

TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH

ARTICLE 1. DOMESTIC ANIMAL DISEASE CONTROL; GENERAL PROVISIONS

Rule 1. Vaccine Sales Restrictions (Repealed)

(Repealed by Indiana State Board of Animal Health; filed Mar 15, 1983, 10:53 am: 6 IR 911)

Rule 1.1. Sale of Disease Treatments or Diagnostic Agents

345 IAC 1-1.1-1 Sale of disease treatment or diagnostic agent; restrictions

Authority: IC 15-2.1-3-18; IC 15-2.1-3-19

Affected: IC 15-2.1-18-5; IC 15-2.1-18-8

Sec. 1. It shall be unlawful for any person, firm or corporation to sell, offer for sale or distribute in any manner within the state of Indiana any Tuberculin or Brucella antigen used as a diagnostic agent for domestic animals except to the state or federal regulatory agency which is directly responsible for the control of livestock diseases. *(Indiana State Board of Animal Health; 345 IAC 1-1.1-1; filed Mar 15, 1983, 10:53 am: 6 IR 911; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895)*

345 IAC 1-1.1-2 Purchase of Tuberculin or Brucella antigen

Authority: IC 15-2.1-3-18; IC 15-2.1-3-19

Affected: IC 15-2.1-18-5; IC 15-2.1-18-8

Sec. 2. It shall be unlawful for any firm or corporation to purchase, receive, possess or cause to be imported any Tuberculin or Brucella antigen into Indiana from any other state for the purpose of sale or use in the state of Indiana, except as permitted in 345 IAC 1-1.1-1. *(Indiana State Board of Animal Health; 345 IAC 1-1.1-2; filed Mar 15, 1983, 10:53 am: 6 IR 911; filed Dec 22, 1986, 3:40 pm: 10 IR 1059; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895)*

345 IAC 1-1.1-3 Sale of Brucella abortus vaccine, rabies vaccine or Pseudorabies vaccine

Authority: IC 15-2.1-3-18; IC 15-2.1-3-19

Affected: IC 15-2.1-18-5; IC 15-2.1-18-8

Sec. 3. It shall be unlawful for any person, firm or corporation to sell, offer for sale or distribute in any manner within the state of Indiana any Brucella Abortus Vaccine, Rabies Vaccine or Pseudorabies Vaccine for use in domestic animals except to an accredited, licensed veterinarian, or a registered distributor.

A distributor of Brucella Abortus Vaccine, Rabies Vaccine or Pseudorabies Vaccine, must be registered with the office of the state veterinarian and must have received prior written approval before receiving or selling any of the vaccines listed in this section. Sales of these vaccines by a registered distributor must be made only to a licensed, accredited veterinarian. *(Indiana State Board of Animal Health; 345 IAC 1-1.1-3; filed Mar 15, 1983, 10:53 am: 6 IR 911; filed Dec 22, 1986, 3:40 pm: 10 IR 1060; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895)*

345 IAC 1-1.1-4 Violations; criminal penalties

Authority: IC 15-2.1-3-18; IC 15-2.1-3-19

Affected: IC 15-2.1-3; IC 15-2.1-18-5; IC 15-2.1-18-8

Sec. 4. Any violators of this regulation [345 IAC 1-1.1] may be subject to criminal penalties provided for in IC 15-2.1-3. *(Indiana State Board of Animal Health; 345 IAC 1-1.1-4; filed Mar 15, 1983, 10:53 am: 6 IR 911; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895)*

345 IAC 1-1.1-5 Severability

Authority: IC 15-2.1-3-18; IC 15-2.1-3-19

Affected: IC 15-2.1-18-5; IC 15-2.1-18-8

Sec. 5. If any provision of this regulation [345 IAC 1-1.1] as now or later amended or its application to any purpose or

circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application. (*Indiana State Board of Animal Health; 345 IAC 1-1.1-5; filed Mar 15, 1983, 10:53 am: 6 IR 911; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895*)

Rule 2. Cooking of Garbage for Feeding Purposes (Repealed)

(*Repealed by Indiana State Board of Animal Health; filed Jan 20, 1988, 4:00 pm: 11 IR 1739*)

Rule 2.1. Garbage Feeding and Disposal

345 IAC 1-2.1-1 Definitions

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 1. "Garbage" means any material derived in whole or in part from any animal including fish and poultry.

"Rendered product" means waste material derived in whole or in part from any animal, including fish and poultry that is heated to a minimum temperature of 230° F to make products such as animal, poultry or fish protein meal, grease, or tallow. (*Indiana State Board of Animal Health; 345 IAC 1-2.1-1; filed Jan 20, 1988, 4:00 pm: 11 IR 1738; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895*)

345 IAC 1-2.1-2 Disposition of refuse

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 2. (a) Refuse from the handling, preparation, cooking, or consumption of food that has been associated with waste material derived in whole or in part from any animal, including fish and poultry is identified as garbage.

(b) Refuse from the handling, preparation, cooking, or consumption of food that has been ground and heated to a minimum temperature of 230° F is identified as a rendered product. (*Indiana State Board of Animal Health; 345 IAC 1-2.1-2; filed Jan 20, 1988, 4:00 pm: 11 IR 1738; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895*)

345 IAC 1-2.1-3 Products not included as garbage

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 3. The following are not included as garbage:

- (1) Bakery waste.
- (2) Candy waste.
- (3) Eggs.
- (4) Domestic dairy products.
- (5) Waste from ordinary household operations that is fed directly to swine on the same premises where the household is located.

(*Indiana State Board of Animal Health; 345 IAC 1-2.1-3; filed Jan 20, 1988, 4:00 p.m.: 11 IR 1738; filed Jan 8, 1992, 12:00 p.m.: 15 IR 700; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895*)

345 IAC 1-2.1-4 Violations

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 4. It shall be a violation of 345 IAC 1-2.1:

- (1) to collect garbage from restaurants, hotels, hospitals, and institutions to be fed to swine;
- (2) for owners or managers of restaurants, hotels, hospitals, and institutions to permit the removal of garbage to be fed to swine;

(3) to transport garbage interstate into Indiana to be fed to swine;

(4) to pick up garbage, grease, or tallow and haul to an Indiana licensed renderer without a vehicle permit.

(Indiana State Board of Animal Health; 345 IAC 1-2.1-4; filed Jan 20, 1988, 4:00 pm: 11 IR 1738; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895)

Rule 2.5. Premises Identification

345 IAC 1-2.5-1 Purpose

Authority: IC 15-2.1-3-12; IC 15-2.1-3-19

Affected: IC 15-2.1

Sec. 1. The board recognizes the expressed intent of the United States Department of Agriculture to work with states to create a system of animal and premises identification that will facilitate the tracing of animals. It is a board objective to plan for and respond to natural and intentional disasters that affect animals and products produced from animals. The board intends to create a state system for premises and animal identification that facilitates the following:

(1) Tracing animals in a manner that supports the national goal.

(2) Emergency programs planning and response.

(3) Board animal health and food safety programs.

(4) Opportunities for animal owners in the state.

(Indiana State Board of Animal Health; 345 IAC 1-2.5-1; filed Jul 18, 2005, 1:00 p.m.: 28 IR 3554)

345 IAC 1-2.5-2 Definitions

Authority: IC 15-2.1-3-12; IC 15-2.1-3-19

Affected: IC 15-2.1-2-27; IC 15-2.1-3; IC 15-2.1-4

Sec. 2. The definitions in IC 15-2.1-2 and the following definitions apply throughout this rule:

(1) "Board" means the Indiana state board of animal health appointed under IC 15-2.1-3.

(2) "Designated person" means a person designated by the state veterinarian, by virtue of their:

(A) education;

(B) training;

(C) licensing;

(D) experience; or

(E) position;

as qualified to conduct specific activities under this rule.

(3) "Livestock" has the meaning set forth in IC 15-2.1-2-27(a).

(4) "Poultry" means domesticated fowl, including the following:

(A) Chickens.

(B) Turkeys.

(C) Ostriches.

(D) Emus.

(E) Rheas.

(F) Cassowaries.

(G) Waterfowl.

(H) Game birds.

The term does not include doves and pigeons.

(5) "Premises" means an identifiable physical location that represents a unique and describable geographic entity where activity affecting the health or traceability of animals may occur.

(6) "Premises identification number" means a unique number the state veterinarian assigns to a premises.

(7) "State veterinarian" means the state veterinarian appointed by the board under IC 15-2.1-4 and any authorized agents.

(8) "USDA" means the United States Department of Agriculture.

(Indiana State Board of Animal Health; 345 IAC 1-2.5-2; filed Jul 18, 2005, 1:00 p.m.: 28 IR 3555)

345 IAC 1-2.5-3 Premises identification system

Authority: IC 15-2.1-3-12; IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-15-17

Sec. 3. (a) The board intends to participate in the national premises identification system. The state veterinarian shall establish a state system and protocols that are consistent with and that interface with the federal system. The state veterinarian shall assign premises identification numbers to premises that are registered with the board. The state veterinarian may utilize the USDA premises identification number system for the purpose of registering premises and assigning premises identification numbers. The premises identification system must link premises identification numbers to a contact person that is associated with activity affecting the health or traceability of animals at the premises.

(b) Premises identification numbers shall meet the parameters in this subsection. The number must be:

- (1) at least seven (7) characters;
- (2) an alphanumeric number;
- (3) associated with an address or legal land description;
- (4) unique to the assigned premises across all of the United States; and
- (5) consistent with the national premises identification number system administered by the USDA.

(c) The state veterinarian may cooperate with, contract with, or award grants to other responsible designated persons to register premises and assign approved premises identification numbers and otherwise administer the provisions of this rule.

(d) The state veterinarian may register a premises and assign a premises identification number to any premises associated with a board program including, without limitation, a premises associated with an animal disease inquiry, investigation, or quarantine or any other board action.

(e) The state veterinarian may issue more than one (1) premises identification number to one (1) person if each number corresponds to a geographically distinct location. A person may not register a location more than one (1) time.

(f) Once a premises identification number is issued, the state veterinarian may transfer a premises identification number from one (1) person to another and modify information related to a registration to accommodate changes in real property or animal ownership, animal activity associated with the premises, and other changes.

(g) The state veterinarian may deny a request for a premises identification number for the following reasons:

- (1) Issuing the number would create duplication, confusion, or otherwise frustrate the purposes of this rule.
- (2) The requestor fails to provide information needed to register the premises.
- (3) The requestor provides information that is misleading or inaccurate.

(h) Premises identification numbers do not automatically expire. The state veterinarian may rescind or inactivate an issued premises identification number for the following reasons:

- (1) The state veterinarian finds that the:
 - (A) assigned number creates duplication, confusion, or otherwise frustrates the purposes of this rule; or
 - (B) requestor did not provide information needed to register the premises or the provided information is misleading or inaccurate.
- (2) The person identified with the premises identification number is no longer associated with the registered premises or the animal activity connected to the premises.

(Indiana State Board of Animal Health; 345 IAC 1-2.5-3; filed Jul 18, 2005, 1:00 p.m.: 28 IR 3555)

345 IAC 1-2.5-4 Voluntary premises identification

Authority: IC 15-2.1-3-12; IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-15-17

Sec. 4. (a) A person may obtain a premises identification number for a premises associated with the following animals:

- (1) Livestock.
- (2) Poultry.
- (3) Aquatic animals that are the subject of aquaculture.

(b) A person that obtains a premises identification number under this section consents to be bound by the provisions of this rule and board policies that implement this rule.

(c) A person requesting a premises identification number shall register the premises with the board and provide complete and

accurate information requested by the state veterinarian as a part of the registration process. A person registering a premises under this section shall notify the state veterinarian of changes to the information provided for the registration within thirty (30) days of the change. (*Indiana State Board of Animal Health; 345 IAC 1-2.5-4; filed Jul 18, 2005, 1:00 p.m.: 28 IR 3556*)

345 IAC 1-2.5-5 Required premises identification

Authority: IC 15-2.1-3-12; IC 15-2.1-3-19

Affected: IC 15-2.1

Sec. 5. (a) Except as provided in subsection (b), beginning September 1, 2006, the following are required:

(1) A person that buys or sells livestock must obtain a premises identification number for each premises associated with livestock that they own, lease, or manage in the state.

(2) A person that exhibits livestock must obtain a premises identification number for each premises associated with livestock that they exhibit, own, lease, or manage in the state.

Premises identification numbers required under this subsection must be obtained before purchase, sale, or exhibition. Only one (1) premises identification number is required for each premises.

(b) The requirements in subsection (a) do not apply to a premises that is associated only with the following:

(1) Animals of the family equidae (horses, donkeys, and zebras).

(2) Animals of the family camelidae (camels, llamas, and alpacas).

(3) Ostriches, rheas, cassowaries, and emus.

