# CHAPTER 61
# PLANTS AND ANIMALS

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## ARTICLE 1
## PLANT AND ANIMAL QUARANTINE

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### § 61101. Definitions.

As used in this Chapter:

(a) *Pest* means insect, fungus, bacterium, virus and other forms of animal and plant life known or suspected to be injurious to Guam crops and livestock or poisonous to fish.

(b) *Host* means plant or animal or part thereof, soil, container, vehicles, or other article known or suspected to be infested or contaminated with agricultural pests.

(c) *Regulated article* means any pest or host designated as such in this Chapter or in any plant and animal quarantine or control regulation.

(d) *Crop* means plants and plant products collectively grown or cared for and used for food and other useful purpose.

(e) *Livestock* means cattle, carabao, swine, deer, sheep, goats, equine and poultry raised for labor, food or other purposes.

**SOURCE:** GC § 12100 added by P.L. 3-103; subpart (a) amended by P.L. 7-16. All sections in this Chapter are "added by P.L. 3-103" unless noted otherwise. Subsection (e) amended by P.L. 25-030:1.

### § 61102. Regulations.

Regulations shall be promulgated, in accordance with 60108 of this Division, to protect Guam agriculture from new plant and animal diseases. Such regulations may establish quarantines at the border of or within Guam, prohibiting or restricting the entry and movement of designated pests and hosts and prescribing methods for inspection, safeguard, treatment and destruction of such regulated articles, and for



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related work. The Director is authorized to modify, by making less stringent, any prohibitions or restrictions made by such regulations.

**SOURCE:** GC § 12101.

### § 61103. Authority to Inspect.

The Director is hereby authorized and empowered to enter upon any air or sea craft arriving at Guam whether off-port, at pier or wharf, or at an airfield; to enter any pier, wharf, depot, warehouse or other places where any regulated article exists or is believed to exist; and to inspect cargo, stores, quarters, baggage and any other thing for regulated articles.

**SOURCE:** GC § 12102.

### § 61104. Safeguard or Confinement.

The Director shall have the power to safeguard any animal, plant, or other regulated article when, in his opinion, such confinement is necessary to prevent the spread of a pest from such article.

**SOURCE:** GC § 12103.

### § 61105. Treatment.

Regulated articles which can be safely and effectively treated to destroy associated pests, may be treated in a manner deemed necessary and adequate by the Director. Surfaces, areas and things actually or possibly contaminated with imported pests may be so treated.

**SOURCE:** GC § 12104.

### § 61106. Treatment at Risk and Expense of Owner.

Any treatment which may be required under the provisions of this Article shall be at the risk and at the expense of the owner or person in charge or in possession thereof at the time of treatment unless otherwise provided in supporting regulations.

**SOURCE:** GC § 12105.

### § 61107. Destruction.

Regulated articles and things exposed to contamination therefrom, which cannot be made pest free by any treatment approved by the Director, shall be destroyed or shipped out of Guam, as ordered by the Director.

**SOURCE:** GC § 12106.

### § 61108. Liabilities.

Exception the salary and transportation of any inspector, the costs of plant and animal quarantine activities shall, as determined by the Director, be borne by the owner or person in charge or in possession of any regulated article involved in such costs. The government of Guam, the Department, Director or inspector shall in no manner be liable for loss, destruction, or damage to property or persons resulting from activities authorized by this Article.

**SOURCE:** GC § 12107.

### § 61109. Egg Labeling.

[Repealed.]

**SOURCE:** GC § 12108; repealed by P.L. 11-205.



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**CROSS-REFERENCE:** See 5 GCA Title 10, Health & Safety, for labeling and regulation of food.

### § 61110. Violations.

It shall be unlawful and punishable upon conviction as a petty misdemeanor, for any person to violate any provisions of this Article and supporting regulations, including but not limited to (a) concealment from an inspector of any regulated article or failure to present the same for inspection and (b) failure to safeguard, dispose of, or otherwise handle regulated articles in accordance with this Division and instructions from an inspector.

**SOURCE:** GC § 12109; amended by P.L. 13-187:101.

## ARTICLE 2
## PLANT AND ANIMAL PEST CONTROL

§ 61201. Authority to Perform or Require Control Work.
§ 61202. Regulations.
§ 61203. Indemnities and Costs.
§ 61204. Bovine Tuberculosis.
§ 61205. Rabid Dogs. [Repealed]
§ 61206. Unlawful Acts.
§ 61207. Penalties.

