



Eric J. Holcomb, Governor  
Bret D. Marsh, DVM, State Veterinarian

## INDIANA STATE BOARD OF ANIMAL HEALTH

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### INDIANA STATE BOARD OF ANIMAL HEALTH QUARTERLY MEETING

The Indiana State Board of Animal Health (BOAH) will hold its quarterly meeting at **9:30 a.m. on Tuesday, October 3, 2023** at the Board of Animal Health office on the Indiana State Fairgrounds at Discovery Hall, Suite 100, 1202 E. 38<sup>th</sup> Street, Indianapolis, IN 46205. Electronic participation is available; see below for log-in details.

#### MEETING AGENDA

- Recognition of BOAH Employees for Years of Service
1. Approval of minutes of the previous quarterly meeting: July 18, 2023.
  2. Public Hearing – 9:30 a.m.- Proposed Rule concerning equine health - LSA #23-340.
  3. Consideration for final adoption - Proposed Rule concerning equine health - LSA #23-340.
  4. Consideration for Final Adoption – Readoption of Expiring Rules – LSA #23-625.
  5. Animal Disease Diagnostic Laboratory (ADDL) Report
  6. Technical Services
    - a. Public Information report - Denise Derrer Spears
    - b. Chief of Staff report - Gary Haynes
    - c. General Assembly update – Sarah Simpson
  7. Animal Programs Division Report - Dr. Kyle Shipman
    - a. Equine Health – Dr. Jennifer Strasser
    - b. Avian Health – Dr. Mike Kopp, Dr. Maria Cooper
    - c. Swine Health – Dr. Kelli Werling
  8. Food Safety
    - a. Meat and Poultry Division – Dr. Kerri Suhr
    - b. Dairy Inspection Division – Patrick Hash
  9. Other Business:
    - a. State Veterinarian’s Report; Bret D. Marsh, D.V.M., Indiana State Veterinarian
    - b. Establish date for the October 2023 meeting. Proposed date: January, 2024

Cc: Lt. Governor’s Office, Attorney General’s Office, Media, USDA-AVIC, BOAH Cabinet Members

#### *Electronic Meeting Access Via MS Teams Details*

- Join on your computer, mobile app or room device: **Control-Click here to join the meeting**  
Meeting ID: 255 530 129 717      Passcode: gDvkv4
- Or call in (*audio only*) dial: **1 317-552-1674**      Phone Conference ID: 288 182 452#

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**Indiana State Board of Animal Health**  
**Meeting Minutes**  
**July 18, 2023**

**Quarterly Meeting**

The Indiana State Board of Animal Health (BOAH) held its regular quarterly meeting on Tuesday, July 18, 2023. The meeting was held at the Board of Animal Health office at Discovery Hall, Suite 100, 1202 E 38<sup>th</sup> Street, Indianapolis. Board members participated by attending in-person and electronically via Microsoft Teams video and audio conference.

Chairperson Dr. William Doig called the meeting to order at 9:30 a.m. and conducted a roll call of the board members.

Members Participating: William Doig, DVM, Chairperson; attended in-person  
Mr. David Hardin; attended virtually, beginning at 10:10 a.m.  
Mr. Tim Rice; attended in-person  
Dr. Darryl Ragland, attended in-person  
Dimple Hall, DVM; attended electronically  
Mr. Virgil Bremer, attended in-person  
Tracey Gillespie, DVM attended in-person  
Ashley Armstrong, DVM attended electronically

Members Absent: Mr. Kraig Bowers  
Mr. Ty Harweger  
Mr. Keith Beer

Vacant Position: None

BOAH Staff Participating:  
Bret D. Marsh, DVM, State Veterinarian  
Gary Haynes, Chief of Staff  
Denise Derrer Spears, Public Information Director  
Sarah Simpson, General Counsel  
Kyle Shipman, DVM, Director, Animal Programs Division  
Maria Cooper, DVM, Senior Director of Planning  
Kelli Werling, DVM, Senior Director of Operations, Director of Swine Health  
Patrick Hash, BOAH, Director, Dairy Division  
Dr. Kerri Suhr, DVM, Director, Meat and Poultry Division

Chairperson Dr. Bill Doig proceeded with the posted agenda. (Exhibit 1)

## **Recognition of BOAH Employee's Years of Service**

State Veterinarian Dr. Bret Marsh recognized the following BOAH employees for years of service to the State of Indiana:

Sara Horning, 15 years

Jamie Murray, 10 years

Brenda Rendant, 10 years

## **First Order of Business - Approval of Minutes**

Dr. William Doig asked the Board to approve the minutes from the April 11, 2023 meeting. Mr. Virgil Bremer made a motion – MOTION – “I move to approve the minutes of the April 11, 2023 meeting.” Dr. Daryll Ragland seconded the motion. The Board approved the MOTION by a VOTE of 7-0. (Exhibit 2)

## **Second Order of Business – First Reading and Consideration for Publication – Proposed Rule concerning equine health – LSA #23-340.**

BOAH General Counsel Sarah Simpson explained the proposed rule governing testing and documentation required to move equine into Indiana.

The Board members asked questions and discussed the proposed changes. Dr. Daryll Ragland made a motion – MOTION – “I move that the proposed rules be approved for publication” The motion was seconded by Mr. Virgil Bremer. The Board approved the MOTION by a roll call VOTE of 7-0. (Exhibit 3).

## **Third Order of Business – Animal Disease Diagnostic Laboratory (ADDL) report**

Kenitra Hendrix, DVM, PhD, DACVM, Director, Purdue ADDL, presented an update on ADDL activity, including budget status, recruiting personnel and progress made in the strategic planning process.

Dr. Hendrix presented a schedule of proposed fee changes for new services for the Board's approval. (Exhibit 4)

Dr. Tracey Gillespie made a motion – MOTION – “I move to approve the changes to the ADDL fees as presented.” Mr. Tim Rice seconded the motion. The Board approved the MOTION by a VOTE of 7-0.

## **Fourth Order of Business – Technical Services**

### **a. Public Information Report (Exhibit 5)**

Ms. Denise Derrer reported on agency public information activity, including data on the public's use of BOAH's website.

### **b. Chief of Staff Report. (Exhibit 6)**

Mr. Gary Haynes updated the Board on the final State of Indiana FY 24 and FY25 biennial budget. BOAH's requests for the biennium were fully funded. Mr. Haynes

discussed challenges with inadequate funding from the United States Department of Agriculture for the Indiana meat and poultry inspection program.

**c. General Assembly update**

Sarah Simpson discussed the final actions of the 2023 General Assembly including new laws affecting rulemaking, changes to the state law governing impounding animals and bonding, and issues left unresolved concerning the sale of dogs at pet stores and changes to laws governing dog breeders.

Board member David Hardin joined the meeting.

**Fifth Order of Business – Animal Programs**

Animal Programs Division report – (Exhibit 7)

Dr. Kyle Shipman updated the Board on:

- Changes in the Animal Programs Division staff;
- An increase in the number of calls from aquaculture producers having challenges obtaining needed veterinary services;
- Tuberculosis testing in captive cervids and challenges with the current test;
- Complaints and investigations conducted during the quarter; and
- The number of certificates of veterinary inspection issued by Indiana veterinarians and reported by other states to be noncompliant. Dr. Shipman reported on progress to reduce the total number of problematic CVIs during the quarter and ongoing efforts to correct issues.

Avian Health report (Exhibit 7):

Dr. Maria Cooper updated the Board on:

- The recent outbreak of highly pathogenic avian influenza (HPAI) in domestic and wild birds throughout the United States. Dr. Cooper reported that 61 days have passed since the last case of HPAI in commercial poultry in the United States.
- An ongoing outbreak of Egg Drop Syndrome virus (EDSV) in poultry in Northeast Indiana.
- A detection of Mycoplasma Gallisepticum (MG) in a turkey breeding flock in Boone County. This is the first case of MG in commercial turkeys in Indiana since 2000.
- A regional outbreak of infectious coryza in chickens.

Swine Health report (Exhibit 7):

Dr. Kelly Werling updated the Board on the agency's progress implementing the swine health improvement plan (SHIP) in Indiana. Dr. Werling explained the SHIP program and its current status in the state. Dr. Werling discussed ongoing planning and preparedness for a high consequence disease outbreak in swine.

## **Sixth Order of Business – Food Safety**

- a. Dr. Kerri Suhr reported on Meat and Poultry Inspection program activities, including staffing for the Meat and Poultry Division, the ongoing increase in activity at state inspected meat plants, and the number of new state-inspected plants that have recently started and that are expected to start in 2023. (Exhibit 8)
- b. Patrick Hash reported on Dairy Division activity. (Exhibit 9). Mr. Hash explained the process for survey and check ratings by state and federal auditors who evaluate inspected entities and dairy program activity.

## **Seventh Order of Business – Other Business**

- a. State Veterinarian’s report, Dr. Bret Marsh (Exhibit 10)  
Dr. Marsh presented his Quarterly Report to the Board. Dr. Marsh discussed:
  - The recent General Assembly session and support BOAH and the ADDL received in the final biennial budget.
  - The new Center For Animal Policy that became effective July 1, 2023 and the transfer of administrative responsibilities for the Indiana Board of Veterinary Medicine from the Professional Licensing Agency to the Board of Animal Health. Dr. Marsh discussed the opportunities the Board of Animal Health and Board of Veterinary Medicine have to work together on policy issues in the future. .
  - The significant activity in swine programs to create and implement the Swine Health Improvement Plan and various associated initiatives.
  - Dr. Marsh’s effort to begin a national discussion about standards for state animal health agencies and programs.
  - The growth of the livestock, poultry and food processing industries in Indiana.
- b. Date of Next Meeting  
The Board set the date for the next regular meeting to be October 3, 2023 at 9:30 a.m.

Chairperson Dr. William Doig adjourned the meeting at 11:34 p.m.

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William Doig, D.V.M., Chairperson

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Bret D. Marsh, D.V.M.  
Indiana State Veterinarian  
Secretary

# TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH

## Final Rule

LSA Document #23-340(F)

### DIGEST

Amends 345 IAC 1-3-26.5 to allow an equine to move into Indiana directly to an approved livestock market without a certificate of veterinary inspection (CVI) if it meets the equine infectious anemia (EIA) requirements set forth in 345 IAC 6-1.1, and to allow an equine to move into Indiana without a CVI if it is moved in accordance with a movement control permit issued by a federal or state agency. Effective 30 days after filing with the Publisher.

