



GUS R. DOUGLASS  
COMMISSIONER

STATE OF WEST VIRGINIA  
DEPARTMENT OF AGRICULTURE  
CHARLESTON 25305

March 21, 1979

Honorable A. James Manchin  
Secretary of State  
Room W-151, Building #1  
Charleston, WV 25305

Dear Secretary Manchin:

I am enclosing 2 copies of a regulation extending the list of restricted use pesticides in West Virginia, Notice of Public Hearing was distributed on February 15, 1979, to every newspaper and wire service in West Virginia and it was published in the March 1, 1979, Market Bulletin.

This hearing has been held and no adverse comments were received. Accordingly, I am submitting the list as originally proposed for publication in the State Register and for consideration of the Legislative Rule Making Review Committee.

With best regards, I am

Very truly yours,

A handwritten signature in cursive script, appearing to read "Gus R. Douglass", is written over a large, stylized circular flourish.

Gus R. Douglass  
Agriculture Commissioner

GRD/G/d  
Enc.

cc - Legislative Services  
Albert Cole, Plant Pest Control Division

FILED IN THE OFFICE OF  
SECRETARY OF STATE OF  
WEST VIRGINIA

THIS DATE 3-22-79



STATE OF WEST VIRGINIA  
DEPARTMENT OF AGRICULTURE  
CHARLESTON 25305

GUS R. DOUGLASS  
COMMISSIONER

WILLIAM H. GILLESPIE  
ADMINISTRATIVE ASSISTANT

March 21, 1979

Mr. Earl Vickers  
Legislative Services  
Capitol Building  
Charleston, WV 25305

Dear Mr. Vickers:

On February 15, 1979, notice was given the public of intention to promulgate a regulation extending the list of Restricted Use Pesticides in West Virginia. This is in response to the law which says West Virginia shall adopt the list certified by the United States Environmental Protection Agency.


There were no adverse comments at the hearing held on March 20, 1979, consequently, the list is being adopted as originally proposed.

Would you please advance the enclosed 17 copies on to whoever is serving as clerk for the Legislative Rule Making Review Committee.

Sincerely,

Gus R. Douglass  
Agriculture Commissioner

by

  
William H. Gillespie  
Administrative Assistant  
to the Commissioner

FILED IN THE OFFICE OF  
SECRETARY OF STATE OF  
WEST VIRGINIA

WHG/rkd  
Enc.

THIS DATE 3-22-79



WEST VIRGINIA PESTICIDE  
USE AND APPLICATION ACT OF 1975  
CHAPTER 19 ARTICLE 16B

REGULATIONS

SECTION 4 -- RESTRICTED USE PESTICIDES

4.02 West Virginia Restricted Use Pesticide List (Continued)  
The following pesticides are hereby declared to be Restricted to use by applicators  
Certified to use Restricted Use Pesticides:

ACTIVE INGREDIENT	FORMULATION	USE PATTERN	CLASSIFICATION	CRITERIA INFLUENCING RESTRICTION
<u>Aluminum phosphide</u>	<u>Detia Tablets</u>	<u>Grain Fumigant</u>	<u>Restricted</u>	<u>United States Environmental Protection Agency Restricted Use Classification on New Registration EPA Reg. #2548-62</u>
<u>Aluminum phosphide</u>	<u>Detia Pellets</u>	<u>Grain Fumigant</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #2548-63</u>
<u>Aluminum phosphide</u>	<u>Phostoxin Tablets</u>	<u>Grain Fumigant</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #40285-1</u>
<u>Aluminum phosphide</u>	<u>Phostoxin Pellets Prepac</u>	<u>Grain Fumigant</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #40285-2</u>
<u>Aluminum phosphide</u>	<u>Phostoxin Pellets Prepac</u>	<u>Grain Fumigant</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #40285-3</u>
<u>Chlordimeform</u>	<u>Funda I</u>	<u>Insecticide</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #2139-100 Applicators must also take company sponsored training.</u>

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<u>Chlordimeform</u>	<u>Galecron</u>	<u>Insecticide</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #100-551</u> <u>Applicators must also take company sponsored training.</u>
<u>Chlorphrofos</u>	<u>Killmaster II</u>	<u>All Uses</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #26693-2</u>
<u>Mesurol</u>	<u>Borderland Black Repellent</u>	<u>Bird Repellent</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #7832-4</u>
<u>Mesurol</u>	<u>Hopkins Mesrepe1</u>	<u>Bird Repellent</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #23930-337</u>
<u>Zinc phosphide</u>	<u>ZP Tracking Powder</u>	<u>Rodenticide</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #12455-16</u>

