

Document: Proposed Rule, **Register Page Number:** 25 IR 4169
Source: September 1, 2002, Indiana Register, Volume 25, Number 12
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**TITLE 345 INDIANA STATE BOARD OF
ANIMAL HEALTH**

Proposed Rule
LSA Document #02-107

DIGEST

Adds 345 IAC 1-3-16.5 to allow a person to move swine interstate within a production system without identification and a certificate of veterinary inspection. Amends 345 IAC 1-3 to allow swine vaccinated with Pseudorabies vaccine to move into the state. Amends 345 IAC 3-5.1-3 to consolidate and clarify requirements to move swine intrastate. Amends 345 IAC 3-5.1-8.5 to eliminate annual and semi-annual Pseudorabies testing of all swine herds. Makes other substantive and technical changes in the law of Pseudorabies control. Repeals 345 IAC 1-3-8, 345 IAC 1-3-16, 345 IAC 3-5.1-8.8, 345 IAC 3-5.1-8.9, 345 IAC 3-5.1-9, 345 IAC 3-5.1-12, 345 IAC 3-5.1-14, and 345 IAC 3-5.1-15. Effective 30 days after filing with the secretary of state.

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|--------------------------|--------------------------|
| 345 IAC 1-3-3 | 345 IAC 3-5.1-3.5 |
| 345 IAC 1-3-4 | 345 IAC 3-5.1-4 |
| 345 IAC 1-3-8 | 345 IAC 3-5.1-6 |
| 345 IAC 1-3-11 | 345 IAC 3-5.1-7 |
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| 345 IAC 1-3-13 | 345 IAC 3-5.1-8.7 |
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| 345 IAC 1-3-15 | 345 IAC 3-5.1-8.9 |
| 345 IAC 1-3-16 | 345 IAC 3-5.1-9 |
| 345 IAC 1-3-16.5 | 345 IAC 3-5.1-10 |
| 345 IAC 3-5.1-1.2 | 345 IAC 3-5.1-12 |
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| 345 IAC 3-5.1-2 | 345 IAC 3-5.1-15 |
| 345 IAC 3-5.1-3 | |

SECTION 1. 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 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 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.)~~ 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. ~~or~~

(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. ~~or~~

(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. ~~or~~

(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. ~~or~~

(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. ~~or~~

(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)

SECTION 2. 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) A person may not transport into Indiana a domestic animal, or a wild animal of the ~~bovine, ovine, caprine, bison, family Bovidae, family Suidae, family Equidae, family Cervidae, camelid, or porcine species, 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 ~~bovine, ovine, caprine, bison, family Bovidae, family Suidae, family Cervidae, camelid, or porcine species, 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)

SECTION 3. 345 IAC 1-3-11 IS AMENDED TO READ AS FOLLOWS:

345 IAC 1-3-11 Swine identification, certificate of veterinary inspection, and 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 ~~transporting~~ **moving** swine into ~~Indiana~~ **the state** must

comply with the identification requirements in ~~345 IAC 1-3-1~~ **subsection (b)** and the permit and health certificate of **veterinary inspection** requirements in ~~345 IAC 1-3-4~~ **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)

SECTION 4. 345 IAC 1-3-12 IS AMENDED TO READ AS FOLLOWS:

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 ~~Indiana~~ 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.:

SECTION 5. 345 IAC 1-3-13 IS AMENDED TO READ AS FOLLOWS:

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 ~~Indiana, the state~~, the swine must have passed a negative test for Brucellosis within thirty (30) days prior to transportation into ~~Indiana, 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 ~~areas~~ **an area** that ~~are~~ **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 ~~Indiana, 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 ~~Indiana, 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) Swine vaccinated with Pseudorabies vaccine shall not be transported into Indiana. The state veterinarian may allow swine vaccinated with Pseudorabies vaccine to be transported into Indiana if such action furthers the goal of Pseudorabies eradication.~~

~~(e)~~ **(d)** All breeding swine transported into ~~Indiana, 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) Swine entering a Pseudorabies-infected herd must be vaccinated for Pseudorabies within seventy-two (72) hours after arrival and must be isolated and retested as required by the state veterinarian to minimize the transmission of Pseudorabies.~~
- ~~(2)~~ **(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.
- ~~(3)~~ **(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.
- ~~(4)~~ **(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.

~~(f)~~ **(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)

SECTION 6. 345 IAC 1-3-14 IS AMENDED TO READ AS FOLLOWS:

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 ~~Indiana~~ **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) ~~All feeder pigs that are transported into Indiana must be delivered directly to a farm for further feeding or directly to a licensed feeder pig concentration point that offers for sale feeder pigs only. All feeder pigs are quarantined to the first feeding premises and shall be isolated from any other swine until sold for slaughter. But, feeder swine consigned to a licensed feeder pig concentration point may be resold within seventy-two (72) hours and are quarantined to the destination premises. The sale of feeder pigs through a concentration point must be documented on State Form 3552R or other 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)

SECTION 7. 345 IAC 1-3-15 IS AMENDED TO READ AS FOLLOWS:

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 ~~in Indiana~~ for immediate slaughter shall be consigned to ~~a recognized and approved~~ slaughtering establishment or to a licensed public livestock market that buys and sells only slaughter swine for resale directly to ~~a recognized and 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)

SECTION 8. 345 IAC 1-3-16.5 IS ADDED TO READ AS FOLLOWS:

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)

SECTION 9. 345 IAC 3-5.1-1.2 IS AMENDED TO READ AS FOLLOWS:

345 IAC 3-5.1-1.2 Definitions

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-18

Sec. 1.2. The definitions in IC 15-2.1-2, the definitions in the Program Standards, and the following definitions apply throughout this rule:

(1) "Board" means the Indiana state board of animal health.