#### 345 IAC 1-3-26.5

SECTION 1. 345 IAC 1-3-26.5 IS AMENDED TO READ AS FOLLOWS:

#### 345 IAC 1-3-26.5 Moving equines into Indiana

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

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

Sec. 26.5. (a) A person responsible for moving a horse or other equine into Indiana must ensure that the animal is accompanied by a CVI that meets the requirements of 345 IAC 1-1.5. The CVI must be issued within the thirty (30) days immediately prior to the animal entering Indiana. However, an equine is exempt from the CVI required in this subsection if the equine is moved:

- (1) as the mode of transportation for travel into the state and then returns directly to the original location;
- (2) from the farm or stable for veterinary medical examination or treatment and returns to the same location without change of ownership;
- (3) directly from a location in one (1) state through another state to a second location in the original state;
- (4) directly through the state en route to another state;
- (5) directly to an approved livestock market and a test eligible animal is:**
  - (A) accompanied by an official laboratory test report indicating a negative EIA test; or**
  - (B) receives an EIA test upon arrival at the market;****in accordance with the requirements set forth at 345 IAC 6-1.1-4.6;**
- ~~(5) (6)~~ **(6)** commercially to slaughter with documentation required by 9 CFR 88.4;
- ~~(6) (7)~~ **(7)** in accordance with a passport system that meets the requirements of section 26.6 of this rule;
- ~~(8)~~ **(8) in accordance with a:**
  - (A) United States Department of Agriculture – Animal and Plant Health Inspection Service Veterinary Services VS 1-27 permit;**
  - (B) state permit issued pursuant to IC 15-17; or**
  - (C) other form of movement control authorized by a governmental agency; or**
- ~~(7) (9)~~ **(9)** with a form of documentation approved by the state veterinarian to facilitate disease control.

(b) When a form of movement documentation is required under subsection (a), an equine must be officially identified under 345 IAC 1-2.6-6. However, an equine that is required to bear official identification may be moved without such identification with approval of the state veterinarian to facilitate disease control.

(c) ~~Any~~ **An** equine entering the state must be in compliance with the EIA requirements at 345 IAC 6-1.1. (*Indiana State Board of Animal Health; 345 IAC 1-3-26.5; filed Jan 8, 1986, 2:52 p.m.: 9 IR 996; filed Feb 13, 1987, 2:15 p.m.: 10 IR 1379; filed Feb 7, 2000, 3:28 p.m.: 23 IR 1373; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed Feb 9, 2007, 9:42 a.m.: 20070307-IR-345060512RFA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA; readopted filed Jul 14, 2020, 1:42 p.m.: 20200812-IR-345200230RFA*)

**Economic Impact Statement**

LSA Document #23-340

**IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses**

A person responsible for moving a horse or other equine into Indiana must ensure that the animal is accompanied by a certificate of veterinary inspection (CVI) that has been issued by a licensed and accredited veterinarian within the past 30 days. [345 IAC 1-3-26.5](#). The rule currently contains a list of exceptions from the CVI requirement that align with the United States Department of Agriculture – Animal and Plant Health Inspection Service (USDA-APHIS) regulations governing the interstate movement of equines. 9 CFR 86.5(f). However, there is an exception in the federal regulations which is not currently in the BOAH rule. This exception allows shipping and receiving states to authorize equines to move with documentation other than a CVI, such as an equine infectious anemia (EIA) test chart.

The proposed rule will amend the BOAH rule to add two new exceptions pursuant to the above-described federal regulation. It will allow an equine to move into Indiana directly to an approved livestock market without a CVI. However, in order to qualify for this exception, the equine must be accompanied by an official EIA test chart. Alternatively, the animal may be tested upon arrival at the market in accordance with BOAH's EIA rule. [345 IAC 6-1.1](#). It adds a second exception that allows an equine to move into Indiana without a CVI if it is moved in accordance with a movement control permit issued by a federal or state agency. The purpose of adding this exemption is to ensure that BOAH's rule accommodates horses moving interstate on a federal VS 1-27, *Permit for Movement of Restricted Animals*, between quarantine stations or quarantined premises. This exception will also address other unique situations where BOAH or USDA-APHIS may be involved in authorizing a restricted movement of an equine under certain conditions but without a CVI.

**1. Description of Affected Industry**

BOAH has 10,426 horse farms in its voluntary premises identification program. According to the 2017 Census of Agriculture, Indiana has 11,956 farms with a population of 77,972 equines. The annual sales value of horses and ponies was \$27,832,000.<sup>1</sup> Indiana has five licensed livestock markets that regularly hold horse sales where horses are brought from out of state. There are also special horse sales that take place at four of Indiana's livestock markets.

The BOAH will involve regulated entities in the development of the rule. Prior to a first reading of a rule at a quarterly board meeting, the agency sends out an email correspondence to subscribed stakeholders making them aware of proposed rule changes so they have the opportunity to provide input. All proposed rules are also placed in multiple areas of the website to provide interested parties as much time as possible to review and comment upon a proposed rule change. The affected industry includes small businesses under the definition at [IC 4-22-2.1-4](#).

**2. Estimated Annual Reporting, Record Keeping, and Other Administrative Costs**

The proposed rule does not include additional record keeping or other administrative costs for the above-described entities.

**3. Estimated Total Annual Economic Impact on Small Businesses**

This rule does not increase compliance costs for regulated entities. It is removing the requirement that a horse being moved directly to an approved livestock market be accompanied by a CVI. Adding an exception to the CVI requirement for the movement of horses into Indiana directly to a licensed market will provide an average cost savings to an owner moving an animal to market of \$145 per animal.

BOAH collected data from the above-described markets to determine an estimate of the total number of horse sales at auction markets annually. Based upon this research, BOAH estimates that 13,500-14,000 horses are sold annually at special and routine horse sales. BOAH conducted a second survey of these markets and calculated an average of 38% of these horses are coming from out of state. Therefore, with the approximate 5,225 horses coming into the state annually for horse sales with a savings of \$145 per head, the total cost savings of the proposed rule is estimated at \$757,625. The BOAH estimates that the total estimated impact (cost) of the rule will be less than \$500,000.

**4. Justification of Requirements****a. Compliance with Federal Law**

The proposed rule is not specifically necessary to comply with a federal mandate. However, as described above, there is an exception in the federal regulations which is not currently in the BOAH rule. This exception allows shipping and receiving states to authorize equines to move with documentation other than a CVI, such as an EIA test chart. The purpose of the proposed rule is to amend Indiana's equine CVI requirement

pursuant to this regulation and to align with surrounding states. Specifically, BOAH reached out to state animal health officials in Ohio, Illinois, and Kentucky to ensure that this rule aligns with these states, which will benefit Indiana owners that are frequently moving horses across these state lines.

**b. Compliance with State Law**

The BOAH has the duty to control or prohibit, by permit or other means, the movement and transportation into, out of, or within Indiana of animals in order to prevent, detect, control, or eradicate diseases and pests of animals. [IC 15-17-3-13](#)(4). In order to carry out this duty, the BOAH must periodically update the Moving Animals rule to ensure that animal identification, testing, and documentation requirements are in place that protect Indiana's animal populations from high consequence diseases. [345 IAC 1-3](#). BOAH has determined that the current EIA test requirement, in addition to existing record keeping requirements for the markets, provides critical animal health information to carry out this duty. The proposed change will not negatively impact animal disease traceability because the EIA test chart and market records will contain information sufficient for animal traceability. Therefore, it is appropriate to reduce compliance costs for animal owners by removing the CVI requirement.

**c. Justification of Requirements not Mandated by State or Federal Law**

The proposed rule does not impose any requirement or cost beyond what is expressly required by state or federal law.

**5. Regulatory Flexibility Analysis**

Because the proposed rule is a repeal of a requirement that will reduce the regulatory impact of an existing rule, BOAH did not consider alternative methods to achieve the objectives of the proposed rule.

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<sup>1</sup> *2017 Census of Agriculture – State Data*, United States Department of Agriculture – National Agricultural Statistics Service (USDA-NASS).

*[Notice of Intent was published in the manner set forth in [IC 4-22-2](#), before its amendment July 1, 2023.]*

*Posted: 08/16/2023 by Legislative Services Agency*  
An [html](#) version of this document.





**VIA EMAIL**

August 4, 2023

Sarah A. Simpson, JD  
Director of Legal Affairs, Licensing and Enforcement  
Indiana Board of Animal Health  
Discovery Hall, Suite 100  
1202 East 38th Street  
Indianapolis, IN 46205

*Re:* LSA Document #23-340/Economic Impact Statement

Dear Ms. Simpson,

Pursuant to Indiana Code 4-22, as the Small Business Ombudsman for the state of Indiana, I have reviewed the proposed rule and economic impact analysis for small businesses associated with the rule changes contained in LSA Document #23-340 (proposed rule) proposed by the Indiana Board of Animal Health (BOAH) and found the following to be true.

Proposed rule LSA #23-340 provides for additional exemptions for which an equine creature is not required to obtain a "Certificate of Veterinary Inspection" when being transported through the state of Indiana. These exemptions include instances when the animal is transported directly to a livestock market and is accompanied by a lab test report indicating a negative Equine Infections Anemia (EIA) or an EIA test is administered immediately upon arrival at the livestock market. Additional exemptions are added to align already existing exemptions found within federal code, state permits issued under Indiana Code 15-17, or movement control actions authorized by different governmental agencies with the prior authorization to do so. The proposed rule does not appear to have any direct negative impact on small businesses which operate within the state of Indiana, and in fact appears to lessen regulations in a way which still upholds animal health and safety standards. The BOAH's economic impact statement analysis points to no undue burdens or increased administrative or record keeping costs and is done so with as much regulatory flexibility as possible.

Based upon this statement and review, the Indiana Small Business Ombudsman supports the proposed rule related to the economic impact to small business if the BOAH conclusion reflects the actual result after promulgation. If there are any questions about these comments, please contact me at [majaworowski@iedc.in.gov](mailto:majaworowski@iedc.in.gov).

