

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2
Series I
1965

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

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

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 specific 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 Animal and Plant Health Inspection 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, Gus R. Douglass, 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 considered 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 certification 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 certification, 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.
- (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, or positive card test or positive rivanol test, except official calfhood vaccinates less than 20 months of age if dairy heifers and less than 24 months of age if beef breeds.
- (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 2-6 months dairy, and 2-10 months beef - Brucella Abortus Vaccine or any other Brucella vaccine as prescribed by the Commissioner.
- (16) Certified Brucellosis Free Herd. A herd which is certified as free from brucellosis (Bang's Disease) by the Commissioner.
- (17) Indemnity. Money paid by the State and Federal Government to the owner of reactor cattle.
- (18) Accredited Veterinarian. Any veterinarian accredited by the Commissioner and APHIS.
- (19) The A.R.S. Agricultural Research Service or its successor agency of the United States Department of Agriculture.
- (20) Destroyed. Disposed of by slaughter or killing under official inspection.
- (21) 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 purebred 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.
- (22) Salvage. The net proceeds received by the owner of reactor animals when disposed of for slaughter.
- (23) Post Mortem Report. A written report made by the State or Federal inspector who witnessed the slaughter of a reactor animal.
- (24) 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.
- (25) Tuberculosis. As infectious disease caused by the Mycobacterium tuberculosis, commonly known as the tubercle bacillus.
- (26) 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. (Official vaccinates are not tested for brucellosis until dairy animals are 20 months of age and beef animals are 24 months of age.
- (27) A Herd in the Process of Accreditation and Certification. 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. (Official vaccinates for brucellosis are not tested for brucellosis until dairy animals are 20 months of age and beef animals are 24 months of age. A herd may become accredited after 2 consecutive annual negative herd tests. See following form TB-237.

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: *NOTE: SEE VS-FORM 1-27 ATTACHED. (This form to be used only for intrastate and interstate movement of infected, exposed animals or animals consigned directly to slaughter.

(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.

This form must be complied with and signed each time an accredited herd is tested.

In order to be reaccredited, all cattle over 24 months of age and any animals other than natural additions under 24 months of age are to be tested. The testing veterinarian is to individually identify and record on the official test chart (ADE 6-22) all natural additions as members of the herd at time of the annual test.

Purchased Additions: Herd additions must originate directly from one of the following:

1. Accredited herds.
2. Herd in an Accredited Free State.
3. Herd in a Modified Accredited Area that has passed a herd test of all animals over 24 months of age within 12 months, and the individual animals for addition were negative to the tuberculin test conducted within 60 days.
4. Herd is a Modified Accredited Area not meeting requirements of (1), (2), or (3) of this paragraph, the individual animals for addition must pass a negative test within 60 days prior to entering the premises of the accredited herd and must be kept in isolation from all members of the accredited herd until negative to a test conducted after 60 days of the date of entry.

Animals added under (2), (3), and (4) shall not receive accredited herd status for sale purposes until they have been members of the herd at least 60 days and are included in a herd retest.

The accreditation period will be 12 months (365 days) from the anniversary date. To be reaccredited the herd must pass an annual test within a period of 10 to 14 months of the anniversary date.

A health certificate identifying the origin of each purchased addition classifying it in one of the above four categories is to be submitted with the TB test chart.

Additions not qualifying in the above categories will disqualify the herd for reaccreditation. Any retagging or changes of identity must be clarified so that the previous identity can be established.

CERTIFICATION:

I _____ certify that all animals appearing on the herd
Veterinarian, Owner, Manager

test on _____ for tuberculosis reaccreditation are in full
compliance with the above listed requirements.

Signature _____

Date _____

(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 Brucellosis (Bang's Disease) be marketed in such a manner that a post-mortem or inspection be held at the place of slaughter under official supervision by an authorized Federal or State Veterinarian.

The State and Animal and Plant Health Inspection Service or its successor agency of the United States Department of Agriculture, cooperating, may be 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 VS 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, VS Form 1-27 as follows:

* NOTE: SEE VS-FORM 1-27 ATTACHED. Copies to be dispersed as follows:

- White - Accompany shipment.
- Green - Destination of shipment - return to state of origin.
- Pink - State of destination - VS office.
- Yellow - State of origin - VS office.
- Buff - Retained by issuing official

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 the testing necessary to insure the safety of animals to enter commerce free of restraints.

(b) The quarantine shall also include all entities necessary to prevent the spread of the disease.