FILED IN THE OFFICE OF  
SECRETARY OF STATE OF  
WEST VIRGINIA

THIS DATE 3-27-79



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, 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

- (X) 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 16-B  
 Series \_\_\_\_\_  
 Section 4  
 Page No. \_\_\_\_\_

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

March 21, 1979  
 Date Submitted

Gus R. Douglass  
 Signature of Person Authorizing  
 this Filing

WEST VIRGINIA PESTICIDE  
 USE AND APPLICATION ACT OF 1975  
 CHAPTER 19 ARTICLE 16B

REGULATIONS

SECTION 4 — RESTRICTED USE PESTICIDES

4.02 West Virginia Restricted Use Pesticide List (Continued)

The following pesticides are hereby declared to be Restricted to use by applicators Certified to use Restricted Use Pesticides:

ACTIVE INGREDIENT	FORMULATION	USE PATTERN	CLASSIFICATION	CRITERIA INFLUENCING RESTRICTION
<u>Aluminum phosphide</u>	<u>Detia Tablets</u>	<u>Grain Fumigant</u>	<u>Restricted</u>	<u>United States Environmental Protection Agency Restricted Use Classification on New Registration EPA Reg. #2548-62</u>
<u>Aluminum phosphide</u>	<u>Detia Pellets</u>	<u>Grain Fumigant</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #2548-63</u>
<u>Aluminum phosphide</u>	<u>Phostoxin Tablets</u>	<u>Grain Fumigant</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #40285-1</u>
<u>Aluminum phosphide</u>	<u>Phostoxin Pellets Prepac</u>	<u>Grain Fumigant</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #40285-2</u>
<u>Aluminum phosphide</u>	<u>Phostoxin Pellets Prepac</u>	<u>Grain Fumigant</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #40285-3</u>
<u>Chlordimeform</u>	<u>Funda1</u>	<u>Insecticide</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #2139-100 Applicators must also take company sponsored training.</u>

<u>Chlordimeform</u>	<u>Galecron</u>	<u>Insecticide</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #100-551</u> <u>Applicators must also take company sponsored training.</u>
<u>Chlorphofos</u>	<u>Killmaster II</u>	<u>All Uses</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #26693-2</u>
<u>Mesuro1</u>	<u>Borderland Black Repellent</u>	<u>Bird Repellent</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #7832-4</u>
<u>Mesuro1</u>	<u>Hopkins Mesrepe1</u>	<u>Bird Repellent</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #23930-337</u>
<u>Zinc phosphide</u>	<u>ZP Tracking Powder</u>	<u>Rodenticide</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #12455-16</u>



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, Commissioner,  
Title or Position

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

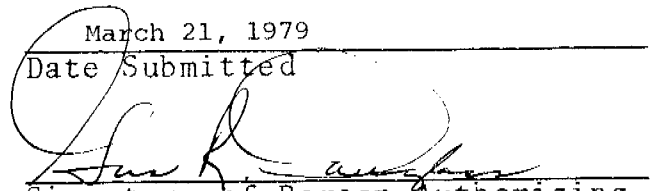
the State Register on 8 1/2 x 11" paper two (2) copies of

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Date Submitted  
  
Signature of Person Authorizing this Filing

WEST VIRGINIA PESTICIDE  
 USE AND APPLICATION ACT OF 1975  
 CHAPTER 19 ARTICLE 16B

REGULATIONS

SECTION 4 -- RESTRICTED USE PESTICIDES

4.02 West Virginia Restricted Use Pesticide List (Continued)  
 The following pesticides are hereby declared to be Restricted to use by applicators  
 Certified to use Restricted Use Pesticides:

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<u>Aluminum phosphide</u>	<u>Detia Tablets</u>	<u>Grain Fumigant</u>	<u>Restricted</u>	<u>United States Environmental Protection Agency Restricted Use Classification on New Registration EPA Reg. #2548-62</u>
<u>Aluminum phosphide</u>	<u>Detia Pellets</u>	<u>Grain Fumigant</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #2548-63</u>
<u>Aluminum phosphide</u>	<u>Phostoxin Tablets</u>	<u>Grain Fumigant</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #40285-1</u>
<u>Aluminum phosphide</u>	<u>Phostoxin Pellets Prepac</u>	<u>Grain Fumigant</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #40285-2</u>
<u>Aluminum phosphide</u>	<u>Phostoxin Pellets Prepac</u>	<u>Grain Fumigant</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #40285-3</u>
<u>Chlordimeform</u>	<u>Fundal</u>	<u>Insecticide</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #2139-100 Applicators must also take company sponsored training.</u>