### § 61201. Authority to Perform or Require Control Work.

The Department is authorized to perform or participate in pest control or eradication work when, in the opinion of the Director, such work by the Department is of general benefit to Guam agriculture and not largely for the benefit of one or few individuals. Any owner may be required to perform control work and to safeguard or destroy designated regulated articles when, in the opinion of the Director, such action is necessary to protect the agricultural economy of Guam.

**SOURCE:** GC § 12125.

### § 61202. Regulations.

Regulations shall be promulgated, in accordance with § 60108 of this Chapter, to protect plants, fish and animals from destructive and injurious pests.

**SOURCE:** GC § 12126.

### § 61203. Indemnities and Costs.

No indemnity shall be paid to the owner or any person for property destroyed or damaged by activities authorized herein, unless specifically provided for in this Division or supporting regulations. Unless otherwise indicated, the costs of work done, material consumed, and equipment used on such activities, including the salaries of the veterinarian and any inspector, shall be borne by the government of Guam.

**SOURCE:** GC § 12127.

### § 61204. Bovine Tuberculosis.

All cattle within Guam shall be tuberculin tested by the government veterinarian as often as in his judgment, with the approval of the Director, such testing is desirable in order to detect, suppress and eradicate bovine tuberculosis. The veterinarians and agent of the Department may, for the purpose of making such tests, go upon any property where such cattle are kept or found. If bovine tuberculosis is



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detected in any animal, the Director shall recommend control and eradication procedures, provisions for indemnification, and penalties, to be promulgated as regulations as authorized in § 60108 of this Chapter.

**SOURCE:** GC § 12128.

### § 61205. Rabid Dogs.

[Repealed.]

**SOURCE:** GC § 12130 added by P.L. 3-103; repealed by P.L. 5-62.

**CROSS-REFERENCE:** For dog control laws, see 10 GCA Chapter 34.

### § 61206. Unlawful Acts.

It shall be unlawful for any person (a) to conceal, plant, harvest, dry, or process any pest or host which is subject to a Department control or eradication program and (b) fail to safeguard, dispose of, or otherwise handle such pests and hosts as instructed by an inspector or agent of the Department, in accordance with the provisions of this Article.

**SOURCE:** GC § 12150; amended by P.L. 7-16.

### § 61207. Penalties.

Any violation of the provisions of § 61206, above, shall be a petty misdemeanor.

**SOURCE:** GC § 12131; amended by P.L. 13-187:102.

## ARTICLE 3
## SLAUGHTERHOUSES AND SLAUGHTERED ANIMALS

§ 61301. Slaughterhouse Defined.
§ 61302. Cognizance over Slaughterhouses.
§ 61303. Permits and Health Certificates.
§ 61304. Requirements for Slaughterhouses.
§ 61305. Slaughtering of Animals.
§ 61306. Inspection of Animals: Private Use.
§ 61307. Inspection of Animals for Meat: Commercial Use.
§ 61308. Sale, Offer for Sale, or Possession of Uninspected Meat: Unlawful.
§ 61309. Unlawful Possession of Mark, Stamp or Brand.
§ 61310. Cattle Slaughtering for Food: Notice.
§ 61311. Regulations.
§ 61312. Violation: Penalties.

### § 61301. Slaughterhouse Defined.

*Slaughterhouse* means and includes any commercial establishment where cattle, swine, carabaos, deer, sheep, goats, horses or other livestock are killed for the purpose of obtaining the meat therefrom for human consumption.

**SOURCE:** GC § 12140. Amended by P.L.25-030:2.



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### § 61302. Cognizance over Slaughterhouses.

All matters concerning sanitation relative to the operation of slaughterhouses, the inspection of livestock, procedures for slaughtering and inspection of carcasses and meat shall be under the cognizance of the Director.

**SOURCE:** GC § 12141.

### § 61303. Permits and Health Certificates.

(a) It shall be unlawful for any person to open a business, operate or continue to operate any slaughterhouse without a permit from the Director.

(b) A person employed in the operation of a slaughterhouse shall have a valid health certificate from the Department of Public Health and Social services. Every owner, employer, manager, or person in charge or in control of any slaughterhouse, together with the person employed, is responsible that such person so employed has a valid health certificate.

**SOURCE:** GC § 12142; amended by P.L. 7-101 and P.L. 9-147.

### § 61304. Requirements for Slaughterhouses.

Every slaughterhouse hereafter established shall comply with the following:

(a) Every slaughterhouse shall be kept clean and sanitary. All offal, blood, fat, manure or other refuse shall be removed therefrom immediately after completion of the slaughtering operations.

