to determine the violation class, severity of the violation, and amount of the penalty. One instance of conduct may result in multiple violations.
- (c) For purposes of this section, violations are classified as “serious,” “moderate,” or “minor”. Repeat violations may result in an escalation of violation class and/or penalty. Escalation of penalties ~~may~~ will apply for a revolving three-year period from the date of each unique section code violation.
- (d) Table “A” Administrative Violation Classification Schedule shall be used by the Department and provides the level of severity of a particular violation and the corresponding penalty range for “serious”, “moderate”, and “minor” violation classes for violations pursuant to subsection (a) of this section.
 1. “Serious”. Violations that occur recklessly or negligently, or where the risk for spreading animal disease or causing contamination poses an imminent threat to animals, animal products, public health, the environment, or the economy, or violations that resulted, or reasonably could have resulted in the introduction or spread of an animal disease; or interferes with the Department’s efforts to mitigate

the introduction or spread of animal diseases including animal disease traceability. Serious violations are punishable by an administrative penalty from five hundred one dollars (\$501) to one thousand dollars (\$1,000).

2. "Moderate". Violations in which there is a potential for spreading animal disease or causing contamination, or could pose a threat to animals, animal products, public health, the environment, or the economy; or effects the Department's efforts to mitigate the introduction or spread of animal diseases including animal disease traceability. Moderate violations are punishable by an administrative penalty from three hundred one dollars (\$301) to five hundred dollars (\$500).
 3. "Minor". Violations that are unintentional or have minimal risk of spreading animal disease or causing contamination or are unlikely to pose a threat to animals, animal products, public health, the environment, or the economy; or interferes minimally with the Department's efforts to mitigate the introduction or spread of animal diseases including animal disease traceability. Minor violations are punishable by an administrative penalty from one hundred dollars (\$100) to three hundred dollars (\$300).
- (e) Failure to comply with any regulations adopted pursuant to Food and Agricultural Code sections 10781-10786, constitutes a violation and is subject to an administrative penalty not to exceed one hundred dollars (\$100) per individual animal as authorized by section 10786(a) of the Food and Agricultural Code.
- (f) Table "B" Administrative Violation Schedule shall be used by the Department to determine the severity of the violation and amount of the penalty for violations pursuant to subsection (e) of this section. One instance of conduct may result in multiple violations.
- (g) When determining the penalty for any violation of Division 5 (commencing with section 9101) of the Food and Agricultural Code and any regulations adopted pursuant to Division 5, the Department shall consider any aggravating or mitigating factors. The penalty assessed shall represent a totality of the circumstances; the greater risk or recalcitrance of the violator will place the assessed penalty progressively higher within the range. Cooperation, risk mitigation, and severity of the violation will be considered and will place the penalty at the lower end of the range. The Department shall assess each violation utilizing the following risk categories:
1. Risk to animal health: A low risk to animal health is one where there is de minimis risk for animal disease to be introduced by an animal, animal product, or activity into pathways that negatively impact animals or leads to the spread of disease. A high risk is one where there is an imminent risk for animal disease to be introduced by an animal, animal product, or activity into pathways that negatively impact animals or leads to the spread of disease; or the event has resulted, or reasonably could have resulted in the introduction or spread of an animal disease.
 2. Risk to public health and/or food supply: A low risk to public health and/or food supply is one where the event or occurrence poses de minimis risk and only under irregular conditions could there be any possibility of an illness or contamination and all reasonable precautions have been taken. A high risk to human health or food supply is one where the event or occurrence poses significant risk and harm, has occurred or is likely to occur, and the violator knew or should have known that the event or activity would result in a risk to public health and food supply or the violator acted recklessly.
 3. Risk to the environment and/or economy: A low risk to the environment and/or the economy is one where there is a de minimis risk and only under irregular conditions could there be any possibility of an economic loss or contamination and all

reasonable precautions have been taken. A high risk to the environment and economy is one where the risk is imminent or has occurred on multiple occasions and the violator knew or should have known that the event or activity would result in risk to the economy and/or environment or the violator acted recklessly.

