



STATE OF WEST VIRGINIA
DEPARTMENT OF AGRICULTURE
CHARLESTON
25305

FILED IN THE OFFICE
EDGAR F. HEISKELL III
SECRETARY OF STATE
THIS DATE 2-18-75

Gus R. Douglass
Commissioner

February 14, 1975

The Honorable Edgar F. Heiskell, III
West Virginia Secretary of State
Room 151, State Capitol Building
Charleston, West Virginia 25305

Dear Secretary Heiskell:

Enclosed please find two (2) copies of administrative regulations promulgated by me and pertaining to Chapter 19, Article 9 of the Code of West Virginia.

I certify that the enclosed regulations is a true and accurate copy of the regulations adopted by this Department on February 14, 1975.

Very truly yours,

Gus R. Douglass
Agriculture Commissioner

GRD/am

Enclosures

REGULATION COVERING EQUINE INFECTIOUS ANEMIA

Chapter 19-2

Series Ia

DEFINITIONS

Equine Infectious Anemia (E.I.A.) shall mean the disease wherein an animal is infected with the causal agent or virus of Equine Infectious Anemia, regardless of whether the animal is showing clinical signs of the disease.

An animal shall be declared infected if it is classified as a reactor to an agar-gel immunodiffusion (AGID) (Coggins') test.

Only USDA approved laboratories can conduct the official AGID (Coggins') test. Blood samples will be accepted only from an accredited veterinarian. All tests will be final.

Exposed animals shall mean any horse, pony, mule or ass (collectively called equines) which are stabled or comingling (race tracks excluded) within 200 yards of a reactor or any horse, pony, mule or ass which in addition to the reactor is under the care of the same trainer.

Positive identification shall mean a description of color, markings, scars or other physical characteristics of the animal including tattoos and brands.

All horses, ponies, mules and asses entering West Virginia for purposes other than immediate slaughter must be accompanied by an official health certificate giving a positive description of the animal and showing a negative result to an agar-gel immunodiffusion (AGID) (Coggins') test for E.I.A. within the six (6) months immediately prior to entry. Equine from states with a horse health program comparable to West Virginia shall be allowed entry into the state if accompanied by an official health certificate giving a positive description of the animal and showing a negative result to an agar-gel immunodiffusion (AGID) (Coggins') test within the twelve (12) months prior to entry.

All horses, ponies, mules and asses from West Virginia being exhibited at West Virginia fairs, shows, festivals, parades, trail rides or other points of public assembly must be accompanied by an official health certificate giving a positive description of the animal and showing a negative result to an agar-gel immunodiffusion (AGID) (Coggins') test for E.I.A. within the twelve (12) months immediately prior to such exhibition.

All horses offered at public auctions, for other than slaughter, must be negative to the Coggins' test within the last six months if from states other than West Virginia and within the last twelve months if from West Virginia. (Horses from states with horse health programs comparable to West Virginia may be offered for sale if negative to the Coggins' test within the previous twelve months.)

The enforcement of this stipulation rests with the management of each event except at those events where premiums are wholly or in part supplied by the West Virginia Department of Agriculture. All credentials and certificates for equine at any and all events shall be subject to unannounced spot checking by officials of the Department of Agriculture.

When a horse, pony, mule or ass is found to be positive to the agar-gel immunodiffusion (AGID) (Coggins') test, the reactor and all exposed animals on the same premises shall be immediately quarantined. If a positive reactor is found at a horse racetrack, all

MADE IN THE SERVICE
S. ROBERTSON JR.
SECRETARY OF STATE
MAY 1958, 2-18-70



STATE OF WEST
OFFICE OF THE SECY
CHARLESTON

*Mary,
Thanks a
million
- 12/6/82*

A. JAMES MANCHIN
SECRETARY OF STATE

STATE REGISTER

I, Gus R. Douglass

West Virginia Department of Agriculture
Department or Division

Rheba

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

- () 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;
- (x) notice of hearing; January 7, 1982
- () findings and determinations;
- () rules and regulations; or
- () other - specify (_____)

This filing pertains to

Chapter 19
Article 7, 9, 20
Series I and XIII
Section 2
Page No. Entire Series

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

December 6, 1982

Date Submitted

[Signature]
Signature of Person Authorizing
this Filing

INTERDEPARTMENTAL MAIL

Rheba Dolin
W. Va. Dept. of Agriculture
Capitol Building

DO NOT METER



STATE OF WEST VIRGINIA
 OFFICE OF THE SECRETARY OF STATE
 CHARLESTON 25305

A. JAMES MANCHIN
 SECRETARY OF STATE

STATE REGISTER FILING

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

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


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;
- (x) notice of hearing; January 7, 1982
- () findings and determinations;
- () rules and regulations; or
- () other - specify ()).