(2) "Breeding animal" means a sexually intact swine that is at least six (6) months of age and that is not moving in slaughter channels.

(3) "Feeder pig" means swine intended for feeding purposes and swine of any breed weighing one hundred eighty (180) pounds or less.

~~(2)~~ **(4) "High risk herd" means one which is adjacent, in close proximity, or exposed to an infected herd, feeder pigs, or a herd determined as such by the owner and the attending veterinarian. The final determination of the herd status will be made by the state veterinarian.**

~~(3)~~ **(5) "Isolated" means swine must be maintained in a manner to ensure that these swine will have no physical contact with other domestic animals on the premises. All drainage of organic waste material must be designed to prevent it from having contact with any other swine on the premises. The area where the swine are maintained may be approved by a representative of the board and shall be separated from other animals by two (2) barriers (for example, fences or walls) with the intervening area uninhabited by swine or separated by a lot or a road. No other swine may be in the same building unless approved by the state veterinarian.**

~~(4)~~ **(6) "Official gene-altered Pseudorabies vaccine" means any vaccine for which there is an approved differential Pseudorabies test.**

~~(5)~~ **(7) "Officially vaccinated herd" means any herd of swine in which a percentage of the swine in the herd as outlined in section 8(a) of this rule has been tested and found negative for Pseudorabies prior to being vaccinated with differentiable Pseudorabies vaccine. Officially vaccinated herds will not be quarantined for Pseudorabies vaccine use.**

~~(6) "Parity" means having born offspring. Parity one (1) means an animal that has had its first litter of offspring; Parity two (2) means the animal has had its second litter of offspring; and so on.~~

~~(7)~~ **(8) "Pseudorabies Program Standards" or "Program Standards" means the Pseudorabies Eradication-State-Federal-Industry Standards, as adopted by the United States Department of Agriculture, and incorporated herein by reference in section 1.5 of this rule.**

~~(8)~~ **(9) "Pseudorabies vaccine" means a biological product designed for the prevention or control of Pseudorabies. Any vaccine sold or offered for sale or exchange, to be used or otherwise distributed, shall be in accordance with IC**

15-2.1-18-5, IC 15-2.1-18-6, and IC 15-2.1-18-8.

~~(9)~~ **(10)** “Qualified negative gene-altered vaccinated herd” means a herd of swine in which all swine over six (6) months of age have been vaccinated with an official gene-altered Pseudorabies vaccine. The herd status is maintained by following the testing protocol as described in the Pseudorabies Program Standards except all samples must be tested using an approved differential Pseudorabies test and all swine so tested must be found negative for Pseudorabies.

~~(10)~~ **(11)** “Quarantine” means an order restricting the movement of swine into or out of, or both, a premises.

(12) “Slaughter animal” means the following swine:

(A) Any swine weighing more than one hundred eighty (180) pounds that is not a breeding animal.

(B) Any swine in slaughter channels.

(13) “Slaughter channels” means an animal is sold or moved in any of the following ways:

(A) Directly to a slaughter facility.

(B) To a slaughter only market.

(C) To a market where it is sold as a slaughter animal.

~~(11)~~ **(14)** “Special permit” means a special permit issued by the office of the state veterinarian to owners of swine infected with, vaccinated against, or quarantined for Pseudorabies that allows the movement of such swine.

~~(12)~~ **(15)** “State veterinarian” means the Indiana state veterinarian.

~~(13)~~ **(16)** “VS Form 1-27” means the United States Department of Agriculture Veterinary Services’ “Permit for Movement of Restricted Animals”.

(Indiana State Board of Animal Health; 345 IAC 3-5.1-1.2; filed Oct 11, 1996, 2:00 p.m.: 20 IR 746; filed Jun 19, 1998, 4:00 p.m.: 21 IR 4202; filed Dec 23, 1998, 4:36 p.m.: 22 IR 1484; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895)

SECTION 10. 345 IAC 3-5.1-1.5 IS AMENDED TO READ AS FOLLOWS:

345 IAC 3-5.1-1.5 Pseudorabies Program Standards; adoption by reference

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 1.5. (a) The board adopts and incorporates by reference the United States Department of Agriculture Pseudorabies Eradication-State-Federal-Industry Program Standards in effect January 1, 2000, as rules of the board. Copies of the Pseudorabies Program Standards may be obtained from the office of the state veterinarian by calling (317) 227-0310. Where provisions of the Program Standards conflict with this rule, the express provisions of this rule shall control.

