

WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2  
1965

GENERAL INDEX  
for  
Series XIII-XIIIa

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POULTRY

XIII Standards for Quality and Grades for Live Poultry

A or No. 1 Quality, 3.01, 5.01

B or No. 2 Quality, 3.02, 5.02

C or No. 3 Quality, 3.03, 5.03

General, 1, 2.01, 4.01

Grades, 5

No Grade, 5.04

Reject, 3.04

Standards of Quality, 3

XIIIa Rules for Hatcheries, Growers and Contractors Pertaining to Poultry  
Disease Control and Eradication

Breeder Chicks, 2.04

Breeder Turkeys, 2.05

Domesticated Birds, 2.07

Eggs Set, Chicks Hatched, 2.01

Fees, 2.19

Flocks, 2.06

General, 1

Immediate Removal, 2.18

Inshipments, 2.02

Official Blood Test, 2.03, 2.08, 2.09, 2.10, 2.11, 2.12, 2.13, 2.14

Reactors, 2.15, 2.16

Transportation and Labor, 2.17

U.S.D.A. Publication, 2.20

WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2  
Series XIIIa  
1965

Subject: POULTRY - Rules for Hatcheries, Growers and Contractors  
Pertaining to Poultry Disease Control and Eradication.

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Section 1 - GENERAL

1.01 - Scope. These regulations establish general operating rules and procedures in the Poultry Division.

1.02 - Authority. These regulations are issued under authority of Chapter 19, Article 9, Code of West Virginia.

1.03 - Effective Date. These regulations are promulgated and become effective on

1.04 - Filing Date. These regulations were filed in the Office of the Secretary of State on

1.05 - Certification. These regulations are certified authentic by the Secretary of State by certification number

Section 2 - REGULATIONS.

2.01 - All hatcheries shall report weekly the total number of eggs set and the total number of chicks and poults hatched to the Federal-State Crop Reporting Service, State Department of Agriculture, Capitol Building, Charleston, West Virginia.

2.02 - All dealers in baby chicks and broiler contractors shall report the number of inshipments of chicks and poults to the State Department of Agriculture, Capitol Building, Charleston, West Virginia.

2.03 - All hatcheries producing and offering for sale baby chicks and turkey poults shall have their breeder supply flocks officially blood tested for pullorum-typhoid, *Mycoplasma gallisepticum*, *synoviae* and *meleagridis*.

2.04 - All chickens to be used as breeders must be tested when more than five months of age.

2.05 - All turkeys to be used as breeders must be tested when more than four months of age.

2.06 - All flocks shall consist of healthy, normal individuals characteristic of the breed and variety, cross, or other combination which they are stated to represent.

2.07 - All domesticated birds on the premises, with the exception of a flock of unmated layers properly segregated, shall be tested and qualify as pullorum-typhoid, *Mycoplasma gallisepticum*, *synoviae* and *meleagridis* clean.

2.08 - All official tests for pullorum-typhoid, *Mycoplasma gallisepticum*, *synoviae* and *meleagridis* will be made by trained inspectors employed by and under the supervision of the West Virginia Department of Agriculture.

2.09 - The official test for pullorum-typhoid, *Mycoplasma gallisepticum*, *synoviae* and *meleagridis* in chickens shall be the tests recommended by the NPIP (National Poultry Improvement Plan).

2.10 - The official test for pullorum-typhoid, *Mycoplasma gallisepticum*, *synoviae* and *meleagridis* in turkeys shall be the tests recommended by the NPIP.

2.11 - No private or unofficial tests will be permitted.

2.12 - In conducting such official tests the recommended procedures of

the Agricultural Research Service, Animal and Plant Health Inspection Service of the United States Department of Agriculture shall be used.

2.13 - Each lot of pullorum-typhoid, *Mycoplasma gallisepticum*, synoviae and meleagridis antigens used for testing shall be approved by the United States Department of Agriculture.

