Within the stated calendar quarter, this Title contains all rules made, amended, repealed, renumbered, and recodified; or rules that have expired or were terminated due to an agency being eliminated under sunset law. These rules were either certified by the Governor’s Regulatory Review Council or the Attorney General’s Office; or exempt from the rulemaking process, and filed with the Office of the Secretary of State. Refer to the historical notes for more information. Please note that some rules you are about to remove may still be in effect after the publication date of this Supplement. Therefore, all superseded material should be retained in a separate binder and archived for future reference.

TITLE 3. Agriculture
Chapter 2. Department of Agriculture - Animal Services Division
Sections, Parts, Exhibits, Tables or Appendices modified
R3-2-203, R3-2-701, R3-2-810

The agency's contact person who can answer questions about rules in this Chapter:

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Disclaimer: Please be advised the person listed is the contact of record as submitted in the rulemaking package for this supplement. The contact and other information may change and is provided as a public courtesy.

PUBLISHER
Arizona Department of State
Office of the Secretary of State, Administrative Rules Division
PREFACE

Under Arizona law, the Department of State, Office of the Secretary of State (Office), accepts state agency rule filings and is the publisher of Arizona rules. The Office of the Secretary of State does not interpret or enforce rules in the Administrative Code. Questions about rules should be directed to the state agency responsible for the promulgation of the rule.

Scott Cancelosi, Director
ADMINISTRATIVE RULES DIVISION
June 30, 2017

RULES
A.R.S. § 41-1001(17) states: “‘Rule’ means an agency statement of general applicability that implements, interprets, or prescribes law or policy, or describes the procedures or practice requirements of an agency.”

THE ADMINISTRATIVE CODE
The Arizona Administrative Code is where the official rules of the state of Arizona are published. The Code is the official codification of rules that govern state agencies, boards, and commissions. Virtually everything in your life is affected in some way by rules published in the Arizona Administrative Code, from the quality of air you breathe to the licensing of your dentist. This chapter is one of more than 230 in the Code compiled in 21 Titles.

ADMINISTRATIVE CODE SUPPLEMENTS
Rules filed by an agency to be published in the Administrative Code are updated quarterly. Supplement release dates are printed on the footers of each chapter:

First Quarter: January 1 - March 31
Second Quarter: April 1 - June 30
Third Quarter: July 1 - September 30
Fourth Quarter: October 1 - December 31

For example, the first supplement for the first quarter of 2017 is cited as Supp. 17-1.

HOW TO USE THE CODE
Rules may be in effect before a supplement is released by the Office. Therefore, the user should refer to issues of the Arizona Administrative Register for recent updates to rule Sections.

ARTICLES AND SECTIONS
Rules in chapters are divided into Articles, then Sections. The “R” stands for “rule” with a sequential numbering and lettering system separated into subsections.

HISTORICAL NOTES AND EFFECTIVE DATES
Historical notes inform the user when the last time a Section was updated in the Administrative Code. Be aware, since the Office publishes each quarter by entire chapters, not all Sections are updated by an agency in a supplement release. Many times just one Section or a few Sections may be updated in the entire chapter.

ARIZONA REVISED STATUTE REFERENCES
The Arizona Revised Statutes (A.R.S.) are available online at the Legislature’s website, www.azleg.gov. An agency’s authority note to make rules is often included at the beginning of a chapter. Other Arizona statutes may be referenced in rule under the A.R.S. acronym.

SESSION LAW REFERENCES
Arizona Session Law references in the introduction of a chapter can be found at the Secretary of State’s website, www.azsos.gov/services/legislative-filings.

EXEMPTIONS FROM THE APA
It is not uncommon for an agency to be exempt from the steps outlined in the rulemaking process as specified in the Arizona Administrative Procedures Act, also known as the APA (Arizona Revised Statutes, Title 41, Chapter 6, Articles 1 through 10). Other agencies may be given an exemption to certain provisions of the Act.

An agency’s exemption is written in law by the Arizona State Legislature or under a referendum or initiative passed into law by Arizona voters.

When an agency files an exempt rulemaking package with our Office it specifies the law exemption in what is called the preamble of rulemaking. The preamble is published in the Arizona Administrative Register online at www.azsos.gov/rules, click on the Administrative Register link.

In the Administrative Code the Office includes editor’s notes at the beginning of a chapter indicating that certain rulemaking Sections were made by exempt rulemaking. Exempt rulemaking notes are also included in the historical note at the end of a rulemaking Section.

The Office makes a distinction to certain exemptions because some rules are made without receiving input from stakeholders or the public. Other exemptions may require an agency to propose exempt rules at a public hearing.

EXEMPTIONS AND PAPER COLOR
If you are researching rules and come across rescinded chapters on a different paper color, this is because the agency filed a Notice of Exempt Rulemaking. At one time the office published exempt rules on either blue or green paper. Blue meant the authority of the exemption was given by the Legislature; green meant the authority was determined by a court order. In 2001 the Office discontinued publishing rules using these paper colors.

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Public Services managing rules editor, Rhonda Paschal, assisted with the editing of this chapter.
TITLE 3. AGRICULTURE

CHAPTER 2. DEPARTMENT OF AGRICULTURE - ANIMAL SERVICES DIVISION

(Artory: A.R.S. §§ 3-1201 et seq., 3-601 et seq., and 3-701 et seq., and 3-2901 et seq.)

Chapter 2, Articles 1 through 7 renumbered from Title 3, Chapter 9, Articles 1 through 7; Article 8, consisting of Sections R3-2-801 through R3-2-808, renumbered from Title 3, Chapter 5, Article 1, Sections R3-5-01 through R3-5-08; Article 9, consisting of Sections R3-2-901 through R3-2-909 renumbered from Title 3, Chapter 6, Article 1, Sections R3-6-101 through R3-6-109 (Supp. 91-4).

Article 1 consisting of Sections R3-9-101 through R3-9-103; Article 2 consisting of Sections R3-9-201 through R3-9-208; Article 3 consisting of Sections R3-9-301 and R3-9-302; Article 4 consisting of Sections R3-9-401 through R3-9-409; Article 5 consisting of Sections R3-9-501 through R3-9-504; Article 6 consisting of Sections R3-9-601 through R3-9-620; Article 7 consisting of Sections R3-9-701 and R3-9-702 adopted effective August 19, 1983.

Former Article 1 consisting of Sections R3-9-01 through R3-9-11; Article 2 consisting of Sections R3-9-16 through R3-9-26; Article 3 consisting of Sections R3-9-22 through R3-9-35; Article 4 consisting of Sections R3-9-46 through R3-9-48 repealed effective August 19, 1983.

ARTICLE 1. GENERAL PROVISIONS

Article 1, consisting of Section R3-2-101, adopted effective May 7, 1997 (Supp. 97-2).

Article 1, consisting of Sections R3-2-101 through R3-2-109, renumbered to Article 11, Sections R3-2-1101 through R3-2-1109 (Supp. 97-1).

Article 1, consisting of Sections R3-2-101 through R3-2-109, adopted effective September 11, 1996 (Supp. 96-3).

Article 1, consisting of Sections R3-2-101 through R3-2-103, renumbered from R3-9-101 through R3-9-103 (Supp. 91-4).

Section
R3-2-101. Definitions ..................................................... 3
R3-2-102. Licensing Time-frames .................................... 3
R3-2-103. Recodified ..................................................... 3
R3-2-104. Recodified ..................................................... 3
R3-2-105. Recodified ..................................................... 3
R3-2-106. Recodified ..................................................... 3
R3-2-107. Recodified ..................................................... 3
R3-2-108. Recodified ..................................................... 4
R3-2-109. Recodified ..................................................... 4
Table 1. Time-frames (Calendar Days) ......................... 5

ARTICLE 2. MEAT AND POULTRY INSPECTION

Article 2, consisting of Sections R3-2-201 through R3-2-208, renumbered from Sections R3-9-201 through R3-9-208 (Supp. 91-4).

Section
R3-2-201. Definitions ..................................................... 6
R3-2-202. Meat and Poultry Inspection; Slaughtering Standards ............................................. 6
R3-2-203. Licenses; Registration; Records ....................... 6
R3-2-204. Official Slaughter Establishment ................. 7
R3-2-205. Expired .......................................................... 9
R3-2-206. Purchase, Sale, Collection, Transportation, Disposition, and Use of Meat or Meat Food Products; Dead Animals; Animal Bone, Animal Fat, Animal Offal ........................................... 9
R3-2-207. Meat from Dead Animals Processed and Decharacterized for Use as Animal Food 10
R3-2-208. Diseased and Injured Animals ..................... 11
R3-2-209. Exempt Non-mobile Slaughter Establishments 11

ARTICLE 3. FEEDING OF ANIMALS

Article 3, consisting of Sections R3-2-301 and R3-2-302, renumbered from R3-9-301 and R3-9-302 (Supp. 91-4).

Section
R3-2-301. Operation of Beef Cattle Feedlots .................. 12
R3-2-302. Permit to Feed Garbage to Swine; Requirements .................................................. 12

ARTICLE 4. ANIMAL DISEASE PREVENTION AND CONTROL

Article 4, consisting of Sections R3-2-401 through R3-2-409 renumbered from R3-9-401 through R3-9-409 (Supp. 91-4).

Section
R3-2-401. Definitions ..................................................... 12
R3-2-402. Mandatory Disease Reporting by Veterinarians and Veterinary Laboratories .......... 12
R3-2-403. Expired .......................................................... 13
R3-2-404. Importation, Manufacture, Sale, and Distribution of Biologicals and Semen ............. 13
R3-2-405. Depopulation of Animals Infected with a Foreign Disease ..................................... 13
R3-2-406. Disease Control; Feedlots ............................. 13
R3-2-407. Equine Infectious Anemia ............................. 14
R3-2-408. Disposition of Livestock Exposed to Rabies ......................................................... 14
R3-2-409. Rabies Vaccines for Animals ........................... 14
R3-2-410. Restricted Swine Feedlots ......................... 14
R3-2-411. Exhibition Swine ............................................. 15
R3-2-412. Exhibition Sheep and Goats ......................... 15
R3-2-413. Sheep and Goats; Intrastate Movement ......... 15

ARTICLE 5. STATE-FEDERAL COOPERATIVE DISEASE CONTROL PROGRAM

Article 5, consisting of Sections R3-2-501 and R3-2-504, renumbered from R3-9-501 and R3-9-504 (Supp. 91-4).

Section
R3-2-501. Tuberculosis Control and Eradication Procedures .................................................... 15
R3-2-502. Repealed .......................................................... 15
R3-2-503. Brucellosis Control and Eradication Procedures ......................................................... 15
R3-2-504. Pseudorabies Procedures for Eradication ................................................................. 16
R3-2-505. Scrapie Procedures for Eradication ................................................................. 16

ARTICLE 6. HEALTH REQUIREMENTS GOVERNING ADMISSION OF ANIMALS

Article 6, consisting of Sections R3-2-601 and R3-2-620, renumbered from R3-9-601 and R3-9-620 (Supp. 91-4).

Section
R3-2-601. Definitions ..................................................... 16
R3-2-602. Importation Requirements .................................... 16
R3-2-603. Importation of Diseased Animals .......................... 16
R3-2-604. Livestock Permit Requirements; Exceptions .................. 17
R3-2-605. Quarantine for Animals Entering Illegally .......... 17
R3-2-606. Health Certificate ............................................. 17
R3-2-607. Permit Number .................................................. 18
ARTICLE 7. LIVESTOCK INSPECTION

Article 7, consisting of Sections R3-2-701 and R3-2-703, renumbered from R3-9-701 and R3-9-703 (Supp. 91-4).

Section
R3-2-701. Department Livestock Inspection .................................. 23
R3-2-702. Livestock Self-inspection ............................................. 23
R3-2-703. Seasonal Self-inspection Certificate ............................... 25
R3-2-704. Repealed ................................................................. 25
R3-2-705. Repealed ................................................................. 25
R3-2-706. Repealed ................................................................. 25
R3-2-707. Ownership and Hauling Certificate for Equines; Fees ............................................................................. 25
R3-2-708. Equine Rescue Facility Registration ............................... 25

ARTICLE 8. DAIRY AND DAIRY PRODUCTS CONTROL

Article 8, consisting of Sections R3-2-801 through R3-2-808, renumbered from R3-5-01 through R3-5-08 (Supp. 91-4).

Section
R3-2-801. Definitions ................................................................. 26
R3-2-802. Milk and Milk Products Standards .................................. 26
R3-2-803. Milk and Milk Products Labeling ................................... 26
R3-2-804. Trade Products ............................................................ 27
R3-2-805. Grade A Raw Milk For Consumption ............................ 27
R3-2-806. Parlors and Milk Rooms .............................................. 27
R3-2-807. Frozen Dessert Plant and Processing Standards .......... 29
R3-2-808. Frozen Desserts Reconstituted from Powdered Mixes .................................................................................. 33
R3-2-809. Medicinal, Chemical, and Radioactive Residues in Milk ................................................................................. 33
R3-2-810. License Fees ............................................................... 33
R3-2-811. Dairy Farm Permit ....................................................... 34

ARTICLE 9. EGG AND EGG PRODUCTS CONTROL

(Authority: A.R.S. § 3-701 et seq.)

Article 9, consisting of Sections R3-2-901 through R3-2-909 renumbered from R3-6-101 through R3-6-109 (Supp. 91-4).

Section
R3-2-901. Definitions ................................................................. 34
R3-2-902. Standards, Grades, and Weight Classes for Shell Eggs ...................................................................................... 34
R3-2-903. Sampling; Schedule and Methods for Evidence .......................... 34
R3-2-904. Quarterly Report Periods .............................................. 35
R3-2-905. Inspection Fee Rate .................................................... 35
R3-2-906. Violations and Penalties ................................................. 35
R3-2-907. Poultry Husbandry; Standards for Production of Eggs ...................................................................................... 36
R3-2-908. Sanitary Standards; Egg Processing ................................ 36
R3-2-909. Repealed ................................................................. 36

ARTICLE 10. AQUACULTURE

(Authority: A.R.S. § 3-2901 et seq.)

Article 10, consisting of Sections R3-2-1001 through R3-2-1010, adopted effective May 3, 1993 (Supp. 93-2).

Section
R3-2-1001. Definitions ................................................................. 36
R3-2-1002. Fees for Licenses; Inspection Authorization and Fees ...................................................................................... 36
R3-2-1003. General Licensing Provisions ......................................... 37
R3-2-1004. Specific Licensing Provisions; Aquaculture Facility; Fee Fishing Facility; Special License Facility ................................................................. 37
R3-2-1005. Fee Fishing Facility .................................................... 37
R3-2-1006. Processor License ......................................................... 38
R3-2-1007. Transporter License; Transport; Delivery ......................... 38
R3-2-1008. Repealed ................................................................. 38
R3-2-1009. Disease Certification .................................................... 38
R3-2-1010. Importation of Aquatic Animals ........................................ 38

ARTICLE 11. EXPIRED

Article 11, consisting of Sections R3-2-1101 through R3-2-1109, expired under A.R.S. § 41-1056(E) at 8 A.A.R. 3755, effective May 10, 2002 (Supp. 02-3).

Article 11, consisting of Sections R3-2-1101 through R3-2-1109, recodified from Article 1, Sections R3-2-101 through R3-2-109 (Supp. 97-1).

Section
R3-2-1101. Expired ................................................................. 39
R3-2-1102. Expired ................................................................. 39
R3-2-1103. Expired ................................................................. 39
R3-2-1104. Expired ................................................................. 39
R3-2-1105. Expired ................................................................. 39
R3-2-1106. Expired ................................................................. 39
R3-2-1107. Expired ................................................................. 39
R3-2-1108. Expired ................................................................. 39
R3-2-1109. Expired ................................................................. 39
ARTICLE 1. GENERAL PROVISIONS

R3-2-101. Definitions
In addition to the definitions provided in A.R.S. §§ 3-1201, 3-1451, and 3-1771, the following terms apply to this Chapter:

“Animal” means livestock, bison, dogs, cats, rabbits, rodents, game animals, furbearing and wildlife mammals, and poultry and other birds.

“APHIS” means the Animal and Plant Health Inspection Service of the United States Department of Agriculture.

“Breeding swine” means any member of the family Suidae having the potential to procreate, and includes gilts, sows, and boars.

“Cervidae” means the family of cervids that includes, but is not limited to, deer, moose, elk, reindeer, and caribou.

“Dairy cattle” means cattle of dairy breeds or dairy types used for the production of milk or milk products for human consumption.

“Designated feedlot” means a confined drylot area under state quarantine that is approved and licensed by the State Veterinarian, contains a restricted feeding pen, and is maintained for finish feeding of cattle or bison that do not meet the brucellosis or tuberculosis import test requirements.

“Health certificate” means a legible record that is issued by a VS animal health official, state animal health official, or accredited veterinarian at the point of origin of a shipment of animals, conforms to the requirements of R3-2-606, and is written on a form approved by the chief animal health official of the state of origin or an equivalent form of the USDA attesting that the animal described has been inspected and found to meet the Arizona entry requirements.

“Permit number” or “permit” means a serialized number issued by the State Veterinarian’s Office that conforms to the requirements of R3-2-607 and allows the regulated movement of certain animals into Arizona.

“USDA” means the United States Department of Agriculture.

“VS” means the Veterinary Services branch of APHIS.

R3-2-102. Licensing Time-frames
A. Overall time-frame. The Department shall issue or deny a license within the overall time-frames listed in Table 1 after receipt of the complete application. The overall time-frame is the total of the number of days provided for the administrative completeness review and the substantive review.

B. Administrative completeness review.
1. The administrative completeness review time-frame established in Table 1 begins on the date the Department receives the application. The Department shall notify the applicant in writing within the administrative completeness review time-frame whether the application or request is incomplete. The notice shall specify what information is missing. If the Department does not provide notice to the applicant within the administrative completeness review time-frame, the Department considers the application complete.

2. An applicant with an incomplete license application shall supply the missing information within the completion request period established in Table 1. The administrative completeness review time-frame is suspended from the date the Department mails the notice of missing information to the applicant until the date the Department receives the information.

3. If the applicant fails to submit the missing information before the expiration of the completion request period, the Department shall close the file, unless the applicant requests an extension. An applicant whose file has been closed may obtain a license by submitting a new application.

C. Substantive review. The substantive review time-frame established in Table 1 shall begin after the application is administratively complete.
1. If the Department makes a comprehensive written request for additional information, the applicant shall submit the additional information identified by the request within the additional information period provided in Table 1. The substantive review time-frame is suspended from the date of the Department request until the information is received by the Department. If the applicant fails to provide the information identified in the written request within the additional information period, the Department shall deny the license.

2. The Department shall issue a written notice granting or denying a license within the substantive review timeframe. If the application is denied, the Department shall send the applicant written notice explaining the reason for the denial with citations to supporting statutes or rules, the applicant’s right to seek a fair hearing, and the time period in which the applicant may appeal the denial.

Historical Note

R3-2-103. Recodified

Historical Note

R3-2-104. Recodified

Historical Note
Adopted effective September 11, 1996 (Supp. 96-3). Section R3-2-104 recodified to R3-2-1104 (Supp. 97-1).

R3-2-105. Recodified

Historical Note
Adopted effective September 11, 1996 (Supp. 96-3). Section R3-2-105 recodified to R3-2-1105 (Supp. 97-1).

R3-2-106. Recodified

Historical Note
Adopted effective September 11, 1996 (Supp. 96-3). Section R3-2-106 recodified to R3-2-1106 (Supp. 97-1).

R3-2-107. Recodified
R3-2-108. Recodified

Historical Note
Adopted effective September 11, 1996 (Supp. 96-3). Section R3-2-107 recodified to R3-2-1107 (Supp. 97-1).

