

Document: Final Rule

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**TITLE 345 INDIANA STATE BOARD OF
ANIMAL HEALTH**

LSA Document #00-99(F)

DIGEST

Amends 345 IAC 1-3 to clarify the state veterinarian's authority to address disease threats from animals and products derived from animals. Amends 345 IAC 1-3-4 to require certificates of veterinary inspection and permits for additional species of animals prior to transporting them into Indiana. Adds 345 IAC 1-3-30 to limit the transportation into Indiana of cervids from states where chronic wasting disease has been diagnosed. Amends 345 IAC 1-6-1 to require a diagnosis of a transmissible spongiform encephalopathy in an animal be reported to the state veterinarian. Adds 345 IAC 2-7 to monitor for chronic wasting disease in cervids. Effective 30 days after filing with the secretary of state.

345 IAC 1-3-1	345 IAC 1-3-4.5
345 IAC 1-3-1.5	345 IAC 1-3-30
345 IAC 1-3-2	345 IAC 1-6-1
345 IAC 1-3-3	345 IAC 2-7
345 IAC 1-3-4	

SECTION 1. 345 IAC 1-3-1 IS AMENDED TO READ AS FOLLOWS:

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 ~~import transport into Indiana any domestic animals into Indiana animal~~ unless ~~provisions in 345 IAC 1-3 have been complied with to prevent the introduction and spread of any contagious disease:~~ **requirements in this rule are first met.**

(b) When the ~~Indiana~~ state veterinarian has ~~reasons~~ **reason** to believe that:

(1) the ~~importation transportation~~ of domestic animals ~~from another state~~ **or products derived from animals into Indiana** would create a hazard to livestock or poultry industry ~~the citizens or animals~~ of Indiana; ~~due to the existence or prevalence of~~

(2) a disease; ~~of domestic animals person has not met the requirements in that state; he this rule;~~

the state veterinarian may do the following:

(A) Take any legal ~~procedures~~ **action** necessary to prevent ~~such importation~~ **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.**

~~(b)~~ An ~~“approved”~~ **(c) Whenever an animal is transported into Indiana, a copy of the health 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*)

SECTION 2. 345 IAC 1-3-1.5 IS AMENDED TO READ AS FOLLOWS:

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)~~ **(1) “Approved official health certificate” or “approved certificate of veterinary inspection” means an official health certificate or certificate of veterinary inspection which bears endorsed or approved by the endorsement or approval of the chief livestock health official of the state of origin.**

~~(2)~~ **(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)~~ **(3) “Baby calves” means calves of all breeds that are:**

~~(A)~~ imported without dams; and

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

~~(4)~~ **(4) “Board” means the Indiana state board of animal health created under IC 15-2.1.**

~~(5)~~ **(5) “Cattle” means all dairy and beef animals of the bovine species and all animals of the bison species.**

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

~~(7)~~ **(7) “Chronic wasting disease” or “CWD” means a transmissible spongiform encephalopathy of cervids.**

~~(8)~~ **(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. The entire state will be considered to be the same classification as the lowest classification of any portion of the entire state:**

~~(9)~~ **(9) “Domestic animal” has the meaning set forth in IC 15-2.1-2-15.**

~~(10)~~ **(10) “Duly recognized slaughtering establishment” or “approved slaughtering establishment” means an establishment where domestic animals are slaughtered and processed for human consumption under state or 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)~~ **(11) “Equine infectious anemia” or “EIA” means an acute or chronic the infectious disease of equidae, characterized by intermittent fever, depression, progressive weakness, loss of weight, edema, and progressive or transitory equine infectious anemia caused by a lentivirus, equine infectious anemia virus (EIAV).**

~~(12)~~ **(12) “Equine infectious anemia test” means the official test for the detection of EIA that meets the following requirements:**

~~(A)~~ **The test is one (1) of the following:**

~~(i)~~ **Agar Gel Immuno Diffusion Test (AGID);**

~~(ii)~~ **Any other recognized EIA test that is approved by the board.**

~~(B)~~ **Blood for the test is drawn by a licensed, accredited veterinarian.**

~~(C)~~ **The test is conducted at a state or federally approved laboratory: as defined in 345 IAC 6-1.1.**

~~(13)~~ **(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)~~ **(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. and

~~(C)~~ Bulls of beef breeds which that are obviously under eighteen (18) months of age and which are intended for slaughter after having reached the desired feeding state.

~~(15)~~ **(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)~~ **(16) “Hatchery” means hatchery equipment on one (1) premises operated or controlled by any person, company, or corporation**

for the hatching of poultry.