2.14 - There shall be an interval of at least 21 days between any official blood test and any previous test with *Salmonella* antigen.

2.15 - All reactors shall be considered in determining the classification of a flock.

2.16 - Reactors may be submitted to a state laboratory for autopsy and bacteriological examination. In case such bacteriological examination fails to demonstrate pullorum, typhoid, *Mycoplasma gallisepticum*, synoviae or meleagridis infections, the flock shall be deemed to have had no pullorum, typhoid, *Mycoplasma gallisepticum*, synoviae or meleagridis reactors.

2.17 - Hatcheries shall furnish local transportation for tester. Hatcheries and/or flock owner shall provide necessary labor in handling birds to be selected and tested.

2.18 - Immediate removal of reactors for slaughter shall be made. Disposal of suspects and rejects shall be made within 10 days from date of test and a report made of such disposal.

2.19 - Testing and inspection fee shall be 5½ cents per bird for chickens and turkeys, which includes an officially sealed and numbered leg band. Payment to be made to the State Department of Agriculture on completion of test.

2.20 - The above state regulations covering chicken and turkey testing are intended to supplement the U.S.D.A. publication dated and effective

December 9, 1954, and the regulations for the operation of the National Poultry and Turkey Improvement Plans in West Virginia, as revised March 11, 1955, and under no circumstances are these regulations to be considered as eliminating any of the minimum provisions as outlined in the publication above dated.

WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2  
Series Ic  
1965

Subject: ANIMAL DISEASE CONTROL DIVISION  
West Virginia Health Requirements Governing Admission of Livestock  
and Poultry

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Section 1 - GENERAL

1.01 Scope. These regulations establish general operating rules and procedures in the Animal Disease Control Division.

1.02 Approval. These regulations are issued and approved by Animal Health Division, Director, Animal Disease Control Division.

1.03 Effective Date. These regulations are promulgated and become effective on

1.04 Filing Date. These regulations were filed in the Office of the Secretary of State on

1.05 Certification. These regulations are certified authentic by the Secretary of State by certification number

(1) No animal, including poultry of any species, that is affected with or that has recently been exposed to any infectious, contagious, or communicable disease, or originates from a quarantined area, shall be imported into the state.

(2) A copy of the approved official health certificate shall be forwarded to the Animal Health Division of the State of West Virginia before the arrival of the livestock.

(3) All livestock imported into the state shall be accompanied by an official health certificate which must be attached to the waybill or shall be in the possession of the driver of the vehicle or person in charge of livestock.

(4) Requirements for the exhibition of livestock may be secured by contacting the Animal Health Division official of the State of West Virginia.

(5) All animals covered by these regulations originating from public stockyards or which may be assembled at public stockyards from any sources of unknown origin shall be required to meet regulations of the State of West Virginia before being released.

(6) Livestock entering the state without a proper health certificate shall be held in quarantine at the owner's expense until released by the livestock sanitary official of the State of West Virginia.

(7) WHO MAY INSPECT: Accredited, licensed graduate veterinarians who are approved by the livestock sanitary official of the state of origin and veterinarians in the employ of the United States Department of Agriculture.

(8) WHO MAY APPROVE: All health certificates shall be approved by the livestock sanitary official of the state of origin.

## Section 2 - OFFICIAL HEALTH CERTIFICATE

2.01 An official health certificate is a legible record covering the requirements of the state of destination, accomplished on an official form from the state of origin and approved by the livestock sanitary official of the state of origin and issued by a licensed, graduate, accredited veter-

inarian who is approved by the proper livestock sanitary official of the state of origin.

2.02 The health certificate shall contain the names and the addresses of the consignor and the consignee, with an accurate description or identification of the livestock and shall also indicate the health status of the animals involved including results of required tests as well as dates and vaccination, if any. Health certificates shall be void thirty (30) days after issuance.

2.03 All agglutination tests for brucellosis which are intended for interstate movement shall be made in the state or federal laboratory.