(b) There shall be abundant light, both natural and artificial, and sufficient ventilation to insure sanitary conditions.

(c) The water supply shall be ample, clean and potable with adequate facilities for the distribution in the plant. Both hot and cold water shall be available during operation of the slaughterhouse.

(d) The floors shall be of concrete constructed in such a way that all blood, water and liquid refuse will drain into a cesspool properly constructed and well kept. The walls may be of concrete, lumber, or other suitable materials, to a height of at least five feet from the floor. The space above five feet from the floor may be of screen but shall be kept in good repair. The ceiling must be of sufficient height to permit carcasses to hang so that they do not contact the floor.

(e) Every precaution shall be taken to keep the establishment free from insects and rodents.

(f) No animal or fowl, except animal or fowl for slaughter, shall be permitted in any slaughterhouse. No animal of fowl shall be kept permanently on the premises of the slaughterhouse or within 150 feet thereof.

(g) Properly located facilities for cleaning, disinfecting and sterilizing utensils and hands of all persons handling meat or meat food products shall be provided.

**SOURCE:** GC § 12143.

### § 61305. Slaughtering of Animals.

All livestock, except poultry, intended to be slaughtered for commercial purposes must be slaughtered in a slaughterhouse in a manner approved by the Department.

**SOURCE:** GC § 12144.



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### § 61306. Inspection of Animals: Private Use.

An owner of livestock, except poultry, desiring to slaughter such livestock for meat for private human consumption may request the services of an inspector from the Director for the purpose of inspecting such livestock. Such inspection shall be made without charge, and the recommendations of the inspection shall not be binding on the owner, except that if an animal is found to have a communicable disease, it shall be condemned for human consumption.

**SOURCE:** GC § 12145.

### § 61307. Inspection of Animals for Meat: Commercial Use.

An animal to be slaughtered in the Territory of Guam for the purpose of processing or manufacturing meat, meat products, or by-products therefrom for sale for human consumption, the carcass of such animal after slaughter, and any meat, meat product, or by-products processed or manufactured therefrom in Guam for sale for human consumption, must be inspected and approved as fit for human consumption by a qualified veterinarian of the Department of Agriculture of his duly authorized representative. The veterinarian shall condemn any such animal found by him to be incurably diseased, and such meat, meat products, or by-products found by him to be unfit for human consumption. The veterinarian's approval of meat found fit for human consumption shall be indicated by impressing upon each primal part of such meat or carcass a form of stamp approved by the Director. All animals, carcasses, or meat condemned under this Section shall be disposed of under the direction and supervision of the veterinarian. When an animal is condemned under this Section, or the carcass or meat therefrom, the owner of the animal shall be entitled to indemnification in such amount as determined by the Director in accordance with regulations promulgated pursuant to § 60108 of this Division.

**SOURCE:** GC § 12146; amended by P.L. 4-70.

### § 61308. Sale, Offer for Sale, or Possession of Uninspected Meat: Unlawful.

No person shall sell, or offer for sale, any meat not bearing a valid approval stamp as required under § 61307 of this Article, and no wholesaler or retailer shall have in his possession or on his business premises any meat not bearing a valid approval stamp as required under § 61307 of this Division.

**SOURCE:** GC § 12147.

### § 61309. Unlawful Possession of Mark, Stamp or Brand.

It shall be unlawful for any person, except authorized employees or deputies of the Department, to possess, keep, or use any mark, stamp, or brand provided for use for marking, stamping, or branding the carcass of animals, parts thereof, meats, or meat food products.

**SOURCE:** GC § 12148.

### § 61310. Cattle Slaughtering for Food: Notice.

No person shall slaughter or kill any cattle for food purposes unless he has secured a written permit from the Commissioner or Assistant Commissioner of the respective districts in Guam where the slaughtering occurs, within 24 hours of such slaughtering. Any person violating the provisions of this Section shall be guilty of a petty misdemeanor; Provided, however, that the provisions of this Section shall not apply to the slaughtering or killing of cattle to prevent waste, but notice of such slaughtering or killing must be made by the person doing so to the Commissioner or Assistant Commissioner of such district within 24 hours after such slaughtering or killing.

**SOURCE:** GC § 12150 added by P.L. 5-120; amended by P.L. 7-25 and P.L. 13-187:103.



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**NOTE:** *Commissioner* and *Assistant Commissioner* changed to *Mayor* and *Vice Mayor,* respectively, pursuant to P.L. 20-33:1.

### § 61311. Regulations.

Regulations shall be promulgated in accordance with § 60108 of this Division to implement this Article.

