

CHAPTER 62
REGISTRATION OF IOWA-FOALED
HORSES AND IOWA-WHELPEL DOGS
[Prior to 7/27/88, see Agriculture Department 30—Ch 14]

21—62.1(99D) Definitions. For purposes of this chapter, unless a different meaning is clearly indicated by the context:

“*Bona fide Iowa resident*” means a person who has resided in Iowa for six months prior to the date of registration of the stallion.

“*Breeder of a foal*” means the owner of the brood mare at the time the foal is dropped.

“*Breeder of a greyhound dog*” means the owner of the pup(s) at the time of whelping.

“*Department*” means the Iowa department of agriculture and land stewardship.

“*Onionskin*” means an original individual greyhound application form of the National Greyhound Association.

“*Owner of a thoroughbred stallion,*” “*owner of a standardbred stallion*” or “*owner of a quarter horse stallion*” means a bona fide Iowa resident who owns at least 51 percent of a thoroughbred, standardbred or quarter horse stallion for one service season or more.

“*Secretary*” means the Iowa secretary of agriculture.

21—62.2(99D) Iowa horse and dog breeders’ fund. Iowa-foaled horses and Iowa-whelped dog records and breeder payments:

The department will establish and maintain a records system entitled the “Iowa Horse and Dog Breeders’ Fund.” This records system will feature a list of thoroughbred, standardbred and quarter horses who have qualified to be Iowa-foaled horses, as well as a listing of all greyhound dogs that have qualified to be Iowa-whelped dogs.

A sum equal to 12 percent of the purse won by an Iowa-foaled horse or Iowa-whelped dog shall be used to promote the horse and dog breeding industries. This percentage shall be applicable to all races that are limited to Iowa-foaled horses or Iowa-whelped dogs as well as all other races which are won by Iowa-foaled horses or Iowa-whelped dogs.

The 12 percent shall be withheld by the licensee from the breakage and shall be paid at the end of the race meeting to the state department of agriculture and land stewardship which, in turn, shall deposit it in a special fund to be known as the “Iowa Horse and Dog Breeders’ Fund” and pay it by December 31 of each calendar year to the breeder of the winning Iowa-foaled horse or the breeder of the Iowa-whelped dog.

62.2(1) All foals/horses qualified through the department to be Iowa-foaled horses and dogs qualified to be Iowa-whelped will be listed by a department registration number. The Iowa-foaled horse mare breeder(s) at the time of foaling, or the owner of the standardbred and quarter horse brood mare at the time of breeding, or the owner of the dog, as a pup, at the time of whelping, shall be properly recorded with a registration number.

62.2(2) A race track licensee shall hold at least one race on each racing day limited to Iowa-foaled horses or Iowa-whelped dogs. However, if sufficient competition cannot be had among that class of horses or dogs on any day, another race for the day may be substituted.

62.2(3) As the department receives this money from the licensee, the department shall credit each horse or dog, by registration number, with the amount. At the end of each calendar year, the department shall pay the amount credited to winning Iowa-foaled horses or Iowa-whelped dogs to the Iowa-foaled horse breeder or to the Iowa-whelped dog breeder.

62.2(4) The department will implement and maintain a system of keeping the Iowa state racing commission informed and updated relative to all horses and dogs which are eligible to race as Iowa foaled or Iowa whelped.

62.2(5) The department shall have the authority to inspect the premises to verify that the animals are maintained under conditions appropriate to each species to ensure that the animals are properly cared for and that the standards of proper animal welfare are met.

21—62.3(99D) Forms. The following forms to qualify thoroughbred, standardbred and quarter horses as registered and certified Iowa-foaled horses and to qualify dogs as registered and certified Iowa-whelped dogs are available and can be obtained from the department. The forms shall provide for the applicant to certify the truthfulness and accuracy of the information.

62.3(1) *Thoroughbred, standardbred, quarter horse.*

- a. Application for Iowa Stallion Eligibility Certificate, Form S-1.
- b. Iowa Stallion Eligibility Certificate, Form S-2.
- c. Record of Mares Bred, Form S-3.
- d. Brood Mare Registration Application, Form M-4.
- e. Mare Status Report, Form M-5.
- f. Mare Transfer of Ownership, Form M-6.
- g. Application for Iowa-foaled Registration, Form I-6.
- h. Certificate for Iowa-foaled Status, Form I-7.

62.3(2) *Greyhound.*

- a. Application for Iowa-whelped Litter Registration, Form GH-1.
- b. Application for Iowa-whelped Individual Registration, Form GH-2.
- c. Bitch Information Report, Form GH-3.

21—62.4(99D) Disciplinary actions.

62.4(1) A person shall not knowingly provide false information to the department. If the department finds that a person knowingly furnished false information to the department relating to the registration of a horse or dog under these rules, then the department may deny, temporarily suspend, or permanently suspend all registrations and eligibility certificates by or on behalf of the person. The department may withhold payment of breeder's awards to a breeder if the breeder is not in compliance with Iowa Code chapter 162, 717, or 717B or rules adopted pursuant to those chapters. If a breeder does not come into compliance, the department may deny the registration of a breeder's litters, dogs or foals. In addition, the department may temporarily or permanently suspend previously approved registrations.