4. Cooperation of the violator: The Department shall consider whether the violator has been non-responsive, recalcitrant or deceptive. The violation can be mitigated by compliance and subsequent remedial measures.
5. Quarantine (Notice of Action Pursuant to Quarantine): It shall be considered high risk to animal health, public health, the environment, and/or the economy when there is any violation of quarantine as defined in Section 751(a)(25).

Table "A" Administrative Violation Classification Schedule					
Food & Agricultural Code	Title 3 California Code of Regulations	Description of Violation	Minor \$100-\$300	Moderate \$301-\$500	Serious \$501-\$1000
9101		Failure of any person designated in this section to report to the Department that any animal or animal product is or may be affected by, has been exposed to, or may be transmitting or carrying any condition specified under Monitored Conditions within thirty (30) days as specified in the "List of Reportable Conditions for Animals and Animal Products"	1 st violation	2 nd violation & subsequent	
9101		Failure of any person designated in this section to report to the Department that any animal or animal product is or may be affected by, has been exposed to, or may be transmitting or carrying any condition specified under Regulatory Conditions within forty-eight (48) hours as specified in the "List of Reportable Conditions for Animals and Animal Products"		1 st & 2 nd violation	3 rd violation & subsequent
9101		Failure of any person designated in this section to report to the Department that any animal or animal product is or may be affected by, has been exposed to, or may be transmitting or carrying any condition specified under Emergency Conditions within twenty-four (24) hours as specified in the "List of Reportable Conditions for Animals and Animal Products"			Any violation
9161	1300.11(b)	Failure of any person receiving livestock which may be manifesting any disease condition specified in section 1300.1(a) or which were transported into California with a permit required by section 1300.1 to do any of the following: 1) notify the Department 2) segregate animals 3) hold animals 4) dispose of animals in accordance with article 2 or 5) prepare and maintain records of the transactions involving the animals		1st & 2nd violation	3rd violation & subsequent
9161	1300.1	Failure to obtain a permit for transporting diseased animals into California			Any violation

9161	1300.11(b)	Failure of any person receiving livestock which may be manifesting any disease condition specified in section 1300.1(a) or which were transported into California with a permit required by section 1300.1 to do any of the following: 1) notify the Department 2) segregate animals 3) hold animals 4) dispose of animals in accordance with article 2 or 5) prepare and maintain records of the transactions involving the animals			Any violation
9161	1300.12	Failure of any person receiving livestock under the provisions of section 1300.11 to sell, transfer, transport, or otherwise dispose of as required by section 1300.12			Any violation
9164		Any person that removes or causes to be removed any livestock from slaughterhouse pens, yards, corrals, or similar holding places where livestock is held for immediate slaughter without a permit except directly into the slaughterhouse		1st violation	2 nd violation & subsequent
9210		No person shall engage in the production of animal blood or blood component products for retail sale or distribution except in commercial licensed blood bank for animals licensed by the secretary			Any violation
9241		No person shall offer for sale or use any biologic unless it is manufactured pursuant to the terms of a valid license or permit issued by the US Department of Agriculture; or blood or blood component product unless it is produced in an establishment licensed by the secretary			Any violation
9351		Any person that willfully sells, except for immediate slaughter, or exposes other livestock not so infected, to any cattle which have or are infected with the Boophilus annulatus tick			Any violation
9352		Any person that knowingly sells any sheep or cattle infected with scabies, or to expose them in such a manner as may infect other sheep or cattle which are not infected with scabies			Any violation
9561	760.2(g)	Sheep/goats were diverted from the destination specified <u>Failure to transport all animals directly and without delay to the destination stated on the Certificate of Veterinary Inspection</u>	1 st & 2 nd violation	3 rd violation & subsequent	
9561	760.3(h)	Sheep/goats were diverted from the destination specified <u>Failure to transport all animals directly and without delay to the destination stated on the Interstate Livestock Entry Permit</u>	1 st & 2 nd violation	3 rd violation & subsequent	
9561	760.4	Failure to meet the following entry requirements for Rams ≥ six (6) months of age 1) official individual identification 2) negative official test for Brucella ovis within 60 days	1 st violation	2 nd violation & subsequent	