(b) Owners of qualified Pseudorabies-negative (QN) herds ~~may that~~ maintain qualified Pseudorabies-negative herd status ~~as follows:~~

~~(1) Herds located in a Stage Two area in Indiana must complete using~~ the monthly testing protocol set forth in Part IV(B)(1) of the Program Standards

~~(2) Herds located in a Stage Three area in Indiana may complete the monthly testing protocol set forth in Part IV(B)(1) or the quarterly testing protocol set forth in Part IV(B)(2) of the Program Standards.~~

~~Monthly testing must be test~~ every twenty-five (25) to thirty-five (35) days and must ~~include conduct~~ twelve (12) official tests in a calendar year.

(c) Part III, subpart “Stage III Mandatory Herd Cleanup”, item (C) “Disposition of quarantined herds” of the Program Standards also applies to Part III, subpart “Stage II Control”. *(Indiana State Board of Animal Health; 345 IAC 3-5.1-1.5; filed Oct 11, 1996, 2:00 p.m.: 20 IR 746; filed Jun 19, 1998, 4:00 p.m.: 21 IR 4203; filed Sep 1, 2000, 2:03 p.m.: 24 IR 8; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895)*

SECTION 11. 345 IAC 3-5.1-2 IS AMENDED TO READ AS FOLLOWS:

345 IAC 3-5.1-2 Report by veterinarian; determination of status; special permits

Authority: IC 15-2.1-3-19

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

Sec. 2. (a) When clinical or laboratory evidence indicates the presence of Pseudorabies in an individual animal or

herd, the veterinarian shall report the diagnosis immediately to the office of the state veterinarian.

(b) All animals tested must be individually identified by ear tags approved by the board or by standard ear notches. All identification must be recorded on the test form. The state veterinarian may alter the identification requirements as needed to protect animal health in Indiana. All blood samples must be drawn by a state or federal official or a licensed, accredited veterinarian, and serological tests must be conducted by a state and federally approved laboratory.

(c) A veterinarian making a clinical diagnosis of Pseudorabies must confirm the diagnosis in writing and send a copy to the board within two (2) business days of the diagnosis. The final determination of herd status shall be made by the state veterinarian.

(d) ~~Special permits issued by the state veterinarian shall indicate the status of the herd; be signed by both the consignor and consignee, and be approved by the state veterinarian prior to movement. The state veterinarian shall not issue a special permit unless he has determined that it will not increase the risk of disease in the area and he has considered all valid objections to the permit. (Indiana State Board of Animal Health; Reg 79-1, Title II; filed Mar 26, 1979, 3:40 p.m.: 2 IR 577; filed Jul 8, 1981, 10:15 a.m.: 4 IR 1437; filed Oct 11, 1996, 2:00 p.m.: 20 IR 747; filed Dec 23, 1998, 4:36 p.m.: 22 IR 1484; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895)~~

SECTION 12. 345 IAC 3-5.1-3 IS AMENDED TO READ AS FOLLOWS:

345 IAC 3-5.1-3 Intrastate movement of swine

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

~~Sec. 3. No (a) The following requirements apply to a person may sell, offer for sale, barter, lease, or exchange any moving swine for exhibition or breeding purposes unless within the swine have been tested negative for Pseudorabies within thirty (30) days preceding the date of sale, barter, lease, or exchange, and conform to other provisions of this rule, except as follows: state:~~

~~(1) swine A person may move feeder pigs as follows:~~

~~(A) Feeder pigs may be moved from a currently PRV-qualified herd or premises to another premises without moving through a qualified negative gene-altered vaccinated herd: (2) By special permit: livestock market if a record of the movement is kept for not less than twelve (12) months.~~

~~(B) Feeder pigs may be moved through a livestock market if the animals are individually identified using an official eartag or an official (3) swine vaccinated with Pseudorabies vaccine shall not be sold; offered for sale, bartered, leased, or exchanged, except tattoo if the tattoo is approved by the state veterinarian.~~

~~(2) A person may move breeding swine as provided by the board: follows:~~

~~(A) Breeding swine may be moved from a premises to another premises without moving through a livestock market if the following requirements are met:~~

~~(i) A certificate of veterinary inspection for the animals to be moved is obtained from a licensed and accredited veterinarian prior to movement. The certificate of veterinary inspection must accompany the animals during transportation. A copy of the certificate of veterinary inspection must be given to the recipient of the swine and a copy must be mailed or delivered to the board office within fourteen (14) days of the animal movement.~~

~~(ii) Each animal is individually identified with an official eartag or an ear notch that has been recorded in the book of record of a swine registry association.~~

~~(B) Breeding swine moved to a livestock market shall be consigned for sale for slaughter only. Any breeding swine in a livestock market shall be considered a slaughter animal for the purposes of this rule, 345 IAC 3-4-4.5, and 345 IAC 7-3.5. Breeding swine may move from a livestock market only in slaughter channels.~~

~~(3) A person may move slaughter swine as follows:~~

~~(A) Directly to a slaughter establishment.~~

~~(B) Consigning the animals to a slaughter only market.~~

~~(C) Consigning the animals to a livestock market for sale for slaughter.~~

~~(b) The requirements to move feeder pigs and breeding animals in subsection (a)(1)(A) and (a)(2)(A) do not~~

apply to the movement of swine intrastate within a production system under common ownership or management.