This filing pertains to

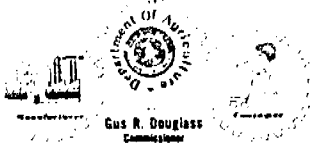
Chapter 19
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 Page No. Entire Series

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- (x) proposed rules and regulations are excluded from Legislative Rule Making Committee;

December 6, 1982
 Date Submitted

 Signature of Person Authorizing this Filing

Bringing
The Farmer
And
The Consumer

From
The Soil
To The
Supermarket



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NEWS RELEASE

WEST VIRGINIA DEPARTMENT OF AGRICULTURE

Information Division
Charleston, WV 25305
Phone: 348-3708

NOV 22 1982

For Immediate Release

November 22, 1982

PUBLIC HEARING ON ANIMAL HEALTH REGULATIONS

CHARLESTON, W.VA.--Agriculture Commissioner Gus R. Douglass has scheduled a public hearing on Friday, January 7, 1983, to consider changes in the West Virginia Animal Health Regulations. The meeting will be convened at 1 p.m. in the conference room on the second floor of Building 2 of the Guthrie Ag Center, located on Route 21, west of Charleston.

Douglass says that the major emphasis is to develop regulations to implement the new Brucellosis classifications recently put into effect by the U. S. Government, but that numerous minor changes geared to the updating of the overall regulations will be discussed.

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REGULATION COVERING EQUINE INFECTIOUS ANEMIA

Chapter 19-2
Series 1e

DEFINITIONS

Equine Infectious Anemia (E.I.A.) shall mean the disease wherein an animal is infected with the causal agent or virus of Equine Infectious Anemia, regardless of whether the animal is showing clinical signs of the disease.

An animal shall be declared infected if it is classified as a reactor to an agar-gel immunodiffusion (AGID) (Coggins') test.

Only USDA approved laboratories can conduct the official AGID (Coggins') test. Blood samples will be accepted only from an accredited veterinarian, or designated regulatory personnel. All tests will be final.

Exposed animals shall mean any horse, pony, mule or ass (collectively called equines) which are stabled or comingling (race tracks excluded) within 200 yards of a reactor or any horse, pony, mule or ass which in addition to the reactor is under the care of the same trainer.

Positive identification shall mean a description of color, markings, scars or other physical characteristics of the animal including tattoos and brands.

All horses, ponies, mules and asses entering West Virginia for purposes other than immediate slaughter or consigned to livestock auction markets, must be accompanied by an official health certificate giving a positive description of the animal and showing a negative result to an agar-gel immunodiffusion (AGID) (Coggins') test for E.I.A. within the six (6) months immediately prior to entry. Equine from states with a horse health program comparable to West Virginia shall be allowed entry into the state if accompanied by an official health certificate

giving a positive description of the animal and showing a negative result to an agar-gel immunodiffusion (AGID) (Coggins') test within the twelve (12) months prior to entry.

All horses, ponies, mules and asses from West Virginia being exhibited at West Virginia fairs, shows, festivals, parades, trail rides or other points of public assembly must be accompanied by an official health certificate giving a positive description of the animal and showing a negative result to an agar-gel immunodiffusion (AGID) (Coggins') test for E.I.A. with the twenty-four (24) months immediately prior to such exhibition.

The enforcement of this stipulation, through checking the Coggins' certification, for animals from both within and without the State rests with the management of each event. All credentials and certificates for equine at any and all events shall be subject to unannounced spot checking by officials of the Department of Agriculture.