62.4(2) Upon receipt of information from the Iowa racing and gaming commission that a person has been disqualified from licensure (suspended for 365 days or denied), the department shall deny, temporarily suspend, or permanently suspend all registrations and eligibility certificates by or on behalf of the person. The department may determine horses certified as Iowa-foaled horses or dogs certified as Iowa-whelped dogs prior to commission action are eligible to race as Iowa-foaled or Iowa-whelped; however, the disqualified person is denied receipt of moneys from the Iowa horse and dog breeders' fund. If the Iowa racing and gaming commission subsequently grants licensing privileges to a previously disqualified person, the department shall make an independent determination as to the person's eligibility to have registrations and eligibility certificates by or on behalf of the person reinstated or granted.

62.4(3) Whenever action is taken under this rule, the department shall remit the withheld breakage to the breakage pool at the track where the money was generated. In such cases, the money shall instead be retained by the racetrack and distributed in the manner as provided in Iowa Code section 99D.12.

62.4(4) The registration of an Iowa-foaled horse or an Iowa-whelped dog shall not be denied or suspended under this rule if either of the following applies:

- a. The horse or dog had previously been owned by the person subject to discipline, but the horse or dog had been, in good faith, transferred to another person prior to the imposition of discipline by the department. The department, however, may still impose the discipline if the department determines that the purpose of the transfer was to circumvent the discipline.
- b. The horse or dog is in the possession of or under the control of a person subject to discipline but the person has never had an ownership interest in the horse or dog.

21—62.5(99D) Access to premises and records. The department inspectors shall have access to records and to the premises on which qualified Iowa-whelped dogs and Iowa-foaled horses are kept.

21—62.6(99D) Registration fees.

62.6(1) Iowa-foaled horses. For an Iowa-foaled horse to be eligible to race in Iowa, a \$30 registration fee shall be imposed at the time of registration of each stallion, mare or foal registered.

62.6(2) Iowa-whelped dogs. The following fees shall be imposed at the time of registration:

- a. Registration of a dam, \$25.
- b. Registration of a litter, \$10.
- c. Registration of a dog, \$5.

This rule is intended to implement Iowa Code section 99D.22 as amended by 2005 Iowa Acts, House File 808, sections 19 and 20.

21—62.7 to 62.9 Reserved.

THOROUGHBRED DIVISION

21—62.10(99D) Iowa thoroughbred stallion requirements. To qualify as an Iowa thoroughbred stallion, a stallion must be certified by and registered with the department.

62.10(1) No person shall be issued an Iowa Stallion Eligibility Certificate who is not a bona fide resident.

62.10(2) All Iowa registered stallions must meet one of the following qualifications:

a. Stallions that have previously bred a mare in any state must have residency in Iowa from January 1 through December 31 of the first year of service as a registered Iowa stallion. Further, all stallions meeting this residency requirement must be registered with the department as a registered Iowa stallion the year prior to standing.

b. Stallions that have not previously bred a mare in any state must have residency in Iowa from its registration with the department as a registered stallion through December 31 of the year of registration.

62.10(3) Any false information submitted by applicant for an Iowa Stallion Eligibility Certificate shall be grounds for denial of registration and certification.

21—62.11(99D) Notification requirements. The owner or owner's authorized representative must give immediate notification to the department if the stallion leaves the state. If the stallion leaves the state for breeding purposes, the Iowa Stallion Eligibility Certificate will be invalidated. Subsequently, if the owner(s) wishes to return the stallion to service in Iowa, the original application procedure will be required. If an Iowa registered stallion is moved within Iowa to stand at another location, the department must be notified before the stallion is offered for service at the new Iowa location. If an Iowa registered stallion is moved, temporarily, to another state for medication, its certification will remain valid as long as the department is properly notified.

21—62.12(99D) Stallion qualification and application procedure. To qualify a stallion as an Iowa registered stallion the owner is required to complete the application for an Iowa Stallion Eligibility Certificate and forward it to the Horse Racing Section, Iowa Department of Agriculture and Land Stewardship, Wallace State Office Building, Des Moines, Iowa 50319. The issuance of an Iowa Stallion Eligibility Certificate by the department is contingent on the stallion being registered and certified by the department. This certificate shall be valid as long as all stallion residency and notification procedures are properly met.

62.12(1) Rescinded, effective 6/13/86.

62.12(2) In the event of a sale or transfer of ownership of a thoroughbred stallion, qualified with the department, the transfer of ownership shall be executed on the back of the Iowa Stallion Eligibility Certificate for that stallion and endorsed certificate forwarded to the department.

62.12(3) If 51 percent of the new ownership is a bona fide Iowa resident(s) and wishes to qualify the stallion as an Iowa stallion, then the new owner(s) must submit an application for an Iowa Stallion Eligibility Certificate, a copy of the bill of sale and meet all other department requirements.

62.12(4) The Iowa Stallion Eligibility Certificate shall be available for inspection by a department inspector on the premises where the stallion stands.

This rule is intended to implement Iowa Code section 99D.22.

