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

Proposed Rule
LSA Document #04-147

DIGEST

Amends 345 IAC 1-3-7 and 345 IAC 1-3-10 concerning tuberculosis control in animals moved into Indiana. Adds 345 IAC 2.5 to replace 345 IAC 2-4.1 concerning tuberculosis control in cattle, bison, and goats. Amends 345 IAC 7-5-12 concerning exhibition of animals. Makes other changes in the law of tuberculosis control. Repeals 345 IAC 1-3-6.5, 345 IAC 1-3-9, and 345 IAC 2-4.1. Effective 30 days after filing with the secretary of state.

345 IAC 1-3-6.5 **345 IAC 2-4.1**
345 IAC 1-3-7 **345 IAC 2.5**
345 IAC 1-3-9 **345 IAC 7-5-12**
345 IAC 1-3-10

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

345 IAC 1-3-7 Cattle and bison

Authority: IC 15-2.1-3-19

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

Sec. 7. (a) ~~All~~ **Before a person may move cattle entering or bison into** Indiana, for dairy or breeding purposes shall test negative for Tuberculosis within sixty (60) days prior to the date of entry with the following exceptions:

- (1) Dairy or breeding cattle from accredited Tuberculosis-free herds:
- (2) Dairy or breeding cattle under one hundred eighty (180) days of age:
- (3) Dairy or breeding cattle from an accredited Tuberculosis-free state: **requirements for tuberculosis control in 345 IAC 2.5 must be met.**

(b) All test eligible cattle entering Indiana for dairy or breeding purposes shall test negative for brucellosis prior to entry, utilizing a test conducted at a state-federal laboratory. The following provisions apply to the entry brucellosis test required in this subsection:

- (1) Calves under four hundred (400) pounds and obviously under one hundred eighty (180) days of age are exempt.
- (2) Officially vaccinated cattle of:
 - (A) beef breeds under twenty-four (24) months of age; and ~~officially vaccinated cattle of~~
 - (B) dairy breeds under twenty (20) months of age;which are accompanied by proof of vaccination with an approved brucella vaccine and are identified with a legible official vaccination tattoo, are exempt.
- (3) Feeder cattle must comply with this section. ~~and section 8 of this rule.~~
- (4) Cattle that originate from a state that the United States Department of Agriculture certifies as being brucellosis-free are exempt.
- (5) Dairy or breeding cattle from Class A and Class B states must meet the following requirements:
 - (A) Dairy or breeding cattle originating from certified brucellosis-free herds are exempt from the brucellosis entry test provided the health certificate indicates the certified herd number and the date of the last herd test. The last herd test must have been within the twelve (12) months prior to entry into Indiana.
 - (B) All test eligible dairy or breeding cattle originating from herds that are not certified brucellosis-free must have a negative brucellosis test conducted within thirty (30) days prior to entry.

(C) All test eligible dairy and breeding cattle shall be quarantined at the point of destination and retested for brucellosis at the owner's expense in forty-five (45) to ninety (90) days after entry into Indiana. The retest must be conducted at a state-federal approved laboratory.

(6) A licensed livestock dealer may sell dairy and breeding cattle that have been imported into Indiana from Class A and Class B states before the forty-five (45) to ninety (90) day quarantine and retest period is over if the following requirements are met:

(A) The cattle were imported into Indiana after meeting the import requirements in this rule.

(B) The purchaser signs a form prescribed by the board stating that they are aware of and will comply with the following requirements:

(i) The cattle are quarantined on the premises of the purchaser until the cattle are retested.

(ii) He or she will have the cattle retested for brucellosis in not less than forty-five (45) days and not more than ninety (90) days from date of importation.

(iii) The retest will be conducted at a state-federal approved laboratory.

(iv) Any other provisions agreed to and prescribed on the form.

(C) A copy of the form must be signed by the purchaser and forwarded to the office of the state veterinarian by the seller within seven (7) days of the date of sale.

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

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

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

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

SECTION 2. 345 IAC 1-3-10 IS AMENDED TO READ AS FOLLOWS:

345 IAC 1-3-10 Animals for immediate slaughter

Authority: IC 15-2.1-3-19

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

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

(1) The animals shall be: ~~consigned~~

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

(B) consigned to a licensed public livestock market for resale directly to a recognized slaughtering establishment. ~~Cattle for immediate slaughter. entering Indiana~~

(2) Slaughter animals shall be accompanied by a:

(A) waybill;

(B) bill of lading;

(C) cargo manifest; or

(D) similar document;

describing the ~~cattle~~ **animals** and listing the point of destination.

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

SECTION 3. 345 IAC 2.5 IS ADDED TO READ AS FOLLOWS:

ARTICLE 2.5. TUBERCULOSIS CONTROL

Rule 1. Definitions

345 IAC 2.5-1-1 Applicability

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 1. The definitions in IC 15-2.1-2 and this rule apply throughout this article. (*Indiana State Board of Animal Health; 345 IAC 2.5-1-1*)

345 IAC 2.5-1-2 “Accredited herd” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 2. “Accredited herd” means a herd that qualifies for accredited herd status under 345 IAC 2.5-3-4. (*Indiana State Board of Animal Health; 345 IAC 2.5-1-2*)

345 IAC 2.5-1-3 “Accredited veterinarian” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 3. “Accredited veterinarian” means a veterinarian that is approved by the United States Department of Agriculture under 9 CFR Part 161 to perform official work. (*Indiana State Board of Animal Health; 345 IAC 2.5-1-3*)

345 IAC 2.5-1-4 “Affected herd” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 4. “Affected herd” means a herd of livestock in which there is strong and substantial evidence that *Mycobacterium bovis* exists that may include, without limitation, the following:

- (1) Epidemiologic evidence.**
- (2) Histopathology.**
- (3) Polymerase chain reaction (PCR) assay.**
- (4) Bacterial isolation or detection.**
- (5) Testing data.**
- (6) Association with known sources of infection.**

(*Indiana Board of Animal Health; 345 IAC 2.5-1-4*)

345 IAC 2.5-1-5 “Approved laboratory” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-5; IC 15-2.1-7

Sec. 5. “Approved laboratory” means:

- (1) a state, federal, or National Animal Health Laboratory Network (NAHL) veterinary laboratory specifically recognized by USDA, APHIS to conduct official tuberculosis program diagnostic testing;**
- (2) the animal disease diagnostic laboratory created under IC 15-2.1-5; or**
- (3) other laboratory approved by the state veterinarian.**

A United States Food Safety and Inspection Service (FSIS) field service laboratory may be utilized for histopathology. (*Indiana State Board of Animal Health; 345 IAC 2.5-1-5*)

345 IAC 2.5-1-6 “Approved slaughtering establishment” or “slaughtering establishment” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7; IC 15-2.1-24

Sec. 6. “Approved slaughtering establishment” or “slaughtering establishment” means a slaughtering establishment that is operating under the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) or the Indiana Meat and Poultry Inspection Act (IC 15-2.1-24). *(Indiana State Board of Animal Health; 345 IAC 2.5-1-6)*

345 IAC 2.5-1-7 “Bison” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 7. “Bison” means any animal of the genus bison species, including animals commonly referred to as American buffalo or buffalo. *(Indiana State Board of Animal Health; 345 IAC 2.5-1-7)*

345 IAC 2.5-1-8 “Board” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 8. “Board” means the Indiana state board of animal health appointed under IC 15-2.1-3 or its authorized representative. *(Indiana State Board of Animal Health; 345 IAC 2.5-1-8)*

345 IAC 2.5-1-9 “Bovine interferon gamma assay” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 9. “Bovine interferon gamma assay” means an official supplemental diagnostic test approved by the state veterinarian. *(Indiana State Board of Animal Health; 345 IAC 2.5-1-9)*

