

**Opinion No. 14-1389**

November 25, 1914

**BY:** H. S. CLANCY, Assistant Attorney General

**TO:** Mr. W. J. Linwood, Secretary, Cattle Sanitary Board, Albuquerque, New Mexico.

**CATTLE.**

Inspection of cows intended for dairy purposes.

**OPINION**

{\*250} I am in receipt of your letter of the 24th instant in regard to the inspection of cattle brought into this state intended for dairy purposes.

I do not see that any disagreement exists as to the law upon this subject between you and this office. The question was raised by Mr. I. C. Huff, of Des Moines, New Mexico, in a communication addressed by him to this office as to whether the New Mexico authorities could charge him for the inspection of a cow imported by him from some other state, and it was my opinion that he could not be subjected to the payment of such inspection fee, unless such cow was unaccompanied by a certificate signed by some duly qualified veterinarian of the United States Bureau of Animal Industry or of some state or territory, as provided by Chapter 75 of the Laws of 1909. It is doubtful whether a cow intended for dairy purposes could be admitted to New Mexico unless accompanied by such a certificate, especially as the act referred to requires that the cow shall be tested again within three months after its arrival in New Mexico. The expenses of this later inspection should, as you state, be borne by the Cattle Sanitary Board as provided by Section 9 of Chapter 9 of the Laws of 1909. Necessarily, the expenses of the inspection made in some other state immediately prior to shipment must be borne by the owner of the cow.