



STATE OF WEST VIRGINIA  
DEPARTMENT OF AGRICULTURE

CHARLESTON  
25305

Gus R. Douglass  
Commissioner

August 2, 1967

FILED IN THE OFFICE  
ROBERT D. BAILEY  
SECRETARY OF STATE  
THIS DATE 8/2/67


Honorable Robert D. Bailey  
Secretary of State  
State of West Virginia  
State Capitol  
Charleston, West Virginia 25305

Dear Mr. Bailey:

Enclosed are two copies of regulations issued by this Department regarding hearings before the Commissioner of Agriculture. These regulations are designated Series I-1 of Chapter 19-2 of the West Virginia Administrative Regulations.

I hereby certify that the attached regulations are true and accurate copies of official regulations adopted by this Department on July 20, 1967.

Very truly yours,

  
Gus R. Douglass  
Commissioner of Agriculture

GRD:tc

Enclosures

WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2  
Series I-1  
1967

FILED IN THE OFFICE  
ROBERT D. BAILEY  
SECRETARY OF STATE  
THIS DATE 8/2/67

Subject: Rules and Regulations Governing the Conduct of Hearings Before  
the Commissioner of Agriculture of West Virginia.

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Section 1 -GENERAL

1.01 Scope. These regulations establish general rules governing  
the conduct of hearings before the Commissioner of Agriculture.

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

1.03 Effective Date. These regulations are promulgated July 20,  
1967 and become effective September 2, 1967

1.04 Filing Date. These regulations were filed in the Office of  
the Secretary of State on August 2, 1967.

1.05 Certification. These regulations are certified authentic  
by the Secretary of State by certification number 33.

Section 2 -RULES 1 thru 10.

2.01 Petition and Hearings. Any person, firm, association or  
corporation that has on file any application or petition with the Com-  
missioner of Agriculture, wherein the applicant is seeking some affirm-  
ative action by the Commissioner, and if the Commissioner is required by  
Chapter 19 of the Official Code of West Virginia of 1931, as amended, to  
conduct a hearing prior to acting on the application or petition, or any  
person, firm, association, or corporation that has been requested or ordered

to appear before the Commissioner to show cause or to be heard on any complaint by virtue of authority granted the Commissioner by any provision of Chapter 19 of the Code of West Virginia shall be given a hearing which shall be subject to the following rules of procedure.

2.02 Filing of Application; Petitions; Contents.

(a) All applications or petitions filed by any person, firm, association or corporation shall be filed with the Commissioner and shall be in a form satisfactory to the Commissioner and shall contain such information as the Commissioner might reasonably require.

(b) All applications shall be filed in triplicate.

2.03 Time of Hearings. Upon receipt of any application or petition requiring a hearing thereon, the Commissioner shall notify the applicant or person involved, of the date and time for said hearing. If the Code does not fix a time for said hearing, then the Commissioner may establish the time.

2.04 Appearances. Any applicant may appear in his own behalf or be represented by counsel. No individual not an attorney shall represent the applicant at any hearing unless the person so present is representing himself.

2.05 Stipulations; Proof. Whenever possible, written stipulation of the facts involved shall be submitted. Affidavits will not be accepted as proof of any facts.

Filled  
8/2/67

2.06 Briefs. Parties in interest may file with the Commissioner, for his consideration, a brief covering any question of law or fact involved, provided a copy of such brief is also presented to and furnished the opposing party or counsel. All briefs so filed shall be in triplicate and the Commissioner shall have the right to fix the time for the filing of said briefs.

2.07 Evidence; Witnesses. The law of evidence and of witnesses shall be observed, however the Commissioner shall have the right to admit or deny any evidence that will tend to establish all the facts.

2.08 Continuances.

(a) Continuances of any hearing may be granted upon good cause shown therefor.

(b) A party desiring a continuance shall file his written motion showing good cause therefor before the day of the hearing, so that, if the motion be granted, the opposing party may be notified in time to obviate the attendance of witnesses on the day set for hearing.

2.09 Rehearings.

(a) Rehearings shall not be allowed except where good cause is shown. Motions for rehearings may be entertained and considered ex parte, unless the Commissioner otherwise directs, upon the petition and brief filed by the party seeking the rehearing. Such petition and brief shall be filed within thirty days after notice of the Commissioner's determination.

(b) Whenever a motion for rehearing is granted the matter will be considered upon the record already made, unless the introduction of additional testimony is necessary.

Filed  
8/2/67

2.10 Change in Rules. The Commissioner may, from time to time, promulgate additional rules and modify or change the foregoing rules.

Filed  
8/2/67

WEST VIRGINIA ADMINISTRATIVE REGULATIONS

STATE DEPARTMENT OF AGRICULTURE

Animal Disease Control  
Apiaries, Control of Bee Diseases  
Fairs  
Feed  
Fertilizer  
Food and Dairy  
Fruits and Vegetables  
Grain  
West Virginia Markets  
Pesticide  
Poultry  
Plant Diseases  
Seeds  
West Virginia Seal of Quality

Gus R. Douglass  
Commissioner of Agriculture

Effective: July 1, 1965

FILED IN THE OFFICE  
ROBERT D. BAILEY  
SECRETARY OF STATE  
THIS DATE May 17, 1965

WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2  
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for  
Series I-1

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WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2  
Series I  
1965

Subject: ANIMAL DISEASE CONTROL DIVISION  
Bovine Brucellosis (Bang's Disease)  
Rules and Regulations Governing the Control and Eradication

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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 9, Code of West Virginia.