345 IAC 2.5-1-10 “Bovine TB UM&R” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 10. “Bovine TB UM&R” means the Uniform Methods and Rules for Bovine Tuberculosis Eradication incorporated by reference in 345 IAC 2.5-2. *(Indiana State Board of Animal Health; 345 IAC 2.5-1-10)*

345 IAC 2.5-1-11 “Bovine tuberculosis” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 11. “Bovine tuberculosis” means a disease caused by *Mycobacterium bovis*. *(Indiana State Board of Animal Health; 345 IAC 2.5-1-11)*

345 IAC 2.5-1-12 “Cattle” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 12. “Cattle” means any animal of the *Bos taurus* species, including all beef and dairy breeds. *(Indiana State Board of Animal Health; 345 IAC 2.5-1-12)*

345 IAC 2.5-1-13 “Caudal fold test” or “CFT” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 13. “Caudal fold test” or “CFT” means the intradermal injection of one-tenth (0.1) milliliter of United States Department of Agriculture bovine purified derivative (PPD) tuberculin into either side of the caudal fold with reading by visual observation and palpation between sixty-six (66) and seventy-eight (78) hours following injection. *(Indiana State Board of Animal Health; 345 IAC 2.5-1-13)*

345 IAC 2.5-1-14 “Cervical tuberculin test” or “CT test” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 14. “Cervical tuberculin test” or “CT test” means the intradermal injection of one-tenth (0.1) milliliter of United States Department of Agriculture bovine purified derivative (PPD) tuberculin in the cervical region with reading by visual observation and palpation between sixty-six (66) and seventy-eight (78) hours following injection. (Indiana State Board of Animal Health; 345 IAC 2.5-1-14)

345 IAC 2.5-1-15 “Cervid TB UM&R” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 15. “Cervid TB UM&R” means the uniform methods and rules for eradicating tuberculosis in cervids incorporated by reference in this article. (Indiana State Board of Animal Health; 345 IAC 2.5-1-15)

345 IAC 2.5-1-16 “Comparative cervical tuberculin test” or “CCT test” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 16. “Comparative cervical tuberculin test” or “CCT test” means the intradermal injection of biologically balanced United States Department of Agriculture bovine PPD tuberculin and avian PPD tuberculin at separate sites in the mid-cervical area to determine the probable presence of bovine tuberculosis by comparing the response of the two (2) tuberculins between sixty-six (66) and seventy-eight (78) hours following injection. (Indiana State Board of Animal Health; 345 IAC 2.5-1-16)

345 IAC 2.5-1-17 “Depopulate” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 17. “Depopulate” means to destroy all livestock in a herd by slaughter, euthanasia, or death otherwise. (Indiana State Board of Animal Health; 345 IAC 2.5-1-17)

345 IAC 2.5-1-18 “Designated accredited veterinarian” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 18. “Designated accredited veterinarian” means a veterinarian approved by the state veterinarian and trained to conduct specific tuberculosis tests or other tuberculosis activities. (Indiana State Board of Animal Health; 345 IAC 2.5-1-18)

345 IAC 2.5-1-19 “Designated tuberculosis epidemiologist” or “DTE” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 19. “Designated tuberculosis epidemiologist” or “DTE” means a state or federal epidemiologist designated by the state veterinarian after consultation with the United States Department of Agriculture. (Indiana State Board of Animal Health; 345 IAC 2.5-1-19)

345 IAC 2.5-1-20 “Exposed animal” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 20. “Exposed animal” means any livestock that have been exposed to bovine tuberculosis by reason of

associating with other livestock in which bovine tuberculosis has been diagnosed. (*Indiana State Board of Animal Health; 345 IAC 2.5-1-20*)

345 IAC 2.5-1-21 “Geographic separation” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 21. “Geographic separation” means:

- (1) a minimum of thirty (30) feet of separation;**
- (2) no common or shared handling facilities or equipment;**
- (3) no common watering or feeding equipment; and**
- (4) no common feed vehicles that enter the premises of herds of different status.**

(*Indiana State Board of Animal Health; 345 IAC 2.5-1-21*)

345 IAC 2.5-1-22 “Herd” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 22. “Herd” means livestock that meet one (1) of the following requirements:

- (1) The animals are under common ownership or supervision and are grouped on one (1) or more parts of any single premises feedlot, farm, or ranch.**
- (2) The animals are under common ownership or supervision on two (2) or more premises that are geographically separated but in which the animals have been interchanged or had contact with animals from different premises.**
- (3) All livestock on common premises, such as community pastures or grazing association units, but owned by different persons.**

(*Indiana State Board of Animal Health; 345 IAC 2.5-1-22*)

345 IAC 2.5-1-23 “Herd of origin” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 23. “Herd of origin” means a herd of one (1) or more sires and dams and their offspring from which an animal originates and may be the herd of birth or the herd where the animal has resided for a minimum of four (4) months immediately prior to movement. (*Indiana State Board of Animal Health; 345 IAC 2.5-1-23*)

345 IAC 2.5-1-24 “Herd test” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 24. “Herd test” means an official tuberculosis test of all test eligible cattle and bison in a herd. (*Indiana State Board of Animal Health; 345 IAC 2.5-1-24*)

345 IAC 2.5-1-25 “Individual herd plan” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 25. “Individual herd plan” means a written disease management plan that is approved by the herd owner and the state veterinarian, in consultation with federal officials, and that contains disease management and herd management practices designed to eradicate tuberculosis from an affected herd while reducing human exposure to the disease. (*Indiana State Board of Animal Health; 345 IAC 2.5-1-25*)

345 IAC 2.5-1-26 “Livestock” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2-27; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 26. “Livestock” has the meaning set forth in IC 15-2.1-2-27(a). *(Indiana State Board of Animal Health; 345 IAC 2.5-1-26)*

345 IAC 2.5-1-27 “Moved” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 27. “Moved” means shipped, transported, or otherwise moved, delivered, or received for movement. *(Indiana State Board of Animal Health; 345 IAC 2.5-1-27)*

345 IAC 2.5-1-28 “Moved directly” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 28. “Moved directly” means moved without stopping or unloading at livestock assembly points of any type. Animals moved directly may be unloaded from the means of conveyance while en route only with permission of the state veterinarian and only if the animals are isolated from all other animals other than those in the same shipment. *(Indiana State Board of Animal Health; 345 IAC 2.5-1-28)*

345 IAC 2.5-1-29 “Natural addition” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 29. “Natural addition” means animals born and raised in a herd. *(Indiana State Board of Animal Health; 345 IAC 2.5-1-29)*

345 IAC 2.5-1-30 “No gross lesion” or “NGL” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 30. “No gross lesion” or “NGL” means an animal that does not reveal a lesion of bovine tuberculosis upon slaughter or necropsy inspection. An animal with skin lesions alone will be considered in the same category as a gross lesion animal. *(Indiana State Board of Animal Health; 345 IAC 2.5-1-30)*

345 IAC 2.5-1-31 “Official eartag” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 31. “Official eartag” means a tag approved by the state veterinarian that when applied to an animal provides unique identification for that animal. *(Indiana State Board of Animal Health; 345 IAC 2.5-1-31)*

345 IAC 2.5-1-32 “Official identification” or “officially identified” defined

Authority: IC 15-2.1-3-19

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

Sec. 32. “Official identification” or “officially identified” means an animal is identified by means of an official eartag, registration tattoo or brand, or other method approved by the state veterinarian that provides unique identification for each animal. *(Indiana State Board of Animal Health; 345 IAC 2.5-1-32)*

345 IAC 2.5-1-33 “Official test” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 33. “Official test” means any test for tuberculosis conducted by an accredited veterinarian in compliance with the testing procedure, reporting, and other requirements of this article. (Indiana State Board of Animal Health; 345 IAC 2.5-1-33)

