

Emergency Rule
LSA Document #14-440(E)

DIGEST

Temporarily adds noncode provisions supplemental to [345 IAC 1-3-1.5](#) to define what species of fish must be tested for viral hemorrhagic septicemia (VHS) and which regions are considered at-risk or affected. Temporarily adds noncode provisions supplemental to [345 IAC 1-3](#) to require VHS susceptible species of live fish moved into the state to obtain a permit and, if the fish are from VHS-affected or at-risk regions, to have tested negative for the VHS virus using appropriate standards and methods. Statutory authority: [IC 15-17-3-21](#); [IC 15-17-10-9](#). *NOTE: The original emergency document, LSA Document #14-291(E), posted at [20140723-IR-345140291ERA](#) effective July 16, 2014, expired October 14, 2014. Effective October 15, 2015.*

SECTION 1. (a) This SECTION is supplemental to [345 IAC 1-3-1.5](#).

(b) "Catch and release fishing activities" means fishing for pleasure or recreational purposes, including tournaments, organized fishing competitions, fishing derbies, or other types of contests where individuals catch, sort, and release live fish into the same water body where caught, except any fish used or intended to be used as live bait.

(c) "VHS" means viral hemorrhagic septicemia.

(d) "VHS-affected or at-risk region" means a state, province, or other region designated by the state veterinarian as affected or at-risk for VHS based upon current data related to the prevalence of the pathogen in the region.

(e) "VHS susceptible species of live fish" means those species designated by the state veterinarian that are known to be carriers of the VHS pathogen and that present a significant risk to the aquatic resources of the state.

SECTION 2. (a) This SECTION is supplemental to [345 IAC 1-3](#).

(b) Except as provided in subsections (c) and (d), a person responsible for moving VHS-susceptible species of live fish into the state must ensure that the following requirements are met:

(1) A permit must be obtained from the state veterinarian. A copy of the permit, or a certificate of veterinary inspection (CVI) bearing the permit number, must be in possession of the person in charge of the fish during movement.

(2) VHS-susceptible species of live fish moved into the state from a VHS-affected or at-risk region must be transported with documentation from the appropriate state, tribal, or federal authority for aquatic animal health stating that the fish are from a group of fish or facility certified as having tested negative for the VHS virus according to either of the following standards:

(A) United States Fish and Wildlife Service, Animal Fisheries Society-Fish Health Section (USFWS/AFS-FHS) Standard Procedures for Aquatic Animal Health Inspections section of the Suggested Procedures for the Detection and Identification of Certain Finfish and Shellfish Pathogens 2012 Edition, American Fisheries Society, Fish Health Section, Bethesda, Maryland (commonly referred to as the AFS Blue Book).

(B) World Health Organization for Animal Health (OIE) Manual of Diagnostic Tests for Aquatic Animals, Seventh Edition (2012), Chapter 2.3.9, and the Aquatic Code, Sixteenth Edition (2013), Chapter 10.9, OIE, Paris, France.

(c) VHS-susceptible species of live fish that are transported directly to a:

(1) slaughter facility to be processed for human consumption; or

(2) research and diagnostic laboratory;

are not required to be tested as required in subsection (b) if appropriate waste water discharge controls are in place at the receiving facility to prevent the possible spread of disease.

(d) The following types of movements of VHS-susceptible species of live fish are exempt from the permit and testing requirements in subsection (b):

(1) The fish are the subject of catch and release fishing activities.

(2) The fish are being transported directly through the state en route to another state.

(3) The state veterinarian has approved the movement to occur without a permit or VHS testing in order to facilitate disease control.

(e) A person moving VHS-susceptible species of fish into the state under the requirements of this SECTION must keep a copy of the movement documents for at least two (2) years.

(f) The state veterinarian may deny a permit required under subsection (b) when a determination is made that the transport of the fish would present a significant risk to the health of the aquatic resources of the state.

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