		before entry or be from a Brucella ovis-free flock unless exempt by section 760.4(a)(2)(A), 3) Certificate of Veterinary Inspection			
9561	760.5(a) & (b)	Failure to meet the following entry requirements for sheep and goats <u>all animals imported into California</u> 1) Interstate Livestock Entry Permit unless exempt by 760.5(a) 2) official identification 3) Certificate of Veterinary Inspection unless exempt by 760.5(c)	1 st & 2 nd violation	3 rd violation & subsequent	
<u>9561</u>	<u>760.5(c)</u>	<u>A missing Certificate of Veterinary Inspection for all sexually intact breeding animals imported into California</u>			
9561	760.5(d)	Failure to meet the following entry requirements for sheep and goats <u>all animals imported into California for exhibition</u> 1) official identification 2) Certificate of Veterinary Inspection 3) Interstate Livestock Entry Permit	1 st violation	2 nd violation & subsequent	
9561	760.6(a)	Missing official identification for sheep and goats <u>all animals</u> changing ownership in California unless exempt by section 760.6(a)	1 st violation	2 nd violation & subsequent	
9561	760.6(b)	Missing official identification for exhibition sheep and goats <u>animals moving intrastate</u>	1 st violation	2 nd violation & subsequent	
9561	821.4(b)	Failure to obtain a Certificate of Veterinary Inspection for poultry imported into California unless exempt by 821.4(b)	1 st violation	2 nd violation & subsequent	
9561	1301.1(g)	Failure of an owner to segregate or isolate the population of animals or animal product no later than the date and time and by the method determined by the State Veterinarian as specified in a Notice of <u>Required Action Pursuant to Quarantine</u>			Any violation
9561	1301.1(h)	Failure of an owner to treat the population of animals or animal product no later than the date and time and by the method determined by the State Veterinarian as specified in a Notice of <u>Required Action Pursuant to Quarantine</u>			Any violation
9561	1301.8(a)(2)	The owner refuses to permit or interferes with an inspection of a population of animals or animal product or the premises to ascertain compliance of a <u>Notice of Required Action Pursuant to Quarantine</u>			Any violation
9561	1301.8(a)(3)	The owner fails to cooperate with or interferes with an epidemiological investigation			Any violation
9561	1301.8(a)(4)	The owner fails to complete or cooperate with an epidemiological investigation, plan of action or eradication program to control of eliminate a condition			Any violation
9563	1301.1(e)	Owner moves a population of animals or animal product from a quarantine premises			Any violation
9563	1301.1(f)	Failure of an owner to move a population of animals or animal product to a location			Any violation

		specified by the State Veterinarian no later than a date and time and by the method determined by the State Veterinarian as specified in a Notice of <u>Required Action Pursuant to Quarantine</u>			
<u>9570</u>	<u>1300.1</u>	<u>Failure to obtain a permit for transporting diseased animals into California</u>			<u>Any violation</u>
9641.5(a)(1)		Failure to obtain a valid certificate of Veterinary Inspection <u>certificate of health</u> from the state of origin issued within thirty (30) days prior to entry by an accredited veterinarian for any horse or other Equidae brought into this State unless exempt by section 9641.6 for any horse or other Equidae	1 st violation	2 nd violation & subsequent	
9641.5(a)(2)		Any horse or other Equidae brought into this state without verification that the horse or other Equidae has been tested within the preceding twelve (12) months and found negative to a test for Equine Infectious Anemia unless exempt by section 9641.5(b).		1 st violation	2 nd violation & subsequent
9694	1301.1(i)	Failure of an owner to cooperate with the State Veterinarian to destroy and dispose of the remains of the population of animals or animal product no later than the date and time and by the method determined by the State Veterinarian as specified in the Notice of <u>Required Action Pursuant to Quarantine</u>			Any violation
9695		It is unlawful for any person to hide, secrete, or failure to disclose any animal or property that is suffering from, or that has been exposed or potentially exposed to any disease subject to a current quarantine order, or to fail to disclose the whereabouts of that animal or property			Any violation
9696		It is unlawful for any person to fail or refuse to dispose of any property destroyed in the manner prescribed by the State Veterinarian when directed or required to do so			Any violation
9697		It is unlawful for any person to fail or refuse to clean or disinfect any premises in the manner prescribed by the State Veterinarian when directed to do so by the State Veterinarian			Any violation
9698		It is unlawful for any person to violate any quarantine order which regulates restricts, or restrains the movement of persons, vehicles, farm equipment, farm and dairy products into, from, or from place to place within a quarantined district, area, or premises			Any violation
9699		It is unlawful for any person to violate the conditions of any permit which authorizes the permittee to travel upon any road or highway within a quarantined district, area, or premises			Any violation
9702		It is unlawful for the operator of any vehicle to fail to stop upon demand of a clearly identified			Any violation