345 IAC 2.5-1-34 “Permit” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 34. “Permit” means an official document issued by the USDA, the state veterinarian, or a designated accredited veterinarian for the movement of animals. A permit must be issued at the point of origin and contain the following information:

- (1) The destination to which the animals are to be moved.**
- (2) The tuberculosis status of each animal.**
- (3) The identification of each animal.**
- (4) The name of the animal’s owner.**
- (5) The purpose of the movement.**

(Indiana State Board of Animal Health; 345 IAC 2.5-1-34)

345 IAC 2.5-1-35 “Premises identification” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 35. “Premises identification” means a method of identification approved by the state veterinarian that uniquely identifies the premises of origin. (Indiana State Board of Animal Health; 345 IAC 2.5-1-35)

345 IAC 2.5-1-36 “Quarantine” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 36. “Quarantine” means an order of the state veterinarian or a federal official that prohibits the movement of animals onto or off of a premises without a permit issued by the state veterinarian or a federal official. (Indiana State Board of Animal Health; 345 IAC 2.5-1-36)

345 IAC 2.5-1-37 “Reactor” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 37. “Reactor” means livestock that shows a response to an official tuberculosis test and is classified a reactor by the state veterinarian or a federal official. (Indiana State Board of Animal Health; 345 IAC 2.5-1-37)

345 IAC 2.5-1-38 “Responder” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 38. “Responder” means any livestock that is officially skin tested for tuberculosis that demonstrate a visible or palpable response at the site of tuberculin injection. (Indiana State Board of Animal Health; 345 IAC 2.5-1-38)

345 IAC 2.5-1-39 “Single cervical test” or “SCT” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 39. “Single cervical test” or “SCT” means the intradermal injection of one-tenth (0.1) milliliter of United States Department of Agriculture bovine PPD tuberculin in the mid-cervical region with the reading by visual

observation and palpation between sixty-six (66) and seventy-eight (78) hours following injection. *(Indiana State Board of Animal Health; 345 IAC 2.5-1-39)*

345 IAC 2.5-1-40 “State veterinarian” defined

Authority: IC 15-2.1-3-19

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

Sec. 40. “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 2.5-1-40)*

345 IAC 2.5-1-41 “Tuberculin” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 41. “Tuberculin” means a product that is approved by and produced under USDA license for injection into livestock for the purpose of detecting bovine tuberculosis. *(Indiana State Board of Animal Health; 345 IAC 2.5-1-41)*

345 IAC 2.5-1-42 “Tuberculosis” or “bovine tuberculosis” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 42. “Tuberculosis” or “bovine tuberculosis” means the contagious, infectious, and communicable disease caused by *Mycobacterium bovis*. *(Indiana State Board of Animal Health; 345 IAC 2.5-1-42)*

345 IAC 2.5-1-43 “Zone” defined

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3-13; IC 15-2.1-7

Sec. 43. “Zone” means a geographical area designated by the United States Department of Agriculture or the state veterinarian as a distinct land area for the purposes of disease control. *(Indiana State Board of Animal Health; 345 IAC 2.5-1-43)*

Rule 2. General Provisions

345 IAC 2.5-2-1 Purpose

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-3-18; IC 15-2.1-7; IC 15-2.1-18-12

Sec. 1. The purpose of this article is to prevent, detect, and eradicate tuberculosis (*Mycobacterium bovis*) in animals by using current knowledge and procedures for the control of the disease. This article is to be administered in cooperation with the United States Department of Agriculture. The provisions of this rule apply throughout this article. *(Indiana State Board of Animal Health; 345 IAC 2.5-2-1)*

345 IAC 2.5-2-2 Incorporation by reference

Authority: IC 15-2.1-3-19

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

Sec. 2. (a) The board incorporates by reference the “Bovine Tuberculosis Eradication-Uniform Methods and Rules”, United States Department of Agriculture, Animal and Plant Health Inspection Service, 2004, as the operating procedures for tuberculosis control in bovine, bison, and goats. Where the Bovine TB UM&R conflicts with this rule, the express provisions of this rule control.

(b) The board incorporates IC 15-2.1-7 into this rule. *(Indiana State Board of Animal Health; 345 IAC 2.5-2-2)*

345 IAC 2.5-2-3 Identification

Authority: IC 15-2.1-3-19

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

Sec. 3. A person testing an animal for tuberculosis must identify the animal at that time using official identification. (*Indiana State Board of Animal Health; 345 IAC 2.5-2-3*)

345 IAC 2.5-2-4 Official tests

Authority: IC 15-2.1-3-19

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

Sec. 4. (a) The state veterinarian shall have the authority to test any animal or herd that may be necessary to find, confirm, diagnose, treat, or eliminate tuberculosis. The state veterinarian shall make a reasonable effort to notify the owner of an animal that must be tested. The state veterinarian shall have the right to supervise any test conducted by an accredited veterinarian. It shall be the duty of all persons owning or having custody of an animal to render all reasonable assistance to board representatives in performing their duties under this rule, including, but not limited to, the submission and restraint of animals for the following:

- (1) Testing and retesting.**
- (2) Identification.**
- (3) Branding.**
- (4) Tagging.**

(b) The official tuberculin test shall be applied only by the following persons:

- (1) A veterinarian employed by the board.**
- (2) A veterinarian employed by the United States Department of Agriculture.**
- (3) An accredited veterinarian.**
- (4) A designated accredited veterinarian.**

(c) The following tests shall be used to evaluate the tuberculosis status of an animal:

(1) The caudal fold tuberculin (CFT) test is for routine use in individual cattle, bison, and goats and herds where the tuberculosis status of the animal is unknown and is the official presumptive diagnostic test for tuberculosis.

(2) The following are the official supplemental diagnostic tests for tuberculosis:

(A) The comparative cervical tuberculin (CCT) test is an official test for retesting suspect cattle, bison, and goats. The CCT shall be applied only by a state or federal regulatory veterinarian. The CCT may not be used in an infected herd without prior consent of the state veterinarian.

(B) The bovine interferon gamma assay may be used in cattle herds with approval of the state veterinarian. The state veterinarian shall consult with the United States Department of Agriculture Veterinary Services (USDA VS) prior to approving this test.

(C) Histopathology, diagnostic bacteriology, and polymerase chain reaction (PCR) analysis of formalin-fixed tissue are all approved supplemental diagnostic procedures. These procedures should be used in conjunction with tuberculosis test results and necropsy or slaughter data to determine herd status.

(3) The following are the official primary diagnostic tests for tuberculosis in herds affected with bovine tuberculosis:

(A) The cervical tuberculin (CT). The CT test must be used when testing exposed cattle or bison from affected herds. The CT test shall be applied only by a state or federal regulatory veterinarian. Results of a CT test may only be classified as reactor or negative.

(B) The caudal fold tuberculin (CFT) test may be used in lieu of the CT tests. A response to the test will classify the animal as a reactor. The CFT test may be used as a primary diagnostic test only with approval of the state veterinarian in consultation with the USDA VS.

(d) When a test for tuberculosis is conducted, the injection site will be observed and palpated seventy-two (72) hours after the time of injection of tuberculin plus or minus six (6) hours.

(e) Only approved laboratories may be used for tuberculosis diagnostic purposes.

(f) The state veterinarian shall classify cattle and bison tested for tuberculosis as specified in 345 IAC 2.5-3. The state veterinarian shall classify goats tested for tuberculosis as specified in 345 IAC 2.5-4. The state veterinarian shall classify other animals tested for tuberculosis based on generally accepted scientific principles that indicate the presence or absence of tuberculosis.

(g) A person conducting a tuberculin test in the state shall report each tuberculin test conducted to the state veterinarian on an approved form within fourteen (14) days of completing the test. The report of the tuberculin test shall contain the following information:

- (1) Individual identification of each animal tested.
- (2) The sex, age, and breed of each animal tested.
- (3) The size of the response to the tuberculosis test.