Sincerely,

Matt Jaworowski  
Small Business Ombudsman  
Manager, Interagency Affairs  
Indiana Economic Development Corporation

# TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH

## Readopted Final Rule LSA Document #23-625

### DIGEST

Readopts rules in anticipation of IC 4-22-2.6, providing that an administrative rule adopted under IC 4-22-2 expires January 1 of the fifth year after the year in which the rule takes effect unless the rule contains an earlier expiration date. Effective 30 days after filing with the Publisher.

### SUMMARY/RESPONSE TO COMMENTS

The Indiana State Board of Animal Health requested public comment from August 30, 2023, through September 29, 2023. **[Alt 1]:** *[Agency name]* received no comments in response to the Notice of Public Comment Period for Rule Readoption. **[Alt 2]:** *[Agency name]* received comments from the following parties by the comment period deadline:*[summarizes the comments and response to comments]*

**345 IAC 1-2.5; 345 IAC 1-5-2; 345 IAC 1-5-3; 345 IAC 2.5-1; 345 IAC 2.5-2; 345 IAC 2.5-3-3; 345 IAC 2.5-3-5; 345 IAC 2.5-3-6; 345 IAC 2.5-3-7; 345 IAC 2.5-3-8; 345 IAC 2.5-3-9; 345 IAC 2.5-4-1; 345 IAC 2.4-4-2; 345 IAC 2.5-4-3; 345 IAC 2.5-4-5; 345 IAC 2.5-4-6; 345 IAC 2.5-5; 345 IAC 4-4-3; 345 IAC 4-4-4; 345 IAC 6-2-1; 345 IAC 7-7-1.5; 345 IAC 7-7-4; 345 IAC 7-7-5; 345 IAC 7-7-7; 345 IAC 7-7-10; 345 IAC 8-2-1.5; 345 IAC 8-2-1.8; 345 IAC 14**

#### SECTION 1. UNDER IC 4-22-2.6-6, THE FOLLOWING ARE READOPTED:

345 IAC 1-2.5	Animal Premises Identification
345 IAC 1-5-2	Required rabies vaccination of dogs, cats, and ferrets
345 IAC 1-5-3	Animal rabies control program
345 IAC 2.5-1	Definitions
345 IAC 2.5-2	General Provisions
345 IAC 2.5-3-3	Intrastate movement of cattle and bison
345 IAC 2.5-3-5	Classification of cattle and bison tested
345 IAC 2.5-3-6	Reactor and exposed cattle and bison
345 IAC 2.5-3-7	Tuberculosis affected herds
345 IAC 2.5-3-8	Source herds and exposed animals
345 IAC 2.5-3-9	Special retest of high risk herds
345 IAC 2.5-4-1	Definitions
345 IAC 2.5-4-2	Moving goats into Indiana
345 IAC 2.5-4-3	Intrastate movement of goats
345 IAC 2.5-4-5	Classification of goats tested
345 IAC 2.5-4-6	Reactor, exposed, and high-risk animals
345 IAC 2.5-5	Tuberculosis Control in Cervidae

345 IAC 4-4-3	Cooperation and authority
345 IAC 4-4-4	H5/H7 low pathogenic avian influenza eradication program
345 IAC 6-2-1	Definitions and general provisions
345 IAC 7-7-1.5	Definitions
345 IAC 7-7-4	Transporting, unloading, and record keeping
345 IAC 7-7-5	Exotic animal feeding
345 IAC 7-7-7	Vehicle requirements
345 IAC 7-7-10	Denial, suspension, or revocation of licenses
345 IAC 8-2-1.5	"Grade A milk and milk products" defined
345 IAC 8-2-1.8	"Whey products" defined
345 IAC 14	LIVESTOCK AND POULTRY CARE

SECTION 2. UNDER IC 4-22-2.6-6, THE FOLLOWING ARE REPEALED:

None

*[text added by publisher to end of document]*

*LSA Document #XX-XXX*

*Notice of Public Comment Period for Rule Readoption: [DIN]*

*Filed with Publisher: [date]*

**TITLE 345 INDIANA BOARD OF ANIMAL HEALTH**  
**LSA Document #23-**  
**Rule Readoption Review IC 4-22-2.6-4**

**345 IAC 1-2.5 Animal Premises Identification**

**I. Continued Need for the Rule**

The premises identification program is a critical component of BOAH's ability to quickly respond to the outbreak of a high consequence animal disease. For example, in the past few years, BOAH has relied upon this data to quickly locate potentially exposed animals in both the Highly Pathogenic Avian Influenza (HPAI) outbreak in poultry in 2022 and the Bovine Tuberculosis (TB) outbreak in 2016. By having a registry of premises with owner contact information, in an animal health emergency producers can quickly receive the information they need to protect their animals and their investment. In an emergency, BOAH officials can quickly locate at-risk animals and take precise actions to speed disease eradication efforts as much as possible.

There is no fee for premises registration, which minimizes the expense to regulated entities that are required to comply with the rule. A minimum amount of contact information is requested which achieves the regulatory goal in the least restrictive manner. Under the USDA-Animal and Plant Health Inspection Service (APHIS) National Animal Disease Preparedness and Response Program (NADPRP), there is a federal premises identification (ID) program where a producer is required to obtain a federal premises ID in certain limited circumstances, such as to obtain certain animal tags, enroll in a federal animal health program, or receive federal payments. If a producer needs a federal ID for any of these purposes, BOAH helps the producer with obtaining that ID number. However, this is not duplicative of the state premises ID program because the state regulates a broader scope of entities than those that would be registered in the federal program.

The NADPRP was established to boost the nation's efforts to keep high-consequence animal diseases from entering and spreading in the US. This program allows BOAH to collaborate with APHIS to enhance prevention, preparedness, detection, and response to emerging and foreign animal diseases that threaten Indiana's livestock and poultry industries. Because the state Premises ID program integrates with the federal system, it is the position of the BOAH that this approach achieves the regulatory goal of high consequence disease preparedness in the least restrictive manner.

**II. Analysis of fees, fines, and civil penalties under IC 4-22-2-19.6**

A violation of 345 IAC 2.5 is governed by IC 15-17-18-12, which states that a person who violates this article, a rule adopted under this article, or a determination or order of the board or an agency made under this article is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation, plus payment to the board for the costs incurred by the board as a direct consequence of prosecution for the violation. The BOAH civil penalty schedule further clarifies how a penalty is calculated for a violation of animal health laws and rules. A first offense is a range of \$0-\$500 and a subsequent offense is \$0-\$1,000. Within these ranges established by the board, the agency may consider factors such as the impact on animal health or safety and compliance history of the offender.

**III. Complaints and Comments**

When the rule was initially passed in 2005, the program was to serve in furtherance of the proposed USDA National Animal Identification System (NAIS). NAIS, and this associated Indiana rule, did generate valid concerns amongst the livestock industry of how much information would be provided to the government. However, the BOAH conducted outreach to clarify that this was an independent, state effort that furthered the economic security of the state's farmers and involved providing a very limited amount of information to the state. BOAH has not received any recent complaints or comments regarding this rule.

#### **IV. Difficulties Encountered**

The BOAH has been successful in carrying out its goal of getting Indiana's livestock premises registered. There are currently 71,839 active premises registered in Indiana. This total is further divided by species as follows: Avian 13,875; Bovine 30,263; Camelid 627; Cervid 292; Equine 11,456; Goats 14,238; Sheep 8,821; Swine 16,544.

#### **V. Changes in Technology, Economic Conditions, or Other Factors**

This rule was last reviewed in 2017. Since that time, there have not been changes in technology, federal law, or economic conditions that necessitate any changes to the rule.

#### **VI. Revised Regulatory Analysis**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under IC 4-22-2-28 and IC 4-22-2.1-5. This review resulted in a finding that there have not been any change in circumstances that affect the analysis and necessitate a change in the analysis.

### **345 IAC 1-5-2 Required rabies vaccination for dogs, cats, and ferrets**

### **345 IAC 1-5-3 Animal rabies control program**

#### **I. Continued Need for the Rule**

Under the state rabies law, the BOAH is responsible for having requirements in place for the administration of rabies vaccine and for the identification and associated recordkeeping of rabies vaccinated animals. The BOAH is also responsible for have procedures in place for the handling of an animal that has been exposed to a confirmed or suspected rabid animal. IC 15-17-6-1; IC 15-17-6-11. Pursuant to this statutory mandate, this rule sets forth the required components of the animal rabies control program, such as accreditation standards for the veterinarian administering the vaccine, import requirements, vaccine distribution requirements, and required information on the official certificate and tag. Without this rule, the BOAH would not be carrying out its responsibility to provide clear expectations for both veterinarians and animal owners regarding how they are to comply with the state rabies law.

The rule incorporates the *Compendium of Animal Rabies Control, National Association of State Public Health Veterinarians* as the standards used for implementation of the animal rabies control program. By incorporating by reference the national standards, the rule avoids conflicting with widely recognized standards and provides ease of comprehension by veterinarians.

#### **II. Analysis of fees, fines, and civil penalties under IC 4-22-2-19.6**

A violation of 345 IAC 1-5 is governed by IC 15-17-18-12, which states that a person who violates this article, a rule adopted under this article, or a determination or order of the board or an agency made under this article is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation, plus payment to the board for the costs incurred by the board as a direct consequence of prosecution for the violation. The BOAH civil penalty schedule further clarifies how a penalty is calculated for a violation of animal health laws and rules. A first offense is a range of \$0-\$500 and a subsequent offense is \$0-\$1,000. Within these ranges established by the board, the agency may consider factors such as the impact on animal and public health or safety and compliance history of the offender.

### **III. Complaints and Comments**

BOAH has occasionally received comments from animal owners that there should be an exemption from the rabies vaccination requirement on a case-by-case basis due to medical need. However, BOAH has not amended the rule to do this because the state criminal code requires all dogs over 6 months of age to be vaccinated. IC 35-46-3-1.

### **IV. Difficulties Encountered**

The state rabies law is enforced in partnership with local units of government, who serve as the first line of enforcement of these standards. These entities reach out to the BOAH to take additional actions, such as a fine or quarantine, if they need assistance with a noncompliant animal owner. The agency has not encountered difficulties in administering the rule.

