

## **ARTICLE 2. CATTLE, GOATS, AND OTHER TUBERCULOSIS OR BRUCELLOSIS CARRYING ANIMALS**

### **Rule 1. Certificates for Interstate Movement of Cattle (Repealed)**

*(Repealed by Indiana State Board of Animal Health; filed Jun 18, 1979, 9:16 am: 2 IR 1123)*

### **Rule 2. Tuberculin Test Tag (Repealed)**

*(Repealed by Indiana State Board of Animal Health; filed Jun 18, 1979, 9:16 am: 2 IR 1123)*

### **Rule 3. Tuberculosis Quarantine (Repealed)**

*(Repealed by Indiana State Board of Animal Health; filed Jul 8, 1981, 10:15 am: 4 IR 1447)*

### **Rule 4. Tuberculosis-free Counties; Accreditation Procedures (Repealed)**

*(Repealed by Indiana State Board of Animal Health; filed Jul 8, 1981, 10:15 am: 4 IR 1447)*

#### **Rule 4.1. Administration and Testing Procedures**

##### **345 IAC 2-4.1-1 Purpose (Repealed)**

Sec. 1. *(Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687)*

##### **345 IAC 2-4.1-2 Definitions (Repealed)**

Sec. 2. *(Repealed by Indiana State Board of Animal Health; filed Sep 6, 1990, 2:45 p.m.: 14 IR 83)*

##### **345 IAC 2-4.1-2.1 Definitions (Repealed)**

Sec. 2.1. *(Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687)*

##### **345 IAC 2-4.1-2.8 Incorporation by reference (Repealed)**

Sec. 2.8. *(Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687)*

##### **345 IAC 2-4.1-3 Official test procedures (Repealed)**

Sec. 3. *(Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687)*

##### **345 IAC 2-4.1-4 Quarantine procedures (Repealed)**

Sec. 4. *(Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687)*

##### **345 IAC 2-4.1-5 Special retest of high risk herds (Repealed)**

Sec. 5. *(Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687)*

##### **345 IAC 2-4.1-6 Cleaning and disinfection of premises (Repealed)**

Sec. 6. *(Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687)*

##### **345 IAC 2-4.1-7 Origin of infection (Repealed)**

Sec. 7. *(Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687)*

**345 IAC 2-4.1-8 Identification of livestock (Repealed)**

Sec. 8. *(Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687)*

**345 IAC 2-4.1-9 Accredited herd plan (cattle) (Repealed)**

Sec. 9. *(Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687)*

**345 IAC 2-4.1-10 Accredited herd plan (goats) (Repealed)**

Sec. 10. *(Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687)*

**345 IAC 2-4.1-11 Movement of reactor and exposed cattle or goats (Repealed)**

Sec. 11. *(Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687)*

**345 IAC 2-4.1-12 Destruction of cattle or goats (Repealed)**

Sec. 12. *(Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687)*

**345 IAC 2-4.1-13 Appraisals (Repealed)**

Sec. 13. *(Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687)*

**345 IAC 2-4.1-14 Report of appraisals (Repealed)**

Sec. 14. *(Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687)*

**345 IAC 2-4.1-15 Report of salvage proceeds (Repealed)**

Sec. 15. *(Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687)*

**345 IAC 2-4.1-16 Claims for indemnity for cattle or goats destroyed (Repealed)**

Sec. 16. *(Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687)*

**345 IAC 2-4.1-17 Indemnity incurred due to destruction of cattle or goats (Repealed)**

Sec. 17. *(Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687)*

**345 IAC 2-4.1-18 State free status; herd depopulation (Repealed)**

Sec. 18. *(Repealed by Indiana State Board of Animal Health; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2687)*

**Rule 4.5. Cervidae**

### 345 IAC 2-4.5-1 Definitions

Authority: IC 15-17-3-21

Affected: IC 15-17

Sec. 1. (a) The following definitions and the definitions in IC 15-17-2 apply throughout this rule:

(1) "Board" means the Indiana state board of animal health created under IC 15-17-3 or its authorized representative.

(2) "Cervidae" means all members of the cervidae family and hybrids, including the following:

(A) Deer.

(B) Elk.

(C) Moose.

(D) Caribou.

(E) Reindeer.

(F) Related species.

(3) "Cervidae UM & R" and "Brucellosis in Cervidae UM & R" means the "Brucellosis in Cervidae Uniform Methods and Rules" incorporated by reference in section 2 of this rule.

(4) "Condemned" means ordered destroyed.

(5) "Federal official" means the United States Department of Agriculture Animal and Plant Health Inspection Service or its authorized representative.

(6) "Official brucellosis test" means a test for brucellosis that is:

(A) approved by the state veterinarian; and

(B) conducted by a state official, federal official, or a designated accredited veterinarian in accordance with this rule.

(7) "State official" means the board as created under IC 15-17-3 or its authorized representative.

(8) "State veterinarian" means the state veterinarian appointed under IC 15-17-4.

(b) The following apply throughout this rule:

(1) An animal tests negative for a disease or passes a test for a disease when a test conducted in accordance with Indiana law and generally accepted testing procedures indicates that the animal is not infected with the disease.

(2) An animal fails, responds to, or has a response to a test for a disease when a test conducted in accordance with Indiana law and generally accepted testing procedures indicates that an animal is or may be infected with the disease.

*(Indiana State Board of Animal Health; 345 IAC 2-4.5-1; filed Dec 23, 1998, 4:37 p.m.: 22 IR 1474; errata filed Mar 31, 1999, 9:37 a.m.: 22 IR 2534; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; filed Jul 23, 2008, 1:01 p.m.: 20080820-IR-345070824FRA; errata filed Oct 3, 2008, 3:30 p.m.: 20081022-IR-345080767ACA; readopted filed Oct 16, 2014, 9:43 a.m.: 20141112-IR-345140300RFA)*

### 345 IAC 2-4.5-2 Incorporation by reference

Authority: IC 15-17-3-21

Affected: IC 15-17-3-13

Sec. 2. (a) Brucellosis control and eradication in captive cervidae is a goal of the board.

(b) Except as provided in subsection (c), the board incorporates by reference, as a rule of the board, the "Brucellosis in Cervidae Uniform Methods and Rules", United States Department of Agriculture, Animal and Plant Health Inspection Service, August 31, 2005, for the regulation of brucellosis in cervidae in Indiana. Where the matters incorporated by reference in this section conflict with this rule, the express provisions of this rule control.

(c) The importation requirements for cervidae at 345 IAC 1-3-29 shall control. *(Indiana State Board of Animal Health; 345 IAC 2-4.5-2; filed Dec 23, 1998, 4:37 p.m.: 22 IR 1474; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; filed Jul 23, 2008, 1:01 p.m.: 20080820-IR-345070824FRA; readopted filed Oct 16, 2014, 9:43 a.m.: 20141112-IR-345140300RFA)*

**345 IAC 2-4.5-3 Monitoring for brucellosis in cervidae herds; herd status**

Authority: IC 15-17-3-21

Affected: IC 15-17-3-13

Sec. 3. Owners of cervidae herds in Indiana may obtain one (1) of the following brucellosis herd statuses for their herds:  
(1) "Certified brucellosis free" herd status by complying with the procedures in the Brucellosis in Cervidae UM & R, Part VIII. However, the following apply:

(A) For initial certification, all sexually intact cervids in the herd that are one (1) year of age or older must have two (2) consecutive negative tests for brucellosis nine (9) to fifteen (15) months apart.

(B) A herd is certified for thirty-six (36) months. To maintain continuous certification, recertification tests with negative results must be completed on all test eligible animals in the herd between thirty-three (33) and thirty-six (36) months from the date the second herd test was completed under clause (A). A herd is in suspended status from thirty-six (36) to thirty-nine (39) months from the date the second herd test was completed under clause (A) during which time the herd owner may complete the recertification requirements. After thirty-nine (39) months, the herd owner must reapply for the certification program as a new herd.

(2) "Brucellosis monitored" herd status by complying with the procedures in the Brucellosis in Cervidae UM & R, Part IX. *(Indiana State Board of Animal Health; 345 IAC 2-4.5-3; filed Dec 23, 1998, 4:37 p.m.: 22 IR 1474; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; filed Jul 23, 2008, 1:01 p.m.: 20080820-IR-345070824FRA; readopted filed Oct 16, 2014, 9:43 a.m.: 20141112-IR-345140300RFA)*

**345 IAC 2-4.5-4 Testing and classifying cervidae; reporting**

Authority: IC 15-17-3-21

Affected: IC 15-17-3-13

Sec. 4. (a) The board shall have the authority to test any animal or herd for potential brucellosis infection as is deemed necessary by the state veterinarian. The owner of animals to be tested shall be notified of the testing. The board may supervise any brucellosis test conducted by a Category II accredited veterinarian. It shall be the duty of all persons owning or having custody of animals that are tested to render all reasonable assistance to the board in performing its duties under this rule, including, but not limited to, the submission and restraint of animals for testing, retesting, and identification, including the branding and tagging of reactors.

(b) The testing methods set forth in the Brucellosis in Cervidae Uniform Methods and Rules shall be used to conduct official brucellosis tests on cervidae. An official brucellosis test shall be conducted only by a veterinarian that is a state or federal official or a Category II accredited veterinarian.

(c) At the time of an official test, each cervidae must be individually and uniquely identified utilizing a permanent official identification. Official permanent identification must meet the requirements of 345 IAC 1-2.6.

(d) Cervidae tested for brucellosis shall be classified pursuant to the Brucellosis in Cervidae Uniform Methods and Rules.

(e) After an official test for brucellosis is conducted, the results must be reported to the board within ten (10) days of completion of the test. The veterinarian is primarily responsible for seeing that the results are reported to the board. If test results are not reported to the board, the owner's herd status may be revoked or denied.

(f) Each official brucellosis test shall be recorded on an approved form and submitted to the board. A report of a brucellosis test must include individual information for each animal and must include the following:

(1) All official identification numbers.

(2) The animal's sex.

(3) The animal's age.

(4) The animal's breed.

(5) The result of the test.

(6) The premises identification number or physical location of the animal.

*(Indiana State Board of Animal Health; 345 IAC 2-4.5-4; filed Dec 23, 1998, 4:37 p.m.: 22 IR 1475; errata filed Mar 31, 1999, 9:37 a.m.: 22 IR 2534; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-*

345070037RFA; filed Jul 23, 2008, 1:01 p.m.: 20080820-IR-345070824FRA; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA; readopted filed Oct 16, 2014, 9:43 a.m.: 20141112-IR-345140300RFA)

**345 IAC 2-4.5-4.5 Brucellosis requirements for cervids entering Indiana**

Authority: IC 15-17-3-21

Affected: IC 15-17-3-13

Sec. 4.5. (a) Before a person may import into Indiana cervidae not known to be infected with or exposed to brucellosis, one (1) of the following set of requirements must be met:

(1) The animal:

(A) originated from a herd that is certified brucellosis free under requirements that are at least equal to those in section 3 of this rule; and

(B) is accompanied by a certificate of veterinary inspection certifying that the animal originated from a brucellosis certified herd.

(2) The animal:

(A) originated from a herd that is brucellosis monitored under requirements that are at least equal to those in section 3 of this rule;

(B) if sexually intact and at least one (1) year of age, tests negative for brucellosis using an official test conducted within ninety (90) days prior to the animal entering Indiana; and

(C) is accompanied by a certificate of veterinary inspection certifying that the animal originated from a brucellosis monitored herd and tested negative for brucellosis on a specific date.

(3) The animal originated from a herd that is not brucellosis certified or monitored and the following requirements are met:

(A) If the animal is to be added to a herd that is brucellosis certified or monitored under section 3 of this rule, the animal meets the requirements in the Brucellosis in Cervidae UM & R adopted under section 2 of this rule for additions to a herd with that status.

(B) If the animal is to be added to a herd that is not brucellosis certified or monitored under section 3 of this rule, the animal tests negative for brucellosis using an official test within thirty (30) days prior to the animal entering Indiana.

(C) The animal is accompanied by a certificate of veterinary inspection certifying that the animal met the requirements for importation listing the specific test dates.

(4) The animal is consigned to slaughter and is moved directly to the slaughter establishment.

(b) A person may not import into Indiana the following cervidae:

(1) Cervids that respond to a brucellosis test.

(2) Cervidae that originate from a herd that is:

(A) under quarantine for brucellosis; or

(B) affected with brucellosis.

(c) Cervids that respond to a brucellosis test may be imported into Indiana if the animal:

(1) subsequently, prior to importation into Indiana, tests negative for brucellosis using an official brucellosis test; or

(2) is:

(A) sold or consigned to slaughter; and

(B) moved directly to the slaughter establishment.

(Indiana State Board of Animal Health; 345 IAC 2-4.5-4.5; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA; readopted filed Oct 16, 2014, 9:43 a.m.: 20141112-IR-345140300RFA)

**345 IAC 2-4.5-5 Suspects, reactor, and affected herds**

Authority: IC 15-17-3-21

Affected: IC 15-17-3-13

Sec. 5. (a) The state veterinarian may quarantine cervidae that are classified a suspect or a reactor and sexually intact animals in affected herds.