(c) Any animal in slaughter channels must remain in slaughter channels until delivered to a slaughter establishment. (*Indiana State Board of Animal Health; Reg 79-1, Title III; filed Mar 26, 1979, 3:40 p.m.: 2 IR 577; filed Oct 29, 1984, 9:01 a.m.: 8 IR 174; filed Nov 30, 1990, 4:40 p.m.: 14 IR 622; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895*)

SECTION 13. 345 IAC 3-5.1-3.5 IS ADDED TO READ AS FOLLOWS:

345 IAC 3-5.1-3.5 Interstate movement of swine

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 3.5. A person moving swine into the state shall meet the requirements for moving swine into the state in 345 IAC 1-3. (*Indiana State Board of Animal Health; 345 IAC 3-5.1-3.5*)

SECTION 14. 345 IAC 3-5.1-4 IS AMENDED TO READ AS FOLLOWS:

345 IAC 3-5.1-4 Additions to qualified or qualified negative gene-altered vaccinated herd; monitoring

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 4. (a) All purchased additions, except as further noted, will require A person must meet the requirements in this section and section 5 of this rule to maintain a qualified or qualified negative gene-altered vaccinated herd.

(b) Animals purchased to add to a herd must test negative test for Pseudorabies within thirty (30) days previous prior to movement and must be isolated upon arrival and retested negative not less than thirty (30) nor more than forty-five (45) days from the date of receipt upon premises to be eligible to be added to the herd: arrival.

(b) But, additions to a herd may be purchased directly from a PRV-qualified herd or a qualified negative gene-altered vaccinated herd without the negative thirty (30) day test previous to sale. however, such animals shall be isolated and tested negative not less than thirty (30) nor more than forty-five (45) days after receipt to be eligible to be added to the herd, except no more than fifty (50) head of swine in any one (1) shipment from one (1) farm of origin must be tested after entry. Purchased additions are not considered to be part of the herd for monitoring protocol until thirty (30) days after the retest.

(c) Members of a PRV-qualified herd or qualified negative gene-altered vaccinated herd which that are exhibited or otherwise commingled with swine from non-Pseudorabies qualified herds shall be held in isolation on the herd premises or owner's isolation facility for a minimum of thirty (30) days after return and shall be tested negative to an official test for Pseudorabies not less than thirty (30) days nor more than forty-five (45) days from date of the first day of isolation before being reunited with other members of the herd.

(d) All qualified or qualified negative gene-altered vaccinated herds shall be monitored as described in the Pseudorabies Program Standards or as further defined by the board: this rule. (*Indiana State Board of Animal Health; Reg 79-1, Title IV; filed Mar 26, 1979, 3:40 p.m.: 2 IR 577; filed Jul 8, 1981, 10:15 a.m.: 4 IR 1437; filed Oct 29, 1984, 9:01 a.m.: 8 IR 174; filed Nov 30, 1990, 4:40 p.m.: 14 IR 622; filed Sep 10, 1993, 5:00 p.m.: 17 IR 184; filed Oct 11, 1996, 2:00 p.m.: 20 IR 747; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895*)

SECTION 15. 345 IAC 3-5.1-6 IS AMENDED TO READ AS FOLLOWS:

345 IAC 3-5.1-6 High risk herds

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 6. (a) ~~The state veterinarian shall quarantine all swine herds infected or with Pseudorabies and may quarantine high risk herds. shall be quarantined immediately by the state veterinarian or agent of the board:~~

(b) ~~Swine from a herd diagnosed as infected with Pseudorabies or from a high risk herd shall that has been quarantined for Pseudorabies may be sold moved only to an approved slaughter market except the following:~~

~~(1) Swine from known-infected or high risk herds may be moved into other known-infected quarantined premises in not less than thirty (30) days following cessation of clinical symptoms of the disease if these swine are vaccinated on or within thirty (30) days prior to the day of sale and a special permit is issued by the state veterinarian.~~

~~(2) Those swine which meet requirements of section 7(3) of this rule:~~

~~(3) Under exigent circumstances as determined directed by the state veterinarian. under special permit:~~

(c) ~~Swine from infected or quarantined high risk herds shall not be sold through any a livestock auction market except as provided directed by the board: state veterinarian.~~

(d) ~~Owners of infected or high risk herds may apply for qualification of the herd by signing the qualified herd agreement and meeting requirements of section 7(3); 7(4); 7(a)(3) or 7(5) 7(a)(4) of this rule.~~

(e) ~~Herds in which a percentage of the swine in the herd has been tested and found negative for Pseudorabies prior to being vaccinated with differentiable Pseudorabies vaccine shall be known as officially vaccinated herds. The percentage of animals to be tested is outlined in section 8(a) of this rule. Officially vaccinated herds will not be quarantined for Pseudorabies vaccine use:~~

(f) ~~Quarantined swine may be sold without a permit only if sold directly to a slaughter facility or to an approved slaughter market:~~

