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**TITLE 345 INDIANA STATE BOARD OF
ANIMAL HEALTH**

Proposed Rule
LSA Document #04-248

DIGEST

Adds 345 IAC 1-2.5 to establish a state system allocating premises identification numbers for premises associated with certain animals, animal related enterprises, and meat and poultry and dairy products production and to require that a person obtain a premises identification number before buying, selling, or exhibiting certain livestock. Adds 345 IAC 7-4.5 to require a person holding a livestock exhibition to register the event with the state veterinarian and keep records. Partially effective 30 days after filing with the secretary of state and partially effective September 1, 2006.

345 IAC 1-2.5

345 IAC 7-4.5

SECTION 1. 345 IAC 1-2.5 IS ADDED TO READ AS FOLLOWS:

Rule 2.5. Premises Identification

345 IAC 1-2.5-1 Purpose

Authority: IC 15-2.1-3-12; IC 15-2.1-3-19

Affected: IC 15-2.1

Sec. 1. The board recognizes the expressed intent of the United States Department of Agriculture to work with states to create a system of animal and premises identification that will facilitate the tracing of animals. It is a board objective to plan for and respond to natural and intentional disasters that affect animals and products produced from animals. The board intends to create a state system for premises and animal identification that facilitates the following:

- (1) Tracing animals in a manner that supports the national goal.
- (2) Emergency programs planning and response.
- (3) Board animal health and food safety programs.
- (4) Opportunities for animal owners in the state.

(Indiana State Board of Animal Health; 345 IAC 1-2.5-1)

345 IAC 1-2.5-2 Definitions

Authority: IC 15-2.1-3-12; IC 15-2.1-3-19

Affected: IC 15-2.1-2-27; IC 15-2.1-3; IC 15-2.1-4

Sec. 2. The definitions in IC 15-2.1-2 and the following definitions apply throughout this rule:

- (1) "Board" means the Indiana state board of animal health appointed under IC 15-2.1-3.
- (2) "Designated person" means a person designated by the state veterinarian, by virtue of their:
 - (A) education;
 - (B) training;
 - (C) licensing;
 - (D) experience; or
 - (E) position;as qualified to conduct specific activities under this rule.

(3) "Livestock" has the meaning set forth in IC 15-2.1-2-27(a).

(4) "Poultry" means domesticated fowl, including the following:

- (A) Chickens.

- (B) Turkeys.
- (C) Ostriches.
- (D) Emus.
- (E) Rheas.
- (F) Cassowaries.
- (G) Waterfowl.
- (H) Game birds.

The term does not include doves and pigeons.

(5) "Premises" means an identifiable physical location that represents a unique and describable geographic entity where activity affecting the health or traceability of animals may occur.

(6) "Premises identification number" means a unique number the state veterinarian assigns to a premises.

(7) "State veterinarian" means the state veterinarian appointed by the board under IC 15-2.1-4 and any authorized agents.

(8) "USDA" means the United States Department of Agriculture.

(Indiana State Board of Animal Health; 345 IAC 1-2.5-2)

345 IAC 1-2.5-3 Premises identification system

Authority: IC 15-2.1-3-12; IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-15-17

Sec. 3. (a) The board intends to participate in the national premises identification system. The state veterinarian shall establish a state system and protocols that are consistent with and that interface with the federal system. The state veterinarian shall assign premises identification numbers to premises that are registered with the board. The state veterinarian may utilize the USDA premises identification number system for the purpose of registering premises and assigning premises identification numbers. The premises identification system must link premises identification numbers to a contact person that is associated with activity affecting the health or traceability of animals at the premises.

(b) Premises identification numbers shall meet the parameters in this subsection. The number must be:

- (1) at least seven (7) characters;
- (2) an alphanumeric number;
- (3) associated with an address or legal land description;
- (4) unique to the assigned premises across all of the United States; and
- (5) consistent with the national premises identification number system administered by the USDA.

(c) The state veterinarian may cooperate with, contract with, or award grants to other responsible designated persons to register premises and assign approved premises identification numbers and otherwise administer the provisions of this rule.

