

Rules and Regulations of the Department of Agriculture and Markets
(Title I of the Official Compilation of Codes, Rules and Regulations)

Part 350

STANDARDS FOR CONDUCT OF FAIRS

(Statutory Authority: Agriculture and Market Law Section 287)

Sec.

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SECTION 350.1 Fair sponsor definition: For purposes of this part, a fair sponsor shall mean any organization that receives money for the state for promotion of agriculture and domestic arts pursuant to article 24 of the Agriculture and Markets Law.

350.2 No fee for 4-H, F.F.A., junior fair or school department exhibits. No entry fees shall be charged for 4-H Club, F.F.A. and junior fair exhibits entered for competition in their own classes, or for entries in the school department.

350.3 Prompt, full payment of awards. All awards advertised and awarded must be paid promptly and in full, without deduction in the guise of donations or otherwise, notwithstanding any statement to the contrary or in modification thereof announced or stated in the exhibitor book.

350.4 No awards for unworthy exhibit. No award should be awarded by any judge or paid by any fair sponsor for an unworthy exhibit.

350.5 Award amount to attract well-balanced exhibits. The amount of award offered in the various departments should be such as to secure well-balanced exhibits, in the light of the types of agriculture carried on in the territory served by the fair.

350.6 No exhibits by judges in departments they oversee. No judges shall be permitted to enter exhibits in competition for an award in the department with which they are connected.

350.7 Exhibits to be plainly labeled. All exhibits must be plainly labeled so that the full significance of the exhibits will be made clear.

350.8 Re-exhibition in domestic department. No article shall be permitted to be exhibited in the domestic department if it has been previously exhibited therein, unless by official action of the board of directors of the fair sponsors.

350.9 Ownership of exhibits entered in fairs and shows.

- (a) All exhibits shall be entered in the name of the exhibit owner; provided, however, that any animal exhibit entered in a youth fair, youth exhibition, or 4-H show or exhibition may be entered in the name of the exhibitor.
- (b) Exhibits shall have been owned by the exhibitor for a period of at least thirty (30) days prior to entry of the exhibit provided, however, that any animal exhibit entered in a youth fair, youth exhibition or 4-H show or exhibition shall have been in the care of the exhibitor for a period of at least sixty (60) days prior to entry of the exhibit.
- (c) Proof of the ownership of any exhibit shall be provided by the exhibitor, upon request, to the fair sponsor.
- (d) The fair sponsor may limit the number of breeds shown by any exhibitor.

350.10 Rejection or refusal of an exhibit. Any fair sponsor shall reserve the right to reject or refuse and to order the removal of any exhibit which, in the opinion of its board of directors, is not eligible or worthy of showing or has not met the livestock health requirements set forth in part 351 of this title.

350.11 Compliance with and enforcement of livestock health requirements: Each fair sponsor shall comply with and enforce the livestock health requirements set forth in part 351 of this title. AI202 (1/10) NYS Department of Agriculture and Markets, Division of Animal Industry, 10B Airline Drive, Albany, NY 12235. 518-457-3502, www.agmkt.state.ny.us

Animal Health Requirements For Admission to New York State and County Fairs

(Part 351 of NYS Agriculture and Markets Regulations)

NYS Department of Agriculture and Markets/Division of Animal Industry

10B Airline Drive, Albany, NY 12235 518-457-3502 www.agriculture.ny.gov/AI/AIHome.html

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General Prohibitions and Requirements:

- No person shall bring or have present an animal on the fairgrounds during a fair which is not qualified under NYS regulations.
 - No person shall present an interstate or intrastate certificate of veterinary inspection that has been altered by anyone other than the issuing veterinarian.
 - Animals demonstrating clinical signs or other evidence of infectious, contagious or communicable diseases shall not be allowed on the fairgrounds during a fair.
 - Representatives of the Commissioner may deny admission to or require removal from the fair premises or require the segregation of any animal showing signs of or exposed to any infectious, contagious or communicable disease.
- NOTE:** The fair board of directors has the authority to reject unworthy or unsightly exhibits for reasons other than infectious, contagious or communicable disease (Part 350.10). The state veterinarian or animal health inspector will bring questionable exhibits to the attention of the fair board.
- All animals presented that originate from a location other than New York shall meet all New York State importation regulations appropriate to the species in addition to the fair animal health requirements.