3-22-79  
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<u>Chlordimeform</u>	<u>Galecron</u>	<u>Insecticide</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #100-551</u> <u>Applicators must also take company sponsored training.</u>
<u>Chlorphrofos</u>	<u>Killmaster II</u>	<u>All Uses</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #26693-2</u>
<u>Mesuro1</u>	<u>Borderland Black Repellent</u>	<u>Bird Repellent</u>	<u>Restricted</u>	<u>US EPA Restricted Use Classification on New Registration EPA Reg. #7832-4</u>
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GUS R. DOUGLASS  
COMMISSIONER

STATE OF WEST VIRGINIA  
DEPARTMENT OF AGRICULTURE  
CHARLESTON 25305

March 20, 1979

Honorable A. James Manchin  
West Virginia Secretary of State  
Capitol Building  
Charleston, WV 25305

Dear Secretary Manchin:

I am forwarding two copies of revised rules and regulations covering Equine Infectious Anemia in West Virginia. This regulation has been revised after holding a public hearing on February 27, 1979, in the John T. Johnson Conference Room in the East Wing of the State Capitol Building.

Notification of the public hearing was sent to all state newspapers and radio stations on January 26, 1979, and was additionally published in the February 1, 1979, Market Bulletin which goes to nearly all farm families within the State.

As these proposed rules and regulations are required to go to the Legislative Rules Making Committee, I am forwarding the required 17 copies along with a copy of this letter to Mr. Earl Vickers, for transmission to the Committee.

With best regards, I am

Very truly yours,

Gus R. Douglass  
Agriculture Commissioner

GRD/G/d  
Enc.

cc - William H. Gillespie  
Dr. Lewis Thomas  
Earl Vickers

FILED IN THE OFFICE OF  
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WEST VIRGINIA

THIS DATE 3-22-79



STATE OF WEST VIRGINIA  
DEPARTMENT OF AGRICULTURE  
CHARLESTON 25305

GUS R DOUGLASS  
COMMISSIONER

WILLIAM H. GILLESPIE  
ADMINISTRATIVE ASSISTANT

March 20, 1979

Mr. Earl Vickers  
Legislative Services  
Capitol Building  
Charleston, WV 25305

Dear Mr. Vickers:

I am enclosing the required 17 copies of the revised regulation dealing with Equine Infectious Anemia in West Virginia. Notice of a public hearing to revise this regulation was issued to all State media on January 26, 1979. The hearing was held in the J. T. Johnson Conference Room in the East Wing of the Capitol Building on February 27, 1979.

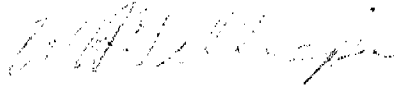
While several people appeared at the hearing, there were no adverse comments as to changing the revised regulations. There is one letter among the various letters and telegrams received for presentation at the hearing that suggested that the regulation should be left as it is at the present time.

It was the unanimous opinion of those present at the hearing that the changes should be effective this year. I am making the effective date under the emergency provision of the law, April 1, 1979. I will keep the emergency provisions in effect until such time as the Legislative Rule Making Committee has acted.

With best regards, I am

Very truly yours,

Gus R. Douglass  
Agriculture Commissioner

  
by William H. Gillespie  
Administrative Assistant  
to the Commissioner

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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, Commissioner,  
Title or Position

West Virginia Department of Agriculture, hereby submit to record in  
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Article 9  
Series 1-e  
Section \_\_\_\_\_  
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March 20, 1979

Date Submitted

Gus R. Douglass

Signature of Person Authorizing  
this Filing

REGULATION COVERING EQUINE INFECTIOUS ANEMIA

FILED IN THE OFFICE OF  
SECRETARY OF STATE OF  
WEST VIRGINIA

THIS DATE 3-22-79

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. with the ~~twelve~~ twenty-four (24) 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, through checking the Coggins' certification, for animals from both within and without the State 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 equin 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.

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



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, Commissioner,  
 Title or Position

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REGULATION COVERING EQUINE INFECTIOUS ANEMIA

THIS DATE \_\_\_\_\_

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. with the ~~twelve~~ (12) twenty-four (24) 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, 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.

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.

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.

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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



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 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;
- (X) 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 1-e  
 Section \_\_\_\_\_  
 Page No. \_\_\_\_\_

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

March 20, 1979  
 Date Submitted  
  
 Signature of Person Authorizing  
 this Filing

## REGULATION COVERING EQUINE INFECTIOUS ANEMIA

### 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. with the ~~twelve~~ twenty-four (24) 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, through checking the Coggins' certification, for animals from both within and without the State 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 equin 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 racetract, 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.

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