		animal health quarantine officer when ordered to stop for having reasonable cause to believe a violation of quarantine is occurring			
10325	831(b)(3)(B)(1)	Failure of any state licensed veterinarian to submit a Report of Heifers Spayed After Arrival within seven (7) days after spaying	1 st & 2 nd violation	3 rd violation & subsequent	
10326	753.2(b)	Cattle or bison, excluding steers and identified spayed females, from areas under brucellosis quarantine by the federal government, state, or country of origin shall not be allowed to enter California			Any violation
10326	755.4(c)(2)(A)	Failure to meet the following entry requirements for Mexico origin sexually intact cattle more than six (6) months of age 1) negative official tuberculosis and 2) negative brucellosis test completed within sixty (60) calendar days of prior to entering California from Mexico <u>Mexico origin sexually intact cattle more than six (6) months of age without a negative official tuberculosis and brucellosis test completed within 60 calendar days prior to entering California from Mexico</u>		1 st violation	2 nd violation & subsequent
10326	831(b)(2)	Failure to vaccinate as required by a Special Entry Permit issued for entry of brucellosis vaccination age, non-brucellosis vaccinated calves required to be Brucellosis vaccination age, non-brucellosis vaccinated dairy calves, native to their state of origin, who was issued a Special Entry Permit, but was not brucellosis vaccinated within fourteen (14) calendar days after arrival by a contract veterinarian	1 st & 2 nd violation	3 rd violation	4 th violation & subsequent
10326	831(b)(3)	Failure of an owner of non-brucellosis vaccinated heifers to have the heifers spayed after arrival by a California state licensed veterinarian and/or failure to obtain a Special Entry Permit <u>Non-brucellosis vaccinated dairy heifers native to a Minimal Risk State, issued a Special Entry Permit, not spayed within six (6) months after arrival by a California state-licensed veterinarian</u>	1 st & 2 nd violation	3 rd violation	4 th violation & subsequent
10327	753.1(c)(1)	Failure to meet entry requirements for dairy breed female cattle more than four (4) months of age required to have official brucellosis calthood vaccination, indicated by the presence of legible official calthood brucellosis vaccination tattoo unless exempt by sections 753.1(c)(2) or (c)(3)	1 st violation	2 nd violation & subsequent	
10351	752(a)(1)	Failure to have female dairy calves vaccinated against brucellosis with an approved vaccine between the ages of four (4) through twelve (12) months	1 st violation	2 nd violation & subsequent	
10352	752(a)(4)	Failure of a licensed Veterinarian to report all <u>the use of all vaccines for brucellosis calthood vaccination and eartags used for identification</u>	Any violation		