### **V. Changes in Technology, Economic Conditions or Other Factors**

This rule was last reviewed in 2017. Since that time, there have not been changes in technology, federal law, or economic conditions that necessitate any changes to the rule.

### **VI. Revised Regulatory Analysis**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under IC 4-22-2-28 and IC 4-22-2.1-5. This review resulted in a finding that there have not been any change in circumstances that affect the analysis and necessitate a change in the analysis.

<b>345 IAC 2.5-1</b>	<b>Definitions</b>
<b>345 IAC 2.5-2</b>	<b>General Provisions</b>
<b>345 IAC 2.5-3-3</b>	<b>Intrastate movement of cattle and bison</b>
<b>345 IAC 2.5-3-5</b>	<b>Classification of cattle and bison tested</b>
<b>345 IAC 2.5-3-6</b>	<b>Reactor and exposed cattle and bison</b>
<b>345 IAC 2.5-3-7</b>	<b>Tuberculosis affected herds</b>
<b>345 IAC 2.5-3-8</b>	<b>Source herds and exposed animals</b>
<b>345 IAC 2.5-3-9</b>	<b>Special retest of high risk herds</b>
<b>345 IAC 2.5-4-1</b>	<b>Definitions</b>
<b>345 IAC 2.5-4-2</b>	<b>Moving goats into Indiana</b>
<b>345 IAC 2.5-4-3</b>	<b>Intrastate movement of goats</b>
<b>345 IAC 2.5-4-5</b>	<b>Classification of goats tested</b>
<b>345 IAC 2.5-4-6</b>	<b>Reactor, exposed, and high-risk animals</b>
<b>345 IAC 2.5-5-1</b>	<b>Definitions and general provisions</b>

### **I. Continued Need for the Rule**

BOAH has the statutory responsibility to establish the standards to maintain an accredited tuberculosis free herd, animals, and areas. The BOAH also has the responsibility to establish requirements to prevent, detect, control, and eradicate diseases affecting the health of animals and health hazards that may threaten the public health. IC 15-17-3-13. Tuberculosis is a chronic bacterial disease that affects primarily cattle, but can be transmitted to any warm-blooded animal, including humans. The tuberculosis control rule is important to protect public health because it contains the testing standards for importing animals and procedures to handle exposed or infected animals to prevent the introduction of the disease or to contain the disease if it is diagnosed. The rule is also important to the economic vitality of cervid and cattle producers in our state because it contains the necessary requirements for them to be eligible for an accredited status in order for them to move their animals in interstate commerce.

The agency has entered into an agreement with the USDA that its requirements for tuberculosis control will align with the federal eradication program standards. Therefore, this is a cooperative program between the state and federal government and does not duplicate their regulations. It is also important to emphasize that, because all US states are currently classified as TB accredited-free, there are currently no interstate testing requirements for cattle moving into Indiana. Any required testing cost is limited to a movement from a Modified Accredited Zone, which is currently only one area in Michigan.

## **II. Analysis of fees, fines, and civil penalties under IC 4-22-2-19.6**

A violation of 345 IAC 1-5 is governed by IC 15-17-18-12, which states that a person who violates this article, a rule adopted under this article, or a determination or order of the board or an agency made under this article is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation, plus payment to the board for the costs incurred by the board as a direct consequence of prosecution for the violation. The BOAH civil penalty schedule further clarifies how a penalty is calculated for a violation of the tuberculosis control laws. A first offense it a range of \$0-\$1,000 and a subsequent offense is \$0-\$5,000. Within these ranges established by the board, the agency may consider factors such as the impact on animal and public health or safety and the compliance history of the offender.

## **III. Complaints and Comments**

The agency has not received complaints regarding this rule. These provisions of this rule governing positive herds were of critical importance in 2016 because the standards were implemented in the agency's response to two Southeast Indiana cattle herds that were found to be infected with tuberculosis.

## **IV. Difficulties Encountered**

As mentioned above, the BOAH has taken the approach of aligning with federal law for the tuberculosis control program. This is the preferred approach of the cattle industry and the agency has not encountered difficulties in administering the rule.

## **V. Changes in Technology, Economic Conditions or Other Factors**

This rule was last reviewed in 2017. Since that time, there have not been changes in technology, federal law, or economic conditions that necessitate any changes to the rule.

## **VI. Revised Regulatory Analysis**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under IC 4-22-2-28 and IC 4-22-2.1-5. This review resulted in a finding that there

have not been any change in circumstances that affect the analysis and necessitate a change in the analysis.

### **345 IAC 4-4-3 Cooperation and authority**

#### **I. Continued Need for the Rule**

The NPIP is a cooperative federal-state-industry program to support the development of new diagnostic technology applications for the improvement of poultry and poultry products throughout the US. The NPIP contains provisions for participants concerning three key diseases in poultry: *Salmonella*, *mycoplasma*, and avian influenza. The provisions are found within Title 9 of the Code of Federal Regulations (CFR), Parts 145, 146, 147, and 56. NPIP establishes the regulatory standard in sample collection, diagnostic tests performed, and the laboratory protocols for conducting tests. Certification programs in the NPIP examine the health status of all commercial flocks through monitoring of primary breeding and multiplier flocks. In Indiana, the official state agency (OSA) that is responsible for administering the program is the Indiana State Poultry Association (ISPA).

The NPIP is a voluntary program. However, once a participant decides to join, he or she is required to follow the provisions as specified in the relevant section of the CFR or as contained within the NPIP Program Standards document. The BOAH's health certificate and testing requirements for poultry entering the state, as well as testing requirements for poultry moving to exhibition, reference NPIP participation as a compliance option. It is critical that the state veterinarian continue to have the authority to partner with the OSA and USDA in administering and enforcing the NPIP provisions because the inability to do so could impose an economic hardship on Indiana's poultry companies in the form of domestic and international trade restrictions.

#### **II. Analysis of fees, fines, and civil penalties under IC 4-22-2-19.6**

A violation of *345 IAC Article 4 Poultry* is governed by IC 15-17-18-12, which states that a person who violates this article, a rule adopted under this article, or a determination or order of the board or an agency made under this article is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation, plus payment to the board for the costs incurred by the board as a direct consequence of prosecution for the violation. The BOAH civil penalty schedule further clarifies how a penalty is calculated for a violation of this article. A first offense is a range of \$0-\$500 and a subsequent offense is \$0-\$1,000. Within these ranges established by the board, the agency may consider factors such as the impact on animal health or safety and the compliance history of the offender. It is important to emphasize that this section merely authorizes the state veterinarian to cooperate with the OSA and USDA in administering the NPIP, so it does not directly address civil penalties.

#### **III. Complaints and Comments**

As mentioned above, the ability of the BOAH to work collaboratively in the national NPIP system is critical to Indiana's poultry industry. Indiana ranks #1 nationally in ducks, #2 in eggs, and #3 in pounds of turkey. The agency has not received complaints regarding this rule.

#### **IV. Difficulties Encountered**

This rule provides a benefit for poultry owners because NPIP is a compliance option that can provide them cost savings as it relates to bird testing and health certificate costs. The agency has not encountered difficulties in administering this rule.



## **V. Changes in Technology, Economic Conditions or Other Factors**

This rule was last reviewed in 2017. Since that time, there have not been changes in technology, federal law, or economic conditions that necessitate any changes to the rule.

## **VI. Revised Regulatory Analysis**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under IC 4-22-2-28 and IC 4-22-2.1-5. This review resulted in a finding that there have not been any change in circumstances that affect the analysis and necessitate a change in the analysis.

### **345 IAC 4-4-4 H5/H7 low pathogenic avian influenza eradication program**

#### **I. Continued Need for the Rule**

This rule authorizes the BOAH to cooperate with the USDA and ISPA in administering the H5/H7 low pathogenic avian influenza eradication program in Indiana as prescribed in 9 CFR Part 56. There has recently been an increase in occurrences of low pathogenic avian influenza both within the United States and internationally. Because federal resources are primarily focused on response activities related to highly pathogenic avian influenza (HPAI), and recent cases of HPAI have demonstrated how quickly a low pathogenic strain can mutate into HPAI, it is critical that BOAH have this rule in place so state resources can continue to be devoted to the detection and eradication of this strain. It is also important to emphasize that controlling low pathogenic avian influenza is critical to protecting the health of other species that could be impacted if a circulating avian influenza strain is provided the opportunity to mutate.

The rule authorizes BOAH to do the following:

- Entering into cooperative agreements for surveillance, monitoring, and vaccine distribution;
- Creating an approved initial state response and containment plan;
- Deciding if and when to request federal assistance in the event of an outbreak of H5/H7 low pathogenic avian influenza;
- Condemning infected or exposed poultry and articles, disposing of infected and exposed carcasses and articles, and cleaning and disinfecting exposed premises and materials;
- Activities needed to obtain indemnity from the USDA as provided for in 9 CFR Part 56 and that may become available under any other law.

#### **II. Analysis of fees, fines, and civil penalties under IC 4-22-2-19.6**

A violation of *345 IAC Article 4 Poultry* is governed by IC 15-17-18-12, which states that a person who violates this article, a rule adopted under this article, or a determination or order of the board or an agency made under this article is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation, plus payment to the board for the costs incurred by the board as a direct consequence of prosecution for the violation. The BOAH civil penalty schedule further clarifies how a penalty is calculated for a violation of this article. A first offense is a range of \$0-\$1,000 and a subsequent offense is \$0-\$5,000. Within these ranges established by the board, the agency may consider factors such as the impact on animal and public health or safety and the compliance history of the offender. It is important to emphasize that this section merely authorizes the state veterinarian to take certain regulatory actions to contain H4/H7 low pathogenic avian influenza versus setting forth any immediate requirements of an animal owner.

### **III. Complaints and Comments**

The agency has not received complaints regarding this rule.

### **IV. Difficulties Encountered**

As mentioned above, the BOAH has taken the approach of aligning the poultry article with federal law. This is the preferred approach of the cattle industry and the agency has not encountered difficulties in administering the rule.

### **V. Changes in Technology, Economic Conditions or Other Factors**

This rule was last reviewed in 2017. Since that time, there have not been changes in technology, federal law, or economic conditions that necessitate any changes to the rule.

