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States' Animal Identification Statutes:

Arizona



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Ariz. Rev. Stat. Tit. 3, Ch. 11, Art. 1

Ariz. Rev. Stat. Tit. 3, Ch. 11, Art. 3

Current through legislation of the Second Regular Session of the Fifty-Sixth Legislature (2024), effective as of May 29, 2024.

Ariz. Rev. Stat. § 3-1201. Definitions.

In this chapter, unless the context otherwise requires:

1. "Aquaculture" means the controlled propagation, growth and harvest of aquatic animals or plants, including fish, amphibians, shellfish, mollusks, crustaceans, algae and vascular plants.
2. "Associate director" means the associate director of the division.
3. "Division" means the animal services division of the Arizona department of agriculture.
4. "Equine" means horses, mules, burros and asses.
5. "Livestock" means cattle, equine, sheep, goats and swine, except feral pigs.
6. "Livestock officer" means an animal health and welfare officer, animal health and welfare inspector or investigator employed by the department.
7. "Poultry" means any domesticated bird, whether live or dead, and includes chickens, turkeys, ducks, geese, guineas, ratites and squabs.
8. "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.
9. "Range livestock" means livestock 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.

10. "Ratite" means ostriches, emus, rheas and cassowaries.

Ariz. Rev. Stat. § 3-1202. Division council; members.

A. The animal services division council, established pursuant to section 3-105, shall be composed of members who are qualified electors. No more than three members from any one county may serve on the council at any time. The members shall represent the following categories:

1. The range cattle growing industry.
2. The cattle feeding industry.
3. Producing dairies.
4. The meat packing industry.
5. The sheep and goat industries.
6. The swine producing industry.
7. The equine industry.
8. The aquaculture industry.
9. The egg or poultry industry.
10. The hay or feed industry.
11. The ratite industry.

B. All members of the council shall be actively engaged in the type of business they represent. If a member acquires his representation through his affiliation with a corporation, such member shall be actively engaged in a management position and his primary source of income shall be derived from the corporation. Members shall be appointed by the director pursuant to section 3-105.

Ariz. Rev. Stat. § 3-1203. General powers and duties; civil penalties.

A. The director or the director's authorized representative shall exercise general supervision over the livestock interests of the state, protect the



livestock industry from theft and the livestock and poultry industries from contagious and infectious diseases and protect the public from diseased and unwholesome meat products.

B. The director, with the advice of the state veterinarian, may make rules to control and govern:

1. Importation of animals and poultry into the state, establishment of quarantine and its boundaries, notice of quarantine and accomplishment of all things necessary to effect the object of the quarantine and to protect the livestock and poultry industries from and prevent the spread of contagious or infectious diseases.
2. Slaughter of animals and poultry affected by contagious or infectious diseases and disposition of carcasses of animals and poultry so slaughtered, when the action appears necessary to prevent the spread of contagion or infection among livestock and poultry.
3. Importation, manufacture, sale, distribution or use within the state of serums, vaccines and other biologics intended for diagnostic or therapeutic treatment of animals and poultry, and the importation, manufacture or use of virulent blood or living virus of diseases affecting animals and poultry.

C. The director may:

1. Enter into agreements with neighboring states, including agreements regarding the use of livestock officers or livestock inspectors or other agency resources for the purpose of enforcement of livestock laws within this state or within border areas of neighboring states.
2. Waive inspections, service charges or inspection fees under this chapter in cases the director deems advisable.
3. Direct employees or peace officers to execute the director's orders under this chapter.

D. The director may adopt by rule a mandatory self-inspection program for moving livestock from one location to another, and may provide for the private treaty sale of self-inspected livestock. The associate director shall monitor compliance with the requirements of the self-inspection program and shall periodically examine self-inspection records, including livestock inventory records that verify the origin, shipment or sale of livestock. For just cause the director may suspend or modify the self-inspection authorization of feedlots, dairies and producers. A person who knowingly violates the requirements of the self-inspection program shall be placed on administrative



probation by the director for a period of one year. If a subsequent violation occurs during the period of probation, the person shall be brought before an administrative law judge and is subject to a civil penalty of two hundred dollars per violation, and the self-inspection authorization shall be revoked for a period of three years. The director may review any order of the administrative law judge and shall review each order involving subsequent violations during a period of probation pursuant to title 41, chapter 6, article 10. The period of a sanction imposed under this subsection begins on the date of determination of the violation at a hearing. Civil penalties imposed under this subsection shall be deposited, pursuant to sections 35-146 and 35-147, in the state general fund.

E. The director may establish a central investigation group to investigate reports of crimes related to livestock and other violations of this title and rules adopted pursuant to this title. Livestock officers and other employees of the department shall report all cases of apparent crimes related to livestock to the associate director. The investigation group shall cooperate and coordinate its activities with appropriate federal, state and local law enforcement agencies in apprehending and prosecuting violators of livestock laws.