(c) Beginning September 1, 2006, a person obtaining the following shall obtain a premises identification number for a premises associated with their operation:

(1) A registration of a cervidae premises under 345 IAC 2-7-3.

(2) A livestock dealer license issued under IC 15-2.1-14. If the licensee does not handle or hold animals at any facility in the state, however, a premises identification number is not required.

(3) A registration for an exhibition under 345 IAC 7-4.5.

(4) A disposal plant license under IC 15-2.1-16.

(5) A Grade A dairy farm, milk plant, or transfer station permit or a manufacturing grade dairy farm, milk plant, or transfer station permit issued under IC 15-2.1-23.

(6) A slaughtering plant, including custom exempt operations, regulated under IC 15-2.1-24, 345 IAC 9, and 345 IAC 10.

(7) A contagious equine metritis quarantine facility approved under 345 IAC 6-2.

(d) The denial, suspension, or revocation of a license, registration, or participation under another program shall not affect the premises identification number issued under this rule. Board action on an application for a premises identification number under this rule shall not affect a license, registration, or participation under another program.

(e) A person requesting a premises identification number shall register the premises with the board and provide complete and accurate information requested by the state veterinarian as a part of the registration process. A person registering a premises under this section shall notify the state veterinarian of changes to the information provided for the registration within thirty (30) days of the change. (*Indiana State Board of Animal Health; 345 IAC 1-2.5-5; filed Jul 18, 2005, 1:00 p.m.: 28 IR 3556*)

Rule 3. Importation of Domestic Animals

345 IAC 1-3-1 General provisions for preventing spread of contagious disease

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-18-16; IC 15-2.1-21-6

Sec. 1. (a) No person may transport into Indiana any animal unless the requirements in this rule are first met.

(b) When the state veterinarian has reason to believe that:

(1) the transportation of animals or products derived from animals into Indiana would create a hazard to the citizens or animals of Indiana; or

(2) a person has not met the requirements in this rule;

the state veterinarian may do the following:

(A) Take any legal action necessary to prevent the transportation of animals and products derived from animals into,

out of, within, or through Indiana.

(B) Control or prohibit the public or private sale of animals.

(C) Issue an order quarantining animals to a premises or otherwise restricting the movement of animals onto or off of a premises.

(D) Issue an order requiring animals be moved.

(E) Order the vaccination, testing, or veterinary evaluation of any animal.

(F) Order the testing and evaluation of any product derived from animals.

(G) Order an animal be identified with a tag, brand, notch, tattoo, or any other form of identification.

(H) Order the cleaning and disinfecting of any building, premises, equipment, and conveyance to guard against the spread of disease.

(I) Order animal byproducts, including manure and carcasses, be disposed of in a manner that protects against the spread of disease.

(J) Order an animal be sold for slaughter.

(K) Order an animal be condemned pursuant to IC 15-2.1-18-16.

(c) Whenever an animal is transported into Indiana, a copy of any certificate of veterinary inspection approved by the state of origin shall be forwarded to the Indiana state veterinarian within ten (10) days after the date of issue by the state veterinarian in the state of origin. (*Indiana State Board of Animal Health; Reg 76-1, Title I; filed Aug 10, 1976, 10:29 a.m.: Rules and Regs. 1977, p. 128; filed Jan 8, 1986, 2:52 p.m.: 9 IR 990; errata, 9 IR 1379; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1334; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895*)

345 IAC 1-3-1.5 Definitions

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2-15; IC 15-2.1-3-13; IC 15-2.1-4; IC 15-2.1-8; IC 15-2.1-21-6; IC 15-2.1-24

Sec. 1.5. The definitions in IC 15-2.1-2 and the following definitions apply throughout this rule:

(1) "Approved official health certificate" or "approved certificate of veterinary inspection" means an official certificate of veterinary inspection endorsed or approved by the chief livestock health official of the state of origin.

(2) "Approved vaccine" means a vaccine that is:

(A) approved by the board for use in Indiana; and

(B) manufactured under license granted by the Veterinary Biologics Division, United States Department of Agriculture.

(3) "Baby calves" means calves of all breeds that are:

(A) imported without dams; and

(B) under two hundred (200) pounds in weight.

(4) "Board" means the Indiana state board of animal health created under IC 15-2.1.

(5) "Cattle" means all animals of the bovine species and all animals of the bison species.

(6) "Cervid" or "cervidae" means all members of the cervidae family, including deer, elk, moose, caribou, reindeer, and related species and hybrids thereof.

(7) "Chronic wasting disease" or "CWD" means a transmissible spongiform encephalopathy of cervids.

(8) "Class A", "Class B", or "Class C" state or zone means the state or zone is designated or classified by the United States Department of Agriculture as a Brucellosis "A", Brucellosis "B", or Brucellosis "C" area.

(9) "Domestic animal" has the meaning set forth in IC 15-2.1-2-15.

(10) "Duly recognized slaughtering establishment" or "approved slaughtering establishment" means an establishment where domestic animals are slaughtered and processed for human consumption under the federal Meat Inspection Act (21 U.S.C. 601 et seq.) or the Indiana Meat and Poultry Inspection Act (IC 15-2.1-24).

(11) "Equine infectious anemia" or "EIA" means the infectious disease equine infectious anemia caused by a lentivirus, equine infectious anemia virus (EIAV).

(12) "Equine infectious anemia test" means the official test for the detection of EIA as defined in 345 IAC 6-1.1.

(13) "Farm of origin of cattle and bison" means a farm or other premises where cattle or bison to be shipped interstate were born or have been kept for not less than four (4) months prior to the date of shipment and which premises, within the four (4) months prior to the date of shipment, have not been used to assemble cattle or bison from any other premises.

(14) "Feeder cattle" means the following cattle, but does not include female dairy type cattle of any kind:

- (A) Steers of any age.
 - (B) Nonpregnant and nonparturient females.
 - (C) Bulls of beef breeds that are obviously under eighteen (18) months of age and are intended for slaughter after having reached the desired feeding state.
- (15) “Feeder pigs” means:
- (A) swine intended for feeding purposes, commonly designated as feeder pigs; and
 - (B) swine of any breed, weighing not in excess of one hundred eighty (180) pounds.
- (16) “Hatchery” means hatchery equipment on one (1) premises operated or controlled by any person, company, or corporation for the hatching of poultry.
- (17) “Hatching eggs” means eggs of poultry for hatching purposes, including embryonated eggs.
- (18) “Immediate slaughter” means livestock that are designated for slaughter must be slaughtered within seven (7) days of first consignment.
- (19) “Johne’s disease” means an infectious communicable disease that primarily affects cattle, sheep, goats, and other domestic, exotic, and wild ruminants, also known as paratuberculosis, caused by *Mycobacterium paratuberculosis*.
- (20) “National Poultry Improvement Plan” or “NPPI” means the National Poultry Improvement Plan and Auxiliary Provisions adopted by the board in 345 IAC 4-4-1.
- (21) “Normal trade area” means an area in an adjoining state in which are located buyers and sellers who normally do business at an Indiana auction market, the size and extent of such area to be determined by the board.
- (22) “Official ear tag” is a metal identification ear tag that conforms to the nine (9) character alpha-numeric National Uniform Ear Tagging System and that is the appropriate color.
- (23) “Official health certificate”, “health certificate”, or “certificate of veterinary inspection” means the printed form adopted by a state to record the owner, identification, description, tests, vaccinations, and other data concerning the health status of domestic animals listed thereon. The certificate must be:
- (A) issued for feeder pigs within fifteen (15) days prior to importation;
 - (B) issued for all other domestic animals within thirty (30) days prior to importation;
 - (C) signed by a licensed and accredited veterinarian; and
 - (D) in compliance with all board rules for health certificates.
- (24) “Official test” means a disease detection test approved by the state veterinarian conducted in a laboratory approved by the state veterinarian.
- (25) “Permit” means a permit for importation of domestic animals issued by the the *[sic.]* state veterinarian.
- (26) “Poultry” means live chickens and turkeys of all ages.
- (27) “Premises identification number” means a unique number assigned by the state veterinarian to a livestock production unit that is, in the judgment of the state veterinarian, epidemiologically distinct from other livestock production units. A premises identification number shall consist of the state’s two-letter postal abbreviation (IN) followed by the premises’ assigned number.
- (28) “Quarantine” means a law or order restricting or prohibiting the movement of animals onto or off of a premises, or into or out of an area.
- (29) “State veterinarian” means the state veterinarian appointed under IC 15-2.1-4 or an authorized agent.

(Indiana State Board of Animal Health; 345 IAC 1-3-1.5; filed Jan 8, 1986, 2:52 p.m.: 9 IR 990; filed Dec 2, 1994, 3:52 p.m.: 18 IR 855; filed Oct 11, 1996, 2:00 p.m.: 20 IR 738; errata filed Jan 2, 1997, 4:00 p.m.: 20 IR 1124; filed Jan 6, 1999, 4:22 p.m.: 22 IR 1477; errata filed Mar 31, 1999, 9:36 a.m.: 22 IR 2534; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1334; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895)

345 IAC 1-3-1.8 Test results

Authority: IC 15-2.1-3-19
Affected: IC 15-2.1-3-13

Sec. 1.8. (a) An animal tests negative for a disease or passes a test for a disease when a test conducted in compliance with Indiana law and generally accepted testing procedures indicates that the animal is not infected with the disease.

(b) An animal fails, responds to, or has a response to a test for a disease when a test conducted in compliance with Indiana law and generally accepted testing procedures indicates that an animal is or may be infected with the disease. *(Indiana State Board of*

Animal Health; 345 IAC 1-3-1.8; filed Dec 23, 1998, 4:37 p.m.: 22 IR 1472; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895)

345 IAC 1-3-2 Restricted movement of animals

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-21-6

Sec. 2. (a) A person may not transport into Indiana an animal that originates from a herd, premises, or area under quarantine because of disease concerns unless a rule of the board or an order of the state veterinarian specifically allows for such movement.

(b) A person may not transport into Indiana an animal that has tested positive for a disease that is required to be reported under 345 IAC 1-6 unless another rule of the board or an order of the state veterinarian specifically allows for such movement.

(c) The state veterinarian may control the transportation of animals into, out of, or through Indiana to achieve any lawful objective of the board, including the prevention, mitigation, diagnosis, or control of diseases in animals or products derived from animals. (*Indiana State Board of Animal Health; Reg 76-1, Title I, Sec 1; filed Aug 10, 1976, 10:29 a.m.: Rules and Regs. 1977, p. 128; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1336; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895*)

345 IAC 1-3-3 Identification required; exceptions

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-12-7; IC 15-2.1-12-7.5; IC 15-2.1-15-17

Sec. 3. (a) All domestic animals entering Indiana, regardless of age, sex, or breed, shall be identified as follows:

(1) Each animal shall be individually identified utilizing a method of identification acceptable for that species. Acceptable methods of identification are as follows:

- (A) An ear tag.
- (B) A tattoo.
- (C) An individual brand.
- (D) A standard ear notch.
- (E) A registration number.
- (F) A method of identification that is approved by the state veterinarian.

(2) Each animal shall be individually described on the accompanying certificate of veterinary inspection.

(b) The following official identification is approved for livestock transported into Indiana:

(1) Swine must be identified as provided in section 11 of this rule.

(2) Cattle must be identified using one (1) of the following methods of identification:

- (A) An official ear tag.
- (B) A tattoo.
- (C) An individual brand.
- (D) A registration number if accompanied by registration papers.

(3) Sheep must be identified using one (1) of the following methods of identification:

- (A) A tattoo.
- (B) A standard ear notch.
- (C) An ear tag.
- (D) A breed association ear tag.

(4) Goats must be identified using one (1) of the following methods of identification:

- (A) A tattoo.
- (B) A standard ear notch.
- (C) An ear tag.
- (D) A breed association ear tag.

(5) Horses and other equine must be identified using one (1) of the following methods of identification:

- (A) A lip tattoo.
- (B) An individual brand.
- (C) A registration number if accompanied by registration papers.
- (D) A descriptive marking with the animal's name.

(6) Cervidae must be identified using one (1) of the following methods of identification:

- (A) An ear tag.
- (B) A tattoo.

(7) Any species may be identified using other identification approved by the state veterinarian.

(c) Any animal may be identified using a permanent electronic chip implant that uniquely identifies the animal if the following requirements are met:

- (1) The chip identification number is written on the certificate of veterinary inspection or shipping manifest.
- (2) A piece of equipment that is capable of accurately reading the chip implant accompanies the animal at all times.
- (3) The owner or caretaker of the animal allows board personnel to use the equipment necessary to read the implanted chip upon request.

If the equipment provided by an owner or caretaker of an animal does not allow for an accurate identification of an animal for any reason, the animal will be deemed unidentified for the purpose of this rule unless the animal is identified using another method authorized by this rule.