### **VI. Revised Regulatory Analysis**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under IC 4-22-2-28 and IC 4-22-2.1-5. This review resulted in a finding that there have not been any change in circumstances that affect the analysis and necessitate a change in the analysis.

## **345 IAC 6-2-1 Definitions and general provisions**

### **I. Continued Need for the Rule**

This section contains the definitions for the Contagious Equine Metritis (CEM) rule. CEM is a highly contagious venereal disease of horses and other equines. The CEM rule incorporates by reference 9 CFR 93.301, which are the USDA regulations governing the control of CEM, establishes the standards for a horse to be imported into Indiana from a region where CEM exists, and establishes the approval process for a person desiring to operate a quarantine facility to accept horses from such regions. Indiana must be approved by USDA to receive stallions or mares imported from a CEM-affected region. This rule is critical to demonstrate to USDA that our requirements are equivalent to the federal import requirements to maintain our approval. The rule does not impose any additional cost beyond what is required by federal law.

### **II. Analysis of fees, fines, and civil penalties under IC 4-22-2-19.6**

A violation of 345 IAC 6-2 is governed by IC 15-17-18-12, which states that a person who violates this article, a rule adopted under this article, or a determination or order of the board or an agency made under this article is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation, plus payment to the board for the costs incurred by the board as a direct consequence of prosecution for the violation. The BOAH civil penalty schedule further clarifies how a penalty is calculated for a variety of situations that might involve the CEM rule, such as the following:

Moving an animal subject to an order of quarantine - First Offense (\$0-\$2,000) Subsequent (\$0-\$5,000)

Transporting animals into Indiana in violation of law – First Offense (\$0-\$2,000) Subsequent (\$0-\$5,000)

Within these ranges established by the board, the agency may consider factors such as the impact on animal health or safety and the compliance history of the offender.

### **III. Complaints and Comments**

Indiana is consistent with other states in its approach of incorporating the federal standards. The agency has not received complaints regarding this rule.

**IV. Difficulties Encountered**

As mentioned above, the BOAH has taken the approach of aligning with federal law for the CEM rule. This is the preferred approach of equine owners and the agency has not encountered difficulties in administering the rule.

**V. Changes in Technology, Economic Conditions or Other Factors**

This rule was last reviewed in 2017. Since that time, there have not been changes in technology, federal law, or economic conditions that necessitate any changes to the rule.

**VI. Revised Regulatory Analysis**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under IC 4-22-2-28 and IC 4-22-2.1-5. This review resulted in a finding that there have not been any change in circumstances that affect the analysis and necessitate a change in the analysis.

<b>345 IAC 7-7-1.5</b>	<b>Definitions</b>
<b>345 IAC 7-7-4</b>	<b>Transporting, unloading, and record keeping</b>
<b>345 IAC 7-7-5</b>	<b>Exotic animal feeding</b>
<b>345 IAC 7-7-7</b>	<b>Vehicle requirements</b>
<b>345 IAC 7-7-10</b>	<b>Denial, suspension, or revocation of licenses</b>

**I. Continued Need for the Rule**

BOAH has the statutory duty to control the movement and disposal of carcasses of animals and objects. IC 15-17-3-13(9). BOAH is also responsible for the control of disposal plants and byproducts collection services. IC 15-17-3-13(26). Specifically, the BOAH has the duty to issue disposal plant and collection service licenses and conduct associated inspections. BOAH currently has 10 actively licensed disposal plants and 18 actively licensed collection service vehicles. This rule is necessary to set forth the transport, vehicle, and recordkeeping requirements for these regulated entities. State law contains generally authorized methods of dead animal disposal, but the rule is necessary to provide specificity regarding how those methods must be conducted for the safe, orderly, and efficient disposal of dead animals. IC 15-17-11.

**II. Analysis of fees, fines, and civil penalties under IC 4-22-2-19.6**

The annual fee amount and inspection requirement for disposal plants is established in statute. IC 15-17-11-7. A violation of 345 IAC 7-7 is governed by IC 15-17-18-12, which states that a person who violates this article, a rule adopted under this article, or a determination or order of the board or an agency made under this article is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation, plus payment to the board for the costs incurred by the board as a direct consequence of prosecution for the violation. The BOAH civil penalty schedule further clarifies how a penalty is calculated for a violation of the dead animal disposal law. A first offense is a range of \$0-\$500 and a subsequent offense is \$0-\$1,500. Within these ranges established by the board, the agency may consider factors such as the impact on animal and public health or safety and the compliance history of the offender.

### **III. Complaints and Comments**

The agency has not received complaints regarding this rule.

### **IV. Difficulties Encountered**

The agency has not encountered difficulties in administering the rule.

### **V. Changes in Technology, Economic Conditions or Other Factors**

This rule was last reviewed in 2017. Since that time, there have not been changes in technology, federal law, or economic conditions that necessitate any changes to the rule.

### **VI. Revised Regulatory Analysis**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under IC 4-22-2-28 and IC 4-22-2.1-5. This review resulted in a finding that there have not been any change in circumstances that affect the analysis and necessitate a change in the analysis.

**345 IAC 8-2-1.5 "Grade A milk and milk products" defined**

**345 IAC 8-2-1.8 "Whey products" defined**

### **I. Continued Need for the Rule**

These rules are necessary to comply with the BOAH's agreement with the National Conference of Interstate Milk Shipments (NCIMS). BOAH is a voting member of the NCIMS. As a member of this entity, each state has agreed to enforce the sanitation standards set forth in the Pasteurized Milk Ordinance (PMO). The FDA audits state program implementation by conducting check ratings. The check rating process involves the FDA inspecting all farms and plants in Indiana every six years. If BOAH does not retain these definitions to enforce the PMO, Indiana would not be able to enforce the most current federal requirements to ship milk in interstate commerce. Therefore, Indiana would be in violation of its agreement with FDA.

These rules are also necessary to comply with a state mandate. State law requires the board to adopt rules that are the same as, or at least as effective in protecting health, as the federal standards for Grade A milk adopted by the NCIMS in accordance with their Memorandum of Understanding (MOU) with the FDA. IC 15-18-1-14. The PMO is the document that is accepted by the FDA as the federal standards for the interstate shipment of milk. Therefore, in order to comply with this statutory mandate, the agency must have definitions in the state dairy products rule that align with the most recent version of the PMO.

### **II. Analysis of fees, fines, and civil penalties under IC 4-22-2-19.6**

The calculation for drug residue civil penalties under the dairy products law are set forth in statute. IC 15-18-1-17. All other enforcement actions, such as the issuance of administrative or court Orders, are authorized in other sections of the dairy products law. IC 15-18-1-4; IC 15-17-19.

### **III. Complaints and Comments**

The agency has not received complaints regarding this rule. BOAH has 710 permitted dairy farms, 554 tanker trucks, 12 farmstead processors, and 63 processing plants.

### **IV. Difficulties Encountered**

As mentioned above, the BOAH has taken the approach of aligning the dairy products rule with the FDA definitions. This is the preferred approach for the farms and plants who must comply with the rule, and the agency has not encountered difficulties in administering the rule.

#### **V. Changes in Technology, Economic Conditions or Other Factors**

This rule was last reviewed in 2017. Since that time, there have not been changes in technology, federal law, or economic conditions that necessitate any changes to the rule.

#### **VI. Revised Regulatory Analysis**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under IC 4-22-2-28 and IC 4-22-2.1-5. This review resulted in a finding that there have not been any change in circumstances that affect the analysis and necessitate a change in the analysis.

### **345 IAC 14 LIVESTOCK AND POULTRY CARE**

#### **I. Continued Need for the Rule**

The General Assembly has authorized the BOAH to adopt rules governing the care of livestock and poultry. IC 15-17-3-23. This rule is necessary to carry out this responsibility and provide clear expectations for animal owners regarding the level of care that is required to comply with state law.

#### **II. Analysis of fees, fines, and civil penalties under IC 4-22-2-19.6**

A violation of 345 IAC 14 is governed by IC 15-17-18-12, which states that a person who violates this article, a rule adopted under this article, or a determination or order of the board or an agency made under this article is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation, plus payment to the board for the costs incurred by the board as a direct consequence of prosecution for the violation. The BOAH civil penalty schedule further clarifies how a penalty is calculated for a violation of the livestock and poultry care rule. A first offense is in a range of \$0-\$500 and a subsequent offense is \$0-\$1,000. Within these ranges established by the board, the agency may consider factors such as the impact on the animal's health and well-being and compliance history of the offender. It is important to emphasize that BOAH's enforcement of 345 IAC 14 has been focused on ensuring corrective actions occur related to care of the animals versus the assessment of civil penalties.

#### **III. Complaints and Comments**

The agency has not received complaints regarding this rule. BOAH conducted 159 animal welfare investigations in 2022. Of these cases, 45 were livestock cases and 63 were equine cases. BOAH saw a 47 percent decline in equine cases since 2019. These cases are investigated jointly with local law enforcement because BOAH provides support in their duty to enforce the state animal cruelty law. The administrative care standards provide an opportunity for BOAH veterinarians to provide recommendations to animal owners which may ultimately prevent a case from rising to the level of criminal animal neglect.

#### **IV. Difficulties Encountered**

The animal care standards provide discretion to BOAH veterinarians to evaluate all the facts and circumstances surrounding the care of an animal. This approach ensures that animal owners are providing a level of care that can reasonably be expected to maintain the health of animals of that species, breed,

sex, and age, raised using the applicable production method. It does not mandate a particular method, but rather are results-based standards focused on the impact on the health of the animal.

**V. Changes in Technology, Economic Conditions or Other Factors**

This rule was last reviewed in 2017. Since that time, there have not been changes in technology, federal law, or economic conditions that necessitate any changes to the rule.

**VI. Revised Regulatory Analysis**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under IC 4-22-2-28 and IC 4-22-2.1-5. This review resulted in a finding that there have not been any change in circumstances that affect the analysis and necessitate a change in the analysis.