21—62.13(99D) Application information. Every person wanting to offer or stand a stallion as an Iowa registered stallion must file with the department a written application, utilizing Form S-1, and providing the following:

1. Name of stallion;
2. The name(s) of the owner(s) and address(es);
3. The place where the stallion stood for service during the previous year;
4. The place where the stallion will stand for service;
5. Statement that a minimum of 51 percent of the stallion is owned by a bona fide resident(s) of Iowa, and that the stallion will not stand for service any place outside the state of Iowa during the calendar year in which the foal is conceived;
6. Details concerning right of ownership, such as a bill of sale, contract or other documents providing proof of ownership, which must show any agreements concerning breeding rights, repurchase agreements and other types of concessions; and any other relevant information requested by the department;
7. An official certificate of registration from the Jockey Club of New York, which will be returned within ten working days to the applicant.

This rule is intended to implement Iowa Code section 99D.22.

21—62.14(99D) Breeding record—report of mares bred. Every person offering or standing any stallion for services as an Iowa registered stallion shall maintain a complete breeding record of the stallion and all mares of any breed bred to the stallion.

62.14(1) Such records shall be available to the department for inspection by a department inspector and shall include the following information:

- a.* The name of the mare;
- b.* The dam and sire of the mare;
- c.* The name and address, including zip code, of the owner(s) of the mare;
- d.* The first and last dates on which the stallion was bred to the mare;
- e.* The place where the stallion was standing for service at the time of the breeding of the mare;
- f.* The person(s) in charge of the stallion at the time of service to the mare, and any other relevant information requested by the department.

62.14(2) A report entitled “Record of Mares Bred” must be filed with the department by September 1 of each year. The report must be filed on Form S-3 provided by the department.

21—62.15(99D) Iowa-foaled horses and brood mares. To qualify for the “Iowa Horse and Dog Breeders’ Fund” program, horses must be Iowa foaled.

62.15(1) All thoroughbred horses foaled in Iowa prior to January 1, 1985, which are registered by the Jockey Club as Iowa foaled, shall be considered to be Iowa foaled.

62.15(2) After January 1, 1985, eligibility for brood mare residence shall be achieved by meeting at least one of the following rules:

- a.* Thirty days’ residency until the foal is inspected by a department inspector if in foal to a registered Iowa stallion.
- b.* Thirty days’ residency until the foal is inspected by a department inspector for brood mares which are bred back to registered Iowa stallions.
- c.* Continuous residency from December 31 until the foal is inspected by a department inspector if the mare was bred by other than an Iowa registered stallion and which is not bred back to an Iowa registered stallion.
- d.* Rescinded IAB 8/31/94, effective 10/5/94.

62.15(3) Except as provided in this subrule, a foal shall not be eligible for Iowa-foaled status if the mare and foal leave or are removed from the state before the foal is inspected by a department inspector. However, a foal may be registered if it left or was removed from the state prior to inspection by the department inspector if all of the following conditions are met.

a. The owner or agent of the owner of the foal has contacted the department in writing or by fax. The written or faxed notification must be received by the department at least 72 hours prior to the time the mare and foal are to be removed from the state.

b. The department has been unable to get an inspector to the location where the mare and foal are located prior to their being moved from the state.

c. The owner of the foal submits a signed, dated and notarized affidavit executed by a veterinarian licensed to practice in Iowa. The affidavit must attest that the veterinarian saw the foal within seven days of its birth, that the veterinarian has reason to believe that the foal was born in Iowa, and the basis for the veterinarian's belief that the foal was born in Iowa. In addition, the affidavit shall also contain the name of the dam, the state number of the dam, the sex and a physical description of the foal, the date of the birth and the foaling address. It must be postmarked to the department no more than ten days after foaling.

d. The owner has filed a timely mare status report on the mare of the foal.

62.15(4) Additionally, for mares to be eligible for the "Iowa Horse and Dog Breeders' Fund" program and for their foals to be eligible to enter races limited to Iowa-foaled horses, it is required that:

a. A Thoroughbred Brood Mare Registration Application, Form M-4, must be submitted to the department prior to foaling. This registration will cover the mare her entire productive life as long as there is not a change of ownership and the thoroughbred mare meets the eligibility rules set forth in 62.15(2).

b. The owner(s) of the mare must complete and return the Mare Status Report (Form M-5) to the department by December 31 of the year bred.

c. The Mare Status Report must show the place where the mare will foal in this state and the person who will be responsible for the mare at the time of foaling.

d. The Mare Status Report must indicate if the mare is to be bred back to an Iowa registered stallion or to a stallion standing at service outside the state of Iowa. If the breeding plans as stated on the Mare Status Report are changed, the department must be notified.

62.15(5) A thoroughbred mare transfer of ownership, Form M-6, must be submitted to the department when a thoroughbred mare already in the program is purchased by a new owner. The Form M-6 will provide the following information:

- a.* Name of mare;
- b.* Date of transfer;
- c.* Color of mare;
- d.* State registration number;
- e.* National breed registration number;
- f.* Date of sale;
- g.* Name, address, and phone number of seller;
- h.* Name, address, and phone number of buyer.

This rule is intended to implement Iowa Code section 99D.22.