(e) ~~All other sales or movement of quarantined swine is restricted unless by a special permit issued by the Indiana state veterinarian authorizes the movement. (Indiana State Board of Animal Health; Reg 79-1, Title VI; filed Mar 26, 1979, 3:40 p.m.: 2 IR 578; filed Jul 8, 1981, 10:15 a.m.: 4 IR 1437; filed Oct 29, 1984, 9:01 a.m.: 8 IR 174; filed Aug 19, 1987, 8:30 a.m.: 11 IR 9; filed Jan 20, 1988, 4:03 p.m.: 11 IR 1756; errata, 11 IR 2901; filed Jun 18, 1990, 3:24 p.m.: 13 IR 1993; filed Sep 10, 1993, 5:00 p.m.: 17 IR 184; filed Oct 11, 1996, 2:00 p.m.: 20 IR 748; errata filed Jan 2, 1997, 4:00 p.m.: 20 IR 1124; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895)~~

SECTION 16. 345 IAC 3-5.1-7 IS AMENDED TO READ AS FOLLOWS:

345 IAC 3-5.1-7 Release of quarantine; testing

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 7. (a) The state veterinarian may release the Pseudorabies quarantine placed on an infected swine herd when all animals that have tested positive for Pseudorabies have been removed from the premises, no animal on the quarantined premises shows signs of Pseudorabies infection, and at least one (1) of the following sets of requirements is completed:

(1) Complete depopulation of the infected herd occurs meaning that all swine in the herd are removed from the premises and delivered for slaughter. The premises is cleaned and disinfected under the direction of the state veterinarian. No swine have been on the premises for thirty (30) continuous days following the completion of cleaning and disinfecting. The state veterinarian may approve release of a quarantine in less than thirty (30) days after cleaning and disinfecting if doing so advances Pseudorabies eradication.

(2) Complete depopulation of the infected herd meaning that all swine in the herd are removed from the premises and delivered for slaughter. No swine have been on the premises for a period of not less than ninety (90) continuous days from the date the depopulation is complete. Cleaning and disinfecting is not required if a veterinary epidemiologist or the state veterinarian determines that Pseudorabies eradication will be advanced by releasing the quarantine without cleaning and disinfecting at the site.

(3) Progeny under eight (8) weeks of age may be weaned, isolated from a quarantined herd under direction and supervision of the state veterinarian and pass two (2) negative official Pseudorabies tests or approved differential Pseudorabies tests not less than thirty (30) nor more than sixty (60) days apart. However, the first qualifying test will

be conducted on pigs three (3) months of age or over. The first test must be a complete test, and the second test must be at least the designated percentage of animals as outlined in section ~~8(a)~~ **8.5(a)** of this rule. The swine herd is eligible for qualified Pseudorabies-negative herd status if the second negative test is a complete test of the population.

(4) All swine positive to an approved differential or official Pseudorabies test are removed from the premises. The premises are cleaned to the extent feasible. The remaining swine in the herd are tested as follows:

(A) Not less than thirty (30) days after the Pseudorabies-infected swine are removed and the premises is cleaned, all swine over six (6) months of age must test negative for Pseudorabies, and an official random sample of thirty (30) swine between two (2) and six (6) months of age must test negative for Pseudorabies.

(B) Between thirty (30) and sixty (60) days after the tests required under clause (A) are completed, an official random sample of swine over six (6) months of age must test negative for Pseudorabies. An official random sample of swine between two (2) and six (6) months of age must test negative for Pseudorabies. The exact number of animals to be tested shall be determined under section ~~8(a)~~ **8.5(a)** of this rule. Additional negative herd tests may also be required. Infected herds become eligible for qualified Pseudorabies-negative herd status if two (2) complete herd tests have been conducted on all swine over six (6) months of age plus two (2) random samples of progeny two (2) to six (6) months of age and all swine tested are negative. The two (2) tests must be at least thirty (30) days apart.

(5) All swine present on the date the herd was quarantined for Pseudorabies have been removed, and there have been no clinical signs of Pseudorabies infection in the herd for at least six (6) months. Two (2) successive random tests of a percentage of the herd over six (6) months of age and of a percentage of the progeny over four (4) months of age have been determined to reveal no Pseudorabies infection. The two (2) tests must be at least ninety (90) days apart. The percentage of animals to be tested shall be determined under section ~~8(a)~~ **8.5(a)** of this rule. Herds released from Pseudorabies quarantine under this subdivision must be tested for Pseudorabies and test negative using a percentage test one (1) year after the quarantine is released. This subdivision applies only to parts of ~~Indiana~~ **the state** classified Stage I, Stage II, and Stage III under the Program Standards.

(6) High risk herds may be released from quarantine when a percentage of the swine in the herd are tested and found negative for Pseudorabies. The percentage of animals to be tested shall be determined under section ~~8(a)~~ **8.5(a)** of this rule.

(7) In swine herds that contain no breeding swine and that do not receive swine from any premises quarantined for Pseudorabies, one (1) of the following sets of requirements are met:

(A) The herd is depopulated meaning that all swine in the herd are removed from the premises and delivered for slaughter. The premises is cleaned and disinfected and at least seven (7) days ~~passes~~ **pass** after cleaning and disinfecting before any animals are moved onto the premises. The herd tests negative for Pseudorabies infection using an official random sample test (95/10) under the Program Standards conducted at least thirty (30) days after the depopulation was completed.

