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

**Proposed Rule**  
LSA Document #04-287

**DIGEST**

Amends 345 IAC 1-3-31 to allow a person to move carcasses or parts thereof of certain species of cervidae into the state if certain materials are not attached or included in the movement or the carcass and parts are moved to certain regulated businesses and to require businesses that accept the carcasses of certain species of cervidae that originate out of state to dispose of discarded tissue and parts in a specified manner. Effective 30 days after filing with the secretary of state.

**345 IAC 1-3-31**

SECTION 1. 345 IAC 1-3-31 IS AMENDED TO READ AS FOLLOWS:

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

**Authority:** IC 15-2.1-3-19

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

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

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

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

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

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

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

~~(A) Deboned meat.~~

**(A) The head.**

**(B) The spinal cord.**

**(C) The small intestine.**

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

~~(A) A meat processor inspected under IC 15-2.1-24 for processing.~~

~~(B) A commercial deer processor registered with the Indiana department of natural resources under 312 IAC 9-3-10 for processing.~~

~~(C) A taxidermist licensed by the Indiana department of natural resources under IC 14-22-21.~~

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

~~(A) Antlers, including antlers attached to skull caps, if the skull cap is cleaned of all brain and muscle tissue.~~

~~(B) Hides.~~

~~(C) Upper canine teeth, also known as "buglers", "whistlers", or "ivories".~~

~~(F)~~ Heads if they are delivered to a taxidermist licensed by the Indiana department of natural resources within seventy-two (72) hours after entry.

~~(G)~~ **(D)** Finished taxidermist mounts.

~~(3)~~ **(5)** A person licensed as a disposal plant or collection service under IC 15-2.1-16 may move carcasses and parts into the state if the carcasses and parts are moved directly to a licensed disposal plant.

~~(4)~~ **(6)** Samples taken for disease control purposes may be moved directly to a diagnostic laboratory.

~~(5)~~ **(7)** The state veterinarian may permit the movement of any carcass or part into the state for the purpose of research or to facilitate the:

**(A)** diagnosis;

**(B)** treatment;

**(C)** prevention; or

**(D)** control;

of disease.

(c) A meat plant accepting live animals for slaughter under section 30 of this rule ~~or carcasses under subsection (b)(2)(D) and a taxidermist~~ **any person** accepting carcasses under subsection ~~(b)(2)(F)~~ **(b)(3)** must dispose of discarded tissue **and parts** from the animals **as follows:**

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

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

*(Indiana State Board of Animal Health; 345 IAC 1-3-31; filed Sep 5, 2003, 8:41 a.m.: 27 IR 89)*

### ***Notice of Public Hearing***

*Under IC 4-22-2-24, notice is hereby given that on April 21, 2005 at 9:50 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 that will allow a person to move carcasses or parts thereof of certain species of cervidae into the state if certain materials are not attached or included in the movement or the carcass and parts are moved to certain regulated businesses and to require businesses that accept the carcasses of certain species of cervidae that originate out of state to dispose of discarded tissue and parts in a specified manner. 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