Certificates of Veterinary Inspection (CVI):

- Cattle, sheep, goats, swine, llamas, alpacas, deer, and misc. ruminants require a valid CVI to enter the fairgrounds.
- The CVI must be issued by a Category 2 accredited veterinarian.
- All animals must be officially identified. **ALL MANMADE ID MUST BE RECORDED.** Note that there are new animal identification requirements for cattle and swine. Refer to Animal Identification section below for more information.
- Only one species is allowed per certificate.
- The type and duration of certificate required depends on the origin of the livestock.

New York Origin Livestock:

- A valid intrastate CVI (AI-61) is required.
- Each animal must be individually identified on the CVI (see below).
- The CVI must be issued on or after May 1 of the current year.

Out of State Origin Livestock:

- All animals entering New York State must satisfy import health and test requirements for that species and be accompanied by a valid interstate CVI.
- The interstate CVI is valid for 30 days from the date of CVI inspection. During the fair season (July 1 through Labor Day) valid CVI's can be used multiple times for entrance into fairs. The initial entrance into a NY fair must be within 30 days of the date of CVI inspection. In order for the CVI to be used for a later fair, it must be dated and initialed by a NY state official noting the location of the initial fair. A change in health status or eligibility of an animal necessitates the generation of a new CVI.

Questions regarding import requirements should be directed to the Division of Animal Industry at 518-457-3971, or at the division's import/export homepage: http://www.agriculture.ny.gov/AI/import_export.html

Animal Identification

• ALL MANMADE ID MUST BE RECORDED

- Cattle must be identified by an official USDA radio frequency identification (RFID) eartag, commonly referred to as an "840 RFID tag," or an equivalent official RFID tag if the animal was tagged in another country. Cattle which are already identified with 840 visual eartags will be exempt from the 840 RFID tag requirement.
- Sheep and goats must be identified by official scrapie identification (see sheep and goat sections below).
- Swine must be identified by an official USDA radio frequency identification (RFID) eartag, commonly referred to as an "840 RFID tag" or an equivalent official RFID tag if the animal was tagged in another country. Swine which are already identified with 840 visual eartags will be exempt from the 840 RFID tag requirement. Nursing piglets do not have to be individually identified if the sow is correctly identified on the CVI and the number of piglets in the litter is noted on the CVI.
- Deer/elk must be identified with an official eartag.
- Llamas and alpacas must be identified by official eartag or microchip.
- Misc. ruminants must be identified by unique eartag or microchip.
- A complete written description is sufficient identification for horses entering New York accompanied by a CVI. The description must match the EIA test record. Horse sketches and descriptions should reference color pattern, hair whorls, chestnuts, scars and other markings as necessary to uniquely identify the horse. Tattoos and microchips if any should be included. "Bay, no markings" is not an acceptable description for a CVI or EIA test record.
- NOTE: If you are exhibiting animals identified by microchip, a working reader must be supplied by the exhibitor.
- For questions on animal identification please contact your veterinarian or our office at 518-457-3502.

Rabies Vaccination

- Rabies vaccination is required for all species for which there is a USDA licensed vaccine available (cattle, horses, sheep, dog, cat, ferret) and that are 4 months of age or older on the date of admission to the fair.
- Vaccine must have been administered within the past 12 months. The exception is Imrab LA vaccine used in sheep which protects for 3 years after the second annual vaccination (consult your veterinarian).
- The rabies vaccination requirement must be met on the day of admission even if the animal was previously admitted to a fair when too young to vaccinate.
- **NOTE:** Individual fairs can require animals for which there is no approved rabies vaccine to be vaccinated for rabies. The requirements outlined above would apply. The fair is responsible for notifying exhibitors. The New York State Fair requires rabies vaccination for all livestock species entering the grounds.

