

# RULES AND REGULATIONS GOVERNING REGISTRATION AND TRANSFER OF BROWN SWISS CATTLE

Effective February 1, 2001

## *BROWN SWISS CATTLE BREEDERS' ASSOCIATION OF THE U.S.A., INC.*

### **RULE 1 - FORWARD**

The pedigree of an animal is of significant importance. To give the public every assurance that their confidence is well placed, the closest attention shall be given to the correctness of all records of registry and transfer. Inasmuch as all such records are dependent largely upon honor and care, every person proven to have made misstatements either in regard to the birth, pedigree or qualities of an animal, forfeits all consideration from the Brown Swiss Cattle Breeders' Association of the U.S.A. (BSCBA).

### **RULE 2 - APPLICATIONS FOR REGISTRATION AND TRANSFER**

#### **A. Form and Content:**

Applications for Registry or Transfer shall be made upon forms prescribed and approved by the Board of Directors. All information required by such forms consistent with the fact shall be furnished by the applicant in detail together with such other or further detailed information as shall be required or requested by the Secretary or Board of Directors, and if so requested shall be under oath. Such application shall also contain such agreements and guarantees as the Board of Directors shall prescribe.

#### **B. Signatures:**

Applications for either registration or transfer shall be signed in ink or indelible pencil exactly as the ownership is shown on the records of BSCBA. The signature of a corporation, partnership, or organized group of any other legal entity shall be the name of such corporation, partnership, or organized group with the signature of an authorized person thereunder. A farm owner may, by letter to BSCBA, authorize another to sign such application.

### **RULE 3 - REGISTRATION**

#### **A. Eligibility:**

Only such animals whose sire and dam have been recorded in the Herd Book of BSCBA or which become entitled to registration by virtue of, and through compliance with the program of Identity Enrollment, or which are proven to have been registered in recognized foreign Herd Books, or to have descended from such animals (as to both sire and dam) can be registered in the Herd Book.

#### **B. Color:**

1. Brown Swiss color is a solid Brown varying from very light to dark.

2. Any bull having a sharply contrasting off color spot or spots (anywhere on the body including the belly) or having a white core in the switch, shall be designated as an animal with an "Off Color Spot".
3. Any female having a sharply contrasting off color spot, or spots, above the underside of the belly, or above the udder or the floor of the chest, or having a white core in the switch, shall be designated as an animal with an "Off Color Spot".
4. An animal of either sex having a white or an off colored spot on the legs or white hooves shall also be designated as an animal with an "Off Color Spot".
5. The characteristic mealy band around the muzzle, the light area around the pole and horns, and the light colored line down the back shall not be considered an "Off Color Spot".
6. If a spot or spots develop on an animal after it has been registered, it shall be the obligation of the owner to send the Certificate of Registry to the BSCBA to be designated as an animal with an "Off Color Spot".
7. Type appraisers and representatives of the BSCBA, when finding an animal with off color spots that has been registered and not so designated, shall call it to the attention of the owner suggesting that the Certificate of Registry be sent to BSCBA to be designated as an animal with an "Off Color Spot" and a report made to the BSCBA office.
8. In cases of dispute between the owner of registered animals and the individual reporting an off color marking, regardless of official position of person so reporting, the owner may request of BSCBA an inspection of such animal by a committee. The President of BSCBA shall appoint as such, a committee of three breeders to make such an inspection. These breeders shall be fair, open-minded and living as close as practicable to the owner. The cost of such inspection to be borne by owner. The final decision shall rest with the Board of Directors of BSCBA.
9. In the registration of animals designated as having an "Off Color Spot", OCS shall become an integral part of the registration name as a suffix.

#### **C. Tattooing:**

All animals to be eligible for registry must be permanently identified by tattoo.