		to the Animal Health Branch within fourteen (14) calendar days after vaccination			
10610	753	No person shall move, or cause to be moved, from one location to another within California or receive, or cause to be received, any female cattle of the dairy breeds unless they bear evidence of official brucellosis vaccination	1 st violation	2 nd violation	3 rd violation
10610	755.4(b)	Cattle that have been in Mexico and are forty (40) percent or more dairy breed in appearance of genetics shall not be imported into California			Any violation
10610	758(b)(1)	Failure to meet entry requirement for all breeds of Cattle, bison, goats and cervids more than six (6) months of age must be missing a negative to an official tuberculosis test completed within sixty (60) calendar days prior to entering California unless exempt by section 758(c)		1 st violation	2 nd violation & subsequent
10610	820.3(a)	Failure to meet entry requirement for non-virgin bulls less than eighteen (18) months of age and bulls eighteen (18) months of age and over must have a negative DNA detection or amplification-based trichomonosis test result within sixty (60) calendar days prior to entry into California unless exempt by section 820.3(d)		1 st violation	2 nd violation & subsequent
10610	820.3(b)	Failure of any bull originating from a herd in which trichomonosis has been diagnosed within the past twenty four (24) months to have <u>1) two (2) negative trichomonosis tests conducted on specimens collected at least seven (7) calendar days apart but not more than 28 calendar days apart, with the last test conducted within sixty (60) calendar days prior to entry and</u> 2) Certificate of Veterinary Inspection that states the requirements in subsections (a)(2) and (b)(1) have been met		1 st & 2 nd violation	3 rd violation & subsequent
10610	820.4(c)	Failure of non-virgin bulls less than eighteen (18) months of age and bulls eighteen (18) months of age and over changing ownership to be accompanied by a negative DNA detection or amplification-based trichomonosis test within sixty (60) calendar days prior to sale unless exempt by section 820.4(c)(1)		1 st violation	2 nd violation & subsequent
10610	820.4(c)(1)(E)(2)	Bulls may be exempt from trichomonosis test when sold to a buyer entering into a Bull Slaughter Agreement. Failure to follow the agreement requirements at change of ownership as outlined in section 820.4(c)(1)(E)(2)	1 st violation	2 nd violation & subsequent	
10610	820.4(d)	Failure of a Public saleyards to post a sign or notice containing the statement "Non-virgin bulls less than 18 months of age and all bulls 18 months of age and over sold for breeding	Any violation		

		must have a negative trichomonis test or be consigned as slaughter only”			
10610	830.3(g)	All animals not transported directly and without delay to the destination stated <u>Cattle or bison were diverted from the destination specified on the Certificate of Veterinary Inspection</u>	1 st & 2 nd violation	3 rd violation	4 th violation & subsequent
10610	830.4(g)	All animals must be transported directly to the destination stated <u>Cattle or bison were diverted from the destination specified on the Interstate Livestock Entry Permit</u>	1 st & 2 nd violation	3 rd violation	4 th violation & subsequent
10610	831(a)(1)	Failure of any owners requesting permission to enter California for pasture, or return to California after out of state pasture to meet the requirements of the <u>Owners of beef breeding herds moving their herd to another state for pasture and to return to California after out of state pasture without a Pasture to Pasture Permit</u>	1 st & 2 nd violation	3 rd violation	4 th violation & subsequent
10610	831(a)(2)	Failure of an owner of cattle issued a One-Time Event Permit for a one-time movement of feeder cattle for use at an event in California or another state to meet the requirements of the <u>Owners moving cattle to enter California for a one-time event, or return to California at the conclusion of a one-time event in another state, without a One-Time Event Permit</u>	1 st & 2 nd violation	3 rd violation	4 th violation & subsequent
10610	831(b)(4)	Failure to meet requirements of a Special Entry Permit issued for entry of cattle for feeding at a terminal feedlot or moved into slaughter pens by the owner or agent of the owner		1 st violation	2 nd violation & subsequent
10610	831(b)(5)	Failure to meet requirements of a Special Entry Permit for entry of heifers under eighteen (18) months of age for feeding at a registered feedlot by the owner or agent of the owner		1 st violation	2 nd violation & subsequent
10610	831.2(c)(1)	Removal of official identification devices is prohibited except at the time of slaughter or <u>at any other location upon the death of the animal, or as otherwise approved by the Department or USDA when replacement is needed a device needs to be replaced</u>	1 st violation	2 nd violation & subsequent	
10610	831.2(g)	Official identification devices are not to be sold or <u>otherwise transferred from the original premises to which it was issued they were originally issued to another premises without authorization by the Department or USDA</u>	1 st & 2 nd violation	3 rd violation & subsequent	
10610	831.3(a)	Failure to officially identify Cattle and bison listed in <u>subsections (1)-(7) of this section 831.3 (a) without official identification before entering California using an official identification device or method as provided in section 831.2(a), unless exempt by section 831.3(b)</u>	1 st violation	2 nd violation & subsequent	