Acceptable Proof of Rabies Vaccination

- Acceptable proof of rabies vaccination must include a signed written statement from the veterinarian administering the vaccine or a valid certificate of veterinary inspection that has the vaccination listed and is signed by the Category 2 accredited veterinarian.
- Acceptable proof of rabies vaccination must include the name of the product used, the date of administration and the duration of immunity if longer than one year.
- If the statement of rabies vaccination is included on an EIA test record, it must be signed separately in addition to the required EIA test record signature.
- **NOTE:** Rabies titers are not acceptable proof of rabies protection and cannot be used to meet entry requirements.
- Acceptable proof of vaccination for dogs is a valid vaccination certificate or a copy of the dog license that contains the rabies vaccination information.

BVD-PI Testing

- All cattle, llamas and alpacas exhibited at NY county fairs or the State Fair must be negative to an approved test appropriate to detect Bovine Viral Diarrhea persistent infection (BVD-PI). The testing veterinarian is responsible to make sure the proper test is conducted. This is a once in a lifetime test that must be reported on the required certificate of veterinary inspection. The issuing veterinarian is responsible for verifying the validity of the test, the identification of the animal and recording the test date on the CVI. If a previous test is not verifiable the test must be repeated.

Cleaning and Disinfection

- All buildings on the fairgrounds housing animals must be cleaned and disinfected prior to the opening of the fair and between groups of animals when housing is rotated (Section 50.2 of Agriculture and Market regulations).

Animal Deaths

- Occasionally animal deaths occur at a fair. If a death occurs it must be reported to the state veterinarian in charge as soon as possible for review. The animal must be promptly removed from the public exhibit area to a secure location and held for the veterinarian prior to disposal.

Calving, Kidding, and Lambing

- Any cattle, goats, or sheep that calve, kid, or lamb while at a county fair or the State Fair will be ordered removed from the fairgrounds along with their offspring, unless the animals are part of a birthing demonstration.

Commingling of Sheep and Cattle

- Due to the potential spread of malignant catarrhal fever from sheep to cattle, it is strongly recommended that cattle be kept separate from sheep.

Commingling of Swine and Poultry

- Due to the potential spread of influenza viruses it is recommended that swine and poultry be housed in separate locations.

Isolation on Returning Home

- The owner or custodian shall keep show animals biologically separate from the herd or flock for a period of at least two weeks after returning to the premises of origin. If any illness is noted in the exhibition animals, the owner should contact their veterinarian immediately.

Individual Species Requirements

Horses

- Certificate of Veterinary Inspection (CVI) is not required for New York origin horses. CVI is required for imported horses. Extended Equine CVIs (EECVIs) are acceptable. For more information on EECVIs, visit <http://www.globalvetlink.com>.
- Negative Equine Infectious Anemia (EIA) test is required for all horses 6 months of age or older. The horse must be accompanied by a valid negative EIA test record. The sample collection date for the qualifying EIA test must have been on or after January 1, 2018 for New York origin horses. For imported horses, the EIA test must have been conducted within 12 months prior to entry.
- The EIA test certificate must include a complete description of the horse.
- Rabies vaccination is required for all horses 4 months of age or older (see above).

Cattle

- Certificate of Veterinary Inspection with animals properly identified. Note that there are new identification requirements for cattle (see Animal Identification section above.)
- Rabies vaccination is required for all cattle 4 months of age or older (see above).
- All cattle must be negative to an approved test appropriate to detect Bovine Viral Diarrhea persistent infection (BVD-PI). The date and results of the testing must be noted on the certificate of veterinary inspection.
- All cattle must be vaccinated against bovine respiratory disease complex including bovine respiratory syncytial virus, bovine virus diarrhea, infectious bovine rhinotracheitis and parainfluenza with a product administered in a manner and time frame adequate to confer protective immunity for these diseases for the duration of the fair.

Sheep

- Certificate of Veterinary Inspection with animals individually identified with USDA approved scrapie identification. Identification must be one of the following: 1) USDA approved tags or 2) a legible USDA approved flock tattoo and individual animal ID number or 3) electronic implant device (microchip) if the sheep is enrolled in the Scrapie Flock Certification Program. For information on scrapie ID, contact USDA at 1-866-USDA-TAG (1-866-873-2824).
- Rabies vaccination is required for all sheep 4 months of age or older (see above).