1.03 Effective Date. These regulations are promulgated and become effective on July 13, 1950.

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 -DUTY OF THE COMMISSIONER.

2.01 Article 9, Chapter 19, of the Code of West Virginia specifically sets out certain duties and responsibilities of the Commissioner of Agriculture with respect to controlling and eradicating diseases of domestic animals, and Section 2 of Article 9, Chapter 19 provides that it shall be the duty of the Commissioner and he shall have authority:

(a) To prevent, suppress, control and eradicate any communicable diseases of animals or poultry.

(b) To make and enforce such rules and regulations as may be necessary to effectuate the provisions of this article.

(c) To collect and disseminate information and statistics by means of circulars and bulletins on the prevalence and control of animal and poultry diseases and their treatment, the proper care and sanitation of stables and other buildings so as to prevent the existence and spread of communicable diseases among such animals and poultry, and such other information relative thereto as will be of value to the stock industry of the State.

(d) To make or cause to be made any investigations he may deem advisable regarding the causes and methods of preventing, controlling and eradicating diseases of animals or poultry, and exercise such other powers and perform such other duties as may be proper or necessary to prevent the spread of, eradicate or control any communicable disease among animals or poultry.

(e) To prohibit the importation into this State of animals and poultry when necessary to prevent the spread of diseases.

(f) To cause general or special quarantine of premises and of animals and poultry to be established and maintained.

(g) To cause the disinfection of any premises.

(h) To cause the destruction of diseased animals, when such animals are deemed diseased as a result of physical examination or an approved test, and of infected personal property, and to regulate and prohibit the moving or transportation of such animals or property from one place to another in this State.

(1) To have charge of the enforcement of the provisions of this article and the laws of the State relating to diseases of animals and poultry, and the manufacture, preparation, storage, sale and offering for sale of the food and food products derived from diseased animals and poultry.

2.02 Section 7, Article 9, Chapter 19 of the Code of West Virginia provides that the Commissioner shall have authority to accept on behalf of the State the laws, rules and regulations of the Agricultural Research Service or its successor agency of the United States Department of Agriculture, for the prevention, control and eradication of communicable diseases among animals and poultry.

2.03 By virtue of authority vested in me as Commissioner of Agriculture of West Virginia by Article 9, Chapter 19 of the Code of West Virginia, I, J.B. McLaughlin, Commissioner of Agriculture of the State of West Virginia, promulgate the following rules and regulations to govern and control brucellosis (Bang's Disease), tuberculosis and other infectious, communicable and transmissible diseases of domestic animals.

Section 3 - DEFINITIONS.

3.01 The following words as used in these regulations, unless the context otherwise requires or a different meaning is specifically prescribed, shall have the following meanings:

(1) Commissioner. The State Commissioner of Agriculture or his authorized agents.

(2) Veterinarian. State or Federal employed veterinarian, registered veterinarian, consulting veterinarian or other technicians employed by the Commissioner.

(3) Test. An examination made to determine the presence or absence of a disease.

(4) Animal. Any domestic equine or bovine animal, sheep, goat, swine, dog, cat or poultry.

(5) Cattle. Bovine animals of any age and may include other quadrupeds such as sheep, goats, horses, mules and swine.

(6) Calves. Bovine animals which have not reached the usual age of maturity for the particular breed.

(7) Brucellosis. Brucellosis (Bang's disease) contagious abortion, an infectious disease in bovine animals caused by any member of the Genus Brucella. Any animal is infected with brucellosis if it has a positive reaction to the blood test or any approved test for brucellosis, or if any member of Genus Brucella has been found in the body of its secretions or discharges, or if it has been treated with a live culture of Brucella.

(8) Farm. A farm is one contiguous parcel of land operated as a unit. Parcels of land owned by a farmer but separated by other farms will be considered as separate farms. For purposes of accreditation, separate farms will be considered to exist where cattle are permanently segregated and kept separate and apart for control of livestock disease when approved by the Commissioner.

(9) Herd. A herd shall consist of one or more female cattle or bulls, six months of age or over, located on a farm. In no instance, except for purpose of accreditation, will more than one herd

be considered to exist on a farm even though different groups of cattle are separated in various fields. Cattle owned by different people but located on one farm will be considered as one herd.

(10) Herd Unit. One or more cattle maintained separate and apart from other herd units belonging to the same owner.

(11) Reactors. Cattle showing a positive reaction to a test, except vaccinated calves. See Regulation 4.11, Page 23.

(12) Non-reactors. Animals showing negative reaction to a test.

(13) Suspect. An animal whose blood when tested for brucellosis shows a complete agglutination in any dilutions lower than 1-100 or a partial agglutination in dilutions 1-100, except permanently identified animals officially vaccinated as calves.

(14) Vaccination. To inoculate any animal with vaccine prescribed by the Commissioner for a specific disease.

(15) Calf Vaccination. The inoculation of bovine animals between the ages of four and eight months with Brucella Abortus Vaccine or any other Brucella vaccine as prescribed by the Commissioner.

(16) Accredited Brucellosis Free Herd. A herd which is certified as free from brucellosis (Bang's disease) by the Commissioner.