Ariz. Rev. Stat. § 3-1204. Powers and duties relating to the sheep and goat industries.

A. The director or his authorized representative shall exercise general supervision over the sheep and goat industries of the state and shall do all things practicable to protect the industries from and to prevent disease among sheep and goats.

B. The director shall prepare and adopt necessary rules:

1. Governing the importation of sheep and goats into the state by carrier or trail to insure that the animals are free from infection.
2. For quarantine and dipping of sheep and goats infected with or which have been exposed to scab or scabies, or other infectious or contagious disease.
3. For the speedy and effective suppression and eradication of disease among sheep or goats.
4. To prevent spreading or contracting of infectious or contagious diseases among sheep and goats, including requirements for inspection of sheep or goats shipped or transported, or to be shipped or transported by common carrier, contract carrier, private carrier or in any other manner whatever, whether the shipping or transporting is in interstate or intrastate commerce, or both, and to require an



owner, before moving sheep or goats in such manner, to furnish an inspection certificate in the form required by the director.

C. The director may establish as and declare to be an infected district any district wherein diseased or infected sheep or goats are found or have recently been grazed or driven. The director may order sheep or goats in the infected district or which are exposed to be moved, treated, disinfected or cured under quarantine regulations provided for by this title.

Ariz. Rev. Stat. § 3-1205. Control of animal diseases; violation; classification.

A. When advised of the occurrence of a disease of animals or poultry which constitutes a threat to the livestock or poultry industries, the director may issue lawful orders and adopt rules he deems necessary.

B. The state veterinarian may enter any place where a suspected animal or poultry may be and take custody of the animal or poultry for the purpose of determining the presence of a contagious, infectious or communicable disease.

C. The director may direct the state veterinarian and agency employees to:

1. Establish quarantines and define their boundaries.
2. Destroy animals or poultry when necessary to prevent the spread of any infectious, contagious or communicable disease.
3. Appoint appraisers for the purpose of indemnifying owners of animals or poultry destroyed.
4. Control the movement of animals or poultry, animal or poultry products and agricultural products which may be directly related to dissemination of diseases affecting the livestock or poultry industries.

D. Any person who violates any lawful order or rule issued pursuant to the provisions of subsection A, or breaks any quarantine established by the state veterinarian for the prevention and control of disease among livestock or poultry, is guilty of a class 2 misdemeanor.

Ariz. Rev. Stat. § 3-1206. Suspension, revocation, or termination of licenses and agreements; hearing.

A. Any license issued by the division may be suspended or revoked for violation or noncompliance with:

1. Any provision of this title.
2. Any rule issued pursuant to this title.



3. Any condition of the license.

B. A license or agreement may be suspended, revoked or otherwise terminated or a civil penalty or other administrative sanction may be imposed only after an opportunity for a hearing conducted pursuant to, or as otherwise allowed by, title 41, chapter 6, article 10.

Ariz. Rev. Stat. § 3-1207. Cooperation with the United States; limitations.

A. In addition to other powers and duties conferred by law, the director may cooperate with the animal and plant health inspection service of the United States department of agriculture, or other agency of the United States vested with similar powers and duties, in:

1. The control of contagious or infectious diseases of animals, and contagious or infectious diseases of poultry.
2. The national animal identification system.

B. Inspectors of the animal and plant health inspection service may exercise all rights and authority granted to livestock officers, but they do not have enforcement powers granted to livestock officers.

C. Premises registration data, animal identification data and animal tracking data collected by the director from voluntary participants pursuant to the national animal identification system are not subject to disclosure pursuant to title 39.

D. The director may not submit to the federal government any premises registration data, animal identification data, animal tracking data, producer information or other information relating to animal identification unless the submission is either:

1. Required by state law.
2. Authorized by a voluntary participant in the national animal identification system.

Ariz. Rev. Stat. § 3-1208. Officers and inspectors; conditions of employment.

A. An officer or inspector must have knowledge of animal husbandry and livestock laws.

B. Within twelve months after employment, a livestock officer must successfully complete the law enforcement training course prescribed by the Arizona peace officer standards and training board in order to achieve



permanent state employee status. This subsection does not apply to animal health and welfare inspectors.

C. The director may authorize employment of livestock inspectors to inspect livestock on a full-time, part-time or seasonal basis. Livestock inspectors may exercise all rights and authority granted to livestock officers, but they do not have enforcement powers granted to livestock officers except as specifically provided by law.

D. The director may assign personnel from the office of inspections to perform any of the inspections prescribed by this chapter under the direction of the associate director.