R3-2-109. Recodified

Historical Note
Adopted effective September 11, 1996 (Supp. 96-3). Section R3-2-109 recodified to R3-2-1109 (Supp. 97-1).
### Table 1. Time-frames (Calendar Days)

<table>
<thead>
<tr>
<th>License</th>
<th>Authority</th>
<th>Administrative Completeness Review</th>
<th>Response to Completion Request</th>
<th>Substantive Completeness Review</th>
<th>Response to Additional Information</th>
<th>Overall Time-frame</th>
</tr>
</thead>
<tbody>
<tr>
<td>MEAT AND POULTRY INSPECTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>License to Slaughter</td>
<td>A.R.S. § 3-2002</td>
<td>14</td>
<td>14</td>
<td>30</td>
<td>14</td>
<td>44</td>
</tr>
<tr>
<td></td>
<td>A.R.S. § 3-2003</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>R3-2-208</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfer of license without fee</td>
<td>A.R.S. § 3-2009</td>
<td>14</td>
<td>14</td>
<td>30</td>
<td>5</td>
<td>44</td>
</tr>
<tr>
<td>State Meat Inspection Service</td>
<td>A.R.S. § 3-2047</td>
<td>14</td>
<td>14</td>
<td>30</td>
<td>14</td>
<td>44</td>
</tr>
<tr>
<td>Sale or Exchange of Meat or Poultry</td>
<td>A.R.S. § 3-2081</td>
<td>14</td>
<td>14</td>
<td>30</td>
<td>14</td>
<td>44</td>
</tr>
<tr>
<td></td>
<td>R3-2-208</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rendering Facility Certification</td>
<td>A.R.S. § 3-2081</td>
<td>14</td>
<td>14</td>
<td>30</td>
<td>14</td>
<td>44</td>
</tr>
<tr>
<td></td>
<td>R3-2-205</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfer of License</td>
<td>A.R.S. § 3-2086</td>
<td>14</td>
<td>14</td>
<td>30</td>
<td>5</td>
<td>44</td>
</tr>
<tr>
<td>Official Slaughter Meat Licenses</td>
<td>A.R.S. § 3-2122</td>
<td>14</td>
<td>14</td>
<td>30</td>
<td>14</td>
<td>44</td>
</tr>
<tr>
<td></td>
<td>R3-2-208</td>
<td></td>
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<tr>
<td>FEEDING OF ANIMALS</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Feed Lot License</td>
<td>A.R.S. § 3-1452</td>
<td>14</td>
<td>14</td>
<td>60</td>
<td>14</td>
<td>74</td>
</tr>
<tr>
<td>Permit to Feed Garbage to Swine</td>
<td>A.R.S. § 3-2664</td>
<td>14</td>
<td>14</td>
<td>60</td>
<td>14</td>
<td>74</td>
</tr>
<tr>
<td>DAIRY PRODUCTS AND CONTROL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Milk Distributing Plant New</td>
<td>A.R.S. § 3-607</td>
<td>14</td>
<td>14</td>
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<tr>
<td>Renewal</td>
<td></td>
<td>14</td>
<td>14</td>
<td>14</td>
<td>14</td>
<td>28</td>
</tr>
<tr>
<td>Milk Processing Plant New</td>
<td>A.R.S. § 3-607</td>
<td>14</td>
<td>14</td>
<td>14</td>
<td>14</td>
<td>28</td>
</tr>
<tr>
<td>Renewal</td>
<td></td>
<td>14</td>
<td>14</td>
<td>14</td>
<td>14</td>
<td>28</td>
</tr>
<tr>
<td>Plant Licensing</td>
<td>A.R.S. § 3-665</td>
<td>14</td>
<td>14</td>
<td>14</td>
<td>14</td>
<td>28</td>
</tr>
<tr>
<td>New</td>
<td></td>
<td>14</td>
<td>14</td>
<td>14</td>
<td>14</td>
<td>28</td>
</tr>
<tr>
<td>Renewal</td>
<td></td>
<td>14</td>
<td>14</td>
<td>14</td>
<td>14</td>
<td>28</td>
</tr>
<tr>
<td>Request to market a product as a milk product</td>
<td>A.R.S. § 601.01</td>
<td>14</td>
<td>14</td>
<td>14</td>
<td>14</td>
<td>28</td>
</tr>
<tr>
<td>Tester License</td>
<td>A.R.S. § 3-619</td>
<td>7</td>
<td>7</td>
<td>7</td>
<td>7</td>
<td>14</td>
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**Historical Note**

ARTICLE 2. MEAT AND POULTRY INSPECTION

A. Any person operating a business in any of the following categories shall obtain the appropriate license from the Department.

1. Types of slaughter licenses.
   a. Official slaughter – the slaughtering of animals in a slaughterhouse for sale for human consumption.
   b. Exempt slaughter.
      i. Exempt non-mobile slaughter – the slaughtering or dressing of an animal in a stationary building for human consumption, that is not sold or offered for sale.
      ii. Exempt mobile slaughter – the slaughtering or dressing of an animal for human consumption by using a mobile structure on the property of the animal's owner, that is not sold or offered for sale.

2. Types of meat licenses.
   a. Broker – any person, firm or corporation engaged in buying or selling carcasses, parts of carcasses, meat or poultry food products, or by-products from state or federally inspected establishments. A broker negotiates purchases or sales of these products other than for the broker’s own account, as an employee of another person, and is paid a commission.
   b. Exempt – any person, firm, or corporation engaged in processing meat or poultry products without meat inspection, for an individual owner of meat that is not for sale.
   c. Distributor – any person, firm, or corporation engaged in receiving carcasses, parts of carcasses, meat or poultry food products, or by-products from state or federally inspected establishments and stor- ing or distributing these products to commercial outlets, processors, or individuals. A distributor does not process any of these products.
   d. Jobber – any person, firm, or corporation with an established place of business that buys meat or poultry food products and offers the products for sale to someone other than the end-use consumer.
   e. Pet food manufacturer – any person, firm, or corporation engaged in manufacturing animal food from meat or poultry unfit for human consumption.
   f. Processor – any person, firm, or corporation that changes meat or poultry food products by cutting, mixing, blending, canning, curing or otherwise preparing meat or meat products wholesale for human consumption.
   g. Renderer – any person, firm, or corporation that renders and tallow and any person, firm, or corporation engaged commercially in the hide, hair, or pelt removal, cutting up, or rendering of animals.

B. Applications for a license or registration pursuant to A.R.S. § 3-2081(A), shall be made on forms provided by the Department and shall contain the following:

1. The name of the applicant and the applicant’s partners, officers or directors of the business, if any;
2. The business name, mailing address, telephone number, and Social Security number of the applicant;
3. The exact location of the business, if different from subsection (B)(2).

C. All persons licensed or registered under this Section, and all other persons described in A.R.S. § 3-2081, shall maintain the records required under A.R.S. § 3-2081 for a minimum of one year. In addition, all registered dead animal haulers, licensed rendering and tallow plants, and pet food manufacturing plants shall prepare and submit the reports required under A.R.S. § 3-
During fiscal year 2018, the fee to obtain or renew a license to slaughter is:

1. For not to exceed 45 head of cattle, and not to exceed 55 head of sheep, goats or swine in one calendar year: $250.
2. For more than 45 and not to exceed 150 head of cattle and more than 45 and not to exceed 160 head of sheep, goats or swine in one calendar year: $300.
3. For more than 150 head of cattle and more than 160 head of sheep, goats or swine in any one calendar year: $450.

### E. During fiscal year 2018, the fee to obtain or renew a meat license is:

1. For a broker, $450.
2. For exempt processing, $300.
3. For a distributor, $500.
4. For a jobber, $450.
5. For a pet food manufacturer, $300.
6. For a processor, $300.
7. For meat storage, $450.
8. For transportation, $300.

### Historical Note

e. Dressing and cooler rails at least nine feet high or of such height as to provide a clearance of at least eight inches between the lowest point of the carcass, or head if left attached, and the floor.

4. Coolers. A chill cooler and separate holding coolers may be provided or both may be combined in one room. The chill cooler shall have floors of concrete sloped to a drain. The walls shall be smooth, light colored, impervious, and the room shall be sealed. The other coolers shall have floors of concrete; the walls shall be smooth, free of cracks, light colored, impervious, and the room shall be sealed. The door between the slaughtering department and the chill cooler shall be clad with rust-resistant metal. Rails shall be spaced at least two feet from walls, columns, refrigerating equipment, or other fixed equipment to prevent contact with the carcasses. Header rails shall be three feet from the walls. When overhead refrigerating facilities are provided, insulated drip pans must be installed beneath them and the pans connected to the drainage system. If wall coils are installed, a drip gutter of impervious material and connected with the drainage system shall be installed beneath the coils. When edible offal is chilled or stored in a cooler other than a separate offal cooler, that area shall be separately drained.

5. Other edible products departments.

a. Floors, walls, and ceilings in the various edible products departments of the plant shall be constructed of material that can be readily kept clean. Wooden structures and equipment shall be kept at a minimum. Floors requiring drainage shall be constructed of dense concrete or floor brick laid on a concrete base. The interior walls and, where practical, ceiling surfaces shall be smooth and flat. Walls shall be constructed of glazed tile, smooth cement plaster, or other USDA-approved impervious material. Walls shall be free of cracks and crevices, and, where brick or tile is used, the mortar joints shall be flush with the surface of the walls. Walls shall be light colored.

b. The floors of the plant shall be well-drained; a slope of not less than 1/4 inch to the foot to drainage inlets is required. The floors shall be smooth, impervious, and in good repair; they shall be free from cracks and depressions which could hold floor liquids. Wooden floors are not permitted. Junctions of floors and walls shall be coved.

c. Walls, ceilings, beams, and hangers shall be cleaned. Rails may be oiled instead of painted. Rust and scale shall be removed from hangers and meat trolleys. Smooth Portland cement plaster walls shall not be painted.

6. Hide room. The floor of the hide room, if provided, shall be of concrete and drained. Walls shall be smooth and impervious to at least the highest point of the hide pile. The hide room shall not connect with the slaughtering department except for one opening which shall be equipped with a tight-fitting, self-closing door. The hide room shall not connect with any other room in which edible products are stored, processed, or handled.

7. Disposal of blood. When blood is not permitted to drain into the sewage system, it may be collected in a metal tank and removed from the premises or blown to the blood drier in a manner that will not mask odors or create a harborage for pests.

8. Other edible products departments.

a. An inedible products department, completely separate and apart from edible products departments, shall be provided. Walls shall be of smooth, finished, Portland cement plaster, glazed tile, or other USDA-approved material impervious to moisture. Floors shall be constructed of dense concrete or floor tile, sloped to drain. Hot and cold water connections shall be provided. With the exception of one opening to the slaughtering department, there shall be no openings between an inedible products department and an edible products department. This one opening shall be approximately five feet in width to allow the free passage of materials and shall be equipped with a close-fitting, self-closing door of solid construction. This door shall be kept closed at all times, except when in actual use, to prevent the entrance of undesirable odors to the slaughtering department. The area at the loading dock shall be paved, drained, and of sufficient size to accommodate the largest truck used. If inedible offal is stored in an edible offal room, the room is classed as an inedible products department. Paunches may be opened in the slaughtering department only when a hydraulic mechanically operated paunch lift table is provided and used for this purpose. Otherwise, the paunches shall be opened in the inedible offal rooms.

b. Requests for permission for rendering of shop scraps and outside dead animals shall be made to the inspector who shall grant or deny the request pursuant to Article 2.

9. Pens.

a. Holding pens shall be surfaced with an impervious material, sloped to drains. A curb shall be installed around the outside of the pens to prevent the wash from escaping. Water under pressure shall be available for washing out the pens. Feeding pens shall be at least 300 feet from the plant and shall not be located in front of the plant.

b. Holding and shackling pens shall be located outside of, or separated from, the slaughtering department.

10. Drainage.

a. Floors which require flushing during operations shall have sloped floor drains to carry off the floor drainage. Each floor drain shall be equipped with a deep-seal trap; the drainage lines shall be vented to the outside in accordance with local plumbing codes. In no case shall a drain line be less than four inches in diameter.

b. Sewage may be disposed of into a municipal sewer system, if permitted by local ordinance, or it may be disposed of into a stream or other similar body of water, provided that:

i. This method is acceptable to local health authorities having jurisdiction over sewage disposal, and

ii. The flow of the stream or other body of water is sufficient to carry the sewage away from the plant at all seasons of the year. When cesspools are used, they shall be of sufficient size to receive the sewage from the plant at all times; they shall be so constructed that they do not create a nuisance by breeding flies or other insects.

c. Grease recovery basins shall not mask odors or create a harborage for pests.

11. Equipment and utensils.
A. Equipment shall be constructed of metal and shall be so constructed that it can be easily cleaned. Cutting boards may be of hard wood or synthetic material, but equipment, such as the framework of boning or cutting tables, scalding vats, offal racks and trees, product storage racks, and product trucks shall be of metal construction. Rusty or worn-out equipment shall be replaced.

b. All equipment shall be thoroughly cleaned following each day’s operations. The use of a clear, colorless, odorless, tasteless, edible mineral oil may be used on metal equipment, such as choppers, grinders, mixers, tables, meat trucks, offal racks, hooks, and trolleys. Scale shall not be permitted to accumulate on metal equipment.

c. Sterilizing receptacles equipped with drains to permit draining and cleaning shall be placed at convenient locations in the slaughtering department for the cleaning and sterilization of contaminated tools and equipment. Water wasting from equipment shall not flow across the floor.

d. Shovels used for transferring ice or other edible materials from one container to another shall not touch the floor.

12. Ventilation and lighting. Natural ventilation may be supplemented by artificial means and shall be sufficient to assure the absence of dust, masking odors, or steam vapors. Points where inspection is conducted may require special lighting. The glass area shall be at least 1/4 of the floor area in all nonrefrigerated work rooms. To assure adequate lighting at all times and at all places, natural lighting must be supplemented by well-distributed artificial lighting.


a. Hot and cold running water, under pressure, shall be available at all parts of the establishment and in conformity with the requirements of the Arizona Department of Health Services. The hot water used for sterilizing equipment, floors, and walls that may be contaminated by the dressing procedure or handling of diseased carcasses, viscera, and other animal parts, shall be at least 180°F. A thermometer shall be installed to verify the temperature of the water at the point of use. A cleanup hose shall be available for use.

b. Foot-pedal operated wash basins shall be placed in or near dressing rooms. These wash basins shall be equipped with running hot and cold water, delivered through a combination mixing faucet with an outlet at least 12 inches above the rim of the bowl. The drainage outlet shall lead directly into the sewage lines. Soap and towels, and a receptacle for dirty paper towels or other trash, shall be convenient to the wash basin.

c. One or more wash basins shall be located in the slaughtering department, and one or more in the sausage manufacturing room and at any other place in the establishment essential to ensure cleanliness of all persons handling products. The wash basins shall be equipped with hot and cold running water, delivered through a combination mixing faucet with an outlet at least 12 inches above the rim of the bowl. The water delivery shall be foot-pedal operated, and the drainage outlet shall lead directly into the sewage lines. Soap and disposable towels shall be convenient to the wash basins.

d. Water for sterilizing purposes shall be maintained at a temperature of at least 180°F. One or more sterilizing receptacles of rust-resisting, impervious material shall be placed at convenient locations in the slaughtering department for the sterilization of all implements that have been contaminated or used on a diseased carcass or part of a diseased carcass. The sterilizer shall be equipped with a cold water and steam line, or other means to maintain water at a temperature of at least 180°F during slaughtering operations. The sterilizer shall contain a drain so that water may be completely drained out for daily cleaning. Boilers and water heaters shall not be located in the slaughtering department or in any edible products department. To prevent possible back siphonage, vacuum breakers shall be provided on all steam and water lines when open ends are submerged or connected to equipment.

14. Protection against flies, rodents, or other vermin.

a. Plants must be kept free of flies, rats, mice, roaches, and other pests or vermin. The plant shall be constructed to prevent entrance of rodents to the premises and to eliminate their breeding places from the surrounding areas and in the establishment. Construction of the plant shall be such as to eliminate roach and other insect harbors. Windows, doors, and other openings to the plant shall be provided with insect screens, or other measures to prevent entrance of flies or other insects. The screens shall be kept in good repair. Sprays containing residual-acting chemicals shall not be used in edible products departments.

b. Animal-handling facilities such as stock pens and runways shall be cleaned as often as necessary and the manure or other waste materials removed shall not be permitted to accumulate at or near the plant.

Historical Note
Amended by final rulemaking at 5 A.A.R. 1593, effective May 5, 1999 (Supp. 99-2).

R3-2-205. Expired

Historical Note

R3-2-206. Purchase, Sale, Collection, Transportation, Disposition, and Use of Meat or Meat Food Products; Dead Animals; Animal Bone, Animal Fat, Animal Offal

A. A person shall not buy, sell, offer for sale, store, transport, receive, or collect any meat or meat food product except as provided in this subsection.

1. Any of the following meat or meat food products may be bought, sold, or offered for sale as animal food and may be stored, transported, received, or collected anywhere within the state:

   a. Any meat or meat food product that is processed in an animal food manufacturing plant licensed by the Department;

   b. Any meat or meat food product that comes from an animal that died by slaughter or is approved or
passed for animal food by either state or federal meat inspectors;

c. Any meat or meat food product that is thoroughly cooked at a minimum temperature of 180°F for 30 minutes and is certified by a state or a federal meat inspector having jurisdiction at the place of processing.

2. A carcass with the hide, hair, or pelt still on the carcass may be bought, sold, offered for sale, collected and transported to or received by the following only:

a. A rendering or tallow plant;

b. A state or county diagnostic laboratory, a veterinarian’s clinic, or crematory;

c. An animal food manufacturing plant;

d. A landfill regulated by the Arizona Department of Environmental Quality;

e. An out-of-state landfill regulated by that state’s landfill regulatory authority; or

f. A landfill located on a Native American reservation that is regulated by equivalent standards to those prescribed by the Arizona Department of Environmental Quality.

3. Any meat or meat food product described in subsection (A)(1) or a carcass with the hide, hair, or pelt still on the carcass from an official state or federal slaughter establishment shall be denatured with a denaturant that will not leave a toxic residue and is removable when steam-distilled at atmospheric pressure.

4. Any meat or meat food product that has been condemned by state or federal meat inspectors shall be treated as provided in 9 CFR 314.3, which has been incorporated by reference in R3-2-202, and may be disposed of as provided in that rule or may be collected and transported to or received by a rendering or tallow plant or a state or county diagnostic laboratory or crematory.

B. A person engaged commercially in the collection or transportation of dead animal carcasses or inedible meat shall register with the Department as a dead animal hauler as prescribed in R3-2-203(B) and shall maintain and keep all records for the time required by R3-2-203(C).

C. A vehicle or other means of conveyance used to transport a dead animal carcass or inedible meat shall be:

1. Leak-proof,

2. Constructed of impervious materials that permit thorough cleaning and sanitizing,

3. Equipped to control insects and odors and prevent the spread of disease, and

4. Comply with the Department of Environmental Quality vehicle requirements prescribed in R18-13-310(A) and (B).

D. Except as provided in subsection (E), a dead animal carcass may be rendered or made into animal food only at a licensed rendering or animal food manufacturing plant as prescribed in A.R.S. § 3-2088 and this Article.

E. Dead animals diagnosed with anthrax or an animal disease foreign to the United States shall be handled as directed by the State Veterinarian.

F. Discarded animal bone, animal fat, and animal offal generated by a wholesale food manufacturer shall be transported to and received by only a:

1. Licensed rendering plant, or

2. Landfill, as prescribed in subsections (A)(2)(d), (A)(2)(e), and (A)(2)(f).

Historical Note

Adopted effective August 19, 1983 (Supp. 83-4). Section R3-2-206 renumbered from Section R3-9-206 (Supp. 91-4). Amended effective July 13, 1995 (Supp. 95-3). Citation in subsection (B) corrected to R3-2-203(C) from R3-2-208(C) under R1-1-109(C) (Supp. 01-2). Amended by final rulemaking at 8 A.A.R. 3015, effective July 10, 2002 (Supp. 02-3).

R3-2-207. Meat from Dead Animals Processed and Decharacterized for Use as Animal Food

A. The following are minimum requirements for animal food manufacturing plants:

1. Hot and cold water shall be provided with facilities for its distribution in the plant which shall conform with the minimum requirements of the state Department of Health Services. The hot water shall be at least 180°F and shall be used for the cleaning of equipment, floors, and walls.