1. To preserve the identity of registered animals, all animals offered for registration must be plainly tattooed in the ear in indelible ink with such letters and numbers as the owner may select. If, upon inspection by a BSCBA representative, an animal is found not to possess a legible tattoo, blood typing will be required. If the results of the blood typing are inconclusive, the registration of such animal may be subject to cancellation. No two animals in the same herd, of the same sex and born within ten years of each other, shall have the same tattoo. Both ears may be used and the letters and numbers in the ears must be stated on the Application for Registry. Since the vaccination tattoo is normally placed in the right ear, it is recommended that the permanent identification tattoo be placed in the left ear. A vaccination tattoo will not be accepted as a permanent identification tattoo. Tattoos may contain a maximum of 9 letters, digits or spaces in length.
2. All calves must be tattooed before leaving individual pens or ties. It is recommended that a calf be tattooed within five days of birth, and the tattoo and date of birth be recorded immediately in the owner's Herd Book. Any temporary means of identification such as eartags, neck tags, etc. are not acceptable as permanent identification.

#### **3. Changing Tattoos:**

It is forbidden to change or in any way alter a tattoo without special permission in writing from the Secretary of BSCBA.

In instances of duplications of tattoos in your herd or in assembling a group of cattle, write the Secretary requesting permission to add a number or letter to the existing tattoo.

#### **D. More Than One Sire:**

1. Calves from cows which had access to more than one bull shall be ineligible for registration unless parentage is established by blood typing, the cost of which is to be borne by the owner.
2. A breeder who persists in letting more than one bull have access to his cows or heifers shall be called before the Board of Directors for a hearing and be subject to such penalties as is within the power of BSCBA.
3. Calves from cows inseminated with semen from more than one sire shall be ineligible for registration unless parentage is established by blood typing, the cost of which is borne by the owner.

### **E. Minimum Age Requirements of Sire and Dam:**

Calves born from dams under 18 months of age and calves sired by a bull under 9 months of age at the time of service are ineligible for registry, unless parentage can be verified by blood typing, the cost of which is to be borne by the owner.

### **F. Breeding Receipts:**

1. Service Certificate - A service certificate is required for natural service when the owner of the dam at the time of service is not the owner of the sire.
2. If the dam of the animal to be registered was artificially bred by a semen producing business technician, the breeding receipt may be included with the application.
3. In lieu of a breeding receipt the owner may certify to accepting full responsibility for any damages resulting from inaccurate breeding information.
4. In instances where the semen used was involved in a transaction (sale, purchase or gift) for future use (not applicable under "2" above) the first owner or seller should provide the second owner or buyer with a Bill of Sale or equivalent document identifying the semen, the date of transaction, quantity involved and source of such semen. A copy of the Bill of Sale or equivalent document may be requested at anytime by BSCBA as evidence of availability of semen for use. The Bill of Sale or equivalent document need not necessarily be from the original producer or supplier, but should be traceable to the original source through a series of such documents involving each ownership of the semen available and used.

Refer to "Requirements for Artificial Insemination of Brown Swiss Cattle" for specific requirements.

### **G. Identification Records:**

1. Accurate breeding and calving records must be kept. If, upon investigation, it is found that no reliable or systematic plan of keeping breeding and calving records is in use in any herd, applications for registration of the animals in such herd may be refused until proper records are kept and all existing registrations may be canceled.
2. Investigation: The Secretary may, upon due notice to the owner or breeder, investigate or cause to be investigated, examined, identified or blood typed, any animal or herd of registered Brown Swiss cattle and may examine the breeding and herd records maintained for the purpose of verifying applications both for membership and registering of animals or for the purpose of verifying records on file in the BSCBA office or for the purpose of investigating other matters in which the BSCBA office may be interested.
3. Blood Type Spot Checking: Blood type spot checking for parentage verification may be accomplished on approximately every 1,000th animal registered in the Herdbook of BSCBA. In addition, every 1,000th female

transferred may have its parentage verified by blood typing. Only blood type results from laboratories approved by the BSCBA will be used for this purpose.