**SOURCE:** GC § 12155; renumbered from § 12149 by P.L. 5-120.

### § 61312. Violation: Penalties.

Any violation of this Article or supporting regulations is a petty misdemeanor and punishable as such.

**SOURCE:** GC § 12156; renumbered from § 12150 by P.L. 5-120; amended by P.L. 13-187:104.

## ARTICLE 4
## BRANDING LAW OF 2000

**SOURCE:** This Article, the *Branding Law of 1970*, was repealed/reenacted from the former Article 4 on the same subject by P.L. 25-186:15.

§ 61401. Definitions.
§ 61402. Name.
§ 61403. Branding Mandatory.
§ 61404. Time Limit for Branding.
§ 61405. Brand to be Registered.
§ 61406. Registration.
§ 61407. Denial of Registration.
§ 61408. Procedure After Denial.
§ 61409. Use of Brand.
§ 61410. Transfer of Brand.
§ 61411. Disposition of Fees.
§ 61412. Transfer/Sale of Livestock.
§ 61413. Chief Brand Inspector.
§ 61414. Assistance by Department.
§ 61415. Implementing Regulations.
§ 61416. Penalty.
§ 61417. Livestock Fund.

### § 61401. Definitions.

As used in this Article:

(a) *Livestock* means any cattle, carabao, horse, deer, mule or donkey.

(b) *Brand* means any permanent tag, mark, sign, or symbol placed upon or implanted in livestock for the purpose of identifying the owner thereof.

### § 61402. Name.

This Article may be cited as the *Branding Law of 2000.*



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**§ 61403. Branding Mandatory.**

No person shall own any livestock which does not carry the registered brand of such owner as required by this Article.

**§ 61404. Time Limit for Branding.**

All livestock shall be branded within ninety calendar days of the date of birth, or one month after acquisition, whichever is later.

**§ 61405. Brand to be Registered.**

No person shall use any brand which has not been registered with the Department of Agriculture.

**§ 61406. Registration.**

Application for registration of brands shall be made on a form furnished by the Department. If said application is approved, the Department shall forthwith issue to the applicant a certificate of brand registration upon payment of a fee of $10.00. Brands registered with the Department prior to the Year 2000 must be re-registered with the Department to be valid. Upon receipt of the certificate of brand registration, the applicant is responsible for making the applicant's own brand, or having one made for that person.

**§ 61407. Denial of Registration.**

The Department shall deny the registration of any brand which is identical to any brand previously registered, or which is easily altered from the brand of another. No brand shall be registered which is formed by representation of any letter, number or figure which has been previously registered, or which is a solid brand, or which is described as being on either side of an animal, or composed of single letters or figures, or of more than three letters or figures. The location of the brand on the animal shall be considered as part of the brand, and no brand shall be registered which does not describe such location.

**§ 61408. Procedure After Denial.**

Upon denial of any application for registration of brand, the application shall be returned to the applicant, together with a statement of the reason(s) for rejection. Another application may then be filed for a different brand.

**§ 61409. Use of Brand.**

(a) No person shall apply any brand to any livestock or other animal without the permission of the owner of the brand.

(b) No person shall apply any brand to any livestock or other animal not owned by that person without the permission of the owner of such animal.

(c) No person shall apply a brand to any livestock or other animal unless Guam Veterinarian, or his authorized agent is present.

**§ 61410. Transfer of Brand.**

A registered brand may be transferred to another person by application of the owner of the brand and the proposed transferee, and surrender of the original certificate of brand registration to the Department. The Department shall thereupon issue a new certificate of brand registration upon payment of a fee of $10.00.



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### § 61411. Transfer/Sale of Livestock.

Any person who purchases or acquires livestock must brand such animals no later than 30 calendar days after acquisition. Previously branded animals not intended for slaughter within 30 calendar days of acquisition must be reregistered with the Department. An affidavit of livestock transfer indicating the transaction will be issued to the buyer. All brands must be registered with the Department.

### § 61412. Chief Brand Inspector.

The Director of Agriculture shall designate one or more employees of the Department to serve as Chief Brand Inspector and Deputy Brand Inspector, respectively, who will enforce the laws and regulations pertaining to branding of livestock and undertake any other related duties assigned by the Director. Nothing herein shall be construed, however, to limit the authority and responsibility of the Guam Police Department in regard to criminal enforcement.

### § 61413. Assistance by Department.

The Department shall disseminate information to interested persons relative to branding requirements and procedure, and may assist owners in the branding of their livestock and charge a reasonable fee thereof as prescribed by regulations.