10610	831.4(a)	Failure to obtain a valid Certificate of Veterinary Inspection for cattle and bison <u>Cattle and bison</u> moved into California <u>without a Certificate of Veterinary Inspection</u> pursuant to section 830.3, unless exempt by 831.4(a)	1 st violation	2 nd violation & subsequent	
10610	831.4(d)	Failure to obtain a valid Interstate Livestock Entry Permit for cattle and bison <u>Cattle and bison</u> without an <u>Interstate Livestock Entry Permit</u> in accordance with section 830.4, unless exempt by section 831.4(d)	1 st violation	2 nd violation & subsequent	
10610	831.5(a)	Failure to officially identify Dairy cattle born in California after January 1, 2017 <u>not officially identified as provided in section 831.2(a)</u> prior to leaving their birth premises, unless exempt by section 831.5(a)	1 st violation	2 nd violation & subsequent	
10610	831.5(b)	Failure to officially identify Dairy cattle <u>without official identification</u> when changing ownership, unless exempt by section 831.5(b)	1 st violation	2 nd violation & subsequent	
10610	831.5(b)(3)(A)	Failure to correlate USDA approved backtags to an owner	1st violation	2nd violation & subsequent	
10610	831.5(c)	Failure to officially identify <u>Non-virgin sexually intact male cattle less than eighteen (18) months of age and sexually intact male cattle eighteen (18) months of age and over without individual official identification</u> prior to change of ownership, unless exempt by section 831.5(c)	1 st violation	2 nd violation & subsequent	
10610	831.5(d)	Failure to officially identify <u>Beef breed female cattle moving to recognized slaughtering establishments or failure to apply without being officially identified in accordance with section 831.2(a) or have a USDA approved backtag</u>	1 st & 2 nd violation	3 rd violation & subsequent	
<u>10610</u>	<u>831.5(d)(1)</u>	<u>Failure to correlate USDA approved backtags to an owner</u>	<u>1st violation</u>	<u>2nd violation & subsequent</u>	
<u>10610</u>	<u>837(a)</u>	<u>Failure of any USDA accredited and state licensed veterinarians issuing Certificates of Veterinary Inspection to maintain the Certificates of Veterinary Inspection with supporting documents for (5) five years</u>	<u>1st & 2nd violation</u>	<u>3rd violation & subsequent</u>	
10610	837(b)	Failure of any USDA accredited and state licensed veterinarians, approved livestock facilities, approved licensed dealers, any person receiving livestock, any person applying any official ear tag or device, vaccination cartags, replacing temporary identification, backtag to maintain records and supporting documents for five (5) years Failure of <u>approved livestock facilities, approved tagging sites, registered feedlots and livestock markets to keep Certificates of Veterinary Inspection or alternate documentation with supporting documents required for the movement of livestock entering the facility for five (5) years</u>	1 st & 2 nd violation	3 rd violation & subsequent	