(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: SEE VS FORM 1-27 ATTACHED. All copies of VS form 1-27 shall be dispersed according to directions thereon.

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 may 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 the time required to complete the necessary testing to be released.

(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 dairy animals are 20 months of age and beef animals are 24 months of age.

(b) For reacting vaccinated animals unless the vaccine was administered between the ages of 2-6 months for dairy animals and 2-10 months for beef animals.

(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, in excess of six months of age if dairy animals and in excess of ten months of age if beef animals.

(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 infected 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 - Establishment and Maintenance of a Certified Herd:

(1) A "herd" shall include all animals (cattle) over six months of age except steers, spayed heifers and officially vaccinated animals not more than twenty months of age if dairy animals and not more than twenty-four months of age if beef animals. The establishment of a certified herd requires two negative complete herd tests for brucellosis 10-14 months apart.

(2) A herd may be accepted for the certification process if and when a herd owner signs an agreement to comply with the law and the rules and regulations governing the testing and certification of herds.

Agreement Form BR-236 be as follows: * NOTE: SEE BR-236 ATTACHED

(3) A certified herd certificate shall be valid for one year unless revoked by the Commissioner.

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

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

(6) 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 certification will be extended for a period of twelve months from the date of the last test.

(7) If more than one reactor is found by any test of a certified herd, the herd owner will be required to follow the general plan for certification.

(8) All animals in certified herds where infection has been found shall be quarantined until the herd has passed adequate testing to insure safety in commerce. (Uniform Methods and Rules guidelines usually followed).

MAINTENANCE OF CERTIFIED BRUCELLOSIS - FREE HERDS

INSTRUCTIONS:

This form is to be completed and signed each time a certified herd is tested and must accompany the blood samples and official test record to the laboratory.

When herd is tested, testing veterinarian is to record on official test record all animals that are either NA (Natural Additions) or PA (Purchased Additions) to the herd.

Animals appearing on any complete herd test for recertification must meet certain standards in order to qualify for entry into a certified herd, and the herd owner must verify that all animals added to or included in the complete herd tests have met such standards.

Animals included in a herd test must be in one of the following categories:

1. Were included on the preceding annual test of the herd, and have remained on the premises, or
2. Are natural additions to the herd but were too young to test on preceding test, or
3. If purchased additions, they were purchased from a certified herd, or
4. If purchased, but not from a certified herd, they must have been tested at time of purchase, held in isolation for a minimum period of 120 days and have been retested and negative at the end of this period, or
5. Official calfhood vaccinated animals, purchased from a non-certified herd, must have been held in isolation for a minimum period of 120 days.

They were/are to be tested and negative at either:

- a. the end of this period, or
- b. such time as they reach test eligible age at 24 months for beef breeds, 20 months for dairy.

CERTIFICATION:

I _____ certify that all animals appearing on
Name of Owner or Manager

the herd test performed _____ are fully in compliance with
above requirements.

Signature _____

Date _____

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

4.06 - Addition of Animals to Certified Herds or Herds in the Process of Certification.

(1) Animals from certified herds may enter certified herds or herds in the process of certification without being retested.

(2) Animals over six months of age from herds in the process of certification for brucellosis and accreditation for tuberculosis, when and if found to be negative to the test within thirty days of entry, may enter herds in the process of certification and 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) Negative animals, tested within 30 days, may enter certified herds by isolation and negative retest after 60 days.

4.07 - 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 and identification 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) 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.

4.08 Vaccination of Calves. Herd owners desiring to vaccinate their dairy calves between the ages of two and six months, and two and ten months if beef, with Brucella vaccine for the prevention and control of brucellosis may do so. All vaccination must be done by a licensed and accredited veterinarian.

(1) Such vaccine shall be administered by a person approved by the Commissioner, a licensed and accredited veterinarian, 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) If the registration tattoo is not legible all animals must be identified with an official metal ear tag.

(3) The calfhood vaccination Report shall give the name and address of owner, county of the farm, manufacturer and serial number of vaccine, expiration date of the vaccine, number of ear tag or tattoo of animal, breed, sex, date of birth, whether purebred or grade, name and address of veterinarian and date of vaccination. Each Calfhood Vaccination Report should show the preparation of the tattoo pattern.

(4) 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 veterinarian administering the vaccine.

(5) Such calves shall not be classed as reactors or suspects until after the dairy animals reach 20 months of age and beef animals reach 24 months of age and titers indicating such.