### § 61414. Regulations.

Regulations implementing this Article shall be formulated, approved and issued in accordance with the Administrative Adjudication Act to carry out the purposes of this Article.

### § 61415. Penalty.

Any person violating any Section of this Article is guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine of not less than $50.00, nor more than $500.00, or by imprisonment of not more than 90 days, or by both fine and imprisonment.

### § 61416. Livestock Fund.

[Repealed.]

**SOURCE:** Repealed by P.L. 36-071:18 (Dec. 27, 2021).

## ARTICLE 5
## ESTRAYS

§ 61501. Definitions.
§ 61502. Confinement of Animals.
§ 61503. Grazing Prohibited.
§ 61504. Impoundment and Temporary Municipal Custody of Estrays.
§ 61505. Estray Animal Control Unit and Estray Livestock Stewardship Program.
§ 61505.1 Estray Livestock Safety Protocols.
§ 61506. Seizure of Estrays by Private Persons: Lien; Reimbursement.
§ 61507. Notice of Seizure.
§ 61508. Fees and Costs.
§ 61509. Recovery by Owner.
§ 61510. Disposition of Unclaimed Estrays.
§ 61511. Estray Livestock Stewardship and Enforcement Fund.
§ 61511.1. Voluntary Reclamation Compliance Waiver.



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§ 61512. Liability Protections.
§ 61513. Penalties.

**§ 61501. Definitions.**

As used in this Article, the following definitions shall apply:

(a) *Domestic animal* means any sheep, pig, goat, horse, mule, deer, cattle or carabao.

(b) *Estray* means any domestic animal found at large, or trespassing on public or private property. It includes, but is not limited to, any domestic animal found within any public right-of-way whether such domestic animal is at large, staked, or tied.

(c) *Owner* means any person in possession of or harboring a domestic animal.

**SOURCE:** GC § 12180 added by P.L. 5-47. All SOURCE references in this Article are to P.L. 5-47 unless another Public Law is stated. Subsection (a) amended by P.L. 25-030:4.

**CROSS-REFERENCE:** The control of dogs is found in 10 GCA Chapter 34.

**§ 61502. Confinement of Animals.**

All domestic animals must be confined by the owner thereof by adequate fencing, or be kept securely staked or tied, except where otherwise subjected to direct control by the presence of the owner or his authorized representative.

**SOURCE:** GC § 12161.

**§ 61503. Grazing Prohibited.**

It shall be unlawful for an owner of a domestic animal, willfully, to allow such animal to graze, or be at large, whether or not staked or tied, within any public right-of-way, school, park, or recreation area, or, except when duly authorized according to law, on any other public property.

**SOURCE:** GC § 12182.

**§ 61504. Impoundment and Temporary Municipal Custody of Estrays.**

(a) The Department of Agriculture shall seize and impound all estrays.

(b) The Mayors of Guam shall have the concurrent authority within their respective municipalities to collect, secure, transport, or coordinate the temporary care placement of estrays pending the retrieval, transfer, impoundment, custodial caretaker placement, or other lawful disposition by the Department of Agriculture.

(c) A Mayor may enter into a memorandum of understanding with the government agency having jurisdiction over public property within the municipality, to designate such property as a holding area for the municipality's temporary custody and care of an estray livestock.

(d) The Department of Agriculture may enter into a memorandum of understanding with mayors for the administration, coordination of estray response, temporary care placement, transportation, and livestock management activities.

(e) Temporary Municipal Custody pursuant to this Section shall not constitute ownership or permanent custody of the estray livestock by the municipality.

**SOURCE:** GC § 12183; amended by P.L. 11-68, P.L. 38-143:2 (Oct. 13, 2026).

**2026 NOTE:** P.L. 38-143:13 states: "The Department of Agriculture shall promulgate all rules and regulations necessary to implement this Act no later than one-hundred eighty (180) days following enactment. Pending the



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promulgation of rules and regulations, the Department may establish interim policies and procedures consistent with this Act."

**NOTE:** *Commissioner* has been changed to *Mayor* pursuant to P.L. 20-33:1.

## § 61505. Estray Animal Control Unit and Estray Livestock Stewardship Program.

(a) The Department of Agriculture shall maintain an estray animal control unit for the care, custody, transportation, impoundment, temporary care placement, and lawful disposition of estrays.

(b) The Department of Agriculture is authorized to establish and administer an Estray Livestock Stewardship Program for the temporary care placement of estray livestock with qualified custodial caretakers.