(17) Accredited Area. A county or area in which the test of all animals six months of age or over discloses less than 5% herd infection and less than 1% cattle infection except steers, spayed heifers and animals less than twenty-four months of age which were officially vaccinated between the ages of four and eight months.

(18) Indemnity. Money paid by the State and Federal Government to the owner of reactor cattle.

(19) Registered Veterinarian. Any veterinarian registered by the Commissioner.

(20) The A.R.S. Agricultural Research Service or its successor agency of the United States Department of Agriculture.

(21) Destroyed. Disposed of by slaughter or killing under official inspection.

(22) Appraisal.

(a) To identify reactor animals by means of the chemical brand applied to the left cheek using the letter "B".

(b) To attach a special tag in the left ear.

(c) To fix the value of the animal but not to exceed \$150.00 for a grade animal or \$250.00 for a pure-bred registered animal.

(d) To complete all necessary forms, both State and Federal, and instruct the herd owner as to the method of disposing of such animals.

(23) Salvage. The net proceeds received by the owner of reactor animals when disposed of for slaughter.

(24) Post Mortem Report. A written report made by the State or Federal inspector who witnessed the slaughter of a reactor animal.

(25) Premises. To be taken in its broadest terms and shall include land, any structure, pen, coop, or enclosure thereon, any vehicles owned, leased, rented or occupied, car or vessel used in transporting

passengers, goods or animals by land, air or water.

(26) Tuberculosis. An infectious disease caused by the *Mycobacterium tuberculosis*, commonly known as the tubercle bacillus.

(27) A Negative Herd. A herd in which all the animals in the herd, six months of age or older, have been tested one or more times, at intervals, by an agent or veterinarian approved by the Commissioner and found to be free from brucellosis or tuberculosis.

(28) A Herd In the Process of Accreditation. A herd in which tests are being made on all animals in the herd six months of age or older, at regular intervals, by an agent or veterinarian approved by the Commissioner for the purpose of determining whether or not the animals are free from brucellosis or tuberculosis.

Section 4 - REGULATIONS.

4.01 Infected Animals or Animal Products.

(1) Animals infected with brucellosis or tuberculosis or the products such as milk and meat for human consumption from such animals infected with any contagious or infectious diseases transmissible to animals and human beings shall not be removed from the premises on which they are found except by written permit from the Commissioner.

(2) Permits for the removal of infected animals for slaughter purposes will be issued by the Commissioner. The application for permit to remove such animals shall contain a complete description of each animal and all the information required by the Commissioner and shall be removed in accordance with his instructions. The permit shall be made in quadruplicate, as follows:

.....  
.....19...  
.....

Permission is hereby granted for the removal from your herd the following infected animals:

| Ear Tag<br>or<br>Tattoo No. | Breed | Age | Sex | Reactor | Suspect | Exposed |
|-----------------------------|-------|-----|-----|---------|---------|---------|
| :                           | :     | :   | :   | :       | :       | :       |
| :                           | :     | :   | :   | :       | :       | :       |
| :                           | :     | :   | :   | :       | :       | :       |
| :                           | :     | :   | :   | :       | :       | :       |
| :                           | :     | :   | :   | :       | :       | :       |
| :                           | :     | :   | :   | :       | :       | :       |
| :                           | :     | :   | :   | :       | :       | :       |
| :                           | :     | :   | :   | :       | :       | :       |

Consigned to.....to be slaughtered.

COMMISSIONER OF AGRICULTURE  
STATE OF WEST VIRGINIA

By: \_\_\_\_\_

Note: This form to be used only for intrastate movement of infected or exposed animals.

(a) All animals found to be infected with brucellosis or tuberculosis shall be quarantined, ear tagged in the left ear and branded on the left jaw with a chemical solution of branding material with the capital letter "B" for brucellosis and/or the capital letter "T" for tuberculosis, in letters of not less than 2 inches high and 1½ inches wide.

(b) Such animals shall be disposed of in the manner prescribed by the Commissioner.

(c) As amended by Order dated September 15, 1951, Chapter 19, Article 9, requires that all diseased animals with Tuberculosis

(T.B.) and/or Brusellosis (Bang's Disease) be marketed in such a manner that a postmortem or inspection be held at the place of slaughter under official supervision by an authorized Federal or State veterinarian.

The State and Agricultural Research Service or its successor agency of the United States Department of Agriculture, cooperating, are authorized by law to pay indemnities for animals infected with tuberculosis, brucellosis, etc.

The present methods employed in disposing of diseased animals wherein such animals have changed ownership many times before they finally reach the places where they are to be slaughtered and posted and often expose other animals to the diseases by such methods.

Be it ordered, That on and after September 15, 1951, that all animals tested and found to be reactors to tuberculosis and/or brucellosis shall be sold through a public auction market designated by the Commissioner of Agriculture or his authorized agents. The movement and sale of any such diseased animals shall be accompanied by Permit A.D.E. Form 1-27 in transportation and in delivery to the market for sale.

Done in the office of the Commissioner of Agriculture this the 8th day of September, 1951.