**Report for the Board of Animal Health Quarterly Meeting - October 2023**

- Budget Summary (FY 2023 compared to past 3 years)

	FY 2023	FY 2022	FY 2021	FY 2020
Appropriations - Total	\$3,711,561.00	\$3,711,561.00	\$3,451,751.73	\$3,711,561.00
Sales and Services - Total	\$2,772,162.73	\$2,473,751.15	\$2,427,290.91	\$2,171,176.67
Other	\$244,041.92	\$237,643.19	\$205,867.34	\$486,888.97
<b>Revenue - Total</b>	<b>\$6,727,765.65</b>	<b>\$6,422,955.34</b>	<b>\$6,084,909.98</b>	<b>\$6,369,626.64</b>
Salary, Wages, Fringes	\$4,797,527.53	\$4,372,496.16	\$3,985,004.47	\$4,511,174.82
Supplies & Services	\$2,072,816.06	\$1,935,641.29	\$1,647,932.05	\$1,771,906.34
Other	\$79,132.81	\$343,513.88	\$86,578.90	\$373,028.08
<b>Expenses - Total</b>	<b>\$6,949,521.40</b>	<b>\$6,651,651.33</b>	<b>\$5,719,515.42</b>	<b>\$6,656,109.24</b>
<b>Deficit/Surplus</b>	<b>-\$221,755.75</b>	<b>-\$228,695.99</b>	<b>\$365,394.56</b>	<b>-\$286,482.60</b>

- \$1M funding through NAHLN
  - Double capacity of PCR testing equipment
- Open searches:
  - Faculty pathologist – filled; January 2024 start date
  - Toxicology S2 (1) – interviews underway
  - Molecular S2 (1) - filled
  - Histopathology S2 (1) – taking applications
  - NEW – State Funding for FY24-25
    - Heeke Diagnostician (1) – filled; October 2023 start date
    - Client Service Veterinarians (2) – taking applications
    - Assistant Quality Manager (1) – interviews underway
    - IT Client Experience (1) – on hold
    - Faculty Microbiologist (1) – on hold
- LIMS: request for information is published; vendor responses are due mid-October
- Construction
- Strategic Plan



Eric J. Holcomb, Governor  
Bret D. Marsh, DVM, State Veterinarian

## INDIANA STATE BOARD OF ANIMAL HEALTH

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Office of the State Veterinarian  
Discovery Hall, Suite 100  
1202 East 38<sup>th</sup> Street  
Indianapolis, IN 46205-2898  
Phone: 317/544-2400

### Media/Public Information Office Report

19 September 2023 for 3 October 2023 Board Meeting

Denise Derrer Spears, Public Information Director

#### Public Information:

- Co-instructed IDHS's Basic PIO class for emergency managers and first responders.
- Worked with BOAH and VetBoard attorneys to test and debug a new statewide, standardized online portal for public records requests. This is a governor's office initiative.
- Participated in the Communication Officers of State Departments of Ag quarterly meeting.
- Prepared content for partner newsletters, including: IVMA, IDEFA, ICAW, IBCA, PES, IDP.
- Continued to represent BOAH within the Indiana Family of Farmers group, as well as the Indiana Environmental Health Association and the Center for Agriculture Science and History (CASH).
- Attended State Fair public safety meetings.

#### Animal Health & Care:

- Developed an interactive map to help citizens report suspected animal neglect/abuse to the proper authorities. This includes a redesign of that landing page: <https://www.in.gov/boah/animal-care-and-welfare/>
- Participated in the Cull Sow Marketing Workshop.
- Coordinated and promoted a quarterly lunch-and-learn webinar about cervid health programs.

#### Disaster Preparedness:

- Attended IDHS's IMAT Working Group meetings to provide input on revitalizing Indiana's Incident Management Assistance Teams.
- Participated in IDHS planning for the total solar eclipse (8 April 2024: <https://www.in.gov/dnr/places-to-go/events/2024-solar-eclipse/> ). Concerns have surfaced about safety in communities with a lot of Amish buggies on the roads. We are working on guidance for law enforcement and public safety in those areas.
- Continued work on an online version of *Animal Issues in Disaster*. Our goal is to have this ready for testing in the next couple of months.

#### Food Safety:

- Spoke to Leadership Hendricks County about food safety and inspection programs.
- Assisted Dairy Division with identifying an online testing platform for certifications.

#### Website & Social Media Fun Facts:

- BOAH website traffic in the last quarter included just over 41,000 page views by 18,812 users.
- Mobile device use continues to grow; website users used: 64% mobile; 35% desktop; 1% tablet.

#### Upcoming Events:

- Hoosier Beef Congress, Indiana State Fairgrounds, Indianapolis; Dec. 1-3.

**Safeguarding Indiana's animals, food supply and citizens for more than 125 years.**

An equal opportunity employer and provider.





Eric J. Holcomb, Governor  
Bret D. Marsh, DVM, State Veterinarian

## INDIANA STATE BOARD OF ANIMAL HEALTH

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Office of the State Veterinarian  
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### Chief of Staff Report October 3, 2023

#### Quarterly Highlights

- **Finance:**
  - Submitted applications for federal fiscal year 2024 meat inspection projects. BOAH is requesting a substantial increase in federal funds to match state funding increases that will pay for increased operating and personnel costs.
- **Cooperative Agreements:**
  - Completed training and transition to a new State of Indiana electronic grants management system (eCivis) for approval and tracking of federal funding requests.
  - Applied and received USDA approval for \$197,860 in cooperative agreement funds to implement a program that will pay for genetic testing of Indiana captive cervids to determine a genomically-estimated breeding value for each animal that will inform herd owner's efforts to enhance resistance to chronic wasting disease (CWD).
  - Submitted application for swine health improvement plan (SHIP) cooperative agreement funds for the period beginning April 1, 2024.
- **Personnel:**
  - Received approval to add four positions to BOAH resulting from legislative approval of the agency's biennial budget request. Interviews are underway for the Poultry Veterinarian, Epidemiologist and Program Director (Poultry) positions.
  - Began recruiting to replace two animal health specialists, a meat and poultry supervisor and a meat inspector.
- **Policy:**
  - Participated in BOAH's working group planning for potential BOAH and Board of Veterinary Medicine legislative proposals for 2024 General Assembly session and responding to other proposals affecting BOAH.
  - Participated in BOAH's working group to review fees, fines and penalties and determine steps needed to comply with new laws governing state agencies.
  - Participated in the BOAH's working group to assess PFAS issues and related agency policies.
- **Technology**
  - Planned for expected future technology changes, including office phone system, copiers, database servers, and the animal health database program.
  - Continued to work with Meat and Poultry Division and USDA to transition from federal computers to state computers and implement revised identity verification procedures.



Eric J. Holcomb, Governor  
Bret D. Marsh, DVM, State Veterinarian

## INDIANA STATE BOARD OF ANIMAL HEALTH

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### **Animal Programs Division Board Report 3<sup>rd</sup> Quarter, 2023**

#### **Quarterly Highlights**

- BOAH partnered with the National Pork Board and the Indiana Pork Producers Association to participate in a workshop focusing on ASF response in the Cull Sow and Market Hog industry. The workshop was hosted in Indianapolis on August 23-24, 2023. Several takeaways and response gaps were documented for future exploration.
- Drs. Marsh and Werling attended the 2023 North American ASF Forum in Raleigh, NC. At the meeting, they received updates from Canada, USA, and Mexico on current ASF response planning and preparedness efforts, updates on vaccine research and production, and discussed feral swine mitigation efforts.
- On September 1, 2023, the previously highly pathogenic avian influenza (HPAI) infected backyard poultry premises in Posey County completed its 120-day fallow period. The quarantine was released, and restocking of the farm was approved. With this milestone, and after 577 days since the first diagnosis, Indiana's 2022-2023 HPAI outbreak is now considered officially closed.
- BOAH's application for USDA Cooperative Agreement Funding to cover producer costs for obtaining Genomically Estimated Breeding Values (GEBV) for farmed white-tailed deer in the state was successful.
  - GEBV's reflect the additive genetic merit of white-tailed deer with respect to differences in susceptibility to chronic wasting disease (CWD). It has been demonstrated that susceptibility and variation in natural disease progression are both highly heritable polygenic traits in U.S. farmed white-tailed deer. Through GEBV analysis and selective breeding, the overall susceptibility of a herd can be decreased.

#### **Programmatic Updates**

##### **Animal Care & Welfare:**

- BOAH received 158 animal welfare-related complaints or inquires, leading to 49 animal care investigations this quarter. The complete Animal Programs Investigations Report is included at the end of this report.
- Dr. Lovejoy presented on large animal emergency technical rescue to the Northwest Traffic Incident Management group. She also attended the AVMA Conference in Denver Colorado, focusing on animal welfare presentations, the USDA Animal Transportation Conference, and the USDA Small Pet Welfare Symposium this quarter.

**Safeguarding Indiana's animals, food supply and citizens for more than 125 years.**

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## Aquaculture

- This quarter brought with it an increased interest from producers in establishing practical biosecurity plans for their aquaculture facilities. Dr. Strasser has provided resources from the World Organization for Animal Health, the University of Florida, and Australia to encourage these producers to work through plans that fit and benefit their facilities. This interest has arisen from both Indiana facilities and in facilities outside the state that hope to export fish to Indiana. The practical implementation of biosecurity in different types of aquaculture facilities is on the docket for discussion during the 2023 United States Animal Health Association (USAHA) Aquaculture Committee meeting.
- Dr. Strasser has been collaborating with the aquatic invasive species coordinator at the Indiana DNR to validate and clarify Indiana's viral hemorrhagic septicemia (VHS) regulations for summary documents being put together by the Great Lakes VHS Regulatory Stakeholders Working Group. The team continues to create a VHS risk assessment tool hoping to inform more practical requirements for movement of fish from classified facilities.

## Avian

- Four cases of HPAI in domestic birds were reported this quarter in New York and New Jersey. These cases were all diagnosed within the live bird marketing system, and source flocks responsible for introducing the virus have not been positively identified. Indiana received an epidemiological traceback from one of the New York cases in July, however no birds remained at the LaGrange County origin premises, and no additional epidemiological links were found upon investigation.
- BOAH did not receive any reports of clinical signs nor laboratory diagnoses of egg drop syndrome virus (EDSV) this quarter. The last reported case was June 30, 2023. USDA-Veterinary Services is sharing the EDSV isolate and genetic sequence to encourage disease research, and the USDA-Center for Veterinary Biologics is now accepting applications for licensing of a killed EDSV vaccine and EDSV diagnostic products. Merck Animal Health and Ceva Animal Health report that vaccine currently being imported from abroad remains in limited supply.
- BOAH hosted fourth year veterinary students on the poultry medicine rotation at our offices in July. We discussed the makeup of Indiana's poultry industry, high-consequence disease preparedness and response, and answered questions about regulatory medicine and public health careers.