~~(15)~~ **(17)** “Hatching eggs” means eggs of poultry for hatching purposes, including embryonated eggs.

~~(16)~~ **(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*.

~~(17)~~ **(20)** “National Poultry Improvement Plan” or “NPIP” means the National Poultry Improvement Plan and Auxiliary Provisions adopted by the board in 345 IAC 4-4-1.

~~(18)~~ **(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.

~~(19)~~ **(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.

~~(20)~~ **(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 ~~an~~ **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.

~~(21)~~ **(25)** “Permit” means a permit for importation of domestic animals issued by the board, which shall include a permit identification number: **the [sic.] state veterinarian.**

~~(22)~~ **(26)** “Poultry” means live chickens and turkeys of all ages.

~~(23)~~ “Slaughter only market” **(27)** “Premises identification number” means ~~any market facility except auction markets where all swine purchased are consigned directly to a recognized slaughter establishment or sold for direct reassignment~~ **unique number assigned by the state veterinarian to a recognized slaughter establishment.**

~~(24)~~ “Test eligible cattle” means all cattle six (6) months of age or over, except:

(A) steers;

(B) surgically spayed heifers;

(C) official vaccinates livestock production unit that is, in the judgment of beef breeds under twenty-four (24) months of age and official vaccinates of dairy breeds under twenty (20) months the state veterinarian, epidemiologically distinct from other livestock production units. A premises identification number shall consist of ~~age~~ **age** which are not parturient the state’s two-letter postal abbreviation (IN) followed by the premises’ assigned number.

(28) “Quarantine” means a law or postparturient; and ~~(D)~~ **feeder cattle: 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)

SECTION 3. 345 IAC 1-3-2 IS AMENDED TO READ AS FOLLOWS:

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. **QUARANTINED ANIMALS PROHIBITED:** No domestic animals (a) **A person may not transport into Indiana an animal that originates from a herd, premises, or area under quarantine or originating from a quarantine area 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 enter the State of not transport into Indiana except such domestic animals which have been approved an animal that has tested positive for interstate shipment under proper authorization and provisions a disease that is required to be reported under 345 IAC 1-6 unless another rule of the Indiana 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*)

SECTION 4. 345 IAC 1-3-3 IS AMENDED TO READ AS FOLLOWS:

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 by an utilizing a method of identification acceptable method** for that species.

~~such~~ **Acceptable methods of identification are as follows:**

(A) An ear tag.

(B) A tattoo.

(C) An individual brand.

(D) A standard ear notch. ~~or~~

(E) A registration number. ~~and~~

(F) A method of identification that is approved by the state veterinarian.

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

(b) The following official identification is ~~acceptable~~ **approved** for livestock ~~imported~~ **transported** into Indiana:

(1) Swine must be identified using:

(A) a standard ear notch or acceptable ear tag for breeding animals; and

(B) a standard ear notch for exhibition swine.

Official ear tags shall be used for feeder pigs. (See IC 15-2.1-12-7.5.)

(2) Cattle must be identified using:

(A) an official ear tag;

(B) a tattoo;

(C) an individual brand; or

(D) a registration number if accompanied by registration papers.

(3) Sheep must be identified using:

(A) a tattoo;

(B) a standard ear notch; or

(C) an ear tag.

(4) Goats must be identified using:

(A) a tattoo;

(B) a standard ear notch; or

(C) an ear tag.

(5) Horses must be identified using:

(A) a lip tattoo;

(B) an individual brand;

(C) a registration number if accompanied by registration papers; or

(D) a descriptive marking with name.

(6) Cervidae must be identified using:

(A) an ear tag; ~~or~~

(B) a tattoo. ~~or (C)~~

(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.

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

(d) (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)

SECTION 5. 345 IAC 1-3-4 IS AMENDED TO READ AS FOLLOWS:

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) ~~No~~ A person may ~~import any not transport into Indiana a domestic animals into Indiana animal, or a wild animal of the bovine, ovine, caprine, bison, cervidae, camelid, or porcine species,~~ unless the ~~animals are animal~~ is accompanied by an official health certificate of veterinary inspection. The following ~~domestic animals are exempt may be transported into Indiana without a certificate of veterinary inspection:~~

- (1) Those consigned for immediate slaughter.
- (2) ~~Those that are specifically exempt by The Indiana state veterinarian according~~ may allow a person to established guidelines: transport into Indiana an animal without a certificate of veterinary inspection in order to facilitate the diagnosis, prevention, or control of disease.