Animals classified as suspects by the caudal fold test must be reported via telephone to the state veterinarian or a board employee within forty-eight (48) hours of the time the site of injection is observed. (*Indiana State Board of Animal Health; 345 IAC 2.5-2-4*)

345 IAC 2.5-2-5 Zone designations

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 5. The state veterinarian may apply to the United States Department of Agriculture for a tuberculosis classification for all of the state or a zone within the state as is necessary or helpful to eradicate tuberculosis and maintain trade in animals and animal products from the state. The state veterinarian may recognize zones outside the state for purposes of controlling movement of animals into the state. (*Indiana State Board of Animal Health; 345 IAC 2.5-2-5*)

345 IAC 2.5-2-6 State free status; herd depopulation

Authority: IC 15-2.1-3-19

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

Sec. 6. (a) The United States Department of Agriculture declared Indiana tuberculosis-free under the bovine TB UM&R on November 1, 1984. It is the board's objective to take all action necessary to maintain the state's tuberculosis-free status. Therefore, whenever tuberculosis is identified in a herd of animals, the state veterinarian may order all or part of the herd depopulated to control the spread of tuberculosis. The state veterinarian may order any object destroyed to control the spread of tuberculosis.

(b) Animals to be destroyed because of tuberculosis must be shipped under permit directly to an approved slaughtering establishment or be disposed of by rendering or burial in a manner approved by and under the supervision of the state veterinarian. Objects to be destroyed because of tuberculosis shall be disposed of in a manner approved by the state veterinarian. The state veterinarian shall approve methods of destroying and disposing of animals and objects that pose the least risk for transmission of tuberculosis considering the practical, logistical, and financial constraints incumbent in the situation.

(c) Animals that are to be destroyed because of tuberculosis must be destroyed and the disposal of carcasses completed within fifteen (15) days after the appraisal is completed. The state veterinarian may extend the time allowed under this subsection if an extension will aid in accomplishing the goal of tuberculosis eradication. (*Indiana State Board of Animal Health; 345 IAC 2.5-2-6*)

345 IAC 2.5-2-7 Indemnity

Authority: IC 15-2.1-3-19

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

Sec. 7. The state veterinarian may indemnify owners of animals condemned under this article subject to the

following:

- (1) Any limitations in this article and IC 15-2.1.
- (2) The procedures and limits in 345 IAC 1-7.
- (3) Any limits or procedures necessary to secure payment of the indemnity by the United States government.
(Indiana State Board of Animal Health; 345 IAC 2.5-2-7)

345 IAC 2.5-2-8 Cleaning and disinfecting

Authority: IC 15-2.1-3-19

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

Sec. 8. The state veterinarian may order a premises, including:

- (1) all structures thereon;
- (2) holding facilities;
- (3) conveyances;
- (4) equipment; and
- (5) materials;

that have been or may have been exposed to tuberculosis so as to constitute a health hazard to humans or animals, cleaned and disinfected according to procedures prescribed by the state veterinarian. The procedures for cleaning and disinfecting ordered by the state veterinarian must be reasonably likely to reduce the hazard of potential tuberculosis exposure to humans and animals. *(Indiana State Board of Animal Health; 345 IAC 2.5-2-8)*

345 IAC 2.5-2-9 Records

Authority: IC 15-2.1-3-19

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

Sec. 9. A person required to keep records under this article shall keep the records for at least five (5) years.
(Indiana State Board of Animal Health; 345 IAC 2.5-2-9)

Rule 3. Tuberculosis Control in Bovine and Bison

345 IAC 2.5-3-1 Definitions and general provisions

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-2; IC 15-2.1-3; IC 15-2.1-7

Sec. 1. (a) The definitions in 345 IAC 2.5-1 and the following definitions apply throughout this rule:

- (1) “Accredited-free state or zone” means a state or zone that is classified by the United States Department of Agriculture as an accredited-free state or zone under 9 CFR Part 77, Subpart B.
- (2) “Accredited herd” means a herd that has met the requirements in section 4 of this rule.
- (3) “Accredited preparatory state or zone” means a state or zone that is classified by the United States Department of Agriculture as accredited preparatory state or zone under 9 CFR Part 77, Subpart B.
- (4) “Cattle and bison not known to be affected” means all cattle and bison except those originating from tuberculosis affected herds or from herds containing tuberculosis suspect cattle or bison.
- (5) “Modified accredited advanced state or zone” means a state or zone that is classified by the United States Department of Agriculture as a modified accredited advanced state or zone under 9 CFR Part 77, Subpart B.
- (6) “Modified accredited state or zone” means a state or zone that is classified by the United States Department of Agriculture as a modified accredited state or zone under 9 CFR Part 77, Subpart B.
- (7) “Negative animal” means cattle and bison that are classified as negative for tuberculosis in accordance with this article and the bovine TB UM&R.
- (8) “Nonaccredited state or zone” means a state or zone that is classified by the United States Department of Agriculture as a nonaccredited state or zone under 9 CFR Part 77, Subpart B.
- (9) “Suspect cattle and bison” means cattle or bison that meet one (1) of the following descriptions:
 - (A) Show a response to the caudal fold tuberculin test and are not classified as reactor.
 - (B) Have been classified as suspect by comparative cervical tuberculin tests, the bovine interferon gamma

assay, or any other official test for tuberculosis.

(b) Whenever a tuberculosis test is required under this rule, the test requirement shall be for animals that are test eligible animals as defined in subsections (c) and (d), unless indicated otherwise in the rule.

(c) For purposes of herd accreditation and reaccreditation testing, test eligible cattle or bison means the following:

- (1) Cattle and bison of all ages in accreditation preparatory states or zones.
- (2) Cattle and bison twelve (12) months of age and older in a modified accredited state or zone.
- (3) Cattle and bison eighteen (18) months of age and older, as evidenced by the loss of the central deciduous incisors, in modified accredited advanced states or zones.
- (4) Cattle and bison twenty-four (24) months of age and older, as evidenced by the central incisors being fully erupted and in wear, in an accredited free state or zone.

(d) For purposes of moving animals, test eligible cattle or bison means the following:

- (1) Sexually intact female cattle of dairy breeds of all ages from any state or zone.
- (2) Cattle and bison of all ages from accreditation preparatory states or zones.
- (3) Cattle and bison of all ages except those under two (2) months of age originating from a herd that had a negative tuberculosis herd test of all animals twelve (12) months of age and older within the past year from modified accredited states or zones.
- (4) Cattle and bison eighteen (18) months of age and older from modified accredited advanced states or zones.
- (5) Cattle and bison from accredited free states and zones need not be tested except that cattle and bison moving from a herd that is not accredited to an accredited herd must be tested within sixty (60) days of the movement.

(e) The general provisions in 345 IAC 2.5-2 apply throughout this rule. (*Indiana State Board of Animal Health; 345 IAC 2.5-3-1*)

345 IAC 2.5-3-2 Moving cattle and bison into the state

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 2. (a) A person may move cattle and bison into the state only if the requirements of this rule and 345 IAC 1-3 are met. The following apply to all cattle and bison entering the state:

(1) Before cattle or bison are moved into the state, the owner must obtain a permit from the board under 345 IAC 1-3-4. Permits may be obtained by calling the board at (317) 227-0316.

(2) Cattle and bison entering the state must be accompanied by a certificate as required in 345 IAC 1-3-4. Certificates accompanying cattle and bison must indicate the following:

- (A) The name and address of the owner of the herd of origin.
 - (B) The name and address of the destination.
 - (C) The permit number issued by the state veterinarian.
 - (D) A description of the animals.
 - (E) The official identification of each animal.
 - (F) The date conducted and results of any tests for diseases, including tuberculosis, conducted on the animals.
 - (G) The herd status, if any, of the herd of origin including the date or dates of any herd tests.
 - (H) Any other health information relevant to the shipment of the animals or otherwise required by law.
- (3) Cattle and bison must be individually identified prior to movement into the state as specified in 345 IAC 1-3-3.