<u>10610</u>	<u>837(c)</u>	<u>Failure of approved licensed dealers to keep an individual identification record for each animal sufficient to identify the animal, seller and buyer, and Certificates of Veterinary Inspection or alternate documentation with supporting documents for the movement of livestock for five (5) years</u>	<u>1st & 2nd violation</u>	<u>3rd violation & subsequent</u>	
<u>10610</u>	<u>837(e)</u>	<u>Failure to keep documents recording intrastate movements as required by the owner of the animal for five (5) years</u>	<u>1st & 2nd violation</u>	<u>3rd violation & subsequent</u>	
<u>10610</u>	<u>837(f)</u>	<u>Failure of USDA accredited and state-licensed veterinarians or other persons or entities distributing official eartags or any person applying official eartags to animals on behalf of the owner to maintain for five (5) years a record, including but not limited to, the names and addresses of anyone to whom the devices were distributed or the owner of the animals, official eartag numbers of the devices distributed or applied, and the date of distribution or application</u>	<u>1st & 2nd violation</u>	<u>3rd violation & subsequent</u>	
<u>10610</u>	<u>837(l)</u>	<u>Failure of any person applying USDA approved backtags to animals to maintain for five (5) years a record, including but not limited to, the names and addresses of the owner of the animals, backtag numbers applied, and the date of application</u>	<u>1st & 2nd violation</u>	<u>3rd violation & subsequent</u>	
10610	1302.2	Failure of any applicant to comply with the requirements for approved terminal feedlots		1 st & 2 nd violation	3 rd violation & subsequent
10610	1302.3	Failure of any applicant to comply with requirements of a Slaughter Pen status		1 st & 2 nd violation	3 rd violation & subsequent
10951	<u>794.1</u>	It is unlawful for any person to feed swine any garbage unless the garbage has been processed in accordance with CCR section 794.1	1 st violation	2 nd violation	3 rd violation & subsequent
<u>18727</u>	<u>1300.14</u>	<u>Failure to maintain records for a period of two (2) years after the date of receipt of the animals</u>		<u>1st & 2nd violation</u>	<u>3rd violation & subsequent</u>

Food & Agricultural Code	Title 3 California Code of Regulations	Description of Violation	Penalty
10781	796.4(b)	Failure to meet the following entry requirements for swine imported into California for any purpose, except slaughter, without 1) valid Certificate of Veterinary Inspection 2) Official identification 3) Interstate Livestock Entry Permit 4) negative test result to official pseudorabies test within	\$25-\$100 per animal

		thirty (30 days) prior to entry unless exempt by section 796.4(d)	
10781	796.5(b)	Failure to meet the following entry requirements Swine imported into California for any purpose, except slaughter, <u>without</u> 1) valid Certificate of Veterinary Inspection 2) valid Interstate Livestock Entry Permit 3) official identification and 4) for sexually intact swine over four (4) months of age, a negative test result to an official brucellosis test within thirty (30) days prior to entry unless exempt by section 796.5(d)	\$25-\$100 per animal
10781	796.2(g)	Swine were diverted from the destination specified <u>All animals were not transported directly and without delay to the destination stated on the Certificate of Veterinary Inspection</u>	\$25-\$100 per animal
10781	796.3(h)	Swine were diverted from the destination specified <u>All animals were not transported directly and without delay to the destination stated on the Interstate Livestock Entry Permit</u>	\$25-\$100 per animal
<u>10781</u>	<u>796.6(b)</u>	Failure to obtain an Interstate Livestock Entry Permit and officially identify swine imported into California for immediate slaughter <u>Swine imported for immediate slaughter at a state or federally inspected slaughter without 1) Interstate Livestock Entry Permit and 2) official identification and 3) being unloaded at the slaughter facility within twenty-four (24) hours after entering California without diversion and 4) being slaughtered within 14 days of importation</u>	<u>\$25-\$100 per animal</u>
10781	796.6(b)(3)	Failure to unload swine imported for immediate slaughter at slaughter facility within twenty-four (24) hours after entering California without diversion	\$25-\$100 per animal
10781	796.6(b)(4)	Failure to slaughter swine imported for immediate slaughter within fourteen (14) days of importation into California	\$25-\$100 per animal

Note: Authority cited: Sections 9166 & 10786, Food and Agricultural Code.

Reference: Sections 9101, 9161, 9164, 9210, 9241, 9351, 9352, 9561, 9563, 9570, 9641.5(a)(1), 9641.5(a)(2), 9694, 9695, 9696, 9697, 9698, 9699, 9702, 10325, 10326, 10327, 10351, 10352, 10610, 10951, 18727, 10781 Food and Agricultural Code.