(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 domestic animals ~~may move under specific restrictions and provisions set by the state veterinarian~~ The into Indiana. Each official health certificate of veterinary inspection or shipping manifest must stipulate ~~note~~ any restrictions and must be completed and signed by a licensed accredited veterinarian: imposed.

(b) ~~In addition to an official health certificate~~ (d) No person may ~~import transport~~ into Indiana any ~~cattle domestic or wild animal of the bovine, ovine, caprine, bison, cervidae, camelid, or swine porcine species,~~ regardless of age, sex, or breed, without first obtaining a permit ~~issued by to transport the animal into Indiana. Permits shall be obtained from the Indiana state veterinarian. according to established guidelines. The state veterinarian shall assign a permit number for each permit issued.~~ The permit number shall be recorded on the ~~health certificate of veterinary inspection associated with the permitted animals, or other document whenever if a permit 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 are into Indiana is exempt from the requirements in this subsection:

- (1) ~~Domestic Animals imported transported into Indiana~~ for immediate slaughter.
- (2) ~~Domestic animals that may be exempt by The state veterinarian according~~ may waive all or part of the requirements in this

subsection for a specific shipment of animals to established guidelines: facilitate the diagnosis, prevention, or control of disease.

~~(e) Permit telephone numbers~~ **(e) Permits for the transportation of animals into Indiana may be obtained day or night, and including weekends are as follows: and holidays, by calling the following telephone numbers:**

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

(2) Swine: 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)

SECTION 6. 345 IAC 1-3-4.5 IS AMENDED TO READ AS FOLLOWS:

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 ~~shall be forbidden to~~ **may not transport or otherwise move any domestic animal into, within, or through the state of Indiana, except in compliance with the provisions set forth in 345 IAC 1-3-4.5: this rule.**

(b) All common carriers and private conveyances transporting ~~domestic 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 of animal health or any other law enforcement officer commissioned in the state of Indiana, to make an investigation to determine compliance with the provisions set forth in 345 IAC 1-3-4.5:~~ **of this rule.**

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

(d) Owners and operators of conveyances that have been used to transport ~~domestic 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 Indiana state veterinarian. or his agent.~~

~~(e) Domestic animals imported into Indiana exempt from health certificate requirement must be accompanied by a bill of lading or similar document indicating point of loading; destination; number and description of animals in the shipment and purpose of shipment. (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)~~

SECTION 7. 345 IAC 1-3-30 IS ADDED TO READ AS FOLLOWS:

345 IAC 1-3-30 Chronic wasting disease

Authority: IC 15-2.1-3-19

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

Sec. 30. A person may not transport into Indiana a cervid that originates from a herd that is located in a state where chronic wasting disease has been diagnosed within the sixty (60) months immediately prior to the date of transportation into Indiana unless one (1) of the following sets of conditions are met:

(1) The animal originates from a herd that meets the following criteria:

(A) No animal in the herd and no animal that originated from the herd has tested positive for chronic wasting disease 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 chronic wasting disease for not less than sixty (60) consecutive months and the owner of the herd is in compliance with the surveillance program requirements.

(2) The state veterinarian issues a permit to transport the animal into Indiana for the purpose of slaughter, research, or to facilitate the diagnosis, treatment, prevention, or control of disease.

The state veterinarian shall maintain a list of states where chronic wasting disease has been diagnosed. (*Indiana State Board of Animal Health; 345 IAC 1-3-30; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1338*)

SECTION 8. 345 IAC 1-6-1 IS AMENDED TO READ AS FOLLOWS:

345 IAC 1-6-1 Reportable diseases identified

Authority: IC 15-2.1-3-19

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

Sec. 1. The following diseases in ~~domestic~~ animals are reportable in Indiana:

- (1) All foreign animal diseases.
- (2) Anthrax.
- (3) Brucellosis.
- (4) Equine infectious anemia.
- (5) Fowl typhoid.
- (6) Johnes' disease.
- (7) *Mycoplasma gallisepticum* (turkeys).
- (8) Pseudorabies.
- (9) Pullorum disease.
- (10) Rabies.
- (11) Scabies (cattle and sheep).
- (12) **All transmissible spongiform encephalopathies, including scrapie and chronic wasting disease.**
- (13) Tuberculosis.
- (14) Vesicular diseases.