(c) The Department may approve livestock owners, ranchers, farmers, agricultural operators, or other qualified persons as custodial caretakers for estray livestock.

(d) Temporary care placement may continue pending:

(1) Identification of the owner;

(2) Reclamation by the owner;

(3) Transfer to Department custody;

(4) Public sale or disposition pursuant to law;

(5) Other lawful disposition authorized by the Department.

(e) Custodial caretakers may receive reimbursement from the Estray Livestock Stewardship and Enforcement Fund established pursuant to this Article for the reasonable expenses associated with feed, care, veterinary services, transportation, fencing, and livestock maintenance.

(f) A Custodial caretaker shall have the right of first refusal to acquire lawful ownership of an estray livestock in the caretaker's custody, if the caretaker elects to do so, following the expiration of all notice, reclamation and disposition requirements established by this Article. The Department of Agriculture may transfer ownership directly to the custodial caretaker or permit the caretaker to match the highest acceptable bid at any public sale conducted pursuant to § 61510.

**SOURCE:** GC § 12184; amended by P.L. 11-68, P.L. 38-143:3 (Oct. 13, 2026).

**2026 NOTE:** P.L. 38-143:13 states: "The Department of Agriculture shall promulgate all rules and regulations necessary to implement this Act no later than one-hundred eighty (180) days following enactment. Pending the promulgation of rules and regulations, the Department may establish interim policies and procedures consistent with this Act."

## § 61505.1. Estray Livestock Safety Protocols.

The Department of Agriculture shall develop and maintain safety protocols governing the capture, handling, transportation, detention, temporary custodial care, and disposition of estray livestock by the Department, mayors, law enforcement personnel, and authorized persons acting pursuant to this Chapter.

**SOURCE:** Added by P.L. 38-143:4 (Oct. 13, 2026).

**2026 NOTE:** Subsection designation omitted pursuant to the authority of 1 GCA § 1606. P.L. 38-143:13 states: "The Department of Agriculture shall promulgate all rules and regulations necessary to implement this Act no later than one-hundred eighty (180) days following enactment. Pending the promulgation of rules and regulations, the Department may establish interim policies and procedures consistent with this Act."



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## § 61506. Seizure of Estrays by Private Persons: Lien; Reimbursement.

(a) Notwithstanding § 61505, any person finding any estray upon premises in his possession, or upon highways and streets adjacent thereto, may seize such estray and shall have a lien thereon for all costs incurred in seizing, keeping and caring for such estray and also for any damages in, on, or to such person's premises or other property caused by such estray.

(b) Any person seizing and securing an estray, pursuant to this Section, shall notify the Department of Agriculture or the Mayor of the Municipality within twenty-four (24) hours; provided, however, that weekends and government-recognized holidays shall not count toward the twenty-four (24) hour notification period. Notification transmitted by electronic mail on a weekend or government-recognized holiday shall constitute sufficient notice for purposes of this Subsection.

(c) The Department of Agriculture may reimburse municipalities, custodial caretakers, and private persons from the Estray Livestock Stewardship and Enforcement Fund for approved reasonable expenses incurred pursuant to this Article.

(d) Reimbursement under this Section shall not extinguish the government's right to pursue recovery of costs, fees, penalties, or damages from the owner of the estray.

**SOURCE:** GC § 12185; amended by P.L. 11-68, P.L. 38-143:5 (Oct. 13, 2026).

**2026 NOTE:** P.L. 38-143:13 states: "The Department of Agriculture shall promulgate all rules and regulations necessary to implement this Act no later than one-hundred eighty (180) days following enactment. Pending the promulgation of rules and regulations, the Department may establish interim policies and procedures consistent with this Act."

## § 61507. Notice of Seizure.

The Director of Agriculture shall, within five days, after notification of impoundment of an estray, cause public notice to be given that the estray, if not reclaimed, may be sold at public sale at the Department of Agriculture by the Director on a date specified which shall be not less than fifteen (15) days after the date of the notice, transferred to an approved custodial caretaker, or otherwise lawfully disposed of pursuant to this Article. The notice shall also state the number and description of the estrays impounded, the brands if any, the date and place of impounding, the name of the private person, if any, who made the seizure, and the amount claimed by such person as costs and damages, the amount per day charged for care and keep of estrays by the Department of Agriculture and that the estray may be claimed by the owner at any time prior to the sale, transfer or other lawful disposition in accordance with § 61509. Such notice shall be delivered to the owner, if the owner is known. The notice shall be published in accordance with Chapter 8, Title 5, Guam Code Annotated prior to the date of sale, transfer or other lawful disposition of the estray.