## Cattle

- Drs. Werling and Shipman are co-authoring a chapter in the upcoming issue of *Veterinary Clinics of North America: Transboundary Diseases of Cattle and Bison*. Their chapter will focus on the veterinarian's role in disease investigations and initial response activities.

## Cervids

- Four enforcement letters were issued for non-compliance with CWD program standards this quarter, all related to missed or inadequate CWD samples.
- A CWD sampler training was held in St. Joseph County this quarter for ten employees of a new deer hunting preserve.
- A large portion of Indiana's cervid herds conducted their triannual TB accreditation testing last winter and earlier this spring. An unusual number of tests were returned as suspects resulting in twelve herds distributed across the state being placed under quarantine until the suspect animals could be retested. Nine of those herds cleared after a second round of testing, while three herds experienced a second suspect result that required euthanasia of the animal to conduct a necropsy and histological analysis. Histological findings were not consistent with TB on any of these three animals. Final culture results are still pending on two cases.

- Dr. Chavis attended the annual Indiana Deer and Elk Farmers Association summer picnic and fundraiser on August 4-5, 2023. Farm tours and a trade show allowed for ample networking with the industry, and Dr. Chavis provided CWD program information and answered numerous questions relative to BOAH's proposal for GEBV testing reimbursement.

### **Commercial Dog Breeder Broker**

- As of September 11, 2023, there are 192 active commercial dog breeders (including six new registrants) and six active dog brokers in Indiana.
- Dr. Lovejoy attended the USDA Animal Care state & federal meeting which consisted of discussion between agencies on points of interest and concern relating to USDA Animal Care regulatory activities.
- BOAH hosted a booth at the fall Indiana Council for Animal Welfare (ICAW) dog breeder symposium and provided informational handouts. One of the highlighted topics was "Ammonia – its detection and correction in kennel settings."
- Dr. Lovejoy continues to work on developing standard operating guidelines for handling situations when non-commercial dog breeders (per Indiana's law) apply to become registered commercial dog breeders.

### **Companion Animal**

- Cases of Rabbit Hemorrhagic Disease Virus (RHDV2) continued to be diagnosed across the country this quarter, but the new infections have only been reported in states which have had a previous diagnosis. Indiana has still not identified a case of RHDV2, and BOAH continues to encourage vaccination.

### **Compliance**

- Ten compliance cases were investigated this quarter involving alleged noncompliance with rules related to disposal (7), registration (2), and dairy (1). Case outcomes this quarter included: corrective action taken (6), unfounded complaint (2), and referral to federal agency (1). The full Animal Programs Investigations report is included at the end of this report.

### **Drug Residue Prevention**

- There were two milk residue investigations this quarter.
  - Ripley County – It is suspected that the residue occurred in this case due to a dry cow calving very early. The cow's milk was held out of the bulk tank for two days as is typical for a fresh cow, but she was still positive after the two days when her milk was no longer withheld.
  - Wabash County – In this instance, it was reported that a free stall separating the dry cows and milking herd was damaged, and one dry cow was moving back-and-forth between the two groups.
- The new Dairy Farm Drug Residue Prevention program is active, and Dr. Boyd completed three visits with BOAH dairy inspectors on farms in LaGrange County and Wayne County this quarter. These visits consist of a meeting with the farm owner or manager where BOAH discusses drug use, drug storage, and residue prevention, and producers are provided with a Farm Drug Use and Treatment Records book.

### **Emergency Preparedness & Training**

- BOAH continues to work through the Medical Reserve Corp (MRC) Operational Readiness Grant to develop the Animal Issues in Disaster Course into an online format.
- In August, Dr. Cooper attended a point-of-care (POC) diagnostics workshop in Dallas, TX led by the Institute of Infectious Animal Diseases and Texas A&M University. The workshop brought together state, federal, laboratory, and academic partners with the goal of proposing a framework for the use of POC tests during a foreign animal disease outbreak.
- The Certified Swine Sample Collector training program was delivered to BOAH personnel this quarter, allowing participants to become rostered as Certified Swine Sample Collectors.

- BOAH hosted Emergency Preparedness track at the 2023 Purdue Veterinary Conference, providing presentations related to emergency preparedness to Indiana veterinary practitioners. Several veterinarians also presented USDA national veterinary accreditation modules to attendees.
- Dr. Shipman attended a Foot-and-Mouth Disease Framework exercise in Manhattan, KS that was hosted by the Center for Food Security and Public Health. The exercise focused on applying the drafted recommendations contained in the proposed revision of the *Framework for Interstate Movement Decisions During an FMD Outbreak in the United States*. Additionally, the attendees of the exercise toured the National Bio and Agro-Defense Facility, the new BSL-4Ag laboratory built to replace the Foreign Animal Disease Diagnostic Laboratory at Plum Island.
- Dr. Solomon will be participating in the virtual portion of Foreign Animal Disease Diagnostician training this fall, with the in-person training to follow in late 2023 or early 2024.
- BOAH hosted a lunch-and-learn session as part of the IN-VMRC webinar series on August 16, 2023, with Dr. Shelly Chavis and private practitioner Dr. Jessica Glomb. The webinar provided an overview of clinical signs and appropriate treatments of significant health issues and diseases of cervids along with the history of Indiana's cervid health programs, as well as how the industry has evolved.

## **Equine**

- Vesicular stomatitis virus (VSV) is still affecting many, primarily equine, premises in California. Nevada and Texas have also experienced cases. California's regulatory veterinary resources have been stretched thin leading the California state veterinarian to deputize licensed and accredited equine veterinarians to act on behalf of the state to issue quarantines and conduct other response activities. Since the index case on May 17, 2023, a total of 201 VSV-affected premises have been identified. While no cases have been found in Indiana, BOAH continues to encourage reporting of clinical signs consistent with VSV in horses and livestock.
- West Nile virus (WNV) has been identified in mosquito pools from 68 Indiana counties this year, with multiple positive pools in some counties, at an overall infection rate of about 11% in the mosquito pools tested. Two horses in Vanderburgh County have tested positive.
- Eastern equine encephalitis has not been diagnosed or reported in an Indiana equid this year, and mosquito pools across the state have not tested positive for the virus. The risk of transmission of the arboviral diseases should soon be waning as overnight temperatures drop and mosquito populations decline.
- The quarantine on the piroplasmosis positive mare and her filly that was in place since last year has been released. The filly was weaned, and the owner opted to euthanize the mare. The requirements for the filly to be classified as Indiana-bred had been met, so she was transported on a sealed trailer to her home farm in Illinois with approval from the Illinois state veterinarian.
- Dr. Strasser has been collaborating with members of the USAHA Committee on Equine to address diverse issues such as distribution and reporting of results from point-of-care test kits for reportable equine diseases, standardization of microchipping parameters for equids, and direction of the next USDA National Animal Health Monitoring Study focused on horses.

## **Foreign Animal Disease Investigations**

- In addition to responding to sick bird calls and ruling out avian influenza, BOAH conducted three foreign animal disease investigations this quarter. These cases ruled out vesicular stomatitis in a horse, rabbit hemorrhagic disease, and foreign vesicular diseases in two pet pigs that turned out to be Seneca virus A.

## One Health

- Dr. Renshaw attended the inaugural State of Indiana One Health Team meeting in Bloomington, IN on September 1, 2023. The ever-expanding roster now includes colleagues from DNR, Indiana Department of Health (IDOH), and BOAH. The team has been designed to work collaboratively and efficiently, and to focus extensively on existing and emerging One Health issues.
- The IDOH entomologist located in Southern Indiana has conducted numerous targeted tick drags, including premises diagnosed with Theileriosis, after the first detection of the Asian Longhorned Tick (ALT) in Spring 2023. The entomologist has collected approximately 2,000 ticks while dragging 75 miles from May to July 2023. From the 2,000 ticks collected, only four were confirmed as ALT. These were all nymph stages found in Switzerland, Ohio, and Dubois counties.
- Three bats tested positive for rabies in Indiana this quarter. They were located in Marshall, Porter, and Hamilton counties and involved exposure of dogs and humans. Quarantines remain in place in Steuben and Marshall counties for unvaccinated dogs with direct exposure to positive bats. These cases are monitored at least monthly by BOAH veterinarians until released from quarantine.
- Several BOAH personnel have, or will be, attending a physiological first aid presentation sponsored by IDOH. The course introduces the principles of psychological first aid and guidelines for when to refer individuals to a disaster mental health worker. The goal is for participants to engage in practice exercises and to learn the respective course content.

## Sheep & Goats

- Sixty-three new scrapie flock IDs were assigned this quarter. Fifty-five orders totaling 4,830 scrapie tags were ordered for first-time flock owners this quarter.
- As the federal fiscal year comes to an end, Indiana has sampled more than double the minimum quota for both sheep and goats as part of USDA's National Scrapie Eradication Program requirements. This is a welcomed turn of events after facing challenges in identifying sample opportunities in the recent years.
- Dr. Miller attended the Hoosier Sheep Symposium sponsored by Purdue Agriculture's Indiana Sheep and Wool Market Development Council and the Indiana Sheep Association. She spoke to the group about Cache Valley Fever in sheep and goats, a virus that causes abortions, infertility, and fetal and congenital developmental abnormalities.