#### Section 3 - SPECIAL PERMITS

3.01 Requests for special permits must be directed to the Animal Health Division official of the State of West Virginia giving such information as number and kind of animals, origin of shipment and the proposed destination.

3.02 All animals entering the State of West Virginia under special permit shall be consigned to a definite legal resident.

3.03 Cattle entering the State of West Virginia under a special permit will be quarantined for a period of not less than ninety (90) days and required at that time to be retested for the disease for which the special permit was granted, at the owner's expense.

3.04 All special permits are void fifteen (15) days after date of issue.

#### Section 4 - OWNERS AND OPERATORS.

4.01 Owners and operators of common carriers, trucks and other conveyances are forbidden to move any livestock into or within the state or through

the state except in compliance with the provisions set forth in these regulations.

4.02 All railway cars, trucks, and other conveyances used for the transportation of livestock and poultry shall be maintained in a sanitary condition.

4.03 Owners and operators of railway cars, trucks and other conveyances that have been used for the movement of any livestock infected with or exposed to any infectious, contagious or communicable disease shall be required to have such cars, trucks and other conveyances thoroughly cleaned and disinfected under official supervision, before further use in permissible for the transportation of livestock.

NOTE: LIVESTOCK. (General Rules under Sections 1, 2, 3, and 4 apply to all subsequent sections).

Section 5 - CATTLE

5.01 Tuberculosis. Cattle for dairy and breeding purposes located in a Tuberculosis Modified Accredited Area may enter the State of West Virginia if they originate directly from:

- (1) Tuberculosis accredited herds.
- (2) Tuberculosis negative herds tested within the previous twelve (12) months that have not been under quarantine for tuberculosis during last 12 months.
- (3) Cattle not meeting requirements outlined in paragraphs 1 and 2, are required to be tested negative within thirty (30) days prior to entry.

5.02 Brucellosis. Cattle for dairy and breeding purposes may enter West Virginia if they originate directly from:

- (1) No test required if the cattle to be imported are members

of a Certified Brucellosis Free Herd.

(a) A post entry test is recommended 45-120 days after being moved into any herd.

(2) All female cattle to be imported that are required to have a negative brucellosis test must be tested if they are unvaccinated and not nursing dam or vaccinated and over 20 months of age if dairy breed or over 24 months of age if of-beef breeds. All official vaccinates must be identified as such to the herd of origin. The herd of origin must be free of quarantine.

(3) Cattle imported from Free States and Class A States.

(a) All cattle must originate from a herd that has been blood tested and negative within 12 months but prior to 90 days of shipment.

(b) The individual test eligible animals to be imported must be blood tested negative within 30 days of shipment.

(4) Cattle imported from a Class B or Class C State.

(a) All cattle must originate from a herd that has been blood tested for brucellosis and negative twice within 12 months but prior to 90 days of shipment. These two herd tests shall be at least 90 days apart.

(b) A prior permit for movement must be obtained from the State Veterinarian's office of the state of destination. (Telephone 348-2214 or 348-2215, Monday thru Friday from 8:00 a.m. - 4:00 p.m.)

(c) The animals to be imported must be identified on the herd tests or be verifiable progeny of the herd.

(d) The individual test eligible animals to be imported must be blood test negative within 30 days of shipment.

(e) The herd test dates shall be recorded on the health certificate.

(f) A post entry retest must be conducted within 60-120 days following shipment.

STOCKER CATTLE FROM FREE STATES AND CLASS A STATES

Mature sexually intact stocker cattle consigned to one of the States livestock auction markets must be negative to brucellosis test at market and quarantined on farm of buyer or agents for 60 days after which animal must found negative to brucellosis.

FEEDER HEIFERS AND BULLS

All sexually intact cattle for feeding purposes shall enter State with official health certificate, permanent identification and placed under quarantine until slaughter or meets with the regulations of the state of destination upon removal. If over 18 months of age breeding cattle regulations must be met.