- The CVI must contain a written statement from the issuing Category 2 accredited veterinarian that the flock of origin was inspected after May 1 of the current year and no evidence of contagious, infectious or communicable diseases was found.
- If evidence of soremouth (contagious ecthyma) is found on any sheep, the entire exhibit including the affected animals shall immediately be removed from the fair premises with the holding pens cleaned and disinfected immediately after removal.

Goats

- Certificate of Veterinary Inspection with animals individually identified with USDA approved scrapie identification. Identification must be one of the following: 1) USDA approved tags or 2) a legible registration tattoo or 3) a legible USDA approved herd tattoo and individual animal ID number or 4) electronic implant device (microchip) if the goat is enrolled in the Scrapie Flock Certification Program and/or the electronic implant ID is recorded on the goat's registration paper. For information on scrapie ID, contact USDA at 1-866-USDA-TAG (1-866-873-2824).
- The CVI must contain a written statement from the issuing Category 2 accredited veterinarian that the herd of origin was inspected after May 1 of the current year and no evidence of contagious, infectious or communicable diseases was found.
- If evidence of soremouth (contagious ecthyma) is found on any goat, the entire exhibit including the affected animals shall immediately be removed from the fair premises with the holding pens cleaned and disinfected immediately after removal.

Swine

- Certificate of Veterinary Inspection with animals properly identified. Note that there are new identification requirements for swine (see Animal Identification section above.)

Llamas and Alpacas

- Certificate of Veterinary Inspection with animals properly identified (see Animal Identification section above).
- All llamas and alpacas must be negative to an approved test appropriate to detect Bovine Viral Diarrhea persistent infection (BVD-PI). The date and results of the testing must be noted on the certificate of veterinary inspection.

Poultry

- Poultry qualified by 90 day test must be identified by official leg band.
- Proof of NPIP status must be in the form of an NPIP certificate or purchase receipt containing NPIP certification information. If utilizing a receipt it must be dated within 1 year of the date of admission to the fair.

Deer/Elk (Cervidae)

- Certificate of Veterinary Inspection with animals properly identified (see Animal Identification section above).
- Originate from a herd classified as accredited or qualified under USDA tuberculosis regulations.
- A movement permit obtained from the Division of Animal Industry is required for all deer movements. All CWD and TB program requirements must be met before a permit will be issued. Questions regarding movement permits should be directed to the Division of Animal Industry at 518-457-3971.

Miscellaneous Ruminants

- Certificate of Veterinary Inspection with animals properly identified (see Animal Identification section above).

Exhibitor Prefair Guidelines

Cattle, Sheep, Goats, Swine, Llamas and Alpacas, Cervids, Misc. Ruminants

- Review the animal health requirements booklet including information for your species **before** your veterinarian arrives to inspect your animals. If you have any questions **ask**.
- Your veterinarian is responsible for inspecting your animals and completing the certificate of veterinary inspection (CVI). Call **early** to avoid the last minute rush when mistakes are made and there is no time to correct.
- Make sure **840** eartags (RFID or visual) are present on cattle and swine and USDA approved scrapie ID is in place on sheep and goats.
- Llamas and alpacas require a microchip or eartag. If a microchip is utilized make sure the veterinarian confirms the microchip ID or places one. If your animal is identified by a microchip, make sure you bring a working reader with you to the fair.
- **ALL IDENTIFICATION MUST BE RECORDED. Make sure it is.**
- Review the CVI carefully upon receipt to make sure all the information is correct including any required test or vaccination information.
- **DO NOT** stuff it in an envelope and assume all is well. The time to correct is before pulling them out at the fair. The CVI is your document and you share responsibility if it is incorrect.
- If you are **importing** livestock from out of state, make sure the interstate requirements are met and you have a valid **interstate certificate of veterinary inspection.**
- **ALL IDENTIFICATION MUST BE RECORDED. Make sure it is.**
- Review the CVI carefully upon receipt to make sure all the information is correct including any required test or vaccination information.
- **DO NOT** stuff it in an envelope and assume all is well. The time to correct is before pulling them out at the fair. The CVI is your document and you share responsibility if it is incorrect.
- If you are **importing** livestock from out of state make sure the interstate requirements are met and you have a valid **interstate certificate of veterinary inspection.**

Poultry

- Schedule pullorum flock inspection and testing well ahead of the fair if your flock is participating in the NPIP program.
- If you're having your birds tested within 90 days of the fair you must go to a pullorum clinic. Available clinics are listed on the Dept. website. No individual testing is available if you miss a clinic.
- Birds qualified by 90 day test must be identified by official leg band.
- **Bring documentation** with you to the fair in the form of a 1) current NPIP certificate, 2) 90 day test chart or 3) purchase receipt with NPIP certification within 1 year of the date of admission to the fair.