(b) Cervidae that are classified a suspect or a reactor and affected herds must meet the requirements of the Brucellosis in Cervidae Uniform Methods and Rules, Part VI before animals may be moved from the herd and the quarantine released.

(c) The state veterinarian may order any suspect or reactor cervid condemned in order to protect the public health and the health of animals in Indiana. (*Indiana State Board of Animal Health; 345 IAC 2-4.5-5; filed Dec 23, 1998, 4:37 p.m.: 22 IR 1475; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; filed Jul 23, 2008, 1:01 p.m.: 20080820-IR-345070824FRA; readopted filed Oct 16, 2014, 9:43 a.m.: 20141112-IR-345140300RFA*)

### **345 IAC 2-4.5-6 Condemnation**

Authority: IC 15-17-3-21

Affected: IC 15-17-3-13

Sec. 6. The United States Department of Agriculture has designated Indiana brucellosis-free. The state veterinarian may order any cervidae condemned in order to maintain Indiana's United States Department of Agriculture designation as a brucellosis-free state. (*Indiana State Board of Animal Health; 345 IAC 2-4.5-6; filed Dec 23, 1998, 4:37 p.m.: 22 IR 1475; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; filed Jul 23, 2008, 1:01 p.m.: 20080820-IR-345070824FRA; readopted filed Oct 16, 2014, 9:43 a.m.: 20141112-IR-345140300RFA*)

### **345 IAC 2-4.5-7 Cleaning and disinfecting**

Authority: IC 15-17-3-21

Affected: IC 15-17-3-13

Sec. 7. The state veterinarian may order a premises, including:

- (1) all structures thereon;
- (2) holding facilities;
- (3) conveyances;
- (4) equipment; and
- (5) materials;

that have been or may have been exposed to brucellosis so as to constitute a health hazard to humans or animals, cleaned and disinfected according to procedures set forth by the state veterinarian. The procedures for cleaning and disinfecting ordered by the state veterinarian must be reasonably likely to reduce the hazard of potential brucellosis exposure to humans and animals. (*Indiana State Board of Animal Health; 345 IAC 2-4.5-7; filed Dec 23, 1998, 4:37 p.m.: 22 IR 1476; errata filed Mar 31, 1999, 9:37 a.m.: 22 IR 2534; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; filed Jul 23, 2008, 1:01 p.m.: 20080820-IR-345070824FRA; readopted filed Oct 16, 2014, 9:43 a.m.: 20141112-IR-345140300RFA*)

## **Rule 5. Cattle Brucellosis Control and Eradication (Repealed)**

(*Repealed by Indiana State Board of Animal Health; filed Oct 29, 1984, 8:59 am: 8 IR 172*)

## **Rule 6. Cattle Brucellosis Control and Eradication**

### **345 IAC 2-6-1 Definitions**

Authority: IC 15-17-3-21

Affected: IC 15-17-3-13

Sec. 1. The following definitions apply throughout this rule:

- (1) "'B' branded cattle" means all reactor cattle shall be permanently identified by hot iron branding with the letter "B" (at least two (2) inches by two (2) inches) placed high on the left tailhead (over the fourth to the seventh coccygeal vertebrae). An approved reactor tag must be placed in the left ear. Identification of reactors must be accomplished within fifteen (15) days of the test date. The time may be extended fifteen (15) days for reasons mutually acceptable to the cooperating state and

federal officials-in-charge.

(2) "'B' brand permit (VS Form #1-27)" means an official document issued by a USDA Veterinary Services representative, board representative, or licensed, Category II accredited veterinarian. This document is to accompany "B" branded cattle and bison (or exposed cattle and bison moved under official seal). The permit must include the following:

- (A) Identification tag, tattoo, United States Department of Agriculture (USDA) backtag, registration number, or similar identification.
- (B) The reactor tag number.
- (C) The owner's name and address.
- (D) Origin and destination locations.
- (E) Number of cattle covered.
- (F) The purpose of the movement.

If a change in destination becomes necessary, a new permit must be prepared. No diversion from the permitted destination is allowed. Distribution of the copies is printed on the official document and must be followed.

(3) "Board" means the Indiana state board of animal health or its authorized agent.

(4) "Brucellosis", commonly called contagious abortion or Bang's Disease, means a communicable and infectious disease in domestic animals caused by *Brucella* organisms.

(5) "Brucellosis tests", used at the state or state-federal laboratory, must be approved by USDA, APHIS, VS, and state-federal veterinary brucellosis epidemiologists.

(6) "Cattle" means genus *Bos* and includes all dairy and beef animals and bison.

(7) "Certified brucellosis-free herd" means a herd:

- (A) that meets the requirements of section 3 of this rule; and
- (B) for which the owner holds an unrevoked and unexpired brucellosis-free certificate issued by the board.

(8) "Class A State or area" means twelve (12) months' accumulated herd infection rate due to field Strain B. *abortus* shall not exceed twenty-five hundredths percent (.25%) or two and five-tenths (2.5) herds per one thousand (1,000), maintained and adjusted as per current UM & R.

(9) "Class B State or area" means twelve (12) months' accumulated herd infection rate not to exceed one and five-tenths percent (1.5%) or fifteen (15) herds per one thousand (1,000), maintained and adjusted as per current UM & R.

(10) "Class C State or area" means twelve (12) months' accumulated herd infection rate exceeding one and five-tenths percent (1.5%) or fifteen (15) herds per one thousand (1,000), maintained and adjusted as per current UM & R.

(11) "Class Free State or area" means a state or area that meets standards for classification as a Class Free State or area and is certified as such on initial classification or on reclassification by the board and the United States Department of Agriculture. All cattle herds in the state or area must have remained free from *Brucella abortus* for the past twelve (12) months, maintained and adjusted as per current UM & R.

(12) "Cooperating agencies" means the board and the Animal and Plant Health Inspection Service (APHIS) Veterinary Services of the United States Department of Agriculture (USDA).

(13) "Exposed cattle" means those that are part of a brucellosis infected herd or have been in contact with a brucellosis reactor twenty-four (24) hours, or less than twenty-four (24) hours if a reactor has recently aborted, calved, or has a vaginal or uterine discharge.

(14) "Feeder cattle" means steers of any age and nonpregnant, nonparturient females and bulls of beef breeds:

- (A) obviously under eighteen (18) months of age; and
- (B) intended for slaughter after having reached the desired feeding state.

(15) "Goats" means genus *Capra*.

(16) "Herd depopulation" means removal of all sexually intact animals to an approved slaughter establishment.

(17) "Herds" means all cattle, except steers and spayed heifers, under common ownership or supervision that are grouped on one (1) or more parts of any single premises (lot, farm, or ranch), or all cattle on two (2) or more premises geographically separated, but on which the cattle have been interchanged or where there has been:

- (A) contact of cattle between the premises; or
- (B) interchange of equipment used or caretakers.

For brucellosis eradication purposes, groups of cattle, under multiple ownership on common premises, such as community

pastures or grazing association units, shall also be considered as a herd. Such herds shall include all other groups of cattle owned by those persons unless the epidemiological investigation establishes that association has not occurred.

(18) "Immediate slaughter" means a shipment of cattle from the premises of origin directly to a slaughtering establishment or consigned to one (1) market for reconsignment directly to an approved state or federal slaughtering establishment within seven (7) days of the first consignment.

(19) "Individual herd plan" means a herd management and testing plan designed by the following:

- (A) The herd owner.
- (B) His or her veterinarian if so requested.
- (C) A veterinarian of the cooperative brucellosis eradication program that will control and eventually eradicate brucellosis from an affected herd.

A similar plan for determining the true status of suspects and preventing exposure to brucellosis within the herd is also within the meaning of the term.

(20) "Livestock auction market" or "salebarn" means an established place of business and contiguous surroundings, including vehicles of transportation:

- (A) from which domestic animals consigned to such livestock auction market or salebarn are sold or exchanged at auction or otherwise; and
- (B) for the sale or exchange of which a commission is paid to the operator of the place of business.

(21) "Market cattle reactor herd" means a herd from which one (1) or more reactors were disclosed on the market cattle identification program test (MCI).

(22) "Milk ring suspicious herd" means a herd that has been classified suspicious to the standard milk ring test of milk or cream.

(23) "Milk ring test", "brucellosis ring test", or "BRT" means a test for brucellosis using whole milk or cream.

(24) "Negative" means the following:

- (A) Official vaccinates of dairy breeds twenty (20) months of age or over and official vaccinates of beef breeds twenty-four (24) months of age or over with brucellosis test titers not higher than complete agglutination of 1:50 dilution on the standard plate test or standard tube test unless diagnosed suspect or reactor on the basis of a card test or complement fixation test.
- (B) Cattle more than six (6) months of age when the standard plate test or standard tube test:
  - (i) discloses reactions of not more than complete agglutination in the 1:25 dilution if performed;
  - (ii) is negative to the brucellosis card test if performed;
  - (iii) discloses twenty-five percent (25%) fixation or less (one (1) plus) at the 1:10 dilution on the complement fixation test if performed; or
  - (iv) discloses less than complete agglutination at the 1:25 dilution on the rivanol plate agglutination test if performed.

The board may accept variations when an epidemiological investigation indicates *Brucella abortus* infection is present. A diagnosis of suspect or reactor will then be accepted.

(C) Cattle negative to the following:

- (i) The rapid screening test when no other tests are performed.
- (ii) The card test when no other tests are performed.
- (iii) Both rapid screen test and brucellosis card test where plate titers are disclosed that are less than incomplete 1:100.

(25) "Official eartag" means an identification tag approved by the state veterinarian under 345 IAC 1-2.6 that bears an official identification number for individual animals. All official eartags applied to animals must bear an official eartag shield. The official eartag must be tamper resistant and have a high retention rate in the animal.

(26) "Official eartag record" means an accurate record of all eartags applied by the licensed, Category II accredited veterinarian must be:

- (A) recorded on record of identification card provided with the eartags; and
- (B) returned to the board as soon as the card is completed.

(27) "Official eartag shield" means the shield-shaped graphic of the U.S. Route Shield with "U.S." or the state postal

abbreviation or Tribal alpha code imprinted within the shield.

(28) "Official health certificate", "certificate of veterinary inspection", or "CVI" means a form that meets the requirements in 345 IAC 1-1.5 for a certificate of veterinary inspection.

(29) "Official identification number" means a nationally unique number that is permanently associated with an animal or group of animals and that adheres to one (1) of the following systems:

- (A) National Uniform Eartagging System (NUES).
- (B) Animal identification number (AIN).
- (C) Location-based number system.
- (D) Flock-based number system.
- (E) Any other numbering system approved by the state veterinarian for the official identification of animals.

(30) "Official vaccinate" means a female bovine animal or bison vaccinated by a licensed, Category II accredited veterinarian against brucellosis in accordance with this rule.

(31) "Owner" means the legal owner or his or her agent or person in possession of, or responsible for, cattle involved.

(32) "Reactor" means the following:

(A) Official vaccinates of dairy breeds twenty (20) months of age or over and official vaccinates of beef breeds twenty-four (24) months of age or over, as evidenced by the presence of the first pair of permanent incisors, or official vaccinates under these ages that are parturient (springers) or postparturient when they disclose complete standard plate test or standard tube test agglutination reactions in the blood titer dilution of 1:200 or higher as follows:

- (i) Positive to the brucellosis card test where it has been the only test conducted.
- (ii) Disclose titers of twenty-five percent (25%) fixation (one (1) plus) in a dilution of 1:40 or higher on the complement fixation test, if it is performed.
- (iii) Disclose a complete agglutination reaction in the 1:25 dilution or higher on the rivanol test, if it is performed.

(B) All other cattle more than six (6) months of age when they disclose a complete agglutination reaction in the blood titer dilution of 1:100 or higher on the standard plate test or standard tube test as follows:

- (i) Are positive to the brucellosis card test where it has been the only test conducted.
- (ii) Disclose titers of fifty percent (50%) fixation (two (2) plus) in a dilution of 1:20 or higher on the complement fixation test.
- (iii) Disclose a complete agglutination reaction in the 1:25 dilution or higher on the rivanol test.

(C) Found infected by isolation of *Brucella abortus* microorganisms.

The board may accept variations when an epidemiological investigation indicates *Brucella abortus* is not present. A diagnosis of suspect will then be accepted.

(33) "'S' branded cattle" means cattle that have been identified by branding, with a hot iron, the letter "S" (at least two (2) inches by two (2) inches) placed high on the left tailhead (over the fourth to the seventh coccygeal vertebrae). "S" branding is required for exposed cattle to move in marketing channels from farms or markets to immediate slaughter. Finished fed heifers moving in marketing channels directly to slaughter will be exempted from the "S" branding requirement.