2. There shall be a drainage and plumbing system and a sewage disposal system that will not serve as a breeding place for flies, constitute a hazard, or endanger public health. Both systems shall meet the minimum requirements of the state Department of Health Services.

3. The floors, walls, ceilings, partitions, posts, doors, and other parts of all structures shall be of materials, construction, and finish that are capable of being thoroughly cleaned. The floors shall be tile, cement or other material impervious to water and shall have sufficient drainage to preclude stagnant accumulations of moisture.

4. All outside windows and doors shall be screened.

5. All rooms shall have natural or artificial lighting and well-distributed ventilation sufficient to prevent uncontaminated mold growth and third or bacteria that may endanger health.

6. The plant shall be kept free from flies, rats, mice, and other vermin. Dogs and cats shall be excluded from the plant.

7. Tables, benches, and other equipment shall be provided so that processing can be performed free from third or bacteria that may endanger health.

8. Each plant shall provide toilets, wash basins, towels, hot and cold running water, and soap for the employees with separate facilities when both sexes are employed. Toilets and wash basins shall be kept free from third or bacteria that may endanger health. The rooms in which the toilet facilities are located shall be ventilated and shall be separated from the rooms in which the animal food is manufactured.

9. Coolers shall be maintained below 40°F. Freezers shall be maintained below 10°F.

B. Decharacterizing or denaturant agents: The following USDA-approved denaturant agents may be used: Charcoal (finely powdered) with a minimum 1 lb. per 100 lbs. meat, F-D & C Blue 1, F-D & C Blue 2, F-D & C Green 3, or liquid charcoal.

1. In addition to the application of the denaturing agents listed, meat or meat products shall be identified with the following information:

   a. The kind of animal,

   b. The following phrases:

      i. For pet food only from dead animals,

      ii. Denatured with ________________________,

   c. The correct statement of net weight, and

   d. The name and address of processor or manufacturer.

2. Before the denaturing agents are applied to pieces more than four inches in diameter, the pieces shall be freely slashed or sectioned. The application of any of the denaturing agents listed in this Section to the outer surfaces of molds or blocks of boneless meat, meat by-products, or meat food products shall not be considered adequate. The denaturing agent shall be mixed thoroughly with all of the
material to be denatured and shall be applied in such quantity and manner that it cannot easily and readily be removed by washing or soaking. Denaturant shall be used to give the meat, meat by-products, raw animal fat, or rendered animal fats and oils, a distinctive color, odor, or taste so that such material cannot be confused with an article of human food.

3. All denaturing shall be done immediately upon condemnation of the meat or product, or immediately after the meat or product is prepared or during preparation.

4. True containers shall be legibly marked with the words “Beef or horse meat from dead animals for pet food only and not for human consumption” in letters at least 3/4 inch in height, on all sides and in at least two places if the container has less than four sides.

5. Every carrying container in which meat obtained from a dead animal is packaged shall have an exterior surface sufficiently absorbent so that the markings on at least two sides, in letters two inches high “Pet food only,” will not become illegible during handling, storage, or transportation of the container.

C. Sales of meat obtained from a dead animal are permitted only to kennels, zoos, and animal food manufacturing plants registered by the Department, and records of sales shall be maintained by the purchaser and animal food manufacturing plant.

D. Each vehicle used for the transportation of fresh or frozen pet food shall be clearly and legibly marked with the name of the manufacturer in letters not less than four inches in height on both sides of the cab or body.

Historical Note

R3-2-208. Diseased and Injured Animals

A. Diseased animals.

1. No meat from any diseased animal shall be processed, sold or stored at premises where food is sold or prepared for human consumption, unless it is decharacterized and clearly identified “Not for Human Consumption.”

2. Subsection (A)(1) does not apply to meat from animals affected by any disease that does not render the meat unfit for human consumption if the affected animals are slaughtered in establishments where meat inspection is maintained under A.R.S. § 3-2051 and 9 CFR, Chapter III, Subchapter A, which is incorporated by reference in R3-2-202(A).

B. Injured animals. An injured animal may be slaughtered by:

1. The animal’s owner at the owner’s premises if the meat is used solely for consumption by the owner, the owner’s immediate family, or employees. The owner shall keep the animal’s hide until it has been inspected and marked or tagged by a livestock officer under A.R.S. § 3-2011.

2. An official slaughter establishment, if:
   a. The animal is inspected by a livestock officer at origin; or
   b. The animal is transported to the official slaughter establishment with a self-inspection certificate; or
   c. The animal is transported to an official slaughter establishment with a waiver from the Associate Director and the waiver is documented by the livestock officer.

3. An exempt slaughterer, if the meat is used solely for consumption by the animal’s owner, the owner’s immediate family or employees, and if:
   a. The animal’s body temperature is 103º F or less and except for the injury its condition appears normal; and
   b. The animal is inspected by a livestock officer at origin who verifies the temperature and condition of the animal and approves it for slaughter; or
   c. The Associate Director waives the inspection and the waiver is documented by the livestock officer, and the exempt slaughterer verifies the temperature and condition of the animal.

Historical Note

R3-2-209. Exempt Non-mobile Slaughter Establishments

In addition to A.R.S. § 3-2050 and the material incorporated in R3-2-202(A), the following shall be provided when slaughtering animals in an exempt non-mobile slaughter establishment:

1. General.
   a. A metal knocking box or concrete box with metal door to confine the animal before stunning;
   b. A distance of at least three feet from the header rail to the adjacent wall;
   c. A bleeding rail with its top at least 16 feet above the floor; and
   d. Dressing rails and cooler rails placed so the lowest part of the carcass is at least 12 inches from the floor.

2. Coolers. A chill cooler and separate holding cooler may be provided or both may be combined in one unit. The walls shall be light colored, smooth, free from cracks, and impervious to moisture. The door between the slaughtering department and the chill cooler shall be clad with rust-resistant material. Rails shall be spaced at least two feet from walls, columns, refrigeration equipment, or other fixed equipment to prevent contact with the carcasses.

3. Disposal of blood. If blood is not permitted to drain into the sewage system, it may be collected in a metal tank and removed from the premises.

4. Drainage.
   a. Floors that require flushing during operations shall have sloped floor drains to carry off the effluent. Drainage systems shall conform to state and local plumbing codes.
   b. Grease recovery systems shall not mask odors or create a harborage for pests.

5. Ventilation and lighting. Natural ventilation may be supplemented by artificial means and shall be sufficient to ensure the absence of dust, masking odors, or steam vapors. To ensure adequate lighting at all times and at all places, natural lighting shall be supplemented by well-distributed artificial lighting.

6. Potable water supply, wash basins, sterilizing facilities.
   a. Hot and cold running water, under pressure, shall be available in all parts of the plant and in conformity with the requirements of the Arizona Department of Health Services. The hot water used for sterilizing equipment, floors, and walls that may be contaminated by the dressing procedure or handling of diseased carcasses, viscera, and other animal parts,
ARTICLE 3. FEEDING OF ANIMALS

R3-2-301. Operation of Beef Cattle Feedlots  
A. An operator shall manage a feedlot under the standards prescribed in A.R.S. § 3-1454(A) and R3-2-406.
B. An operator shall comply with applicable federal, state, and local laws.

Historical Note

ARTICLE 4. ANIMAL DISEASE PREVENTION AND CONTROL

R3-2-401. Definitions
The following terms apply to this Article:

“Accredited veterinarian” means a veterinarian approved by the State Veterinarian and the Deputy Administrator of VS to perform functions required by cooperative State-Federal animal disease control and eradication programs.

“Biologicals” means medical preparations made from living organisms and their products, including serums, vaccines, antigens, and antitoxins.

“Designated feedlot” means a confined drylot area under state quarantine that is approved and licensed by the State Veterinarian, contains restricted feeding pens, and is maintained for finish feeding of cattle or bison that do not meet the brucellosis or tuberculosis import test requirements.

“Equine infectious anemia” or “EIA” means a viral disease, also known as Swamp Fever, of members of the family equidae.

“Restricted feeding pen” means an enclosed area in a designated feedlot, located at least eight feet from other pens, where cattle are maintained for feeding in a drylot without provisions for pasturing or grazing.

Historical Note
Adopted effective August 19, 1983 (Supp. 83-4). Section R3-2-401 renumbered from Section R3-9-401 (Supp. 91-4). Former Section R3-2-401 renumbered to R3-2-402; new Section R3-2-401 adopted by final rulemaking at 6 A.A.R. 25, effective December 8, 1999 (Supp. 99-4). December 8, 1999 effective date corrected to reflect what is on file in the Office of the Secretary of State; correct effective date is January 1, 2000 (Supp. 01-1). Amended by final rulemaking at 8 A.A.R. 4043, effective November 9, 2002 (Supp. 02-3).

R3-2-402. Mandatory Disease Reporting by Veterinarians and Veterinary Laboratories
All veterinarians and laboratories performing diagnostic services on animals shall:

1. Notify the State Veterinarian at (602) 542-4293, within four hours of diagnosing or suspecting any Office of International Epizooties List A disease, Eighth Edition, 1999, which is incorporated by reference, does not include any later amendments or editions of the incorporated matter, and is on file with the Department and the Office of the Secretary of State, chronic wasting disease, or the following List B diseases:

   - Anthrax
   - Aujeszky’s disease
   - Babesiosis
   - Bovine brucellosis
   - Bovine spongiform encephalopathy
   - Bovine tuberculosis
   - Caprine and ovine brucellosis
   - Contagious caprine pleuropneumonia
   - Contagious equine metritis
   - Dourine
   - Enterovirus encephalomyelitis
   - Epizootic lymphangitis
   - Equine infectious anaemia
   - Equine piroplasmosis
   - Equine viral arteritis
   - Equine viral encephalomyelitis
   - Fowl typhoid
R3-2-403. Expired

Historical Note
Adopted effective August 19, 1983 (Supp. 83-4). Section R3-2-403 renumbered from Section R3-9-403 (Supp. 91-4). Former Section R3-2-403 repealed; new Section R3-2-403 renumbered from R3-2-401 and amended by final rulemaking at 6 A.A.R. 25, effective December 8, 1999 (Supp. 99-4). December 8, 1999 effective date corrected to reflect what is on file in the Office of the Secretary of State; correct effective date is January 1, 2000 (Supp. 01-1).

R3-2-404. Importation, Manufacture, Sale, and Distribution of Biologicals and Semen

A. Any person importing, manufacturing, selling, or distributing any biological intended for diagnostic or therapeutic treatment of animals shall request, in writing, permission from the State Veterinarian.

B. The State Veterinarian shall deny approval of the importation, manufacture, sale, or distribution of any biological that will interfere with the State disease control program.

C. A person shall import semen only from boars in pseudorabies Stage IV or V states.

Historical Note
Adopted effective August 19, 1983 (Supp. 83-4). Section R3-2-404 renumbered from Section R3-9-404 (Supp. 91-4). Section repealed; new Section adopted by final rulemaking at 6 A.A.R. 25, effective December 8, 1999 (Supp. 99-4). December 8, 1999 effective date corrected to reflect what is on file in the Office of the Secretary of State; correct effective date is January 1, 2000 (Supp. 01-1).

R3-2-405. Depopulation of Animals Infected with a Foreign Disease

When a foreign animal disease is diagnosed, the State Veterinarian shall order the owner to immediately depopulate and dispose of all infected and exposed animals on the premises if necessary to prevent the spread of the disease among animals.

Historical Note
Adopted effective August 19, 1983 (Supp. 83-4). Section R3-2-405 renumbered from Section R3-9-405 (Supp. 91-4). Amended by final rulemaking at 6 A.A.R. 25, effective December 8, 1999 (Supp. 99-4). December 8, 1999 effective date corrected to reflect what is on file in the Office of the Secretary of State; correct effective date is January 1, 2000 (Supp. 01-1). Amended by emergency rulemaking at 22 A.A.R. 1750, effective immediately upon filing, June 22, 2016, as determined by the attorney general, for 180 days at 22 A.A.R. 1750 (Supp. 16-2). Emergency expired December 19, 2016 (Supp. 16-4).

R3-2-406. Disease Control; Feedlots

A. A restricted feeding pen shall:

1. Be isolated from all other pens,
2. Have separate loading and unloading chutes, alleys, and handling facilities from all other pens,
3. Not share water or feeding facilities accessible to other areas,
4. Be posted at all corners with permanently affixed signs stating “Restricted Feeding Area,”
5. Have a minimum of eight feet between restricted and other pens and facilities, and
6. Have no common fences or gates with other pens.

B. An operator may place cattle in a restricted feeding pen as follows:

1. All cattle, except steers and spayed heifers, shall be branded with an “F”, at least two inches in height, on the jaw or adjacent to the tailhead before entering the pen; and
2. Imported cattle, any age and from any area if accompanied by a permit number and an official health certificate; or
3. Native Arizona cattle accompanied by an Arizona livestock inspection certificate.

C. An operator may remove cattle from a restricted feeding pen as follows:

1. All animals, except steers and spayed heifers, shall be moved only to slaughter, to another designated feedlot, or to an auction market approved by the State Veterinarian or APHIS for sale to slaughter.
2. A steer or spayed heifer may be moved to any location.

Historical Note
Adopted effective August 19, 1983 (Supp. 83-4). Section
Supp. 17-2  Arizona Administrative Code  3 A.A.C. 2
Department of Agriculture - Animal Services Division

Section R3-2-406 renumbered from Section R3-9-406 (Supp. 91-4). Amended by final rulemaking at 8 A.A.R. 4043, effective November 9, 2002 (Supp. 02-3).

Section R3-2-407. Equine Infectious Anemia

A. The Arizona official test for EIA is either the agar-gel immunodiffusion test, known as the Coggins Test, or the Competitive Enzyme-Linked Immunosorbent Assay test, known as the CELISA test. The test shall be performed in a laboratory approved by APHIS, and required samples shall be drawn by an accredited veterinarian, the State Veterinarian, the State Veterinarian’s designee, or an APHIS veterinarian.

B. Disposal of equine testing positive:
1. When an Arizona equine tests positive to EIA, the testing laboratory shall immediately notify the State Veterinarian by telephone or fax.
2. The EIA-positive equine shall be quarantined at the premises where tested, segregated from other equine, and shall not be moved unless authorized by the State Veterinarian. The equine shall be retested by the State Veterinarian, the State Veterinarian’s designee, or an APHIS veterinarian within two weeks of the notification.
3. Within 14 days of being notified by the testing laboratory of a positive test conducted under subsection (B)(2), the State Veterinarian or the State Veterinarian’s designee shall brand the equine on the left side of its neck with “E6A” not less than two inches in height.
4. Within 10 days after being branded, the EIA-positive equine shall be:
   a. Humanely destroyed,
   b. Confined to a screened stall marked “EIA Quarantine” that is at least 200 yards from other equine, or
   c. Consigned to slaughter at a slaughtering establishment. If consigned to slaughter, the equine shall be accompanied by a Permit for Movement of Restricted Animals, VS 1-27, issued by the State Veterinarian, the State Veterinarian’s designee, or an APHIS veterinarian.
5. Offspring of mares testing EIA-positive shall be quarantined, segregated from other equine, and tested for EIA at six months of age. Offspring testing positive shall be handled as prescribed in subsections (B)(3) and (B)(4).
6. If an EIA-positive equine is located on premises other than those of the owner at the time a quarantine under this Section is effective, the State Veterinarian may authorize movement of the EIA-positive equine to the owner’s premises if requested by the owner. Movement shall be under the direct supervision of the State Veterinarian or the State Veterinarian’s designee. If the owner lives in another state, the owner may move the equine to that state with the permission of the chief livestock health official of the state and APHIS.

C. The State Veterinarian shall require testing of any equine located in the same facility as the EIA-positive equine or any equine considered exposed to the EIA-positive equine. The owner of the equine tested shall pay the expenses for the testing.

D. The owner of any equine found to be EIA-positive shall not be indemnified by the state for any loss caused by the destruction or loss of value of the equine.

Section R3-2-408. Disposition of Livestock Exposed to Rabies

Livestock bitten by a known or suspected rabid animal shall be handled using the methods prescribed in the National Association of State Public Health Veterinarians’ Compendium of Animals Rabies Control, 1999, Part III, Section 5. This material is incorporated by reference, does not include any later amendments or editions of the incorporated matter, and is on file with the Department and the Office of the Secretary of State.

Section R3-2-409. Rabies Vaccines for Animals

All animals in Arizona vaccinated against rabies shall be vaccinated as prescribed in the National Association of State Public Health Veterinarians’ Compendium of Animal Rabies Control, 1999, Part II. This material is incorporated by reference, does not include any later amendments or editions of the incorporated matter, and is on file with the Department and the Office of the Secretary of State.

Section R3-2-410. Restricted Swine Feedlots

A. The State Veterinarian shall approve restricted swine feedlots for feeding swine from herds not known to be infected with pseudorabies and not tested for pseudorabies before importation if the imported swine meet all requirements in Article 6. Swine moved from a restricted swine feedlot shall be transported directly to a state or federal slaughter facility for immediate slaughter.

B. No breeding swine shall be located on or within 1/4 mile of a restricted swine feedlot.

C. If pseudorabies is diagnosed in swine at a restricted swine feedlot, the feedlot shall be immediately quarantined and shall not receive any additional shipments of swine until the herd at the feedlot is declared free of pseudorabies or all swine are depopulated from the premises and the premises are cleaned and disinfected.

D. A restricted swine feedlot owner or agent shall submit monthly feedlot records to the State Veterinarian, listing the animal’s origin, health certificate number, permit number, slaughter destination, and shipping date.

Section R3-2-411. Restricted Swine Feedlots

New Section adopted by final rulemaking at 6 A.A.R. 25, effective December 8, 1999 (Supp. 99-4). December 8, 1999 effective date corrected to reflect what is on file in the Office of the Secretary of State; correct effective date is January 1, 2000 (Supp. 01-1).

Section R3-2-412. Historical Note

Adopted effective August 19, 1983 (Supp. 83-4). Section R3-2-408 renumbered from Section R3-9-408 (Supp. 91-4). Amended by final rulemaking at 6 A.A.R. 25, effective December 8, 1999 (Supp. 99-4). December 8, 1999 effective date corrected to reflect what is on file in the Office of the Secretary of State; correct effective date is January 1, 2000 (Supp. 01-1).
is January 1, 2000 (Supp. 01-1).

R3-2-411. Exhibition Swine
An exhibit official shall deny entry to any swine not individually identified by the following:
1. Imported swine:
   a. The health certificate prescribed in R3-2-606 and individual permanent identification by a method prescribed in R3-2-606(A)(5)(c)(i), and
   b. The import permit prescribed in R3-2-607.

Historical Note
New Section adopted by final rulemaking at 6 A.A.R. 25, effective December 8, 1999 (Supp. 99-4). Amended by final rulemaking at 6 A.A.R. 4812, effective December 7, 2000 (Supp. 00-4). December 8, 1999 effective date corrected to reflect what is on file in the Office of the Secretary of State; correct effective date is January 1, 2000 (Supp. 01-1). Amended by exempt rulemaking under Laws 2016, Ch. 160, § 9 at 22 A.A.R. 2400, effective August 6, 2016 (Supp. 16-3).

R3-2-412. Exhibition Sheep and Goats
An exhibit official shall deny entry to any sheep or goat not individually identified by the following:
1. Imported sheep or goat:
   a. The health certificate prescribed in R3-2-606 and the animal identification required in R3-2-614, and
   b. The import permit prescribed in R3-2-607.
2. Native Arizona sheep or goat. A method prescribed in 9 CFR 79.2(a)(2) for a non-neutered sheep or goat, and a neutered sheep or goat more than 18 months of age.

Historical Note
New Section made by final rulemaking at 8 A.A.R. 3628, effective August 7, 2002 (Supp. 02-3).

R3-2-413. Sheep and Goats; Intrastate Movement
A. Before intrastate movement of a sheep more than 18 months of age, or a sheep or goat of any age not in a slaughter channel, the producer shall identify the animal to the flock of birth before leaving the flock of birth. A sheep or goat not in a slaughter channel includes an animal not for sale, transfer, or movement to:
   1. A slaughter facility,
   2. Custom slaughter, or
   3. A feeding operation before movement to slaughter.
B. Subsection (A) does not apply if:
   1. The first point of commingling with animals other than those in the flock of birth is an Arizona auction market, and
   2. The auction market acts as the owner’s agent to identify the sheep or goat to the flock of birth.
C. This Section is effective January 1, 2003.

