



**WEST VIRGINIA SECRETARY OF STATE**

**KRIS WARNER**

**ADMINISTRATIVE LAW DIVISION**

**eFILED**

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Office of West Virginia  
Secretary Of State

**NOTICE OF PUBLIC COMMENT PERIOD**

AGENCY: Agriculture TITLE-SERIES: 61-01D

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: List of Restricted Live, Modified Live And Killed Vaccines For Animals

CITE STATUTORY AUTHORITY: §19-9-2

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/10/2026 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Amie Minor

ADDRESS: 1900 Kanawha Boulevard, East  
Charleston, WV 25305

EMAIL: rulescomments@wvda.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: Yes

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: Yes

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

The is rule establishes the annual list of restricted use of live, modified live and killed vaccines for animals.

SUMMARIZE IN A CLEAR AND CONCISE MANNER CONTENTS OF CHANGES IN THE RULE AND A STATEMENT OF CIRCUMSTANCES REQUIRING THE RULE:

Making this a legislative rule instead of procedural, adding a sunset provision, and incorporating by reference 9 CFR 101-124.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

n/a

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

n/a

C. ECONOMIC IMPACT OF THE RULE ON THE STATE OR ITS RESIDENTS:

n/a

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2026 Increase/Decrease (use "-")	2027 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
<b>1. Estimated Total Cost</b>	0	0	0
Personal Services	0	0	0
Current Expenses	0	0	0
Repairs and Alterations	0	0	0
Assets	0	0	0
Other	0	0	0
<b>2. Estimated Total Revenues</b>	0	0	0

E. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

n/a

**BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.**

Yes

**Amie J Minor -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**

TITLE 61  
~~PROCEDURAL RULE~~ LEGISLATIVE RULE  
DEPARTMENT OF AGRICULTURE

SERIES 1D  
LIST OF RESTRICTED LIVE, MODIFIED LIVE AND KILLED VACCINES FOR ANIMALS

**§61-1d-1. General.**

1.1. Scope. -- These ~~procedural~~ regulations establish the annual list of restricted use of live, modified live and killed vaccines for animals.

1.2. Authority. -- §19-9-2.

~~1.3. Filing Date. -- Technical Amendment Filed July 28, 2020.~~

1.4. Effective Date. -- ~~May 16, 2005.~~

1.5. Sunset Date. -- This rule shall terminate and have no further force or effect on August 1, 2036.

1.6. 9 C.F.R. §101-124 ("Viruses, Serums, Toxins, and Analogous Products; Organisms and Vectors", defined by the United States Department of Agriculture/Veterinary Services) is incorporated by reference.

**§61-1D-2. Restricted Animal Vaccine List.**

2.1. Brucella vaccine may be used only by licensed and accredited veterinarians.

2.2. Vaccines for Johne's disease, pseudorabies, bluetongue, avian influenza, laryngotracheitis (poultry) and anthrax shall not be used by anyone unless or until written authority for such use is granted by the Commissioner.

2.3. No person may sell rabies vaccine to other than a licensed veterinarian or person authorized by county commission to conduct rabies clinics or an establishment that legally sells such vaccines to such persons licensed or authorized to use such preparations.