Horses

- NY origin horses must be accompanied by a negative EIA test report. The date of sample collection for the qualifying EIA test must have been on or after January 1, 2018.

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Horses

- **Imported** horses must be accompanied by an interstate certificate of veterinary inspection with a **negative EIA test within 12 months**. Rabies vaccination information can be incorporated into the CVI.
- Drawing or photograph must match the horse.
- Rabies vaccination must be within 1 year of arrival at the fair and be documented by a signed rabies certificate or a **signed** statement on the EIA test chart with the required information (see requirements).

MOST IMPORTANT

When you are loading your livestock for the trip to the fair take the time to examine them. Make sure they are the same animals that are on the paperwork and, if they are showing any signs of illness, **LEAVE THEM HOME**.

New York State Department of Agriculture and Markets
Division of Animal Industry
10 B Airline Drive, Albany, NY 12235 • 518-457-3502

INTERSTATE HEALTH REQUIREMENTS FOR FAIR ANIMALS

This document is a supplement to the Animal Health Requirements (AI-202) published for animals exhibited at New York State county fairs and the State Fair. Its purpose is to summarize the import requirements that must be met for livestock entering New York destined for fairs. Please carefully review the Animal Health Requirements. Note that individual county fairs may require rabies vaccination in species not required by the state. Contact the specific fair for their requirements. Fair contact information is available at www.nyfairs.org. Further assistance can be obtained by contacting the Division of Animal Industry (DAI) at 518-457-3502 or your State Veterinarian's office. You can also go to the following link on our Dept. website:

http://www.agriculture.ny.gov/AI/import_export.html

INTERSTATE CERTIFICATE OF VETERINARY INSPECTION (ICVI)

An interstate CVI is required for cattle, horses, swine, sheep, goats, llamas/alpacas, deer/elk and misc. ruminants moving interstate. Extended Equine CVIs (EECVIs) are acceptable for horses. More information on EECVIs is available at www.globalvetlink.com and from your veterinarian. Note that interstate CVI's must be issued by a Category 2 accredited veterinarian. The interstate CVI is valid for 30 days from the date of CVI inspection. During the fair season, from July 1 through Labor Day, interstate CVI's can be used multiple times as long as the initial entrance to a NY fair is within 30 days of CVI inspection and the CVI is initialed by a NY state official at the fair. All documentation must accompany the animals. Animals not meeting the interstate and/or fair requirements will not be allowed on the grounds. Individual ID is required on all animals. Animals with incomplete or illegible ID will be rejected. Where rabies vaccination is required, the information can be included on the health certificate.

HORSES

Horses 6 months of age or older must test negative for equine infectious anemia (EIA). The sample collection date for the qualifying EIA test must be within 12 months prior to the date of entry. The horse must be clearly and completely identified. Rabies vaccination is required for all horses 4 months of age and older on the date of admission to a fair. Vaccination must be within the past 12 months.

CATTLE

Cattle must be identified by an official USDA radio frequency identification (RFID) eartag, commonly referred to as an "840 RFID tag" or equivalent official RFID tag if the animal was tagged in another country. Cattle which are already identified with 840 visual eartags will be exempt from the 840 RFID tag requirement. Cattle from all states must be test negative for BVD-PI with results and test date noted on the CVI. For cattle from the New England states, New Jersey, Ohio and Pennsylvania, no additional testing (other than the BVD-PI test) is required. For information on other states, you can contact DAI at 518-457-3971 or check the Department website at www.agriculture.ny.gov/AI/import_export.html. Vaccination for rabies is required for all cattle 4 months of age or older on the date of admission to a fair. Vaccination must be within the past 12 months. Bovine respiratory disease complex vaccination is also required.