Historical Note
New Section made by final rulemaking at 8 A.A.R. 3628, effective January 1, 2003 (Supp. 01-1).

ARTICLE 5. STATE-FEDERAL COOPERATIVE DISEASE CONTROL PROGRAM

R3-2-501. Tuberculosis Control and Eradication Procedures
A. Procedures for tuberculosis control and eradication in cattle, bison, and goats shall be as prescribed in the USDA publication, Bovine Tuberculosis Eradication – Uniform Methods and Rules, effective February 3, 1989. This material is incorporated by reference, does not include any later amendments or editions of the incorporated matter, and is on file with the Office of the Secretary of State.
B. Cattle or bison willfully exposed to quarantined cattle or bison are not eligible for the tuberculosis depopulation indemnity provided in A.R.S. § 3-1745.
C. Procedures for tuberculosis control and eradication in cervidae not listed as restricted live wildlife in A.A.C. R12-4-406 shall be as prescribed in the USDA publication, Tuberculosis Eradication in Cervidae – Uniform Methods and Rules, effective May 15, 1994, including 1995 amendments. This material is incorporated by reference, does not include any later amendments or editions of the incorporated matter, and is on file with the Office of the Secretary of State.

Historical Note

R3-2-502. Repealed

Historical Note
Adopted effective August 19, 1983 (Supp. 83-4). Section R3-2-502 renumbered from Section R3-9-502 (Supp. 91-4). Amended effective March 5, 1997 (Supp. 97-1). Section repealed by final rulemaking at 6 A.A.R. 25, effective December 8, 1999 (Supp. 99-4). December 8, 1999 effective date corrected to reflect what is on file in the Office of the Secretary of State; correct effective date is January 1, 2000 (Supp. 01-1).

R3-2-503. Brucellosis Control and Eradication Procedures
A. Procedures for brucellosis control and eradication in cattle and bison shall be as prescribed in the USDA publication Brucellosis Eradication – Uniform Methods and Rules, revised February 1995. This material is incorporated by reference, does not include any later amendments or editions of the incorporated matter, and is on file with the Department and the Office of the Secretary of State.
B. Procedures for brucellosis control and eradication in swine shall be as prescribed in the USDA publication, Swine Brucellosis Control/Eradication, State-Federal-Industry – Uniform Methods and Rules, revised February 1995. This material is incorporated by reference, does not include any later amendments or editions of the incorporated matter, and is on file with the Department and the Office of the Secretary of State.
C. Procedures for brucellosis control and eradication in cervidae not listed as restricted live wildlife in A.A.C. R12-4-406 shall be as prescribed in the USDA publication, Brucellosis in Cervidae: Uniform Methods and Rules, effective September 30, 1998, and the May 14, 1999 revision. This material is incorporated by reference, does not include any later amendments or editions of the incorporated matter, and is on file with the Department and the Office of the Secretary of State.

Historical Note
R3-2-504. Pseudorabies Procedures for Eradication

Procedures for pseudorabies control and eradication in swine shall be as prescribed in the USDA publication, Pseudorabies Eradication, State-Federal-Industry Program Standards, effective January 1, 1999. This material is incorporated by reference, does not include any later amendments or editions of the incorporated matter, and is on file with the Department and the Office of the Secretary of State.

Historical Note
Adopted effective March 5, 1997 (Supp. 97-1). Amended by final rulemaking at 6 A.A.R. 25, effective December 8, 1999 (Supp. 99-4). December 8, 1999 effective date corrected to reflect what is on file in the Office of the Secretary of State; correct effective date is January 1, 2000 (Supp. 01-1).

R3-2-505. Scrapie Procedures for Eradication

The Department controls and eradicates scrapie using the procedures outlined in 9 CFR 54; 66 FR 43963-44003, August 21, 2001. This material is incorporated by reference, does not include any later amendments or editions, and is on file with the Department and the Office of the Secretary of State.

Historical Note
New Section made by final rulemaking at 8 A.A.R. 3628, effective August 7, 2002 (Supp. 02-3).

ARTICLE 6. HEALTH REQUIREMENTS GOVERNING ADMISSION OF ANIMALS

R3-2-601. Definitions

The following terms apply to this Article:

“Animal” means livestock, feral swine, ratite, bison, water buffalo, oxen, llama, and any exotic mammal not regulated as restricted live wildlife by the Arizona Game and Fish Department.

“Certified copy” means a copy of an official health certificate that includes an additional original signature from the authorizing veterinarian.

“Macaque” means any monkey of the genus Macaca in the family Cercopithecidae.

“Official eartag” means an identification tag providing unique identification for individual animals. An official eartag that contains or displays an AIN with an 840 prefix must bear the US shield. The design, size, shape, color, and other characteristics of the official eartag will depend on the needs of the users, subject to the approval of the USDA. The official eartag must be tamper-resistant and have a high retention rate in the animals. Official eartags must adhere to one of the following number systems:

National Uniform Eartagging System,

Animal identification number (AIN),

Premises-based number system. The premises-based number system combines an official premises identification number (PIN) with a producer’s livestock production numbering system to provide a unique identification number. The PIN and the production number must both appear on the official tag, or

Any other numbering system approved by the Administrator of APHIS for the identification of animals in commerce.

“Specifically approved stockyard” means a stockyard specifically approved by VS and the State Veterinarian for receiving from other states cattle and bison that are not brucellosis-reactor, brucellosis-suspect, or brucellosis-exposed.

Historical Note

R3-2-602. Importation Requirements

A. All animals and poultry transported or moved into the state of Arizona, unless otherwise specifically provided for in this Article, must be accompanied by:

1. An official health certificate from the state of origin or a permit number, or both; and
2. The health documentation shall be attached to the waybill or in the possession of the driver of the vehicle or person in charge of the animals.

B. When a single health certificate and permit number is issued for animals being moved in more than one vehicle, the driver of each vehicle shall retain the original or a certified copy of the health certificate and permit number.

Historical Note
Adopted effective August 19, 1983 (Supp. 83-4). Section R3-2-602 renumbered from Section R3-9-602 (Supp. 91-4). Amended by final rulemaking at 8 A.A.R. 4043, effective November 9, 2002 (Supp. 02-3). Amended by emergency rulemaking at 22 A.A.R. 1750, effective immediately upon filing, June 22, 2016, as determined by the attorney general, for 180 days at 22 A.A.R. 1750 (Supp. 16-2). Emergency expired December 19, 2016 (Supp. 16-4).

R3-2-603. Importation of Diseased Animals

A. An animal affected with or recently exposed to any infectious, contagious, or communicable disease, or which originates in a state or federal quarantine area, shall not be transported or moved into the state of Arizona unless otherwise specifically provided for in this Article.

Historical Note
Adopted effective August 19, 1983 (Supp. 83-4). Section R3-2-603 renumbered from Section R3-9-603 (Supp. 91-4). Amended by final rulemaking at 8 A.A.R. 4043, effective November 9, 2002 (Supp. 02-3). Amended by emergency rulemaking at 22 A.A.R. 1750, effective immediately upon filing, June 22, 2016, as determined by the attorney general, for 180 days at 22 A.A.R. 1750 (Supp. 16-2). Emergency expired December 19, 2016 (Supp. 16-4).
A. Animals entering the state without a valid health certificate or R3-2-605. Quarantine for Animals Entering Illegally
Livestock Permit Requirements; Exceptions
Arizona Administrative Code
R3-2-604. Livestock Permit Requirements; Exceptions
A. Exceptions:
B. The State Veterinarian may request that an imported animal shall contain:
1. The name and address of the shipper and receiver;
2. The origin of the animal;
3. The number of animals covered by the health certificate, an accurate description and, except for steers, spayed heifers, or "F" branded heifers consigned to a designated feedlot identified by brand, one of the following individual identifications:
   a. The official ear tag number that, for dairy cattle, identifies the herd of birth, or
   b. The registration tattoo number and the registration brand of a breed association recognized by VS.
   c. The method of transportation; and
   d. For bulls subject to testing under R3-2-612(J), a statement that the bulls:
      i. Tested negative for Tritrichomonas foetus
      ii. Have had no breeding activity during the interval between the collection of the samples and the date of shipment.
5. Swine.
   a. Evidence that the swine have been inspected by the veterinarian issuing the health certificate within 10 days before the shipment,
   b. A statement that:
      i. The swine have never been fed garbage, and
      ii. The swine have not been vaccinated for pseudorabies;
   c. Except for feeder swine consigned to a restricted swine feedlot:
      i. A list of the individual permanent identification for each exhibition swine, using an earnotch that conforms to the universal swine-earnotch system or for each commercial swine, using other individual identification, and the premises identification using a tattoo or producer-furnished tamper-proof ear tag that conforms to the USDA National Premises Identification System;
      ii. The validated brucellosis-free herd number and last test date for swine originating from a validated brucellosis-free herd;
      iii. The pseudorabies status of the state of origin;
      iv. The pseudorabies qualified negative herd number, if applicable;
   d. Except for feeder swine consigned to a restricted swine feedlot, swine moving directly to an exhibition, and swine from a farm of origin in a state recognized by APHIS as a pseudorabies Stage V state, a statement that the swine shall be quarantined on arrival at destination and kept separate and apart from all other swine until tested negative for pseudorabies no sooner than 15 days nor later than 30 days after entry into Arizona; and
   e. Feeder swine consigned to a restricted swine feedlot shall be identified by premises of origin using a tattoo or producer-furnished tamper-proof ear tag that conforms to the USDA National Premises Identification System;
   a. Individual identification prescribed in R3-2-614;
The Director may limit the period for which a health certificate is valid to less than 30 days if advised by the State Veterinarian, by calling (602) 542-4293. Any person applying for a permit number shall provide the following information:

A. The name and address of the shipper and receiver;
B. The number and kind of animals;
C. The origin of shipment;
D. The shipment's final destination;
E. The method of transportation; and
F. Any other information required by the State Veterinarian.

R3-2-608. Consent of Animals
The owner, or owner's agent, of an animal transported or moved into Arizona, except an exhibition or show animal, shall consign the animal to or place it in the care of an Arizona resident or an entity authorized to do business in Arizona.

R3-2-609. Diversion; Prohibitions
A person consigning, transporting, or receiving an animal into the state of Arizona shall not authorize, order, or carry out diversion of the animal to a destination or consignee other than as set forth on the health certificate and permit, if required, without first obtaining permission from the State Veterinarian.

R3-2-607. Permit Number
A. A permit number may be obtained from the Office of the State Veterinarian, by calling (602) 542-4293. Any person applying for a permit number shall provide the following information:
1. The name and address of the shipper and receiver;
2. The number and kind of animals;
3. The origin of shipment;
4. The shipment's final destination;
5. The method of transportation; and
6. Any other information required by the State Veterinarian.

B. A permit number is valid for 15 calendar days from the date of issuance unless otherwise specified.
C. A permit number shall be issued if the animals listed on the permit are in compliance with this Article. To cope with changing disease conditions, the State Veterinarian may refuse to issue a permit number or may require additional conditions not specifically established in this Article if necessary to protect animal health in Arizona.

D. The permit number issued shall be affixed or written on the health certificate, brand inspection certificate, and any other official documents as follows: “Arizona Permit No. ______” followed by the serialized number.

E. The State Veterinarian shall refuse to grant a permit number to any person who repeatedly commits the following:
1. Giving false information concerning a permit number for transportation of animals,
2. Failing to fulfill the conditions of a permit number, or
3. Failing to obtain a permit number.

Historical Note
Adopted effective August 19, 1983 (Supp. 83-4). Section R3-2-607 renumbered from Section R3-9-607 (Supp. 91-4). Amended by final rulemaking at 8 A.A.R. 4043, effective November 9, 2002 (Supp. 02-3). Amended by emergency rulemaking at 22 A.A.R. 1750, effective immediately upon filing, June 19, 2016, as determined by the attorney general, for 180 days at 22 A.A.R. 1750 (Supp. 16-2). Emergency expired December 19, 2016 (Supp. 16-4).
immediately upon filing, June 22, 2016, as determined by
the attorney general, for 180 days at 22 A.A.R. 1750
(Supp. 16-2). Emergency expired December 19, 2016
(Supp. 16-4).

R3-2-611. Transporter Duties
A. All owners and operators of railroads, trucks, airplanes, or
other conveyances transporting animals into or through
the state shall possess a valid health certificate under R3-2-606,
and a permit number issued by the State Veterinarian, if
required by R3-2-607. These documents shall be attached to
the waybill, or be in the possession of the vehicle driver, or
person in charge of the animals. When a single health certifi-
cate or permit number is issued for animals being moved in
more than one vehicle, the driver of each vehicle shall possess
the original or a certified copy of the health certificate contain-
ing the permit number, if required.
B. The owner of a railroad car, truck, airplane, or other conve-
yance used to transport animals into or through the state shall
maintain the conveyance in a clean and sanitary condition.
C. The owners and operators of railroads, trucks, airplanes, or
other conveyances who transport animals into the state shall
in violation of this Section shall clean and disinfect the conveyance
in which the animals were illegally brought into the state
before using the conveyance for transporting more animals.
The cleaning and disinfection shall be performed under the
supervision of an authorized representative of the State Veteri-
narian or the USDA.
D. The owners and operators of railroads, trucks, airplanes, or
other conveyances shall follow the USDA requirements,
Department and Arizona Commerce Commission rules, and
Arizona statutes in the humane transport of animals into,
within, or through the state.

Historical Note
Adopted effective August 19, 1983 (Supp. 83-4). Section
R3-2-611 renumbered from Section R3-9-611 (Supp. 91-
4). Amended by final rulemaking at 6 A.A.R. 25, effec-
tive December 8, 1999 (Supp. 99-4). December 8, 1999
effective date corrected to reflect what is on file in the
Office of the Secretary of State; correct effective date is
January 1, 2000 (Supp. 01-1). Amended by emergency
rulemaking at 22 A.A.R. 1750, effective immediately
upon filing, June 22, 2016, as determined by the attorney
general, for 180 days at 22 A.A.R. 1750 (Supp. 16-2). Emergency expired December 19, 2016 (Supp. 16-4).

R3-2-612. Importation of Cattle and Bison
A. The owner of cattle or bison entering Arizona or the owner’s
agent shall comply with the requirements in R3-2-602 through
R3-2-611 and the following conditions:
1. Pay the expenses incurred to quarantine, test, and retest
the imported cattle or bison or return them to the state of
origin.
2. For imported beef breeding cattle, breeding bison, and
dairy cattle, ensure that an accredited veterinarian applies
an official eartag to each animal.
B. Arizona shall not accept:
1. Cattle or bison from brucellosis infected, exposed, or
quarantined herds regardless of their vaccination or test
status, or both, except:
a. Steers and spayed females, and
b. Animals shipped directly for immediate slaughter to
an official state or federal slaughter establishment;
2. Cattle or bison of unknown brucellosis exposure status,
unless consigned for feeding purposes to a designated feedlot;
3. Dairy cattle from a state or region within a foreign coun-
try without brucellosis status comparable to a Class-Free
State, or without tuberculosis status comparable to an
Accredited-Free State;
4. Dairy and dairy cross steers, and dairy and dairy cross
spayed heifers from Mexico;
5. Beef breeding cattle or breeding bison from a state or
region within a foreign country without brucellosis status
comparable to a Class A State, or without tuberculosis
status comparable to a Modified Accredited State.
C. Brucellosis testing requirements for beef breeding cattle,
breeding bison, and dairy cattle imported into Arizona from
other states.
1. The owner or owner’s agent shall ensure that an official
calfhood vaccinate is tested negative for brucellosis
within 30 days before entering Arizona if the official calf-
hood vaccinate is:
a. 18 months or older,
"F" brand upon arrival. All "F" branded cattle or
b. Cutting the first set of permanent incisors, or
bison that leave the designated feedlot shall be shipped
directly to:
c. Parturient or postparturient.
2. The owner or owner’s agent shall ensure that bulls and
non-vaccinated heifers test negative for brucellosis if 12
months of age or older, unless consigned for feeding pur-
poses to a designated feedlot. All cattle or bison consi-
gned to a designated feedlot shall be branded with an
“F” adjacent to the tail head before entry into Arizona
unless the State Veterinarian grants permission to apply
the “F” brand upon arrival. All “F” branded cattle or
bison that leave the designated feedlot shall be shipped
directly to:
a. An official state or federal slaughter establishment
for immediate slaughter,
"F" branded cattle or bison
b. Another designated feedlot, or
c. Another state if shipping is permitted by the State
Veterinarian in the state of destination.
3. If cattle or bison originate from a Certified Brucellosis-
Free Herd and the herd certification number is docu-
menced on the health certificate and import permit, no
brucellosis test is required.
4. If native ranch cattle are from a brucellosis Class-Free
State that does not have free-ranging brucellosis infected
bison or wildlife, no brucellosis test is required as long
as:
a. The native ranch cattle are moved directly from the
ranch of origin to an Arizona destination and the
official eartag numbers are listed on a health certifi-
cate; or
b. The native ranch cattle are from a state that has a
brand inspection program approved by the State Vet-
erinarian and the owner’s brand is listed on a brand
inspection certificate or health certificate.
5. Health and brand inspection certificates issued for the
movement shall be forwarded to the State Veterinarian in
Arizona within two weeks of issue.
6. The owner or owner’s agent:
"F" branded cattle or bison
a. Shall ensure that beef breeding cattle or breeding
bison from a Class A State remain under import
quarantine and isolation until the cattle test negative
for brucellosis. The test shall be performed no ear-
lier than 45 days and no later than 120 days after
entry.
"F" branded cattle or bison
b. Shall retest dairy cattle if the State Veterinarian
determines there is a potential risk of the introduc-
tion of brucellosis in the state.
c. Is not required to quarantine or test for brucellosis
official calfhood vaccinates less than 18 months of
7. The owner or owner’s agent:
   a. Shall notify the State Veterinarian within seven days of moving cattle or bison that are under import quarantine from the destination listed on the import permit and health certificate.
   b. Shall notify the State Veterinarian at the time animals are retested for brucellosis, if the animals are under import quarantine and are not moved from the destination listed on the import permit and health certificate.
   c. Is not required to notify the State Veterinarian if the cattle or bison are shipped directly to an official state or federal slaughter establishment for immediate slaughter.
8. Beef breeding cattle, breeding bison, and dairy cattle meeting the criteria of subsections (C)(1) or (C)(2) and not meeting the criteria of subsection (C)(3) may be imported without a brucellosis test if moved to a specifically approved stockyard and tested before sale or movement from the stockyard. The owner or owner’s agent shall not commingle these cattle or bison with other cattle or bison until these cattle or bison are tested and found to be brucellosis negative.
9. Within seven days after importation, the owner or owner’s agent shall ensure that the individual official eartag identification for imported dairy cattle is the same as that listed on the health certificate and, the owner or the owner’s agent shall report any discrepancies between the official eartag and the health certificate to the State Veterinarian. Any dairy cattle shipped into Arizona not documented on the health certificate shall be tested for brucellosis and tuberculosis by the receiver within one week of arrival.

