

Document: Final Rule

Source: May 1, 2001, Indiana Register, Volume 24, Number 8

Disclaimer: These documents were created from the files used to produce the official (printed) Indiana Register, however, these documents are unofficial.

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

LSA Document #00-102(F)

DIGEST

Adds 345 IAC 2-8 to set the parameters for official Johne's disease tests and to restrict the transportation of animals that test positive for Johne's disease. Effective 30 days after filing with the secretary of state.

345 IAC 2-8

SECTION 1. 345 IAC 2-8 IS ADDED TO READ AS FOLLOWS:

Rule 8. Johne's Disease (Mycobacterium Paratuberculosis)

345 IAC 2-8-1 General provisions

Authority: IC 15-2.1-3-19

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

Sec. 1. (a) The purpose of this rule is to control the spread of Johne's disease in Indiana.

(b) The applicable definitions in IC 15-2.1-2 and this rule apply to this rule.

(c) An animal tests negative or passes a test when an official Johne's disease test indicates that the animal is not infected with Johne's disease.

(d) An animal tests positive, responds to, or fails a test when an official Johne's disease test indicates that the animal is infected with Johne's disease.

(e) Samples collected for use in any Johne's disease test must be collected by a veterinarian who is:

(1) licensed or legally able to practice veterinary medicine in Indiana; and

(2) accredited by the United States Department of Agriculture under 9 CFR, Subchapter J.

(f) Any person collecting samples to be used in any Johne's disease test shall identify each animal from which samples were collected by attaching an official ear tag to the animal's right ear. Each sample shall be identified with the respective official ear tag number.

(g) The state veterinarian may approve disease detection tests that will reliably detect Johne's disease. The state veterinarian may approve a laboratory that demonstrates that its diagnostic procedures for Johne's disease are likely to produce timely and reliable test results if approving the laboratory will further the purposes of this rule. The state veterinarian may consider generally accepted scientific standards and state and federal licensing, certification, and evaluation programs when approving tests and laboratories. A list of official Johne's disease tests and official laboratories may be obtained from the state veterinarian. (*Indiana State Board of Animal Health; 345 IAC 2-8-1; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2454*)

345 IAC 2-8-2 "Approved market facility" defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3; IC 15-2.1-14

Sec. 2. As used in this rule, “approved market facility” means a livestock market, stockyards, concentration point, or other premises that has been licensed under IC 15-2.1-14. *(Indiana State Board of Animal Health; 345 IAC 2-8-2; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2454)*

345 IAC 2-8-3 “Approved slaughtering establishment” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3; IC 15-2.1-24

Sec. 3. As used in this rule, “approved slaughtering establishment” means an establishment operating under the provisions of 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). *(Indiana State Board of Animal Health; 345 IAC 2-8-3; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2454)*

345 IAC 2-8-4 “Board” defined

Authority: IC 15-2.1-3-19

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

Sec. 4. As used in this rule, “board” means the Indiana state board of animal health established under IC 15-2.1-3. *(Indiana State Board of Animal Health; 345 IAC 2-8-4; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2455)*

345 IAC 2-8-5 “Johne’s disease” defined

Authority: IC 15-2.1-3-19

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

Sec. 5. As used in this rule “Johne’s disease” means an infectious and communicable disease that primarily affects cattle, sheep, goats, and other domestic and wild ruminants, also known as paratuberculosis, caused by Mycobacterium paratuberculosis. *(Indiana State Board of Animal Health; 345 IAC 2-8-5; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2455)*

345 IAC 2-8-6 “Moved” defined

Authority: IC 15-2.1-3-19

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

Sec. 6. As used in this rule, “moved” means shipped, transported, delivered, or received for movement, or otherwise aided, induced, or caused to be moved. *(Indiana State Board of Animal Health; 345 IAC 2-8-6; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2455)*

345 IAC 2-8-7 “Official ear tag” defined

Authority: IC 15-2.1-3-19

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

Sec. 7. As used in this rule, “official ear tag” means an identification ear tag the state veterinarian approves as being tamper-resistant and providing unique identification for each animal. *(Indiana State Board of Animal Health; 345 IAC 2-8-7; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2455)*

345 IAC 2-8-8 “Official Johne’s disease test” defined

Authority: IC 15-2.1-3-19

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

Sec. 8. As used in this rule, “official Johne’s disease test” means a disease detection test approved by the state veterinarian performed in a laboratory approved by the state veterinarian. *(Indiana State Board of Animal Health; 345 IAC 2-8-8; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2455)*

345 IAC 2-8-9 “Owner-shipper statement” defined

Authority: IC 15-2.1-3-19

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

Sec. 9. As used in this rule, “owner-shipper statement” means a written statement that is signed by the owner or shipper of animals and that includes the following information:

- (1) The number of animals to be moved.**
- (2) The official ear tag number of each animal.**
- (3) The species of the animals.**
- (4) Points of origin and destination.**
- (5) The name and address of the consignor and consignee.**
- (6) A statement that the animals are positive to an official Johne’s disease test.**
- (7) Any additional information required by this rule.**

(Indiana State Board of Animal Health; 345 IAC 2-8-9; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2455)

345 IAC 2-8-10 “State veterinarian” defined

Authority: IC 15-2.1-3-19

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

Sec. 10. As used in this rule, “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 2-8-10; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2455)*

345 IAC 2-8-11 Moving Johne’s disease positive animals

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-21-6; IC 15-2.1-21-7

Sec. 11. (a) No animal that is positive to an official Johne’s disease test may be moved into Indiana unless the requirements in this section are met.

(b) An animal in Indiana that tests positive to an official Johne’s disease test may be moved from the premises only if the animal is moved according to the requirements in this section.

(c) An animal that is positive to an official Johne’s disease test may be moved if the following requirements are met:

- (1) The animal is moved directly to an approved slaughtering establishment for immediate slaughter or to an approved market facility for sale for immediate slaughter.**
- (2) The animal bears an official ear tag.**
- (3) The person transporting the animal keeps an owner-shipper statement with the animal at all times and delivers it to the consignee.**
- (4) The animal is moved to the destination in one (1) continuous movement without unloading prior to reaching the destination.**
- (5) Each means of conveyance used to transport the animal is thoroughly and completely cleaned and disinfected according to guidelines issued by the state veterinarian.**
- (6) Each part of a facility in which the animal is maintained must be thoroughly and completely cleaned and disinfected pursuant to guidelines issued by the state veterinarian.**

(d) Animals that are positive to an official Johne’s disease test may not be moved in a conveyance containing animals that are susceptible to but not infected with Johne’s disease unless all of the animals are for immediate slaughter. The state veterinarian may allow the movement of Johne’s disease positive animals with healthy animals if the owner or shipper of the animals demonstrates to the state veterinarian that procedures will be followed that will prevent the transfer of fecal material from Johne’s disease positive animals to healthy animals.

(e) The state veterinarian may approve a request to move an animal that is positive to an official Johne’s disease test into Indiana under conditions other than those provided in this section if the conditions set by the state veterinarian are designed to prevent the spread of Johne’s disease and the movement of the animals will aid in the study, detection, and control of Johne’s disease. *(Indiana State Board of Animal Health; 345 IAC 2-8-11; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2455)*

LSA Document #00-102(F)

Notice of Intent Published: 23 IR 2263

Proposed Rule Published: December 1, 2000; 24 IR 744

Hearing Held: January 18, 2001

Approved by Attorney General: March 6, 2001

Approved by Governor: March 14, 2001

Filed with Secretary of State: March 16, 2001, 11:26 a.m.

Incorporated Documents Filed with Secretary of State: None