### **H. Names:**

1. The initial name of an animal shall be limited to 27 letter spaces (characters and spaces), inclusive of numbers and numerals 2nd, 3rd, etc. The use of numbers in the naming of animals is permitted provided that the owner of the animals has a registered prefix with BSCBA and not more than six (6) numbers are used in the name. The number used must be the same as their tattoos. Suffixes may be added later to a maximum of 30 letter spaces
2. No duplications of names shall be permitted for a 15 year period. Slight changes in spelling shall not constitute an original name.
3. The numerals 2nd, 3rd, 4th, etc. can be applied only to offspring of the animal bearing the names used, if of the same sex, in sequence with the date of birth. This rule shall not be construed to permit the perpetuation of farm names, or prefixes registered with BSCBA except by the person who has registered the prefix. The original 1st or word "First" is not permitted as it is considered as the original name. Roman numerals are not allowed to be used as a suffix.
4. The name of an animal over six months of age accepted by BSCBA for registration cannot be changed, except upon approval of the Executive Secretary and the Superintendent of Records and only then if there are no registered offspring of the individual. A breeder requested name change can be made without board action if the animal is under six months of age and the breeder makes the request within 60 days of registration. A correction fee will be charged for a name change unless the request is within 30 days of registration.
5. BSCBA cannot protect the "Common" or "Barn" part of an animal's name. A sire's name may not be used as a suffix in the naming of a female, and the dam's name may not be used as a suffix in the naming of a male. A cow's name should be feminine and a bull's name masculine. The use of another person's surname, even though not reserved, is not permitted.
6. The following other names are not allowed in the registration of Brown Swiss: All American, Bell Ringer, Certified, Elite, Superior, Qualified, Premier and Type Classification designations (Excellent, E; Very Good, VG; Good Plus, GP; Good, G; Fair, F; Poor or P) or any other word denoting recognition in Association's programs.
7. Other words that may not be used are articles and prepositions such as a, the, and, of, for and in. Slight changes in any of the above names or words will not be permitted in the naming of animals.
8. BSCBA reserves the right to reject names that are improper.

9. The prefix "CIE" must be used preceding all names of Step III animals in the Identity Enrollment Program and is included in the limit of 27 letter spaces.

### **I. Prefixes:**

A breeder of Brown Swiss cattle may reserve a prefix name for its exclusive use, when not previously reserved by BSCBA for another breeder. No prefix shall be reserved that is a duplication of the distinctive part of another registered prefix. Such prefix may not be used by another breeder unless such other breeder submits the written permission of the owner of the reserved prefix. The owner's right to the reserved prefix shall be lost by twenty (20) consecutive years of nonuse of the prefix.

1. A prefix shall be limited to fifteen (15) letter spaces.
2. A prefix can be the distinctive part of a farm name - but it cannot be a name that pertains to known and established bloodlines of Brown Swiss cattle. The words "Dairy", "Farm", "Ranch", and "Swiss" cannot be part of any prefix.
3. Names that are in common usage, such as barn names of cows cannot be a part of a prefix. The use of common barn names is, however, permitted when used in a combination of names so that it in no way indicates that the animal originated from a farm that may have such a name registered as a prefix. This does not prevent others from using the portion of a prefix that is a common barn name in naming their animals.
4. Single words that may be used in a combination to form a "Prefix" cannot be reserved. For example, the word "Maple" which can be used as a part of a "Prefix" such as "Maple Ridge", "Maple Knoll", etc. cannot be reserved. No single letter may be reserved as a Prefix.
5. The secretary is authorized to use discretion in refusing to register prefixes that may cause difficulty in the office or infringe on the use of common animal names by others. No duplication of a reserved prefix shall be permitted and a slight change in spelling shall not constitute an original prefix. The Secretary shall have the authority to reject a prefix that is too similar to a previously reserved prefix, but the applicant shall have the right of appeal to the Board of Directors, whose decision shall be final.
6. A breeder may give written notice to BSCBA that he is releasing his reserved prefix to another breeder, in which case such breeder may then reserve the released prefix at the regular fee.
7. The prefix used in naming an animal at the time of registration shall be the prefix of the person owning the dam at the time of breeding.

### **J. Who Shall Register?**

1. The owner of the dam at the time a natural calf is born shall register the animal.
2. Special provisions are hereinafter made for imported animals and embryo transplants.

3. In case of the failure or refusal of the first owner of an animal to sign an Application for Registry, upon satisfactory evidence being submitted, the Board of Directors may, at its discretion, instruct the Secretary to register the animal without the signature of the first owner.

**K. Breeder; definition of:**

The person owning the dam at the time of service to a bull shall be regarded as the breeder.