(b) Reactor cattle and bison may not be moved into the state unless they are moved directly to an approved slaughtering establishment in a manner that meets the requirements for reactors in 9 CFR 77.17. Exposed cattle and bison may not be moved into the state unless they are moved directly to an approved slaughtering establishment in a manner that meets the requirements for exposed animals in 9 CFR 77.17. Suspect cattle and

bison may not be moved into the state unless they are moved directly to an approved slaughtering establishment in a manner that meets the requirements for suspect cattle and bison in 9 CFR 77.17.

(c) A person may move into the state sexually intact female cattle of dairy breeds originating from any state or zone only under one (1) of the following conditions:

- (1) The animals are moved directly to an approved slaughtering establishment for slaughter or are moved through one (1) approved livestock facility and then direct to slaughter.
- (2) The animals originate from an accredited herd and the accredited herd has completed the tuberculosis testing necessary for accredited status with negative results within one (1) year prior to the date of movement into the state.
- (3) If the animals are moved into the state to an exhibition and are moved back out of the state within ten (10) days of arrival, the requirements in subsections (d) through (h) apply.
- (4) The animals are moved in accordance with a commuter herd agreement under subsection (i).
- (5) Each animal, without regard to its age, has tested negative for tuberculosis on an official test conducted within the sixty (60) days immediately prior to the animal entering the state. But, animals to be moved need not be retested if they were tested negative for tuberculosis as a part of a herd tuberculosis test at their herd of origin within the six (6) months prior to the movement into the state.

(d) A person may move into the state cattle and bison other than animals described in subsection (c) that originate from accredited-free states or zones.

(e) A person may move into the state cattle and bison other than animals described in subsection (c) that originate from modified accredited advanced states or zones if the animals are not infected with and have not been exposed to tuberculosis, and one (1) of the following conditions is met:

- (1) The animals are moved directly to an approved slaughtering establishment for slaughter or are moved through one (1) approved livestock facility and then direct to slaughter only.
- (2) The cattle or bison are steers or spayed heifers and are officially identified or officially identified by premises of origin identification.
- (3) The cattle or bison originate from an accredited herd and the accredited herd has completed the tuberculosis testing necessary for accredited status with negative results within two (2) years prior to the date of movement into the state.
- (4) The cattle and bison are sexually intact animals that are not from an accredited herd, and each animal has tested negative for tuberculosis on an official test conducted within the sixty (60) days immediately prior to the animal entering the state. But, animals to be moved need not be retested if they were tested negative for tuberculosis as a part of a herd tuberculosis test at their herd of origin within the six (6) months prior to the movement into the state.

(f) A person may move into the state cattle and bison other than animals described in subsection (c) that originate from modified accredited states or zones if the animals are not infected with and have not been exposed to tuberculosis and one (1) of the following conditions is met:

- (1) The animals are moved directly to an approved slaughtering establishment for slaughter or are moved through one (1) approved livestock facility and then direct to slaughter only.
- (2) The cattle or bison are steers or spayed heifers that are officially identified or identified by official premises of origin identification and each animal has tested negative for tuberculosis on an official test within the sixty (60) days immediately prior to the animal entering the state.
- (3) The cattle and bison originate from an accredited herd and the accredited herd has completed the tuberculosis testing necessary for accredited status with negative results within one (1) year prior to the date of movement into the state.
- (4) The cattle and bison are sexually intact animals that are not from an accredited herd and meet each of the following requirements:
 - (A) The animal originated from a herd that tested negative for tuberculosis to a herd test of animals twelve (12) months of age and older conducted within one (1) year prior to the date of movement into the state.
 - (B) Each animal that is two (2) months of age or older has tested negative for tuberculosis on an official test conducted within the sixty (60) days immediately prior to the animal entering the state. But, animals to be

moved need not be retested if they were tested negative for tuberculosis as a part of a herd tuberculosis test at their herd of origin within the six (6) months prior to the movement into the state.

(g) A person may move into the state cattle and bison other than animals described in subsection (c) that originate from accreditation preparatory states or zones if the animals are not infected with and have not been exposed to tuberculosis, and one (1) of the following conditions is met:

(1) The animals are moved directly to an approved slaughter establishment for slaughter or are moved through one (1) approved livestock facility and then direct to slaughter only.

(2) The cattle or bison are steers or spayed heifers that are officially identified or identified by official premises of origin identification, that originate from a herd that tested negative for tuberculosis to a herd test conducted within one (1) year prior to the date of movement into the state, and each animal has tested negative for tuberculosis on an official test within the sixty (60) days immediately prior to the animal entering the state. But, animals to be moved need not be retested if they were tested negative for tuberculosis as a part of a herd tuberculosis test at their herd of origin within the six (6) months prior to the movement into the state.

(3) The cattle and bison originate from an accredited herd, the accredited herd has completed the tuberculosis testing necessary for accredited status within one (1) year prior to the date of movement, and each animal in the shipment has tested negative for tuberculosis on an official test within the sixty (60) days immediately prior to the animal entering the state.

(4) The cattle and bison are sexually intact animals that are not from an accredited herd and meet each of the following requirements:

(A) The herd from which the animals originated tested negative for tuberculosis to a herd test conducted within one (1) year prior to the date of movement into the state.

(B) Each animal has tested negative for tuberculosis twice on official tests conducted between sixty (60) and one hundred eighty (180) days apart, with the second test conducted not more than sixty (60) days immediately prior to the animal entering the state. But, the second test is not required if the animals are moved interstate within six (6) months following the herd of origin test and one (1) additional negative test of the animal is conducted after the herd test and within sixty (60) days of the movement.

(h) A person may move into the state cattle and bison that originate from a nonaccredited state or zone if the animals are:

(1) not infected with and have not been exposed to tuberculosis;

(2) moved directly to an approved slaughter establishment for slaughter; and

(3) accompanied by a permit and moved in a conveyance that has been sealed with an official seal.

(i) Cattle or bison that are members of a recognized and approved commuter herd may be moved interstate in accordance with the applicable commuter herd agreement. Animals must move directly from property owned or leased by the herd owner to property owned or leased by the same owner under the terms of an approved herd commuter agreement. The state veterinarian may accept applications for commuter herd recognition and issue approvals for commuter herd movements under an approved commuter herd agreement as follows:

(1) Movements must be without change of ownership.

(2) Movements must be a part of and within the normal operations of a production system.

(3) The commuter herd agreement must address and may waive or alter the requirements in 345 IAC 1-3 for permits to enter the state, animal identification, and certificates of veterinary inspection and the requirements in this article for tuberculosis testing.

(4) The owner must keep records of all movements for at least five (5) years, present the records to state or federal officials for inspection upon request, and submit reports as required by the commuter herd agreement. Commuter herd agreements shall be for a period of one (1) year and must be reviewed and renewed annually to remain in effect.

(j) The state veterinarian may permit the movement of any animal, including reactor, exposed, or quarantined cattle and bison, into the state for the purpose of research or disposal or to further the purposes of this article.