(3) Infected animals originating in other states will be permitted to enter West Virginia for slaughter purposes only, when accompanied by U.S. Department of Agriculture, Agricultural Research Service, A.D.E. Form 1-27 as follows:



4.02 Quarantines:

(a) A quarantine shall be placed and kept on animals infected with brucellosis, tuberculosis or other infectious diseases transmissible to human beings, or exposed to animals carrying infectious or contagious diseases, or when it is necessary to have the animals examined and tested. Such quarantine is to be for a period of time which will permit not less than two consecutive negative herd tests at thirty to sixty day intervals following the removal from the herd of the last known infected animal.

(b) The quarantine shall also include the dairy and meat products of any and all infected animals, the equipment used in collection, transportation, processing and manufacturing of the food products from such animals.

(c) During the period that a quarantine, (special or general) is in force, no animal shall be removed from the herd or the area quarantined; no dairy or meat product may be sold, offered or exposed for sale, or any other item included in the quarantine except upon written permission by the Commissioner. Permit Form to be as follows:

ADC - Remove from  
Quarantine  
Rev. July - 1964

WEST VIRGINIA DEPARTMENT OF AGRICULTURE  
Charleston, West Virginia, 25305

PERMIT TO REMOVE FROM QUARANTINE - FOR IMMEDIATE SLAUGHTER ONLY

TO: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
COUNTY: \_\_\_\_\_ DATE: \_\_\_\_\_

Permission is hereby granted to remove from quarantine (for immediate slaughter only) the livestock mentioned and described as follows:

| <u>NO.</u> | <u>HEAD</u> | <u>BREED</u> | <u>SEX</u> | <u>EAR-TAG - TATTOO OR REGISTRATION NUMBER</u> |
|------------|-------------|--------------|------------|--|
|            |             |              |            |  |
|            |             |              |            |  |
|            |             |              |            |  |
|            |             |              |            |  |
|            |             |              |            |  |
|            |             |              |            |  |
|            |             |              |            |  |

Located on the following described premises: \_\_\_\_\_

The above described animals were received and sold for slaughter to:

BUYER: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 MARKET: \_\_\_\_\_  
 BY: \_\_\_\_\_

COMMISSIONER,  
STATE DEPARTMENT OF AGRICULTURE

DIRECTOR, ANIMAL DISEASE CONTROL  
DIVISION

Original: TO THE OWNER and MUST ACCOMPANY ANIMAL TO THE SKILLIES AGENCY FOR COMPLETION. THEN RETURNED TO:  
Director, Animal Disease Control Division,  
State Department of Agriculture,  
Charleston, West Virginia, 25305

Duplicate: RETAINED BY THE OWNER  
TriPLICATE: RETAINED BY THE OFFICE OF THE COMMISSIONER

NOTE: Permits for the removal of animals or other items from quarantine shall be executed in triplicate. The original and one copy to be submitted to the herd or property owner, one copy of which shall accompany the cattle or other described items to its destination; the last copy to be retained in the office of the Commissioner.

4.03 Making and Reporting Tests. All blood and other diagnostic tests for brucellosis and tuberculosis shall be reported immediately in writing to the Commissioner. Each report shall contain a complete statement of the results of such tests, a description of the animal, tattoo and/or ear tag number, sex, age, breed and other marks of identification, together with the name and address of the owner, location of the farm and the name and address of the person making the test.

4.04 Payment of Indemnities. Payment of indemnities will be made to owners by the State (when funds are available) for animals found to be reactors when branded, appraised and slaughtered under State or Federal supervision, and under the following conditions:

(a) If the owner has signed an application with the Commissioner for testing his animals, in which he agrees to dispose of animals reacting to the test and has complied with the law and the rules and regulations herein promulgated.

(b) If the owner has had the test performed on his herd by an agent of the Commissioner.

(c) If the reactors found have been added to the herd in compliance with the law and the rules and regulations governing additions to herds.

(d) If all reactors in the herd are slaughtered within 15 days after tests and appraisals have been made, unless an extension of time has been granted by the Commissioner.

(e) If reactors are sold to obtain the highest price.

(f) If the premises on which reacting animals were found have been cleaned and disinfected by the owner.

(g) When animals have been brought in from other states and the owner has furnished proof that the animals were brought into West Virginia in accordance with the law, and the rules and regulations herein promulgated.

(h) If the remaining animals in the herd have been kept under quarantine for a time pending two consecutive negative tests at thirty day intervals.

(i) If registration certificates of reacting purebred animals of ages three years and over are presented for inspection at the time of appraisal. (Such animals will be appraised as purebreds). When registration certificates of the breed association have been received by the Commissioner, within thirty days after appraisal, for purebreds under three years of age. Otherwise, all animals shall be appraised as grades.

Indemnities will not be paid:

(a) For vaccinated animals reacting to the test unless 18 months have elapsed after date of vaccination.

(b) For reacting vaccinated animals unless the vaccine was administered between the ages of four and eight months.

(c) For any animals in a herd if there is evidence that the owner or his agent has been engaged in any unlawful attempt to obtain indemnity for condemned animals.

(d) For animals kept in a herd in which all animals were not listed in the application agreed to and signed by the owner, or the violation of the law or rules and regulations herein promulgated.

(e) For reacting animals which have been moved from the premises of the owner without written permission.

(f) For any animals found in herds where adult vaccination has been performed or any animals that have been vaccinated with Brucella Abortus vaccine, eight months of age and older.

(g) If the existence of brucellosis in the animals was not determined as the result of the tube agglutination test or other approved test.

