



700 Kipling St, Suite 4000, Lakewood, CO 80215  
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## 35-55-113 Veterinary Inspection - Rules

*This copy of the text of the Veterinary Inspection Rules is provided as a convenience to the public by the Colorado Department of Agriculture and does not constitute an official publication of this Act. The official version of this Act is published in the Colorado Revised Statutes at sections 35-55-113 and may be obtained from the following website:*

**<http://www2.michie.com/colorado/lpext.dll?f=templates&fn=fs-main.htm&2.0>**

The information below is the entire section. For those segments specifically relating to downer animals, please see the highlighted portions.

(1) All livestock consigned and delivered on the premises of any licensed public livestock market, before being offered for sale, shall be inspected by an authorized veterinarian of the department of agriculture. The veterinarian shall examine or test, as indicated or required, animals consigned to the public livestock market for the purpose of determining their condition of health and freedom from infectious or contagious animal diseases. If, in the opinion of the examining veterinarian, said animals are free of symptoms of infectious or contagious disease and have not, to the best of his knowledge, been exposed to any infectious or contagious diseases, he shall issue a health certificate, signed by him, to any purchaser who so requests. Said health certificate shall be delivered to the purchaser at the time of rendering the account of sale or bill of sale. In addition to the requirements of this subsection (1) for all interstate movements, livestock must meet federal interstate and state of destination requirements. All animals found to be affected with any recognized infectious or contagious diseases shall be immediately isolated, quarantined, and held in conformity with the health requirements of Colorado law and the rules and regulations of the department of agriculture. All fees or taxes for veterinary services, prior to the sale of the livestock, shall be paid by the operator of the public livestock market. All livestock intended for interstate shipment, on which the United States department of agriculture requires specific inspections or tests that can only be made by an approved and licensed veterinarian, shall be made at the expense of the buyer or the party who intends to move them interstate.

(2) (a) Swine may be moved from a public livestock market if, upon inspection, the swine are found free from symptoms of cholera or other contagious, infectious, or communicable diseases and in a thriving condition.

(b) Repealed.

(3) Feeding swine and breeding swine going from a market to a farm shall be identified by an approved ear tag, individual tattoo, or ear notch. Sows and boars going to slaughter shall be identified in accordance with the market swine identification program as prescribed in the uniform methods and rules for brucellosis eradication published by the U.S.D.A. animal plant health inspection service agency, in effect July 1, 1981, and as amended from time to time thereafter.



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(4) No animal may be sold or offered for sale at a public livestock market if the animal is injured, disabled, or diseased beyond recovery, or if such injury or disease permanently renders the animal unfit for human consumption. This subsection (4) includes, but is not limited to, any animal with severe neoplasia, any animal that is unable to rise to its feet by itself, and any animal with obviously fractured long bones.

(5) If, in the judgment of an authorized veterinarian of the department, an animal presented at a public livestock market is injured, disabled, or diseased beyond recovery, the veterinarian shall humanely euthanize the animal or direct the consignor to immediately remove the animal from the premises of the public livestock market. All expenses incurred for euthanasia and disposal of an animal under the provisions of this subsection (5) are the responsibility of the consignor. Collection of expenses shall not be the responsibility of the consignee.

(6) The commissioner of agriculture shall adopt reasonable rules for the administration and enforcement of this section, including, but not limited to, rules designating any disease as a disease that renders livestock permanently disabled or the carcasses thereof permanently unfit for human consumption. The commissioner shall promulgate all such rules in accordance with existing antemortem inspection guidelines of the United States department of agriculture food safety inspection service.

Source: L. 49: p. 701, § 13. CSA: C. 160, § 209(30). CRS 53: § 8-11-13. C.R.S. 1963: § 8-11-13. L. 65: pp. 238, 242, 243, §§ 12, 1, 2. L. 81: (1) and (2)(a) amended, (2)(b) repealed, and (3) added, pp. 1725, 1726, §§ 1, 2, effective June 18. L. 96: (4), (5), and (6) added, p. 1333, § 1, effective July 1.

#### ANNOTATION

Am. Jur.2d. See 4 Am. Jur.2d, Animals, § 42; 52 Am. Jur.2d, Markets and Marketing, §§ 2, 7.

C.J.S. See 3B C.J.S., Animals, §§ 127-129.

Fact that purchasers of livestock waive compliance with this section does not excuse livestock sales ring operator for violation of the law which he and the surety on his bond have bound themselves to observe. Seal v. State Bd. of Stock Inspection Commr's, 114 Colo. 497, 167 P.2d 22 (1946).

It is not duty of veterinarian to deliver to purchaser health certificate for each hog bought: Delivery should be by the licensee of the livestock sales ring to the purchaser at the time of rendering the account of sale or bill of sale. Seal v. State Bd. of Stock Inspection Comm'r's, 114 Colo. 497, 167 P.2d 22 (1946).