(Indiana State Board of Animal Health; 345 IAC 2.5-3-2)

345 IAC 2.5-3-3 Intrastate movement of cattle and bison

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 3. Except as provided in sections 4 and 6 through 9 of this rule, a tuberculosis test is not required to move cattle and bison intrastate. (Indiana State Board of Animal Health; 345 IAC 2.5-3-3)

345 IAC 2.5-3-4 Accredited herd status for cattle and bison herds

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 4. (a) Owners of cattle and bison herds in the state may obtain and maintain an accredited herd status for tuberculosis by complying with the requirements in this section. The state veterinarian may suspend or revoke an accredited herd status if:

- (1) tuberculosis is indicated in a herd; or**
- (2) the requirements of this rule are not met.**

(b) To qualify for accredited herd status the owner of a cattle or bison herd must do each of the following:

- (1) Complete, sign, and abide by the terms of an accredited herd status agreement provided by the state veterinarian.**
- (2) Procure the services of an accredited veterinarian to test each animal in the herd for tuberculosis twice, the second tuberculosis test to be conducted between three hundred sixty-five (365) and four hundred twenty-five (425) days after the first test is conducted. All animals in the herd must test negative for tuberculosis.**
- (3) All animals added to the herd meet the requirements in subsection (e).**

The state veterinarian shall issue the owner of an accredited herd an accreditation certificate or notice indicating the accredited herd status. Herd accreditation status is valid for three hundred sixty-five (365) days from the date it is earned and then it expires.

(c) The owner of a herd that is accredited may maintain the herd's accredited status by procuring the services of an accredited veterinarian to test each animal in the herd for tuberculosis. The reaccreditation herd test must be completed between ninety (90) days prior to and ninety (90) days after the date that the herd's accredited herd status expires under subsection (b).

(d) A herd that is being tested for accreditation or reaccreditation must tuberculosis test the following animals:

- (1) All cattle and bison twenty-four (24) months of age and older as evidenced by the central incisors being fully erupted and in wear.**
- (2) Any cattle and bison other than natural additions that are under twenty-four (24) months of age.**
- (3) In a herd that has completed the two (2) annual tuberculosis tests required of high risk herds, the two (2) annual negative tests will requalify a herd for accreditation.**

All natural additions shall be identified and recorded on the test report as members of the herd at the time of the annual test.

(e) Animals that are added to an accredited herd must be from an accredited herd located in an accredited-free state, zone, or region that has been recognized as accredited free by the United States Department of Agriculture more than five (5) years ago or originate directly from a state, zone, or region and meet the tuberculosis testing requirements as indicated in the bovine TB UM&R, Part IV, B – Accredited Herd Plan for Cattle or Bison – Additions.

(f) Animals added shall not receive accredited herd status for sale purposes until they meet the requirements in the bovine TB UM&R, Part IV, B – Accredited Herd Plan for Cattle or Bison – Additions.

(g) Semen for artificial insemination in accredited herds must be from sires:

- (1) in accredited herds; or**
- (2) with a negative result on an official test for tuberculosis performed within twelve (12) months prior to the date of the semen collection.**

(Indiana State Board of Animal Health; 345 IAC 2.5-3-4)

345 IAC 2.5-3-5 Classification of cattle and bison tested

Authority: IC 15-2.1-3-19

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

Sec. 5. Cattle and bison tested for tuberculosis shall be classified according to the bovine TB UM&R, Part III – Bovine: Standard Procedures (Minimum Requirements). The state veterinarian shall determine final tuberculosis classification of any animal or herd. *(Indiana State Board of Animal Health; 345 IAC 2.5-3-5)*

345 IAC 2.5-3-6 Reactor and exposed cattle and bison

Authority: IC 15-2.1-3-19

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

Sec. 6. (a) Reactor cattle and bison shall remain quarantined until the state veterinarian authorizes one (1) of the following dispositions:

(1) The reactor cattle and bison are moved directly to:

- (A) an approved slaughter plant;**
- (B) a research laboratory; or**
- (C) an approved disposal site.**

No other animals may be moved with reactor cattle and bison unless they also are delivered to the same destination as the reactor animals.

(2) Reactor animals may be destroyed on the premises or in a postmortem examination facility under the direct supervision of a state or federal official.

(b) Reactor cattle and bison must be identified by attaching to the left ear a tag approved by the state veterinarian that identifies the animal as a reactor and must be further identified using one (1) of the following methods:

(1) Each animal is identified by branding high on the left hip near the tailhead the letter “T”, not less than two

(2) inches high and not more than three (3) inches high.

(2) The animal is moved in a vehicle closed by an official seal applied by a state or federal official and is removed from the vehicle only after the seal is removed by a state or federal official or their officially designated agent, each animal is identified with the letters “TB” sprayed on the left hip with yellow paint, and the animal is moved in:

- (A) an officially sealed vehicle that is accompanied to its destination by a state or federal official, or their agent; or**
- (B) a vehicle without a state or federal agent accompanying the vehicle and the letters “TB” are tattooed legibly in the left ear of the animal.**

(c) Exposed cattle and bison shall remain on the premises where tuberculosis is disclosed until the state veterinarian authorizes their movement. The state veterinarian may authorize the movement of exposed cattle and bison directly to an approved slaughter establishment, a rendering plant, a research laboratory, or an approved disposal site. The state veterinarian may authorize feeder calves that have tested negative for tuberculosis within the past sixty (60) days to move to a quarantined feedlot. No other animals may be moved with exposed cattle and bison unless they also are delivered to the same destination as the exposed animals.

(d) Exposed cattle and bison must be identified by attaching to an ear a tag approved by the state veterinarian that identifies the animal as exposed and must be further identified using one (1) of the following methods:

(1) Each animal is identified by branding high on the left hip near the tailhead the letter “S”, not less than two (2) inches and not more than (3) inches high.

(2) When the animal is moved, the animal is moved in a vehicle:

- (A) that is accompanied to its destination by a state or federal official; or**
- (B) closed by an official seal issued by the state veterinarian or a federal official and is removed from the vehicle only after the seal is removed by a state or federal official, or their officially designated agent.**

(e) Animals other than cattle and bison that are exposed animals must be identified by attaching to an ear a tag approved by the state veterinarian that identifies the animal as exposed. All such animals shall be transported to the place of destruction in a vehicle that is either officially sealed or that is accompanied by a state or federal official. Animals that are destroyed and disposed of under direct supervision of a state or federal official on the premises where the animals were exposed do not require individual identification.

(f) After any animal is moved under the terms of this section, the means of conveyance must be cleaned and disinfected with a disinfectant approved by the state veterinarian and under the supervision of the state veterinarian. If at the animal's destination such proper cleaning and disinfecting facilities are not available, the state veterinarian may approve the transportation of the empty means of conveyance to a location where proper cleaning and disinfecting is possible. The state veterinarian may allow such movement only if it does not significantly increase the risk of spreading tuberculosis. (*Indiana State Board of Animal Health; 345 IAC 2.5-3-6*)

345 IAC 2.5-3-7 Tuberculosis affected herds

Authority: IC 15-2.1-3-19

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

Sec. 7. (a) The state veterinarian shall quarantine all herds in which reactor cattle and bison are found. The state veterinarian shall conduct an epidemiological investigation whenever facts suggest tuberculosis may be present in animals in the state or from the state. Affected herds shall remain under quarantine until such time as the state veterinarian releases the quarantine.

(b) Feeder calves under twelve (12) months of age from quarantined herds may be moved intrastate to an approved feedlot if each animal to be moved has tested negative for tuberculosis using the caudal fold tuberculin (CF) test within the sixty (60) days prior to movement.

(c) The state veterinarian may release a tuberculosis quarantine of a herd in which tuberculosis infection has been confirmed when the following conditions are met:

(1) All reactors have been condemned and removed from the herd.

(2) The remaining animals in the herd test negative for tuberculosis as follows:

(A) A herd tuberculosis test followed by a second tuberculosis test conducted between sixty (60) and one hundred twenty (120) days after the first, and a third tuberculosis test is conducted between one hundred eighty (180) and two hundred forty (240) days after the first herd test.

(B) An annual herd tuberculosis test is conducted in each of the three (3) years following the year in which the tests in clause (A) are conducted.

(3) If the herd is in an area where tuberculosis is known to affect one (1) or more species of wildlife, the herd owner shall develop a herd plan that will mitigate the exposure of the herd to tuberculosis and submit the plan to the state veterinarian for approval. The state veterinarian shall evaluate the herd plan and approve plans that will likely mitigate exposure to tuberculosis.