D. Brucellosis testing requirements for beef breeding cattle, breeding bison, and dairy cattle imported into Arizona from Mexico.
1. Before entry into Arizona, beef breeding cattle, breeding bison, or dairy cattle from Mexico shall meet the requirements of 9 CFR 93.424 through 93.427, January 1, 2007, edition. This material is incorporated by reference, does not include any later amendments or editions of the incorporated matter, and is on file with the Department at 1688 W. Adams St., Phoenix, AZ 85007.
2. The owner or owner’s agent shall ensure that beef breeding cattle, breeding bison, and dairy cattle from Mexico remain under import quarantine and isolation until tested negative for brucellosis. The test shall not be performed earlier than 60 days nor later than 120 days after entry into Arizona. The test shall be performed again on breeding cattle and breeding bison 30 days after calving, unless the animals were consigned to a designated feedlot. All cattle or bison consigned to a designated feedlot shall be branded with an “F” adjacent to the tail head before entry into Arizona unless the State Veterinarian grants permission to apply the “F” brand on arrival. Unless neutered, all beef breeding cattle, breeding bison, and dairy cattle leaving the designated feedlot shall go directly to an official state or federal slaughter establishment for immediate slaughter or to another designated feedlot. The owner of the designated feedlot shall ensure that official eartag identification records are kept on all incoming consignments and then submit the records monthly to the State Veterinarian. An accredited veterinarian shall identify, on a form approved by the State Veterinarian, all cattle and bison leaving the designated feedlot. A copy of the form shall accompany the cattle or bison to slaughter and a copy shall be submitted to the State Veterinarian.
E. Except for the following, all female dairy cattle four months of age or older, imported into Arizona, shall be official calfhood vaccinated, properly identified, certified, and legibly tattooed:
   1. Show cattle for exhibition,
   2. Cattle from a Certified Brucellosis-Free Herd with permission of the State Veterinarian,
   3. Cattle from a brucellosis-free state or country with permission of the State Veterinarian,
   4. Cattle consigned directly to an official state or federal slaughter establishment for immediate slaughter, and
   5. Cattle consigned for feeding purposes to a designated feedlot under import permit.
F. When imported breeding cattle, breeding bison, or dairy cattle under import quarantine and isolation are sold at a specifically approved stockyard, the owner or owner’s agent shall, at the time of the sale, identify those cattle to the new owner as being under import quarantine. If market cattle identification testing for brucellosis is conducted at the auction, the owner or owner’s agent shall ensure that the cattle or bison are tested before the sale. The new owner shall segregate the cattle or bison and retest for brucellosis 45 to 120 days after the animals entered the state.
G. Tuberculosis testing requirements for beef breeding cattle, breeding bison, and dairy cattle imported into Arizona from other states.
   1. No tuberculosis test is required for:
      a. Beef breeding cattle, breeding bison, or dairy cattle from an accredited herd if the herd accreditation number is documented on the health certificate and import permit;
      b. Native commercial and purebred beef breeding cattle from an Accredited-Free State if its accredited-free status is documented on the health certificate; and
      c. Steers and spayed heifers.
   2. Unless from an accredited herd, prescribed in subsection (G)(1), the owner or owner’s agent shall ensure that purebred beef breeding cattle from modified accredited states, breeding bison, dairy females, and bulls for breeding dairy cattle test negative for tuberculosis within 60 days before entry into Arizona.
H. Tuberculosis testing requirements for cattle and bison imported into Arizona from Mexico.
   1. Before entry into Arizona, cattle and bison from Mexico shall meet the requirements of 9 CFR 93.424 through 93.427, incorporated by reference in subsection (D)(1).
   2. Steers and spayed heifers from states or regions in Mexico shall not enter the state if they have not been determined by the State Veterinarian to have fully implemented the Control, Eradication, or Free Phase of the bovine tuberculosis eradication program of Mexico.
   3. Steers and spayed heifers from states or regions in Mexico determined by the State Veterinarian to have fully implemented the Control Phase of the bovine tuberculosis eradication program of Mexico shall not be imported into Arizona without permission of the State Veterinarian.
   4. Steers and spayed heifers from states or regions in Mexico determined by the State Veterinarian to have fully implemented the Eradication Phase of the bovine tuberculosis eradication program of Mexico may be imported into Arizona, if they have either:
      a. Tested negative for tuberculosis in accordance with procedures equivalent to the Bovine Tuberculosis
I. Bovine scabies requirements.

1. The owner or owner’s agent shall ensure that no cattle or bison affected with or exposed to scabies is shipped, trailed, driven, or otherwise transported or moved into Arizona, except cattle or bison identified and moving under permit number and seal for immediate slaughter at an official state or federal slaughter establishment.

2. The owner or owner’s agent of cattle or bison from an official state or federal scabies quarantined area shall go directly to an official state or federal licensed slaughter establishment for immediate slaughter or to another designated feedlot. The owner of the designated feedlot shall ensure that official ear tag identification records are kept on all incoming consignments and submit the records monthly to the State Veterinarian. An accredited veterinarian shall identify, on a form approved by the State Veterinarian, all beef breeding cattle and breeding bison leaving the designated feedlot. A copy of the form shall accompany the cattle and bison to slaughter and a copy shall be submitted to the State Veterinarian.

3. The State Veterinarian may require that breeding and feeding cattle and bison from known scabies infected areas and states be dipped or treated even if the animals are not known to be exposed. The State Veterinarian shall require that dairy cattle be dipped only if the animals are known to be exposed; otherwise a veterinarian’s examination and certification shall be sufficient.

5. Steers and spayed heifers from states or regions in Mexico determined by the State Veterinarian to have achieved the Free Phase of the bovine tuberculosis eradication program of Mexico may move directly into Arizona without testing or further restrictions if they are moved as a single group and not commingled with other cattle or bison before arriving at the border.

6. Beef breeding cattle and breeding bison from states or regions in Mexico may be imported into Arizona if the State Veterinarian determines the Eradication – Uniform Methods and Rules within 60 days before entry into the United States, or

b. Originated from a herd that is equivalent to an accredited herd in the United States and are moved directly from the herd of origin across the border as a single group and not commingled with other cattle or bison before arriving at the border.

J. Trichomoniasis requirements for bulls imported into Arizona from other states.

1. The owner or owner’s agent shall ensure bulls:
   a. Test negative for Trichomonas foetus within 30 days prior to shipment using a polymerase chain reaction test or three cultures collected at intervals of no less than seven days apart, except for bulls:
      i. Less than one year of age,
      ii. Consigned directly to a state or federal licensed slaughter facility,
      iii. Consigned directly to a dairy,
      iv. Consigned directly to an exhibition or rodeo,
      v. Consigned directly to a licensed feedlot for c safestation on arrival,
      vi. Branded with an “F” adjacent to the tailhead and consigned directly to a designated feedlot for feeding and later movement directly to slaughter, and
   b. Have no breeding activity during the interval between the collection of a sample and the date of shipment.

2. An accredited veterinarian approved to collect samples for Trichomonas foetus testing by the state animal health official in the state of origin shall collect the Trichomonas foetus test samples.

3. A laboratory approved to conduct tests for Trichomonas foetus by the state animal health official in the state of origin shall perform the test for Trichomonas foetus.

Historical Note

A. The owner of a sheep or goat entering Arizona, or the owner’s agent, shall comply with the requirements of:

1. Article 6 and pay the expenses incurred to quarantine, test, and retest the sheep or goat; and

2. Animal identification prescribed in 9 CFR 79, January 1, 2007, edition. This material is incorporated by reference, does not include any later amendments or editions, and is on file with the Department at 1688 W. Adams St., Phoenix, AZ 85007.

B. A breeding ram six months of age or older shall test negative for Brucella ovis within 30 days of entry or originate from a certified brucellosis-free flock. An exhibition ram that returns to the out-of-state flock of origin within five days of the conclusion of the exhibit is exempt from the testing requirement of this subsection.

Historical Note


R3-2-615. Equine Importation

A. Except for R3-2-607, an equine may enter the state as prescribed in R3-2-602 through R3-2-611.

B. A person shall not import an equine with fistulous withers or poll evil.

C. All equine six months of age or older shall, using a test established in R3-2-407A, be tested negative for EIA within 12 months before entry. Testing expenses shall be paid by the owner.

Historical Note


R3-2-616. Cats and Dogs

A dog or cat shall be accompanied by a health certificate that documents the animal is currently vaccinated against rabies according to the requirements of the National Association of State Public Health Veterinarians’ Compendium of Animals Rabies Control, incorporated by reference in R3-2-409.

Historical Note

Adopted effective August 19, 1983 (Supp. 83-4). Section R3-2-616 renumbered from Section R3-9-616 (Supp. 91-4). Section repealed; new Section adopted by final rulemaking at 6 A.A.R. 25, effective December 8, 1999 (Supp. 99-4). December 8, 1999 effective date corrected to reflect what is on file in the Office of the Secretary of State; correct effective date is January 1, 2000 (Supp. 01-1). Amended by final rulemaking at 14 A.A.R. 876, effective May 3, 2008 (Supp. 08-1).

R3-2-617. Poultry

The Department has no entry requirements on poultry provided the poultry appear healthy, do not originate from a poultry quarantine area, comply with all interstate requirements of APHIS, and are accompanied by a health certificate or Form 9-3 from the National Poultry Improvement Program.
A. The owner or the owner’s agent of a psittacine bird entering Arizona shall obtain a health certificate issued by a veterinarian within 30 days of entry, certifying:
1. The bird is not infected with the agent that causes avian chlamydiosis, and
2. The bird was not exposed to birds known to be infected with avian chlamydiosis within the past 30 days.

B. The health certificate shall accompany the psittacine bird at the time of entry into Arizona.

R3-2-619. Repealed

R3-2-620. Zoo Animals
A. An owner or owner’s agent may transport or move zoo animals into the state of Arizona if the animals are accompanied by an official health certificate, and consigned to a zoo or in the charge of a circus or show.
B. The owner, or owner’s agent, of an animal in a “Petting Zoo” shall have the animal tested for tuberculosis within 12 months before importation. A negative test result is required for entry into Arizona.
C. A business that transports or exhibits zoo animals shall be licensed by the Arizona Game and Fish Department.

R3-2-621. Expired

R3-2-622. Expired

R3-2-701. Department Livestock Inspection
A. A Division employee shall inspect range cattle, as defined in R3-2-702(A), at a ranch if the owner or agent is:
1. Moving cattle out-of-state,
2. Transferring cattle ownership, or
3. Shipping cattle for custom slaughter.
B. A Division employee shall inspect cattle at a feedlot or dairy if the cattle are being shipped for custom slaughter.
C. The Department shall not issue a self-inspection certificate to an owner, agent, or operator of a ranch, dairy, or feedlot if that individual has been convicted of a felony under A.R.S. Title 3 within the three-year period before the date on the self-inspection application. A Division employee shall inspect livestock if an applicant is denied self-inspection authority.
D. During fiscal year 2018, livestock officers and inspectors shall collect from the person in charge of cattle, dairy cattle, or sheep inspected a service charge of $10 plus the per head inspection fee set out in A.R.S. § 3-1337 for making inspections for the transfer of ownership, sale, slaughter or transportation of the animals.

R3-2-702. Livestock Self-inspection
A. Definitions.
“Description” means sex, breed, color, and markings, as applicable to the type of livestock.
“Exhibition” means an event including a fair, show, or field day that has as its primary purpose the opportunity for a member of a youth livestock organization, including 4-H and FFA, to display an animal raised by the youth in a judged competition.

“Identification” means brand, back tag number, ear mark, tattoo, metal eartag, plastic eartag, and premises identification number, as applicable to the type of livestock.

“Livestock” means cattle, sheep, goats, and exhibition swine.

“Range” means every character of lands, enclosed or unenclosed, outside of cities and towns, upon which livestock is permitted by custom, license or permit to roam and feed. A.R.S. § 3-1201(7)

“Range cattle” means cattle customarily permitted to roam upon the ranges of the state, whether public domain or in private control, and not in the immediate actual possession or control of the owner although occasionally placed in enclosures for temporary purposes. A.R.S. § 3-1201(8)

B. Application.

1. Movers of livestock and an owner or operator of a dairy or feedlot shall request a book of self-inspection certificates from the Department. The applicant shall submit a written application form obtained from the Department and provide the following information:
   a. Name, mailing address, physical address, telephone number, and fax;
   b. Name of ranch, dairy, or business and type of operation;
   c. Whether the applicant has been convicted of a felony under A.R.S. Title 3 within the past three years, and if so, the case number, court, charge, and sentence;
   d. Recorded brand and brand location;
   e. Individual designated to sign self-inspection certificates, if applicable; and
   f. Signature and date.

2. The holder of a self-inspection book shall advise the Department by phone within 30 days of any change to the information provided on an application form.

3. The holder of a self-inspection book shall renew registration with the Department every two years from the date the initial or renewal application form is signed.

4. Prior to a department employee issuing a book of self-inspection certificates, the owner shall submit the following payment amount and the department shall receive the payment in full prior to issuing the book:
   a. $25.00 for a twenty five page feedlot book;
   b. $20.00 for a twenty page dairy book; or
   c. $10.00 for a ten page non-range, range, sheep, goat, or swine book.

C. Self-inspection certificate.

1. An owner, agent, or operator shall provide the following information, as applicable, on a self-inspection certificate whenever livestock subject to self-inspection are moved or ownership is transferred:
   a. Name, address, and signature of the owner or agent;
   b. Date of the shipment or transfer of ownership;
   c. If moved, location from which and to which the livestock are moved, including the name of the auction, feedlot, arena, slaughter establishment, pasture, or other premises, and physical location;
   d. Name of transporter;
   e. Number and description of livestock;
   f. Official identification of each dairy cattle and sexually intact cattle over 18 months of age shipped out of state and back tag numbers of culled dairy cattle;
   g. Brand number, expiration date, and location;
   h. Name and address of buyer;
   i. Number of head of cattle sold for which Beef Council fees are payable under A.R.S. §§ 3-1236 and 3-1238.

2. The owner or owner’s agent of livestock or the owner or operator of a dairy or feedlot shall complete a self-inspection certificate, except when livestock are subject to inspection by a Division employee under R3-2-701, and distribute copies of the certificate as follows:
   a. One copy and any fees that are owed under subsection (C)(1)(j) shall be sent to the Department within 10 days after the end of the month in which ownership is transferred;
   b. If the livestock are shipped, the original certificate shall accompany the livestock whenever they are in transit and one copy shall be retained by the person transporting the livestock; or
   c. If ownership of the livestock is transferred without shipment, two copies shall be provided to the new owner or agent; and one copy shall be retained by the seller.

3. A certificate may be used once to either transfer livestock ownership or to move livestock to a specific destination. If the livestock are diverted to a destination other than that stated on the self-inspection certificate, the certificate is void. The owner, agent, or operator shall complete a new certificate and send both the voided and new certificates to the Department within 10 days after the end of the month in which the certificates are issued or voided.

4. An owner, agent, or operator shall use a self-inspection certificate only with a shipment of livestock matching the description for which the certificate is issued and only for the self-inspection issued date. If any of the information on the self-inspection certificate changes, the certificate is void and the owner, agent, or operator shall complete a new certificate.

5. An altered, erased, completed but unused, or defaced self-inspection certificate is void. A voided certificate shall be returned to the Department within 10 days after the end of the month in which it is voided.

6. Upon request, unused certificates shall be returned to the Department by the owner, agent, or operator. If a commercial operation licensed for self-inspection is sold, leased, transferred, or otherwise disposed of, the owner, agent, or operator shall notify the Department and return all self-inspection certificates to the Department within 30 days of the transaction.

D. Sale of livestock. A seller shall document a sale by completing a self-inspection certificate as prescribed in subsection (C) and providing a bill of sale to the purchaser as required under A.R.S. § 3-1291.

E. Feedlot receiving form.

1. The operator of a feedlot shall document receipt of incoming cattle on a form obtained from the Department. The operator shall include the following information on the form:
   a. Name of feedlot and location;
   b. Month and year for which report is made;
   c. Number of cattle received, date received, and name and address of owner;
   d. Description of the cattle;
e. If not Arizona native cattle, the import permit and health certificate numbers;
   f. If native Arizona cattle, self-inspection form number or Department inspection certificate number; and
   g. Pen number to which cattle are initially assigned.
2. The operator shall return the completed form within 10 days after the end of the month of the reporting period.

F. Quarantine. Livestock under quarantine by the Department shall not be shipped or sold by use of a self-inspection certificate.

G. Violations. The Department shall process violations of this Section as prescribed under A.R.S. § 3-1203(D).

Historical Note

R3-2-703. Seasonal Self-inspection Certificate
A. Exhibition cattle, sheep, goats, and swine.
   1. An applicant for a seasonal self-inspection certificate prescribed under A.R.S. § 3-1346 shall call the Department at (602) 542-6407 to request a seasonal self-inspection certificate. The applicant shall provide the answers to the following questions, as applicable:
      a. Name, mailing address, physical address if different from mailing address, telephone number, and fax;
      b. Name of 4-H or FFA group, and group leader;
      c. Description and identification of the animal;
      d. Permit number and health certificate number for an animal imported from another state; and
      e. Name of seller and self-inspection certificate number for an animal purchased from an Arizona seller.
   2. The Department employee who records the information required in subsection (A)(1) shall advise the applicant of the required fee prescribed under A.R.S. § 3-1346(A). The Department shall issue a seasonal self-inspection certificate upon receipt of the fee.
   3. An exhibitor shall provide the following information, as applicable, on a seasonal self-inspection certificate whenever an animal subject to seasonal self-inspection is moved or ownership is transferred:
      a. Name, address, telephone number, and signature;
      b. Date of movement;
      c. Name of exhibition and location;
      d. Final disposition of the animal (sale, death, or retention) and date of occurrence; and
      e. If the animal is sold, name of purchaser (person or slaughter plant).
   4. The holder of a seasonal self-inspection certificate shall return the certificate to the Department within two weeks of the sale or slaughter of the animal or at the end of the show season if the animal is retained.

Historical Note
Adopted effective November 27, 1987 (Supp. 87-4). Section R3-2-703 renumbered from Section R3-9-703 (Supp. 91-4). Section R3-2-703 repealed; new Section R3-2-703 adopted effective February 4, 1998 (Supp. 98-1). Section repealed; new Section made by final rulemaking at 9 A.A.R. 513, effective April 6, 2003 (Supp. 03-1). Amended by exempt rulemaking under Laws 2016, Ch. 160, § 9 at 22 A.A.R. 2400, effective August 6, 2016 (Supp. 16-3).

R3-2-704. Repealed

Historical Note
Adopted effective February 4, 1998 (Supp. 98-1). Section repealed by final rulemaking at 9 A.A.R. 513, effective April 6, 2003 (Supp. 03-1).

R3-2-705. Repealed

Historical Note

R3-2-706. Repealed

Historical Note
Adopted effective February 4, 1998 (Supp. 98-1). Section repealed by final rulemaking at 9 A.A.R. 513, effective April 6, 2003 (Supp. 03-1).

R3-2-707. Ownership and Hauling Certificate for Equines; Fees
The fee for a new, transferred, or replacement Ownership and Hauling Certificate for Equines as prescribed under A.R.S. §§ 3-1344(B) and 3-1345(B) is $10 per certificate.

Historical Note
New Section made by exempt rulemaking at 8 A.A.R. 3932, effective August 22, 2002 (Supp. 02-3).

R3-2-708. Equine Rescue Facility Registration
A. “Arizona Equine Rescue Standards” means the American Association of Equine Practitioners Care Guidelines for Equine Rescue and Retirement Facilities, 2004 Edition. This material, which includes the Veterinary Checklist for Rescue/Retirement Facilities, is incorporated by reference, does not include any later amendments or editions, and is available for inspection at the Department of Agriculture, 1688 W. Adams St., Phoenix, Arizona 85007. A copy of this material may also be obtained from the American Association of Equine Practitioners at http://www.aaep.org/pdfs/rescue_retirement_guidelines.pdf. The American Association of Equine Practitioners is located at 4075 Iron Works Parkway, Lexington, Kentucky 40511.

B. An equine rescue facility shall pay the annual registration fee and file the following documents with the Department’s Animal Services Division for the facility to be included on the Department’s registry of equine rescue facilities:
   1. An application form containing the facility’s name, address, and contact person and the contact person’s phone number.
   2. A copy of documents filed with the Arizona Corporation Commission demonstrating the facility’s current status as a nonprofit corporation in good standing in this state.
   3. A letter from a licensed veterinarian, dated within 15 days of filing, certifying that the facility is not inadequate with respect to any of the Arizona Equine Rescue Standards and attaching a signed copy of the completed Arizona Equine Rescue Standards’ veterinary checklist.

C. Registration is valid for one year. Registration may be renewed annually by complying with subsection (B).

D. The annual registration fee is $75.

E. A nonprofit corporation owning multiple equine rescue facilities must file the letter and checklist described in subsection
Following terms apply to this Article:

R3-2-801. Definitions
In addition to the definitions in A.R.S. §§ 3-601 and 3-661, the following terms apply to this Article:

“Grade A raw milk” means raw milk produced on a dairy farm before being frozen.