(h) If any part of the claimant's herd has not been tested under Federal and State supervision for the eradication of brucellosis and/or tuberculosis.

(i) For calves under six months of age.

(j) For animals owned by any governmental agency or political sub-division of the State of West Virginia.

(k) For animals kept in another state.

(l) For animals brought into this state contrary to law and these regulations, or when the owner or claimant at the time of coming into possession of the animal knew or had reason to believe it to be in-

fects with a communicable disease; when the owner has been guilty of negligence or has carelessly exposed such animals to brucellosis and/or tuberculosis diseased animals.

4.05 Accredited Herd and Accredited Area Plans:

(1) Accredited Herd Plan. Test and dispose of reacting animals by slaughter, and payment of indemnities for reactors.

(a) Vaccination Plan A: Test and dispose of reacting animals by slaughter, followed with calf vaccination and payment of indemnities.

(2) Accredited Area Plan. Test and dispose of reacting animals by slaughter, and payment of indemnities for reactors.

(a) Vaccination Plan A-a: Test and dispose of reacting animals by slaughter, followed with calf vaccination and payment of indemnities.

4.06 Establishment and Maintenance of An Accredited Herd:

(1) A "herd" shall include all animals over six months of age except steers, spayed heifers and officially vaccinated animals not more than twenty-four months of age. Calves vaccinated between four and eight months of age and not over thirty months of age may carry a blood titer not over incomplete in dilutions of 1-100.

(2) A herd may be accepted for accreditation if and when a herd owner signs an agreement to comply with the law and the rules and regulations governing the testing and accreditation of herds. Agreement Form L-F-31 to be as follows:

Application for an Accredited Herd

I hereby make application to have my herd tested for brucellosis (Bang's disease) for the purpose of eradicating and controlling the disease and also to have my herd accredited for brucellosis.

I agree to comply with the law and/or the rules and regulations, methods and practices set out in L-F-31 governing the eradication and control of brucellosis in my herd.

My herd consists of.....head of cattle.....breed.

|                                       | Grade           | Purebred | Total |
|---------------------------------------|-----------------|----------|-------|
| Females 6 months of age and over..... | .....           | .....    | ..... |
| Males 6 months of age and over.....   | .....           | .....    | ..... |
| Calves under 6 months.....            | .....           | .....    | ..... |
| Owner's name.....                     | Address.....    |          |       |
| Owner's Tel. No.....                  | Tel. Exchg..... |          |       |
| District.....                         | County.....     |          |       |
| Most accessible route to farm.....    |                 |          |       |
| .....                                 |                 |          |       |

In witness whereof, I have signed this agreement this.....day of  
....., 19...

.....  
Owner's Signature

.....  
Witness

(3) Herd owners, having adopted Plan 1 or 2 for accreditation, shall have their herds tested at intervals of not more than sixty days until

negative, and again within three or four months following the date of the first clean test. Such herds shall be accredited when they have passed at least three consecutive clean tests in not less than twelve months. Animals under thirty months of age, vaccinated between the ages of four and eight months, shall not be required to be negative to the test.

(4) An accredited herd certificate shall be valid for one year unless revoked by the Commissioner.

(5) Herd accreditation may be extended for a period of one year upon a negative herd retest.

(6) If suspects are found in a test of an accredited herd, they shall be removed and kept separate and apart from the herd. They shall be retested within 30-60 days. If such animals are found to be negative on the retest, herd accreditation shall be extended for a period of twelve months from the date of the last herd test.

(7) If any of the suspects are found on retest to be reactors, the entire herd shall be retested. If found to be negative, the herd accreditation will be extended for a period of twelve months from the date of the last test.

(8) If more than one reactor is found by any test of an accredited herd, the herd owner will be required to follow the general plan for accreditation-Regulation 4.06, Rule 3.

(9) All animals in accredited herds where infection has been found shall be quarantined until the herd has passed a negative test, such test to be made in not less than thirty days following the test in which reactors were found.

(10) The Commissioner may revoke or suspend any herd accreditation for failure of the herd owner to comply with the law, or rules and regulations herein promulgated.

**4.07 Addition of Animals to Accredited Herds or Herds in the Process of Accreditation:**

(1) Animals from accredited or negative herds may enter accredited herds or herds in the process of accreditation without being retested.

(2) Animals over six months of age from herds in the process of accreditation for brucellosis or tuberculosis, when and if found to be negative to the test within thirty days of entry, may enter accredited herds or herds in the process of accreditation without further test. Such animals shall be kept separate and apart from other animals until the test is made and they are found to be free from brucellosis or tuberculosis.

(3) If bred, animals shall be kept separate and apart until a test is made not less than thirty days after calving and before being bred.

**4.08 Accreditation of Areas:**

(1) An area may be a magisterial district, a multiple of magisterial districts, a county, or a territory specifically defined by an order of the Commissioner.

(a) The Commissioner shall give due notice of his intention to test an area by publication of two notices in two newspapers of general circulation in the area.

(2) When a test has been ordered by the Commissioner for the purpose of accreditation, the area shall be placed under quarantine and

the herds in the area shall be tested until found negative, according to the rules, regulations and methods governing accredited herds or herds in the process of accreditation.