5.03 Feeder Steers. Tuberculin and brucellosis test not required.

5.04 Scabies. No cattle affected with or exposed to scabies shall be shipped, traileed, driven or otherwise imported into West Virginia for any purpose.

5.05 Immediate Slaughter. Cattle for immediate slaughter, consigned to a recognized slaughtering center or public stockyard where state or federal inspection is maintained, may enter the state without a health certificate.

5.06 Adult vaccinated cattle may move only to slaughter, and on VS-127.

Section 6 - DOGS.

6.01 All dogs imported into the State of West Virginia except for exhibition shall be accompanied by a certificate of health stating that the animal is free from all infectious diseases and did not originate within an area under quarantine for rabies and has not been exposed to such disease; also, that the dog has been immunized against rabies not more than twelve (12) months prior to shipment. Dogs under 5 months of age are exempt.

Section 7 - GOATS.

7.01 Goats for dairy and breeding purposes may enter the state provided they are accompanied by a certificate of health showing a negative test for tuberculosis and come from a brucellosis-free herd and are negative to the agglutination test within thirty (30) days of the date of entry. The health certificate shall contain a full description of each animal giving age, color and markings.

7.02 Immediate Slaughter. Apparently healthy goats may be imported into the State of West Virginia when consigned directly to a recognized public stockyard or a slaughtering establishment where state or federal inspection is maintained.

Section 8 - HORSES, MULES AND ASSES.

8.01 These animals may be imported into the State of West Virginia when accompanied by an official health certificate, showing temperature and an official negative coggins' test within 12 months if from a state with a comparable EIA program, if not within six months.

Section 9 - POULTRY. (See General Rules).

Section 10 - SHEEP.

10.01 All sheep and lambs entering the state for purposes other than immediate slaughter shall be:

(1) Officially dipped within ten (10) days prior to entry if warranted.

(2) Accompanied by a certificate of health indicating that the flock of origin was carefully examined not more than thirty (30) days prior to entry; and, that such examination revealed no scabies, contagious ecthyma (sore mouth), foot rot, or any other contagious, communicable disease.

10.02 Immediate Slaughter: Apparently healthy sheep may be imported into the state when consigned directly to a recognized public stockyard or a slaughtering establishment approved and designated by the United States Department of Agriculture and the livestock sanitary official of the State of West Virginia.

Section 11 - SWINE.

11.01 All swine imported into the State of West Virginia for purposes other than immediate slaughter shall be accompanied by an official health certificate, with identification, indicating that they are free from any symptoms of any infectious or contagious disease.

11.02 Purebred swine for breeding purposes shall comply with Paragraph 11.01.

(1) Brucellosis Test - Breeding swine must be tested for brucellosis and may be imported only if found negative in a dilution of 1:25 by tube test or negative to card test within 30 days prior to date of importation. Tests for brucellosis must be conducted at a state or federal laboratory.

Breeding swine originating from validated brucellosis free herds need not be tested if the health certificate indicates the herd certificate number and date of last herd test.

(2) Pseudorabies Test:

(a) Breeding swine must be tested and be negative by the serum neutralization (SN) test, or other acceptable tests, within 30 days prior to the date of importation, or certification that the swine originated from a qualified pseudorabies negative herd, if the health certificate indicates the herd certificate number and the date of the last test.

(b) Pseudorabies vaccinated swine may not be imported.

11.03 Immediate Slaughter: Swine may be imported for immediate slaughter with a health certificate provided they are consigned directly to a recognized public stockyard or to a slaughtering establishment that is approved and designated by the United States Department of Agriculture, or the livestock sanitary official of the State of West Virginia.

WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2  
Series Ib  
1965

SUBJECT: ANIMAL DISEASE CONTROL DIVISION  
Feeding of Untreated Garbage to Swine

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Section 1 - GENERAL

1.01 - Scope. These regulations establish general operating rules and procedures in the Animal Disease Control Division.