21—62.16(99D) Iowa-foaled horse status. Iowa-foaled horse status can be achieved the following two ways:

1. All thoroughbred horses foaled in Iowa prior to January 1, 1985, which are registered by the Jockey Club as Iowa foaled shall be considered to be Iowa foaled.

2. After January 1, 1985, a foal from a mare meeting the eligibility requirements will be eligible to become an Iowa-foaled horse.

62.16(1) Both Iowa-foaled categories will require that an application to be an Iowa-foaled thoroughbred horse be filed with the department. The application must be filed on a Form I-6 provided by the department.

62.16(2) The form shall be completed by the owner(s) of the thoroughbred foal or horse or by the owner's authorized representative. This registration will cover the thoroughbred foal or horse its entire productive life.

62.16(3) The owner(s) shall complete an application for an Iowa-foaled Registration, showing the name of the brood mare, the name of the sire, date of foaling, color, as well as the sex and markings of the foal or horse.

62.16(4) To complete the official registration of an Iowa-foaled horse, the owner(s) must forward the Jockey Club Certificate by registered mail to the department. If the horse has met all requirements for registration, the department shall affix its official seal on the face of the Jockey Club Certificate, which shall include the department's registration number for the horse, and return the certificate within ten working days from the date of receipt. In the event the horse has met all requirements for registration but the department fails to affix its official seal on the face of the Jockey Club Certificate after proper presentation, the list of Iowa-foaled horses prepared by the department shall serve as official notification of Iowa-foaled status until the department's official seal is affixed. If the Jockey Club Certificate is lost or destroyed, a duplicate Jockey Club Certificate for that horse must be forwarded to the department and must be recertified by the department.

62.16(5) and **62.16(6)** Rescinded IAB 11/14/90, effective 12/19/90.

62.16(7) An investigator, appointed by the secretary, shall have access to the premises on which qualified mares, Iowa registered stallions and Iowa-bred foals or horses are kept.

This rule is intended to implement Iowa Code section 99D.22.

21—62.17 to 62.19 Reserved.

STANDARDBRED DIVISION

21—62.20(99D) Iowa standardbred stallion requirements. To qualify as an Iowa standardbred stallion, a stallion must be certified by and registered with the department.

62.20(1) No person shall be issued an Iowa Stallion Eligibility Certificate who is not a bona fide resident.

62.20(2) All Iowa registered standardbred stallions must meet one of the following qualifications:

a. Stallions that have previously bred a mare in any state must have residency in Iowa from January 1 through December 31 of the first year of service as a registered Iowa stallion. Further, all stallions meeting this residency requirement must register with the department as a registered Iowa stallion the year prior to standing.

b. Stallions that have not previously bred a mare in any state must have residency in Iowa from its registration with the department as a registered Iowa stallion through December 31 of the year of registration.

62.20(3) Any false information submitted by applicant for an Iowa Stallion Eligibility Certificate shall be grounds for denial of registration and certification.

21—62.21(99D) Notification requirements. The owner or owner's authorized representative must give immediate notification to the department if the stallion leaves the state. If the stallion leaves the state before August 1 for breeding purposes, the Iowa Stallion Eligibility Certificate will be invalidated. Subsequently, if the owner(s) wishes to return the stallion to service in Iowa, the original application procedure will be required. If an Iowa registered stallion is moved within Iowa to stand at another location, the department must be notified before the stallion is offered for service at the new Iowa location. If an Iowa registered stallion is moved, temporarily, to another state for medication, its certification will remain valid as long as the department is properly notified.

21—62.22(99D) Stallion qualification and application procedure. To qualify a stallion as an Iowa registered stallion, the owner is required to complete the application for an Iowa Stallion Eligibility Certificate and forward it to the Horse Racing Section, Iowa Department of Agriculture and Land Stewardship, Wallace State Office Building, Des Moines, Iowa 50319. The issuance of an Iowa Stallion

Eligibility Certificate by the department is contingent on the stallion being registered and certified by the department. This certificate shall be valid as long as all stallion residency and notification procedures are properly met.

62.22(1) Rescinded, effective 6/13/86.

62.22(2) In the event of a sale or transfer of ownership of a standardbred stallion, qualified with the department, the transfer of ownership shall be executed on the back of the Iowa Stallion Eligibility Certificate for that stallion and the endorsed certificate forwarded to the department.

62.22(3) If 51 percent of the new ownership is a bona fide Iowa resident(s) and wishes to qualify the stallion as an Iowa stallion, then the new owner(s) must submit an application for an Iowa Stallion Eligibility Certificate, a copy of the bill of sale and meet all other department requirements.

62.22(4) The Iowa Stallion Eligibility Certificate shall be available for inspection by a department inspector on the premises where the stallion stands.

This rule is intended to implement Iowa Code section 99D.22.

21—62.23(99D) Application information. Every person wanting to offer or stand a stallion as an Iowa registered stallion must file with the department a written application, utilizing Form S-1, and providing the following:

1. Name of stallion;
2. The name(s) of the owner(s) and address(es);
3. The place where the stallion stood for service during the previous year;
4. The place where the stallion will stand for service;
5. Statement that a minimum of 51 percent of the stallion is owned by a bona fide resident(s) of Iowa, and that the stallion will not stand for service any place outside the state of Iowa before August 1 of the calendar year in which the foal is conceived;
6. Details concerning right of ownership, such as a bill of sale, contract or other documents providing proof of ownership, which must show any agreements concerning breeding rights, repurchase agreements and other types of concessions; and any other relevant information requested by the department;
7. An official certificate of registration from the U.S. Trotting Association, which will be returned within ten working days to the applicant.