(6) Vaccinated calves from reactor herds shall be under quarantine until negative brucellosis test at least 30 days after calving of vaccinated animals.

(7) When a herd of cattle has been placed under quarantine and reactors have been removed from the herd on the farm, that herd shall be

retested for brucellosis during the time span of 9 and 12 months after the herd has been released from quarantine.

4.09 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.

4.10 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.

4.11 Accreditation of Veterinarians:

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

(2) Accredited 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) Accredited 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 should be able to 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 for Accreditation of Veterinarians. (attached)

4.12 Powers of employees of the Animal and Plant Health Inspection Service or its successor agency of the United States Department of Agriculture.

U.S. DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
VETERINARY SERVICES

APPLICATION FOR VETERINARY ACCREDITATION

2. SOCIAL SECURITY NUMBER

3. VETERINARY COLLEGE ATTENDED AND DATE GRADUATED

INSTRUCTIONS: Submit an original and one copy (typed or printed) to the Veterinary Services State Office in the State to which you are applying. Retain one copy. Privacy Act Notice on reverse.

1. NAME AND MAILING ADDRESS OF APPLICANT (Include Zip Code - Indicate name as desired on certificate)

4. STATE IN WHICH ACCREDITATION IS REQUESTED AND VETERINARY LICENSE NO.

5. OTHER STATES IN WHICH LICENSED (If none, so state)

STANDARDS FOR ACCREDITED VETERINARIANS

Excerpts from CFR, Part 161.2, "Standards for Accredited Veterinarians." Standards for Accredited Veterinarians and Rules of Practice are provided by the Federal Area Veterinarian in Charge.

An accredited veterinarian shall perform official duties in accordance with the following standards:

- (a) Prior to completing and signing a certificate with respect to animals or poultry, the accredited veterinarian shall individually inspect such animals or poultry in accordance with professionally accepted procedures.
- (b) Certificates, forms, and reports shall be accurately and fully completed, including identification of animals, and shall be distributed according to instructions issued by the State Animal Health Official or the Area Veterinarian in Charge, or both.
- (c) Certificates issued by an accredited veterinarian that reflect results of tests performed by another accredited veterinarian shall clearly indicate the name of the veterinarian conducting the tests, the place where the tests were conducted, and the date and results of the tests.
- (d) Official tests and vaccinations shall be applied according to procedures and standard techniques prescribed by the State Animal Health Official or the Area Veterinarian in Charge, or both.
- (e) Reactor animals disclosed by tests shall be identified within prescribed time limitations and according to State/Federal instructions issued by the State Animal Health Official or the Area Veterinarian in Charge, or both.
- (f) All diagnosed or suspected cases of diseases of livestock or poultry named in § 71.3 (a) and (b) of Part 71, Subchapter C, of this chapter, including any vesicular conditions, and horses considered sore by designated accredited veterinarians, shall be reported immediately to the appropriate State Animal Health Official or the Area Veterinarian in Charge.
- (g) Professionally accepted sanitary procedures shall be followed to minimize the danger of spread of disease between animals and between premises.
- (h) The accredited veterinarian shall keep currently informed on State and Federal policies, regulations, and procedures concerning livestock disease control and eradication and shall advise livestock owners, shippers, and other interested parties accordingly.
- (i) Accredited veterinarians shall use drugs, chemicals, vaccines, or serum, or other biological product authorized for use under Federal regulations or cooperative disease eradication programs only as directed by Federal or State laws and regulations or as instructed by the Area Veterinarian in Charge or State Veterinarian.
- (j) An accredited veterinarian shall be responsible for the proper use and prevent the misuse of all certificates, forms, records, tags, brands, bands, etc. used in work as an accredited veterinarian.
- (k) Accredited veterinarians acting under regulations pursuant to the Horse Protection Act of 1970 shall thoroughly examine each animal in a professionally acceptable manner, to determine whether or not each horse is in compliance with said Act.

I request to be accredited

- 1. To inspect animals and poultry and apply tests for intrastate, interstate or export shipment and to issue official certificates to accompany such animals in compliance with applicable State and Federal Regulations.
- 2. To participate in cooperative State/Federal programs for the control and eradication of diseases of domestic animals, including, but not limited to, tuberculosis, brucellosis, hog cholera, and scabies.
- 3. To perform functions in accordance with regulations issued pursuant to the Horse Protection Act of 1970.