**L. Registering Multiple Births:**

1. In registering twins or members of other multiple births, it must state on the Application for Registry the sex of the other twin, or the sex of the other members of the multiple birth. The words **Twin, Tri** or **Quad** must be used as an integral part of the name as a suffix in naming of all animals which are members of multiple births.
2. Unless Applications for Registry of Twins or other multiple birth animals are sent to the BSCBA office at the same time, the first application must state that the animal is a twin or a member of another multiple birth in order that a subsequent Application for Registry of the other(s) may be honored.

**M. Registering Natural Polled Animals:**

The suffix "NP" must be added to the name of an animal that is naturally polled.

**N. Imported Animals:**

1. Animals imported into the United States of America must be registered by their importers and shall be admitted to registration after full compliance with the Bylaws and Rules of BSCBA.
2. The importer shall file a copy of the Certificate of Registry of the country of origin with the Secretary of BSCBA.
3. Bulls registered in foreign Herd Books, not located in the United States of America, and used for artificial insemination may be registered in BSCBA's Herd Book at the discretion of the Board of Directors.

**O. Embryo Transplants:**

1. The recorded owner of the transplanted embryo at the time of birth of the resulting calf shall be eligible to apply for a Certificate of Registry.
2. A suffix must be included in the name of animals resulting from embryo transplants.
  - a. Animals resulting from single whole embryos must include the suffix ET in their name.
  - b. Animals resulting from split embryos must include the suffix ETS in their name.
  - c. Animals resulting from nuclear (cloning) embryos must include the suffix ETN in their name.
3. An Official Certificate of Embryo Identification must accompany the Application for Registry. A Certificate of Embryo Identification will be issued for each embryo following the receipt of such application containing information of insemination, collection and transplant or storage for each flush of a donor dam and the payment of appropriate fees.

4. Blood typing information on the sire(s) and the donor dam is the responsibility of the applicant and must be from the blood typing laboratory designated by the BSCBA.

5. All regular conditions for registration must be met. This includes that only one sire's semen be used for each individual mating cycle unless notification is given to BSCBA prior to insemination. Offspring resulting from the mating to only one sire will be issued a Certificate of Registry. Blood typing will be on a random basis with the expenses incurred to be paid by the person applying for registry of the calf. If blood typing results do not confirm stated parentage, the Certificate of Registry will be canceled immediately.

Blood typing information on all offspring in cases where semen from more than one sire is used and qualification as offspring of stated parents must be received before a Certificate of Registry is issued. The owner accepts the risk of one or more of the resulting offspring not being eligible for registration in cases where blood typing cannot verify beyond a doubt the correct sire. The cost of all blood typing required is to be incurred by the applicant.

6. Registration fees in effect at the time the Application for Registry is submitted will apply.
7. If an embryo is sold, the Certificate of Embryo Identification must be returned to the Secretary with an Application for Transfer in order that the change of ownership may be recorded on the certificate. If the embryo was transplanted and the recipient cow is also a Registered Brown Swiss, the transfer of the cow will be a separate process from the transfer of the embryo and will be made through normal procedures.
8. Refer to "Embryo Transplant Rules and Regulations" for specific details on Identification, Transfer and Registration regarding embryo transplants.

**RULE 4 -**

**TRANSFER OF OWNERSHIP**

**A. Necessity for Recording Transfers:**

Every change of ownership of a registered animal or embryo shall be promptly recorded with the BSCBA by the seller in order that progeny of the animal or resulting ET calf may be registered and subsequent changes in ownership may be recorded.

**B. Who Shall Transfer?**

All transfers shall be applied for and paid for by the registered owner (seller), who shall furnish the transferee (purchaser) with the Certificate of Registry on which the transfer has been duly recorded by the Secretary. The transfer date must be the date of sale. The Application for Transfer, accompanied by the transfer fee and Certificate of Registry, shall be sent in by the registered owner. Should, however, the registered owner refuse to apply for such transfer, the Secretary,

upon the approval of the Board of Directors, on satisfactory proof of the sale of the animal and of its identity, shall transfer the animal to the name of the transferee.