E. Livestock officers and inspectors shall take the oath of office on employment.

Ariz. Rev. Stat. § 3-1209. Counterfeiting.

A. No brand manufacturer, printer, or other person, firm or corporation shall cast, print, lithograph or otherwise make any device containing any official mark or simulation thereof, or any label bearing any such mark or simulation, or any form of official certificate or simulation thereof, except as authorized by the department.

B. No person, firm, or corporation shall:

1. Forge any official device, mark or certificate.
2. Without authorization from the department use any official device, mark, or certificate or simulation thereof, or alter, detach, deface or destroy any official device, mark or certificate.
3. Contrary to the rules prescribed by the director, fail to use or detach, deface or destroy any official device, mark or certificate.
4. Knowingly possess, without promptly notifying the department or its representative, any official device or any counterfeit, simulated, forged or improperly altered official certificate or any device or label or any carcass of any animal or part or product thereof bearing any counterfeit, simulated, forged or improperly altered official mark.
5. Knowingly make any false statement in any shipper's certificate or other nonofficial or official certificate provided for in the rules prescribed by the director.
6. Knowingly represent that any article has been inspected and passed or exempted under this chapter when in fact it has not been so inspected and passed or exempted.



Ariz. Rev. Stat. § 3-1210. Disposition of monies.

Monies collected under the provisions of this title relating to livestock, except those collected for acknowledgments, shall be paid to the department and deposited, pursuant to sections 35-146 and 35-147, in the state general fund, unless otherwise specifically provided.

Ariz. Rev. Stat. § 3-1211. State veterinarian; qualifications.

A. The associate director, with the approval of the director and after consulting with the division council, shall employ a state veterinarian pursuant to title 41, chapter 4, article 4.

B. The person employed shall be a skilled veterinarian who is a graduate of a recognized school of veterinary medicine and licensed to practice veterinary medicine in this state.

Ariz. Rev. Stat. § 3-1212. Private practice prohibited.

The state veterinarian shall devote his entire time to the duties of his office and shall not engage in private practice.

Ariz. Rev. Stat. § 3-1213. Acquisition and use of sodium pentobarbital derivative by county and local pounds.

The state veterinarian, in consultation with the director, shall establish procedures for county, city and town animal pounds that do not have a licensed veterinarian on the staff to obtain and administer sodium pentobarbital or a derivative of sodium pentobarbital.

Ariz. Rev. Stat. § 3-1214. National animal identification system voluntary participation.

The director, department or any other officer, agency or instrumentality of this state shall not mandate or force participation in the national animal identification system.

Ariz. Rev. Stat. § 3-1261. Adoption and recording of brand and earmark; brand as property right; sale or transfer.

A. Every person owning range livestock in this state shall adopt and record a brand with the division with which to brand such livestock. Branding shall be performed by a hot iron, freezing, acid or any other method that will result in a permanent mark. Any person owning range livestock may also record an earmark with which to mark such livestock as long as the earmark is not recorded for use by neighboring range livestock owners. Sheep shall be marked distinctly with a mark or device sufficient to distinguish them.



Every owner of other animals may adopt a brand or earmark with which to brand or earmark such animals.

B. No two brands of the same design or figure shall be adopted or recorded, but the associate director, in the associate director's discretion, may reject and refuse to record a brand or mark similar to or conflicting with a previously adopted and recorded brand or mark. A brand of the same design or figure that was issued without protest on or before August 2, 2017 may be rerecorded.

C. Before a new brand is recorded, it shall be advertised in some newspaper, journal or bulletin, published in the state, at least once, and if no objection to the brand is filed in writing, it shall be recorded as provided in this article.

D. The brand adopted and recorded is the property of the person adopting and recording it, and the right to use it may be sold, leased or transferred.

E. A sale or transfer of the brand is not valid except by a bill of sale that is duly signed and acknowledged as deeds for conveyance of real estate are acknowledged and that is recorded with the division.

F. The owner of the recorded brand shall sign the lease of the brand and file a copy of the lease with the division.

G. It is unlawful to apply a recorded brand in any location on an animal except as specified on the brand registration certificate. The application of a brand in any other location is the equivalent of the use of an unrecorded brand.

H. The division shall make recorded brands available to feedlots that are licensed in this state to identify livestock while in the feedlot for feeding purposes. The division shall issue the brand on request by the feedlot without charge, in a timely manner and with a minimum of administrative requirements. Brands issued under this subsection are not registered brands and are not prima facie evidence of ownership outside the feedlot.

Ariz. Rev. Stat. § 3-1262. Recording brand and earmark; lease of brand for transient livestock.