(4) The premises is cleaned and disinfected under subsection (g).

All animals moved from the premises prior to quarantine release shall be moved directly to slaughter under a permit issued by the state veterinarian.

(d) The state veterinarian may release a tuberculosis quarantine of a herd in which:

(1) no gross lesion (NGL) reactor or reactors occur;

(2) selected tissues are found negative on histopathology; and

(3) no evidence of *Mycobacterium bovis* infection has been disclosed;

after a negative retest of the entire herd is completed at least sixty (60) days after the slaughter of the NGL reactors. The state veterinarian may waive the retest requirement if advised to do so by the United States Department of Agriculture.

(e) The state veterinarian may release a tuberculosis quarantine of any herd if:

(1) the entire herd is depopulated and the premises is cleaned and disinfected under subsection (g); and

(2) any waiting period established under subsection (h) is satisfied.

(f) Herds in which at least one (1) suspect and no reactor animals are disclosed may be released after:

- (1) all suspects are retested and classified negative or shipped directly to slaughter under supervision of the state veterinarian; and
- (2) no evidence of tuberculosis infection is found in antemortem testing and examination and the epidemiological investigation.

(g) Premises where reactor cattle or bison have been maintained shall be thoroughly cleaned and disinfected with a disinfectant approved by the state veterinarian and in a manner approved by the state veterinarian. Cleaning and disinfection must be completed within fifteen (15) days after the last reactor is removed from the premises unless the state veterinarian grants an extension of time. The state veterinarian may grant an extension of time for cleaning and disinfecting if an extension will not impair effective disease control.

(h) The state veterinarian may order a premises or a portion of the premises remain vacant for up to sixty (60) days after cleaning and disinfecting is completed before any animals are moved to the premises or portion of a premises if necessary to ensure tuberculosis control and eradication.

(i) Herds containing suspect cattle and bison shall be quarantined until all suspect animals are tested and classified negative for tuberculosis or are shipped directly to a slaughtering establishment under permit issued by the state veterinarian. Suspect animals shall be evaluated as follows:

(1) Suspects in herds containing only animals that are suspects on the caudal fold tuberculin (CFT) test may be released from quarantine when the suspect animals:

(A) test negative for tuberculosis using the comparative cervical test (CCT) within ten (10) days of the caudal fold injection;

(B) are retested and found to be negative for tuberculosis using the comparative cervical test sixty (60) or more days after the caudal fold test injection;

(C) are retested negative for tuberculosis on the bovine interferon gamma assay tuberculin test within thirty (30) days of the caudal fold injection if the state veterinarian has approved the use of the bovine interferon gamma assay test; or

(D) are shipped to a slaughtering establishment under permit issued by the state veterinarian and examined for tuberculosis postmortem.

(2) An animal that is suspect for tuberculosis using the comparative cervical test meets one (1) of the following sets of criteria:

(A) The animal is retested using the comparative cervical test more than sixty (60) days after the prior comparative cervical injection.

(B) The animal is shipped directly to a slaughtering establishment under permit issued by the state veterinarian.

(3) The state veterinarian may classify an animal a reactor if the animal tests in the suspect zone on two (2) successive comparative cervical tests or positive on two (2) successive bovine interferon gamma assay tests.

(4) Animals positive on the bovine interferon gamma assay tuberculin test and classified as suspects must meet one (1) of the following sets of criteria:

(A) The animal is retested negative on the bovine interferon gamma assay test within thirty (30) days of the caudal fold test injection with approval of the state veterinarian.

(B) The animal is shipped directly to a slaughtering establishment under permit issued by the state veterinarian.

(j) Postmortem examinations of animals under this article shall be witnessed by a state or federal official and selected tissue specimens, including any tissue with granulomatous appearing lesions and representative head and thoracic lymph nodes, will be submitted for laboratory examination.

(k) The state veterinarian may order the following animals tested for tuberculosis:

(1) All cattle and bison in a herd from which a reactor originated and all animals that are known to have associated with reactor cattle or bison.

(2) Livestock herds within a ten (10) mile radius of the location of livestock or free ranging wildlife that is diagnosed with bovine tuberculosis.

(3) Animals in herds that are adjacent to the location of suspect or exposed animals.

(4) Animals in herds that received or otherwise had contact with reactor, suspect, or exposed animals.

Nothing in this subsection is intended to limit the authority of the state veterinarian to order tuberculosis tests under any other section of this article or any other law. (*Indiana State Board of Animal Health; 345 IAC 2.5-3-7*)

345 IAC 2.5-3-8 Source herds and exposed animals

Authority: IC 15-2.1-3-19

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

Sec. 8. (a) The state veterinarian shall quarantine a herd that is the source of an animal that tests positive for tuberculosis at slaughter. The source herd shall be tested for tuberculosis as directed by the state veterinarian.

(b) Testing of herds that are the source of animals found to have lesions of tuberculosis at slaughter shall be by state or federal veterinarians. The caudal fold tuberculin (CFT) test shall be used and, if the herd is identified as the herd of origin, animals responding to the CFT test shall be classified as reactors. If the herd is not positively identified as the herd of origin, animals responding to the CFT test may be retested using the CCT test or the bovine interferon gamma assay.

(c) Testing of herds that are the source of animals found to be reactors in affected herds shall be by state or federal veterinarians using the caudal fold tuberculin (CFT) test. Responding animals may be classified as reactors. Animals classified as suspects may be retested by the CCT test or the bovine interferon gamma assay.

(d) The state veterinarian shall quarantine herds containing known tuberculosis exposed animals until the tuberculosis status of the exposed animals has been determined by at least one (1) negative cervical tuberculin test or by postmortem examination. (*Indiana State Board of Animal Health; 345 IAC 2.5-3-8*)

345 IAC 2.5-3-9 Special retest of high risk herds

Authority: IC 15-2.1-3-19

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

Sec. 9. (a) The owner of a herd where tuberculosis infection has been confirmed but the herd is not depopulated must complete the requirements in this subsection after the quarantine is released. The herd owner must procure the services of an accredited veterinarian to test each animal in the herd for tuberculosis annually for the next two (2) consecutive years. The first test must be conducted not less than three hundred sixty (360) days and not more than one hundred ninety (190) days after the quarantine release and the second test one (1) year thereafter.

(b) In herds with a history of lesions suspicious of bovine tuberculosis (not confirmed), two (2) complete annual herd tests shall be applied after release of quarantine. The first test must be applied approximately one (1) year after release of quarantine.

(c) After a herd is completely depopulated because of tuberculosis, a new herd may be assembled on the same premises, but the owner of the new herd shall procure the services of an accredited veterinarian to test each animal in the new herd as follows:

(1) Each animal in the herd must be tested between one hundred fifty (150) and one hundred eighty (180) days after the date the first animal in the new herd entered the premises.

(2) One (1) year after the testing required in subdivision (1) is completed, each animal in the herd must be tested.

If the premises that contained the former affected herd is left empty of all animals for not less than one (1) year prior to assembly of the new herd, the state veterinarian may waive some or all of the requirements in this subsection if such waiver is consistent with the purpose of this article.

(d) Exposed animals previously sold from a known infected herd shall be depopulated with indemnity if possible. But, if the exposed animals are not depopulated, only the single cervical test (SCT) shall be used as the

initial test. All responding animals shall be classified as reactors. If negative to the single cervical test, the exposed animals shall be treated as if they are part of the infected herd of origin for the purpose of testing, quarantine release, and the two (2) annual high-risk tests under this rule. The remainder of the herd shall be retested in one (1) year as described in subdivision (2). The remainder of the receiving herd shall be tested for tuberculosis as follows:

(1) If lesions of tuberculosis (based on histopathologic examination) are found in the exposed animals, the remainder of the herd shall be depopulated or tested with the single cervical test.