I agree to conduct all activities as an accredited veterinarian in accordance with the Standards for Accredited Veterinarians contained in Title 9 Code of Federal Regulations, Subchapter I, Part 161, Section 161.2, and any amendments thereto which may subsequently be issued, and in accordance with instructions received from State and Federal Animal Health Officials of the State in which accreditation is requested as specified above. I understand that my participation as an accredited veterinarian will be subject to the provisions of Title 9 Code of Federal Regulations, Subchapter I.

I hereby certify that the information herein is true and correct.

SIGNATURE OF VETERINARIAN

DATE OF APPLICATION

PRIVACY ACT NOTICE

General

This information is provided pursuant to Public Law 93-579 (*Privacy Act of 1974*) December 31, 1974, for individuals completing VS Form 1-36A.

Authority

U.S. Code, Title 5, Section 3301.

Purpose and Use

The primary purpose of the information solicited directly from applicants, eligibles, appointees, or employees is to make determinations of fitness, knowledge and ability to be employed in the Federal competitive service.

This information may be shared with the Office of Personnel Management, or with any Federal agency with the need-to-know and conducting official business with the Office of Personnel Management.

Effects of Nondisclosure

Although all of the information is voluntarily furnished, failure to supply complete and accurate information may limit consideration or jeopardize eligibility to hold a Federal position.

Information Regarding Disclosure of Your Social Security Number Under Public Law 93-579

Section 7 (b) (*Privacy Act of 1974*) - Disclosure by you of your Social Security Number (SSN) is mandatory to obtain the services, benefits, or processes that you are seeking. Solicitation of the SSN by the United States Department of Agriculture is authorized under provisions of Executive Order 9397, dated November 22, 1943. The SSN is used as an identifier throughout your Federal career from the time of application through retirement. It will be used primarily to identify your records that you file with the U.S. Department of Agriculture. The SSN also will be used by the U.S. Department of Agriculture and other Federal Agencies in connection with lawful requests for information about you from your former employers, educational institutions, and financial or other organizations. The information gathered through the use of the number will be used only as necessary in personnel administration processes carried out in accordance with established regulations and published notices of systems of records. The SSN also will be used for the selection of persons to be included in statistical studies of personnel management matters. The use of the SSN is made necessary because of the large number of present and former Federal employees and applicants who have identical names and birth dates, and whose identities can only be distinguished by the SSN.

(1) The employees of the Animal and Plant Health Inspection 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, when so instructed to do so by the Agriculture Commissioner or his agents.

4.13 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.

4.14 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.



STATE OF WEST VIRGINIA
OFFICE OF THE SECRETARY OF STATE
 CHARLESTON 25308

A. JAMES MANCHIN
 SECRETARY OF STATE

STATE REGISTER FILING

I, Gus R. Douglass, Commissioner,
 Title or Position

West Virginia Department of Agriculture, hereby submit to record in
 Department or Division

the State Register on 8 1/2 x 11" paper two (2) copies of

- proposed rules and regulations concerning topics of material not covered by existing rules and regulations;
- proposed rules and regulations superseding rules and regulations already on file;
- notice of hearing;
- findings and determinations;
- rules and regulations; or
- other - specify ().

This filing pertains to

Chapter 19
 Article 9
 Series 1A
 Section 2
 Page No. 16-11-p.7

- proposed rules and regulations are required to go to Legislative Rule Making Committee;
- proposed rules and regulations are excluded from Legislative Rule Making Committee;

June 12, 1978

Date Submitted

Gus R. Douglass
 Signature of Person Authorizing
 this Filing

Chapter 19, Article 9, section 2 provides that the Commissioner of Agriculture shall prevent, suppress, control and eradicate disease of animals and poultry.

The animal disease pseudorabies is a serious threat to swine production and a danger to cattle. Therefore, under the auspices of Chapter 19, Article 9, section 2 of the Code of West Virginia, 1931, as amended, I hereby promulgate the following addition to the West Virginia Health Requirements Governing Admission of Livestock and Poultry, 1C, section 11 (page 7):

11.04 Pseudorabies. Swine moved into West Virginia for breeding purposes must originate in herds not known to be infested with pseudorabies and must have had a negative serum neutralization or other acceptable test for the diagnosis of pseudorabies within the 30 days immediately prior to movement into the state. Swine moved into West Virginia for exhibition purposes must originate in herds not known to be infected with pseudorabies and must have had a negative serum neutralization or other acceptable test for the diagnosis of pseudorabies within the 60 days immediately prior to movement into the state. Swine from an approved qualified pseudorabies free herd may enter without test.

Gus R. Douglass
Agriculture Commissioner

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