(d) If additional identification is present, at least one (1) additional identification shall also be listed on the certificate of veterinary inspection.

(e) The following types of animals are exempt from the identification requirements in this section:

- (1) Steers.
- (2) Poultry.
- (3) Slaughter animals.
- (4) Baby calves and feeder heifers from Brucellosis-free and Class A states.

(Indiana State Board of Animal Health; Reg 76-1, Title I, Sec 2; filed Aug 10, 1976, 10:29 a.m.: Rules and Regs. 1977, p. 128; filed May 2, 1983, 10:02 a.m.: 6 IR 1039; filed May 10, 1984, 8:36 a.m.: 7 IR 1447; filed Jan 8, 1986, 2:52 p.m.: 9 IR 991; filed Dec 2, 1994, 3:52 p.m.: 18 IR 856; filed Dec 23, 1998, 4:37 p.m.: 22 IR 1472; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1336; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Dec 19, 2002, 12:05 p.m.: 26 IR 1523)

345 IAC 1-3-4 Certificate of veterinary inspection and permit required for importation

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1

Sec. 4. (a) A person may not transport into Indiana a domestic animal, or a wild animal of the family Bovidae, family Suidae, family Equidae, family Cervidae, or family Camelidae, unless the animal is accompanied by an official certificate of veterinary inspection. The following animals may be transported into Indiana without a certificate of veterinary inspection:

- (1) Those consigned for immediate slaughter.
- (2) The state veterinarian may allow a person to transport into Indiana an animal without a certificate of veterinary inspection in order to facilitate the diagnosis, prevention, or control of disease.
- (3) Swine moving under the procedures in section 16.5 of this rule.

(b) No person may transport into Indiana an animal other than those described in subsection (a) unless the animal is accompanied by a shipping manifest clearly stating the following information:

- (1) The origin of each animal.
- (2) An individual description and identification of each animal.
- (3) The destination of each animal.
- (4) The import permit number, if required under subsection (d), for the shipment.

(c) The state veterinarian may set specific restrictions, prerequisites, and other requirements for the transportation of diseased or experimental animals into Indiana. Each official certificate of veterinary inspection or shipping manifest must note any restrictions imposed.

(d) No person may transport into Indiana any domestic or wild animal of the family Bovidae, family Suidae, family Cervidae, or family Camelidae regardless of age, sex, or breed, without first obtaining a permit to transport the animal into Indiana. Permits shall be obtained from the state veterinarian. The state veterinarian shall assign a permit number for each permit issued. The permit number shall be recorded on the certificate of veterinary inspection associated with the permitted animals, or if a certificate of veterinary inspection is not required, the shipping manifest accompanying the shipment. The certificate of veterinary inspection or shipping manifest with the correct permit number must be in possession of the person in charge of animals during movement. A

person transporting the following animals into Indiana is exempt from the requirements in this subsection:

- (1) Animals transported into Indiana for immediate slaughter.
- (2) The state veterinarian may waive all or part of the requirements in this subsection for a specific shipment of animals to facilitate the diagnosis, prevention, or control of disease.
- (3) Swine moving under the procedures in section 16.5 of this rule.
- (e) Permits for the transportation of animals into Indiana may be obtained day or night, including weekends and holidays, by calling the following telephone numbers:

- (1) For a permit to transport an animal of the bovine, ovine, caprine, bison, cervidae, or camelid species, call (317) 227-0316.
- (2) For a permit to transport an animal of the porcine species, call (317) 227-0311.

(Indiana State Board of Animal Health; Reg 76-1, Title I, Sec 3; filed Aug 10, 1976, 10:29 a.m.: Rules and Regs. 1977, p. 128; filed May 2, 1983, 10:02 a.m.: 6 IR 1039; filed Jan 8, 1986, 2:52 p.m.: 9 IR 992; filed May 24, 1988, 9:40 a.m.: 11 IR 3535; filed May 1, 1990, 10:25 a.m.: 13 IR 1700; filed Dec 2, 1994, 3:52 p.m.: 18 IR 857; filed Jan 6, 1999, 4:22 p.m.: 22 IR 1478; errata filed Mar 31, 1999, 9:36 a.m.: 22 IR 2534; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1337; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Dec 19, 2002, 12:05 p.m.: 26 IR 1524)

345 IAC 1-3-4.5 Carriers; inspection; sanitation

Authority: IC 15-2.1-3-19
Affected: IC 15-2.1-3-11; IC 15-2.1-3-13; IC 15-2.1-21-6

Sec. 4.5. (a) Owners and operators of common carriers and private conveyances may not transport any animal into, within, or through the state of Indiana, except in compliance with the provisions set forth in this rule.

(b) All common carriers and private conveyances transporting animals into, within, or through the state of Indiana shall be subject to inspection and may be stopped by any agent or employee of the board or any other law enforcement officer commissioned in the state of Indiana, to make an investigation to determine compliance with the provisions of this rule.

(c) All railway cars, trucks, and other conveyances used for the transportation of animals and poultry shall be maintained in a sanitary condition.

(d) Owners and operators of conveyances that have been used to transport animals infected with or exposed to infectious, contagious, or communicable disease shall have such conveyances thoroughly cleaned and disinfected prior to transporting any other animals and upon the order of the state veterinarian. *(Indiana State Board of Animal Health; 345 IAC 1-3-4.5; filed May 10, 1984, 8:36 a.m.: 7 IR 1448; filed Jan 8, 1986, 2:52 p.m.: 9 IR 992; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1338; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895)*

345 IAC 1-3-5 Approved copy of health certificate (Repealed)

Sec. 5. *(Repealed by Indiana State Board of Animal Health; filed Jan 8, 1986, 2:52 pm: 9 IR 997)*

345 IAC 1-3-6 Definitions (Repealed)

Sec. 6. *(Repealed by Indiana State Board of Animal Health; filed Jan 8, 1986, 2:52 pm: 9 IR 997)*

345 IAC 1-3-6.5 Animals from Michigan (Repealed)

Sec. 6.5. *(Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687)*

345 IAC 1-3-7 Cattle and bison

Authority: IC 15-2.1-3-19
Affected: IC 15-2.1-3-13; IC 15-2.1-15-4; IC 15-2.1-21-6

Sec. 7. (a) Before a person may move cattle or bison into Indiana, the requirements for tuberculosis control in 345 IAC 2.5 must be met.

(b) All test eligible cattle entering Indiana for dairy or breeding purposes shall test negative for brucellosis prior to entry,

utilizing a test conducted at a state-federal laboratory. The following provisions apply to the entry brucellosis test required in this subsection:

- (1) Calves under four hundred (400) pounds and obviously under one hundred eighty (180) days of age are exempt.
- (2) Officially vaccinated cattle of:
 - (A) beef breeds under twenty-four (24) months of age; and
 - (B) dairy breeds under twenty (20) months of age;
 which are accompanied by proof of vaccination with an approved brucella vaccine and are identified with a legible official vaccination tattoo, are exempt.
- (3) Feeder cattle must comply with this section.
- (4) Cattle that originate from a state that the United States Department of Agriculture certifies as being brucellosis-free are exempt.
- (5) Dairy or breeding cattle from Class A and Class B states must meet the following requirements:
 - (A) Dairy or breeding cattle originating from certified brucellosis-free herds are exempt from the brucellosis entry test provided the health certificate indicates the certified herd number and the date of the last herd test. The last herd test must have been within the twelve (12) months prior to entry into Indiana.
 - (B) All test eligible dairy or breeding cattle originating from herds that are not certified brucellosis-free must have a negative brucellosis test conducted within thirty (30) days prior to entry.
 - (C) All test eligible dairy and breeding cattle shall be quarantined at the point of destination and retested for brucellosis at the owner's expense in forty-five (45) to ninety (90) days after entry into Indiana. The retest must be conducted at a state-federal approved laboratory.
- (6) A licensed livestock dealer may sell dairy and breeding cattle that have been imported into Indiana from Class A and Class B states before the forty-five (45) to ninety (90) day quarantine and retest period is over if the following requirements are met:
 - (A) The cattle were imported into Indiana after meeting the import requirements in this rule.
 - (B) The purchaser signs a form prescribed by the board stating that they are aware of and will comply with the following requirements:
 - (i) The cattle are quarantined on the premises of the purchaser until the cattle are retested.
 - (ii) He or she will have the cattle retested for brucellosis in not less than forty-five (45) days and not more than ninety (90) days from date of importation.
 - (iii) The retest will be conducted at a state-federal approved laboratory.
 - (iv) Any other provisions agreed to and prescribed on the form.
 - (C) A copy of the form must be signed by the purchaser and forwarded to the office of the state veterinarian by the seller within seven (7) days of the date of sale.

A person purchasing cattle described in this subdivision may not reassign or sell the cattle until the required testing for brucellosis is completed.

(7) A licensed Indiana auction market may accept farm of origin dairy or breeding cattle, or both, for consignment from any state that is brucellosis free without the brucellosis tests normally required for importation into the state.

(8) Cattle from an adult herd vaccinated for brucellosis, regardless of a particular animal's vaccination status, may not be imported into Indiana except under provisions stipulated on a written permit issued by the Indiana state veterinarian according to established guidelines.

(Indiana State Board of Animal Health; Reg 76-1, Title III, Sec 1; filed Aug 10, 1976, 10:29 a.m.: Rules and Regs. 1977, p. 130; filed May 2, 1983, 10:02 a.m.: 6 IR 1041; filed May 10, 1984, 8:36 a.m.: 7 IR 1449; filed Jan 8, 1986, 2:52 p.m.: 9 IR 992; filed Dec 2, 1994, 3:52 p.m.: 18 IR 857; filed Jan 6, 1999, 4:22 p.m.: 22 IR 1479; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2671)

345 IAC 1-3-8 Feeder cattle; quarantine; testing (Repealed)

Sec. 8. *(Repealed by Indiana State Board of Animal Health; filed Dec 19, 2002, 12:05 p.m.: 26 IR 1535)*

345 IAC 1-3-8.5 Mexican cattle

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-21-6

Sec. 8.5. (a) A person may import into Indiana cattle that originate from Mexico only under the following conditions:

(1) The cattle originate from a Mexican state that has fully implemented the eradication phase of the Mexican Tuberculosis Eradication Program (Stage 2) and meet either of the following requirements:

(A) Steers and spayed heifers must have tested negative for Tuberculosis in accord with the Norma Oficial Mexicana (NOM) within sixty (60) days prior to entry into the United States. Sexually intact animals must meet current board requirements for importing sexually intact animals into Indiana; however, the animals must be quarantined at the point of destination in Indiana and tested for Tuberculosis within ninety (90) days of importation into Indiana and retested between three hundred (300) and four hundred twenty (420) days of importation into Indiana.

(B) The cattle originate from a Mexican herd that has passed standards equal to the United States' accredited Tuberculosis-free herd standards and the cattle are moved as a single group directly from the herd of origin across the border without being commingled with other cattle prior to arriving in the United States. Sexually intact cattle from Tuberculosis-free herds must be quarantined at the point of destination in Indiana and tested for Tuberculosis between ninety (90) and one hundred twenty (120) days of importation into Indiana.

(2) The cattle originate from a Mexican state that has achieved accredited-free status under the Mexican Tuberculosis Eradication Program (Stage 3), and the cattle are moved as a single group directly from the herd of origin across the border without being commingled with other cattle prior to arriving in the United States.

(b) Holstein and holstein cross steers and holstein and holstein cross spayed heifers that originate from Mexico are prohibited from entering Indiana regardless of test history.

(c) An animal is considered to have originated from Mexico if it is imported into the United States from Mexico and has been in the United States one hundred twenty (120) days or less.

(d) The state veterinarian shall determine if a state in Mexico has achieved a status within a tuberculosis eradication program. The state veterinarian shall consider recommendations from the United States Department of Agriculture–Animal and Plant Health Inspection Service and determinations of the Tuberculosis binational committee formed by Mexico and the United States states bordering Mexico. Notwithstanding the other requirements of this section, the state veterinarian may quarantine and order Tuberculosis testing of any cattle originating from Mexico that pose a disease threat to the domestic animal population in Indiana. (*Indiana State Board of Animal Health; 345 IAC 1-3-8.5; filed Dec 5, 1997, 3:00 p.m.: 21 IR 1328; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895*)

345 IAC 1-3-9 Baby calves; destination (Repealed)

Sec. 9. (*Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687*)

345 IAC 1-3-10 Animals for immediate slaughter

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-21-6

Sec. 10. The following apply to animals consigned for sale for immediate slaughter in the state or in another state and animals moved into the state for slaughter:

(1) The animals shall be:

(A) moved directly to an approved slaughtering establishment; or

(B) consigned to a licensed public livestock market for resale for immediate slaughter.

(2) Slaughter animals shall be accompanied by a:

(A) waybill;

(B) bill of lading;

(C) cargo manifest; or

(D) similar document;

describing the animals and listing the point of destination.