This rule is intended to implement Iowa Code section 99D.22.

21—62.24(99D) Breeding record—report of mares bred. Every person offering or standing any stallion for services as an Iowa registered stallion shall maintain a complete breeding record of the stallion and all mares of any breed bred to the stallion.

62.24(1) Such records shall be available to the department for inspection by a department inspector and shall include the following information:

- a. The name of the mare;
- b. The dam and sire of the mare;
- c. The name and address, including zip code, of the owner(s) of the mare;
- d. The first and last dates on which the stallion was bred to the mare;
- e. The place where the stallion was standing for service at the time of the breeding of the mare;
- f. The person(s) in charge of the stallion at the time of service to the mare, and any other relevant information requested by the department.

62.24(2) A report entitled “Record of Mares Bred” must be filed with the department by September 1 of each year. The report must be filed on Form S-3 provided by the department.

21—62.25(99D) Iowa-foaled horses and brood mares. To qualify for the “Iowa Horse and Dog Breeders’ Fund” program, horses must be Iowa foaled.

62.25(1) All standardbred horses foaled in Iowa prior to January 1, 1985, which are registered by the U.S. Trotting Association as Iowa foaled, shall be considered to be Iowa foaled.

62.25(2) After January 1, 1985, eligibility for brood mare residence shall be achieved by meeting at least one of the following rules:

- a.* Thirty days' residency until the foal is inspected by a department inspector if in foal to a registered Iowa stallion.
- b.* Thirty days' residency until the foal is inspected by a department inspector for brood mares which are bred back to registered Iowa stallions.
- c.* Continuous residency from December 31 until the foal is inspected by a department inspector if the mare was bred by other than an Iowa registered stallion and which is not bred back to an Iowa registered stallion.
- d.* Rescinded IAB 8/31/94, effective 10/5/94.

62.25(3) Except as provided in this subrule, a foal shall not be eligible for Iowa-foaled status if the mare and foal leave or are removed from the state before the foal is inspected by a department inspector. However, a foal may be registered if it left or was removed from the state prior to inspection by the department inspector if all of the following conditions are met.

- a.* The owner or agent of the owner of the foal has contacted the department in writing or by fax. The written or faxed notification must be received by the department at least 72 hours prior to the time the mare and foal are to be removed from the state.
- b.* The department has been unable to get an inspector to the location where the mare and foal are located prior to their being moved from the state.
- c.* The owner of the foal submits a signed, dated and notarized affidavit executed by a veterinarian licensed to practice in Iowa. The affidavit must attest that the veterinarian saw the foal within seven days of its birth, that the veterinarian has reason to believe that the foal was born in Iowa, and the basis for the veterinarian's belief that the foal was born in Iowa. In addition, the affidavit shall also contain the name of the dam, the state number of the dam, the sex and a physical description of the foal, the date of the birth and the foaling address. It must be postmarked to the department no more than ten days after foaling.
- d.* The owner has filed a timely mare status report on the mare of the foal.

62.25(4) Additionally, for mares to be eligible for the "Iowa Horse and Dog Breeders' Fund" program and for their foals to be eligible to enter races limited to Iowa-foaled horses, it is required that:

- a.* A Standardbred Brood Mare Registration Application, Form M-4, must be submitted to the department prior to foaling. This registration will cover the mare her entire productive life as long as there is not a change of ownership and the standardbred mare meets the eligibility rules set forth in 62.25(2).
- b.* The owner(s) of the mare must complete and return the Mare Status Report, Form M-5, to the department by December 31 of the year bred.
- c.* The Mare Status Report must show the place where the mare will foal in this state and the person who will be responsible for the mare at the time of foaling.
- d.* The Mare Status Report must indicate if the mare is to be bred back to an Iowa registered stallion or to a stallion standing at service outside the state of Iowa. If the breeding plans as stated on the Mare Status Report are changed, the department must be notified.

62.25(5) A standardbred mare transfer of ownership, Form M-6, must be submitted to the department when a standardbred mare already in the program is purchased by a new owner. The Form M-6 will provide the following information:

- a.* Name of mare;
- b.* Date of transfer;
- c.* Color of mare;
- d.* State registration number;
- e.* National breed registration number;
- f.* Date of sale;
- g.* Name, address, and phone number of seller;
- h.* Name, address, and phone number of buyer.

This rule is intended to implement Iowa Code section 99D.22.

21—62.26(99D) Iowa-foaled horse status. Iowa-foaled horse status can be achieved the following two ways:

1. All standardbred horses foaled in Iowa prior to January 1, 1985, which are registered by the U.S. Trotting Association as Iowa foaled, shall be considered to be Iowa foaled.

2. After January 1, 1985, a foal from a mare meeting the eligibility requirements will be eligible to become an Iowa-foaled horse.