(*Indiana State Board of Animal Health; 345 IAC 1-6-1; filed Jul 23, 1992, 2:00 p.m.: 15 IR 2567; filed Oct 11, 1996, 2:00 p.m.: 20 IR 740; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1338*)

SECTION 9. 345 IAC 2-7 IS ADDED TO READ AS FOLLOWS:

Rule 7. Chronic Wasting Disease

345 IAC 2-7-1 Definitions

Authority: IC 15-2.1-3-19

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

Sec. 1. 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 appointed under IC 15-2.1-3.
- (2) "Cervidae" or "cervid" means all members of the cervidae family, including deer, elk, moose, caribou, reindeer, and related species and hybrids thereof.
- (3) "Chronic wasting disease" or "CWD" means a transmissible spongiform encephalopathy of cervids.
- (4) "CWD affected" and "affected" means a cervid that has been diagnosed as having chronic wasting disease based on laboratory test results, clinical signs, and epidemiologic investigation.
- (5) "CWD affected herd" and "affected herd" means a herd from which any animal has been diagnosed with CWD.
- (6) "CWD exposed" and "exposed" means a designation applied to cervids that have had contact with CWD affected animals or with animals from a CWD affected herd.
- (7) "High risk animal" means a cervid that may have been exposed to CWD. The state veterinarian shall determine which animals are high risk animals based on an epidemiological investigation that includes evaluation of animal movements, housing, location, and probable contacts with affected animals.
- (8) "Monitoring program" means the CWD monitoring program created in sections 3 and 4 of this rule.
- (9) "Official test" means a disease detection test approved by the state veterinarian conducted in a laboratory approved by the state veterinarian.
- (10) "Quarantine" means an order restricting the movement of animals onto or off of a premises.
- (11) "State veterinarian" means the state veterinarian appointed under IC 15-2.1-4 or his authorized agent.

(Indiana State Board of Animal Health; 345 IAC 2-7-1; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1339)

345 IAC 2-7-2 General provisions

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 2. (a) Any official test for chronic wasting disease must be conducted at the Animal Disease Diagnostic Laboratory at Purdue University, a United States Department of Agriculture laboratory, or a laboratory approved by the state veterinarian. The state veterinarian may approve a laboratory to conduct official tests for chronic wasting disease if the laboratory demonstrates that its diagnostic procedures for chronic wasting disease are in compliance with generally accepted scientific standards and approving the laboratory will further the purposes of this rule.

(b) All tests for CWD required by this rule or conducted pursuant to this rule must be official tests. The results of a test for CWD that is not an official test will not be used to determine compliance with this rule.

(c) All records required to be kept by this rule shall be kept for not less than six (6) years. *(Indiana State Board of Animal Health; 345 IAC 2-7-2; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1339)*

345 IAC 2-7-3 Herd registration

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 3. (a) The owner of an elk located in Indiana must meet the following requirements:

(1) Each elk herd must be registered with the state veterinarian.

(2) Every animal in the herd must be uniquely identified in a manner prescribed by the state veterinarian.

(3) The owner must keep a record of each animal that is part of the herd, including a record of each animal that is added to the herd and each animal that is removed from the herd. The owner must provide the state veterinarian a written herd inventory, including each animal's identification.

(4) The owner must present each animal in the herd to the state veterinarian for inspection and verification of identification upon registration and annually thereafter. The herd inventory provided to the state veterinarian shall be updated not less than annually.

(5) Upon the death of any animal in the herd for any reason the owner shall immediately notify the state veterinarian. The state veterinarian will inspect any dead cervid that is eighteen (18) months of age or older and take tissues necessary for a laboratory test for chronic wasting disease. The owner shall dispose of the remaining carcass as directed by the state veterinarian.

(b) The state veterinarian may grant a waiver from the requirement in subsection (a)(5) if an epidemiologic evaluation of the herd indicates that testing the deceased animal would not further the goal of chronic wasting disease surveillance and control. The state veterinarian shall consider the length of time the herd has been under a CWD surveillance program, the herd's health history, the potential effects of any additions to the herd, and the potential effect of wild cervids on the herd when considering waivers under this subsection. *(Indiana State Board of Animal Health; 345 IAC 2-7-3; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1339)*

345 IAC 2-7-4 Chronic wasting disease monitored herd status

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 4. (a) An owner of a cervid herd located in Indiana may obtain a chronic wasting disease monitored status for the herd from the board by complying with the following requirements:

(1) The owner of the herd must submit an application for participation in the monitoring program to the state veterinarian.

(2) Every animal in the applicant's herd must be uniquely identified in a manner prescribed by the state veterinarian.

(3) The owner must keep a record of each animal that is part of the herd, including a record of each animal that is added to the herd and each animal that is removed from the herd. The owner must provide the state veterinarian a written herd inventory including each animal's identification.

