

**Title 2—DEPARTMENT OF
AGRICULTURE
Division 30—Animal Health
Chapter 6—Livestock Markets**

PROPOSED AMENDMENT

2 CSR 30-6.015 Requirements and Responsibilities of Livestock Market/Sales Licensees

PURPOSE: The changes will provide overall clarification and update definitions for market requirements. This rule change will also update license fees.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Terms defined in section 277.020, RSMo are incorporated by reference for use in this rule.

(2) As used in this chapter, unless the context clearly says otherwise, the following terms shall mean:

(A) Livestock—Cattle, swine, sheep, goats, poultry, ratite birds including but not limited to ostrich and emu, elk, equine, and exotic animals;

(B) Livestock market—A place of business or a place where livestock is concentrated for sale, exchange or trade at regular or irregular intervals, whether at auction or not. This definition exempts public farm sales, purebred livestock sales, or any sale, transfer, or exchange of livestock from one (1) person to another person for movement or transfer to another farm premises or directly to a licensed market;

(C) Livestock sale—The business of mediating for a commission or otherwise, the sale, purchase, or exchange transaction of livestock, whether or not at a livestock market. However, the term livestock sale shall not apply to order buyers, livestock dealers or other persons acting directly as a buying agent for any third party;

(D) Official identification—**an official form of identification such as an official ear tag or group/lot identification number (GIN)**, as defined by Title 9, *Code of Federal Regulations*, Part 71, published [annually in January] **January 28, 2025**, herein incorporated by reference and made a part of this rule, as published by the United States [Superintendent of Documents] **Government Publishing Office**, 732 N Capital Street NW, Washington, DC 20402-0001, phone: toll free (866) 512-1800, DC area (202) 512-1800, website: <http://bookstore.gpo.gov>, or any other means of individual identification approved by the state veterinarian. This rule does not incorporate any subsequent amendments or additions.

(E) Person—Individuals, partnerships, corporations, and associations. [; and]

(F) **Public Farm Sale – A sale on a farm premises with livestock offered for sale by four or less consignors.**

(G) **Purebred Livestock Sales – Livestock offered for sale of a single breed which are eligible for registration by that breed's official registry, and which are intended for breeding.**

(H) **Special Annual Livestock Market/Sale - a livestock market that holds a one time sale no more than annually;** and

(I)[(F)] State veterinarian—The state veterinarian of the Missouri Department of Agriculture.

(3) Any person(s) engaged in establishing or operating a livestock sale or market shall file with the state veterinarian an application and be granted a license to transact business prior to opening. **However, a properly licensed livestock sale or market may allow another person to operate a production or seedstock sale with multiple consigners under the sale or market license if the sale at that market.**

(4) An annual license fee of [seventy-five dollars (\$75)] **one hundred fifty dollars (\$150)** must accompany all applications, **unless the applicant qualifies for a Special Annual Livestock Market/Sale license.** This license shall entitle the applicant to conduct business for one (1) calendar year, January through December. The state veterinarian must receive all completed renewal applications and fees by December 1 for the next calendar year. All licensees defined in Chapter 277, RSMo shall publicly post the license issued by the state veterinarian at the place of business. The license shall be displayed for inspection by any person.

(5) A Special Annual Livestock Market/Sale shall submit an application for a license and pay a fee of fifty dollars (\$50). This license shall entitle the applicant to conduct business one time within one (1) calendar year, January through December. The state veterinarian must receive all completed renewal applications and fees by December 1 for the next calendar year. All licensees shall publicly post the license issued by the state veterinarian at the place of business. The license shall be displayed for inspection by any person. If approved, licensee agrees to employ the services of a Missouri licensed accredited veterinarian approved by the state veterinarian or his/her designee, to inspect all livestock, perform all required testing for disease, identify animals by official identification and forward required information in an approved format to the state veterinarian within seven (7) business days from the completion of the sale.

(6) Livestock Market/Sales that fall under an exempt status as defined in (2)(B), and sales fully sponsored, organized and financed by any state, regional or county agricultural fair or festival where occasional livestock sales are held in conjunction with a county, district, regional, or state exhibition for junior exhibitors shall not be required to apply for or obtain a livestock sale license.

(7)[(5)] All markets/sales licensed under the laws of Missouri must present to the department, no later than April 15 following the end of the year, their sales volumes for the preceding business year.