(34) "'S' brand permit" means a document that is required to accompany animals in marketing channels having a restricted destination. The permit must show the following:

- (A) The origin.
- (B) The destination.
- (C) The number of restricted cattle.
- (D) The purpose of the movement.
- (E) The USDA backtag numbers (when applied serially, only the beginning and the ending number need be recorded).
- (F) A statement certifying to the "S" brand identification.

The permit shall be prepared at the point of origin by a licensed, Category II accredited veterinarian, a representative of the board, or a designated official at a quarantined feedlot. A copy of this "S" brand permit shall be immediately sent to the state animal health official with the original accompanying the animals. The original shall be delivered at the destination and retained at that location for a minimum of six (6) months.

(35) "Suspect" means the following:

(A) Official vaccinates of dairy breeds twenty (20) months of age or over and official vaccinates of beef breeds twenty-four (24) months of age or over, as evidenced by the presence of the first pair of permanent incisor teeth or official vaccinates under these ages that are parturient (springers) or postparturient when they disclosed any standard plate test or standard tube agglutination reactions in the dilution of 1:100 or incomplete agglutination in the 1:200 dilution as follows:

(i) Vaccinated cattle serologically negative to the standard plate test or standard tube test but that are positive to the brucellosis card test, if it is performed.

(ii) Vaccinated cattle having less than twenty-five percent (25%) fixation (one (1) plus) in a dilution of 1:40 and fifty percent (50%) (two (2) plus) or more in a dilution of 1:10 to the complement fixation test, if it is performed.

(B) All other cattle more than six (6) months of age when they disclose a positive rapid screen test or a positive card test or plate titers of incomplete one hundred (100) or over and are not classified as reactors. Cattle having less than fifty percent (50%) fixation (two (2) plus) in a dilution of 1:20 and fifty percent (50%) fixation (two (2) plus) or more in a dilution of 1:10 to the complement fixation test, if it is performed.

(C) The board may accept variations when an epidemiological investigation indicates *Brucella abortus* is not present. A diagnosis of negative will then be accepted. When an epidemiological investigation indicates *Brucella abortus* infection is present, a diagnosis of reactor will be accepted.

(36) "Tested herd", formerly qualified herd, means cattle for which records show that the complete herd has been subjected to official testing for brucellosis, in accordance with the required procedures for herds. Testing shall be done within the previous twelve (12) months, and the herd must not be known to be affected with brucellosis.

(37) "Test eligible cattle" means the following:

(A) Cattle that are not official vaccinates and that are at least eighteen (18) months of age, except steers and spayed heifers.

(B) Official calfhooch vaccinates at least eighteen (18) months of age that are parturient or postparturient.

(C) Official calfhooch vaccinates of beef breeds or bison at least twenty-four (24) months of age.

(D) Official calfhooch vaccinates of dairy breeds at least twenty (20) months of age.

(38) "Uniform methods and rules" or "UM & R" means minimum standards of current brucellosis eradication procedures recommended by the Brucellosis Committee of the United States Animal Health Association approved by the USDA. The board may accept any of the recommendations of the current uniform methods and rules that are compatible with this rule. In case of conflict, the state rules will prevail.

(39) "Veterinarian" means a person who:

(A) is licensed and accredited to practice veterinary medicine in Indiana; or

(B) graduated veterinarian employed by Animal Plant Health Inspection Service (APHIS) of USDA.

*(Indiana State Board of Animal Health; 345 IAC 2-6-1; filed Oct 29, 1984, 8:59 a.m.: 8 IR 163; filed Dec 22, 1986, 3:40 p.m.: 10 IR 1061; filed Sep 6, 1990, 2:30 p.m.: 14 IR 83; errata filed Sep 10, 1990, 9:30 a.m.: 14 IR 155; filed Oct 11, 1996, 2:00 p.m.: 20 IR 740, ineffective under IC 4-22-2-25; filed Mar 27, 1997, 11:15 a.m.: 20 IR 2108; errata, 22 IR 2007; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Sep 29, 2006, 8:56 a.m.: 20061025-IR-345050315FRA; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA; filed Jan 7, 2016, 8:06 a.m.: 20160203-IR-345150160FRA)*

### **345 IAC 2-6-2 General requirements; testing procedures; vaccinations**

Authority: IC 15-17-3-21

Affected: IC 15-17-3-13

Sec. 2. (a) This rule pertains to brucellosis in cattle, bison, and goats, when applicable. All brucellosis testing shall be done at:

(1) state-federal approved laboratories or by qualified regulatory veterinarians employed by the state or federal government; or

(2) livestock markets by approved licensed, Category II accredited veterinarians or personnel under their supervision.

(b) Cattle tested for brucellosis shall be identified by breed, sex, approximate age, and either:

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CATTLE, GOATS, AND OTHER TUBERCULOSIS OR BRUCELLOSIS CARRYING ANIMALS

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- (1) an official eartag; or
- (2) another form of identification approved under 345 IAC 1-2.6-3.

A private eartag inserted by the owner or his or her agent, which individually identified each animal in the herd, is permissible as ancillary identification.

(c) All identification is to be reported on test charts. However, if an animal is identified with an official identification number that adheres to the animal identification number (AIN) system, the AIN number is the only form of identification that must be recorded.

(d) Every approved laboratory conducting tests shall immediately report the results thereof to the board on a test chart furnished by the board. The test chart shall be completed in its entirety, including all identification numbers of each animal tested.

(e) All blood tested at approved auction markets and stockyard laboratories shall be sent immediately to the animal disease diagnostic laboratory at Purdue University for confirmation.

(f) Chain numbers are not acceptable for identification.

(g) Control and use of all brucellosis testing antigens shall be administered by the board. The board shall limit its use only to approved brucellosis testing laboratories and persons authorized to perform the tests.

(h) Calves shall be vaccinated only by a licensed, Category II accredited veterinarian with an approved reduced dose vaccine, while between one hundred twenty (120) days and two hundred ninety-nine (299) days of age.

(i) It shall be unlawful for the owner to present any bovine for calfhoo vaccination, or for the veterinarian to perform such calfhoo vaccination, on any bovine that is not within the approved age span for calfhoo vaccination as specified in subsection (h).

(j) The animals so vaccinated shall be identified by an official eartag and such animal shall be further identified in the right ear by tattooing an "R" followed by the U.S. Registered Shield followed by a number corresponding with the last digit of the year in which the vaccination was done, for example, R ♡ 6.

(k) The veterinarian who administers the vaccine shall submit to the board within ten (10) days an accurate and detailed report of such vaccination on a form prescribed by the board for such purpose.

(l) An animal will be treated as a vaccinee only if it shows a legible vaccination tattoo. Official vaccination tattoos may be applied to both ears. The following identification practices will result in the animal being treated as a nonvaccinee:

- (1) Retattooing of vaccinated animals.
- (2) Retagging of calfhoo vaccinated animals with an official calfhoo vaccination tag. However, calfhoo vaccinated animals may be retagged with an official pass tag when the vaccination tag is lost.
- (3) Multiple vaccination tattoos in a single ear.
- (4) Tattooing of an animal that obviously does not correspond with the age of the animal.

(m) Vaccination of cattle at auction markets shall conform to established guidelines as in this rule. In addition, the consignor or agent shall inform the market veterinarian of the maximum age of the calf or calves at unloading. The brucellosis calfhoo vaccination record shall be in the name of the consignor.

(n) No male animal of the bovine species shall be vaccinated against brucellosis nor recognized as an official vaccinee.

(o) An officially brucellosis vaccinated animal, which is younger than twenty (20) months of age for dairy breeds and twenty-four (24) months of age for beef breeds shall be tested when deemed advisable by the brucellosis epidemiologist.

(p) With whole herd vaccination, animals older than the age of official vaccination can be vaccinated under specific conditions with a reduced dose of vaccine. All eligible calves shall be vaccinated and identified. (This plan is to be exercised only if and when the board approves the use of reduced dosage of *Brucella* vaccine in adult herds, in which case the current recommended uniform methods and rules will be used as the guideline.)

(q) Persons or firms engaged in the manufacture, sale, or distribution of *Brucella abortus* vaccine or any preparation made from or through the agency of *Brucella* microorganisms shall sell or distribute such products only to duly licensed, Category II accredited veterinarians. (*Indiana State Board of Animal Health; 345 IAC 2-6-2; filed Oct 29, 1984, 8:59 a.m.: 8 IR 166; filed Feb 26, 1986, 4:00 p.m.: 9 IR 1567; filed Dec 22, 1986, 3:40 p.m.: 10 IR 1068; filed Nov 28, 1988, 5:35 p.m.: 12 IR 915; filed Sep 6, 1990, 2:30 p.m.: 14 IR 86; filed May 1, 1991, 2:30 p.m.: 14 IR 1724; filed Oct 11, 1996, 2:00 p.m.: 20 IR 743, ineffective under IC 4-22-2-25; filed Mar 27, 1997, 11:15 a.m.: 20 IR 2111; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA*)

**345 IAC 2-6-2.5 Brucellosis requirements for cattle and bison entering Indiana**

Authority: IC 15-17-3-21

Affected: IC 15-17

Sec. 2.5. All test eligible cattle entering Indiana shall test negative for brucellosis prior to entry, utilizing a test conducted at a state-federal laboratory. The following provisions apply to the entry brucellosis test required in this section:

- (1) Cattle that originate from a Class Free State or area are exempt.
- (2) Test eligible cattle from a Class A State or area or Class B State or area must meet the following requirements:
  - (A) Cattle originating from certified brucellosis-free herds are exempt from the brucellosis entry test provided the health certificate indicates the certified herd number and the date of the last herd test. The last herd test must have been within the twelve (12) months prior to entry into Indiana.
  - (B) All test eligible cattle originating from herds that are not certified brucellosis-free must have a negative brucellosis test conducted within thirty (30) days prior to entry.
  - (C) All test eligible cattle shall be quarantined at the point of destination and retested for brucellosis at the owner's expense in forty-five (45) to ninety (90) days after entry into Indiana. The retest must be conducted at a state-federal approved laboratory.
- (3) A licensed livestock dealer may sell dairy and breeding cattle that have been imported into Indiana from a Class A State or area or Class B State or area before the forty-five (45) to ninety (90) day quarantine and retest period is over if the following requirements are met:
  - (A) The cattle were imported into Indiana after meeting the import requirements in this rule.
  - (B) The purchaser signs a form prescribed by the board stating that they are aware of and will comply with the following requirements:
    - (i) The cattle are quarantined on the premises of the purchaser until the cattle are retested.
    - (ii) He or she will have the cattle retested for brucellosis in not less than forty-five (45) days and not more than ninety (90) days from date of importation.
    - (iii) The retest will be conducted at a state-federal approved laboratory.
    - (iv) Any other provisions agreed to and prescribed on the form.
  - (C) A copy of the form must be signed by the purchaser and forwarded to the office of the state veterinarian by the seller within seven (7) days of the date of sale.

A person purchasing cattle described in this subdivision may not re consign or sell the cattle until the required testing for brucellosis is completed.

- (4) A licensed Indiana auction market may accept farm of origin dairy or breeding cattle, or both, for consignment from any state that is brucellosis-free without the brucellosis tests normally required for importation into the state.
- (5) Cattle from an adult herd vaccinated for brucellosis, regardless of a particular animal's vaccination status, may not be imported into Indiana except under provisions stipulated on a written permit issued by the Indiana state veterinarian according to established guidelines.

*(Indiana State Board of Animal Health; 345 IAC 2-6-2.5; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA; filed Jan 7, 2016, 8:06 a.m.: 20160203-IR-345150160FRA)*

**345 IAC 2-6-3 Certified brucellosis-free herd; establishment; maintenance**

Authority: IC 15-17-3-21

Affected: IC 15-17-8-9

Sec. 3. (a) Agreements are as follows:

- (1) The herd owner shall sign and file with the board an agreement, placing his or her herd under supervision for the purpose of establishing and maintaining such herd as a certified brucellosis-free herd by complying with the provisions of this section.
- (2) Failure to comply with this rule, or any other rule of the board in respect to the herd maintained under agreement, shall constitute cause for canceling the agreement.
- (b) All cattle eighteen (18) months of age and over shall be tested, except for

steers and spayed heifers.

(c) Certification is as follows:

(1) The herd will be certified brucellosis-free when it has passed at least two (2) consecutive negative tests, not less than ten (10) months nor more than fourteen (14) months apart.

(2) Suspect herds shall be retested as prescribed in section 5(a) of this rule.

(3) Where the milk ring test is employed, herds may become certified brucellosis-free after passing four (4) consecutive negative milk ring tests conducted at not less than ninety (90) day intervals, followed by a complete negative herd blood test of all eligible animals within ninety (90) days of the last milk ring test. Another official brucellosis milk test may be approved by the state veterinarian in order to facilitate the diagnosis, prevention, or control of disease.

(4) All animals sold from a certified brucellosis-free herd must be on record of certified tests, have met the requirements of additions to the certified free herd, or be qualified untested animals of said herd.