(4) The owner must present each animal in the herd to the state veterinarian for inspection and verification of identification

upon beginning the monitoring program and annually thereafter. The herd inventory provided to the state veterinarian shall be updated not less than annually.

(5) Upon the death of any animal in the herd for any reason, the owner shall immediately notify the state veterinarian. The state veterinarian will inspect any dead cervid that is eighteen (18) months of age or older and take tissues necessary for a laboratory test for chronic wasting disease. The owner shall dispose of the remaining carcass as directed by the state veterinarian.

(6) The owner shall pay for any fees associated with testing an animal other than elk from his or her herd for chronic wasting disease, including any fees necessary for tissue collection and laboratory diagnostic costs. The state veterinarian may allow the owner to utilize state or federal funds, if available, to pay for the costs of testing for CWD in lieu of the herd owner paying for testing.

(b) The state veterinarian may grant a waiver from the requirement in subsection (a)(5) if an epidemiologic evaluation of the herd indicates that testing the deceased animal would not further the goal of chronic wasting disease surveillance and control. When considering waivers under this subsection, the state veterinarian shall consider the following:

- (1) The length of time the herd has been in the surveillance program.
- (2) The herd's health history.
- (3) The potential effects of any additions to the herd.
- (4) The potential effect of wild cervids on the herd.

(c) A cervid owner may receive the following chronic wasting disease herd statuses while participating in the chronic wasting disease monitoring program described in this section:

- (1) Level One status after one (1) year of participation.
- (2) Level Two status after two (2) years of participation.
- (3) Level Three status after three (3) years of participation.
- (4) Level Four status after four (4) years of participation.
- (5) Level Five status after five (5) or more years of participation.
- (6) Unknown status prior to the first complete year of participation.
- (7) Status Pending status if the herd has been identified as a CWD affected or CWD exposed herd.

(d) If an animal is added to a herd, the chronic wasting disease monitored status of a herd will be altered as follows:

- (1) The chronic wasting disease status will not change if the animal that is added to the herd originated from a herd that has a chronic wasting disease monitored status equal to or greater than the recipient herd.
- (2) If the animal that is added to the herd originated from a herd that has a chronic wasting disease monitored status lower than the recipient herd, the recipient herd's status will be lowered to the status of the lowest status cervid added.
- (3) A new herd that is assembled on a premises where chronic wasting disease has never been diagnosed retains the status of the lowest status animal brought into the new herd.

(e) The state veterinarian may suspend, revoke, or lower the monitoring program status of a herd if the herd owner does not meet the requirements under this section or violates any provision of this rule. (*Indiana State Board of Animal Health; 345 IAC 2-7-4; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1340*)

345 IAC 2-7-5 Affected and exposed animals

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 5. (a) Whenever an animal is determined to be CWD affected, the state veterinarian shall conduct a complete epidemiologic investigation to determine the specific cause and source of the disease and to determine the population infected with and exposed to the disease.

(b) Whenever a cervid is determined to be affected with chronic wasting disease the following apply:

- (1) The affected animal or its carcass shall be condemned by the state veterinarian.**
- (2) The affected herd shall be quarantined by the state veterinarian.**
- (3) The affected herd premises shall be cleaned and disinfected according to directions prescribed by the state veterinarian that are designed to minimize the likelihood that chronic wasting disease is spread.**
- (4) The affected herd owner shall enroll in the monitoring program in section 4 of this rule. The affected herd owner shall**

participate in the monitoring program until such time as Level Five status is achieved.

(5) The state veterinarian may release the affected herd from quarantine upon the owner completing one (1) of the following requirements:

(A) Obtaining Level Five status in the monitoring program.

(B) Isolating all high risk animals from any other animal and testing the high risk animals for CWD. If all animals test negative for CWD, the quarantine may be released upon completion of Level Three status in the monitoring program.

(C) Depopulating all animals in the herd.

(c) The state veterinarian may quarantine a CWD exposed herd. The state veterinarian may order a premises that contains or that contained exposed animals cleaned and disinfected according to directions prescribed by the state veterinarian that are designed to minimize the likelihood that chronic wasting disease is spread. The owner of a CWD exposed herd shall enter the herd in the monitoring program until such time as Level Three status in the monitoring program is obtained. The state veterinarian may allow an owner of an exposed herd to leave the monitoring program prior to achieving Level Three status if an epidemiological investigation indicates that the likelihood of CWD transmission to, within, or from the herd is remote. (Indiana State Board of Animal Health; 345 IAC 2-7-5; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1340)

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