A. The division shall record all brands and earmarks adopted as provided in this article. Recording shall consist of depicting a facsimile of the brand adopted, and a diagram of the earmarks, together with an entry of the name, residence, telephone number and post office address of the person adopting the brand and earmarks, the date recorded, the place upon the livestock or other animals where the brand is proposed to be used, the kind of animals upon which the brand and earmark are proposed to be used, and a general designation and statement of the location of the range whereon such animals are permitted to range. Before the record is made, proof shall be submitted to



the division that the applicant is entitled to use the brand or earmark. The applicant shall also make an affidavit that he does not know of and is not interested in any similar brand or earmark being run or used by another in adjoining states or the Republic of Mexico.

B. The division may lease to any applicant for a period of not to exceed one year any available brand for use on transient livestock. Brands leased for this purpose shall be placed only on the shoulder of the animal.

C. The division shall not issue any new face or jaw brands for cattle beginning from and after September 30, 1988, but may rerecord face or jaw brands issued on or before that date.

Ariz. Rev. Stat. § 3-1263. Systems for recording or rerecording.

The division may record and rerecord brands and earmarks in a brand book or a filing system. Recording or rerecording by either method is compliance with the requirements of this article.

Ariz. Rev. Stat. § 3-1264. Schedule for rerecording brands and earmarks.

A. Beginning from and after December 31, 1985, each owner of a brand or earmark who desires to continue to use it shall apply to the division to rerecord the brand or earmark on the prescribed date and every five years thereafter according to the following schedule:

Calendar Year for Initial Recording

Brand and Earmark Numbers	After December 31, 1985
1 through 1,500	1991
1,501 through 3,000	1992
3,001 through 4,500	1993
4,501 through 6,000	1994
6,001 through 7,500	1995
7,501 through 9,000	1986
9,001 through 10,500	1987
10,501 through 12,000	1988



12,001 through 13,500	1989
13,501 and above	1990

B. All new brands awarded and recorded after December 31, 1985 shall be rerecorded every five years following the month and year of the first recording.

C. The division shall notify every owner of a recorded brand or earmark of his right to rerecord the brand or earmark. The notice shall be in writing and addressed and mailed to such owner at the last address of record in the division office at least thirty days before the rerecording date.

D. Rerecording the brand or earmark shall be done in the same manner as original recording, but brands and earmarks offered for rerecording need not be advertised as required for original recording.

Ariz. Rev. Stat. § 3-1265. Failure to rerecord as abandonment.

All recorded brands or earmarks for which no application to rerecord has been made within three years following the due date for rerecording shall be deemed abandoned and no longer of record.

Ariz. Rev. Stat. § 3-1266. Fees for recording, rerecording and leasing.

The fee for recording a brand and earmark shall be seventy-five dollars and shall entitle the owner to a certified copy of the record. For recording a bill of sale or other instrument of conveyance of a brand and mark, the fee shall be twenty-five dollars. For issuance of an additional certified copy of a brand or bill of sale of a brand, the fee shall be ten dollars. The fee for rerecording a brand and earmark shall be fifty dollars. The fee for leasing a brand from the division for a period of not to exceed one year for use on transient livestock shall be two hundred dollars.

Ariz. Rev. Stat. § 3-1267. Certified copy of brand entries as evidence; brand on animals as evidence of ownership.

A. A certified copy of an entry in a brand book or filing system relating to a recorded brand or mark shall be received in the courts of this state as prima facie evidence of all the facts required to be entered in a brand book or filing system, and of the right of the person therein named to use such brand and mark for branding or marking animals.

B. The appearance upon an animal of the recorded brand of the owner as shown by the record shall be received in the courts of this state as prima facie evidence that the animal bearing the brand is the property of the owner of the recorded brand, except when such brand is borne by an animal seized under the provisions of this title.



Ariz. Rev. Stat. § 3-1268. Issuance of brand books; charge and expenses.

A. The division may issue, when it deems advisable, books and supplements containing transcripts of part or all of its records of brands and earmarks, arranged and indexed suitably for use in identifying brands or earmarks on livestock, sheep or hides.

B. Copies of such books shall be available to anyone at a charge fixed by the director commensurate with the cost of compilation, publication and issuance. Copies of brand books or supplements may be furnished without charge to public officials or other persons whose possession would, in the opinion of the director, serve to promote the general welfare.

C. Expenses incurred pursuant to this section shall be paid from any operation fund of the division. Monies derived from the sale of brand books or supplements shall be deposited, pursuant to sections 35-146 and 35-147, in the state general fund.

Ariz. Rev. Stat. § 3-1269. Use of unrecorded brand prohibited; violation; classification; exception.

A. A person who knowingly brands livestock with an unrecorded, cancelled, suspended or forfeited brand is guilty of a class 3 misdemeanor.

B. This section does not apply to persons that brand livestock with year, birth, numeric herd or alphabetic herd brands.