(d) Recertification is as follows:

(1) The brucellosis-free herd status is for a one (1) year period. A negative herd test conducted within sixty (60) days prior to each anniversary date is required for continuous certification. Herd certification may be reinstated provided a negative herd test is conducted within sixty (60) days following the anniversary date. If a herd test for recertification is not conducted within sixty (60) days following the anniversary date, then certification requirements are the same as for initial certification.

(2) A dairy herd may maintain certification through negative results to a series of four (4) brucellosis ring tests, or other official brucellosis milk test approved by the state veterinarian, conducted at approximately ninety (90) day intervals. The fourth test must be conducted within sixty (60) days before the anniversary of the previous certification date. The state veterinarian may approve another testing protocol if the state veterinarian finds that the protocol is adequate to determine there is no evidence of brucellosis in the herd.

(3) If for any reason a "suspect" or "reactor" is found in the herd, including retest for reason of BRT suspicious test or market cattle identification (MCI) reactor disclosure, the certification shall be suspended until compliance is met for recertification.

(4) Satisfactory answers must be given to any questionnaire sent to the owner concerning certification or recertification of the herd.

(e) Additions to a certified brucellosis-free herd under supervision are as follows:

(1) All additions must be accompanied with an official health certificate. Cattle from a Class C State or area must be accompanied by a health certificate endorsed, or approved by state veterinarian of the state of origin, indicating the date of the certification test.

(2) Animals shall originate from a certified brucellosis-free herd, showing certification number and date of test on the health certificate. Animals added under this provision shall not receive new herd status for sale purposes until they have passed a forty-five (45) to ninety (90) days post-entry retest.

(3) Officially vaccinated dairy cattle under twenty (20) months of age, and beef cattle under twenty-four (24) months of age, if accompanied by an official vaccination certificate or proof of vaccination; except no vaccinated cattle that originated from a previously infected herd, unless at least one (1) generation removed from the infection and quarantine release.

(4) Class Free, Class A, and Class B State or area. Test eligible animals from herds not under quarantine must be tested negative for brucellosis within thirty (30) days prior to the date of movement and must be retested negative between forty-five (45) and ninety (90) days after being moved. Animals added under this provision shall not receive new herd status for sale purposes until they have passed this post-entry retest.

*(Indiana State Board of Animal Health; 345 IAC 2-6-3; filed Oct 29, 1984, 8:59 a.m.: 8 IR 168; filed Dec 22, 1986, 3:40 p.m.: 10 IR 1069; filed May 26, 1987, 3:45 p.m.: 10 IR 2275; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA; filed Jan 7, 2016, 8:06 a.m.: 20160203-IR-345150160FRA)*

#### **345 IAC 2-6-4 Brucellosis milk ring tests**

Authority: IC 15-17-3-21

Affected: IC 15-17-3-13

Sec. 4. All dairy processing plants and dairy cooperatives must collect, label, and prepare samples of milk from each herd

from which they buy milk. Samples must be given to the board upon request by the board. (*Indiana State Board of Animal Health; 345 IAC 2-6-4; filed Oct 29, 1984, 8:59 a.m.: 8 IR 168; filed Jan 6, 1999, 4:22 p.m.: 22 IR 1481; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA*)

**345 IAC 2-6-5 Suspects; retesting; sale; depopulation**

Authority: IC 15-17-3-21

Affected: IC 15-17-3-13

Sec. 5. (a) For suspects found in herds on original partial or complete herd test the following applies:

(1) Only the suspects are quarantined on the premises until retests of the suspects, in not less than thirty (30) day intervals, reveal them to decrease in titer, stabilize (stabilized suspect), or return to a negative status, at which time the herd will be classified as negative. Results of tests will be evaluated by a Brucellosis epidemiologist, and a determination made that infection does not exist, before testing and surveillance on such animals is concluded.

(2) Supplementary tests will be used to determine advisability of retesting suspects.

(3) If the retest does not include all previous suspicious animals, the entire herd shall be retested at the owner's expense.

(4) Suspects or stabilized suspects cannot be sold except to slaughter under permit.

(5) Suspects or stabilized suspects cannot be exhibited.

(b) Milk ring suspect herds shall be quarantined immediately and tested within thirty (30) days. If the owner fails to comply, attending penalties may be initiated.

(c) Tests and retests at program expense are area tests and tests of herds where infection is suspected or found, or those authorized by regulatory personnel or by an epidemiologist and the following applies:

(1) The owner shall, upon due notice by a duly designated representative of either cooperating agency, confine his cattle in suitable quarters for testing and shall render reasonable assistance in such testing or retesting.

(2) The Indiana state board of animal health or its agent reserves the right to supervise any testing or any aspect relating to this rule.

(d) Testing of areas where infection is found shall be conducted as follows:

(1) All cattle six (6) months of age and over in the area or county shall be tested for Brucellosis, except the following:

(A) Steers, spayed heifers, and vaccinated animals under twenty (20) months of age for dairy breeds and twenty-four (24) months of age for beef breeds unless parturient or postparturient.

(B) Feeding cattle, approved as such, maintained separate and apart from all other cattle. Any feeder heifers of any age, if visibly pregnant, must be Brucellosis tested.

(C) Herds negative to the last three (3) consecutive milk ring tests, sufficient market cattle identification tests, or recent blood tests to be optional with the cooperating agencies.

(2) Any herd, where reasons exist to believe that infection may be present, shall be tested for Brucellosis to determine the possibility and/or extent of infection.

(e) Any person owning or having custody of cattle where testing is deemed advisable who refuses to permit his cattle to be tested or who fails to render reasonable assistance, as set forth in this section, shall be deemed to have violated the provisions of this rule, and shall be subject to all of the penalties provided by law as set forth in the Indiana Code.

(f) Herds in which the state veterinarian or his epidemiologist determine an animal has or had a confirmed Brucellosis infection will be given one (1) year from date of confirmed infection to establish a negative herd. If this does not occur, the herd shall be depopulated. (*Indiana State Board of Animal Health; 345 IAC 2-6-5; filed Oct 29, 1984, 8:59 a.m.: 8 IR 169; filed Sep 6, 1990, 2:30 p.m.: 14 IR 88; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA*)

**345 IAC 2-6-6 Market cattle identification program (Repealed)**

Sec. 6. (*Repealed by Indiana State Board of Animal Health; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA*)

**345 IAC 2-6-7 Infected herds; identification and disposition of reactors; quarantine to be implemented when state status is identified other than Brucellosis-free by USDA Brucellosis Eradication Program**

Authority: IC 15-17-3-21

Affected: IC 15-17-3-13

Sec. 7. (a) All reactors shall be further identified, upon demand, as follows:

(1) A reactor tag approved by the board shall be affixed to the left ear.

(2) The letter "B" not less than two (2) inches or more than three (3) inches shall be branded high on the left tailhead (over the fourth to the seventh coccygeal vertebrae) with a hot iron, in such a manner that the brand shall be permanent. This identification shall be prior to movement from the owner's premises.

(b) The disposal of reactors shall be as follows:

(1) All reactors shall be:

(A) isolated immediately from the remaining portion of the herd; and

(B) removed from the premise for slaughter to an approved slaughtering establishment or to an approved market for sale to such slaughtering establishment within fifteen (15) days following branding and tagging. (The time may be extended fifteen (15) days for reasons mutually acceptable to the cooperating state and federal officials in charge.)

(2) Reactors shall be accompanied by a permit for movement of animals as prescribed by the board.

(c) Cleaning and disinfecting shall be performed, except as further noted, following the prescribed methods outlined by regulatory personnel, within fifteen (15) days following removal of reactors. An extension of time may be considered under extenuating circumstances.

(d) This subsection establishes requirements for quarantine of infected herds or infected feedlots. All cattle, except steers and spayed heifers, must be:

(1) confined to the premises until the herd is tested and found to be free of Brucellosis; or

(2) sold for slaughter under permit for movement of animals. (See subsection (e)(3) concerning "S" branding.)

(e) Identification and disposition of exposed cattle shall be as follows:

(1) Animals that have been in contact with Brucellosis reactors in marketing channels for more than twenty-four (24) hours are considered to be exposed regardless of the blood test results and shall be:

(A) sent to immediate slaughter; or

(B) returned to the farm of origin under quarantine to be isolated from other cattle and tested as required under subsection (g).

If exposed animals are moved to slaughter, they shall be identified by hot branding with the letter "S" (at least two (2) inches by two (2) inches) placed high on the left tailhead (over the fourth to the seventh coccygeal vertebrae) prior to movement and accompanied by permit for movement.

(2) Exposed cattle returned from the auction market to the herd of origin, under quarantine, pending further testing are exempt from this requirement.

(3) No suspects or any animals from a Brucellosis quarantined herd or quarantined feedlot shall be removed from the premises, until a permit for movement, VS Form #1-27, has been obtained from the board or its agent by the owner or caretaker, and the animal is properly identified with an "S" brand. Feedlot cattle may be sold directly to Indiana approved slaughter plants with head count and permit VS Form #1-27 without branding.

(f) The board or its agent may issue permits for any cattle from a quarantined herd or quarantined feedlots only for consignment directly to an approved state or federal slaughtering establishment, or to a commission firm located at an approved public stockyard or approved auction market for reconsignment for immediate slaughter, and shall include the following:

(1) The owner of the animals shall furnish the following to the board:

(A) The destination.

(B) The name and address of:

(i) the commission firm; or

(ii) the approved state or federal slaughtering establishment.

(2) The permit shall:

(A) show identification of the animals by tag number; and

- (B) specify the animals described shall be sold for slaughter only.
  - (3) The trucker shall:
    - (A) have the permit in his or her possession when the animals described in this subsection are being transported; and
    - (B) deliver the permit to the consignee or his or her agent at destination.
  - (4) The person to whom such animals are consigned shall immediately report to the board the receipt of such animals.
  - (g) Release of quarantine shall be as follows:
    - (1) All cattle, except steers and spayed heifers, including officially vaccinated heifers and calves in affected herds, shall be confined to the premises until the herd is freed of Brucellosis or sold for slaughter under "S" brand and permit and shall include the following:
      - (A) Three (3) consecutive negative herd blood tests are required for release of quarantine with the first negative herd test occurring not less than thirty (30) days after the removal and slaughter of all previous reactors.
      - (B) The second negative herd blood test shall occur not less than one hundred twenty (120) days following the removal of the last reactor.
      - (C) The releasing test (the third negative herd blood test) shall occur not less than ten (10) months (two hundred ninety-nine (299) days) following the removal of the last reactor. Exceptions shall be as follows:
        - (i) Herds where Strain 19-Brucella is cultured from milk and/or tissue from the reactor. Those herds may be released from quarantine after a negative herd test thirty (30) days from removal of reactor.
        - (ii) Herds where no Brucella are isolated from milk and/or tissue and no further evidence of Brucellosis is evident may be released one hundred twenty (120) days from removal of reactor upon the recommendation of the Brucellosis epidemiologist.
    - (2) Herd of origin of market cattle test reactors that fail to reveal additional reactors on a test of the entire herd would not be required to be held under quarantine for additional testing unless evidence suggestive of Brucella infection or exposure thereto is present.
    - (3) Any suspect found on the test for release of quarantine and subsequently testing negative after thirty (30) days may qualify the herd for release of quarantine.
    - (4) Cleaning and disinfection under the guidelines of state or federal personnel are required before the quarantine can be released.
    - (h) A herd plan for elimination of Brucellosis from each infected herd formalized between the owner and regulatory veterinarian shall be executed.
      - (i) Any person owning or having custody of cattle where testing is deemed advisable who:
        - (1) refuses to permit his or her cattle to be tested; or
        - (2) fails to render reasonable assistance as set forth in this rule;
- shall be deemed to have violated this rule and shall be subject to all the penalties provided by law as set forth in the Indiana Code.
- (j) The status of herds placed under quarantine for Brucellosis are to be made known to herd owners in the immediate community. The herd owners shall be notified by personal contact or by mail, including educational information about the disease. (*Indiana State Board of Animal Health; 345 IAC 2-6-7; filed Oct 29, 1984, 8:59 a.m.: 8 IR 170; filed Dec 22, 1986, 3:40 p.m.: 10 IR 1071; filed Sep 6, 1990, 2:30 p.m.: 14 IR 88; filed Oct 11, 1996, 2:00 p.m.: 20 IR 744, ineffective under IC 4-22-2-25; filed Mar 27, 1997, 11:15 a.m.: 20 IR 2112; errata, 22 IR 2007; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA*)

### **345 IAC 2-6-8 Testing requirements; owner responsibilities**

Authority: IC 15-17-3-21

Affected: IC 15-17-3-13; IC 15-17-15

Sec. 8. (a) The responsibility for having cattle tested in accordance with this rule shall be upon the owner of the cattle prior to any transfer.