(B) The herd tests negative for Pseudorabies infection twice, the first test an official random sample test (95/5) under the Program Standards, the second test conducted at least thirty (30) days following the first test and must be an official random sample test (95/10) under the Program Standards.

(b) The state veterinarian shall make the final determination to release any quarantine.

(c) After any herd is released from Pseudorabies quarantine, the herd must be tested for Pseudorabies between one hundred fifty (150) and one hundred eighty (180) days after the quarantine is released utilizing an official random sample test (95/10) under the Program Standards.

(d) A qualified Pseudorabies-negative herd that has been determined to be infected with Pseudorabies may qualify for reinstatement as a qualified Pseudorabies-negative herd if the **quarantine is released and the** owner meets all of the following conditions:

(1) All swine in the herd six (6) months of age and older test negative for Pseudorabies using an official Pseudorabies test.

(2) A random sample of swine two (2) to six (6) months of age ~~are~~ **is** tested for Pseudorabies using an official Pseudorabies test and all swine tested are negative.

(3) Between thirty (30) and sixty (60) days after the tests described in ~~subdivision (A) and subdivision (B)~~ **subdivisions (1) and (2)** are completed, the tests described in ~~subdivision (A) and subdivision (B)~~ **subdivisions (1) and (2)** are repeated.

(e) All tests required in this section must be an approved differential or official Pseudorabies test. (*Indiana State Board of Animal Health; Reg 79-1, Title VII; filed Mar 26, 1979, 3:40 p.m.: 2 IR 578; filed Jul 8, 1981, 10:15 a.m.: 4 IR 1438; filed Jun 29, 1983, 10:27 a.m.: 6 IR 1376; filed Oct 29, 1984, 9:01 a.m.: 8 IR 175; filed Jan 20, 1988, 4:03 p.m.: 11 IR 1756; filed Jun 18, 1990, 3:24 p.m.: 13 IR 1993; filed Nov 30, 1990, 4:40 p.m.: 14 IR 623; filed Jul 29, 1992, 10:00 a.m.: 15 IR 2568; filed Sep 10, 1993, 5:00 p.m.: 17 IR 185; filed Sep 1, 2000, 2:03 p.m.: 24 IR 8; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895*)

SECTION 17. 345 IAC 3-5.1-8.5 IS AMENDED TO READ AS FOLLOWS:

345 IAC 3-5.1-8.5 Swine herd monitoring

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 8.5. (a) An owner of a swine in ~~Indiana~~ **herd described in subsection (c) or (d)** must procure a licensed and accredited veterinarian to test the owner's swine herd for Pseudorabies. ~~not less than once every seven hundred thirty (730) days.~~ The **Pseudorabies testing required in subsections (c) and (d)** shall be conducted as follows:

- (1) In herds of ten (10) head of swine or less, all are tested.
- (2) In herds of eleven (11) to thirty-five (35) head of swine, ten (10) head are tested.
- (3) In herds of thirty-six (36) or more head of swine, thirty percent (30%) or thirty (30) head of swine, whichever is less, must be tested.
- (4) Purchased additions are not considered to be part of the herd for monitoring purposes until sixty (60) days after entry.
- (5) Swine sampled must be randomly selected from the herd.
- (6) All swine breeding and feeding herds are subject to the test.

(b) Quarantined **swine** herds shall be tested under section 8.7 of this rule. ~~until they are released from Pseudorabies quarantine and tested under subsection (a) thereafter.~~

(c) If the United States Department of Agriculture assigns ~~Indiana~~, **the state** or portions of the state a status under the Program Standards that is lower than Stage ~~III~~ **IV** status, **all swine herds in the lower status area must be tested for Pseudorabies testing required as outlined in subsection (a) shall be conducted within thirty (30) days of the date the state veterinarian notifies the herd owner or manager of the requirement to test. Swine herds in the lower status area must be retested not less than once every three hundred sixty-five (365) days for all swine herds located in until the lower status area. United States Department of Agriculture assigns the area a Stage IV or Stage V status under the Program Standards.**

(d) Circle testing shall be coordinated by the ~~board~~ **state veterinarian** to identify Pseudorabies infection within five (5) miles of each Pseudorabies infected herd. ~~An~~ **The** owner of a swine herd ~~that is~~ located, in whole or in part, within five (5) miles of a swine herd that tests positive for Pseudorabies must test a percentage of the swine in the owner's herd as outlined in ~~section 8(a) of this rule.~~ **subsection (a).** (*Indiana State Board of Animal Health; 345 IAC 3-5.1-8.5; filed Jan 8, 1992, 12:00 p.m.: 15 IR 701; filed Sep 10, 1993, 5:00 p.m.: 17 IR 186; filed Oct 11, 1996, 2:00 p.m.: 20 IR 749; filed Sep 1, 2000, 2:03 p.m.: 24 IR 10; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895*)

SECTION 18. 345 IAC 3-5.1-8.7 IS AMENDED TO READ AS FOLLOWS:

345 IAC 3-5.1-8.7 Quarantined herd cleanup

Authority: IC 15-2.1-3-19

Affected: IC 4-21.5; IC 15-2.1-3-13; IC 15-2.1-15; IC 15-2.1-18-16; IC 15-2.1-19

Sec. 8.7. (a) Anyone owning swine quarantined for Pseudorabies in Indiana must ~~submit a herd clean-up plan.~~ **All new quarantined herds must submit a herd clean-up plan within thirty (30) days of meet the quarantine date. The herd clean-up plan must do the following:**