1.02 - Authority. These regulations are issued under authority of Chapter 19, Article 9a, Code of West Virginia.

1.03 - Effective Date. These regulations are promulgated October 1, 1963 and become effective November 1, 1963.

1.04 - Filing Date. These regulations were filed in the Office of the Secretary of State on

1.05 - Certification. These regulations are certified authentic by the Secretary of State on

Section 2 - DECLARATION OF POLICY.

2.01 - Chapter 19, of the Code of West Virginia, one thousand nine hundred thirty one, as amended, by adding thereto a new article designated article nine-a, relates to the feeding of untreated garbage to swine.

2.02 - Article nine-a, Chapter 19, of the Code of West Virginia provides that it shall be the duty of the Commissioner and he shall have authority to promulgate rules and regulations to govern and control the feeding of garbage to swine.

2.03 - By virtue of authority vested in me as Commissioner of Agriculture of the State of West Virginia by Article nine-a, Chapter 19, of the Code of West Virginia 1963, I, Gus R. Douglass, Commissioner of Agriculture of the State of West Virginia, do hereby promulgate the following rules and regulations to govern and control the feeding of garbage to swine.

Section 3 - ARTICLE 9-a, FEEDING OF UNTREATED GARBAGE TO SWINE.

3.01 - Definitions. The following words shall have the meanings ascribed to them in this section, unless the context otherwise requires or a different meaning is specifically prescribed:

(a) Garbage means putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of foods including animal carcasses or parts thereof.

(b) Persons means the State, any municipality, political subdivision, institution, public or private corporation, individual, partnership, or other entity.

(c) Commissioner means the State Commissioner of Agriculture or his authorized agents.

3.02 - Permit for Feeding Garbage to Swine:

(a) No person shall feed garbage to swine until he has applied to the Commissioner for a permit to do so; has secured said permit and has properly posted it on his swine feeding premises before the first day of July, one thousand nine hundred sixty-three and annually thereafter before the first day of July of each succeeding year. No permit issued by the Commissioner to feed cooked garbage shall be transferable. The fee for obtaining such permit shall be five dollars.

(b) This article shall not apply to any person who feeds only his own household garbage to swine which are raised for such person's own use.

3.03 - Application for Permit: Any person required to obtain a permit to feed garbage to swine or to renew the same shall make written application therefor to the Commissioner on forms provided by the Commissioner.

3.04 - Revocation of Permit: Upon determination by the Commissioner that any person holding such permit, or who has applied for a permit hereunder, has violated or failed to comply with any of the provisions of this article, or any of the rules or regulations promulgated thereunder, the Commissioner may revoke such permit or refuse to issue a permit to such applicant.

3.05 - Cooking or Other Treatment: All garbage regardless of previous processing, shall, before being fed to swine, be thoroughly heated to at least 212° F. for at least thirty minutes, unless treated in some other manner which shall be approved in writing by the Commissioner as being equally effective for the protection of public health and control of livestock diseases.

3.06 - Inspection and Investigation; Maintenance of Records:

(a) Any authorized representative of the Commissioner shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the treating of garbage to be fed to swine.

(b) The Commissioner may require maintenance of records relating to the operation of equipment for and procedure of treating garbage to be fed to swine, and any authorized representative of the Commissioner may examine all records or memoranda pertaining to the feeding of garbage to swine. Copies of such records shall be submitted to the Commissioner upon request.

(c) The Commissioner after receiving an application for a permit to feed cooked garbage to swine or to renew the same may cause an investigation to be made of the garbage feeding premises of the applicant, and all his equipment used for heating and treating garbage, to ascertain whether or not the premises and equipment are suitable and adequate. If it is found that the premises or equipment are inadequate for the heating, treating or feeding of garbage to swine, he may withhold any permit until the applicant has provided adequate facilities.