(3) All female animals and bulls six months of age and over shall be tested for brucellosis and/or tuberculosis. Animals showing a positive reacting titer in dilutions of 1-100 or higher shall be reactors. They shall be branded on the left jaw with the regulation letter "B". In the case of tuberculosis reactors, they shall be branded with the regulation letter "T". Such animals shall be placed in special quarantine and slaughtered within fifteen days after notice to the owner of the animals reacting to the test, unless an extension of time is granted in writing by the Commissioner.

(4) When a test of all female animals and bulls six months of age or over has been made in the area and found to be negative, the area shall be accredited for a period of three years and the quarantine of such area shall be cancelled.

(5) At the expiration of three years, an accredited area may be check-tested for re-accreditation, and if the check-test shows that the percentage of infected animals does not exceed 1% of the total number of animals check-tested and 5% of herd infection, the area shall be re-accredited.

#### 4.09 Interstate Movement of Animals:

(1) Animals infected with or that have been exposed to brucellosis or tuberculosis shall not be transported into this state without written permission from the Commissioner.

(2) Animals imported into this state shall be accompanied by a health certificate or permit which must be attached to the waybill, or shall be in the possession of the driver of the vehicle, or person in charge of animals if moved on foot. Such certificate or permit shall be void after thirty days from date of issue.

(3) A health certificate shall contain the names and addresses of the consignor and the consignee, with an accurate description or identification of the animals. The certificate for the importation of calves under six months of age shall include the brucellosis status of the herd in which the calves originated, and for vaccinated calves between four and eight months of age shall state the age of the calves when vaccinated and date of vaccination. A copy of the certificate shall be furnished to the Commissioner before arrival of the animals.

(4) Animals transported into this state without a health certificate and not meeting the health requirements shall be held in quarantine at owner's risk and expense until released by the Commissioner.

(5) Owners and operators of railway cars, trucks and other conveyances that have been used for interstate movement of animals infected with or exposed to an infectious or transmissible disease shall have such cars, trucks and other conveyances thoroughly cleaned and disinfected under official supervision. Written notice of cleaning and disinfection shall be attached to the waybill or in the possession of the driver of the truck or other conveyance.

(6) Animals for dairy and breeding purposes, feeder cows, heifers and bulls of beef breeds, including calves and animals for exhibition purposes, may be imported into this state under the following rules:

(a) Animals from accredited herds or herds in the process of accreditation when under Federal and State supervision in which all animals in the herd over six months of age were negative to an official test for brucellosis or tuberculosis within twelve months of date of entry, and the animals for entry were negative to an official blood test within thirty days prior to the date of entry.

(b) Calves from accredited herds or herds in the process of accreditation under six months of age will not be required to be blood tested prior to entry.

(c) All female calves officially vaccinated between the ages of four and eight months and all officially vaccinated female animals over two years of age, negative to one or more tests within thirty days of entry, may be transported into the State without a test.

(d) Animals for dairy and breeding purposes, feeder cows, heifers and bulls of beef breeds for show purposes, may enter the State if the herd is negative to an official test for brucellosis and tuberculosis within thirty days prior to the date of entry. Such animals will not be eligible to addition to accredited herds and herds in the process of accreditation.

(e) Tests for brucellosis and tuberculosis shall be made in a State Laboratory, an approved laboratory, or by a veterinarian approved by the livestock sanitary official of the State where the animals originated.

4.10 Tuberculosis:

(1) Animals for dairy and breeding purposes, feeder cows, heifers and bulls of the beef breeds, including calves and animals for exhibition purposes, originating in tuberculosis-free herds and herds in tuberculosis-free areas in other states, may enter the State of West Virginia. Such animals shall have passed a negative tuberculosis test within thirty days prior to entry and shall be accompanied by a health certificate.

(2) Steers from herds not under quarantine for tuberculosis may be imported into the State for feeding purposes or to a livestock sales yard for immediate slaughter without a tuberculin test. If they are imported for feeding purposes, they shall be kept separate and apart from dairy and breeding animals.

4.11 Vaccination of Calves. Accredited herd owners or owners of herds in the process of accreditation desiring to vaccinate their calves between the ages of four and eight months with Brucella vaccine for the prevention and control of brucellosis will be granted a permit to do so upon request.

(1) Such vaccine shall be administered by a person approved by the Commissioner, who shall at the time of vaccination mark the calf or calves with a legible V-shield tattoo in the right ear, preceded by the numeral of the quarter of the year and followed by the last number of the calendar year. In addition thereto, a metal ear tag shall be securely fastened in the right ear, excepting purebred animals bearing registration tattoos.

(2) Calves in purebred herds that are registered or to be registered in the breed association at the time of vaccination must be recorded by the breed association registration name number and tattoo number. If not registered, they shall be recorded by the name of the registered dam, giving date of birth of the calves vaccinated.

(3) The vaccination shall be reported to the Commissioner immediately and not later than five days following vaccination. The report shall be made in quadruplicate on forms furnished by the Commissioner. The original and one copy shall be forwarded to the Commissioner, one copy shall be given to the herd owner and one copy retained by the person administering the vaccine.

(4) Such calves shall not be classed as reactors until after reaching thirty months, if retained in the herd, or if moved out of the herd, they shall be classed as reactors after reaching the age of two years. Vaccinated calves originating in adult vaccinated herds will be considered reactors.

#### 4.12 Biologicals:

(1) No person, firm, partnership, association or corporation shall manufacture for sale, sell or offer for sale in West Virginia any veterinary biologicals intended for diagnostic or therapeutic purposes for animals except by written permission from the Commissioner.