**SOURCE:** GC § 12186; amended by P.L. 11-68, P.L. 38-143:6 (Oct. 13, 2026).

**2026 NOTE:** P.L. 38-143:13states: "The Department of Agriculture shall promulgate all rules and regulations necessary to implement this Act no later than one-hundred eighty (180) days following enactment. Pending the promulgation of rules and regulations, the Department may establish interim policies and procedures consistent with this Act."

## § 61508. Fees and Costs.

(a) The Department of Agriculture may assess reasonable fees and costs associated with:

(1) Impoundment;

(2) Transportation;

(3) Temporary care placement;



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(4) Veterinary services;

(5) Feeding and care;

(6) Municipal holding;

(7) Notice and publication; and

(8) Other necessary estray management expenses.

(b) Municipalities, custodial caretakers, and private persons who lawfully seize, detain, secure, transport, care for or report estrays pursuant to this Article may be reimbursed from the Estray Livestock Stewardship and Enforcement Fund for approved expenses incurred in connection with estray livestock management, provided that sufficient documentation of such expenses is submitted.

(c) Reimbursement under this Section may include expenses associated with feed, water, fencing, pasture use, labor, veterinary services, transportation, equipment damage, emergency containment materials, and other approved livestock management costs.

(d) Nothing in this Section shall prohibit the Department from seeking reimbursement or civil recovery from the owner of the estray.

**SOURCE:** GC § 12187; amended by P.L. 11-68, P.L. 38-143:7 (Oct. 13, 2026).

**2026 NOTE:** P.L. 38-143:13: "The Department of Agriculture shall promulgate all rules and regulations necessary to implement this Act no later than one-hundred eighty (180) days following enactment. Pending the promulgation of rules and regulations, the Department may establish interim policies and procedures consistent with this Act."

### § 61509. Recovery by Owner.

The owner of any impounded estray may obtain the release thereof, prior to sale, by producing evidence of ownership and paying all costs for care and keep, notice of sale, and any claim for costs and damages of the private person, if any, who made the seizure. If the owner refuses to pay the claim of any such damaged person, he may obtain the release of an estray by posting a bond in the amount of such claim, but not to exceed the value of the estray as appraised by the Director. Such lien shall remain in effect for one year to satisfy any judgment obtained by the claimant against the owner.

**SOURCE:** GC § 12188.

### § 61510. Disposition of Unclaimed Estrays.

(a) Any estray remaining unclaimed at the time fixed for the date of sale in the notice required by § 61507 shall be sold at public sale by the Director.

(b) The minimum acceptable bid at the sale on each estray shall not be less than the charged for care and keep, impounding, and costs of sale.

(c) The sale shall be to the highest bidder and the terms of sale shall be cash.

(d) If no acceptable bid is received, the Director shall declare the estray sold to the government of Guam in payment for the charges for care and keep, impounding, and costs of sale. Any estray sold to the Government of Guam shall be delivered to the Department of Agriculture.

(e) All sales shall be final and bar any right of recovery.

(f) The Director shall issue a proper bill of sale for the estray sold to the highest bidder after completion of the sale. All sales made under the provisions of this Article convey a good and valid title to the purchaser.



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(g) Notwithstanding this Section, the Department may transfer ownership to an approved custodial caretaker pursuant to § 61505 (f) following satisfaction of all notice and reclamation requirements of this Article.

**SOURCE:** GC § 12189; amended by P.L. 11-68. Subsection (g) added by P.L. 38-143:8 (Oct. 13, 2026).

**2026 NOTE:** P.L. 38-143:13 states: "The Department of Agriculture shall promulgate all rules and regulations necessary to implement this Act no later than one-hundred eighty (180) days following enactment. Pending the promulgation of rules and regulations, the Department may establish interim policies and procedures consistent with this Act."

## § 61511. Estray Livestock Stewardship and Enforcement Fund.

(a) There is hereby created, separate and apart from other funds of the government of Guam, the "Estray Livestock Stewardship and Enforcement Fund."

(b) The Fund shall be administered by the Department of Agriculture.

(c) The Fund shall consist of:

(1) Legislative appropriations;

(2) Fines and penalties collected pursuant to this Article;

(3) Impoundment and administrative fees;

(4) Proceeds from estray sales by the Department;

(5) grants, donations; and

(6) other revenues lawfully received for purposes of this Article.