(b) Blood samples for brucellosis tests must be drawn by a licensed, Category II accredited veterinarian and tested by the brucellosis testing service laboratory at Purdue University or at such other laboratory as the state veterinarian may designate. Blood samples tested at an approved laboratory at a licensed auction market shall be sent to the animal disease diagnostic laboratory at

Purdue University for confirmation. (*Indiana State Board of Animal Health; 345 IAC 2-6-8; filed Oct 29, 1984, 8:59 a.m.: 8 IR 171; filed Feb 26, 1986, 4:00 p.m.: 9 IR 1568; filed Dec 22, 1986, 3:40 p.m.: 10 IR 1072; filed Jan 6, 1999, 4:22 p.m.: 22 IR 1481; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Jul 1, 2002, 1:28 p.m.: 25 IR 3740; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA*)

## **Rule 7. Chronic Wasting Disease**

### **345 IAC 2-7-1 Definitions**

Authority: IC 15-17-3-21

Affected: IC 15-17

Sec. 1. The following definitions and the definitions in IC 15-17-2 apply throughout this rule:

- (1) "Animal" means any farmed or captive cervid.
- (2) "Approved CWD sample collector" means a person that has been approved by the state veterinarian to collect official samples for CWD testing.
- (3) "Board" means the Indiana state board of animal health appointed under IC 15-17-3.
- (4) "Certification program" means the CWD herd certification program in section 4 of this rule.
- (5) "Cervid" means all members of the family cervidae that are susceptible to CWD. These are the animals in the following genera and their hybrids and related species:
  - (A) *Odocoileus* (mule deer and whitetail deer).
  - (B) *Cervus* (elk, wapiti, red deer, and Sika deer).
  - (C) *Alces* (moose).
  - (D) Any other species of the family cervidae that:
    - (i) is found to be susceptible to CWD; and
    - (ii) the state veterinarian designates in writing as being governed by the CWD program established in this rule.
- (6) "Chronic wasting disease" or "CWD" means a transmissible spongiform encephalopathy of cervids.
- (7) "CWD exposed animal" means an animal that is part of a CWD positive herd or that has been exposed to a CWD positive animal or CWD contaminated premises in the last five (5) years.
- (8) "CWD exposed herd" means a herd in which a CWD positive or exposed animal has resided within sixty (60) months prior to the diagnosis of CWD.
- (9) "CWD negative animal" means an animal that has been subjected to an official CWD test that resulted in a negative classification.
- (10) "CWD positive animal" means an animal that has been diagnosed as having CWD through official confirmatory testing conducted by the National Veterinary Services Laboratories.
- (11) "CWD positive herd" means a herd in which a CWD positive animal resided at the time it was diagnosed and that has not been released from quarantine.
- (12) "CWD suspect animal" and "CWD suspect" means an animal for which the state veterinarian has determined that unofficial CWD test results, laboratory evidence, or clinical signs suggest a diagnosis of CWD, but for which official laboratory results are not yet available or have been inconclusive.
- (13) "Herd" means an animal or a group of animals that are:
  - (A) under common ownership or supervision; and
  - (B) grouped on one (1) or more parts of a single premises, or on two (2) or more separate premises but on which animals have been interchanged or had direct or indirect contact with one another.
- (14) "Herd plan" means a written herd and premises management agreement described in section 5.5 of this rule that is developed by the herd owner, the herd owner's veterinarian, and the state veterinarian, and approved by the state veterinarian, that states the steps that will be taken to:
  - (A) eradicate CWD from a CWD positive herd;
  - (B) control the risk of CWD in a CWD exposed or CWD suspect herd; or

(C) prevent introduction of CWD into that herd or any other herd.

(15) "High risk animal" means a cervid that may have been exposed to CWD. The state veterinarian shall determine which animals are high risk animals based on an epidemiological investigation that includes evaluation of animal movements, housing, location, and probable contacts with CWD positive, CWD exposed, or CWD suspect animals.

(16) "Official identification" means a device or method of animal identification approved for use under this rule by the state veterinarian. Official identification must include a nationally unique animal identification number that adheres to one (1) of the following numbering systems:

(A) National Uniform Eartagging System that employs an eight (8) or nine (9) character alphanumeric format, consisting of two (2) number state or territory code, followed by two (2) or three (3) letters and four (4) additional numbers.

(B) Animal identification number (AIN), the official numbering system for identification of animals in the United States. The AIN must contain fifteen (15) digits with the first three (3) being one (1) of the following:

(i) The country code (840 for the United States).

(ii) The alpha characters "USA".

(iii) The numeric code assigned to the manufacturer of the identification device by the International Committee on Animal Recording.

(C) A premises-based numbering system that combines an official premises identification number with a producer's livestock production numbering system to provide a unique identification number. The PIN number and the production number must both appear on the official tag.

(D) Any other numbering system that has been approved by the state veterinarian and the United States Department of Agriculture for the identification of animals in commerce.

(17) "Official test" means a CWD detection test approved by the state veterinarian conducted in a laboratory approved by the state veterinarian.

(18) "Owner" means a person who legally owns an animal. The state veterinarian may include as an owner a person who possesses an animal under a permit issued by the United States government or the Indiana department of natural resources, whether or not the permit holder actually has ownership rights in the animal, if it furthers the purposes of this rule.

(19) "Premises identification number" or "PIN" means a nationally unique number assigned by the state veterinarian, the animal health authority of another state, or a federal animal health authority to a premises that is, in the judgment of the assigning animal health authority, a geographically distinct location from other premises. All of the following apply to a PIN:

(A) It is associated with an address, geospatial coordinates, or location descriptors that provide a verifiably unique location.

(B) It may be used in conjunction with a producer's own livestock production numbering system to provide a unique identification number for an animal.

(C) It may be used as a component of a group/lot identification number.

(D) It may consist of:

(i) the state's two (2) letter postal abbreviation followed by the premises assigned number; or

(ii) a seven (7) character alphanumeric code, with the right-most character being a check digit. The check digit number is based upon the ISO 70-64 Mod 36/37 check digit algorithm.

(20) "Quarantine" means an order restricting the movement of animals onto or off of a premises.

(21) "State veterinarian" means the state veterinarian appointed under IC 15-17-4 or his or her authorized agent.

*(Indiana State Board of Animal Health; 345 IAC 2-7-1; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1339; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Sep 12, 2002, 1:07 p.m.: 26 IR 346; filed Jul 23, 2008, 1:01 p.m.: 20080820-IR-345070824FRA; errata filed Oct 3, 2008, 3:30 p.m.: 20081022-IR-345080767ACA; filed May 23, 2013, 3:16 p.m.: 20130619-IR-345120491FRA; errata filed Jul 5, 2013, 10:19 a.m.: 20130717-IR-345120491ACA)*

### **345 IAC 2-7-2 General provisions**

Authority: IC 15-17-3-21

Affected: IC 15-17-3-13

Sec. 2. (a) The state veterinarian may apply to the United States Department of Agriculture to have the state CWD program designated an approved state CWD certification program under 9 CFR Part 55.

(b) Any official test for chronic wasting disease must be conducted at:

- (1) the Animal Disease Diagnostic Laboratory at Purdue University;
- (2) a United States Department of Agriculture laboratory; or
- (3) a laboratory approved by the state veterinarian.

The state veterinarian may approve a laboratory to conduct official tests for chronic wasting disease if the laboratory demonstrates that its diagnostic procedures for chronic wasting disease are in compliance with generally accepted scientific standards and approving the laboratory will further the purposes of this rule.

(c) All tests for CWD required by this rule or conducted under this rule must be official tests. The results of a test for CWD that is not an official test will not satisfy the requirements of this rule.

(d) The state veterinarian may approve a person to be an approved CWD sample collector if he or she meets the following requirements:

- (1) The person has submitted an application to the state veterinarian for approval.
- (2) The person has successfully completed training programs on appropriate sample collection techniques that have been approved by the state veterinarian.

The state veterinarian's approval to be an approved CWD sample collector continues until it is modified, suspended, or revoked by the state veterinarian.

(e) A person approved to be an approved CWD sample collector must do the following:

- (1) Collect and preserve appropriate samples as required by this rule and protocols issued by the state veterinarian.
- (2) Submit samples for testing according to procedures and within the timelines required by this rule and the protocols issued by the state veterinarian.
- (3) Create and upon request of the state veterinarian submit written records of sample collection and submission activities that are required by this rule and protocols issued by the state veterinarian.

(f) The state veterinarian may modify, suspend, or revoke the approval issued to an approved CWD sample collector if the sample collector does any of the following:

- (1) Violates a law administered by the board.
- (2) Fails to successfully complete the initial training program on sample collection or any supplemental training later designated by the state veterinarian as necessary to maintain proficiency in sample collection and submission techniques.
- (3) Fails to comply with sample collection and submission protocols issued by the state veterinarian.
- (4) Fails to create or submit written records required by this rule and protocols issued by the state veterinarian that accurately and completely document the sample collection and submission.
- (5) Submits poor quality samples, incomplete samples, or samples that are not testable.
- (6) Violates any requirement of this rule.

(g) All records required to be kept by this rule shall be kept for not less than six (6) years. (*Indiana State Board of Animal Health; 345 IAC 2-7-2; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1339; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; filed Jul 23, 2008, 1:01 p.m.: 20080820-IR-345070824FRA; filed May 23, 2013, 3:16 p.m.: 20130619-IR-345120491FRA*)

#### **345 IAC 2-7-2.4 Interstate movement of cervids susceptible to chronic wasting disease**

Authority: IC 15-17-3-21

Affected: IC 15-17-3-13; IC 15-17-18-6

Sec. 2.4. (a) A person moving a cervid into the state must comply with the requirements in this article and 345 IAC 1-3.

(b) A person may move or cause to be moved into the state live animals of the family cervidae that are susceptible to CWD only as provided in this section. These are animals of the following genera and their hybrids and related species:

- (1) *Odocoileus* (mule deer and whitetail deer).
- (2) *Cervus* (elk, wapiti, red deer, and Sika deer).
- (3) *Alces* (moose).

(4) Any other species of the family cervidae that:

(A) is found to be susceptible to CWD; and

(B) the state veterinarian designates in writing as being governed by the movement requirements in this rule.

(c) When making a preentry permit determination under 345 IAC 1-3-29(b), the state veterinarian may require the applicant to provide any information, including supporting documentation, that is relevant to evaluating the disease risk associated with the movement and compliance with subsections (d) through (g). The state veterinarian may require that the application for a permit be in writing and be submitted not less than one hundred twenty (120) hours prior to the proposed movement date.

(d) The state veterinarian may issue a preentry permit under 345 IAC 1-3-29(b) to move a live animal of the species listed in subsection (b) into the state if the epidemiology as it relates to CWD indicates that the proposed movement is consistent with reasonable animal health precautions. The state veterinarian must follow the principles of subsections (e) through (g) when issuing preentry permits.

(e) Except as provided in subsections (f) and (g) and 345 IAC 1-3-29(c), the state veterinarian must follow the following principles when issuing preentry permits for live animals:

(1) Each animal in the proposed movement must originate from an area that meets all of the following conditions:

(A) The principal animal health official in the state of origin has authority to quarantine CWD infected, CWD exposed, and CWD suspect animals.

(B) State law in the state of origin requires that a diagnosis of CWD be reported to the principal animal health official of the state.

(C) The state of origin is engaged in surveillance for CWD in captive and free-ranging cervids.

(D) The state of origin is participating in the federal CWD herd certification program under 9 CFR Part 55, Subpart B or the United States Department of Agriculture is administering this CWD certification program in the state.

(E) CWD has not been diagnosed in a captive cervid herd in the state where the herd of origin is located within the sixty (60) months immediately prior to the date of the proposed movement.

(F) CWD has not been diagnosed in a free-ranging cervid in the state where the herd of origin is located within the sixty (60) months immediately prior to the date of the proposed movement.

(G) The herd of origin's premises is not located in a state or federal CWD-quarantine area, CWD-infected area, CWD-containment area, CWD-management area, or a similarly designated CWD control area.

(2) Each animal in the proposed movement must originate from a herd that meets all of the following conditions:

(A) No animal in the herd, no animal that originated from the herd, and no animal that has been traced to the herd has been diagnosed as positive for CWD within the sixty (60) months immediately prior to the date of transportation into Indiana.

(B) The herd is not classified as a CWD-positive, CWD-exposed, or CWD-suspect herd and is not currently designated a trace back or trace forward herd in a CWD epidemiological investigation.

(C) The herd has been enrolled in or subject to an official state or federal surveillance program equivalent to the program described in 9 CFR Part 55, Subpart B whereby the herd has been monitored for CWD for not less than sixty (60) consecutive months and has achieved CWD certified status. The owner of the herd must be in compliance with the surveillance program requirements. The certification program information shall be:

(i) disclosed when applying for an entry permit under this section; and

(ii) included on the certificate of veterinary inspection required under section 4 of this rule.

(f) The state veterinarian may issue a preentry permit under 345 IAC 1-3-29(b) and this section for an animal if the animal has tested negative for CWD using a live animal test that has been approved by the United States Department of Agriculture and the state veterinarian.