“Frozen desserts mix” or “mix” means any frozen dessert manufactured, processed, pasteurized, or converted for distribution or sale, or both. A plant may consist of retail stores, stands, hotels, restaurants, and other establishments where frozen desserts are manufactured, processed, pasteurized, or converted.

“Parlor” and “milk room” mean the facilities used for the production of Grade A raw milk for pasteurization.

“Plant” means any place, premise, or establishment, or any part, including specific areas in retail stores, stands, hotels, restaurants, and other establishments where frozen desserts are manufactured, processed, assembled, stored, or converted for distribution or sale, or both. A plant may consist of rooms or space where utensils or equipment is stored, washed, or sanitized and where ingredients used in manufacturing frozen desserts are stored. Plant includes:

“Manufacturing plant” means a location where frozen desserts are manufactured, processed, pasteurized, and converted.

“Handling plant” means a location that is not equipped or used to manufacture, process, pasteurize, or convert frozen desserts, but where frozen desserts are sold or offered for sale other than at retail.

“PMO” means the Grade A Pasteurized Milk Ordinance, 2013 Revision. This material is incorporated by reference, does not include any later amendments or editions, and is on file with the Department at 1688 W. Adams St., Phoenix, AZ 85007. A copy of the incorporated material may also be viewed at http://agriculture.az.gov.

“Retail food store” means any establishment offering packaged or bulk goods for human consumption for retail sale.

R3-2-802. Milk and Milk Products Standards
Unless specifically mentioned in A.R.S. Title 3, Chapter 4, Article 1, or in this Article, all milk and milk products, except frozen desserts, sold or distributed for human consumption shall meet the PMO standards for production, processing, storing, handling, and transportation.

R3-2-803. Milk and Milk Products Labeling
A. The manufacturer or processor shall ensure that milk and milk products listed in A.R.S. § 3-601(10), and Sections 1 and 2 of the PMO are designated by the name of the product and shall conform to its definition.

B. The manufacturer or processor of milk and milk products shall conform with the labeling requirements in A.R.S. §§ 3-601.01 and 3-627, Section 4 of the PMO, and 21 CFR 101, 131, and 133, amended April 1, 2002. This CFR material is incorporated by reference, does not include any later amendments or editions, and is on file with the Department and the Office of the Secretary of State.

C. The name of the manufacturer or processor shall be on all cartons or closures where it can be easily seen. A manufacturer or processor that has plants in other states shall use a code number or letter to designate the state in which a carton or closure is manufactured or processed. If a manufacturer or processor has a plant within Arizona, the Dairy Supervisor shall issue a code number or letter for each plant and shall keep a record of the number or letter issued. Manufacturers and processors shall include the Arizona code, 04, with the plant code assigned by the Dairy Supervisor.

D. If milk or milk products are manufactured or processed and packaged at a plant for other retailers and the container or closure is not labeled the same as the manufacturer’s or processor’s like product, the manufacturer or processor shall include the statement “Manufactured or Processed at (name and address of plant or code number or letter)” on the carton or closure. The carton or closure may also contain the statement, “Distributed by: (name of person or firm).”
E. Any person planning to use a new or modified label on a container shall submit the proposed label to the Dairy Supervisor for review.
   1. If the proposed label does not meet labeling standards specified in subsection (B), the Dairy Supervisor shall note the required changes on the proposed label, and sign and return the proposed label to the applicant.
   2. A person who requests additional time to use the inventory amounts of slow moving cartons or closures before using a modified label shall submit a written request to the Dairy Supervisor. The Dairy Supervisor may approve continued use of the existing cartons and closures if:
      a. The use does not present a public health issue, and
      b. The information on the cartons and closures is not misleading.

Historical Note
Former Regulations 1 - 21; Amended effective August 4, 1978 (Supp. 78-4). Section R3-2-803 renumbered from R3-5-03 (Supp. 91-4). R3-2-804 renumbered from R3-2-801; new Section R3-2-803 renumbered from R3-2-801 and amended effective December 2, 1998 (Supp. 98-4). Amended by final rulemaking at 9 A.A.R. 2089, effective August 2, 2003 (Supp. 03-2).

R3-2-804. Trade Products
A. Any fluid trade product containing milk solids shall be regulated as a fluid milk product.
B. Advertising, display, and sale:
   1. Any retail food store may submit its methods and techniques for the advertising, display, and sale of trade products and real products to the Dairy Supervisor to determine compliance with this Section.
   2. No food establishment shall sell or provide any patron or employee, for use as food, any trade product or food whose main ingredient is a trade product, unless one of the following disclosures is posted for each trade product, in a prominent place on the premises, or is plainly visible on each menu where other food items are described:
      a. “____________________________ served here
      (brand or common name of trade product)
      instead of ________________________
      (common name of dairy product)
      b. “Nondairy products served here.”
   3. No food establishment shall advertise or otherwise represent to the public that it serves, or uses in the preparation of a food, a real product when it actually serves or uses a trade product.
C. Labeling: Except as follows, all labels shall comply with the PMO and 21 CFR 101, 131, and 133.
   1. The Dairy Supervisor shall approve a new or modified trade product label before the label is used. The applicant shall file a written request with duplicate copies of the proposed label and any supporting materials necessary to establish the truthfulness, reasonableness, relevancy, and completeness of the label.
   2. Unless each ingredient of a trade product is homogenized or pasteurized, the whole product shall not be labeled or advertised as an homogenized or pasteurized product. Individual ingredients that are homogenized or pasteurized may be identified as homogenized or pasteurized in the listing of ingredients.
   3. Except for combined ingredients constituting less than 1% of the whole product or unless each ingredient of a trade product qualifies as grade A, the whole product shall not be labeled or advertised as a grade A product. Ingredients that qualify as grade A may be identified as grade A in the listing of ingredients.
   4. Any trade product produced outside the state and labeled as prescribed in R3-2-802, may be sold within the state provided that the product meets the requirements of A.R.S. §§ 3-663 and 3-665.

Historical Note
Former Regulations 1 - 8; Amended effective December 7, 1976 (Supp. 76-5). Correction, subsection (A)(2) through (H) omitted, Supp. 76-5 (Supp. 79-4). Section R3-2-804 renumbered from R3-5-04 (Supp. 91-4). R3-2-804 renumbered to R3-2-805; new Section R3-2-804 renumbered from R3-2-803 and amended effective December 2, 1998 (Supp. 98-4).

R3-2-805. Grade A Raw Milk For Consumption
A. All cattle from which Grade A raw milk is produced shall be tested and found free of tuberculosis before any milk is sold. All herds shall be tested for tuberculosis at least every 12 months. All cattle from which Grade A raw milk is produced shall be tested and found free of brucellosis before any milk is sold, and shall be tested every 12 months or have negative ring tests for brucellosis, or both, as determined by the State Veterinarian.
B. Grade A raw milk shall be cooled immediately after completion of milking to 45° F or less and shall be maintained at that temperature until delivery.
C. Grade A raw milk shall be bottled on the farm where it is produced. Bottling and capping shall be done in a sanitary manner on approved equipment. Hand-capping is prohibited. Caps and cap stock shall be kept in sanitary containers until used.
D. All vehicles used for the distribution of Grade A raw milk shall prominently display the distributor’s name.
E. Grade A raw milk shall be labeled as prescribed in R3-2-803.

Historical Note
Former Regulations 1, 2. Section R3-2-805 renumbered from R3-5-05 (Supp. 91-4). Section R3-2-805 repealed; new Section R3-2-805 renumbered from R3-2-804 and amended effective December 2, 1998 (Supp. 98-4).

R3-2-806. Parlors and Milk Rooms
A. Construction Plans.
   1. Any person constructing or extensively altering a parlor or milk room shall submit the plans and specifications to the Dairy Supervisor for written approval before work begins. The Dairy Supervisor shall approve or deny the plans within 10 business days.
   2. Plans shall consist of a scaled plot design with elevations and pertinent dimensions.
   3. Any deviations from the requirements in this Section and from approved plans and specifications may be made only after written approval of the Dairy Supervisor.
B. Site.
   1. The parlor and milk room shall be located in a place free from contaminated surroundings.
   2. Feed racks, calf pens, bull pens, hog pens, poultry pens, horse stables, horse corrals, and shelter sheds shall not be closer than 100 feet to the milk room or closer than 50 feet to the parlor.
C. Surroundings.
   1. Dirt or unpaved corrals and unpaved lanes shall not be closer than 25 feet to the parlor or closer than 50 feet to the milk room; corrals shall be constructed to remove runoff from the lowest point of the grade.
   2. A paved (concrete or equivalent) ramp or corral shall be provided to allow the animals to enter and leave the par-
lor. This paved area shall be curbed sufficiently high enough to contain waste material and water used to clean this area.

D. Drains and waste disposal systems shall be adequate to drain the volume of water used in rinsing and cleaning, as well as the waste created by animals in the parlor. Instead of natural drainage, automatic pumps or other means shall be provided for drainage disposal.

E. Milk room.

1. The milk room shall consist of one or more rooms for the handling of the milk and the cleaning, sanitation, and storage of the milk-handling equipment. Hot and cold running water outlets shall be provided as needed for sanitation. There shall be a minimum of five feet between a farm milk tank at the widest point and the milk room wall where the wash vats are installed. Except for currently installed milk tanks, there shall be at least three feet between any farm tank or farm tank appurtenance and the milk room walls.

2. Passageway. The passageway between the milk room and parlor shall have at least a 3-foot clearance for ingress and egress. Equipment such as milk receivers, dump tanks, or coolers that are part of an enclosed milk line system may be installed in the passageway if:
   a. A 3-foot clearance is allowed for the walkway;
   b. Space is provided between walls and equipment to permit the disassembly of equipment for cleaning or inspection;
   c. The passageway between the parlor and the milk room may be closed at one end. The parlor may be separated from the passageway by a pipe rail fence if the slope of the parlor floor is away from the passageway. If the slope of the parlor floor is toward the passageway, a concrete wall between the passageway and parlor floor of at least 12 inches in height shall be provided.
   d. Rustless pipe sleeves with tight-fitting flanges and protective closures shall be installed where the milk lines, hoses for tankers, and wash lines go through the walls of the passageway.

3. Floors.
   a. The floors of the milk room, and passageway, if provided, shall be constructed of four-inch thick concrete, or other impervious material troweled smooth. The milk room floor shall slope at least 1/4 inch per 12 inches to a vented trapped drain. The passageway floor shall slope at least one inch per 10 feet toward a drain or gutter. All floor and wall junctions shall have at least a two-inch radius cove.
   b. Drainage from the milk room may be independent from or connected to the parlor drainage. Floor drains shall be vented, have a water trap, and a clean-out plug. All floor drains and pipes under the milk room and parlor floor shall meet all applicable plumbing codes.

4. Walls and ceilings.
   a. All walls and ceilings shall be constructed of a light colored, impervious material with a smooth finish. If concrete block or masonry construction is used, all voids below the floor line shall be filled with concrete.
   b. The main ceiling height shall allow sufficient room for access to, and sampling from, the bulk milk storage tank.

5. Doors and windows.

a. All opening windows shall have at least 16-inch mesh screen.

b. Exterior doors of the milk room shall open outward, be solid, self-closing, and tight fitting. Any door from the passageway shall be a solid door, metal covered on both sides of the bottom half. Wooden door jambs or frames shall terminate six inches above the floor, and the concrete floor cove shall extend to the jambs or frames.

c. All working areas in the milk room shall contain at least 30 foot-candles of natural and/or artificial lighting.

6. Ventilation. The milk room shall provide adequate ventilation to minimize condensation on ceilings, walls and equipment. Vents shall be protected from the penetration of insects, dust and other contaminants. The milk room shall contain one or more ceiling vents. Ceiling vents shall not be installed directly above bulk milk storage tanks.

7. Tanker loading area. A tanker-loading area, at least 10 feet by 12 feet, paved, curbed, and sloped to drain, shall be provided adjacent to the milk room where milk is transferred from a farm tank to a milk tanker. If a tanker is used instead of a farm tank, a tanker shelter shall be provided that complies with the construction, light, drainage, and general maintenance requirements of the milk room.

8. Farm tank installations. All farm tanks for the cooling and storing of milk shall be installed in the milk room. Bulk milk tanks equipped with agitator shaft opening seals may, if approved by the Dairy Supervisor, be bulk-headed through a wall.

F. Parlor.

1. Floors.
   a. The floors shall be constructed of four-inch thick concrete or other, light-colored, impervious material, finished smooth. The floors, alleys, gutters, mangers, and curbs shall slope lengthwise toward a drain or gutter. The cow standing platform in the elevated stall parlor shall slope sufficiently to provide for adequate drainage and cleaning.

b. Floor and wall junctions shall have at least a two-inch radius cove and shall be an integral part of the floor.

c. The cow standing platform, litter alley, holding coral and concrete lane shall be treated to prevent slipping.

2. Walls. All walls shall be constructed of a light-colored, impervious material. If necessary, means shall be provided to prevent the entrance of swine, fowl and other prohibited animals. All walls shall be finished smooth on the inside with the top ledge rounded on open walls. If a parlor wall forms a part of the holding coral or an entrance or exit lane, it shall be finished smooth on the outside. If a concrete block or masonry construction is used, all voids below the floor line shall be filled with concrete. In elevated stall parlors, the wall under the cow standing platform adjacent to the milking area shall be finished smooth and designed to prevent leakage.

3. Stalls. A tandem stall and a herringbone stall shall have a smooth, flat, non-absorbent splash panel behind each cow.

4. Light. Natural and/or artificial light shall be at least 30 foot-candles at the floor level and located to minimize shadows in the milking area.
a. All parlors shall have gutters to catch the defecation of cows while in the stall and for any water used for rinsing.
b. Pipe used for parlor gutter drainage shall be at least four inches in diameter and meet applicable plumbing codes.

6. Curbs.
   a. In elevated stall parlors, the cow standing platform shall be curbed on the side next to the milking alley and the curb shall be at least six inches in height with the top rounded to retain the elevated stall floor washings. This curb may be lowered to not less than two inches at the area where the milking machines are applied. Metal curbs shall be free of voids and sealed to stall and floor or wall.
   b. Floor level parlors shall contain a curb under the stanchion line at least six inches wide, 12 inches high from the stall floor, except if metal mangers are used the top of this curb shall be rounded.

7. Stanchions.
   a. The stanchion shall be metal or other impervious, easily cleanable material.
   b. Mangers and feed boxes in all types of parlors shall be constructed of impervious materials, finished smooth, and provided with drainage outlets at low points.

8. Ventilation. Adequate ventilation shall be provided in the parlor, holding corral, and wash area, if roofed.

G. Roof drainage from parlors and milk rooms shall not drain into a corridor unless the corridor is paved and properly drained.

H. If animals are fed in the parlor, feed storage facilities shall be provided. Feed storage rooms, when installed, shall be partitioned from the parlor and shall be fly and rodent proof. The feed discharge area of the bulk feed storage shall be constructed of impervious material that is curbed and drained. Bulk feed may discharge directly into the parlor. Overhead feed storage is permissible if it is fly, rodent, and dust tight. Feed shall be conveyed to the manger or feed box in a tightly closed dust-free system. Overhead metal feed tanks may be used.

I. Facilities to store dairy supplies shall be provided. Only supplies that come in contact with the milk or milk contact surface of the milk-handling equipment may be stored in the milk room and shall be protected from toxic materials, vectors, and dust.

Historical Note
Former Regulations 1 - 11. Section R3-2-806 renumbered from R3-5-06 (Supp. 91-4). Section amended effective December 2, 1998 (Supp. 98-4). Amended by final rulemaking at 22 A.A.R. 2169, effective October 2, 2016 (Supp. 16-3).

R3-2-807. Frozen Dessert Plant and Processing Standards

A. Plant and Processing Standards.
1. The plant area shall be clean, orderly and free from refuse, rubbish, smoke, dust, air pollution and strong or foul odors originating on the premises. A drainage system shall be provided for the rapid drainage of water away from the building. If unsatisfactory conditions occur in the plant area, with respect to smoke, dust, air pollution, or odors, provision shall be made to protect the frozen desserts and ingredients from contamination.
2. Sewage and industrial waste shall be disposed in accordance with the provisions of the state or county environ-
mental laws. Refuse, unless in appropriate containers, shall not accumulate on the premises.
3. Roads, driveways, yards, and parking areas adjacent to the plant shall be paved or treated to prevent dust and shall be smooth and well drained to prevent accumulation of stagnant liquid.
   a. The building exterior and interior shall be kept clean and in good repair.
   b. In processing and packaging areas, outside doors, windows, skylights, transoms, or other openings shall be protected and operated to preclude the entrance of dust, insects, vermin, rodents, and other animals. Outside doors shall be self-closing wherever practical. Window sills on new construction shall slope inward at least 45-degrees. Outside conveyor openings and other outside openings shall be protected by doors, screens, flaps, fans, or tunnels. Pipes shall be sealed where they extend through exterior walls. Outside pipe openings shall be covered when not in use.
   c. Rooms. All rooms, compartments, coolers, freezers, and dry storage space in which any raw material, packaging or ingredient supplies, or finished products are handled, processed, manufactured, packaged, or stored shall be constructed to ensure clean and orderly operations.
      i. Boiler and tool rooms shall be separate from rooms where milk products are received, where processing and packaging is done, or where equipment, facilities, and containers are washed and stored.
      ii. Toilets and dressing rooms shall be conveniently located and toilets shall not open directly into any room where milk products, ingredients, or frozen desserts are handled, processed, packaged, or stored. Toilet and dressing room doors shall be self-closing. Toilets and dressing rooms shall be well vented to the outer air, and contain hand-washing facilities, hot and cold running water, soap, single-service towels or air dryers. Hand-washing signs shall be posted. Fixtures shall be kept clean and in good repair.
      iii. Rooms for receiving milk and other raw ingredients and materials shall be separated from the processing area to avoid contamination of frozen desserts in the processing operations, except that products in cans or other closed containers may be received and transferred to a cooler or other storage without being received in a separate room.
      iv. If tank truck deliveries of milk, milk products, or frozen desserts mix are made, other than occasional deliveries, a tank truck room large enough to accommodate the entire truck shall be provided with equipment for cleaning. A covered outside unloading pad may be used for truck tankers with filter dome vents, if washing and sanitizing facilities are provided. If a tank truck room is not located on the premises of an existing plant, facilities for washing and sanitizing tank trucks shall be provided at another location where the washing and sanitizing facility is free from dust and extreme weather conditions.
v. Except for existing processing and packaging rooms, there shall be at least three feet clearance between installations and the wall to prevent overcrowding and to facilitate cleaning. Existing facilities not meeting this requirement shall be permitted if cleaning can be accomplished and permission is obtained from the Dairy Supervisor or the Dairy Supervisor’s designee. All processing and packaging rooms shall be equipped with hand-washing facilities including hot and cold running water, soap, single-service towels, or air-dryer.
vi. Refrigeration rooms and units shall be constructed of impervious material and shall be kept clean and sanitary.

vii. Separate rooms shall be provided so that the manufacturing, processing, and packaging are separate from the cleaning and sterilizing of utensils and containers.

viii. No person shall reside or sleep in a frozen desserts plant or in any room connected with it. No animal shall be kept or permitted in a frozen desserts plant.

b. If steam is used, it shall be provided in sufficient quantity for all plant operations and facilities. Non-potable water may be used for boiler feed and condenser water, if the water lines are separated from the water lines carrying the potable water supply and the equipment is constructed to preclude contamination of any product or product contact surface. If water for washing frozen desserts equipment and utensils and for use in rehydration or as an ingredient in any frozen desserts is obtained from other than a regulated municipal supply, a bacteriological examination shall be made of the water supply at least once every six months by a bacteriologist to determine potability. If the examination indicates contamination of the water supply, a device shall be installed to eliminate the contamination.

b. If steam is used, it shall be provided in sufficient volume and pressure for the operation of equipment or for sterilization, or both. Steam that comes in contact with frozen desserts, ingredients, or with the product contact surface, shall be steam of culinary quality as prescribed in Appendix H, Part III, Culinary Steam – Milk and Milk Products, of the PMO.