**C. Duties of Registered Owner:**

1. All animals transferred must be clearly and legibly tattooed.
2. Before any animal shall leave the sellers' possession, the registered owner shall determine that the tattoo is clear and legible and corresponds with the Certificate of Registry.
3. Before the transfer of a female shall be recorded by the Secretary, the registered owner shall certify as to whether or not she has been bred or has an embryo implanted. If bred, the name and number of the bull and date of service shall be given. A service certificate shall be provided for natural service if the owner of the animal was not the owner of the sire at the time of service. If implanted, the embryo ID number shall be given.
4. Immediately upon receipt of the Certificate of Registry properly transferred to the name of the transferee, the transferrer shall deliver said certificate to such transferee.
5. All animals sold for export must be transferred on the records of the Association before leaving the country.
6. No Applications for Transfer shall be given in blank, but must be to the purchaser only. Open transfers are condemned and declared to be a violation of the Bylaws and subject to disciplinary action of the Board of Directors.

**D. Obligations of Purchaser:**

1. Immediately upon receipt of the transferred Certificate of Registry, the transferee (purchaser) shall verify the current owner's name thereon. If this name shall be incorrect thereon in any respect, transferee shall send the certificate to the BSCBA office for correction, such correction to be made without charge at any time within six months subsequent to the date of transfer, and at the regular fee thereafter, such fee to accompany the request.
2. Transferees are warned that the transfer must read direct from the registered owner to them.
3. Check the tattoo and make sure that it corresponds with the tattoo as shown on the Certificate of Registry. If the tattoo is illegible or does not correspond with the Certificate of Registry such fact shall be reported to BSCBA which will take such action through its Secretary, as the circumstances warrant.
4. Animals sold at public auction must be transferred from the seller to the buyer and may not be retransferred back to the seller within one year unless a satisfactory explanation is filed with the Secretary and accepted by the Board of Directors.
5. Animals sold for export and transferred from the seller to the buyer which cannot be exported may be transferred back to the original owner for a correction fee.

## **RULE 5 - MISCELLANEOUS REGISTRATION AND TRANSFER**

### **A. Returned Applications:**

Applications for Registry and Applications for Transfer returned to a breeder for additional information, correction, or for proper fees, must be returned to the office within sixty (60) days for the fees to apply. Otherwise the fees for registration or transfer which apply at the time the application is returned to the office shall be collected, unless there are extenuating circumstances or correspondence in regard to the application.

### **B. Fees:**

The fees for the registration and transfer of Brown Swiss cattle shall be fixed and adopted from time to time by the Board of Directors.

1. A charge will be made for issuing a duplicate Certificate of Registry, a Certificate of Registry "For Reference Only" and for reinstating a Certificate of Registry canceled in error by the owner. In cases of disaster the Secretary has the authority to use discretion and issue duplicate Certificates of Registry without cost. The duplicate, reference or reinstated Certificate of Registry, will have the signature of the current secretary.
2. Corrections of registrations and transfers made incorrectly, not reported to BSCBA within six months of registration or transfer, respectively, will require a correction fee.
3. Registrations for Estates:  
The estates of deceased members, and the surviving members of a partnership or other group entity which shall be dissolved by reason of the decease of a member thereof, shall be entitled to register or transfer cattle, at members' fees, for a period of eighteen (18) months after the decease, and for no longer period. Such privilege shall not be granted except when due notification of such decease has been filed with the Secretary.
4. When transferring an entire herd of an estate to the heirs of said estate, the fee per animal shall be \$2.00

### **C. Abnormalities:**

Abnormalities defined as recessive genetic defects will be designated as described in the "Abnormality Policy".

1. All animals so designated as abnormal or as known carriers will be so designated by adding a suffix to their name to indicate such defect.
2. Animals being registered or transferred which have parents or grandparents designated as carriers will contain a statement on the front of the Certificate of Registry indicating such.
3. Animals enrolled in an approved testing program and meeting the required confidence level shall be so designated on their Certificate of Registry and shall replace any statement as in 2 above.
4. All new registration certificates issued, whether new registrations or transfers, will contain a statement of genetic abnormalities on the back.