When a horse, pony, mule or ass is found to be positive to the agar-gel immunodiffusion (AGID) (Coggins') test, the reactor and all exposed animals on the same premises shall be immediately quarantined. If a positive reactor is found at a horse racetrack all animals handled by the same trainer who is in charge of the reactor will be considered exposed animals and so quarantined. The Agriculture Commissioner, if he deems necessary, may classify as exposed all animals in the same shed row of stall area as the reactor.

An equine shall be classified as an E.I.A. reactor when two consecutive blood samples taken from the horse are found to be positive

at the State-Federal Laboratory and one of these two samples is found to be positive when submitted to the Federal Laboratory at Ames, Iowa. All equines should be immediately isolated from all other equines at the discovery of the first positive test and all exposed horses quarantined.

Before a quarantine can be lifted, all exposed animals must be tested negative no sooner than 30 days after the reactor has been removed from the band. The reactor or reactors must be isolated from non-reactors in stalls or pastures a distance of at least 200 yards from other equines. A reactor can only be moved by permission of the Agriculture Commissioner or his agent.

All animals found to be reactors shall be permanently identified with a visible freeze brand under mane on left side, with the notation 54-A and a number assigned to the particular horse. All permanent identification shall be made by the West Virginia Department of Agriculture, Animal Health Division. The Commissioner of Agriculture reserves the right to retest animals when and if conditions warrant. When a reactor has originated, within the preceding 12 months, from another known band of equine, traceback testing will be done. All reactors shall be branded as such.

If a reactor animal is destroyed, no indemnity will be forthcoming from the State of West Virginia.

If reactors are with foal, the foal should be isolated from the dam as quickly as possible after birth and tested. All foal found to react positively to an official test shall be quarantined and retested at 12 months of age. If positive at that time, the animal shall be

Chapter 19-2
Series 1e

subject to permanent identification and continued quarantine.

Done in the office of the Agriculture Commissioner, Capitol
Building, Charleston, West Virginia this

Agriculture Commissioner

Chapter 1942
Series 1e

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Positive identification shall mean a description of color, markings, scars or other physical characteristics of the animal including tattoos and brands.

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The enforcement of this stipulation rests with the management of each event except at those events where premiums are wholly or in part supplied by the West Virginia Department of Agriculture. All credentials and certificates for equine at any and all events shall be subject to unannounced spot checking by officials of the Department of Agriculture.

When a horse, pony, mule or ass is found to be positive to the agar-gel immunodiffusion (AGID) (Coggins') test, the reactor and all exposed animals on the same premises shall be immediately quarantined. If a positive reactor is found at a horse racetrack, all

FILED IN THE OFFICE
EDGAR F. HEISKELL III
SECRETARY OF STATE
THIS DATE 2-18-75

animals handled by the same trainer who is in charge of the reactor will be considered exposed animals and so quarantined. The Agriculture Commissioner, if he deems necessary, may classify as exposed all animals in the same shed row or stall area as the reactor.

Before a quarantine can be lifted, all exposed animals must be tested and the positive reactor must be tested a second time. The positive reactor or reactors must then be isolated from non-reactors in stalls or pastures a distance of at least 200 yards from other equines. A reactor can only be moved by permission of the Agriculture Commissioner or his agent.

All animals found to be reactors on the second test shall be permanently identified with a visible freeze brand with the notation 54-A and a number assigned to the particular horse. All permanent identification shall be made by the West Virginia Department of Agriculture, Animal Health Division. The Commissioner of Agriculture reserves the right to retest animals when and if conditions warrant. When a reactor has originated, within the preceding 12 months, from another known band of equine, traceback testing will be done. All reactors shall be branded as such.

If a reactor animal is destroyed, no indemnity will be forthcoming from the State of West Virginia.

If reactors are with foal, the foal should be isolated from the dam as quickly as possible after birth and tested. All foal found to react positively to an official test shall be quarantined and retested at 12 months of age. If positive at that time, the animal shall be subject to permanent identification and continued quarantine.

Done in the office of the Agriculture Commissioner, Capitol Building, Charleston, West Virginia, this the 14th day of February, 1975 to become effective March 15, 1975.