(d) Monies in the Fund shall not lapse and may be used for:

(1) Reimbursement to private persons;

(2) Custodial caretaker reimbursement;

(3) Municipal reimbursement;

(4) Feed and livestock care;

(5) veterinary services;

(6) fencing and temporary holding facilities;

(7) Livestock transportation;

(8) enforcement activities; and

(9) Other estray livestock management purposes authorized by the Department.

(e) The Director of the Department of Agriculture may utilize unobligated and unexpended appropriations lawfully available to the Department for startup and implementation costs associated with this Article pending capitalization of the Estray Livestock Stewardship and Enforcement Fund.

**SOURCE:** GC § 12190; amended by P.L. 11-68, P.L. 38-143:9 (Oct. 13, 2026).

**2026 NOTE:** P.L. 38-143:13 states: "The Department of Agriculture shall promulgate all rules and regulations necessary to implement this Act no later than one-hundred eighty (180) days following enactment. Pending the promulgation of rules and regulations, the Department may establish interim policies and procedures consistent with this Act."



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## § 61511.1. Voluntary Reclamation Compliance Waiver.

(a) An owner who voluntarily reclaims estray livestock within seven (7) calendar days of notice of impoundment or publication of notice may qualify for a waiver or reduction of penalties under this Article, provided the owner:

(1) establishes proof of ownership;

(2) cooperates with Department livestock registration and identification requirements within a period prescribed by the Department. The Department shall issue any livestock identification, such as livestock identification tags, required by law or regulation; and

(3) pays reasonable care, transportation, veterinary, administrative, and other actual costs associated with the estray as determined by the Department.

(b) The waiver authorized under this Section shall apply only to first-time violations occurring within a three (3) year period.

(c) The waiver shall not apply where:

(1) the estray incident resulted in bodily injury or death;

(2) substantial property damage occurred;

(3) the owner intentionally abandoned the livestock; or

(4) the owner is determined to be a repeat or habitual violator.

(d) Nothing in this Section shall prohibit the Department from issuing warnings, compliance orders, corrective action requirements, or seeking reimbursement of actual costs incurred.

**SOURCE:** Added by P.L. 38-143:10 (Oct. 13, 2026).

**2026 NOTE:** P.L. 38-143:states: "The Department of Agriculture shall promulgate all rules and regulations necessary to implement this Act no later than one-hundred eighty (180) days following enactment. Pending the promulgation of rules and regulations, the Department may establish interim policies and procedures consistent with this Act."

## § 61512. Liability Protections.

(a) No liability shall be incurred by the government of Guam, including the Department of Agriculture, any mayor, municipal employee, and custodial caretaker, private person, contractor, volunteer, or any authorized agent acting in good faith in carrying out the provisions of this Article.

(b) Liability protections under this Section shall apply to activities including, but not limited to:

(1) seizure;

(2) transportation;

(3) temporary custodial care;

(4) veterinary treatment; and

(5) lawful disposition of estrays.

(c) The protections of this Section shall not apply in cases involving gross negligence, reckless misconduct, or intentional harm.

**SOURCE:** GC § 12191. Amended by P.L. 38-143:11 (Oct. 13, 2026).

**2026 NOTE:** P.L. 38-143:13 states: "The Department of Agriculture shall promulgate all rules and regulations necessary to implement this Act no later than one-hundred eighty (180) days following enactment. Pending the



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promulgation of rules and regulations, the Department may establish interim policies and procedures consistent with this Act."

## § 61513. Penalties.

(a) Any owner who violates any provision of this Article shall be subject to:

(1) a fine not exceeding Five Hundred Dollars ($500) for a first violation per animal;

(2) a fine not exceeding One Thousand Dollars ($1,000) for a second violation per animal; and

(3) a fine not exceeding Two Thousand Five Hundred Dollars ($2,500) for a third or subsequent violation per animal.

(b) In addition to fines authorized by this Section, the owner shall be responsible for all reasonable costs for the temporary custodial care, transportation, veterinary treatment, administrative, municipal, and other actual costs incurred pursuant to this Article.

(c) Each estray animal and each separate incident may constitute a separate violation.

(d) The Department may pursue civil recovery of unpaid costs and fees associated with estray livestock management.

**SOURCE:** GC § 12192; amended by P.L. 11-68, P.L. 38-143:12 (Oct. 13, 2026).

**2026 NOTE:** P.L. 38-143:13 states: "The Department of Agriculture shall promulgate all rules and regulations necessary to implement this Act no later than one-hundred eighty (180) days following enactment. Pending the promulgation of rules and regulations, the Department may establish interim policies and procedures consistent with this Act."

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