(g) The state veterinarian may issue a preentry permit under 345 IAC 1-3-29(b) and this section to move a live animal of the species listed in subsection (b) into the state directly to slaughter if all of the following requirements are met:

(1) An official certificate of veterinary inspection is obtained for the animals on the shipment.

(2) Each animal is identified with two (2) forms of identification as required in 345 IAC 1-3-29 and the identification is recorded on the certificate of veterinary inspection.

(3) A copy of the certificate of veterinary inspection moves with the animals and is presented to a state or federal official at the slaughtering plant.

- (4) The animals are moved directly to a slaughtering plant inspected by the board or the United States Department of Agriculture without stopping and unloading the animals elsewhere in the state.
- (5) The state veterinarian must be provided access to collect samples from each animal for testing for disease.
- (6) The animal must originate from a herd that is not classified as a CWD-positive, CWD-exposed, or CWD-suspect herd and is not currently designated a trace back or trace forward herd in a CWD epidemiological investigation.
- (7) The herd of origin's premises must not be located in a state or federal CWD-quarantine area, CWD-infected area, CWD-containment area, CWD-management area, or a similarly designated CWD control area.
- (8) The permit may contain any other conditions the state veterinarian determines to be necessary to prevent, detect, and control disease.

*(Indiana State Board of Animal Health; 345 IAC 2-7-2.4; filed Sep 5, 2003, 8:41 a.m.: 27 IR 92; readopted filed Jul 30, 2009, 10:44 a.m.: 20090826-IR-345090368RFA; filed May 23, 2013, 3:16 p.m.: 20130619-IR-345120491FRA; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA)*

### **345 IAC 2-7-2.5 Intrastate movement (Repealed)**

*Sec. 2.5. (Repealed by Indiana State Board of Animal Health; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA)*

### **345 IAC 2-7-3 Chronic wasting disease registered herd program**

Authority: IC 15-17-3-21

Affected: IC 15-17-11-20

Sec. 3. (a) The requirements in this section apply to captive cervids. The owner of a captive cervid that is of a species that is not known to be susceptible to CWD and therefore not required to participate in the CWD program may voluntarily participate in the CWD program.

(b) The following requirements apply to any person that keeps a captive cervid at a location in Indiana:

- (1) The person shall register with the state veterinarian each location where his or her cervids are kept.
- (2) Each animal in the herd must be uniquely identified at the earliest of the following events:
  - (A) At the time the animal is moved onto the premises.
  - (B) At the time the animal is moved off of the premises.
  - (C) At the time the animal is held for testing, vaccination, or veterinary care.
  - (D) At the time the animal is held for semen, embryo, antler, or other collection from the animal.

Animals that have existing identification do not need to be reidentified upon the occurrence of these events if the existing identification meets the criteria for identification prescribed by this rule and the existing identification is recorded in the herd inventory.

(3) Cervids identified under this section must be identified using at least two (2) forms of identification attached to the animal. One (1) of the animal identifications must be an official identification that is a tamper resistant ear tag. The second animal identification may be a tamper resistant ear tag or one (1) of the following forms of identification that is unique to the animal within the herd:

- (A) An electronic implant.
- (B) A flank tattoo.
- (C) An ear tattoo.
- (D) An identification device approved by the state veterinarian.

Identification of a cervid must be maintained on the animal until the animal is deceased and any samples required by the board are collected from the animal. If the identification is not collected as a part of a sample collection, it must remain with the animal until the carcass is disposed of in accordance with this rule and IC 15-17-11-20.

(4) The owner must keep a complete, accurate, and current herd inventory. A herd inventory shall include the following:

- (A) A record of each animal that is part of the herd including the following:
  - (i) The animal's species.
  - (ii) All of the animal's identification.

- (iii) The animal's age and sex.
- (B) A record of:
  - (i) all identification associated with each animal that is added to the herd;
  - (ii) the date the animal is added to the herd; and
  - (iii) the source of the animal.If the source of the animal is from outside the owner's herd, the name and address of the source.
- (C) A record of:
  - (i) all identification associated with each animal that is removed from the herd;
  - (ii) the cause for removal (sale, escape, death by accident, or death by other means);
  - (iii) the date removed; and
  - (iv) the name and address of the animal's destination.
- (D) A person must keep a record of any purchase and resale of an animal, even if the animal never enters that person's possession or herd, and to include transactions brokered by the person. The records must include the source of the animal under clause (B) and the destination of the animal under clause (C).
- (5) Upon request of the state veterinarian, the owner or custodian of cervids must do the following:
  - (A) Provide the state veterinarian access to or a copy of the written herd inventory.
  - (B) Provide access to the herd premises and present each animal in the herd to the state veterinarian for inspection, verification or application of identification, testing or evaluation, to include assembling, handling, and restraining the animals.
- (6) The herd owner shall, within one (1) business day of discovery, notify the state veterinarian of the escape or disappearance of any animal in the herd.
- (7) Upon the death of an animal in the herd that is twelve (12) months of age or older for any reason, the owner of a hunting preserve shall initiate action to collect samples for CWD testing according to one (1) of the following procedures:
  - (A) By procuring the services of a veterinarian to collect appropriate samples for CWD testing.
  - (B) By procuring the services of an approved CWD sample collector to collect appropriate samples for CWD testing.
  - (C) By any other procedure authorized by the state veterinarian that ensures appropriate sample collection, handling, and transportation for testing.Samples must be submitted to an approved laboratory no later than March 31 of the year immediately following the hunting season. Samples must be adequately preserved to ensure they are in a condition that may be tested.
- (8) The state veterinarian may inspect any cervid and take tissues or other material necessary or helpful for detecting disease. The owner must allow the state veterinarian to collect samples from any animal sent to slaughter.
- (9) The owner shall dispose of a cervid carcass that has been sampled for testing as directed by the state veterinarian. Cervid carcasses that are not sampled shall be disposed of in accordance with IC 15-17-11-20. The state veterinarian may require that the owner identify the carcass in a particular manner.
- (10) The herd must be enclosed in a perimeter fence that:
  - (A) is made from materials that will prevent cervids from entering or leaving through the structure;
  - (B) has no openings that will allow ingress or egress; and
  - (C) measures at least eight (8) feet from the ground to the top of the fence at all parts of the structure.The state veterinarian may approve a perimeter fence enclosing smaller cervids that is lower than eight (8) feet if the fence is likely to contain the animals.
- (c) The state veterinarian may:
  - (1) conduct an epidemiologic evaluation of any cervid herd, including testing any animal if it furthers the goal of animal disease surveillance and control; and
  - (2) consider all relevant factors, including the:
    - (A) length of time the herd has been under a CWD surveillance program;
    - (B) herd's health history;
    - (C) potential effects of any additions to the herd; and
    - (D) potential effect of wild cervids on the herd;when evaluating herds under this subsection.

(d) The requirements in this section do not apply to a person possessing a dead wild cervid taken pursuant to a hunting permit issued by the Indiana department of natural resources. (*Indiana State Board of Animal Health; 345 IAC 2-7-3; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1339; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Sep 12, 2002, 1:07 p.m.: 26 IR 347; filed Sep 5, 2003, 8:41 a.m.: 27 IR 92; filed Jul 23, 2008, 1:01 p.m.: 20080820-IR-345070824FRA; errata filed Oct 3, 2008, 3:30 p.m.: 20081022-IR-345080767ACA; filed May 23, 2013, 3:16 p.m.: 20130619-IR-345120491FRA; filed Dec 14, 2016, 12:00 p.m.: 20170111-IR-345160221FRA*)

**345 IAC 2-7-4 Chronic wasting disease certified herd program**

Authority: IC 15-17-3-21

Affected: IC 15-17-11-20; IC 15-17-17

Sec. 4. (a) An owner of a cervid herd located in Indiana may apply to the board to enroll in the state CWD herd certification program by sending a written request to the state veterinarian.

(b) To obtain and maintain a herd status, a herd owner who enrolls in the certification program must do the following:

(1) Comply with the requirements in this rule, including the requirements for a registered herd in section 3 of this rule, and the applicable requirements in 345 IAC 1-3.

(2) Within one (1) business day of discovery, report to the state veterinarian:

(A) all animals that escape or disappear; and

(B) the death of any animal that is at least twelve (12) months of age that is not sampled and submitted for CWD testing.

The report must include the identification of the animal involved and the estimated date and time of the animal's death, escape, or disappearance.

(3) Except as provided in subdivision (4), upon the death of an animal in the herd that is at least twelve (12) months of age for any reason, the caretaker shall initiate action to collect samples from the carcass for CWD testing according to one (1) of the following procedures:

(A) By procuring the services of a veterinarian to collect appropriate samples for CWD testing.

(B) By procuring the services of an approved CWD sample collector to collect appropriate samples for CWD testing.

(C) By any other procedure authorized by the state veterinarian that ensures appropriate sample collection, handling, and transportation for testing.

Samples must be submitted to an approved laboratory no later than seven (7) days after the date of death of the animal.

(4) If there is an event that results in a mass casualty in the herd over a short period of time from apparently the same cause, the herd owner may request that the state veterinarian approve a plan to sample a representative number of animals from the herd rather than sampling all of the deceased animals. Samples collected pursuant to a sampling plan approved by the state veterinarian satisfy the requirement in subdivision (3), even if all animals are not sampled.

(5) Comply with the following identification requirements:

(A) All animals in the herd must be identified before reaching twelve (12) months of age if they are not first identified under section 3(b)(2) of this rule. All animals regardless of age must be identified before being moved from the herd premises.

(B) All animals in the herd that are identified must be identified with at least two (2) forms of identification attached to the animal as follows:

(i) One (1) animal identification must be official animal identification that is a tamper resistant ear tag.

(ii) The second animal identification must be:

(AA) unique for the individual animal within the herd; and

(BB) linked to that animal and herd.

(iii) The second identification may be a tamper resistant ear tag or one (1) of the following forms of identification:

(AA) An electronic implant.

(BB) A flank tattoo.

(CC) An ear tattoo.

(DD) An identification device approved by the state veterinarian.

Official identification of a cervid must be maintained on the animal until the animal is deceased, any samples required by the board are collected from the animal, and, if the identification is not collected as a part of a sample collection, it must remain with the animal until it is disposed of in accordance with this rule and IC 15-17-11-20.

(6) Provide access to the written herd inventory, premises, and herd, to include assembling, handling, and restraining the animals, as follows:

(A) Upon request of the state veterinarian to aid in an animal disease investigation or verify compliance with this rule.

(B) At least once each year for an inventory that consists of a review of herd records and visual examination of the herd.

(C) At least once every three (3) years for a complete physical herd inventory with verification of identification to reconcile all animals and identification with records maintained by the herd owner.

The state veterinarian may authorize board employees, federal employees, and licensed and accredited private veterinarians to conduct inventories and complete physical herd inventories for the purposes of this rule.

(7) The herd must be enclosed in a perimeter fence that:

(A) is made from materials that will prevent cervids from entering or leaving through the structure;

(B) has no openings that will allow ingress or egress; and

(C) measures at least eight (8) feet from the ground to the top of the fence at all parts of the structure.

(c) Subject to the provisions of subsections (e) and (f) the state veterinarian will place a newly enrolled cervid herd in first year status and if a herd continues to meet the requirements in this section will upgrade the herd status on the anniversary date of the herd's enrollment. The following are the herd statuses in the CWD certification program:

(1) First year status.

(2) Second year status after one (1) year of compliance.

(3) Third year status after two (2) years of compliance.

(4) Fourth year status after three (3) years of compliance.

(5) Fifth year status after four (4) or more years of compliance.

(6) Certified status after five (5) or more years of compliance.

(7) Suspended status if a herd is not in compliance.

(d) If an owner wishes to maintain separate herds, each herd that is enrolled in the CWD herd certification program must maintain separate:

(1) herd inventories;

(2) records;

(3) working facilities;

(4) water sources;

(5) equipment; and

(6) land use.

There must be a buffer zone of at least thirty (30) feet between the perimeter fencing around separate herds, and no commingling of animals may occur. Movement of animals between herds must be recorded as if they were separately owned herds.

(e) New animals may be introduced into a herd participating in the CWD certification program only from other herds participating in the program or an equivalent program in another state. When an animal is added to a herd, the CWD certification status of a herd will be altered as follows:

(1) The CWD status will not change if the animal that is added to the herd originated from a herd that has been in compliance with an equivalent CWD certification program and has achieved the same level of CWD status as the recipient herd.

(2) If the animal that is added to the herd originated from a herd with a CWD certification program status that is lower than the recipient herd's status, the recipient herd's certification status will be lowered to the status of the lowest status cervid added.

(3) A new herd that is assembled on a premises where CWD has never been diagnosed retains the certification status of the lowest status animal brought into the new herd.