### **D. Alteration of Certificate:**

It is forbidden to change or in any way alter a Certificate of Registry or a Certificate of Transfer.

### **E. Code of Ethics:**

The Code of Ethics for Public Sales setting forth the terms and conditions of sales at private treaty or at public auction shall be followed.

## **RULE 6 - CANCELLATION OF RECORDS AND CERTIFICATES**

### **A. Sale of Animals**

When a registered animal is sold without papers, the BSCBA office should be notified of the date of sale. There-upon BSCBA shall cancel such registration upon its records.

### **B. Death of Animals:**

If a registered animal shall die or be sent to market, the owner at such time shall notify the BSCBA office as to the date of death or date of shipment to market. There-upon, BSCBA shall cancel such registration upon its records.

## **RULE 7 - INFRACTIONS AND DENIAL OF PRIVILEGES**

All the Bylaws of BSCBA are hereby made a part of these rules.

### **A. Infraction Hearing:**

Should any person be charged with willful misrepresentation in regard to a Brown Swiss animal or with any infraction of the Bylaws of these rules for registration and transfer or any other rules of BSCBA or with any act or conduct which may endanger the good order, welfare, records or credit of BSCBA, the Secretary shall examine into the matter, fix a date and place for the hearing of such charges by the Board of Directors and not less than thirty days prior to the date of hearing cause notice of the date and place of such charges, and that at such hearing such person shall have an opportunity to be heard in his defense of the same, to be given such person by registered mail at the last known address.

### **B. Denial of Privileges:**

If at such hearing or any adjournment thereof such charges are in the opinion of five members of the Board of Directors sustained by sufficient proof, the offending person may, by the vote of the five members of the Board of Directors, be denied, for all time, all rights to register and transfer cattle upon the records of BSCBA and all other privileges of BSCBA pending the hearing upon said charges. Persons so denied all right to register and transfer cattle may, in a proper case, at the discretion of the Board of Directors, be permitted to transfer the cattle then standing in their names or to register and transfer the progeny of such cattle within sixty days after such rights have been denied them by the Board of Directors, but after the expiration of sixty (60) days from the action of the Board of Directors of BSCBA denying privileges of BSCBA to such person in accordance with this provision, no registrations, or transfers of cattle by said persons shall be eligible to be recorded on

BSCBA's books, and the Secretary shall refuse to issue to such person, the purchaser, or any persons a certificate of any such registration or transfer.

### **C. Suspension and Cancellation of Registrations and Transfers:**

Should the identity, parentage, ancestry, or right to registration of any animal registered in the Herd Book of this Association be questioned, the registration of such animal and its progeny shall be temporarily suspended in such record, and any registration certificates issued in connection therewith be temporarily called in by the Secretary who shall forthwith cause an investigation to be made.

If such investigation proves the identity, parentage, ancestry or right to registration of any such animals to the satisfaction of everyone interested, the registration of such animal shall immediately be reinstated and the registration certificate returned to the lawful owner. Otherwise, the Secretary shall fix a date and place of hearing by the Board of Directors, at which the owner of such animal may have an opportunity to offer proof of such identity, pedigree, parentage, ancestry of right to registration, and not less than thirty days prior to the date of hearing cause notice of the date and place of such hearing together with notice that at such hearing such owner shall have an opportunity to offer proof of such identity, parentage, ancestry, or right to registration, to be given to such owner by registered mail.

If at such hearing or any adjournment thereof the identity, parentage, ancestry or right to registration of any such animal is proven and established to the satisfaction of a majority of the members of the Board of Directors present, the registration of such animal or animals shall be reinstated and the registration certificates returned to the lawful owner; but if the identity, parentage, ancestry or right to registration of any such animal is not proven and established to the satisfaction of a majority of the members of the Directors present, said registration papers shall be permanently canceled.

## **RULE 8 - ASSOCIATION'S RESPONSIBILITY**

Every registration and transfer is based on statements in the application therefore and BSCBA assumes no responsibility for damages which may be caused by the issuance of any Certificate of Registry, Identity Enrollment or Transfer based on erroneous, or fraudulent information or for damages resulting from the temporary or permanent cancellation of any registration or transfer certificates or papers.

For additional information write:

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