(d) All premises and equipment that are used for cooking and feeding garbage shall be kept in a sanitary condition.

3.07 - Interstate Movement of Swine Fed Uncooked Garbage: It is hereby prohibited, and no swine shall be imported into this State that have been fed or had access to uncooked garbage. All persons, firms, corporations, partnerships or associations, or employees of the same who operate a public market, concentration point, pickup station or any other kind of business where livestock is bought, sold, traded or received for resale, whether licensed by the Commissioner or not, shall not receive

for resale, buy, sell or trade in any manner whatsoever any swine that they have reasons to believe have been fed or had access to uncooked garbage.

3.08 - Penalties: Any person who shall violate any of the provisions of, or who fails to perform any duty imposed by, this article, or who violates any rule or regulation promulgated thereunder shall be guilty of a misdemeanor, and upon conviction thereof may be punished by a fine of not less than twenty-five dollars nor more than three hundred dollars, or by imprisonment for a term of not more than one year, or by both such fine and imprisonment. In addition thereto, such person may be enjoined from continuing such violation. Each day upon which such violation occurs shall constitute a separate violation of this article.

WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2  
Series Id  
1965

Subject: ANIMAL DISEASE CONTROL DIVISION  
Registration Forms and Tags for the Registration, Taxation and  
Control of Dogs (Revised)

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Section 1 - GENERAL

1.01 Scope. These regulations establish general operating rules and procedures in the Animal Disease Control Division.

1.02 Authority. These regulations are issued under authority of Chapter 19, Article 20, Section 4, Code of West Virginia as amended by Chapter 69, Acts of Legislature, Regular Session 1951.

1.03 Effective Date. These regulations are promulgated

1.04 Filing Date. These regulations were filed in the Office of the Secretary of State on

1.05 Certification. These regulations are certified authentic by the Secretary of State by Certification Number

Section 2 - CERTIFICATE OF REGISTRATION

2.01 The Certificate of Registration forms shall be numbered serially and bound into books. A duplicate non-perforated carbon copy of yellow paper shall be left in the book as a record.

2.02 The tax payer's part of Certificate of Registration and the carbon copy thereof shall contain the following information:

- (a) Year for which tax is paid
- (b) Serial number of Certificate of Registration
- (c) Registration tag number
- (d) Date
- (e) Name of owner (keeper or harborer)
- (f) Address
- (g) District
- (h) Description of dog
- (i) Tax fees - required fee \$3.00
- (j) Amount collected

NOTE: A tax receipt shall be issued for each dog taxed.

### Section 3 - RECORD OF REGISTRATIONS

3.01 A public record of all certificates of registration and registration tags issued shall be kept by the assessor of each county. Such records shall be kept intact and available for inspection for a period of not less than two years following the end of the registration year.

The information should be as follows:

- (a) Name of owner (keeper or harborer)
- (b) Address
- (c) Certificate of Registration number
- (d) Registration tag number of dog
- (e) Age

- (f) Sex
- (g) Color
- (h) Character of hair (long or short)
- (i) Breed (if known)
- (j) Remarks

Section 4 - REGISTRATION TAGS (Revised)

4.01 Registration tags shall be manufactured of metal or some other suitable substance and designed in such a form as to be safely and securely attached to the collar. The tag shall bear the imprint of "W. Va. Dog Tax", the County, Year, and Serial Number.

4.02 The Registration tag number shall be recorded on Certificate of Registration.

4.03 The design of such tags shall be changed from year to year so that identification of the year of issue of any tag may be made without close visual examination.

4.04 Provided, however, that any assessor in any County in the State who has in his possession any forms or tags previously prescribed by the Commissioner of Agriculture, he shall have authority to use the same until the present supply is exhausted, at which time he shall acquire a supply of the forms and tags designated by this regulation and shall use the same.

4.05 Municipalities may prescribe own registration tags for dogs, and are not required to use a design prescribed by the Commissioner of Agriculture.