Agriculture Commissioner

REGULATION COVERING EQUINE INFECTIOUS ANEMIA

DEFINITIONS

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~~All-horses-offered-at-public-auctions,-for-other-than slaughter,-must-be-negative-to-the-Coggins'-test-within-the-last six-months-if-from-states-other-than-West-Virginia-and-within-the last-twelve-months-if-from-West-Virginia---(Horses-from-states-with horse-health-programs-comparable-to-West-Virginia-may-be-offered-for sale-if-negative-to-the-Coggins'-test-within-the-previous-twelve-months-~~

The enforcement of this stipulation, through checking the Coggins' certification, for animals from both within and without the State rests with the management of each event, ~~except-at-these-events where-premiums-are-wholly-or-in-part-supplied-by-the-West-Virginia Department-of-Agriculture.~~ All credentials and certificates for equin at any and all events shall be subject to unannounced spot checking by officials of the Department of Agriculture.

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Adm. Reg. 19-2
Series 1e

exposed all animals in the same shed row of stall area as the reactor.

Before a quarantine can be lifted, all exposed animals must be tested and the positive reactor must be tested a second time. The positive reactor or reactors must then be isolated from non-reactors in stalls or pastures a distance of at least 200 yards from other equines. A reactor can only be moved by permission of the Agriculture Commissioner or his agent.

All animals found to be reactors on the second test shall be permanently identified with a visible freeze brand with the notation 54-A and a number assigned to the particular horse. All permanent identification shall be made by the West Virginia Department of Agriculture, Animal Health Division. The Commissioner of Agriculture reserves the right to retest animals when and if conditions warrant. When a reactor has originated, within the preceding 12 months, from another known band of equin, traceback testing will be done. All reactors shall be branded as such.

If a reactor animal is destroyed, no indemnity will be forthcoming from the State of West Virginia.

If reactors are with foal, the foal should be isolated from the dam as quickly as possible after birth and tested. All foal found to react positively to an official test shall be quarantined and retested at 12 months of age. If positive at that time, the animal shall be subject to permanent identification and continued quarantine.

Done in the office of the Agriculture Commissioner, Capitol Building, Charleston, West Virginia this 20th day of March, 1979, to become effective April 1, 1979.


Agriculture Commissioner

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
STATE DEPARTMENT OF AGRICULTURE

Chapter 19.

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for
Series III - III a

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one owner come into contact with those belonging to others.

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Brucellosis and Tuberculosis, Segregation of Steers, 3.02

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FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 7/1/67

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2
Series III
1967

FAIRS

Subject: Amendment to Regulations Governing the Exhibition of Livestock at fairs and shows in West Virginia where animal belonging to one owner come into contact with those belonging to others.

Section 1 - GENERAL

1.01 Scope These regulations establish general operating rules and procedures in the Animal Health Division for the Control of Livestock, Poultry and Other Birds at Fairs.

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 August 1, 1967.

1.04 Filing Date These regulations were filed in the Office of the Secretary of State on July 1, 1967.

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

Section 2 - Declaration of Policy

2.01 The West Virginia Law governing prevention of disease among domestic animals and poultry authorizes the Commissioner of Agriculture to make and enforce such rules and regulations as may be necessary to effectuate the provisions of the law.

2.02 By virtue of authority vested in me by Article 9, Chapter 19, Code of West Virginia, I, Gus R. Douglass, Commissioner of Agriculture, do hereby promulgate and declare in effect the following rules and regulations.

Section 3 - Regulations

3.01 No animal or poultry affected with, or exposed to an infectious, contagious, or communicable disease, or that originates from a quarantined area or herd or flock, shall be brought into a livestock exhibition in West Virginia.

At any event wherein livestock are exhibited and premium monies from the West Virginia Department of Agriculture are allocated, the officials of such event shall certify prior to payment of these funds, the animal health regulations, promulgated by the Commissioner of Agriculture for such event have been complied with.

Livestock from other states must comply with West Virginia import requirements.

3.02 Cattle

(1) TUBERCULOSIS

(a) Cattle originating directly from an accredited tuberculosis-free herd - no test required. Accredited Herd Certificate must accompany cattle to exhibition.