6. Equipment and utensils.
a. New equipment shall meet applicable 3-A Sanitary Standards. All equipment, including connections, coming in contact with frozen desserts or ingredients during processing, manufacturing, handling, or packaging, shall be made of stainless steel. No equipment shall be permitted that is rusted, corroded, or in any other condition that may result in contamination of the frozen desserts. Non-metallic parts with product contact surfaces shall consist of material that meets 3-A Sanitary Standards for Plastic or Rubber and Rubber-like Materials or shall be of plastic approved by the United States Food and Drug Administration. Equipment, apparatus, and piping shall be easily accessible for cleaning and
shall be kept in good repair and free from cracks and corroded surfaces. Stationary equipment, including welded sanitary lines and apparatus that permit in-place-cleaning, may be used if prior approval from the Dairy Supervisor has been obtained. C-I-P piping and welded sanitary pipeline systems shall be permitted if engineered and installed according to 3-A Accepted Practices for Permanently Installed Sanitary Product and Solution Pipelines and Cleaning Systems. If rigid pipelines are not practical, plastic pipes listed in the 3-A Accepted Practices may be used. Product pumps shall be sanitary and easily dismantled for cleaning or shall be constructed to allow C-I-P procedures. All parts of interior surfaces of equipment, pipes (except C-I-P piping), or fittings, including valves and connections shall be accessible for inspection. The Dairy Supervisor may require other equipment, apparatus or piping if stationary equipment, apparatus or piping cannot or is not being effectively cleaned-in-place.

b. Equipment for storage and distribution of liquid sweetening agents shall be constructed of metals, alloys, or other material that will withstand corrosive action by the ingredient. The equipment and the ingredients shall be protected from contamination.

c. Pasteurizing equipment shall meet the standards prescribed in 3-A Accepted Practices for Sanitary Construction, Installation, Testing and Operation of High-Temperature-Short-Time Pasteurizers and 3-A Sanitary Standards for Non-Coiled Type Batch Pasteurizers. Batch-type pasteurizers shall be provided with close-coupled outlet valves protected against leakage and shall be equipped with thermometers that record the information of each day’s operation on separate charts. Air space thermometers and indicating thermometers shall be provided to check the recording thermometers. The recording thermometer chart shall contain the date, the identity of the pasteurizing number, the batch and product name, and the signature of the employee responsible for this information. The record shall be kept on file at the plant for at least six months. The accuracy of the thermometer shall be checked weekly and the date and name of the person responsible for the weekly accuracy check shall be recorded.

d. Every plant shall contain hardening rooms, refrigerating rooms, or refrigerated cabinets with space for storage of frozen desserts and perishable ingredients.

e. All utensils used in the receiving, storing, processing, manufacturing, packaging, and handling of frozen desserts or any ingredients shall be of smooth, stainless steel, or plastic listed in the 3-A Accepted Practices and shall have flush seams. Utensils that are badly worn, rusted, or corroded or that cannot be rendered clean and sanitary by washing shall not be used. Lead solder shall not come in contact with milk or milk products or frozen desserts.

7. Cleaning and sanitizing.

a. Cleaning and sanitizing. Equipment, sanitary piping and utensils used in receiving, storing, processing, manufacturing, packaging, and handling frozen desserts and ingredients, and all product contact surfaces of homogenizers, high pressure pumps, packing glands on agitators, pumps and vats, and lines shall be kept clean. Before use, all equipment coming in contact with milk products or frozen desserts shall have a bactericidal or sanitizing treatment. Equipment not designed for C-I-P cleaning shall be disassembled, thoroughly cleaned and sanitized. Biodegradable dairy cleaners, wetting agents, detergents, sanitizing agents, or other similar material that does not adversely affect or contaminate the frozen desserts or ingredients may be used. Steel wool or metal sponges shall not be used to clean any equipment or utensils with product contact surfaces. C-I-P cleaning shall be used only on equipment and pipeline systems designed, engineered, and installed for that type of cleaning. Other equipment and areas in the plant shall be thoroughly cleaned with a commercial vacuum cleaner or other means and the material obtained shall be burned or disposed of so that any insects are destroyed and milk products and frozen desserts will not be contaminated. Exhaust stacks, elevators and elevator pits, conveyors and similar facilities shall be inspected and cleaned regularly.

b. Equipment shall be sanitized by using one of the following methods:

i. Using 180°F water for at least two minutes.

ii. Using steam under pressure for at least two minutes or until all parts of the equipment being sanitized have reached 180°F, or the condensate off the equipment remains at 180°F for at least two minutes.

iii. Using chlorine with a residual of at least 50 ppm after one minute contact with equipment, or if sprayed, with a residual of at least 100 ppm after five minutes.

iv. Using any other sanitizing substance prescribed in Appendix F of the PMO.

8. Pasteurization and cooling.

a. All frozen desserts mix, except for flavoring agents used in frozen desserts, shall be pasteurized.

b. Frozen desserts mix shall be pasteurized by heating every particle to:

i. 155°F for 30 minutes,

ii. 160°F for 15 minutes,

iii. 165°F for 10 minutes,

iv. 175°F for 25 seconds,

v. 180°F for 15 seconds,

vi. 200°F for three seconds, or

vii. 210°F with no holding time.

c. High-temperature-short-time pasteurizers shall have the thermal limit controller set and sealed so that forward flow of the product cannot start unless the temperature at the controller sensor is above the required temperature and forward flow of the product cannot continue during descending temperatures if the temperature is below the required temperature. The seal shall be applied by the Dairy Supervisor or the Supervisor’s designee after testing and shall not be removed without immediately notifying the Dairy Supervisor or the Supervisor’s designee. The system shall be designed so that no product can bypass the controller sensor. The controller sensor shall not be removed from its proper position during the pasteurization process.

d. After pasteurization all mix shall be cooled immediately to 45°F or less and shall be maintained at that temperature until frozen. Milk, cream, and other fluid milk products other than sterilized, evaporated...
or sweetened condensed milk in hermetically sealed containers shall be stored at 45°F or less.

i. Refrigerated vehicles or approved insulated containers shall be used when transporting frozen desserts mix from the manufacturing or other plant to a retail manufacturer, and

ii. Mix shall be moved from coolers or refrigeration units in a manufacturing plant to freezers by using pipes, tubing, or other means listed in the Permanently Installed Product and Solution Pipelines and Cleaning Systems Used in Milk and Milk Product Processing Plants section of the 3-A Accepted Practices.


a. Utensils and equipment. Utensils and portable equipment used in processing, handling, or packaging of frozen desserts shall be stored above the floor in clean, dry locations and in a self-draining position on racks constructed of impervious, corrosion-resistant material.

b. Supplies and containers. Whenever possible, supplies shall be kept in a room separate from the processing, handling, and packaging of frozen desserts and under conditions that result in keeping the materials clean and free from dust, moisture, insects, rodents, or other possible contamination. Supplies shall be arranged to permit cleaning of the area and easy inspection and access. Insecticides and rodenticides shall be plainly labeled, segregated, and stored in a separate room or cabinet away from the edible material or packaging supplies. Caps, parchment papers, wrappers, liners, gaskets, and single-service sticks, spoons, covers, and containers for frozen desserts or ingredients shall be stored only in sanitary tubes, wrappings, or cartons and kept in a clean, dry place until used and shall be handled in a sanitary manner.

c. Raw milk products. Raw products for use in frozen desserts that are conducive to bacterial growth shall be handled and stored to minimize bacterial growth. When stored, raw products shall be maintained at 45°F or lower until processing commences.

d. Non-refrigerated products. Products such as non-fat dry milk and other frozen desserts ingredients that do not require refrigeration for proper storing shall be placed in dry storage to be easily accessible for inspection and removal, and for adequate cleaning of the room. D unstorage, pallets or other similar method of elevation shall be used. Frozen desserts or ingredients shall not be stored with any product that would damage them or impair their quality. Opened containers of ingredients shall be protected from contamination.

e. Refrigerated products. All products that require refrigeration shall, except as otherwise specified, be stored under conditions of temperature and humidity that best maintain quality and condition. Products shall not be stored directly on wet floors or be exposed to foreign odors or conditions such as dripping or condensation that may cause package or product damage.

10. Notification of change in products to be manufactured. Any person manufacturing only frozen desserts with butterfat, or only frozen desserts with fats other than butterfat, and uses the other type of fat shall first notify the Dairy Supervisor.

11. Clearing lines and equipment. If the same equipment is used for processing, pasteurizing, and packaging frozen desserts made with dairy products and frozen desserts made with vegetable fats, oils, or proteins, any remaining product shall be completely removed from the lines and equipment and sanitized before introducing another product into the lines and equipment. All equipment and lines shall be sanitized either at the end or beginning of each day’s operations.

12. Packaging and containers.

a. Frozen desserts shall be packaged in commercial containers using packaging material that protects the product from contamination. The packaging, cutting, molding, dispensing, and other handling or preparation of frozen desserts and their ingredients shall be in a sanitary manner. Frozen dessert containers shall be filled at the place of pasteurization using approved mechanical equipment. Existing manual processes may be permitted if done in a manner that prevents all contact surface contamination and is approved by the Dairy Supervisor.

b. Multi-use containers for frozen desserts shall be kept clean and dry. If used for transporting frozen desserts, the containers shall be:

i. Rinsed immediately after emptying,

ii. Cleaned upon return to the plant, and

iii. Protected from contamination during storage.

c. Metal cans and containers shall be free from rust and corrosion.

d. Paper and plastic containers, liners, covers, or other materials coming in contact with frozen desserts shall be free from contamination.

e. Single-service containers shall not be reused.

B. Personnel.

1. Plant employees shall wash their hands before beginning work and upon returning to work after using toilet facilities, eating, smoking, or otherwise soiling their hands. Employees shall keep their hands clean and follow good hygienic practices while on duty. Expectorating or using tobacco in rooms or compartments where frozen desserts or ingredients are exposed is prohibited. Clean, white, or light-colored, washable outer garments shall be worn by all employees engaged in handling dairy products, mix or frozen desserts. Hair coverings for head and facial hair shall be worn by all employees engaged in the processing, pasteurizing, packaging, handling, and storage of frozen desserts, product containers, and utensils.

2. Frozen desserts shall be handled so that there is no direct contact between an employee’s hands and the product.

3. A person who has a discharging or infected wound, sore or lesion on hands, arms or other exposed portions of the body shall not work in any plant processing or packaging room or in any capacity resulting in contact with milk products or frozen desserts or equipment used in the processing or handling of milk products or frozen desserts. An employee returning to work following illness from a communicable disease shall provide a certificate from a physician attesting to the employee’s complete recovery before processing or handling milk products or frozen desserts.

C. Quality standards.

1. Milk products used in the manufacture of frozen desserts shall meet the following standards:

<table>
<thead>
<tr>
<th>Product</th>
<th>Standard Plate Count Not to Exceed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raw Milk</td>
<td>500,000 per ml.</td>
</tr>
</tbody>
</table>
E. License suspension. The Dairy Supervisor may suspend the permit of a frozen dessert plant for failure to comply with any of the provisions of this Section.

F. Bacterial Standards

<table>
<thead>
<tr>
<th>Standard</th>
<th>Not to Exceed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard Plate Count</td>
<td>50,000 per gram</td>
</tr>
<tr>
<td>Coliform Count</td>
<td>20 per gram</td>
</tr>
<tr>
<td>Yeast</td>
<td>50 per gram</td>
</tr>
<tr>
<td>Mold</td>
<td>50 per gram</td>
</tr>
</tbody>
</table>

G. Labeling. All packages of frozen desserts, including cans or other containers of frozen desserts mix but not including frozen dessert packaged in accordance with a customer’s request and in the presence of the customer, shall be labeled as prescribed in the Federal Food, Drug and Cosmetic Act, as amended.

H. Enforcement. When the residue of a chemical, medicinal, or radioactive agent is found in the milk of a dairy and the Dairy Supervisor determines that the residue may be deleterious to human health, the Director shall immediately suspend the dairy from further selling, offering for sale, or distributing milk for human consumption until:

1. The Dairy Supervisor determines that the practice causing the contamination of the milk has been corrected and the dairy is in compliance with the procedures established in subsection (A);
2. Any milk that has not been excluded from human consumption as required by subsection (A) is appropriately discarded; and
3. The first milk shipment following suspension indicates negative test results for medicinal, chemical, or radioactive residues.

I. Frozen Desserts Reconstituted from Powdered Mixes

Except for R3-2-807(A)(8), retail establishments that reconstitute frozen desserts from powdered mixes and dispense the desserts on the premises shall comply with the requirements prescribed in R3-2-807 and the following standards:

1. All equipment, containers, and utensils shall be washed and air-dried after each use and shall be sanitized before each use, in accordance with the sterilization standards established in subsection R3-2-807(A)(7)(b).
2. When not in use, all equipment, utensils, and containers shall be stored above the floor in a clean, dry location free from dust, moisture, insects, rodents, or other possible sources of contamination.
3. Excess quantities of the reconstituted frozen dessert shall not be made from the powdered mix in advance and stored outside the dispensing machine.

J. Historical Note

Adopted effective May 11, 1977 (Supp. 77-3). Section R3-2-808 renumbered from R3-5-07 (Supp. 91-4). Section R3-2-808 renumbered to Section R3-2-809; new Section R3-2-809 adopted effective December 2, 1998 (Supp. 98-4).
4. For a license to engage in the business of producer-distributor: $150.
5. For a license to engage in the business of producer-manufacturer: $25.
6. For a license to engage in the manufacture of trade products: $100.
7. For a license to engage in the business of wholesale milk or dairy products, or both: $100.
8. For a license to sample milk or cream: an initial fee of $50 and a renewal fee of $30.

**Historical Note**


**R3-2-811. Dairy Farm Permit**

**A.** A dairy farm, as defined in the PMO, may apply for a PMO dairy farm permit by submitting the following information about the dairy farm on a form provided by the Department:

1. Legal name,
2. Physical and mailing address,
3. Telephone number,
4. Owner’s name,
5. Herd size,
6. Daily milk production,
7. Water source,
8. Waste water disposal system,
9. Number of bulk storage tanks, and
10. Certification that the dairy farm facilities comply with Grade A requirements.

**B.** An applicant for a dairy farm permit shall demonstrate compliance with the minimum standards set out in the PMO by a Department inspection.

**C.** A permittee shall maintain compliance with the minimum standards set out in the PMO and shall be subject to inspection by the Department in accordance with the PMO.

**D.** The Department may suspend a permit for a permittee’s failure to comply with the minimum standards and may revoke a permit if the permittee fails to correct deficiencies within a reasonable time.

**E.** Dairy farm permits are not transferable.

**Historical Note**

New Section made by emergency rulemaking at 20 A.A.R. 1134, effective May 2, 2014, for 180 days (Supp. 14-2). Emergency expired; new Section made by exempt rulemaking at 21 A.A.R. 2407, effective September 22, 2015 (Supp. 15-3).

**ARTICLE 9. EGG AND EGG PRODUCTS CONTROL**

**R3-2-901. Definitions**

In addition to the definitions provided in A.R.S. §§ 3-701, 3-702, 3-703 and 3-704, the following shall apply to this Article:

“Lot” means any quantity of two or more eggs.

“Spot-check” sample means any sample less than a representative sample described in the chart in R3-2-903(B).

“United Egg Producers Animal Husbandry Guidelines” means the United Egg Producers Animal Husbandry Guidelines for U.S. Egg Laying Flocks, 2008 Edition. This material is incorporated by reference, does not include any later amendments or editions, and is available for inspection at the Department of Agriculture, 1688 W. Adams St., Phoenix, AZ 85007, or the United Egg Producers at 1720 Windward Concourse, Ste. 230, Alpharetta, GA 30005.

“United Egg Producers Certified” means a company that has achieved United Egg Producers Certified status pursuant to the requirements prescribed by the United Egg Producers Animal Husbandry Guidelines.

“United Egg Producers Certified logo” means the official symbol and accompanying language used to identify eggs produced by United Egg Producers Certified companies.

**Historical Note**

Former Rule 1; Amended as an emergency effective November 18, 1981, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 81-6). Former Section R3-6-01 amended as an emergency now adopted and amended as a permanent rule effective February 19, 1982. Section renumbered as R3-2-901 (Supp. 82-1). Section R3-6-101 renumbered to R3-2-901 (Supp. 91-4). Section repealed, new Section adopted effective July 13, 1995 (Supp. 95-3). Amended by final rulemaking at 15 A.A.R. 863, effective October 1, 2009 (Supp. 09-2).

**R3-2-902. Standards, Grades, and Weight Classes for Shell Eggs**

All standards, grades, and weight classes for shell eggs shall be as prescribed in AMS 56, United States Standards, Grades, and Weight Classes for Shell Eggs, revised as of July 20, 2000. This material is incorporated by reference, does not include any later amendments or editions, and is on file with the Department at 1688 W. Adams St., Phoenix, AZ 85007 and the United States Department of Agriculture, Agricultural Marketing Service, Poultry Programs, STOP 0259, Room 3944-South, 1400 Independence Ave., S.W., Washington, DC 20250-0259, or online at www.ams.usda.gov/poultry/standards/index.htm. “AMS” means Agricultural Marketing Service, United States Department of Agriculture.

**Historical Note**

Former Rule 2; Amended as an emergency effective November 18, 1981, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 81-6). Former Section R3-6-02 amended as an emergency now adopted and amended as a permanent rule effective February 19, 1982. Section renumbered as R3-2-902 (Supp. 82-1). Section R3-6-102 renumbered to R3-2-902 (Supp. 91-4). Section repealed, new Section adopted effective July 13, 1995 (Supp. 95-3). Amended by final rulemaking at 9 A.A.R. 2089, effective August 2, 2003 (Supp. 03-2). Amended by final rulemaking at 14 A.A.R. 892, effective May 3, 2008 (Supp. 08-1).

**R3-2-903. Sampling: Schedule and Methods for Evidence**

**A.** An inspector may conduct random spot-check sampling of a lot of eggs to determine whether the lot meets minimum quality and weight standards and is in compliance with R3-2-907(B).

**B.** Representative egg sampling, under A.R.S. § 3-710(G), shall be based on the following table. A lot that does not meet mini-
mum quality or weight standards or is not in compliance with R3-2-907(B) shall receive a warning notice hold tag.

<table>
<thead>
<tr>
<th>Lot size of cartons</th>
<th>Minimum eggs for inspection</th>
<th>Lot size of 30 doz. per case</th>
<th>Minimum cases for inspection¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 - 4 cartons</td>
<td>All</td>
<td>1 case</td>
<td>1 case</td>
</tr>
<tr>
<td>5 - 30 cartons inclusive</td>
<td>50</td>
<td>2 - 10 cases inclusive</td>
<td>2 cases</td>
</tr>
<tr>
<td>31 - 120 cartons inclusive</td>
<td>100</td>
<td>11 - 25 cases inclusive</td>
<td>3 cases</td>
</tr>
<tr>
<td>120 - 210 cartons inclusive</td>
<td>200</td>
<td>26 - 50 cases inclusive</td>
<td>4 cases</td>
</tr>
<tr>
<td>211 - 315 cartons inclusive</td>
<td>300</td>
<td>51 - 100 cases inclusive</td>
<td>5 cases</td>
</tr>
<tr>
<td></td>
<td></td>
<td>101 - 200 cases inclusive</td>
<td>8 cases</td>
</tr>
<tr>
<td></td>
<td></td>
<td>201 - 300 cases inclusive</td>
<td>11 cases</td>
</tr>
<tr>
<td></td>
<td></td>
<td>301 - 400 cases inclusive</td>
<td>13 cases</td>
</tr>
<tr>
<td></td>
<td></td>
<td>401 - 500 cases inclusive</td>
<td>14 cases</td>
</tr>
<tr>
<td></td>
<td></td>
<td>501 - 600 cases inclusive</td>
<td>16 cases</td>
</tr>
<tr>
<td></td>
<td></td>
<td>For each additional 50 cases or fraction of a case in excess of 600 cases</td>
<td>1 case</td>
</tr>
</tbody>
</table>

¹ An inspector shall take 100 eggs from each case for inspection.