(*Indiana State Board of Animal Health; Reg 76-1, Title III, Sec 4; filed Aug 10, 1976, 10:29 a.m.: Rules and Regs. 1977, p. 132; filed Jan 6, 1999, 4:22 p.m.: 22 IR 1481; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2672*)

345 IAC 1-3-11 Swine identification; certificate of veterinary inspection; permit

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-10-1; IC 15-2.1-21-6

Sec. 11. (a) Except as provided in subsection (d), a person moving swine into the state must comply with the identification requirements in subsection (b) and the permit and certificate of veterinary inspection requirements in section 4 of this rule.

(b) A person moving swine into the state must identify the swine at the earliest of the following:

- (1) The point of first commingling the swine with swine from any other source.
- (2) Upon unloading the swine at a livestock market.
- (3) Before transfer of ownership.
- (4) Before arrival at the animal's final destination.

The method of identification must be one specified in subsection (c).

(c) The following methods of identification are approved to move swine into the state:

- (1) Official ear tags with individual animal identification.
 - (2) United States Department of Agriculture back tags may be used on swine moving to slaughter.
 - (3) Official swine tattoos may be used on swine moving to slaughter if the tattoo is approved by the state veterinarian or the United States Department of Agriculture.
 - (4) Ear notching of swine if the ear notching has been recorded in the book of record of a pure-bred registry association.
 - (5) Tattoos on the ear or inner flank of swine if the tattoos have been recorded in the book of record of a swine registry association.
 - (6) Feeder pigs and swine moving to slaughter may be identified with an ear tag or tattoo bearing only the premises identification number assigned by a state or federal animal health official to the premises from which the swine originated.
- (d) A person may move swine into the state without individually identifying each animal if one (1) of the following sets of procedures are followed:

- (1) Using the procedures in section 16.5 of this rule.
- (2) The swine are kept as a group during movement to their final destination and the following requirements are met:
 - (A) The animals were born on the same premises.
 - (B) The animals were raised on the premises where they were born.
 - (C) They are moved directly to a slaughter establishment from the place where they were raised.
 - (D) They are not commingled with swine from any other premises prior to arriving at the slaughter establishment.
 - (E) Approved identification is applied to the swine at the slaughter establishment or the animals are slaughtered one after another as a group and not mixed with other swine at slaughter.

(Indiana State Board of Animal Health; Reg 76-1, Title IV, Sec 1; filed Aug 10, 1976, 10:29 a.m.: Rules and Regs. 1977, p. 133; filed May 2, 1983, 10:02 a.m.: 6 IR 1043; filed Sep 1, 2000, 2:03 p.m.: 24 IR 6; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Dec 19, 2002, 12:05 p.m.: 26 IR 1524)

345 IAC 1-3-12 Swine herds infected with Pseudorabies; transportation into Indiana prohibited

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 12. A person may not transport any of the following swine into the state:

- (1) Swine that originate from a herd that is known to be infected with the Pseudorabies virus.
- (2) Swine that are subject to an order of quarantine issued by the United States government or another state because the animals may harbor a disease.
- (3) Swine that originate from a herd that has been fed garbage as defined in 345 IAC 1-2.1-1.
- (4) Swine that originate from a herd located in a state that does not require the reporting of Pseudorabies diagnosis or quarantine all known Pseudorabies infected swine.

(Indiana State Board of Animal Health; Reg 76-1, Title IV, Sec 2; filed Aug 10, 1976, 10:29 a.m.: Rules and Regs. 1977, p. 133; filed Jan 8, 1986, 2:52 p.m.: 9 IR 995; filed Jun 18, 1990, 2:49 p.m.: 13 IR 1989; filed Sep 1, 2000, 2:03 p.m.: 24 IR 6; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Dec 19, 2002, 12:05 p.m.: 26 IR 1525)

345 IAC 1-3-13 Breeding swine; tests for Brucellosis and Pseudorabies

Authority: IC 15-2.1-3-19
 Affected: IC 15-2.1-3-13

Sec. 13. (a) Before swine for breeding purposes may be transported into the state, the swine must have passed a negative test for Brucellosis within thirty (30) days prior to transportation into the state. The following swine are exempt from the test required in this subsection:

- (1) Swine under one hundred eighty (180) days of age.
- (2) Swine that originate from a herd that qualifies as a validated Brucellosis-free herd as defined in 345 IAC 3-4-2.
- (3) Swine that originate from a validated Brucellosis-free area as defined in 345 IAC 3-4-2. But, feral swine are not exempt.

(b) All breeding swine that originate from an area that is not validated Brucellosis-free as defined in 345 IAC 3-4-2 are quarantined to the receiving producer's premises, must be:

- (1) isolated from all other animals; and
- (2) tested for Brucellosis;

in not less than thirty (30) nor more than forty-five (45) days after the date of entry. But, no more than fifty (50) head of swine in any one (1) shipment from one (1) farm of origin must be tested after entry.

(c) Before breeding swine may be transported into the state, the swine must test negative for Pseudorabies on an official serology test that is conducted within the thirty (30) days prior to transportation into the state. But, swine that meet one (1) of the following sets of criteria are exempt from the test required in this subsection:

- (1) Swine originating from a herd in an area designated by the United States Department of Agriculture as Stage III under the national Pseudorabies eradication program and the swine originate from a herd that is a Pseudorabies-qualified herd or a qualified Pseudorabies-negative gene-altered virus-vaccinated herd, utilizing monthly herd testing, under the national Pseudorabies Program Standards defined in 345 IAC 3-5.1.
- (2) Swine, except feral swine, from an area designated Stage IV or Stage V by the United States Department of Agriculture under the national Pseudorabies eradication program.

(d) All breeding swine transported into the state are quarantined to the destination premises and must be isolated from other animals and tested for Pseudorabies in not less than thirty (30) nor more than forty-five (45) days from date of entry. But, the following are exemptions and alterations to the test required in this subsection:

- (1) No more than fifty (50) head of swine in any one (1) shipment from one (1) farm of origin must be tested after entry.
- (2) Swine that are shipped directly from a swine herd that is located in an area designated Stage IV or Stage V by the United States Department of Agriculture under the national Pseudorabies eradication program are exempt.
- (3) Swine that originate from a herd in an area designated by the United States Department of Agriculture as Stage III under the national Pseudorabies eradication program and the herd of origin is a Pseudorabies-qualified herd or qualified negative gene-altered virus-vaccinated herd, utilizing monthly herd testing, under the national Pseudorabies Program Standards defined in 345 IAC 3-5.1 are exempt.

(e) Feral swine shall not be transported into Indiana unless consigned directly to a recognized slaughter establishment. (*Indiana State Board of Animal Health; Reg 76-1, Title IV, Sec 3; filed Aug 10, 1976, 10:29 a.m.: Rules and Regs. 1977, p. 133; filed May 2, 1983, 10:02 a.m.: 6 IR 1043; filed Jan 8, 1986, 2:52 p.m.: 9 IR 995; filed May 24, 1988, 9:40 a.m.: 11 IR 3535; filed Jun 18, 1990, 2:49 p.m.: 13 IR 1990; filed Nov 30, 1990, 4:35 p.m.: 14 IR 620; filed Dec 1, 1992, 5:00 p.m.: 16 IR 1079; filed Feb 9, 1994, 10:00 a.m.: 17 IR 1089; filed Sep 1, 2000, 2:03 p.m.: 24 IR 6; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Dec 19, 2002, 12:05 p.m.: 26 IR 1525*)

345 IAC 1-3-14 Feeder pigs

Authority: IC 15-2.1-3-19
 Affected: IC 15-2.1-3-13

Sec. 14. (a) Feeder pigs that originate from an area designated Stage II or Stage III by the United States Department of Agriculture under the national Pseudorabies eradication program must be tested for Pseudorabies utilizing an official random sample test (95/10) under the Program Standards defined in 345 IAC 3-5.1 within the thirty (30) days immediately prior to the feeder pigs entering the state. Feeder pigs originating from an area designated Stage III and from a herd that qualifies as a Pseudorabies-qualified herd or a qualified negative gene-altered virus-vaccinated herd, utilizing monthly testing, in the Program Standards defined in 345

IAC 3-5.1 are exempt from the test required under this subsection. If the test required in this subsection is not completed or if any feeder pig tests positive for Pseudorabies, a person is prohibited from transporting any part of that group of feeder pigs into Indiana.

(b) The sale of feeder pigs through a concentration point must be documented on forms approved by the state veterinarian.

(c) The owner of feeder pigs that are transported into Indiana shall procure the services of a licensed and accredited veterinarian to test the imported swine for Pseudorabies between thirty (30) and forty-five (45) days after entry into Indiana utilizing an official random sample test (95/10) under the Program Standards defined in 345 IAC 3-5.1. But, the test required in this subsection is waived if one (1) of the following conditions are met:

(1) The swine originated from an area designated Stage IV or Stage V by the United States Department of Agriculture under the national Pseudorabies eradication program.

(2) The swine originated from an area designated Stage III by the United States Department of Agriculture under the national Pseudorabies eradication program and originated from a herd that qualifies as a Pseudorabies-qualified herd or a qualified negative gene-altered virus-vaccinated herd, utilizing monthly testing, under the Pseudorabies Program Standards defined in 345 IAC 3-5.1.

(Indiana State Board of Animal Health; Reg 76-1, Title IV, Sec 4; filed Aug 10, 1976, 10:29 a.m.: Rules and Regs. 1977, p. 133; filed May 2, 1983, 10:02 a.m.: 6 IR 1043; filed Jan 8, 1986, 2:52 p.m.: 9 IR 995; filed Feb 9, 1994, 10:00 a.m.: 17 IR 1089; filed Sep 1, 2000, 2:03 p.m.: 24 IR 7; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Dec 19, 2002, 12:05 p.m.: 26 IR 1526)

345 IAC 1-3-15 Slaughter swine; consignment

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 15. (a) Swine consigned for sale for immediate slaughter shall be consigned to an approved slaughtering establishment or to a licensed public livestock market that buys and sells only slaughter swine for resale directly to an approved slaughtering establishment. Swine sold for immediate slaughter must be slaughtered within seven (7) days of the date of the first consignment and must not move through more than two (2) markets.

(b) All swine sold for immediate slaughter shall be accompanied by a proper way-bill, bill-of-lading, cargo manifest, or similar document showing the point of destination.

(c) Swine moved through a slaughter market or otherwise sold for slaughter in another state may be moved into the state only to a slaughter establishment or to a market for sale for slaughter.

(d) Sows and boars moved to a livestock market shall be consigned for sale for slaughter only. Any sow or boar in a livestock market shall be considered a slaughter only animal for the purposes of this rule. *(Indiana State Board of Animal Health; Reg 76-1, Title IV, Sec 5; filed Aug 10, 1976, 10:29 a.m.: Rules and Regs. 1977, p. 133; filed May 2, 1983, 10:02 a.m.: 6 IR 1043; filed Jan 8, 1986, 2:52 p.m.: 9 IR 995; filed Sep 1, 2000, 2:03 p.m.: 24 IR 8; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Dec 19, 2002, 12:05 p.m.: 26 IR 1527)*

345 IAC 1-3-16 Swine at slaughter market; immediate slaughter (Repealed)

Sec. 16. *(Repealed by Indiana State Board of Animal Health; filed Dec 19, 2002, 12:05 p.m.: 26 IR 1535)*

345 IAC 1-3-16.5 Interstate movement of swine within a production system

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 16.5. (a) For the purposes of this section the following apply:

(1) A swine production health plan for a swine production system must be designed to maintain the health of the swine and detect signs of communicable disease and must meet the following requirements:

(A) The plan must be in writing.

(B) The plan must identify all premises that are part of the swine production system that are in the state and that receive swine from outside the state or send swine out of the state.

(C) The plan must provide for inspections of identified premises by the swine production system accredited veterinarian at intervals not greater than thirty (30) days.

(D) The plan must describe the swine production system record keeping system.

(E) The plan must be signed by an official of each swine production system identified in the plan, the swine production system accredited veterinarian or veterinarians, a United States Department of Agriculture official, the state veterinarian, and a state animal health official from each state in which the swine production system has premises.

(2) A swine production system is a swine production enterprise that consists of multiple sites of production that are connected by ownership or contractual relationships, between which swine move while remaining under the control of a single owner or a group of contractually connected owners. But, slaughter plants and livestock markets are not part of a swine production system.

(b) A person may move swine into the state without a permit and certificate of veterinary inspection required under section 4 of this rule and without individual animal identification if the following requirements are met:

(1) The animals may not be moved to a livestock market or concentration point.

(2) The animals must be moved only to another premises identified in a valid swine production health plan for that swine production system. The swine production health plan for the swine production system must be approved by the state veterinarian and allow for the movement.

