

LICENSING LIVESTOCK DEALERS (EXCERPT)
Act 284 of 1937

287.127 Inspection of animals; tests or treatment, fee; false statements as to identity or physical condition; movement from 1 premises to another; market zone; protection of livestock from injury and inclement weather; pens and buildings; trucks or vehicles and transportation cages; animals under quarantine; sale or removal of swine; "immediate slaughter" defined.

Sec. 7. (1) For the purpose of preventing the spread of infection or communicable diseases of livestock, all animals sold, transferred, or exchanged from any yards or premises by any dealer, broker, or agent may be inspected by the director. The director may prescribe the proper tests or treatment of any animal when tests or treatment are considered necessary to prevent the spread of a communicable disease or undue suffering of livestock. The test or treatment shall be made by a veterinarian approved by the director, and the director may require fees for the test or treatment to be paid by the dealer, broker, livestock trucker, or agent.

(2) A dealer, broker, agent, livestock trucker, or owner of an animal shall not under an assumed or fictitious name sell or offer for sale the animal or make any false or misleading statements as to the identity or the physical condition of the animal or with regard to any test that is supposed to establish the health status of the animal offered for sale or sold.

(3) Animals that enter a livestock auction, collection point, or buying station, licensed under this act, are considered to have moved from 1 premises to another within this state. The livestock auction, collection point, or buying station is considered the immediate point of destination of the animals and the licensee is responsible for ensuring that requirements for any necessary official identification, permitting, testing, or certification as required under the animal industry act, 1988 PA 466, MCL 287.701 to 287.746, are met prior to allowing animals to be unloaded from the conveyance vehicle.

(4) The department may confer with the licensee of a livestock auction, collection point, or buying station that is to be used by the licensee for the purpose of selling, trading, or delivering livestock and define an area surrounding the premises that shall be known as the market zone of the premises. All livestock brought into the market zone and sold or traded shall be handled and sold through the livestock auction or buying station within the market zone in compliance with state laws and rules.

(5) A licensee of a livestock auction, collection point, or buying station shall ensure that pens and buildings are available to protect livestock handled from injury and inclement weather. The pens and buildings shall be of such construction as will facilitate cleaning and disinfection and shall be regularly cleaned and disinfected and kept free of mud and accumulations of manure and filth. A licensee shall ensure that all of the following are complied with:

(a) Flooring materials that are appropriate for the health and safety of livestock shall be installed in all pens and alleys in all licensed livestock auctions and in the loading and unloading areas immediately adjacent to the structure.

(b) All pens, alleys, and dock areas shall be constructed to facilitate drainage. Water shall not be permitted to accumulate in pens, alleys, or the loading and unloading areas, except in approved lagoons.

(c) Manure may be stored on the premises of any licensed livestock auction and shall be disposed of according to normal agricultural practices, or as otherwise required by the director.

(d) The walls of all primary animal enclosures shall be kept clean and free of accumulations of filth.

(e) The area in front of the unloading dock, for a distance of 15 feet, shall be of concrete or impervious material so as to facilitate the cleaning of manure and debris from the unloading trucks.

(f) All auction rings, docks, pens, scales, and alleys used for holding livestock shall be thoroughly cleaned after each sale day. In addition, auction rings and pens used to hold animals with an infectious or contagious disease shall also be thoroughly disinfected with a disinfectant approved by the director after each sale before being used again.

(g) Water shall be offered at least every 12 hours, or as needed in inclement weather. If an animal is to be housed for more than 24 hours, feed must be offered at least once a day, or as appropriate for species and age of the animal.

(h) Livestock housed for more than 24 hours shall be able to lie down, turn around, and stand in accordance with normal agricultural management practices. A person who purchases cattle under 3 months of age shall remove the cattle from the premises by noon the day following the sale.

(6) Trucks or vehicles, and transportation cages, used by livestock dealers, brokers, or livestock truckers for transportation and handling of livestock shall be properly constructed to adequately protect handled livestock from injury and undue exposure to inclement weather and shall be regularly cleaned and disinfected.

(7) Animals under quarantine shall not be sold through a livestock auction unless approved by the director.

(8) A licensee shall ensure that all pens used for confinement of animals with a contagious or infectious disease are in a location that prevents contact with healthy animals. The pens shall be of smooth tight siding construction and of sufficient height that they will not permit the contact of any other livestock. The pens shall be drained in such a manner as to prevent contamination of the alley. Pens used for livestock infected with contagious or infectious diseases shall be properly identified and shall not be used to confine any other livestock.

(9) Except upon a permit from the director, swine shall not be sold or removed from a livestock auction, collection point, or buying station except for immediate slaughter. Swine shall not be allowed to contact any swine not used for immediate slaughter or delivery as indicated in this section.

(10) Healthy swine not subject to quarantine that are within this state and handled in compliance with department rules and state law may be sold and removed from livestock auction facilities referred to in this section for purposes other than immediate slaughter when unloaded from vehicles and delivered directly to vehicles in which the swine are transported from the sale premises.

(11) As used in this section, "immediate slaughter" means killed or delivered to a licensed livestock facility, where state or federal veterinary inspection is maintained daily, within 72 hours following removal from the livestock auction, collection point, or buying station.

History: 1937, Act 284, Imd. Eff. July 23, 1937;—CL 1948, 287.127;—Am. 2012, Act 317, Imd. Eff. Oct. 1, 2012.