1. An inspector may draw additional samples to determine whether the lot meets the minimum requirements.
2. When loose eggs are out of the case, the sample shall be based on a carton.
3. Eggs shall be sampled on a 30-dozen-case basis. When eggs are packed in other lot quantities, an inspector shall convert the quantity of eggs to the equivalent 30-dozen-case basis to establish the official sample size.

### Historical Note
Former Rule 3; Amended effective March 17, 1976 (Supp. 76-2). Amended as an emergency effective November 18, 1981, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 81-6). Former Section R3-6-03 amended as an emergency now adopted and amended as a permanent rule effective February 19, 1982. Section renumbered as R3-2-903 (Supp. 82-1). Section R3-6-103 renumbered to R3-2-903 (Supp. 91-4). Section repealed, new Section R3-2-904 renumbered from R3-2-907 and amended effective July 13, 1995 (Supp. 95-3).

### R3-2-905. Inspection Fee Rate
A. All dealers, producer-dealers, manufacturers, and producers shall pay an inspection fee at the rate of 3.0 mills (.00300) per dozen on all shell eggs sold as prescribed in A.R.S. § 3-716(A).
B. All dealers, producer-dealers, manufacturers, and producers shall pay an inspection fee at the rate of 3.0 mills (.00300) per pound on all egg products sold as prescribed in A.R.S. § 3-716(A).

### Historical Note
Former Rule 5; Former Section R3-6-05 renumbered as Section R3-2-905 (Supp. 82-1). Section R3-6-105 renumbered to R3-2-905 (Supp. 91-4). Section repealed, new Section R3-2-905 renumbered from R3-2-908 and amended effective July 13, 1995 (Supp. 95-3). Amended by emergency rulemaking at 12 A.A.R. 4063, effective October 1, 2006 for 180 days (Supp. 06-4). Emergency renewed at 13 A.A.R. 1509, effective April 9, 2007 for 180 days (Supp. 07-2). Amended by final rulemaking at 13 A.A.R. 1639, effective June 30, 2007 (Supp. 07-2).

### R3-2-906. Violations and Penalties
A. A dealer, producer-dealer, manufacturer, producer, or retailer, at each individual location, is subject to the penalties in subsection (B) for any of the following violations:
1. **Category A:**
   a. Making a false or misleading statement relating to advertising or selling eggs and egg products;
   b. Acting as a dealer, producer-dealer, producer, or manufacturer without a valid license;
   c. Selling shell eggs with an incorrect or incomplete expiration date, or without an expiration date;
   d. Selling grade AA or grade A eggs after the expiration date on the carton, case, or container, unless the eggs are exempt under A.R.S. § 3-715(K);
   e. Failing to maintain records and reports required by this Article;
   f. Failing to label a carton, case, or container with one size, one grade, one brand name, or, if applicable under R3-2-907(B), the United Egg Producer Certified logo;
   g. Moving eggs or an egg case, carton, or container with a warning tag or notice, or removing a warning tag or notice without permission from the Director;
   h. Refusing to submit egg or egg product, an egg case, carton, container, subcontainer, lot, load, or display of eggs to inspection; or
   i. Refusing to stop, at the request of an authorized representative of the Department, any vehicle transporting eggs or egg products.
2. **Category B:**
   a. Moving eggs or an egg case, carton, or container with a warning tag or notice, or removing a warning tag or notice without permission from the Director;
   b. Refusing to submit egg or egg product, an egg case, carton, container, subcontainer, lot, load, or display of eggs to inspection; or
   c. Refusing to stop, at the request of an authorized representative of the Department, any vehicle transporting eggs or egg products.

### R3-2-907. Quarterly Report Periods
Quarterly reports are due as prescribed in A.R.S. § 3-716(D). The quarterly report periods for inspection fees are:
1. July 1 to September 30,
2. October 1 to December 31,
3. January 1 to March 31, and
4. April 1 to June 30.
Under A.R.S. § 3-739, the civil penalty for a violation of sub-

B. All eggs sold in this state produced by hens shall be from hens raised according to the United Egg Producers Animal Husbandry Guidelines. All eggs shall display the United Egg Producers Animal Husbandry Guidelines. All egg-laying hens in this state shall be raised according to the United Egg Producers Animal Husbandry Guidelines.

C. Failing to raise egg-laying hens in this state in accordance with the standards prescribed under R3-2-907(A).

2. Category B:
   a. Extending the expiration date of shell eggs as defined in A.R.S. § 3-701(10); or
   b. Advertising, representing, or selling out-of-state eggs as local eggs.

3. Category C:
   a. Failing to ensure that shell eggs for human consumption are kept refrigerated at an ambient temperature not higher than 45° F; or
   b. Failing to ensure that frozen egg products for human consumption, labeled for storage at 0° F or below, are kept under refrigeration at a temperature of 0° F or lower; or
   c. Failing to ensure that liquid egg products for human consumption are kept refrigerated at a temperature not higher than 40° F.

B. Any violation of this Article or of A.R.S. Title 3, Chapter 5, Article 1 not listed in subsection (A) is subject to a Category A civil penalty.

C. Under A.R.S. § 3-739, the civil penalty for a violation of subsection (A) is:

<table>
<thead>
<tr>
<th>Number of Violations</th>
<th>Category A</th>
<th>Category B</th>
<th>Category C</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$50</td>
<td>$50</td>
<td>$100</td>
</tr>
<tr>
<td>2</td>
<td>$100</td>
<td>$100</td>
<td>$200</td>
</tr>
<tr>
<td>3</td>
<td>$150</td>
<td>$400</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>$200</td>
<td>$500</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>$250</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>$300</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Historical Note
Former Rule 7; Former Section R3-6-07 renumbered as Section R3-2-907 (Supp. 82-1). Section R3-6-107 renumbered to R3-2-907 (Supp. 91-4). Section R3-2-907 renumbered to R3-2-904 effective July 13, 1995 (Supp. 95-3). New Section made by final rulemaking at 15 A.A.R. 863, effective October 1, 2009 (Supp. 09-2).

R3-2-908. Sanitary Standards; Egg Processing
All egg producers in this state shall meet the facility and sanitary operation requirements prescribed by the Regulations Governing the Voluntary Grading of Shell Eggs, 7 CFR 56, effective March 30, 2008. This material is incorporated by reference, does not include any later editions, and is available for inspection at the Department of Agriculture, 1688 W. Adams St., Phoenix, AZ 85007.

Historical Note
Former Rule 8; Amended effective October 1, 1979 (Supp. 79-5). Former Section R3-6-08 renumbered as Section R3-2-908 (Supp. 82-1). Amended effective January 1, 1985 (Supp. 84-6). Amended effective December 30, 1987 (Supp. 87-4). Amended effective March 23, 1990 (Supp. 90-1). Section R3-6-108 renumbered to R3-2-908 (Supp. 91-4). Section R3-2-908 renumbered to R3-2-905 effective July 13, 1995 (Supp. 95-3). New Section made by final rulemaking at 15 A.A.R. 863, effective October 1, 2009 (Supp. 09-2).

R3-2-909. Repealed

Historical Note
Former Rule 9; Former Section R3-6-09 renumbered as Section R3-2-909 (Supp. 82-1). Section R3-6-109 renumbered to R3-2-909 (Supp. 91-4). Section repealed effective July 13, 1995 (Supp. 95-3).

ARTICLE 10. AQUACULTURE

R3-2-1001. Definitions
In addition to the definitions provided in A.R.S. § 3-2901, the following shall apply unless the context otherwise requires:
1. “Certificate of Aquatic Health” is an official document from an issuing state or an equivalent form published by the United States Fish and Wildlife Service or the United States Department of Agriculture attesting that the live aquatic animals described thereon have been inspected and are free of the diseases and causative agents set forth in R3-2-1009.
2. “Department” means the Arizona Department of Agriculture.

Historical Note
Adopted effective May 3, 1993 (Supp. 93-2).

R3-2-1002. Fees for Licenses; Inspection Authorization and Fees
A. License fees are established as follows:
1. Aquaculture facility: $100 annually.
2. Fee fishing facility: $100 annually.
3. Aquaculture processor: $100 annually.
4. Aquaculture transporter: $100 annually.
5. Special licenses: $10 annually.

B. An expired license may be renewed within 90 days after expiration by payment of a $50 late fee.

C. Upon request of the licensee, the Department shall assess the facility and sanitary operation requirements prescribed by the Regulations Governing the Voluntary Grading of Shell Eggs, 7 CFR 56, effective March 30, 2008. This material is incorporated by reference, does not include any later editions, and is available for inspection at the Department of Agriculture, 1688 W. Adams St., Phoenix, AZ 85007.
A. An applicant for a license to operate an aquaculture facility or a fee fishing facility, or to operate as an aquaculture processor or aquaculture transporter shall provide the following information on a form furnished by the Department:
1. Whether the applicant is an individual, corporation, partnership, cooperative, association, or other type of organization;
2. The name and address of the applicant;
3. A corporation shall specify the date and state of incorporation;
4. The principal name of the business, and all other business names that may be used;
5. The name, mailing address, and telephone number of the applicant’s authorized agent;
6. The street address or legal description of the location of the facility to be licensed; and
7. The signature of the person designated in subsection (A)(5), and the date the application is completed for submission to the Department.
B. The Department shall grant a license when all conditions are met and assign a Department establishment number to each facility.
C. All licenses expire on December 31 for the year issued.
D. A licensee shall advise the Department in writing of any change in the information provided on the application during the license year. This information shall be provided within 30 calendar days of the change.
E. To prevent the spread of diseases and causative agents listed in R3-2-1009, the Department may inspect and take samples from any facility or shipment being transported. A licensee shall notify the Department within 72 hours of becoming aware of the presence of any disease or causative agent listed in R3-2-1009. Aquatic animals found to be infected with a disease or causative agent listed in R3-2-1009 are prohibited from interstate or intrastate movement without prior written Department approval.
F. The Department shall quarantine or seize aquatic animals, alive or dead, plants, or products for examination or diagnostic study when there is a potential for spread of a disease or causative agent listed in R3-2-1009, or any other disease or causative agent that could constitute a threat to aquatic animals or plants of the state. The Department shall issue a written notice to the licensee specifying:
1. The reason for the Department’s action; and
2. The licensee’s right to request a hearing as prescribed in A.R.S. § 3-2906.
G. A licensee shall conspicuously mark all quarantined aquatic products and quarantined areas in a manner specified by the Department.
H. A licensee shall pay all diagnostic, quarantine, and destruction costs.

Historical Note
Adopted effective May 3, 1993 (Supp. 93-2). Amended by final rulemaking at 8 A.A.R. 4043, effective November 9, 2002 (Supp. 02-3).

R3-2-1004. Specific Licensing Provisions; Aquaculture Facility; Fee Fishing Facility; Special License Facility
A. In addition to the application requirements in R3-2-1003, an applicant for a license to operate an aquaculture facility, a fee fishing facility, or a special license facility under A.R.S. § 3-2908(A) shall provide the following information on a form provided by the Department:
1. Water sources, transmission, and conveyances;
2. Method used to dispose of tailing waters and solid wastes;
3. Number and size of ponds, raceways, and tanks, if applicable;
4. Whether hatchery facilities are included;
5. A list of all animals and plants to be authorized under the license by genus, species, and common name.
B. An application to culture or possess an aquatic animal or plant that has not previously occurred in the drainage where the facility is located shall be accompanied by a written proposal. The applicant’s proposal shall include:
1. Anticipated benefits from introducing the species;
2. Anticipated adverse effects from introducing the species, as it may affect indigenous or game fish, including hybridization;
3. Anticipated diseases inherent to introducing the species;
4. Suggestion for post-introduction evaluation of status and impacts of the introduced species; and
5. Structural and operational methods implemented to prevent escape of the species, if applicable.
C. Each body of water serving a facility shall be contained within the boundaries of the land owned or leased by the licensee.
D. A facility using public waters having natural or artificial inlets, rivers, creeks, washes, or canals shall provide mechanical screening approved by the Department to prevent live aquatic animals and plants, including eggs and fry, from escaping beyond the aquaculture facility boundaries or into public bodies of water.
E. An applicant for a special license under A.R.S. § 3-2908(A) shall also provide the following information to the Department at the time of application:
1. A written narrative describing the project in detail, the project purpose, the hypothesis, and the project duration; and
2. The proposed disposition of the aquatic animals or plants upon completion of the project.
F. The Department shall consider the recommendations of the Arizona Game and Fish Department, under A.R.S. § 3-2903, when determining whether to issue a license or an import permit under R3-2-1010. The Department may issue a license excluding some of the aquatic animal or plant species listed in the application.

Historical Note

R3-2-1005. Fee Fishing Facility
A licensee shall not allow an aquatic animal to be removed from a fee fishing facility unless:
1. The aquatic animal is dead, and
2. The licensee provides the person removing the aquatic animal with written proof of sale identifying the:
   a. Facility, by name, address, and Department establishment number issued under R3-2-1003(B);
   b. Date of harvest; and
   c. Number and species of aquatic animals transported from the facility.

Historical Note
Adopted effective May 3, 1993 (Supp. 93-2). Amended
A transporter shall deliver live aquatic animals only to a retail outlet, as prescribed at A.R.S. § 3-2907(J) or to a person listed by the Arizona Game and Fish Department; or

A. A procedure shall have sanitary floors and walls impervious to water.

B. A processing facility shall operate in a clean and sanitary condition during all periods of operation. The following are the minimum requirements for such establishments.

1. Each establishment shall have sanitary floors and walls impervious to water.
2. All outside windows and doors shall be screened.
3. There shall be a supply of potable water.
4. There shall be a sewage disposal system of such a type as not to be a breeding place for insects and not to constitute a hazard or to endanger public health.

Historical Note
Adopted effective May 3, 1993 (Supp. 93-2).

R3-2-1007. Processor License; Transport; Delivery

A. In addition to complying with the application requirements of R3-2-1003, an applicant for a license to operate as an aquaculture processor as defined in A.R.S. § 3-2901(12) shall provide the following information on a form furnished by the Department:

1. Water sources, transmission, conveyances, and annual consumption in gallons or acre feet;
2. Method used to dispose of tailing waters and solid wastes;

B. A processing facility shall operate in a clean and sanitary condition during all periods of operation. The following are the minimum requirements for such establishments.

1. Each establishment shall have sanitary floors and walls impervious to water.
2. All outside windows and doors shall be screened.
3. There shall be a supply of potable water.
4. There shall be a sewage disposal system of such a type as not to be a breeding place for insects and not to constitute a hazard or to endanger public health.

Historical Note
Adopted effective May 3, 1993 (Supp. 93-2).

R3-2-1008. Repealed

Historical Note
Adopted effective May 3, 1993 (Supp. 93-2), Section repealed by final rulemaking at 10 A.A.R. 673, effective April 3, 2004 (Supp. 04-1).

R3-2-1009. Disease Certification

A. A licensees requesting and receiving a Certificate of Aquatic Health shall have their facility inspected and all live aquatic animals, fertilized eggs and milt shall be found free of, but not limited to, the following diseases and causative agents:

5. Causative agent: Rhabdovirus carpio. Disease: Spring Viremia of carp. Certification is required in this case only when the original origin of the shipment is from outside the United States.

B. The Department may require inspection for any disease or causative agent not listed in subsection (A) when there is evidence that the disease or causative agent may constitute a threat to aquatic animals or plants, aquatic wildlife or the aquaculture industry. The Department shall send written notice to all licensees pursuant to this Chapter when implementing this subsection, naming the disease or causative agent of concern. Action to quarantine or seize aquatic animals or plants pursuant to this subsection shall not be subject to delay pending such written notice.

Historical Note
Adopted effective May 3, 1993 (Supp. 93-2).

R3-2-1010. Importation of Aquatic Animals

A. The owner, or owner’s agent, importing live aquatic animals into the state shall ensure the animals are accompanied by the following:

1. A Certificate of Aquatic Health as defined in R3-2-1001, based upon an inspection of the originating facility within the 12 months preceding the shipment;
2. A transporter license issued under R3-2-1007; and
3. An import permit number issued by the Department under this Section, legibly written or typed on the certificate of aquatic health.

B. The owner, or owner’s agent, of live aquatic animals, except those imported by a retail outlet as prescribed in A.R.S. § 3-2907(J), shall ensure that the animals are consigned to or in the care of:

1. An Arizona resident;
2. An aquaculture facility, fee fishing facility, or special license holder licensed by the Department;
3. A holder of an aquatic wildlife stocking permit issued by the Arizona Game and Fish Department; or
4. A holder of any aquatic animal license issued by the Arizona Game and Fish Department.

C. The owner, or owner’s agent, may obtain an import permit number from the Department, Office of the State Veterinarian, by providing the following information:

1. Consignor’s name, address, and telephone number;
2. Consignee’s name, address, and telephone number;
3. Consignee’s Department establishment number issued by the Department or a copy of an aquatic wildlife stocking
permit or the license issued by the Arizona Game and Fish Department;
4. Origin of the shipment;
5. Genus, species, and common name of aquatic animals to be imported; and
6. Quantity and size classification of aquatic animals to be imported.

D. An import permit number remains valid for 15 calendar days from the date of issuance by the Department.
E. The Department shall refuse entry to any shipment that does not comply with this rule.
F. The Department shall quarantine and require destruction of any shipment, after its arrival, that it determines is infected with or was previously exposed to any causative agent or disease listed in R3-2-1009.

**Historical Note**
Adopted effective May 3, 1993 (Supp. 93-2). Amended by final rulemaking at 8 A.A.R. 4043, effective November 9, 2002 (Supp. 02-3).

**ARTICLE 11. EXPIRED**

R3-2-1101. Expired

**Historical Note**
Section R3-2-1101 recodified from R3-2-101 (Supp. 97-1). Section expired under A.R.S. § 41-1056(E) at 8 A.A.R. 3755, effective May 10, 2002 (Supp. 02-3).

R3-2-1102. Expired

**Historical Note**
Section R3-2-1102 recodified from R3-2-102 (Supp. 97-1). Amended effective October 8, 1998 (Supp. 98-4). Section expired under A.R.S. § 41-1056(E) at 8 A.A.R. 3755, effective May 10, 2002 (Supp. 02-3).

R3-2-1103. Expired

**Historical Note**
Section R3-2-1103 recodified from R3-2-103 (Supp. 97-1). Section expired under A.R.S. § 41-1056(E) at 8 A.A.R. 3755, effective May 10, 2002 (Supp. 02-3).

R3-2-1104. Expired

**Historical Note**
Section R3-2-1104 recodified from R3-2-104 (Supp. 97-1). Section expired under A.R.S. § 41-1056(E) at 8 A.A.R. 3755, effective May 10, 2002 (Supp. 02-3).

R3-2-1105. Expired

**Historical Note**
Section R3-2-1105 recodified from R3-2-105 (Supp. 97-1). Section expired under A.R.S. § 41-1056(E) at 8 A.A.R. 3755, effective May 10, 2002 (Supp. 02-3).

R3-2-1106. Expired

**Historical Note**
Section R3-2-1106 recodified from R3-2-106 (Supp. 97-1). Section expired under A.R.S. § 41-1056(E) at 8 A.A.R. 3755, effective May 10, 2002 (Supp. 02-3).

R3-2-1107. Expired

**Historical Note**
Section R3-2-1107 recodified from R3-2-107 (Supp. 97-1). Section expired under A.R.S. § 41-1056(E) at 8 A.A.R. 3755, effective May 10, 2002 (Supp. 02-3).

R3-2-1108. Expired

**Historical Note**
Section R3-2-1108 recodified from R3-2-108 (Supp. 97-1). Section expired under A.R.S. § 41-1056(E) at 8 A.A.R. 3755, effective May 10, 2002 (Supp. 02-3).

R3-2-1109. Expired

**Historical Note**
Section R3-2-1109 recodified from R3-2-109 (Supp. 97-1). Section expired under A.R.S. § 41-1056(E) at 8 A.A.R. 3755, effective May 10, 2002 (Supp. 02-3).