(3) The swine production system accredited veterinarian must have found the swine to be free from signs of any communicable disease during the most recent inspection of the originating premises. The inspection must have been within the thirty (30) days prior to movement.

(4) Prior to the movement, the person moving swine must deliver a report of the proposed movement to the swine production system accredited veterinarian for the premises of origin, the state animal health official for the state of origin, and the state veterinarian.

(5) During movement and after arriving at the destination premises, the swine may not be commingled with other swine in a manner that prevents identification of the premises of origin for each animal. Permanent marking of animals, physical separation, and any other effective means may be used to identify the premises of origin.

(6) The swine production system must keep the following records for not less than three (3) years:

(A) A copy of each swine production health plan signed by the producer.

(B) All interstate swine movement reports issued by the producer.

(C) All reports issued by the swine production system accredited veterinarian that document the health status of the swine on the premises.

(D) Records that will allow a state or federal official to trace any animal on the premises back to its previous premises.

(7) The swine health production system must allow state and federal officials access to the premises upon request to inspect animals and review records.

(8) Once each month each swine production system must send the state veterinarian a written summary of the number of animals moved into the state in the past month, the premises from which they were moved, and the premises to which they were moved.

(c) The following procedures apply to the cancellation of, or withdrawal from, a swine production health plan:

(1) A swine production system may withdraw one (1) or more of its premises from the swine production health plan by giving written notice to all parties signing the plan. The withdrawal shall be effective on the date specified in the notice.

(2) The state veterinarian may cancel the board's participation in a swine production health plan by giving written notice to all parties signing the plan. The state veterinarian may cancel state approval if the state veterinarian determines that it is necessary or helpful to protect animal or public health, or if the swine production system violates a law enforced by the board. The cancellation shall be effective on the date specified in the notice.

(Indiana State Board of Animal Health; 345 IAC 1-3-16.5; filed Dec 19, 2002, 12:05 p.m.: 26 IR 1527)

345 IAC 1-3-17 Sheep; applicability; importation restrictions

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-21-6

Sec. 17. A person moving sheep into the state must meet the requirements in 345 IAC 5-5 and the applicable requirements in this rule. *(Indiana State Board of Animal Health; Reg 76-1, Title V, Sec 1; filed Aug 10, 1976, 10:29 a.m.: Rules and Regs. 1977, p. 133; filed May 2, 1983, 10:02 a.m.: 6 IR 1044; filed Jan 8, 1986, 2:52 p.m.: 9 IR 996; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Mar 30, 2006, 1:42 p.m.: 29 IR 2523)*

345 IAC 1-3-18 Treatment of sheep (Repealed)

Sec. 18. *(Repealed by Indiana State Board of Animal Health; filed Jan 8, 1986, 2:52 pm: 9 IR 997)*

345 IAC 1-3-19 Goats; prohibitions

Authority: IC 15-2.1-3-19
 Affected: IC 15-2.1-3-13; IC 15-2.1-21-6

Sec. 19. A person moving goats into the state must meet the requirements in 345 IAC 5-5 and the applicable requirements in this rule. *(Indiana State Board of Animal Health; Reg 76-1, Title VI, Sec 1; filed Aug 10, 1976, 10:29 a.m.: Rules and Regs. 1977, p. 134; filed May 2, 1983, 10:02 a.m.: 6 IR 1044; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Mar 30, 2006, 1:42 p.m.: 29 IR 2523)*

345 IAC 1-3-20 Goats; brucellosis test (Repealed)

Sec. 20. *(Repealed by Indiana State Board of Animal Health; filed Jan 5, 2006, 8:00 a.m.: 29 IR 1552)*

345 IAC 1-3-21 Dogs, cats, and ferrets; general provisions

Authority: IC 15-2.1-3-19
 Affected: IC 15-2.1-3-13; IC 15-2.1-21-6

Sec. 21. A person transporting a dog or cat into Indiana must comply with sections 1, 2, and 4 of this rule. A person transporting a ferret into Indiana must comply with sections 1 and 2 of this rule. *(Indiana State Board of Animal Health; Reg 76-1, Title VII, Sec 1; filed Aug 10, 1976, 10:29 a.m.: Rules and Regs. 1977, p. 134; filed May 2, 1983, 10:02 a.m.: 6 IR 1044; filed Mar 23, 2000, 4:24 p.m.: 23 IR 1913; errata filed Jun 7, 2000, 9:45 a.m.: 23 IR 2760; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895)*

345 IAC 1-3-22 Rabies vaccination required for dogs, cats, and ferrets

Authority: IC 15-2.1-3-19
 Affected: IC 15-2.1-3-13; IC 15-2.1-21-6

Sec. 22. (a) Before a person may move a dog, cat, or ferret ninety (90) days of age or older into the state, the animal must be vaccinated against rabies by a licensed and accredited veterinarian as follows:

- (1) Ferrets must be vaccinated within the twelve (12) months prior to the animal entering the state.
- (2) Dogs and cats must be vaccinated within one (1) of the following time frames:
 - (A) Within the twelve (12) months prior to entering the state in the following circumstances:
 - (i) The animal has not previously been vaccinated against rabies.
 - (ii) The animal was previously vaccinated against rabies and the manufacturer of the vaccine used recommends a booster within one (1) year as designated on the rabies vaccine label and package insert.
 - (iii) The animal has, within the last twelve (12) months, been bitten by a wild animal or a domestic animal of unknown rabies status.
 - (B) Within the thirty-six (36) months prior to entering the state if:
 - (i) none of the circumstances in clause (A) apply; and
 - (ii) the animal was previously vaccinated against rabies and the manufacturer of the vaccine used recommends a booster within three (3) years as designated on the rabies vaccine label and package insert.

(b) A dog, cat, or ferret moved into the state for immediate delivery to or use by a research or teaching facility is exempt from the requirements in subsection (a). The state veterinarian shall determine if animals are exempt under this section.

(c) No one may transport into the state an animal that has been exposed to a rabid animal within the twelve (12) months prior to the animal entering the state. *(Indiana State Board of Animal Health; Reg 76-1, Title VII, Sec 2; filed Aug 10, 1976, 10:29 a.m.: Rules and Regs. 1977, p. 134; filed Jan 8, 1986, 2:52 p.m.: 9 IR 996; filed Mar 23, 2000, 4:24 p.m.: 23 IR 1913; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Sep 18, 2003, 5:25 p.m.: 27 IR 490)*

345 IAC 1-3-23 Poultry; general requirements (Repealed)

Sec. 23. *(Repealed by Indiana State Board of Animal Health; filed Feb 13, 1987, 2:15 pm: 10 IR 1379)*

345 IAC 1-3-24 Imported poultry rules; participation in National Poultry Improvement Plans required

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-21-6

Sec. 24. No person may transport any poultry except for immediate slaughter or hatching eggs into Indiana unless:

(1) the flock or hatchery of origin is:

(A) a participant in the NPIP for the eradication of:

(i) pullorum-typhoid; and

(ii) *Mycoplasma gallisepticum* in turkeys; or

(B) following a program similar to that described in clause (A) which has been officially approved by the board; or

(2) the individual birds have passed a negative test for pullorum-typhoid and, in turkeys, a negative test for *Mycoplasma gallisepticum* within thirty (30) days prior to date of importation.

(Indiana State Board of Animal Health; Reg 76-1, Title VIII, Sec 2; filed Aug 10, 1976, 10:29 a.m.: Rules and Regs. 1977, p. 134; filed Feb 13, 1987, 2:15 p.m.: 10 IR 1378; filed Dec 2, 1994, 3:52 p.m.: 18 IR 858; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895)

345 IAC 1-3-25 Health or NPIP certificate required for all poultry

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-21-6

Sec. 25. All persons transporting poultry or hatching eggs into Indiana must provide an official health certificate or appropriate NPIP certificate. *(Indiana State Board of Animal Health; Reg 76-1, Title VIII, Sec 3; filed Aug 10, 1976, 10:29 a.m.: Rules and Regs. 1977, p. 134; filed May 2, 1983, 10:02 a.m.: 6 IR 1045; filed Dec 2, 1994, 3:52 p.m.: 18 IR 859; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895)*

345 IAC 1-3-26 Laryngotracheitis; importation restriction (Repealed)

Sec. 26. *(Repealed by Indiana State Board of Animal Health; filed Dec 2, 1994, 3:52 p.m.: 18 IR 859)*

345 IAC 1-3-26.5 Equines; interstate movement

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 26.5. (a) All equines imported into Indiana must have tested negative for E.I.A. within the twelve (12) months prior to the animal entering Indiana. The animal must be accompanied by an official laboratory test report indicating the negative E.I.A. test. The following animals are exempt from the testing required in this subsection:

(1) Suckling foals if they are accompanied by their dam and the dam meets the testing requirements in this subsection.

(2) The state veterinarian may exempt equine from the import test required in this subsection to accommodate unique and emergency situations if the waiver does not subject Indiana equine to a substantial risk of E.I.A. infection.

(3) Animals exempted under subsection (b).

(b) All equines imported into Indiana to be delivered directly to an Indiana licensed auction market must have tested negative for E.I.A. within the twelve (12) months prior to the animal entering Indiana. The animals must be accompanied by an official laboratory test report indicating the negative E.I.A. test. The following animals are exempt from the testing required in this subsection:

(1) Suckling foals if they are accompanied by their dam and the dam meets the testing requirements in this subsection.

(2) Equine sold for slaughter.

(3) The state veterinarian may exempt an equine from the import test required in this subsection to accommodate unique and emergency situations if the waiver does not subject Indiana equine to a substantial risk of E.I.A. infection.

The consignor is responsible for obtaining the negative E.I.A. test. If the consignor does not obtain a negative E.I.A. test and the animal tests positive for E.I.A. within sixty (60) days of the sale, the sale is void.

(c) The state veterinarian may order any equine not tested for E.I.A. prior to entry into Indiana be tested for E.I.A. after entry into Indiana. (*Indiana State Board of Animal Health; 345 IAC 1-3-26.5; filed Jan 8, 1986, 2:52 p.m.: 9 IR 996; filed Feb 13, 1987, 2:15 p.m.: 10 IR 1379; filed Feb 7, 2000, 3:28 p.m.: 23 IR 1373; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895*)

345 IAC 1-3-27 Penalty for violation (Repealed)

Sec. 27. (*Repealed by Indiana State Board of Animal Health; filed Dec 23, 1998, 4:37 p.m.: 22 IR 1477*)

345 IAC 1-3-28 Severability (Repealed)

Sec. 28. (*Repealed by Indiana State Board of Animal Health; filed Jan 8, 1986, 2:52 pm: 9 IR 997*)

345 IAC 1-3-29 Importing cervidae into Indiana

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-7

Sec. 29. (a) Cervidae may be imported into Indiana if the requirements of this rule and 345 IAC 2-4.5 are met. Before cervidae are imported into Indiana, the owner must obtain a permit from the board. Permit numbers must be written on the health certificate accompanying the animal. Permits may be obtained by calling the board at (317) 227-0316.

(b) A person may not import into Indiana cervidae that respond to a Tuberculosis test.

(c) Cervidae that respond to a Tuberculosis test may be imported into Indiana if either of the following are met:

(1) The animal subsequently, prior to importation into Indiana, tests negative for Tuberculosis using an official Tuberculosis test.

(2) The animal is sold or consigned to slaughter and is moved directly to the slaughter establishment.

(d) A person may import into Indiana cervidae not known to be infected with or exposed to Tuberculosis. Upon arriving in Indiana, an imported cervidae must be kept isolated from other animals that were not imported with it until the animal tests negative for Tuberculosis. The import retest required in this subsection must be an official test and must be conducted between ninety (90) and one hundred twenty (120) days after the animal enters Indiana.

(e) Before a person imports a cervidae into Indiana, one (1) of the following set of requirements must be met:

(1) The animal:

(A) originated from a herd that is accredited Tuberculosis free under requirements that are at least equal to those in 345 IAC 2-4.5; and

(B) is accompanied by a certificate of veterinary inspection certifying that the animal originated from an accredited herd.

(2) The animal:

(A) originated from a herd that is qualified Tuberculosis free under requirements that are at least equal to those in 345 IAC 2-4.5;

(B) tests negative for Tuberculosis using an official test conducted within ninety (90) days prior to the animal entering Indiana; and

(C) is accompanied by a certificate of veterinary inspection certifying that the animal originated from a qualified herd and tested negative for Tuberculosis on a specific date.

(3) The animal:

(A) originated from a herd that is a monitored herd under requirements that are at least equal to those in 345 IAC 2-4.5;

(B) tests negative for Tuberculosis using an official test conducted within ninety (90) days prior to the animal entering Indiana; and

(C) is accompanied by a certificate of veterinary inspection certifying that the animal originated from a monitored herd and tested negative for Tuberculosis on a specific date.