62.26(1) Both Iowa-foaled categories will require that an application to be an Iowa-foaled standardbred horse be filed with the department. The application must be filed on a Form I-6 provided by the department.

62.26(2) The form shall be completed by the owner(s) of the standardbred foal or horse or by the owner's authorized representative. This registration will cover the standardbred foal or horse its entire productive life.

62.26(3) The owner(s) shall complete an application for an Iowa-foaled Registration, showing the name of the brood mare, the name of the sire, date of foaling, color, as well as the sex and markings of the foal or horse.

62.26(4) To complete the official registration of an Iowa-foaled horse, the owner(s) must forward the U.S. Trotting Association Certificate to the department. If the horse has met all requirements for registration, the department shall place the name and number of the horse on the official department list of Iowa-foaled standardbreds, which list shall constitute the official certification of the horse, and return the certificate within ten working days from the date of receipt. If the U.S. Trotting Association Certificate is lost or destroyed, a duplicate U.S. Trotting Association Certificate for that horse must be forwarded to the department and must be recertified by the department.

62.26(5) and **62.26(6)** Rescinded IAB 11/14/90, effective 12/19/90.

62.26(7) An investigator, appointed by the secretary, shall have access to the premises on which qualified mares, Iowa registered stallions and Iowa-bred foals or horses are kept.

This rule is intended to implement Iowa Code section 99D.22.

21—62.27 to 62.29 Reserved.

QUARTER HORSE DIVISION

21—62.30(99D) Iowa quarter horse stallion requirements. To qualify as an Iowa quarter horse stallion, a stallion must be certified by and registered with the department.

62.30(1) No person shall be issued an Iowa Stallion Eligibility Certificate who is not a bona fide resident.

62.30(2) All Iowa registered quarter horse stallions must meet one of the following qualifications:

a. Stallions that have previously bred a mare in any state must have residency in Iowa from January 1 through December 31 of the first year of service as a registered Iowa stallion. Further, all stallions meeting this residency requirement must be registered with the department as a registered Iowa stallion the year prior to standing.

b. Stallions that have not previously bred a mare in any state must have residency in Iowa from its registration with the department as a registered Iowa stallion through December 31 of the year of registration.

62.30(3) Any false information submitted by applicant for an Iowa Stallion Eligibility Certificate shall be grounds for denial of registration and certification.

21—62.31(99D) Notification requirements. The owner or owner's authorized representative must give immediate notification to the department if the stallion leaves the state. If the stallion leaves the state before August 1 for breeding purposes, the Iowa Stallion Eligibility Certificate will be invalidated. Subsequently, if the owner(s) wishes to return the stallion to service in Iowa, the original application procedure will be required. If an Iowa registered stallion is moved within Iowa to stand at another location, the department must be notified before the stallion is offered for service at the new Iowa

location. If an Iowa registered stallion is moved, temporarily, to another state for medication, its certification will remain valid as long as the department is properly notified.

21—62.32(99D) Stallion qualification and application procedure. To qualify a stallion as an Iowa registered stallion, the owner is required to complete the application for an Iowa Stallion Eligibility Certificate and forward it to the Horse Racing Section, Iowa Department of Agriculture and Land Stewardship, Wallace State Office Building, Des Moines, Iowa 50319. The issuance of an Iowa Stallion Eligibility Certificate by the department is contingent on the stallion being registered and certified by the department. This certificate shall be valid as long as all stallion residency and notification procedures are properly met.

62.32(1) Rescinded, effective 6/13/86.

62.32(2) In the event of a sale or transfer of ownership of a quarter horse stallion, qualified with the department, the transfer of ownership shall be executed on the back of the Iowa Stallion Eligibility Certificate for that stallion and the endorsed certificate forwarded to the department.

62.32(3) If 51 percent of the new ownership is a bona fide Iowa resident(s) and wishes to qualify the stallion as an Iowa stallion, then the new owner(s) must submit an application for an Iowa Stallion Eligibility Certificate, a copy of the bill of sale and meet all other department requirements.

62.32(4) The Iowa Stallion Eligibility Certificate shall be available for inspection by a department inspector on the premises where the stallion stands.

This rule is intended to implement Iowa Code section 99D.22.

21—62.33(99D) Application information. Every person wanting to offer or stand a stallion as an Iowa registered stallion must file with the department a written application, utilizing Form S-1, and providing the following:

1. Name of stallion;
2. The name(s) of the owner(s) and address(es);
3. The place where the stallion stood for service during the previous year;
4. The place where the stallion will stand for service;
5. Statement that a minimum of 51 percent of the stallion is owned by a bona fide resident(s) of Iowa, and that the stallion will not stand for service any place outside the state of Iowa before August 1 of the calendar year in which the foal is conceived;
6. Details concerning right of ownership, such as a bill of sale, contract or other documents providing proof of ownership, which must show any agreements concerning breeding rights, repurchase agreements and other types of concessions; and any other relevant information requested by the department;
7. An official certificate of registration from the American Quarter Horse Association, Amarillo, Texas, which will be returned within ten working days to the applicant.

This rule is intended to implement Iowa Code section 99D.22.

21—62.34(99D) Breeding record—report of mares bred. Every person offering or standing any stallion for services as an Iowa registered stallion shall maintain a complete breeding record of the stallion and all mares of any breed bred to the stallion.