- (f) The state veterinarian may suspend, revoke, or lower the certification program status of a herd for the following reasons:
  - (1) A herd is found to be:
    - (A) CWD positive;
    - (B) CWD suspect; or
    - (C) CWD exposed.
  - (2) The herd is designated a CWD trace back or trace forward herd.
  - (3) The herd is associated with an epidemiological investigation that is unable to make a determination regarding the exposure of the herd.
  - (4) The custodian of the herd does not meet the requirements under this section.
  - (5) The custodian of the herd does not enter into or complete the provisions of a herd plan under section 5 of this rule.
  - (6) The custodian of the herd violates board requirements for moving cervids into or within Indiana or any provision of this rule.
  - (g) A herd owner may appeal a determination of the state veterinarian under IC 15-17-17.
  - (h) As a part of an appeal of a designation of an animal as CWD positive, the owner may present as evidence the results of a DNA test, requested and paid for by the owner, to determine whether previous official CWD test results were correctly associated with an animal that belonged to the owner if the animal owner:
    - (1) arranged to submit animal tissue attached to an official identification device along with the other tissues that were collected for the official CWD test; and
    - (2) submits a written notice to the board indicating their intent to submit the test results as a part of their appeal.

The board may postpone a decision on the appeal for a reasonable period of time pending receipt of the test results. (*Indiana State Board of Animal Health; 345 IAC 2-7-4; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1340; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Sep 12, 2002, 1:07 p.m.: 26 IR 348; filed Jul 23, 2008, 1:01 p.m.: 20080820-IR-345070824FRA; errata filed Oct 3, 2008, 3:30 p.m.: 20081022-IR-345080767ACA; filed May 23, 2013, 3:16 p.m.: 20130619-IR-345120491FRA; errata filed Jul 5, 2013, 10:19 a.m.: 20130717-IR-345120491ACA*)

#### **345 IAC 2-7-5 CWD positive, CWD suspect, and CWD exposed animals**

Authority: IC 15-17-3-21

Affected: IC 15-17-10

Sec. 5. (a) Whenever an animal or herd is determined to be CWD positive, CWD suspect, or CWD exposed or an epidemiological investigation is unable to make a determination regarding the exposure of the animal or herd, the state veterinarian shall take steps to prevent, detect, contain, and eradicate CWD and may, without limitation on any other authority granted to the state veterinarian, do the following:

- (1) Quarantine or otherwise restrict the movement of animals, carcasses, and feed or other material.
- (2) Condemn animals, carcasses, and feed or other material.
- (3) Specify the means of disposal for condemned items and animals in a manner appropriate for a prion disease.
- (4) Conduct a complete epidemiologic investigation to determine the:
  - (A) specific cause and source of the disease; and
  - (B) population infected with and exposed to the disease.
- (5) Order testing of any animal in the herd and require tissues from all CWD exposed or CWD suspect animals that die or are depopulated or otherwise killed to be tested for CWD.
- (6) Take steps that are necessary or helpful to prevent, detect, contain, and eradicate CWD.
- (b) Whenever a cervid is determined to be CWD positive, CWD suspect, or CWD exposed or an epidemiological investigation is unable to make a determination regarding the exposure of the herd, the state veterinarian will develop a herd plan in conjunction with the herd owner and appropriate federal agencies.
- (c) A cervid owner shall follow and implement the provisions of the herd plan developed for the owner's herd under this section.
- (d) The state veterinarian will determine when the provisions of the herd plan developed under this section have been completed.

(e) The following apply to indemnity payments made to an owner of an animal or herd that is condemned under this article:

(1) The state veterinarian shall utilize the federal indemnity program under 9 CFR 55 or other federal indemnity funds whenever possible to indemnify for animals condemned under this article.

(2) If federal funds are not available, the state veterinarian shall utilize procedures in IC 15-17-10 and 345 IAC 1-7-8 when indemnity is required, but the state veterinarian shall not pay more indemnity for an animal than the USDA would have paid under 9 CFR 55.2.

*(Indiana State Board of Animal Health; 345 IAC 2-7-5; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1340; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Sep 12, 2002, 1:07 p.m.: 26 IR 349; readopted filed Jul 18, 2008, 8:16 a.m.: 20080813-IR-345080287RFA; filed May 23, 2013, 3:16 p.m.: 20130619-IR-345120491FRA)*

### **345 IAC 2-7-5.5 Herd plans**

Authority: IC 15-17-3-21

Affected: IC 15-17

Sec. 5.5. (a) The state veterinarian will evaluate each proposed herd plan and approve herd plans that contain requirements that are designed to detect, prevent, or control possible spread of CWD based on the particular circumstances of the herd and its premises. Herd plans may address any topic associated with the prevention and control of CWD, such as the following:

(1) The specific conditions associated with movement restrictions imposed by the state veterinarian.

(2) Specified means of identification for each animal in the herd.

(3) Regular examination of animals in the herd for clinical signs of disease.

(4) Reporting to the state veterinarian any clinical signs of central nervous system disease or chronic wasting condition in the herd.

(5) Maintaining records of the acquisition and disposition of all animals entering or leaving the herd.

(6) Selective culling of animals.

(7) Depopulation of animals.

(8) The specific conditions for the disposal of condemned animals and objects and death loss from the herd.

(9) Restrictions on repopulating the premises or adding to the herd.

(10) Fencing and other containment requirements.

(11) Restrictions on sharing or moving potentially contaminated equipment or other objects.

(12) Premises cleaning and disinfection.

(13) Any other measures designed to prevent, detect, or eradicate CWD.

(b) A herd plan may be reviewed and changes proposed by the herd owner or the state veterinarian. A revised herd plan will be effective only after it is approved by the herd owner and the state veterinarian. *(Indiana State Board of Animal Health; 345 IAC 2-7-5.5; filed May 23, 2013, 3:16 p.m.: 20130619-IR-345120491FRA)*

### **345 IAC 2-7-6 Chronic wasting disease program compliance**

Authority: IC 15-17-3-21

Affected: IC 15-17-3-13; IC 15-17-18-12

Sec. 6. (a) The state veterinarian may take any of the following actions against a herd owner that violates any provision of this rule or any of the requirements for moving cervids into Indiana in 345 IAC 1-3:

(1) Suspend, revoke, or lower the CWD status of the person's herd.

(2) Impose a monetary penalty under IC 15-17-18-12.

(3) Require the development and implementation of a herd plan.

(4) Require participants in the herd certification program to submit at designated intervals copies of the herd inventory or reports of changes to the herd inventory.

(5) Any other action authorized by law.

(b) The state veterinarian may take any of the following actions against a person that alters or removes official identification of a cervid:

- (1) Suspend, revoke, or lower the CWD status of the person's herd.
- (2) Impose a monetary penalty under IC 15-17-18-12.
- (3) Require the development and implementation of a herd plan.
- (4) Any other action authorized by law.
- (c) In the event a sample required to be collected under section 4(b)(3) of this rule is not collected and submitted for testing, the following apply:
  - (1) The owner must either:
    - (A) collect an ear from the carcass that contains an official identification ear tag and preserve the ear by freezing it or by using another method approved by the state veterinarian until such time as the inventory required under section 4(b)(6) of this rule is completed and any discrepancies in the inventory are resolved; or
    - (B) have a licensed and accredited veterinarian verify in writing that the carcass is in a condition that is unsuitable for sampling. The written verification must be kept with the herd inventory records.
  - (2) The state veterinarian may take any of the following actions:
    - (A) Issue a letter of warning.
    - (B) Issue a compliance order.
    - (C) If the herd owner or caretaker is an approved CWD sample collector, require the sample collector to complete additional training or take any of the actions specified in section 2(f) of this rule against the approved CWD sample collector's approval.
    - (D) After more than one (1) violation in a twelve (12) month period relating to the same herd, do the following:
      - (i) Require additional samples be collected from the herd.
      - (ii) Impose a monetary penalty of not more than two hundred fifty dollars (\$250) for each missed sample.
      - (iii) Require the development and implementation of a herd plan.
      - (iv) Suspend or lower the CWD status of the herd.
    - (E) Any other action authorized by law.
- (d) In the event a sample required under section 4(b)(3) of this rule is collected and submitted for testing but the sample is incomplete or is not in a condition that may be tested, the state veterinarian may take any of the following actions:
  - (1) Issue a letter of warning.
  - (2) Issue a compliance order.
  - (3) Require the sample collector to complete additional training.
  - (4) Take any of the actions specified in section 2(f) of this rule against the approved CWD sample collector's approval.
  - (5) After more than one (1) violation in a twelve (12) month period relating to the same herd, do the following:
    - (A) Require additional samples be collected from the herd.
    - (B) Impose a monetary penalty of not more than two hundred fifty dollars (\$250) for each missed sample.
    - (C) Suspend or lower the CWD status of the herd.
  - (6) Any other action authorized by law.

*(Indiana State Board of Animal Health; 345 IAC 2-7-6; filed Jul 23, 2008, 1:01 p.m.: 20080820-IR-345070824FRA; errata filed Oct 3, 2008, 3:30 p.m.: 20081022-IR-345080767ACA; filed May 23, 2013, 3:16 p.m.: 20130619-IR-345120491FRA)*

## **Rule 8. Johne's Disease (Mycobacterium Paratuberculosis)**

### **345 IAC 2-8-1 General provisions**

Authority: IC 15-17-3-21

Affected: IC 15-17-2; IC 15-17-3-13

- Sec. 1. (a) The purpose of this rule is to control the spread of Johne's disease in Indiana.
- (b) The applicable definitions in IC 15-17-2 and this rule apply to this rule.
- (c) An animal tests negative or passes a test when an official Johne's disease test indicates that the animal is not infected with Johne's disease.
- (d) An animal tests positive, responds to, or fails a test when an official Johne's disease test indicates that the animal is

infected with Johne's disease.

(e) Samples collected for use in any Johne's disease test must be collected by a veterinarian who is:

(1) licensed or legally able to practice veterinary medicine in Indiana; and

(2) accredited by the United States Department of Agriculture under 9 CFR, Subchapter J.

(f) Any person collecting samples to be used in any Johne's disease test shall identify each animal from which samples were collected by attaching an official ear tag to the animal's right ear. Each sample shall be identified with the respective official ear tag number.

(g) The state veterinarian may approve disease detection tests that will reliably detect Johne's disease. The state veterinarian may approve a laboratory that demonstrates that its diagnostic procedures for Johne's disease are likely to produce timely and reliable test results if approving the laboratory will further the purposes of this rule. The state veterinarian may consider generally accepted scientific standards and state and federal licensing, certification, and evaluation programs when approving tests and laboratories. A list of official Johne's disease tests and official laboratories may be obtained from the state veterinarian. (*Indiana State Board of Animal Health; 345 IAC 2-8-1; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2454; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; errata filed Oct 3, 2008, 3:30 p.m.: 20081022-IR-345080767ACA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA*)

### **345 IAC 2-8-2 "Approved market facility" defined**

Authority: IC 15-17-3-21

Affected: IC 15-17-14

Sec. 2. As used in this rule, "approved market facility" means a livestock market, stockyards, concentration point, or other premises that has been licensed under IC 15-17-14. (*Indiana State Board of Animal Health; 345 IAC 2-8-2; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2454; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; errata filed Oct 3, 2008, 3:30 p.m.: 20081022-IR-345080767ACA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA*)

### **345 IAC 2-8-3 "Approved slaughtering establishment" defined**

Authority: IC 15-17-3-21

Affected: IC 15-17-5

Sec. 3. As used in this rule, "approved slaughtering establishment" means an establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) or the Indiana Meat and Poultry Inspection Act (IC 15-17-5). (*Indiana State Board of Animal Health; 345 IAC 2-8-3; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2454; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; errata filed Oct 3, 2008, 3:30 p.m.: 20081022-IR-345080767ACA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA*)

### **345 IAC 2-8-4 "Board" defined**

Authority: IC 15-17-3-21

Affected: IC 15-17-2; IC 15-17-3

Sec. 4. As used in this rule, "board" means the Indiana state board of animal health established under IC 15-17-3. (*Indiana State Board of Animal Health; 345 IAC 2-8-4; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2455; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; errata filed Oct 3, 2008, 3:30 p.m.: 20081022-IR-345080767ACA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA*)

### **345 IAC 2-8-5 "Johne's disease" defined**

Authority: IC 15-17-3-21

Affected: IC 15-17-2; IC 15-17-3

Sec. 5. As used in this rule "Johne's disease" means an infectious and communicable disease that primarily affects cattle, sheep, goats, and other domestic and wild ruminants, also known as paratuberculosis, caused by *Mycobacterium paratuberculosis*. (*Indiana State Board of Animal Health; 345 IAC 2-8-5; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2455; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA*)

**345 IAC 2-8-6 "Moved" defined**

Authority: IC 15-17-3-21

Affected: IC 15-17-2; IC 15-17-3

Sec. 6. As used in this rule, "moved" means shipped, transported, delivered, or received for movement, or otherwise aided, induced, or caused to be moved. (*Indiana State Board of Animal Health; 345 IAC 2-8-6; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2455; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA*)

**345 IAC 2-8-7 "Official eartag" defined**

Authority: IC 15-17-3-21

Affected: IC 15-17-2; IC 15-17-3

Sec. 7. As used in this rule, "official eartag" means an identification eartag approved by the state veterinarian under 345 IAC 1-2.6 that bears an official identification number for individual animals. All official eartags applied to animals must bear an official eartag shield. (*Indiana State Board of Animal Health; 345 IAC 2-8-7; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2455; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA*)

**345 IAC 2-8-7.5 "Official eartag shield" defined**

Authority: IC 15-17-3-21

Affected: IC 15-17-2; IC 15-17-3

Sec. 7.5. As used in this rule, "official eartag shield" means the shield-shaped graphic of the U.S. Route Shield with "U.S." or the state postal abbreviation or Tribal alpha code imprinted within the shield. (*Indiana State Board of Animal Health; 345 IAC 2-8-7.5; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA*)

**345 IAC 2-8-8 "Official Johne's disease test" defined**

Authority: IC 15-17-3-21

Affected: IC 15-17-2; IC 15-17-3

Sec. 8. As used in this rule, "official Johne's disease test" means a disease detection test approved by the state veterinarian performed in a laboratory approved by the state veterinarian. (*Indiana State Board of Animal Health; 345 IAC 2-8-8; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2455; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA*)

**345 IAC 2-8-9 "Owner-shipper statement" defined**

Authority: IC 15-17-3-21

Affected: IC 15-17-2; IC 15-17-3

Sec. 9. As used in this rule, "owner-shipper statement" means a written statement that is signed by the owner or shipper of animals and that includes the following information:

- (1) The location from which animals are moved.