(4) The animal originated from a herd that is not an accredited, qualified, or monitored herd and the following requirements

are met:

(A) If the animal is to be added to a herd that is accredited, qualified, or monitored under 345 IAC 2-4.5-3, the animal meets the requirements in the Cervidae Uniform Methods and Rules adopted under 345 IAC 2-4.5-2 for additions to a herd with that status.

(B) If the animal is to be added to a herd that is not accredited, qualified, or monitored under 345 IAC 2-4.5-3, the animal tests negative for Tuberculosis using an official test within ninety (90) days prior to the animal entering Indiana.

(C) The animal is accompanied by a certificate of veterinary inspection certifying that the animal met the requirements for importation listing the specific test dates.

(5) The animal:

(A) is less than twelve (12) months of age;

(B) originated from and was born in an accredited, qualified, or monitored herd under 345 IAC 2-4.5 and has not been exposed to cervidae from herds that are not from an accredited, qualified, or monitored herd; and

(C) is accompanied by a certificate of veterinary inspection certifying that each animal meets the qualifications in this subdivision.

(6) The animal is being moved from an American Zoo and Aquarium Association (AZAA) accredited institution to another AZAA accredited institution. Animals imported under this subdivision are exempt from the retest requirement in subsection (d).

(Indiana State Board of Animal Health; 345 IAC 1-3-29; filed Dec 23, 1998, 4:37 p.m.: 22 IR 1473; errata filed Mar 31, 1999, 9:37 a.m.: 22 IR 2534; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895)

345 IAC 1-3-30 Chronic wasting disease

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-21-6

Sec. 30. (a) Notwithstanding any other provision of this rule, a person may not move or cause to be moved any of the following live animals, or semen or embryos from the animals, into the state:

(1) A member of the cervus elaphus species (elk, wapiti, and red deer).

(2) A member of the cervus nippon species (Sika deer, Japanese deer, Japanese Sika deer, spotted deer, and Japanese spotted deer).

(3) A member of the odocoileus hemionus species (mule deer).

(4) A member of the odocoileus virginianus species (whitetail deer).

(5) Hybrids of the species listed in this subsection.

(6) An animal of the family cervidae if any member of its species has been diagnosed with CWD.

But, a person may move live animals, semen, or embryos from these species under the conditions set forth in subsection (b).

(b) A person may move or cause to be moved a live animal, semen, or embryos of the species listed in subsection (a) into the state by complying with one (1) of the following:

(1) A person may transport a live animal, semen, or embryos directly through the state without stopping and unloading the animal, semen, or embryos in the state.

(2) The person obtains a pre-entry permit from the state veterinarian that authorizes the movement as follows:

(A) The person must first apply to the state veterinarian for a pre-entry permit to move the animal, semen, or embryos into the state.

(B) The state veterinarian may require from an applicant for a pre-entry permit and the applicant must provide any information, including supporting documentation, that is relevant to evaluating the disease risk associated with the movement and compliance with subsections (c) through (f). The state veterinarian may require that the application for a permit be in writing and be submitted not less than one hundred twenty (120) hours prior to the movement date.

(c) The state veterinarian may issue a pre-entry permit to move a live animal and embryos of the species listed in subsection (a) into the state if the epidemiology as it relates to CWD indicates that the proposed movement is consistent with reasonable animal health precautions. The state veterinarian must follow the principles in subsections (d) through (h) when issuing pre-entry permits.

(d) Except as provided in subsections (e), (f), and (h), the state veterinarian must follow the following principles when issuing pre-entry permits for live animals and embryos:

(1) Each animal, in the proposed movement must originate from an area that meets all of the following conditions:

- (A) The principal animal health official in the state of origin has authority to quarantine CWD infected, CWD exposed, and CWD suspect animals.
 - (B) State law in the state of origin requires that a diagnosis of CWD be reported to the principal animal health official of the state.
 - (C) The state of origin is engaged in surveillance for CWD in captive and pre-ranging cervids.
 - (D) CWD has not been diagnosed in a captive or free-ranging cervid in the state within the sixty (60) months immediately prior to the date of the proposed movement.
- (2) Each animal in the proposed movement must originate from a herd that meets all of the following conditions:
- (A) No animal in the herd and no animal that originated from the herd, and no animal that has been traced to the herd has been diagnosed as positive for CWD within the sixty (60) months immediately prior to the date of transportation into Indiana.
 - (B) The herd has been enrolled in or subject to an official state or federal surveillance program whereby the herd has been monitored for CWD for not less than sixty (60) consecutive months and the owner of the herd is in compliance with the surveillance program requirements. The certification program information shall be disclosed when applying for an entry permit under this section and shall be included on the certificate of veterinary inspection required under section 4 of this rule.
- (e) The state veterinarian may issue a pre-entry permit under this section for any of the following:
- (1) An animal if the animal has tested negative for CWD using a live animal test that has been approved by the United States Department of Agriculture and the state veterinarian.
 - (2) Semen or embryos if the donor animal has tested negative for CWD using a test that has been approved by the United States Department of Agriculture and the state veterinarian.
- (f) The state veterinarian may issue a pre-entry permit under this section to move a live animal of the species listed in subsection (a) into the state directly to slaughter if the following requirements are met:
- (1) An official certificate of veterinary inspection is obtained for the animals on the shipment.
 - (2) Each animal is identified and the identification is recorded on the certificate of veterinary inspection.
 - (3) The permit requires a copy of the certificate of veterinary inspection to move with the animals and be presented to a state or federal official at the slaughtering plant.
 - (4) The permit requires that the animals be moved directly to a slaughtering plant inspected by the board or the United States Department of Agriculture without stopping and unloading the animals elsewhere in the state.
 - (5) The permit requires that the state veterinarian be allowed to collect samples from each animal for testing for disease.
 - (6) The permit contains any other conditions the state veterinarian determines to be necessary to prevent, detect, and control disease.
- (g) The state veterinarian may issue a pre-entry permit under this section to move semen from animals of the species listed in subsection (a) into the state if the following requirements are met:
- (1) The semen donor is not a CWD positive, CWD suspect, or CWD exposed animal.
 - (2) The semen donor has not been kept on a premise where a CWD positive animal has been kept within the last sixty (60) months.
 - (3) The semen donor is not an offspring of a CWD positive animal.
 - (4) A veterinarian accredited under 9 CFR Subchapter J prepares a certificate of veterinary inspection for the semen donor and the shipment indicating that the provisions of this subsection are met and that the donor does not currently show any signs of a neurological disorder. The state veterinarian may require a copy of the certificate of veterinary inspection be submitted prior to issuing the pre-entry permit. The certificate must be prepared within the thirty (30) days prior to the shipment into the state.
- (h) The state veterinarian may permit the movement of any animal, semen, or embryo into the state under conditions prescribed by the state veterinarian for the purpose of research or to facilitate the diagnosis, treatment, prevention, or control of disease. (*Indiana State Board of Animal Health; 345 IAC 1-3-30; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1338; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Sep 12, 2002, 1:07 p.m.: 26 IR 345; filed Sep 5, 2003, 8:41 a.m.: 27 IR 87*)

345 IAC 1-3-31 Chronic wasting disease; carcasses

Authority: IC 15-2.1-3-19

Affected: IC 14-22-21; IC 15-2.1-3-13; IC 15-2.1-16; IC 15-2.1-24

INDIANA STATE BOARD OF ANIMAL HEALTH

Sec. 31. (a) The provisions in this section supersede any conflicting provisions in 345 IAC 7-7. Except as provided in subsection (b), a person may not move into the state a carcass or any part thereof of the following animals:

- (1) A member of the *Cervus elaphus* species (elk, wapiti, and red deer).
- (2) A member of the *Cervus nippon* species (Sika deer, Japanese deer, Japanese Sika deer, spotted deer, and Japanese spotted deer).
- (3) A member of the *Odocoileus hemionus* species (mule deer).
- (4) A member of the *Odocoileus virginianus* species (whitetail deer).
- (5) Hybrids of the species listed in this subsection.
- (6) An animal of the family cervidae, if any member of its species has been diagnosed with CWD.

Semen and embryos authorized for entry under section 30 of this rule, however, may be moved into the state.

(b) Notwithstanding the prohibition in subsection (a), the following apply:

(1) A person may transport a carcass or parts directly through the state without stopping and unloading the carcass or parts in the state.

(2) A person may move into the state carcasses or parts of carcasses if no portion of the following materials are attached or otherwise included in the movement:

- (A) The head.
- (B) The spinal cord.
- (C) The small intestine.

(3) A person may move into the state carcasses or parts of carcasses that include the materials listed in subdivision (2) if they are delivered within seventy-two (72) hours after entry to one (1) of the following:

- (A) A meat processor inspected under IC 15-2.1-24 for processing.
- (B) A commercial deer processor registered with the Indiana department of natural resources under 312 IAC 9-3-10 for processing.
- (C) A taxidermist licensed by the Indiana department of natural resources under IC 14-22-21.

(4) A person may move the following parts into the state:

- (A) Antlers, including antlers attached to skull caps, if the skull cap is cleaned of all brain and muscle tissue.
- (B) Hides.
- (C) Upper canine teeth, also known as “buglers”, “whistlers”, or “ivories”.
- (D) Finished taxidermist mounts.

(5) A person licensed as a disposal plant or collection service under IC 15-2.1-16 may move carcasses and parts into the state if the carcasses and parts are moved directly to a licensed disposal plant.

(6) Samples taken for disease control purposes may be moved directly to a diagnostic laboratory.

(7) The state veterinarian may permit the movement of any carcass or part into the state for the purpose of research or to facilitate the:

- (A) diagnosis;
- (B) treatment;
- (C) prevention; or
- (D) control;

of disease.

(c) A meat plant accepting live animals for slaughter under section 30 of this rule and any person accepting carcasses under subsection (b)(3) must dispose of discarded tissue and parts from the animals as follows:

(1) At a landfill or commercial incinerator permitted by the Indiana department of environmental management.

(2) Through a renderer or collection service licensed under IC 15-2.1-16.

(Indiana State Board of Animal Health; 345 IAC 1-3-31; filed Sep 5, 2003, 8:41 a.m.: 27 IR 89; filed Jul 18, 2005, 1:00 p.m.: 28 IR 3569)

345 IAC 1-3-32 Duties of applicants and shippers; violations; penalties

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-18-9; IC 15-2.1-21-6; IC 15-2.1-21-14

Sec. 32. (a) A person applying for a permit under this rule and any person moving animals into the state under this rule must

comply with the following:

- (1) The person must provide all information, including supporting documentation, requested by a board representative that is evaluating a permit request or compliance with this rule.
- (2) All information provided to board representatives must be complete and accurate.
- (3) The person must comply with all relevant provisions of this rule.
- (b) Knowingly or intentionally providing false or misleading information to any board representative is a violation of IC 15-2.1-18-9, IC 15-2.1-21-6, and this rule.
- (c) Knowingly or intentionally failing to comply with the provisions of this rule is a violation of IC 15-2.1-21-6.
- (d) Failing to comply with any provision of this rule is a violation of this rule. The state veterinarian may impose civil penalties under IC 15-2.1-21-14 for any violation of this rule.
- (e) The state veterinarian may deny a request for a permit because the provisions of this rule have not been met or have been violated.
- (f) The state veterinarian may take any action authorized under IC 15-2.1 or other laws to enforce the provisions of this rule. (*Indiana State Board of Animal Health; 345 IAC 1-3-32; filed Sep 5, 2003, 8:41 a.m.: 27 IR 90*)

Rule 4. Anthrax; Temporary Quarantine of Domestic Animals

345 IAC 1-4-1 Anthrax; quarantine (Repealed)

Sec. 1. (*Repealed by Indiana State Board of Animal Health; filed Jul 1, 2002, 1:30 p.m.: 25 IR 3742*)

345 IAC 1-4-2 Definitions

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-11; IC 15-2.1-3-13; IC 15-2.1-4

Sec. 2. The definitions in IC 15-2.1-2 and the following definitions apply throughout this rule:

- (1) "Anthrax" means *Bacillus anthracis*.
- (2) "Quarantine" means limiting, including prohibiting, movement onto or off of a premises or into or out of a facility.
- (3) "State veterinarian" means the state veterinarian appointed under IC 15-2.1-4 and all authorized representatives.