(2) No person shall inoculate or otherwise administer to any domestic animal any virus or other veterinary biological containing pathogenic or disease producing germs of a kind that is virulent for man or for animals, or a kind that may cause the animal when tested to show

a suspicious or positive reaction similar to the test results generally obtained from naturally infected animals except by written permission from the Commissioner.

**4.13 Manufacture, Sale and Use of Biologicals:**

(1) The Commissioner may register persons, firms, associations or corporations and license the same to manufacture and/or sell veterinary biologicals and may issue permits to administer veterinary biologicals. Any person, firm, association or corporation holding such license or permit to manufacture any veterinary biological shall report to the Commissioner within five days from the date of each sale of any veterinary biological for diagnosis or prophylactic treatment of any contagious or infectious disease of animals.

(2) The holder of a permit to administer a veterinary biological for the prophylactic treatment of any contagious or infectious disease of animals shall make a written report to the Commissioner within five days after the use of such veterinary biologicals, and furnish him a detailed description of each animal so treated, the name and address of the owner, the name of the manufacturer, the serial number and expiration date of the veterinary biological used.

**4.14 Registration of Veterinarians:**

(1) All accredited resident veterinarians are hereby prohibited from participating in the control and eradication of brucellosis or tuberculosis program unless they have made application for registration and have received appointment as a registered veterinarian for that purpose.

(2) Registered veterinarians are hereby authorized to draw blood samples, vaccinate calves, and perform all duties necessary in carrying out the program for control and eradication of brucellosis or tuberculosis.

(3) Registered veterinarians may administer biologicals for the prophylactic treatment of any contagious or infectious diseases of animals when such biologicals have been approved by the Commissioner. He shall make a written report to the Commissioner within five days after the use of such biologicals and furnish to him a detailed description of each animal so treated, the name and address of the owner, the name of the manufacturer, the serial number and the expiration date of the biological used.

(4) APPLICATION AND APPOINTMENT OF REGISTERED VETERINARIANS

Control and Eradication  
of  
Infectious and Transmissible Diseases  
of Animals

I,.....of....., hereby  
(Name) (Address)  
make application for appointment as a REGISTERED VETERINARIAN for the control and eradication of infectious and transmissible diseases among animals.

In consideration of my appointment, I agree:

(a) To strictly adhere to the law, approved methods, practices, rules and regulations promulgated by the Commissioner and the Agricultural Research Service or its successor agency of the United States Department of Agriculture, in the control and eradication of infectious or transmissible diseases of livestock.

(b) To charge the following rates for services rendered:

1. Combination drawing of blood samples of animals at the farm and giving the Tuberculin test:

\$3.00 per herd unit for two trips  
\$ .80 per head

2. Tuberculin test of animals at the farm:

\$3.00 per herd unit for two trips  
\$ .50 per head

3. Drawing of blood samples of animals at the farm:

\$1.50 per herd unit  
\$ .40 per head

4. Vaccination of calves at the farm:

\$1.00 per head

5. Combination drawing of blood samples of animals at the farm, Tuberculin test, and vaccination of calves:

\$3.00 per herd unit for two trips  
\$1.00 per head

(c) To blood test for the owner when authorized to do so by the Commissioner.

(d) To vaccinate calves for the owner when authorized to do so by the Commissioner.

(e) To submit reports in detail promptly and in accordance with the requirements of these regulations.

(f) When area testing is to be done, to test all cattle within area limits, irrespective of the number of cattle in the herds or their accessibility; such services to be paid for by the State.

I agree that all reports in connection with my work as registered veterinarian relating to the control and eradication of all infectious and transmissible diseases will be reported promptly and completely before claiming any compensation for services rendered.

\_\_\_\_\_  
(Signature of Veterinarian)

I, \_\_\_\_\_, have this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
(Commissioner)  
appointed \_\_\_\_\_, as registered veterinarian, in accordance with the above agreement, which appointment shall remain in force unless otherwise revoked for cause.

\_\_\_\_\_  
Commissioner of Agriculture  
State of West Virginia

4.15 Powers of Employees of the Agricultural Research Service or its successor agency of the United States Department of Agriculture:

(1) The employees of the Agricultural Research Service or its successor agency of the United States Department of Agriculture, shall have full authority to enter the premises of an owner, to inspect, draw blood samples, quarantine, condemn and brand animals with any infectious or transmissible disease and take any and all other action necessary for the purposes herein set forth.

**4.16 Responsibility of all Employees:**

(1) All persons authorized by the Commissioner to perform the services and carry out the rules and regulations herein promulgated, shall exercise due and reasonable care in handling of animals in the performance of their duties.

(2) The Commissioner or his agents will not be responsible for any unfavorable conditions resulting from or appearing to result from vaccination, the drawing of blood samples, or any other duties necessary in the performance or in connection with the eradication and control of infectious and transmissible diseases in livestock.

**4.17 Transportation of Animals Within the State: Article 9, Section 38 of Chapter 19 of the Code of West Virginia:**

"It shall be unlawful for any person knowingly to drive, move or transport on, across or along any public highway, or in any wagons or railroad cars or other vehicles, any animal infected with any communicable disease except on express permission in writing from the Commissioner or his agents."