- (1) **Indicate procedures and actions that the herd owner will take that will eliminate Pseudorabies from the herd within the time allowed under section 8.9 of this rule.**
- (2) **Include a testing and vaccination plan that complies with this rule.**

- (3) Contain procedures that comply with the board's rules governing release of quarantine.
- (4) Contain procedures for testing and removing Pseudorabies-positive animals that meet the requirements of this section, and section 8.8 of this rule. The plan may require more testing and culling than is required by this section and section 8.8 of this rule.
- (5) The plan complies with all of the provisions in this rule.

A plan of no action is not acceptable. All herd clean-up plans must be submitted to the office of the state veterinarian for approval. The state veterinarian may approve only those herd clean-up plans that comply with this rule. Herd clean-up plans must be reviewed at least semiannually and shall be modified as needed to comply with this rule.

- (b) The owner of a swine herd quarantined for Pseudorabies must test quarantined swine:
 - (1) at least two (2) times per year using an official random sample test (95/5) outlined in the Program Standards; or
 - (2) pursuant to the owner's approved herd clean-up plan.

(c) The owner of a swine herd that is quarantined for Pseudorabies must vaccinate all swine in the quarantined herd with an official gene-altered Pseudorabies vaccine as follows:

- (1) Breeding herds shall be vaccinated pursuant to the owner's herd clean-up plan. However, breeding swine must be vaccinated a minimum of two (2) times per year.
- (2) Swine under six (6) months of age must be vaccinated according to a vaccination protocol for those swine in the owner's approved herd clean-up plan. Swine under six (6) months of age must be vaccinated at least one (1) time each year if the herd contains any infected swine.

(d) In order for any person to move swine from a site quarantined for Pseudorabies, a state or federal official or their designee must document in writing the movement of the swine by filling out completely a form approved by the state veterinarian. The approved form may be the United States Department of Agriculture "Permit for Movement of Restricted Animals" VS Form 1-27. Copies of the completed form must be distributed as noted on the form.

~~(e)~~ (b) Owners of swine herds that are under Pseudorabies quarantine on or after January 1, 2000, and owners of swine herds that violate any provision of this rule are subject to the following requirements for as long as the herd is under Pseudorabies quarantine. Before swine are moved from a Pseudorabies-quarantined premises, the transport vehicle shall be sealed as follows:

- (1) Prior to the swine leaving the premises, a state or federal official or the official's designee must document in writing the movement of the swine on a form approved by the state veterinarian. The approved form may be the United States Department of Agriculture "Permit for Movement of Restricted Animals" VS Form 1-27.
- (2) Before the swine leave the premises, the vehicle transporting the swine must be sealed by a state or federal official or the official's designee.
- (3) Copies of the completed form must be distributed as noted on the form. A copy of the completed form must accompany the swine as they are transported to market and must be presented to a state or federal official or their designee at the destination.
- (4) The seal on the transporting vehicle must be broken by a state or federal official or the official's designee at the destination.

~~(f)~~ (c) The following apply to all movement of swine under ~~subsections (d) and (e)~~: **subsection (b)**:

- ~~(1)~~ The movement of swine must be consistent with the owner's herd clean-up plan.
- ~~(2)~~ (1) The swine must be delivered only to markets approved by the state veterinarian to accept swine from quarantined premises. Only markets approved to accept Pseudorabies-quarantined swine may accept delivery of Pseudorabies-quarantined swine.
- ~~(3)~~ (2) Vehicles transporting the swine must be cleaned and disinfected according to procedures that are designed to prevent the spread of Pseudorabies and that are approved by the state veterinarian before transporting any other swine.

~~(g)~~ (d) The state veterinarian shall approve a market to accept swine from Pseudorabies-infected sites only if the movement of swine from infected sites through that market is not likely to spread Pseudorabies. When considering markets for approval, the state veterinarian shall consider all aspects of the market operation, including the market location and biosecurity practices at the market.

~~(h)~~ Owners of swine herds quarantined for Pseudorabies must meet the deadlines for quarantine release in section 8-9 of this rule.

~~(i)~~ Owners of swine herds quarantined for Pseudorabies must meet the requirements of section 8-8 of this rule.

~~(j)~~ **(e)** Beginning January 1, 2000, the board may order, after notice and hearing under IC 4-21.5 or waiver of right to hearing under IC 15-2.1-19, a herd of swine quarantined for Pseudorabies be depopulated in whole or in part under a staged slaughtering plan in order to protect other producers' swine from the Pseudorabies virus and to ensure continued interstate and international trade in swine from Indiana.

~~(k)~~ **(f)** After the United States Department of Agriculture declares ~~Indiana~~ **the state** to be without Pseudorabies by assigning ~~Indiana~~ **the state** Stage V status under the Program Standards, the ~~board~~ **state veterinarian** will order, after notice and hearing under IC 4-21.5 or waiver of right to hearing under IC 15-2.1-19, a herd of swine that is infected with Pseudorabies be depopulated in whole or in part under a staged slaughtering plan.

