



STATE OF WEST VIRGINIA
DEPARTMENT OF AGRICULTURE
CHARLESTON
25305

FILED

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SECRET

Gus R. Douglass
Commissioner

NOTICE OF PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West Virginia Department of Agriculture

RULE TYPE: Legislative

RULE TITLE: Animal Disease Control
SERIES 1

A public hearing on the above proposed rule will be held at the Guthrie Agricultural Center on July 28, 1987, at 1:30 p.m.

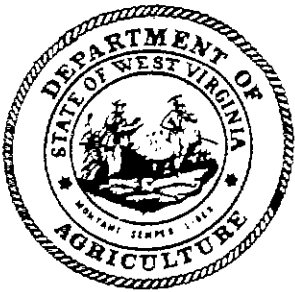
Comments may be oral or written. Also, comments may be mailed to the Animal Health Section of the West Virginia Department of Agriculture, Capitol Building, Charleston, WV 25305, until ten (10) days after the hearing date.

The Department would like to request that persons wishing to make comments at the hearing make an effort to submit written comments in order to facilitate a review of these comments.

The issues to be heard shall be limited to the proposed regulation.

For further information, please call or write the Animal Health Section, West Virginia Department of Agriculture, Capitol Building, Charleston, WV 25305. Telephone: (304) 348-2214.

Gus R. Douglass
Agriculture Commissioner



Gus R. Douglass
Commissioner

NEWS RELEASE

West Virginia Department of Agriculture
Information Division
Charleston, WV 25305
Phone: 348-3708

For Immediate Release

June 11, 1987

PUBLIC HEARING SCHEDULED

CHARLESTON, W.VA.--Agriculture Commissioner Gus R. Douglass has announced that a Public Hearing will be held on the following Animal Disease Control Regulations (Series 1):

1. Limitation on the Importation of Dogs and Cats into West Virginia (amendment);
2. Health Requirements for Birds to be Imported or Exhibited at Fairs, Festivals or Shows (new adoption).

The hearing on the proposed rule will be held at the Guthrie Agricultural Center on July 28 at 1:30 p.m. in the John T. Johnson Conference Room.

The Department would like to request that anyone wishing to make comments at the hearing submit them in written form in order to facilitate their review. The issue to be heard shall be limited to the proposed regulations.

For further information, please call or write the Animal Health Section, West Virginia Department of Agriculture, Capitol Building, Charleston, WV 25305; phone (304) 348-2214.

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Animal Disease Control, SERIES 1

Type of Rule: Legislative

Agency: West Virginia Department of Agriculture

Address: State Capitol Building

Charleston, WV 25305

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Personal Services					
Current Expense					
Repairs & Alterations					
Equipment					
Other					

2. Explanation of above estimates:

3. Objectives of these rules:

1. To make the importation rules compatible with the newly passed rabies law. (Sec. 7)
2. To protect the health of the poultry in West Virginia. (Sec. 10)

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

While it would add integrity to the poultry health program, the economic impact would be negligible.

B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens.

None

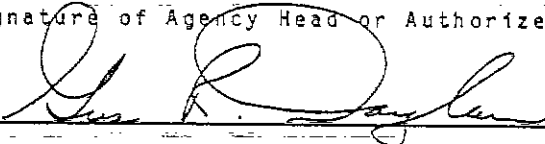
C. Economic Impact on Citizens/Public At Large.

None

Date:

6/11/87

Signature of Agency Head or Authorized Representative



WEST VIRGINIA LEGISLATIVE REGULATIONS
STATE DEPARTMENT OF AGRICULTURE
Chapter 19-9
SERIES 1

TITLE: Animal Disease Control

Section 1. General

1.1 Scope - These legislative regulations establish general operating rules and procedures in the Animal Disease Control Division and are established to prevent, suppress, control and eradicate communicable diseases of livestock and poultry.

1.2 Authority - W. Va. Code 19-9-2.

1.3 Filing Date -

1.4 Effective Date -

1.5 Amendment of former regulation in this legislative regulation amending the following: Animal Disease Control, Series 1, by amending Section 7 and by amending Section 10 by adding 10.11.

Section 2. Definitions

2.1 The following words, over and above the definitions in the law, shall, unless the context otherwise requires or a different meaning is specifically prescribed have the following meaning:

2.1.1 Accredited Veterinarian - Any veterinarian accredited by the Commissioner and APHIS.

2.1.2 APHIS - Animal and Plant Health Inspection Service or its successor agency of the United States Department of Agriculture.