(d) The state veterinarian may register a premises and assign a premises identification number to any premises associated with a board program including, without limitation, a premises associated with an animal disease inquiry, investigation, or quarantine or any other board action.

(e) The state veterinarian may issue more than one (1) premises identification number to one (1) person if each number corresponds to a geographically distinct location. A person may not register a location more than one (1) time.

(f) Once a premises identification number is issued, the state veterinarian may transfer a premises identification number from one (1) person to another and modify information related to a registration to accommodate changes in real property or animal ownership, animal activity associated with the premises, and other changes.

(g) The state veterinarian may deny a request for a premises identification number for the following reasons:

- (1) Issuing the number would create duplication, confusion, or otherwise frustrate the purposes of this rule.
- (2) The requestor fails to provide information needed to register the premises.
- (3) The requestor provides information that is misleading or inaccurate.

(h) Premises identification numbers do not automatically expire. The state veterinarian may rescind or inactivate an issued premises identification number for the following reasons:

- (1) The state veterinarian finds that the:

- (A) assigned number creates duplication, confusion, or otherwise frustrates the purposes of this rule; or
- (B) requestor did not provide information needed to register the premises or the provided information is misleading or inaccurate.

(2) The person identified with the premises identification number is no longer associated with the registered premises or the animal activity connected to the premises.

(Indiana State Board of Animal Health; 345 IAC 1-2.5-3)

345 IAC 1-2.5-4 Voluntary premises identification

Authority: IC 15-2.1-3-12; IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-15-17

Sec. 4. (a) A person may obtain a premises identification number for a premises associated with the following animals:

- (1) Livestock.
- (2) Poultry.
- (3) Aquatic animals that are the subject of aquaculture.

(b) A person that obtains a premises identification number under this section consents to be bound by the provisions of this rule and board policies that implement this rule.

(c) A person requesting a premises identification number shall register the premises with the board and provide complete and accurate information requested by the state veterinarian as a part of the registration process. A person registering a premises under this section shall notify the state veterinarian of changes to the information provided for the registration within thirty (30) days of the change. *(Indiana State Board of Animal Health; 345 IAC 1-2.5-4)*

345 IAC 1-2.5-5 Required premises identification

Authority: IC 15-2.1-3-12; IC 15-2.1-3-19

Affected: IC 15-2.1

Sec. 5. (a) Except as provided in subsection (b), beginning September 1, 2006, the following are required:

- (1) A person that buys or sells livestock must obtain a premises identification number for each premises associated with livestock that they own, lease, or manage in the state.
- (2) A person that exhibits livestock must obtain a premises identification number for each premises associated with livestock that they exhibit, own, lease, or manage in the state.

Premises identification numbers required under this subsection must be obtained before purchase, sale, or exhibition. Only one (1) premises identification number is required for each premises.

(b) The requirements in subsection (a) do not apply to a premises that is associated only with the following:

- (1) Animals of the family equidae (horses, donkeys, and zebras).
- (2) Animals of the family camelidae (camels, llamas, and alpacas).
- (3) Ostriches, rheas, and emus.

(c) Beginning September 1, 2006, a person obtaining the following shall obtain a premises identification number for a premises associated with their operation:

- (1) A registration of a cervidae premises under 345 IAC 2-7-3.
- (2) A livestock dealer license issued under IC 15-2.1-14. If the licensee does not handle or hold animals at any facility in the state, however, a premises identification number is not required.
- (3) A registration for an exhibition under 345 IAC 7-4.5.
- (4) A disposal plant license under IC 15-2.1-16.
- (5) A Grade A dairy farm, milk plant, or transfer station permit or a manufacturing grade dairy farm, milk plant, or transfer station permit issued under IC 15-2.1-23.
- (6) A slaughtering plant, including custom exempt operations, regulated under IC 15-2.1-24, 345 IAC 9, and 345 IAC 10.
- (7) A contagious equine metritis quarantine facility approved under 345 IAC 6-2.