62.34(1) Such record shall be available to the department for inspection by a department inspector and shall include the following information:

- a. The name of the mare;
- b. The dam and sire of the mare;
- c. The name and address, including zip code, of the owner(s) of the mare;
- d. The first and last dates on which the stallion was bred to the mare;
- e. The place where the stallion was standing for service at the time of the breeding of the mare;
- f. The person(s) in charge of the stallion at the time of service to the mare, and any other relevant information requested by the department.

62.34(2) A report entitled “Record of Mares Bred” must be filed with the department by September 1 of each year. The report must be filed on Form S-3 provided by the department.

21—62.35(99D) Iowa-foaled horses and brood mares. To qualify for the “Iowa Horse and Dog Breeders’ Fund” program, horses must be Iowa foaled.

62.35(1) All quarter horses foaled in Iowa prior to January 1, 1985, which are registered by the American Quarter Horse Association as Iowa foaled, shall be considered to be Iowa foaled.

62.35(2) After January 1, 1985, eligibility for brood mare residence shall be achieved by meeting at least one of the following rules:

a. Thirty days’ residency until the foal is inspected by a department inspector, if in foal to a registered Iowa stallion.

b. Thirty days’ residency until the foal is inspected by a department inspector for brood mares which are bred back to registered Iowa stallions.

c. Continuous residency from December 31 until the foal is inspected by a department inspector if the mare was bred by other than an Iowa registered stallion and which is not bred back to an Iowa registered stallion.

d. Rescinded IAB 8/31/94, effective 10/5/94.

62.35(3) Except as provided in this subrule, a foal shall not be eligible for Iowa-foaled status if the mare and foal leave or are removed from the state before the foal is inspected by a department inspector. However, a foal may be registered if it left or was removed from the state prior to inspection by the department inspector if all of the following conditions are met.

a. The owner or agent of the owner of the foal has contacted the department in writing or by fax. The written or faxed notification must be received by the department at least 72 hours prior to the time the mare and foal are to be removed from the state.

b. The department has been unable to get an inspector to the location where the mare and foal are located prior to their being moved from the state.

c. The owner of the foal submits a signed, dated and notarized affidavit executed by a veterinarian licensed to practice in Iowa. The affidavit must attest that the veterinarian saw the foal within seven days of its birth, that the veterinarian has reason to believe that the foal was born in Iowa, and the basis for the veterinarian’s belief that the foal was born in Iowa. In addition, the affidavit shall also contain the name of the dam, the state number of the dam, the sex and a physical description of the foal, the date of the birth and the foaling address. It must be postmarked to the department no more than ten days after foaling.

d. The owner has filed a timely mare status report on the mare of the foal.

62.35(4) Additionally, for mares to be eligible for the “Iowa Horse and Dog Breeders’ Fund” program and for their foals to be eligible to enter races limited to Iowa-foaled horses, it is required that:

a. A Quarter Horse Brood Mare Registration Application, Form M-4, must be submitted to the department prior to foaling. This registration will cover the mare her entire productive life as long as there is not a change of ownership and the quarter horse mare meets the eligibility rules set forth in 62.35(2).

b. The owner(s) of the mare must complete and return the Mare Status Report, Form M-5, to the department by December 31 of the year bred.

c. The Mare Status Report must show the place where the mare will foal in this state and the person who will be responsible for the mare at the time of foaling.

d. The Mare Status Report must indicate if the mare is to be bred back to an Iowa registered stallion or to a stallion standing at service outside the state of Iowa. If the breeding plans as stated on the Mare Status Report are changed, the department must be notified.

62.35(5) A quarter horse mare transfer of ownership, Form M-6, must be submitted to the department when a quarter horse mare already in the program is purchased by a new owner. The Form M-6 will provide the following information:

a. Name of mare;

b. Date of transfer;

- c.* Color of mare;
- d.* State registration number;
- e.* National breed registration number;
- f.* Date of sale;
- g.* Name, address, and phone number of seller;
- h.* Name, address, and phone number of buyer.

This rule is intended to implement Iowa Code section 99D.22.

21—62.36(99D) Iowa-foaled horse status. Iowa-foaled horse status can be achieved the following two ways:

1. All quarter horses foaled in Iowa prior to January 1, 1985, which are registered by the American Quarter Horse Association as Iowa foaled, shall be considered to be Iowa foaled.
2. After January 1, 1985, a foal from a mare meeting the eligibility requirements will be eligible to become an Iowa-foaled horse.

62.36(1) Both Iowa-foaled categories will require that an application to be an Iowa-foaled quarter horse be filed with the department. The application must be filed on a Form I-6 provided by the department.

62.36(2) The form shall be completed by the owner(s) of the foal or horse or by the owner's authorized representative.

62.36(3) The owner(s) shall complete an application for an Iowa-foaled Registration, showing the name of the brood mare, the name of the sire, date of foaling, color, as well as the sex and markings of the foal or horse.