(*Indiana State Board of Animal Health; 345 IAC 1-4-2; filed Jul 1, 2002, 1:30 p.m.: 25 IR 3742*)

345 IAC 1-4-3 Anthrax control measures

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-11; IC 15-2.1-3-13

Sec. 3. (a) Whenever evidence indicates the presence of anthrax on a premises, the following apply:

- (1) The state veterinarian may immediately impose a quarantine on the premises. The quarantine may restrict animals, products derived from animals, and feed and other material that are or may be contaminated with anthrax. The quarantine shall contain such restrictions, including prohibitions, as is necessary to prevent the spread of anthrax and protect public health and animal health.
- (2) The state veterinarian shall evaluate the epidemiology of the occurrence.
- (3) The state veterinarian may take any action necessary to prevent the spread of anthrax, eliminate anthrax contamination, and protect the public health and animal health from anthrax including condemning animals, products derived from animals, and feed and other material that are or may be contaminated with anthrax.
- (4) The state veterinarian may order any dead animal or part thereof, product derived from an animal, and feed and other material that is or may be contaminated with anthrax disposed of in a particular manner that prevents the spread of anthrax and protects the public health and animal health.
- (5) The state veterinarian may order any:
 - (A) animal;
 - (B) product derived from an animal;
 - (C) feed and other material;

- (D) premises;
- (E) building; and
- (F) equipment;

cleaned, disinfected, and treated in a particular manner that prevents the spread of anthrax and protects the public health and animal health.

(b) The state veterinarian may rescind all or part of a quarantine issued under this rule when the totality of the circumstances indicates that doing so is consistent with protecting the public and animal health from anthrax contamination. (*Indiana State Board of Animal Health; 345 IAC 1-4-3; filed Jul 1, 2002, 1:30 p.m.: 25 IR 3742*)

Rule 5. Rabies Immunization

345 IAC 1-5-1 Rabies vaccination

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-6

Sec. 1. (a) For the purpose of administering IC 15-2.1-6 and this rule, an animal is deemed to be vaccinated for rabies only when the following provisions are met:

(1) The animal is vaccinated by a veterinarian that is:

- (A) licensed to practice veterinary medicine; and
- (B) accredited by the United States Department of Agriculture under 9 CFR, Subchapter J.

(2) The vaccine used must be licensed and approved by the United States Department of Agriculture. The dosage and administration of the vaccine used must be in accordance with this rule and the manufacturers' specifications described on the vaccine's label and package insert.

(b) The veterinarian performing a rabies vaccination of an animal shall do the following:

(1) Complete a vaccination certificate or computerized record, in triplicate, on each animal being vaccinated for rabies that shall include the following information:

- (A) The name and address of the animal's owner.
- (B) The species, sex, and age of the animal vaccinated.
- (C) The date the animal was vaccinated.
- (D) The product name and lot or serial number of the vaccine used.
- (E) The date the animal must be revaccinated under section 2 of this rule.
- (F) The number of the tag issued if a tag is issued under subdivision (3).
- (G) The name of the veterinarian completing the vaccination and his or her Indiana veterinary license number.

(2) The rabies vaccination certificate completed under subdivision (1) shall be distributed as follows:

- (A) One (1) copy of the certificate or computerized record shall be given to the owner or custodian of the animal being vaccinated for rabies.
- (B) One (1) copy of the certificate or computerized record shall be forwarded to the county health officer or the officer's designated agent upon the county health officer's request, or as the state veterinarian otherwise directs, within thirty (30) days of the vaccination.
- (C) One (1) copy of the certificate or computerized record shall be retained by the veterinarian vaccinating such animal covering the period of immunization.

(3) A veterinarian that vaccinates a dog, cat, or ferret shall furnish to the owner or custodian of the animal a rabies vaccination identification tag that contains the following:

- (A) The veterinarian's or clinic's name and telephone number.
- (B) A unique identification number.

(c) The owner or custodian of an animal vaccinated for rabies shall keep a copy of the certificate and tag required to be issued under subsection (b) until such time as the animal must be revaccinated under section 2 of this rule. The board recommends that the owner or custodian of a dog affix the rabies vaccination tag to the collar or harness of the dog and that it be worn at all times. Nothing in this rule shall prevent a local unit of government from requiring that rabies vaccination tags be worn at all times.

(d) Animals that have been vaccinated for rabies are subject to all quarantine provisions that may be imposed by state or local regulations. The final determination of an animal's rabies vaccination status shall be made by the state veterinarian. (*Indiana State*

Board of Animal Health; Reg 57-2, Title 1; filed Jun 4, 1958, 3:30 p.m.: Rules and Regs. 1959, p. 284; filed Jan 20, 1988, 4:05 p.m.: 11 IR 1740; filed Oct 23, 1989, 5:00 p.m.: 13 IR 383; filed Jun 14, 1995, 3:30 p.m.: 18 IR 2759; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Oct 1, 2001, 11:10 a.m.: 25 IR 374; filed Sep 18, 2003, 5:25 p.m.: 27 IR 491) NOTE: Originally adopted by the Indiana State Livestock Sanitary Board. Name changed by Acts 1969, Ch. 81, Sec. 1.

345 IAC 1-5-2 Required rabies vaccination of dogs, cats, and ferrets

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-6

Sec. 2. All dogs, cats, and ferrets three (3) months of age and older must be vaccinated against rabies. The rabies vaccination of a dog, cat, and ferret shall be maintained by ongoing revaccination of the animal as follows:

- (1) Ferrets shall be revaccinated within twelve (12) months of the prior vaccination.
- (2) Dogs and cats that are vaccinated with a rabies vaccine whose label recommends annual boosters shall be revaccinated within twelve (12) months of the prior vaccination.
- (3) Dogs and cats that are vaccinated with a rabies vaccine whose label recommends a booster one (1) year later and triennially thereafter shall be revaccinated within twelve (12) months of the first vaccination and shall be revaccinated within thirty-six (36) months of each vaccination thereafter.

The owner of the animal is responsible for procuring the vaccinations required by this section. (*Indiana State Board of Animal Health; 345 IAC 1-5-2; filed Jun 14, 1995, 3:30 p.m.: 18 IR 2760; filed Jun. 17, 1998, 9:03 a.m.: 21 IR 4204; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Oct 1, 2001, 11:10 a.m.: 25 IR 375*)

345 IAC 1-5-3 Animal rabies control program

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-6

Sec. 3. (a) The state veterinarian shall establish a statewide animal rabies control program. The rabies control program shall include the following:

- (1) The rabies vaccination requirements in this rule.
- (2) The rabies vaccine distribution requirements in 345 IAC 1-1.1.
- (3) The rabies control requirements for the following:
 - (A) Moving animals into the state in 345 IAC 1-3.
 - (B) Exhibition of animals in 345 IAC 7-5.
- (4) Other requirements in IC 15-2.1-6 and this rule.
- (5) Other programs initiated by the state veterinarian for the purposes of:
 - (A) preventing;
 - (B) detecting;
 - (C) controlling; and
 - (D) eradicating;

rabies.

(b) The following components of the Compendium of Animal Rabies Control, 2005, National Association of State Public Health Veterinarians, Inc., are incorporated by reference as rules of the Indiana state board of animal health and shall be used in the implementation of the program established under subsection (a):

- (1) Part I(B)(1) "Prevention and control methods in domestic and confined animals" and Part II "Recommendations for Parenteral Rabies Vaccination Procedures" when interpreting and implementing the animal vaccination requirements in this rule.
- (2) Part I(B)(5) and Part I(B)(6) "Postexposure management" when interpreting and implementing IC 15-2.1-6 governing animal bites.

(c) Where the matters incorporated by reference in this section conflict with the provisions of IC 15-2.1-6 and this rule, the express provisions of the statute and this rule shall control. (*Indiana State Board of Animal Health; 345 IAC 1-5-3; filed Jun 14, 1995, 3:30 p.m.: 18 IR 2760; filed Dec 10, 1997, 11:00 a.m.: 21 IR 1327; filed Jun 17, 1998, 9:03 a.m.: 21 IR 4205; filed Mar 23, 2000, 4:24 p.m.: 23 IR 1913; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Oct 1, 2001, 11:10 a.m.: 25 IR 375; filed Jan 5,*

2006, 8:00 a.m.: 29 IR 1556)

Rule 6. Reportable Diseases

345 IAC 1-6-1 Reportable diseases identified (Repealed)

Sec. 1. *(Repealed by Indiana State Board of Animal Health; filed Dec 31, 2001, 10:00 a.m.: 25 IR 1608)*

345 IAC 1-6-1.5 Definitions and general provisions

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3; IC 15-2.1-4; IC 15-2.1-18-10

Sec. 1.5. The following definitions and the definitions in IC 15-2.1-2 apply throughout this rule:

(1) "Board" means the Indiana state board of animal health created under IC 15-2.1-3.

(2) "Reportable disease" means a transmissible disease that the board determines to have socio-economic or public health importance to the state and which is significant in the trade of animals and animal products. Reportable diseases are designated as reportable to the state veterinarian under this rule.

(3) "State veterinarian" means the Indiana state veterinarian appointed under IC 15-2.1-4 or an authorized agent.

(Indiana State Board of Animal Health; 345 IAC 1-6-1.5; filed Dec 31, 2001, 10:00 a.m.: 25 IR 1607)

345 IAC 1-6-2 Individual and veterinarian responsibility

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-18-10

Sec. 2. A diagnostic laboratory, veterinarian, owner, or custodian that receives information indicating a clinical diagnosis of any of the following reportable diseases in an animal or article must report that information to the state veterinarian within two (2) business days of receiving the information:

- (1) Anthrax (*Bacillus anthracis*).
- (2) Aujeszky's disease (*Pseudorabies*).
- (3) Avian mycoplasmosis (*Mycoplasma gallisepticum*) in turkeys.
- (4) Bovine tuberculosis (*Mycobacterium bovis*).
- (5) Brucellosis (*Brucella abortus*, *brucella suis*, caprine and ovine brucellosis).
- (6) Equine infectious anemia (EIA).
- (7) Foreign animal diseases.
- (8) Fowl typhoid (*Salmonella gallinarum*).
- (9) Paratuberculosis (Johne's disease, *Mycobacterium paratuberculosis*).
- (10) Pullorum disease (*Salmonella pullorum*).
- (11) Rabies.
- (12) Transmissible spongiform encephalopathies, including the following:
 - (A) Chronic wasting disease.
 - (B) Scrapie.
 - (C) Bovine spongiform encephalopathy.
- (13) Vesicular diseases, including the following:
 - (A) Foot-and-mouth disease.
 - (B) Vesicular stomatitis.
 - (C) Swine vesicular disease.
 - (D) Vesicular exanthema.

(Indiana State Board of Animal Health; 345 IAC 1-6-2; filed Jul 23, 1992, 2:00 p.m.: 15 IR 2568; filed Oct 11, 1996, 2:00 p.m.: 20 IR 740; filed Jun 17, 1998, 9:03 a.m.: 21 IR 4205; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Dec 31, 2001, 10:00 a.m.: 25 IR 1607; filed Sep 5, 2003, 8:41 a.m.: 27 IR 90)

345 IAC 1-6-3 Laboratory responsibility

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-18-10

Sec. 3. For the purpose of participating in the United States Department of Agriculture, National Animal Health Reporting System, a diagnostic laboratory must report a diagnosis of any of the following reportable diseases in an animal or article from Indiana or whose owner is from Indiana to the state veterinarian within two (2) business days of the diagnosis:

(1) Multiple species diseases as follows:

- (A) Anthrax (*Bacillus anthracis*).
- (B) Aujeszky's disease (*Pseudorabies*).
- (C) Bluetongue.
- (D) Bovine tuberculosis (*Mycobacterium bovis*).
- (E) Brucellosis (*Brucella abortus*, *brucella suis*, caprine and ovine brucellosis).
- (F) Contagious bovine pleuropneumonia (*Mycoplasma mycoides mycoides*).
- (G) Foot-and-mouth disease (all FMD virus types).
- (H) Echinococcosis/hydatidosis.
- (I) Heartwater (*Cowdria ruminantium*).
- (J) Leptospirosis.
- (K) Lumpy skin disease.
- (L) New World screwworm (*Cochliomyia hominivorax*).
- (M) Old World screwworm (*Chrysomya bezziana*).
- (N) Paratuberculosis (Johne's disease, *Mycobacterium paratuberculosis*).
- (O) Peste des petits ruminants.
- (P) Q Fever (*Coxiella burnetii*).
- (Q) Rabies.
- (R) Rift valley fever.
- (S) Rinderpest.
- (T) Transmissible spongiform encephalopathies, including the following:
 - (i) Chronic wasting disease.
 - (ii) Scrapie.
 - (iii) Bovine spongiform encephalopathy.
- (U) Trichinellosis (*Trichinella spiralis*).
- (V) Vesicular stomatitis (VS viruses Indiana, New Jersey, or not typed).