(1) The above section is interpreted to mean any infectious, communicable or transmissible diseases of domestic animals.

(2) Such animals may be transported on the public highways for sale at a public market for immediate slaughter, or to a person, firm or corporation engaged in the business of slaughtering livestock.

WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2  
Series 1b  
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, J.F. Johnson, 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 1a  
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 Dr. T.P. Siburt, Director, Animal Disease Control Division.

1.03 Effective Date. These regulations are promulgated and become effective on April 15, 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 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 livestock sanitary official 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 livestock sanitary 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 livestock sanitary 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 tuberculosis and brucellosis 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 is 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 provided however, that cattle from a herd in which infection has been disclosed are not eligible for entering until the herd has passed two consecutive negative retests. Such animals must be retested after arrival.

- (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:

A. Herds officially certified brucellosis-free (accredited), and the animals for entry were negative to an official blood test within thirty (30) days of the date of entry.

B. Qualified negative herds in which all animals in the herd over six (6) months of age, except official vaccinates under thirty (30) months of age, were negative to an official blood test for brucellosis within twelve (12) months of entry and the animals for entry were negative to an official blood test within thirty (30) days of the date of entry.

NOTE: Qualified Brucellosis Negative Herd. A herd under official supervision for control of brucellosis under Plan A in which all animals over six (6) months of age except official calfhood vaccinates under thirty (30) months of age, were blood tested negative within the year with a record of not less than two complete negative herd tests over a period of not less than ninety (90) days following the removal of last disclosed reactors.

C. Cattle under twenty-four (24) months of age vaccinated under Federal-State supervision with *Brucella-abortus* vaccine between four (4) and eight (8) months of age, which originate in herds in accordance with paragraphs A and B may be imported into the state if not negative. Transcript copy of the vaccination record required.

D. Unvaccinated calves under six (6) months of age will not be required to be blood tested prior to entry provided they are identified as the progeny of and come directly from negative or brucellosis-free herds.

5.03 Feeder Steers. Tuberculin test not required.

5.04 Scabies. No cattle affected with or exposed to scabies shall

be shipped, trailed, 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.

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.

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.

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.
- (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 indicating that they are free from any symptoms of any infectious or contagious disease, and that each animal has been treated with serum and attenuated hog cholera virus not less than twenty-one (21) days prior to date of entry.

The certificate of health must indicate the date of vaccination, the amount of serum and attenuated virus administered, and must adequately identify the animal by ear tag or registration ear notches. One copy of the approved health certificate shall be forwarded to the livestock sanitary official of the State of West Virginia before arrival of the swine at destination.

11.02 Purebred Swine for breeding purposes shall comply with Paragraph 11.01 and shall originate from certified brucellosis-free herds.

11.03 Immediate Slaughter: Swine may be imported for immediate slaughter without 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 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 December 1, 1958 and become effective on January 1, 1959.

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 (Revised) - Form D-1.

2.01 The Certificate of Registration forms shall be numbered serially and bound into books. These forms shall measure approximately  $3\frac{1}{2}$  x  $7\frac{1}{2}$  inches and shall be perforated. 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 Form D-1 Revised 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
  - County Head Tax
  - Male \$1.00
  - Female 2.00
  - Spayed female 1.00
  - Municipal Fees
  - Extra Charges
- (j) Amount collected

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

2.03 Form D-1 Certificate of Registration will be as follows:

FORM D-1

YEAR OF 19\_\_\_\_  
DOG TAX RECEIPT  
\_\_\_\_ County, West Virginia

Tag No. \_\_\_\_\_  
\_\_\_\_\_ 19\_\_\_\_

Received of \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_ Dollars \_\_\_\_\_ \$ \_\_\_\_\_

Head Tax on the dog bearing the following description. Name \_\_\_\_\_

Breed \_\_\_\_\_ Age \_\_\_\_\_ Color \_\_\_\_\_ Sex \_\_\_\_\_

**Tax Fees**

Male \_\_\_\_\_  
Female \_\_\_\_\_  
Spayed female \_\_\_\_\_  
Municipal \_\_\_\_\_  
Extra Charges \_\_\_\_\_  
Total \$ \_\_\_\_\_

District \_\_\_\_\_

\_\_\_\_\_, Assessor

Printed Form D-1 specifications 3½ x 7½ inches.

**Section 3 - RECORD OF REGISTRATIONS - Form D-2**

3.01 The Record of Registrations form shall be a loose leaf form. An A to Z index will run through the form and after the first year, forms will remain in the binder and the forms for the current year placed in front. This form shall measure approximately 12 x 14 inches and shall have the following column headings:

- (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

3.02 Form D-2 Certificate - Record of Registrations will be as follows:

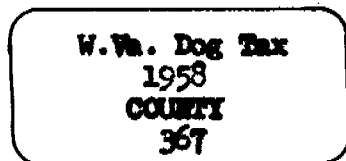


Section 4 -REGISTRATION TAGS (Revised)

4.01 Registration tags shall be manufactured of 24 gauge aluminum metal and have a hole in each end one-sixteenth of an inch in diameter. 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 Form D-1 (Revised).

Style #1



1-11/16" x 1/2"

Style #2



1-5/16" x 11/16"

4.03 The style of tag shall alternate each calendar year beginning with Style 1 for the year 1958 followed by Style 2 for the year 1959.

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.