- (2) The destination of the animals.
- (3) The number of animals covered by the statement.
- (4) The species of animal covered.
- (5) The name and address of the owner at the time of the movement.
- (6) The name and address of the shipper.
- (7) The identification of each animal, unless the regulations specifically provide that the identification does not have to be recorded.
- (8) A statement that the animals are positive to an official Johne's disease test.
- (9) Any additional information required by this rule.

*(Indiana State Board of Animal Health; 345 IAC 2-8-9; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2455; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA)*

### **345 IAC 2-8-10 "State veterinarian" defined**

Authority: IC 15-17-3-21  
Affected: IC 15-17-4

Sec. 10. As used in this rule, "state veterinarian" means the state veterinarian appointed under IC 15-17-4 or an authorized agent. *(Indiana State Board of Animal Health; 345 IAC 2-8-10; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2455; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; errata filed Oct 3, 2008, 3:30 p.m.: 20081022-IR-345080767ACA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA)*

### **345 IAC 2-8-11 Moving Johne's disease positive animals**

Authority: IC 15-17-3-21  
Affected: IC 15-17

Sec. 11. (a) No animal that is positive to an official Johne's disease test may be moved into Indiana unless the requirements in this section are met.

(b) An animal in Indiana that tests positive to an official Johne's disease test may be moved from the premises only if the animal is moved according to the requirements in this section.

(c) An animal that is positive to an official Johne's disease test may be moved if the following requirements are met:

- (1) The animal is moved directly to an approved slaughtering establishment for immediate slaughter or to an approved market facility for sale for immediate slaughter.
- (2) The animal bears an official ear tag.
- (3) The person transporting the animal keeps an owner-shipper statement with the animal at all times and delivers it to the consignee.
- (4) The animal is moved to the destination in one (1) continuous movement without unloading prior to reaching the destination.
- (5) Each means of conveyance used to transport the animal is thoroughly and completely cleaned and disinfected according to guidelines issued by the state veterinarian.
- (6) Each part of a facility in which the animal is maintained must be thoroughly and completely cleaned and disinfected pursuant to guidelines issued by the state veterinarian.

(d) Animals that are positive to an official Johne's disease test may not be moved in a conveyance containing animals that are susceptible to but not infected with Johne's disease unless all of the animals are for immediate slaughter. The state veterinarian may allow the movement of Johne's disease positive animals with healthy animals if the owner or shipper of the animals demonstrates to the state veterinarian that procedures will be followed that will prevent the transfer of fecal material from Johne's disease positive animals to healthy animals.

(e) The state veterinarian may approve a request to move an animal that is positive to an official Johne's disease test into Indiana under conditions other than those provided in this section if the conditions set by the state veterinarian are designed to

prevent the spread of Johne's disease and the movement of the animals will aid in the study, detection, and control of Johne's disease. (*Indiana State Board of Animal Health; 345 IAC 2-8-11; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2455; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA*)

## **Rule 9. Hunting Preserves**

### **345 IAC 2-9-1 Definitions**

Authority: IC 15-17-3-21

Affected: IC 15-17-2; IC 15-17-14.7

Sec. 1. (a) The definitions in IC 15-17-2 and the following definition apply throughout this rule.

(b) "Special hunting permit" means a permit issued by the board to allow a person to hunt a permitted animal. (*Indiana State Board of Animal Health; 345 IAC 2-9-1; filed Dec 14, 2016, 12:00 p.m.: 20170111-IR-345160221FRA*)

### **345 IAC 2-9-2 Hunting preserve licensing and inspection**

Authority: IC 15-17-3-21

Affected: IC 15-17-14.7

Sec. 2. (a) A person desiring to operate a hunting preserve must obtain a license from the state veterinarian. To apply for a hunting preserve license, a person must submit the following to the state veterinarian:

(1) A completed license application on a form that will be furnished by the state veterinarian.

(2) The following information must be included with the completed license application:

(A) A site plan that contains a detailed layout of the hunting preserve that includes the following:

(i) Fences, with the length of each side of the fence that encloses the hunting preserve.

(ii) The acreage of the fenced area where hunting will occur.

(iii) Buildings.

(iv) Public roads and other barriers that intersect the hunting preserve.

(B) A description of the efforts that were made to clear the hunting preserve of wild deer.

(C) A description of the cover on the preserve that will allow permitted animals the opportunity to evade hunters.

(3) The license fee specified in IC 15-17-14.7.

(b) Prior to the issuance of a license, each applicant must demonstrate during an inspection by the board that the premises and facilities to be used comply with the requirements in IC 15-17-14.7 and this rule.

(c) A license issued under this section is effective on September 1 and expires on August 31 of the following year.

(d) A license may be renewed by submitting a renewal application and the annual fee specified in IC 15-17-14.7 prior to the license expiration. A renewal application must include an updated site plan for the hunting preserve if changes to the site were made after the license was issued.

(e) A licensed owner must operate a hunting preserve in compliance with the requirements set forth in IC 15-17-14.7 and this rule.

(f) A licensed owner must make the hunting preserve premises, facilities, animals, and records available at any reasonable time to an employee of the board to determine continued compliance with IC 15-17-14.7 and the requirements of this rule. (*Indiana State Board of Animal Health; 345 IAC 2-9-2; filed Dec 14, 2016, 12:00 p.m.: 20170111-IR-345160221FRA*)

### **345 IAC 2-9-3 Special hunting permit**

Authority: IC 15-17-3-21

Affected: IC 15-17-14.7-9

Sec. 3. (a) A person must obtain a special hunting permit from the state veterinarian prior to hunting on a hunting preserve. A special hunting permit authorizes a person to hunt one (1) permitted animal. The fee for a special hunting permit is the fee

specified in IC 15-17-14.7-9.

(b) The state veterinarian may appoint licensed owners to issue special hunting permits.

(c) A licensed owner appointed under subsection (b) must do the following:

(1) Maintain records that accurately reflect transactions with individuals hunting on the hunting preserve.

(2) Remit fees collected for special hunting permits sales at least monthly in a manner directed by the state veterinarian. Permit fees collected during a month must be submitted to the board not later than the tenth day of the following month.

(3) Submit reports as required by the state veterinarian to verify compliance with IC 15-17-14.7 and this rule.

(d) The state veterinarian may suspend or revoke an appointment of a licensed owner to sell special hunting permits for violations of this rule. (*Indiana State Board of Animal Health; 345 IAC 2-9-3; filed Dec 14, 2016, 12:00 p.m.: 20170111-IR-345160221FRA*)

### **345 IAC 2-9-4 Signage**

Authority: IC 15-17-3-21

Affected: IC 15-17-14.7

Sec. 4. A hunting preserve licensed under this rule must mark the fence enclosing the hunting preserve with clearly visible signs that are:

(1) at least twelve (12) inches wide and twelve (12) inches long;

(2) made of a weatherproof material with a yellow or white background;

(3) written with at least one (1) inch high black or dark colored lettering with sufficient contrast so as to be readable from a distance that states "Hunting Preserve"; and

(4) placed facing outward on the fence that encloses the hunting preserve at each point of entry or exit to the hunting preserve.

(*Indiana State Board of Animal Health; 345 IAC 2-9-4; filed Dec 14, 2016, 12:00 p.m.: 20170111-IR-345160221FRA*)

### **345 IAC 2-9-5 Record keeping requirements**

Authority: IC 15-17-3-21

Affected: IC 15-17-14.7

Sec. 5. (a) A licensed owner shall keep a complete, accurate, and current herd record of each animal that is added to the herd or removed from the herd on the hunting preserve, including the following:

(1) The animal's species.

(2) All of the animal's identification.

(3) The animal's sex and estimated age.

(4) The date the animal is added or removed.

(5) The name and address of the source or destination of the animal.

(6) The cause for removal (taken by hunt, escape, death by accident, or death by other means).

(b) A licensed owner shall keep complete, accurate, and current records related to the issuance of special hunting permits and use of transportation and cull tags, including the:

(1) name, address, and telephone number for each hunter who purchases a permit;

(2) permit number and date of issuance to each hunter and the associated fee collected;

(3) species, sex, identification number, and number of the transportation tag issued for each animal taken by a hunter;

(4) species, sex, identification number, and cull date for each animal culled from the herd and the cull tag number associated with the animal;

(5) records of sedation and treatment under section 7(b) of this rule and a record of any notices provided under section 7(c) of this rule.

(c) The records required by this section must be maintained for a period of five (5) years. (*Indiana State Board of Animal Health; 345 IAC 2-9-5; filed Dec 14, 2016, 12:00 p.m.: 20170111-IR-345160221FRA*)

**345 IAC 2-9-6 Culling**

Authority: IC 15-17-3-21

Affected: IC 15-17-14.7

Sec. 6. The owner of a hunting preserve or his or her authorized agent may cull permitted animals from the preserve without obtaining a special hunting permit for the purpose of:

- (1) controlling the population of the herd;
- (2) addressing an animal welfare issue;
- (3) consumption by the owner and members of his or her household; or
- (4) donation to a charitable organization that is qualified under Section 501(c)(3) of the Internal Revenue Code.

*(Indiana State Board of Animal Health; 345 IAC 2-9-6; filed Dec 14, 2016, 12:00 p.m.: 20170111-IR-345160221FRA)*

**345 IAC 2-9-7 Medications and use of animals for food**

Authority: IC 15-17-3-21

Affected: IC 15-17-14.7

Sec. 7. (a) A licensed owner shall follow the:

- (1) label instructions; or
- (2) extra-label drug use instructions of a veterinarian within the context of a veterinarian-client-patient relationship governing the appropriate administration of medications to permitted animals for sedation or treatment.

(b) If a permitted animal has been sedated or treated with medications to move the animal to the preserve or while under the care of the licensed owner, the licensed owner shall document the date and amount of medication administered to a permitted animal.

(c) When a permitted animal that has been sedated or treated is allowed to be hunted, the licensed owner shall do one (1) of the following:

- (1) Verify that the withdrawal times associated with the type of medication administered have been observed.
- (2) If:
  - (A) the animal is allowed to be hunted prior to the end of the withdrawal period; or
  - (B) there is no stated withdrawal period for the substance administered and the animal is hunted within forty-five (45) days of treatment;

notify the hunter that the animal should not be consumed because it was sedated or treated and taken before the end of an established withdrawal period or the withdrawal period is unknown.

- (3) Maintain custody of the portion of carcass bearing meat and take measures to ensure it is not distributed.

*(Indiana State Board of Animal Health; 345 IAC 2-9-7; filed Dec 14, 2016, 12:00 p.m.: 20170111-IR-345160221FRA)*

**345 IAC 2-9-8 Violations**

Authority: IC 15-17-3-21

Affected: IC 15-17-14.7; IC 15-17-18-12

Sec. 8. The state veterinarian may take any of the following actions against a hunting preserve or other individual that violates any provision of this rule:

- (1) Suspend or revoke the following:
  - (A) A hunting preserve license.
  - (B) An authorization to issue special hunting permits issued under section 3(b) of this rule.
  - (C) A special hunting permit.
- (2) Issue compliance orders.
- (3) Impose a monetary penalty under IC 15-17-18-12.
- (4) Any other action authorized by law.

*(Indiana State Board of Animal Health; 345 IAC 2-9-8; filed Dec 14, 2016, 12:00 p.m.: 20170111-IR-345160221FRA)*

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