(2) Cattle diseases as follows:

- (A) Bovine anaplasmosis (*Anaplasma marginale*, *A. centrale*).
- (B) Bovine babesiosis (*Babesia bovis*, *B. bigemina*).
- (C) Bovine cysticercosis (*Cysticercus bovis* metacestode stage of *Taenia saginata*).
- (D) Bovine genital campylobacteriosis (*Campylobacter fetus venerealis*).
- (E) Dermatophilosis (*Dermatophilus congolensis*).
- (F) Enzootic bovine leukosis (BLV).
- (G) Haemorrhagic septicaemia (*Pasteurella multocida*, B/Asian or E/African serotypes).
- (H) Infectious bovine rhinotracheitis/infectious pustular vulvovaginitis (IBR/IPV).
- (I) Malignant catarrhal fever (Bovine malignant catarrh, wildebeest associated).
- (J) Theileriosis (*Theileria annulata*, *T. parva*).
- (K) Trichomonosis (*Tritrichomonas (Trichomonas) foetus*).
- (L) Trypanosomosis (*Trypanosoma congolense*, *T. vivax*, *T. brucei brucei*).

(3) Sheep and goat diseases as follows:

- (A) Caprine and ovine brucellosis (excluding *B. ovis*).
- (B) Caprine arthritis/encephalitis (CAE).
- (C) Contagious agalactia (*Mycoplasma agalactiae*, *M. capricolum capricolum*, *M. putrefaciens*, *M. mycoides mycoides*, *M. mycoides mycoides (LC)*).

- (D) Contagious caprine pleuropneumonia (*Mycoplasma capricolum capripneumoniae*).
 - (E) Enzootic abortion of ewes (Ovine Psittacosis, *Chlamydia psittaci*).
 - (F) Ovine pulmonary adenomatosis.
 - (G) Maedi-visna/ovine progressive pneumonia.
 - (H) Nairobi sheep disease.
 - (I) Ovine epididymitis (*Brucella ovis* infection).
 - (J) Salmonellosis (*Salmonella abortusovis*).
 - (K) Sheep pox and goat pox.
- (4) Equine diseases as follows:
- (A) African horse sickness.
 - (B) Contagious equine metritis (*Tylorella equigenitalis*).
 - (C) Dourine (*Trypanosoma equiperdum*).
 - (D) Epizootic lymphangitis (*Histoplasma farciminosum*).
 - (E) Equine encephalomyelitis (Eastern and Western).
 - (F) Equine infectious anemia (EIA).
 - (G) Equine influenza (virus type A).
 - (H) Equine piroplasmosis (Babesiosis, *Babesia (Piroplasma) equi*, *B. caballi*).
 - (I) Equine rhinopneumonitis (1 and 4).
 - (J) Equine viral arteritis (EVA).
 - (K) Glanders (*Pseudomonas mallei*).
 - (L) Horse mange.
 - (M) Horse pox.
 - (N) Japanese encephalitis.
 - (O) Surra (*Trypanosoma evansi*).
 - (P) Venezuelan equine encephalomyelitis.
- (5) Swine diseases as follows:
- (A) Atrophic rhinitis of swine (*Bordetella bronchiseptica*, *Pasteurella multocida*).
 - (B) African swine fever.
 - (C) Classical swine fever.
 - (D) Enterovirus encephalomyelitis.
 - (E) Porcine brucellosis (*Brucella suis*).
 - (F) Porcine cysticercosis (*Cisticercus cellulosae* metacystode stage of *Taenia solium*).
 - (G) Porcine reproductive and respiratory syndrome (PRRS).
 - (H) Swine vesicular disease.
 - (I) Transmissible gastroenteritis (TGE).
- (6) Avian diseases as follows:
- (A) Avian chlamydiosis (Psittacosis and Ornithosis, *Chlamydia psittaci*).
 - (B) Avian infectious bronchitis.
 - (C) Avian infectious laryngotracheitis.
 - (D) Avian influenza.
 - (E) Avian mycoplasmosis (*Mycoplasma gallisepticum*).
 - (F) Avian tuberculosis (*Mycobacterium avian*).
 - (G) Duck virus hepatitis.
 - (H) Duck virus enteritis.
 - (I) Fowl cholera (*Pasturella multocida*).
 - (J) Fowl pox.
 - (K) Fowl typhoid (*Salmonella gallinarum*).
 - (L) Infectious bursal disease (Gumboro disease).
 - (M) Marek's disease.
 - (N) Newcastle disease.
 - (O) Pullorum disease (*Salmonella pullorum*).

(7) Fish diseases as follows:

- (A) Viral haemorrhagic septicaemia.
- (B) Spring viraemia of carp.
- (C) Infectious haematopoietic necrosis.
- (D) Epizootic haematopoietic necrosis.
- (E) Oncorhynchus masou virus disease.

(Indiana State Board of Animal Health; 345 IAC 1-6-3; filed Jul 23, 1992, 2:00 p.m.: 15 IR 2568; filed Oct 11, 1996, 2:00 p.m.: 20 IR 740; filed Jun 17, 1998, 9:03 a.m.: 21 IR 4205; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Dec 31, 2001, 10:00 a.m.: 25 IR 1607; filed Sep 5, 2003, 8:41 a.m.: 27 IR 90)

Rule 7. Acquisition and Disposition of Animals and Objects

345 IAC 1-7-1 Definitions; applicability

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3

Sec. 1. The definitions in IC 15-2.1-2 and this rule apply throughout this rule. *(Indiana State Board of Animal Health; 345 IAC 1-7-1; filed Mar 30, 2006, 1:42 p.m.: 29 IR 2518)*

345 IAC 1-7-2 “Board” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3

Sec. 2. “Board” means the Indiana state board of animal health appointed under IC 15-2.1-3. *(Indiana State Board of Animal Health; 345 IAC 1-7-2; filed Mar 30, 2006, 1:42 p.m.: 29 IR 2518)*

345 IAC 1-7-3 “Object” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3; IC 15-2.1-18

Sec. 3. “Object” means the following:

- (1) Any pest or disease.
- (2) A material or tangible thing that could harbor a pest or disease.

(Indiana State Board of Animal Health; 345 IAC 1-7-3; filed Mar 30, 2006, 1:42 p.m.: 29 IR 2518)

345 IAC 1-7-4 “Payment limit” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3; IC 15-2.1-18

Sec. 4. “Payment limit” means a limit prescribed by law on the amount of money a person may receive for indemnity for destruction of an animal or object. *(Indiana State Board of Animal Health; 345 IAC 1-7-4; filed Mar 30, 2006, 1:42 p.m.: 29 IR 2518)*

345 IAC 1-7-5 “Pest” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3

Sec. 5. “Pest” means any of the following that can directly or indirectly injure, cause damage to, or cause disease in animals:

- (1) A protozoan.
- (2) A plant.
- (3) A bacteria.
- (4) A fungus.

- (5) A virus or viroid.
- (6) An infectious agent or other pathogen.
- (7) An arthropod.
- (8) A parasite.
- (9) A prion.
- (10) A vector.
- (11) Any organism similar to or allied with any of the organisms described in this section.

(Indiana State Board of Animal Health; 345 IAC 1-7-5; filed Mar 30, 2006, 1:42 p.m.: 29 IR 2518)

345 IAC 1-7-6 “State veterinarian” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-4

Sec. 6. “State veterinarian” means the following:

- (1) The state veterinarian appointed under IC 15-2.1-4.
- (2) The state veterinarian’s authorized representatives.

(Indiana State Board of Animal Health; 345 IAC 1-7-6; filed Mar 30, 2006, 1:42 p.m.: 29 IR 2518)

345 IAC 1-7-7 Condemnation

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3; IC 15-2.1-18

Sec. 7. The state veterinarian may order any animal or object condemned in order to do the following:

- (1) Protect the citizens and animals of the state from diseases and pests.
- (2) Maintain or improve the state’s disease status as recognized by any of the following:
 - (A) Another state.
 - (B) The United States Department of Agriculture or other federal agency or entity.
 - (C) A foreign country.
 - (D) The Office International des Epizooties (OIE) or other international standard-setting bodies.

(Indiana State Board of Animal Health; 345 IAC 1-7-7; filed Mar 30, 2006, 1:42 p.m.: 29 IR 2519)

345 IAC 1-7-8 Indemnity

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-18-15; IC 15-2.1-18-16; IC 15-2.1-19

Sec. 8. (a) Except as provided in IC 15-2.1-18-15 and subject to any other limits imposed by law, the board will indemnify owners of animals or objects condemned by the board according to this section. The following apply:

- (1) If another provision of IC 15-2.1 or this title provides a specific procedure for indemnification for certain animals or objects, the more specific provisions shall control.
- (2) If indemnity is paid by the federal government, the indemnity procedures prescribed by the federal government may be used instead of the procedures in this rule.
- (b) The state veterinarian shall determine an appraised value for all condemned animals and objects. For purposes of IC 15-2.1-18-16 and this rule, “satisfactory appraisal” means a value determined by the state veterinarian to be a fair estimate of the condemned animal’s or object’s fair market value. The state veterinarian may consider the following when determining appraised value:
 - (1) The owner’s purchase price for the condemned animal or object.
 - (2) The sales price of similar animals or objects sold on the open market.
 - (3) The animal’s market value as the following:
 - (A) A food animal.
 - (B) A breeding animal.
 - (4) The salvage value of the animal or object.
 - (5) The value according to the following:

- (A) Published catalogues.
- (B) Market reports.
- (C) Other formal and informal market surveys.

(6) Any other relevant information.

The state veterinarian may survey, hire, or consult with and may rely on the opinion of independent appraisers, experts, and other knowledgeable persons when determining the value of animals and objects.

(c) The state veterinarian must notify the owner of the state veterinarian's determination of appraised value. The procedures in IC 15-2.1-19 shall control the following:

- (1) The notification process.
- (2) The owner's opportunity to appeal the state veterinarian's determination.
- (d) The board will pay an owner of condemned animals and objects the lesser of the following amounts:

(1) The appraised value determined under this rule minus any amounts received by the owner for the condemned animal or object from the following:

- (A) Insurance proceeds.
- (B) Indemnity from the federal government.
- (C) Any other source.

(2) The applicable payment limit, if any.

The state veterinarian shall keep a record of indemnity paid.

(e) The owner of condemned animals or objects must report to the board any money received for the condemned animal or object from any source other than the state immediately upon receipt of the money. (*Indiana State Board of Animal Health; 345 IAC 1-7-8; filed Mar 30, 2006, 1:42 p.m.: 29 IR 2519*)

345 IAC 1-7-9 Acquisition of animals and objects by voluntary sale

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-18-16.5

Sec. 9. The state veterinarian may do the following:

(1) Purchase any animal or object for the purpose of:

- (A) preventing;
- (B) detecting;
- (C) controlling; and
- (D) eradicating;

diseases and pests of animals.

(2) Negotiate and pay a fair value for any animal or object purchased.

The state veterinarian shall keep a record of all animals and objects purchased. (*Indiana State Board of Animal Health; 345 IAC 1-7-9; filed Mar 30, 2006, 1:42 p.m.: 29 IR 2519*)

345 IAC 1-7-10 Euthanasia and disposal

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-16; IC 15-2.1-18

Sec. 10. (a) When the board or its agents condemn an animal, the state veterinarian may prescribe the means by which the animal shall be euthanized. If the state veterinarian prescribes a method of euthanasia, the method shall be one that is reasonably humane while allowing for efficient accomplishment of disease control objectives under the prevailing circumstances.

(b) When the board or its agent condemns an object, the state veterinarian may prescribe the means by which the object is destroyed. If the state veterinarian prescribes a method of destruction, the method shall be one that allows for efficient accomplishment of disease control objectives under the prevailing circumstances.

(c) The state veterinarian may order any animal or object disposed of in a particular manner in order to prevent, detect, control, eradicate, or otherwise protect the citizens and animals of the state from diseases and pests of animals. In an order issued under this section, the state veterinarian may:

- (1) restrict the use of disposal methods prescribed in IC 15-2.1-16 and 345 IAC 7-7; or

(2) prescribe new or alternative methods of disposal.

(d) Subject to state laws governing procurement, the state veterinarian may contract with:

(1) private veterinarians;

(2) renderers; and

(3) any other qualified person;

for euthanasia, destruction, and disposal services. (*Indiana State Board of Animal Health; 345 IAC 1-7-10; filed Mar 30, 2006, 1:42 p.m.: 29 IR 2519*)

345 IAC 1-7-11 Cleaning and disinfecting

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-15-7; IC 15-2.1-16-18

Sec. 11. The state veterinarian may do the following:

(1) Order the cleaning and disinfecting of any:

(A) premises;

(B) building; or

(C) other:

(i) structure;

(ii) conveyance;

(iii) equipment; or

(iv) object;

using procedures approved by the state veterinarian in order to prevent, detect, control, and eradicate diseases and pests of animals.

(2) Subject to state laws governing procurement, contract with qualified persons for cleaning and disinfecting services.

(*Indiana State Board of Animal Health; 345 IAC 1-7-11; filed Mar 30, 2006, 1:42 p.m.: 29 IR 2520*)

*