(8)[(6)] Bonding Requirements. Every person subject to the provisions of Chapter 277, RSMo shall provide proof of a satisfactory bond in the amount specified by the USDA Packers and Stockyards Administration or the state veterinarian before receiving a license. In lieu of any bond, persons may substitute any instrument of financial security approved by the USDA Packers and Stockyards Administration. All surety coverage for licensees must be in accordance with 2 CSR 30-6.030.

(9)[(7)] All licensees defined in Chapter 277, RSMo, must secure veterinary inspection of all livestock offered for sale at any livestock sale or market. A licensed, accredited veterinarian approved by the state veterinarian must inspect all livestock, perform all required testing of livestock for disease, identify individual[s] **animals** by official identification, and forward required information (age, gender, breed, official eartag and backtag, owner contact information/ticket number) in an approved format to the state veterinarian **within seven (7) business days from the completion of the sale**. No person shall remove or tamper with, or cause the removal of or tampering with, an official ear tag or backtag or other identification device required to move animals interstate, intrastate, or through a livestock market/sale. No person shall cause livestock to be removed from any livestock market/sale until that livestock has met all the requirements of Missouri or the state of destination, whichever applies.

(A) All assignments, replacements, and removals of veterinarians as **livestock** market/sale veterinarians must have prior approval of the state veterinarian in accordance with section 277.100, RSMo.

(B) Upon approval of the state veterinarian, the **livestock** market/sale veterinarian must sign a Market Veterinarian Agreement form MO 350-0488 provided by the Missouri Department of Agriculture. The licensee also must sign the form. The **livestock** market/sale veterinarian shall keep one (1) copy of the agreement, the licensee one (1) copy and one (1) copy shall be forwarded to the state veterinarian's office.

(10)[(8)] Facilities provided by the livestock market/sale for the **livestock** market/sale veterinarian shall include—

(A) Office and laboratory area to allow ample work[]space and room for a work table, desk, chair, lamp, and one (1) file cabinet;

(B) Heat, light, and ventilation to properly perform required diagnostic tests;

(C) Livestock handling facilities with livestock collecting pens, runways, and a catching chute to confine and restrain animals for completion of required testing and/or official identification (eartag and backtag) requirements; and

(D) A laboratory area with a sink, hot and cold running water, and a floor of an impervious material which allows cleaning and disinfection. Electrical outlets must be available and convenient to enable the use of equipment such as centrifuges, branding irons, and electrical heaters.

(11)[(9)] Failure of the licensee to aid the **livestock** market/sale veterinarian in executing all laws and regulations governing the sale and movement of livestock may result in removal of the license to conduct sales.

(12)[(10)] Structurally safe and sanitary conditions must be maintained on yards, pens, chutes, alleys, and other facilities and premises used in connection with livestock by the person(s) in possession of the facilities and premises. These facilities are subject to inspection by USDA Veterinary Services or state Animal Health personnel.

(13)[(11)] All licensees defined in Chapter 277, RSMo, must present upon request to a duly authorized representative of the Division of Animal Health records of any livestock sale or transaction. Failure to do so may result in the suspension or revocation of the **livestock** market/sale license, a civil penalty of up to one thousand dollars (\$1,000) for each violation, or both.

(14)[(12)] Violations at **Livestock** Markets/Sales. Failure either to comply with the laws of Missouri and the rules of the Missouri Department of Agriculture or to fulfill the requirements and responsibilities as specified in this rule can result in a suspension or revocation of the **livestock** market/sale license, fines of up to one thousand dollars (\$1,000) per violation, or both.

*AUTHORITY: section 277.160, RSMo 2000. * Original rule filed June 15, 1990, effective Dec. 31, 1990. Emergency amendment filed June 5, 1992, effective June 15, 1992, expired Oct. 12, 1992. Amended: Filed March 3, 1992, effective Sept. 6, 1992. Amended: Filed Jan. 4, 1999, effective July 30, 1999. Amended: Filed June 12, 2009, effective Jan. 30, 2010.*

**Original authority: 277.160, RSMo 1989, amended 1993, 1995.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COSTS: This proposed amendment will cost private entities an estimated \$7,800 in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by website: <https://agriculture.mo.gov/proposedrules/> or by mail: Missouri Department of Agriculture, attn: Animal Health, POBox 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*