~~(l)~~ **(g)** A staged slaughtering plan ordered under ~~subsections (j) and (k)~~ **subsection (e) or (f)** will include the following minimum requirements:

- (1) Time frames for completion of each stage that reasonably protect other producers' swine from the Pseudorabies virus and that ensure continued interstate and international trade in swine from ~~Indiana~~ **the state**.
- (2) Requirements that will eliminate Pseudorabies from the herd.
- (3) Requirements that will result in the release of the herd's quarantine under this rule.

~~(m)~~ **(h)** The owner of a swine herd that is located within a two (2) mile radius of a swine herd that is under quarantine for Pseudorabies must do the following:

- (1) Vaccinate all of the swine in his herd for Pseudorabies at least one (1) time within ten (10) days of the date on which the owner received notice from the ~~board~~ **state veterinarian** that a Pseudorabies-quarantined herd is located within two (2) miles of his herd.
- (2) After complying with subdivision (1), continue to vaccinate his herd pursuant to a written Pseudorabies vaccination plan approved by the state veterinarian until such time as all Pseudorabies-quarantined herds within two (2) miles of the owner's herd are released from quarantine.
- (3) Qualified Pseudorabies-negative herds that maintain their qualified Pseudorabies-negative herd status by testing monthly are exempt from the vaccination requirements in this subsection.

(Indiana State Board of Animal Health; 345 IAC 3-5.1-8.7; filed Jan 8, 1992, 12:00 p.m.: 15 IR 701; filed Oct 11, 1996, 2:00 p.m.: 20 IR 749; filed Jun 19, 1998, 4:00 p.m.: 21 IR 4203; filed Dec 23, 1998, 4:36 p.m.: 22 IR 1485; errata filed Mar 31, 1999, 9:34 a.m.: 22 IR 2534; filed Sep 1, 2000, 2:03 p.m.: 24 IR 10; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895)

SECTION 19. 345 IAC 3-5.1-10 IS AMENDED TO READ AS FOLLOWS:

345 IAC 3-5.1-10 Pseudorabies vaccine; sale and use; reports

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 10. (a) ~~The use of Pseudorabies vaccine is restricted to veterinarians who are~~ **may be used only if the use is authorized by a licensed and accredited in Indiana, as follows: veterinarian.**

~~(1) A veterinarian approved by the board to use Pseudorabies vaccine may dispense vaccine only to owners of herds on file at the office of the state veterinarian for vaccine use.~~ The veterinarian **dispensing Pseudorabies vaccine** shall be responsible for reporting all new vaccinated herds in writing to the office of the state veterinarian **at least once each month.**

(2) All swine sold under section 6(b)(1) of this rule shall be identified and vaccinated by a veterinarian. A certificate of vaccination must be completed to accompany the special permit.

(b) All Pseudorabies vaccine sold into Indiana must be reported monthly by the manufacturer and any registered distributor to the office of the state veterinarian.

~~(c) Only swine in herds on file at the office of the state veterinarian for vaccine use may be vaccinated. Effective January 1, 1992, Only those Pseudorabies vaccines with an approved differential Pseudorabies test may be used.~~

~~(d) Feeder pigs identified by official ear tags at time of purchase may be vaccinated without additional identification provided the buyer is on file at the office of the state veterinarian for vaccine use.~~

~~(e)~~ **(d)** All serological results conducted on swine vaccinated with Pseudorabies vaccine will be evaluated by a veterinary epidemiologist to determine the herd status. *(Indiana State Board of Animal Health; Reg 79-1, Title X; filed Mar 26, 1979, 3:40 p.m.: 2 IR 579; filed Jul 8, 1981, 10:15 a.m.: 4 IR 1439; filed Oct 29, 1984, 9:01 a.m.: 8 IR 175; filed May 13, 1986, 4:00 p.m.: 9 IR 2686; filed Dec 22, 1986, 3:40 p.m.: 10 IR 1060; filed Jan 20, 1988, 4:03 p.m.: 11 IR 1757; filed May 24, 1988, 9:43 a.m.: 11 IR 3536; filed Jun 18, 1990, 3:24 p.m.: 13 IR 1995; filed Nov 30, 1990, 4:40 p.m.: 14 IR 624; filed Oct 11, 1996, 2:00 p.m.: 20 IR 750; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895)*

SECTION 20. THE FOLLOWING ARE REPEALED: 345 IAC 1-3-8; 345 IAC 1-3-16; 345 IAC 3-5.1-8.8; 345 IAC 3-5.1-8.9; 345 IAC 3-5.1-9; 345 IAC 3-5.1-12; 345 IAC 3-5.1-14; 345 IAC 3-5.1-15.

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on October 10, 2002 at 9:40 a.m., at the Indiana State Board of Animal Health, 805 Beachway Drive, Suite 50, Indianapolis, Indiana the Indiana State Board of Animal Health will hold a public hearing on proposed amendments to rules concerning Pseudorabies control in swine. Copies of these rules are now on file at the Indiana State Board of Animal Health, 805 Beachway Drive, Suite 50 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Bret D. Marsh, D.V.M.
Indiana State Veterinarian
Indiana State Board of Animal Health