2.1.3.1 To Identify reactor animals by means of a chemical brand applied to the left cheek using the letter "B".

2.1.3.2 To attach a special tag in the left ear.

Dept. of Agri.
Leg. Regs., 19-9
SERIES 1, Sec. 7

7.1 All dogs and cats imported into the State of West Virginia, except for exhibition, or those staying thirty (30) days or less, shall be accompanied by a certificate of health stating that the animal is free from all infectious diseases and has not been exposed to such diseases; and, if a dog or a cat is over ~~five~~ six months of age, that it has been immunized against rabies not more than twelve (12) months prior to shipment. Dogs and cats under 5 6 months of age are exempt from the rabies requirement.

Section 8. Game, Fur-bearing, Wild and Semi-wild, Domesticated Wild Animals, and Wild Birds

8.1 No person shall import into or have in his possession within this State for purposes of liberation, or liberate within this State, any live wildlife from without the State, except as authorized by a permit from the Director, West Virginia Department of Natural Resources, State Capitol Building, Charleston, West Virginia 25305.

8.2 Animals imported into West Virginia as zoo animals must have been examined by an accredited veterinarian within thirty (30) days prior to the date of entry and found free of disease and exposure thereto and must be accompanied by an approved interstate health certificate from the Animal Health official of the state of origin. A copy must be forwarded to the Director, Animal Health Division, State Department of Agriculture, State Capitol Building, Charleston, West Virginia 25305.

Section 9. Regulations for Hatcheries, Growers and Contractors Pertaining To Poultry Disease Control and Eradication

9.1 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 & Livestock Reporting Service, State Department of Agriculture, Capitol Building, Charleston, West Virginia 25305.

9.2 - All dealers in baby chicks and broiler contractors shall report the number of shipments of chicks and poults into the State to the West Virginia Department of Agriculture, Capitol Building, Charleston, West Virginia 25305.

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

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

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

- 10.10.5.1 Herd of origin is Certified Brucellosis Free.
- 10.10.5.2 Herd of origin has had two negative tests within 12 months at least 90 days apart and the last one at least 90 days prior to entry or shall originate from a herd that has had two negative milk ring tests during the last year but not less than 90 days prior to entry and test eligible animals entering must have a negative brucellosis test within 30 days.
- 10.10.5.3 Official vaccinates of beef breeds less than 24 months of age and official vaccinates of dairy breeds less than 20 months of age - no test required - but herd of origin must comply with 10.10.5.1 or 10.10.5.2.
- 10.10.5.4 Nursing calves may move on dam's test or status.
- 10.10.5.5 All cattle must be verifiable progeny of 10.10.5.1, 10.10.5.2 or 10.10.5.3 above.
- 10.10.5.6 Cattle consigned from Class B or Class C states need a prior permit obtained from the Animal Health Division

10.11 Health requirements for birds to be imported or exhibited at fairs, festivals or shows.

- 10.11.1 Birds to be exhibited at fairs, festivals or shows shall be apparently healthy and shall not originate from a flock known to be infected with pullorum/typhoid.
- 10.11.2 All birds exhibited at West Virginia fairs, festivals and shows shall be accompanied by:
 - 1) A statement by the owner signed on the day of the show stating that the birds have been free of disease for the past 30 days and did not originate from a flock known to be infected with pullorum/typhoid;
 - 2) A form 9-2 indicating that the birds have been tested within 30 days of the show, or;
 - 3) A Form 9-3 indicating that they have originated from a pullorum/typhoid clean flock, or;
 - 4) Submit to a pullorum/typhoid test at the place of exhibit performed by a state approved tester.

- 10.11.3 Qualified individuals approved by the Commissioner may perform the pullorum/typhoid test at fairs, festivals and shows.
- 10.11.4 The individual who performs the pullorum/typhoid test shall report to the Commissioner on forms provided by the Commissioner the results of these tests within seven (7) days of the testing.
- 10.11.5 If any bird submitted by an owner tests positive for pullorum/typhoid, all birds of that owner shall be denied entry into the show.
- 10.11.6 The fair management shall keep a record of all birds exhibited at their event. These records shall include the name and address of the exhibitor and the number of birds exhibited.
- 10.11.7 No bird will be allowed for exhibit from an area under quarantine for Avian Influenza or viscerotropic velogenic Newcastle disease (VVND).