62.36(4) To complete the official registration of an Iowa-foaled horse, the owner(s) must forward the American Quarter Horse Association Certificate to the department. If the horse has met all requirements for registration, the department shall affix its official seal on the face of the American Quarter Horse Association Certificate, which shall include the department's registration number for the horse, and return the certificate within ten working days from the date of receipt. In the event the horse has met all requirements for registration but the department fails to affix its official seal on the face of the American Quarter Horse Association Certificate after proper presentation, the list of Iowa-foaled horses prepared by the department shall serve as official notification of Iowa-foaled status until the department's official seal is affixed. If the American Quarter Horse Association Certificate is lost or destroyed, a duplicate American Quarter Horse Association Certificate for that horse must be forwarded to the department and must be recertified by the department.

62.36(5) and **62.36(6)** Rescinded IAB 11/14/90, effective 12/19/90.

62.36(7) An investigator, appointed by the secretary, shall have access to the premises on which qualified mares, Iowa registered stallions and Iowa-bred foals or horses are kept.

This rule is intended to implement Iowa Code section 99D.22.

21—62.37(99D) Embryo transfer for Iowa-foaled status. Embryo transfers may be eligible for Iowa-foaled status in accordance with the following provisions:

62.37(1) The recipient mare must be in the state of Iowa before the first day of December the year prior to foaling and must remain in Iowa until the foal or foals are born and are inspected by the department.

62.37(2) There is no limit to the number of foals eligible for Iowa-foaled status, provided the donor mare or a recipient mare:

- a.* Carries the foal full term;
- b.* Meets all the required Iowa rules; and
- c.* Is inspected by the department.

62.37(3) Registration and status reports of recipient mares and donor mares must be submitted to the department with proper identification, including but not limited to registration certificates, brands, and identification numbers prior to the time the donor mare is serviced.

62.37(4) Recipient mares must have a name, brand, or some means of identification and must be photographed for inspection purposes.

21—62.38 and **62.39** Reserved.

GREYHOUND DOG DIVISION

21—62.40(99D) Iowa-whelped dog requirements. A greyhound dog registered with the National Greyhound Association in Abilene, Kansas, may be registered as an Iowa-whelped dog if the following qualifications are met:

A dog must have been whelped in Iowa and raised for the first six months of its life in Iowa by an owner who qualifies as a two-year resident of Iowa prior to whelping.

Effective December 31, 1986, all commercial enterprises that own Iowa-whelped dogs must have been formed under the laws of the state for a period of two years. Effective September 30, 1995, 100 percent of all stockholders or members of such commercial enterprises must qualify as two-year residents of Iowa, prior to the whelping. Any entity registering greyhounds must have proof available at any time during the two-year residency of the members of the entity.

Sale and lease of dams and pups, between two-year bonafide residents of Iowa, is permissible at any time.

The department may take action under rule 62.43(99D) if the department determines that the Iowa owner of the dam has entered into an arrangement with another person, who is not eligible to be a breeder of Iowa-whelped dogs, wherein the Iowa owner is acting as an agent or other similar capacity so that Iowa-whelped status can be achieved.

21—62.41(99D) Procedures for registration. In order to qualify pups of a litter as Iowa-whelped pups, the Iowa owner of the dam shall file a copy of her national registration papers (front and back), together with an Iowa Form GH-3 with the department within ten days prior to the expected whelping date of the litter. Late filings of GH-3 forms postmarked after the whelping date of the litter will not be accepted. After the GH-3 form is received by the department, a department inspector must inspect the dam and litter.

Within 30 days after litter registration with the National Greyhound Association, the original litter acknowledgment must be received by the department. A copy of the owner's driver's license, voter registration, or any other valid proof of residency of all first-time litter applicants must accompany the litter acknowledgment. Any late litter registrations will be assessed a penalty of \$25. Litters over six months old will not be accepted for registration. After the litter registration, Form GH-1, is received by the department, a department inspector must inspect the litter. When the application for individual dog registration is made to the National Greyhound Association, the original registration certificate (yellow copy) or the onionskin shall be provided to the department, accompanying the department's Form GH-2.

62.41(1) The department will send the original registration certificate (yellow copy) or the onionskin to the National Greyhound Association, along with a request to stamp the original registration as Iowa whelped. The association will send the yellow registration copy to the department stamped "Certified Iowa-whelped." The department will make a copy of the registration for their files and return the original (yellow) copy to the owner.

62.41(2) All greyhound litters meeting the qualifications to be Iowa-whelped, which were whelped in a qualified kennel prior to January 1, 1985, are eligible to be registered and to race as an Iowa-whelped dog. If it is determined that the breeder's kennel is not qualified, the litter will not be registered and approved until the kennel has complied with animal welfare laws and regulations. The "Certified Iowa-whelped" designation will begin on the date of approval and shall not be retroactive.

Individual dogs whelped prior to January 1, 1985, if sold to an owner currently in compliance with animal welfare laws and regulations, may receive the "Certified Iowa-whelped" designation for owner supplements only.

This rule is intended to implement Iowa Code section 99D.22.

21—62.42 Rescinded, effective 6/13/86.

21—62.43(99D) Disciplinary procedures. Rescinded IAB 2/4/04, effective 3/10/04.

21—62.44(99D) Access to records. Rescinded IAB 2/4/04, effective 3/10/04.

These rules are intended to implement Iowa Code section 99D.22.

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