(d) The denial, suspension, or revocation of a license, registration, or participation under another program shall not affect the premises identification number issued under this rule. Board action on an application for a premises identification

number under this rule shall not affect a license, registration, or participation under another program.

(e) A person requesting a premises identification number shall register the premises with the board and provide complete and accurate information requested by the state veterinarian as a part of the registration process. A person registering a premises under this section shall notify the state veterinarian of changes to the information provided for the registration within thirty (30) days of the change. *(Indiana State Board of Animal Health; 345 IAC 1-2.5-5)*

SECTION 2. 345 IAC 7-4.5 IS ADDED TO READ AS FOLLOWS:

Rule 4.5. Exhibitions

345 IAC 7-4.5-1 Definitions and general provisions

Authority: IC 15-2.1-3-12; IC 15-2.1-3-19

Affected: IC 15-2.1-2-27; IC 15-2.1-3; IC 15-2.1-4

Sec. 1. (a) The definitions in IC 15-2.1-2 and the following definitions apply throughout this rule:

(1) “Board” means the Indiana state board of animal health appointed under IC 15-2.1-3.

(2) “Exhibition” means a fair, show, or competition of limited duration that congregates animals from multiple sources on a premises.

(3) “Livestock” has the meaning set forth in IC 15-2.1-2-27(a).

(4) “State veterinarian” means the state veterinarian appointed by the board under IC 15-2.1-4 and any authorized agents.

(b) Notwithstanding any other provision of this rule, a person holding an exhibition that involves only the following animals is exempt from the requirements in this rule:

(1) Animals of the family equidae (horses, asses, and donkeys).

(2) Animals of the family camelidae (camels, llamas, and alpacas).

(3) Ostriches, rheas, and emus.

(Indiana State Board of Animal Health; 345 IAC 7-4.5-1)

345 IAC 7-4.5-2 Registration required

Authority: IC 15-2.1-3-12; IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-15-14

Sec. 2. Except as provided in section 1(b) of this rule, a person holding an exhibition of livestock shall register the event with the board not less than ten (10) days before the opening of the exhibition by notifying the state veterinarian of the following information:

(1) The opening date of the exhibition.

(2) The duration of the exhibition.

(3) The location of the event.

(4) The nature of the event and the species of animals that are expected at the event.

(5) The name, address, and phone number of the person organizing the event.

(6) The name, address, and phone number of the person that will be keeping the records required under section 3 of this rule.

(7) If there is a veterinarian for the exhibition, the name and address of the exhibition veterinarian.

(Indiana State Board of Animal Health; 345 IAC 7-4.5-2)

345 IAC 7-4.5-3 Record keeping

Authority: IC 15-2.1-3-12; IC 15-2.1-3-19

Affected: IC 15-2.1-3-13; IC 15-2.1-15

Sec. 3. (a) A person holding an exhibition of livestock shall keep the following records associated with each participant in the event:

(1) The participant’s name and address.

(2) The species of each animal exhibited by the participant.

(3) If an animal is sold through an auction or other sale as a part of the exhibition, the name and address of the purchaser

of each animal.

(b) The records required under this section shall be kept for not less than two (2) years from the opening date of the exhibition.

(c) A person keeping records required under this section shall make the records available to board personnel for inspection and copying upon request during normal business hours. (Indiana State Board of Animal Health; 345 IAC 7-4.5-3)

SECTION 3. SECTION 2 of this document takes effect September 1, 2006.

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on April 21, 2005 at 9:40 a.m., at the Indiana State Board of Animal Health, 805 Beachway Drive, Suite 50, Indianapolis, Indiana the Indiana State Board of Animal Health will hold a public hearing on proposed rules that establish a state system allocating premises identification numbers for premises associated with certain animals, animal related enterprises, and meat and poultry and dairy products production, require that a person obtain a premises identification number before buying, selling, or exhibiting certain livestock, and require a person holding a livestock exhibition to register the event with the state veterinarian and keep records. Copies of these rules are now on file at the Indiana State Board of Animal Health, 805 Beachway Drive, Suite 50 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

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Indiana State Board of Animal Health