(2) In all other cases, the remainder of the herd shall be tested using the caudal fold test. The responding animals may be classified as suspects and retested with the comparative cervical test.

(Indiana State Board of Animal Health; 345 IAC 2.5-3-9)

Rule 4. Tuberculosis Control in Goats

345 IAC 2.5-4-1 Definitions

Authority: IC 15-2.1-3-19

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

Sec. 1. (a) The definitions in 345 IAC 2.5-1 and the following definitions apply throughout this rule:

(1) “Accredited-free state or zone” means a state or zone that is classified by the United States Department of Agriculture as an accredited-free state or zone under 9 CFR Part 77, Subpart B.

(2) “Accredited herd” means a herd that has met the requirements in section 4 of this rule.

(3) “Accredited preparatory state or zone” means a state or zone that is classified by the United States Department of Agriculture as accredited preparatory state or zone under 9 CFR Part 77, Subpart B.

(4) “Goats not known to be affected” means all goats except those originating from tuberculosis affected herds or from herds containing tuberculosis suspect goats.

(5) “Modified accredited advanced state or zone” means a state or zone that is classified by the United States Department of Agriculture as a modified accredited advanced state or zone under 9 CFR Part 77, Subpart B.

(6) “Modified accredited state or zone” means a state or zone that is classified by the United States Department of Agriculture as a modified accredited state or zone under 9 CFR Part 77, Subpart B.

(7) “Negative goat” means goats that are classified as negative for tuberculosis in accordance with the bovine TB UM&R.

(8) “Nonaccredited state or zone” means a state or zone that is classified by the United States Department of Agriculture as a nonaccredited state or zone under 9 CFR Part 77, Subpart B.

(9) “Suspect goats” means goats that are classified as a tuberculosis suspect animal in accordance with the bovine TB UM&R.

(b) The general provisions in 345 IAC 2.5-2 apply throughout this rule.

(c) Tuberculosis control and eradication in goats is a goal of the board. *(Indiana State Board of Animal Health; 345 IAC 2.5-4-1)*

345 IAC 2.5-4-2 Moving goats into Indiana

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 2. (a) A person moving goats into the state shall follow the requirements for moving goats in 345 IAC 1-3.

(b) Reactor goats may not be moved into the state unless they are moved directly to an approved slaughtering establishment in a manner that meets the requirements for reactor cattle in 9 CFR 77.17.

(c) Exposed goats may not be moved into the state unless they are moved directly to an approved slaughtering establishment in a manner that meets the requirements for exposed cattle in 9 CFR 77.17.

(d) Suspect goats may not be moved into the state unless they are moved directly to an approved slaughtering establishment in a manner that meets the requirements for suspect cattle in 9 CFR 77.17.

(e) The state veterinarian may permit the movement of any animal, including reactor, exposed, or quarantined goats, into the state for the purpose of research or disposal or to further the purposes of this article. (*Indiana State Board of Animal Health; 345 IAC 2.5-4-2*)

345 IAC 2.5-4-3 Intrastate movement of goats

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 3. Except as provided in sections 4 and 6 of this rule, a tuberculosis test is not required to move goats intrastate. (*Indiana State Board of Animal Health; 345 IAC 2.5-4-3*)

345 IAC 2.5-4-4 Accredited herd status for goat herds

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 4. (a) Owners of goat herds in the state may obtain and maintain an accredited herd status for tuberculosis by complying with the requirements in this section.

(b) To qualify for accredited herd status the owner of a goat herd must do each of the following:

(1) Complete, sign, and abide by the terms of an accredited herd status agreement provided by the state veterinarian.

(2) Procure the services of an accredited veterinarian to test each animal in the herd for tuberculosis twice, the second tuberculosis test to be conducted between three hundred sixty-five (365) and four hundred twenty-five (425) days after the first test is conducted. All animals in the herd must test negative for tuberculosis.

(3) All animals added to the herd meet the requirements in subsection (e).

The state veterinarian shall issue the owner of an accredited herd an accreditation certificate or notice indicating the accredited herd status. Herd accreditation status is valid for three hundred sixty-five (365) days from the date it is earned and then it expires.

(c) The owner of a herd that is accredited may maintain the herd's accredited status by procuring the services of an accredited veterinarian to test each animal in the herd for tuberculosis. The reaccreditation herd test must be completed between sixty (60) days prior to and sixty (60) days after the date that the herd's accredited herd status expires under subsection (b).

(d) A herd that is being tested for accreditation or reaccreditation must tuberculosis test the following animals:

(1) All goats twelve (12) months of age and older.

(2) All natural additions shall be identified and recorded on the test report as members of the herd at the time of the annual test even if they are less than twelve (12) months of age and not tested.

(e) Animals that are added to a herd must meet one (1) of the following sets of criteria:

(1) Originate from an accredited herd.

(2) Originate from a herd that is located in a modified accredited area that has passed a herd tuberculosis test of all animals twelve (12) months of age and older conducted within twelve (12) months immediately prior to the animal entering the herd. Each individual animal that is to be added to the accredited herd must test negative for tuberculosis within the sixty (60) days immediately prior to the animal entering the herd.

(3) Originate from a herd that is located in a modified accredited state or zone that does not meet the requirements of subdivision (1) or (2), each individual animal that is to be added to the accredited herd tests negative for tuberculosis within the sixty (60) days immediately prior to the animal entering the premises and must be kept in isolation from all members of the accredited herd until the animal tests negative for tuberculosis more than sixty (60) days after the date of entry onto the premises.

Animals added under subdivision (2) or (3) shall not receive accredited herd status for sale purposes until they

have been members of the herd at least sixty (60) days and have been retested negative for tuberculosis at least sixty (60) days after entry into the herd. (*Indiana State Board of Animal Health; 345 IAC 2.5-4-4*)

345 IAC 2.5-4-5 Classification of goats tested

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 5. Goats tested for tuberculosis shall be classified according to the bovine TB UM&R, Part III – Standard Procedures (Minimum Requirements). The state veterinarian shall determine final tuberculosis classification of any animal or herd. (*Indiana State Board of Animal Health; 345 IAC 2.5-4-5*)

345 IAC 2.5-4-6 Reactor, exposed, and high-risk animals

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13

Sec. 6. The procedures in 345 IAC 2.5-3-6 through 345 IAC 2.5-3-9 for cattle apply to goats. (*Indiana State Board of Animal Health; 345 IAC 2.5-4-6*)

SECTION 4. 345 IAC 7-5-12 IS AMENDED TO READ AS FOLLOWS:

345 IAC 7-5-12 Tuberculosis control in cattle and bison

Authority: IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-15-14

Sec. 12. All out of state cattle and bison originating from outside the state and entering the state for exhibition shall have passed a negative test for meet the tuberculosis within sixty (60) days prior to the opening date of the exhibition, except:

(1) Cattle from accredited herds (accrediting date must be listed on health certificate):

(2) Cattle under 180 days of age:

(3) Cattle from accredited-free states:

Note: Animals offered for sale at exhibition must meet import control requirements of state of destination: in 345 IAC 2.5-3-2 prior to exhibition. (*Indiana State Board of Animal Health; Reg 77-2, Title III, Sec 1; filed Jul 21, 1978, 2:30 p.m.: 1 IR 567; filed May 2, 1983, 10:03 a.m.: 6 IR 1036; filed May 21, 1984, 3:20 p.m.: 7 IR 1714; filed Feb 15, 1985, 9:05 a.m.: 8 IR 791; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895*)

SECTION 5. THE FOLLOWING ARE REPEALED: 345 IAC 1-3-6.5; 345 IAC 1-3-9; 345 IAC 2-4.1.

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on October 7, 2004 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 rules concerning tuberculosis control in animals moved into Indiana, tuberculosis control in cattle, bison, and goats, and the exhibition of animals. 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