SHEEP

Sheep can enter with CVI only. No tests are required. All sheep must be identified by a 1) a USDA approved eartag, 2) a legible USDA approved flock tattoo with individual ID, or 3) electronic implant device (microchip) if the sheep is enrolled in the Scrapie Flock Certification Program. The veterinary statement concerning the flock inspection is required. Rabies vaccination is required for all sheep 4 months of age and older on the date of admission to a fair. Vaccination must be within the past 12 months unless a 3 year vaccination has been used.

GOATS

Goats can enter with CVI only. No tests are required. The veterinary statement concerning the flock inspection is required. All goats must be identified by 1) a USDA approved tag, 2) a legible registration tattoo, or 3) a legible USDA approved herd tattoo with individual animal ID. Electronic implant devices (microchips) are only permitted if enrolled in the Scrapie Flock Certification Program and/or the electronic implant ED is recorded on the goat's registration paper.

SWINE

Swine can enter with CVI only. All swine must be identified by an official USDA radio frequency identification (RFID) eartag, commonly referred to as an "840 RFID tag" or equivalent official RFID tag if the animal was tagged in another country. Swine which are already identified with 840 visual eartags will be exempt from the 840 RFID tag requirement.

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LLAMAS / ALPACAS

New world camelids attending a New York county or state fair must be accompanied by a CVI with animals individually identified by microchip or official eartag. They must be test negative for BVD-PI with test date and results noted on the CVI.

DEER/ELK (CERVIDAE)

CWD susceptible cervid species cannot be imported into New York. Non CWD susceptible species require a permit. For information on importing deer contact DAI at 518-457-3502.

POULTRY

Negative avian influenza and pullorum status is required for all poultry entering NY. Out of state poultry must be accompanied by the NPIP flock certificate if the flock is NPIP certified. Otherwise a CVI is required. Poultry, with the exception of doves, pigeons and waterfowl, must test negative for pullorum within 90 days of importation if not from an NPIP Pullorum-Typhoid Clean Flock. In addition, all poultry must be 1) From a source flock in which 30 birds were tested negative for avian influenza within ten days prior to entry into New York State; or 2) From an NPIP U.S. H5/H7 Avian Influenza Clean or NPIP U.S. Avian Influenza Clean Flock For more information, contact DAI at 518-457-3971.

MISC. RUMINANTS

CVI, Individual ID

ANIMAL WELFARE PROCEDURE

WHEREAS, it is the intention and desire of the **Dutchess County Agricultural Society, Inc.** to promote and insure the humane treatment of all animals exhibited or used in connection with the **Dutchess County Fair**.

WHEREAS, it is the desire of the **Dutchess County Agricultural Society, Inc.** to establish the procedure by which any and all concerns for the manner in which animals are exhibited or used at the **Dutchess County Fair**, including but not limited to concerns with regard to their food, water and shelter requirements, may be thoroughly, promptly and properly evaluated and addressed it is:

RESOLVED, that the **Dutchess County Agricultural Society, Inc.** adopt the following procedure:

1. Any individual voicing a complaint with regard to the treatment of any animal on the grounds shall be referred to the Livestock Show Office and request to state the nature of the complaint on a Livestock Incident Report Form.
2. Exhibitors, species chairperson, and livestock superintendent shall make every effort to understand and explore the situation and then refer complainant to the Livestock show office.
3. The nature of the complaint shall be made known to the Livestock Superintendent or Department Chairperson when the complaint is brought to the attention of the Livestock Show Office.
4. Within 24 hours, at least one member of the Animal Welfare Committee shall make a physical inspection of the conditions giving rise to the complaint. In the event that in the opinion of the member of the committee there is an immediate danger to the health and safety of the animal, the individual is empowered to take such steps as he or she deems to be reasonable and necessary to protect the health, welfare and safety of such animal, and shall immediately convene the remainder of the Animal Welfare Committee.
5. but not limited to conferring with a veterinarian if it is deemed appropriate, and shall respond to the complaint in writing within 30 days.

Revised: February 1, 2019