- 8/14/68
- (b) Cattle originating from a modified accredited tuberculosis-free area, but not from an accredited tuberculosis-free herd, may be exhibited in West Virginia if tested negative to tuberculosis within thirty (30) days prior to the opening day of the exhibition.
- (c) Steers - no tuberculosis test required.
- (d) Cattle located in infected or suspect herds not eligible for entry.
- (e) A permanent identification number shall be assigned to all animals exhibited at Fairs and Shows in the State of West Virginia. The identification number must be the same as that used when the animals were tested for tuberculosis. Such eartag, tattoo number or permanent individual brand must be shown on all forms and all test charts. Neck chains may be used as further means of identification, but not in lieu of eartag or tattoo numbers.
- (f) Test records for tuberculosis shall accompany show animals, indicating the animal's permanent identification number.

(2) BRUCELLOSIS3.02 Cattle

- (a) Cattle originating directly from a certified

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brucellosis-free herd - no test required.

Certified Herd Certificate must accompany cattle to exhibition.

- (b) Official vaccinated heifers under twenty-four (24) months of age - no test required. Vaccination record must accompany heifers to exhibition.
- (c) Cattle, except steers, originating in a modified certified brucellosis-free area, but not qualifying in either of the above categories, must be tested negative for brucellosis within thirty (30) days prior to the opening day of the exhibition. Cattle from infected herds are not eligible for entry.
- (d) A permanent identification number shall be assigned to all animals that are exhibited at Fairs and Shows in the State of West Virginia. The identification number must be the same as that used when the animals were treated for brucellosis. Such eartag, tattoo number or permanent individual brand must be shown on all forms and all test charts. Neck chains may be used as further means of identification, but not in lieu of eartag or tattoo numbers.

(e) Test records for brucellosis shall accompany show animals, indicating the animal's permanent identification number.

3.03 Swine consigned to exhibition centers must be accompanied by a certificate of health issued by an accredited veterinarian stating that they are free from any symptoms of any infectious or contagious disease, and that each animal has been treated with a proper dose of anti-hog cholera serum and attenuated hog cholera virus not less than twenty-one (21) days prior to entry, or receive a minimum dose of anti-hog cholera serum within five (5) days prior to the opening day of the exhibition.

The certificate of health must indicate the date of and the amount of serum and attenuated virus administered, or serum alone, and must adequately identify the animal by eartag or registration ear notches. Certificates covering swine must accompany the shipment and be presented to the Animal Health Division officials upon entering the exhibition.

3.04 Sheep and lambs originating in areas under quarantine on account of scabies, or coming from affected or exposed flocks, may not enter exhibition centers in West Virginia.

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5/26/71

3.03 Swine entering West Virginia for exhibition must originate from an area not under quarantine for the past sixty (60) days and be accompanied by a health certificate issued by an accredited veterinarian stating that the swine are free of symptoms of any infectious or contagious disease. Swine must originate from states that are hog cholera free, or in phase IV of the National Hog Cholera Eradication Program.

Health Certificates accompanying shipments of swine must adequately identify the animal by ear tag or registration ear notches. Health Certificates must be presented to Animal Health Division officials upon entering the exhibition, with a copy forwarded to the Director of Animal Health, West Virginia Department of Agriculture, State Capitol Building, Charleston, West Virginia 25305.

Swine consigned for exhibition from within the State of West Virginia must be identified by ear tag or other methods approved by the Commissioner of Agriculture. Health Certificates issued by an accredited veterinarian or an approved official of the West Virginia Department of Agriculture must accompany the shipment, with a copy forwarded to Director of Animal Health, West Virginia Department of Agriculture, State Capitol Building, Charleston, West Virginia 25305. Health Certificate must affirm that the swine are free of symptoms of any infectious or contagious disease, and have originated from a herd not under quarantine.

Sheep and lambs consigned to exhibition centers in West Virginia must be accompanied by a health certificate issued by an Accredited Veterinarian indicating that the flock of sheep including the individual sheep and lambs offered for exhibition were 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 infectious or contagious, communicable disease. No sheep or lambs will be permitted to enter the exhibition centers unless accompanied by the proper health certificate.

3.05 Goats for exhibition purposes may enter county or district fairs, or other exhibition centers, if accompanied by an official health certificate certifying such goats have been blood tested negative for brucellosis within thirty (30) days of the date of entry.

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Series 1e

subject to permanent identification and continued quarantine.

Done in the office of the Agriculture Commissioner, Capitol
Building, Charleston, West Virginia this

Agriculture Commissioner