## Swine

- BOAH continues to participate and provide input on the USAHA Committee on Swine's ASF Red Book subcommittee that has been diligently working to update the ASF Red Book and create draft ASF Continuity of Business permitting guidance. The updated ASF Red Book and permitting guidance was released on the USDA's ASF webpage in July 2023.
- African swine fever (ASF) was diagnosed for the first time in Sweden in wild pig carcasses in September 2023. In August, there were three outbreaks of ASF in domestic farms in Italy (outside of known endemic range).
- Purdue ADDL is the newest member of the Swine Disease Reporting System (SDRS), a collaboration amongst six swine veterinary diagnostic laboratories providing data for use in domestic disease prevention, biosecurity, and disease monitoring, management, and forecasting. With the addition of Purdue ADDL, the SDRS monthly report represents more than 96% of all swine samples submitted in U.S. NAHLN laboratories.
- Dr. Werling participated in a series of virtual discussions to prepare for an in-person meeting this fall to discuss potential use of oral fluids for ASF testing. This is a collaboration between state and federal animal health, industry, and academic partners.

- Dr. Werling attended the quarterly meeting of the ASF Technical Working Group, a group of federal, state, and industry stakeholders to discuss their efforts to narrow documented ASF response gaps and provide pertinent updates on existing projects.
- BOAH continues to facilitate the Securing Indiana’s Pork Supply (SPS) program, a voluntary preparedness and continuity of business program for swine producers. This past quarter’s accomplishments include outreach to Indiana’s swine exhibitors as we partnered with the Indiana Pork Producers Association at swine exhibitions across the state. Over 1,350 swine exhibitors have submitted their information as part of the premises validation process.
- BOAH received training to access RAB App, an application from North Carolina State University that houses SPS plans. This increases the participation of Indiana swine producers by five integrated systems in the state and approximately 300 participating premises.
- The current U.S. Swine Health Improvement Plan (SHIP) enrollment by state with Indiana’s enrollment per site classification is below. This represents approximately 62% of Breeding Herds and 53% of Growing Pig Herds enrolled in U.S. SHIP in Indiana.

Current Enrollment Stats (as of 9/15/2023):

<b>Site Classification</b>	<b># Sites</b>	<b>Aggregate Capacity</b>
Boar Stud	1	165
Breeding	31	160,680
Farrow-to-Feeder/Finish	1	3500
Growing Pig	443	2,128,564
Small Holding	25	15,985
Non-Commercial	2	10
Packer	2	32,500
<b>TOTAL SITES</b>	<b>505</b>	

The 2023 U.S. SHIP House of Delegates meeting was held September 5-7, 2023, in Bloomington, MN. Indiana sent 9 delegates to vote on 6 proposed program standards, 4 resolutions, and the first elected GCC (General Conference Committee) which will serve as a federal advisory committee to USDA on the program. Standards and Resolutions voted on at this meeting included:

- Establishing a standing Technical Committee.
- Requiring a 2/3 vote for new program standards and amendments.
- Removing the number of head and number of semen units from reporting requirements.
- Adding a feral swine mitigation plan to SPS for pigs with outdoor access.
- Establishing a movement repository pilot project.
- Incorporating USDA ASF/CSF active surveillance samples into SHIP program.
- Establishing an exhibition swine working group.
- Looking into the feasibility of requiring OSAs to input data into a site status verification database.

The US SHIP program is currently in the process of drafting language for program codification, and it is expected to be ready for public comment in spring 2024 with a codification goal of 2025.

- Thirty-two swine herds are enrolled in the Validated Swine Brucellosis-Free/Qualified Pseudorabies-Negative (VQ) Herd Program.
- As of August, 439 samples have been collected and tested in FY 2023 through the USDA’s ASF/CSF Active Surveillance Program, exceeding Indiana’s sampling target.
- Three new Commuter Herd Agreements were established, and 34 needed renewal this quarter. Indiana has 75 active Commuter Herd Agreements (46 - Import, 29 - Export) with 13 states.

## Traceability

- Eighty-eight rejected export CVIs were returned to Indiana veterinarians this quarter.
- BOAH continues to participate in discussions about the USAHERDS/Ag Enterprise database upgrade which is estimated to be available at the end of this year.
- The following official forms (paper) were distributed to Indiana veterinarians in Q3:
  - Large & Small Animal Paper CVI: 1,050
  - Tuberculosis Test Charts: 50
  - Brucellosis Vaccine Charts: 50
  - Brucellosis Test Charts: 0
  - EIA Forms: 2,500
- Sixteen veterinarians at 23 veterinary clinics were trained to use the eCVI this quarter.
- Twenty-eight veterinarians at eleven veterinary clinics were trained to use the VET-CVI application this quarter.
- A total of 10,580 movement documents were processed this quarter from the following sources:
  - Commuter Herd: 524
  - Extended Equine CVI: 42
  - GVL: 7,814
  - Paper & eCVI (manually processed): 3,468
  - VET-CVI: 964
  - VetSentry: 48
  - VSPS: 462
- BOAH issued and reviewed a total of 476 swine permits and 243 cattle permits this quarter.

Respectfully Submitted,



Kyle Shipman, DVM

Animal Programs Division Director



**INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 3, 2023**

<b>Incident Name County</b>	<b>Species Involved</b>	<b>Primary Investigator</b>	<b>Summary of Complaint</b>	<b>Case Type</b>
151T23XL-01Z Starke	Equine	Strasser	Sheriff's Department contacted BOAH for possible neglect.	Animal Care
150U1KR8-0AL Dearborn	Exotics	Macy	Animal Control contacted BOAH for possible neglect.	Animal Care
150Z145P-01X Washington	Canine, Exotics	Lovejoy	Animal Control contacted BOAH for possible neglect.	Animal Care
150T0TR0-0CJ Parke	Bovine, Caprine, Equine	Solomon	Sheriff's Department contacted BOAH for possible neglect.	Animal Care
150R1C98-04C Madison	Canine	Justice	Animal Protection League, Inc. contacted BOAH for possible neglect.	Animal Care
151J0ZDQ-04C Wayne	Canine	Justice	Police Department contacted BOAH for possible neglect.	Animal Care
150T0NCC-093 Knox	Equine	Renshaw	Sheriff's Department contacted BOAH for possible neglect.	Animal Care
151919YC-04C Jay	Equine	Justice	Sheriff's Department contacted BOAH for possible neglect.	Animal Care
150V1HVR-0B4 Tippecanoe	Feline	Boyd	Animal Control contacted BOAH for possible neglect.	Animal Care

**INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 3, 2023**

<b>Incident Name County</b>	<b>Species Involved</b>	<b>Primary Investigator</b>	<b>Summary of Complaint</b>	<b>Case Type</b>
15271AUU-01Z St. Joseph	Canine	Strasser	Animal Resource Center contacted BOAH for possible neglect.	Animal Care
15111HVN-01Z Porter	Bovine	Strasser	Animal Control contacted BOAH for possible neglect.	Animal Care
151C0SZ9-0CJ Parke	Canine	Solomon	Sheriff's Department contacted BOAH for possible neglect.	Animal Care
151E169W-04C Wayne	Equine	Justice	Sheriff's Department contacted BOAH for possible neglect.	Animal Care
151U172J-01Y Lagrange	Avian, Camelid, Equine	Lamb	Private citizen contacted BOAH for possible neglect.	Animal Care
15261702-0CJ Owen	Canine, Caprine, Equine, Ovine	Solomon	Private citizen contacted BOAH for possible neglect.	Animal Care
15191A5U-04C Wayne	Canine	Justice	Police Department contacted BOAH for possible neglect.	Animal Care
151J116D-093 Knox	Equine	Renshaw	Sheriff's Department contacted BOAH for a neglect recheck.	Animal Care
151S128Q-0AL Ripley	Feline, Rabbits	Macy	Health Department contacted BOAH for possible neglect.	Animal Care
151S12RL-0AL Harrison	Feline	Macy	Animal Control contacted BOAH for possible neglect.	Animal Care

**INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 3, 2023**

<b>Incident Name County</b>	<b>Species Involved</b>	<b>Primary Investigator</b>	<b>Summary of Complaint</b>	<b>Case Type</b>
151K1M85-016 Hendricks	Equine	Miller	Animal Control contacted BOAH for possible neglect.	Animal Care
151L1FT9-0B4 Tippecanoe	Canine	Boyd	Animal Control contacted BOAH for possible neglect.	Animal Care
151P18EJ-0B4 Tippecanoe	Canine	Boyd	Animal Control contacted BOAH for possible neglect.	Animal Care
151V12EF-04C Wayne	Canine	Justice	Sheriff's Department contacted BOAH for possible neglect.	Animal Care
151S12GX-0AL Jefferson	Avian, Bovine, Canine, Equine, Porcine	Macy	Animal Control contacted BOAH for possible neglect.	Animal Care
15200W4N-0CJ Greene	Canine, Feline	Solomon	Health Department contacted BOAH for possible neglect.	Animal Care
152D165Q-01Y Marion	Equine	Siedling	Private citizens contacted BOAH for possible neglect.	Animal Care
152D10HS-04C Wayne	Canine	Justice	Sheriff's Department contacted BOAH for possible neglect.	Animal Care
1526123F-0CJ Vermillion	Feline	Solomon	Town Marshal contacted BOAH for possible neglect.	Animal Care
152A18YK-01Z Starke	Avian	Strasser	Sheriff's Department contacted BOAH for possible neglect.	Animal Care

**INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 3, 2023**

<b>Incident Name County</b>	<b>Species Involved</b>	<b>Primary Investigator</b>	<b>Summary of Complaint</b>	<b>Case Type</b>
152313XK-0AL Scott	Canine	Macy	Animal Control contacted BOAH regarding aggressive behavior.	Animal Care
152313G1-0AL Harrison	Feline	Macy	Animal Control contacted BOAH for a neglect recheck.	Animal Care
152N170L-04C Wayne	Equine	Justice	Sheriff's Department contacted BOAH for a neglect recheck.	Animal Care
152E160L-04C Wayne	Canine	Justice	Sheriff's Department contacted BOAH regarding possible abandonment.	Animal Care
152F13Q7-0CJ Parke	Bovine, Equine, Porcine, Rabbit	Solomon	Sheriff's Department contacted BOAH for possible neglect.	Animal Care
15280X43-01X Jackson	Caprine	Lovejoy	Private citizen contacted BOAH for possible neglect.	Animal Care
15291380-01Z Starke	Bovine	Strasser	Private citizen contacted BOAH for possible neglect.	Animal Care
152E15T5-01Z Starke	Bovine	Strasser	Private citizen contacted BOAH for possible neglect.	Animal Care
152E1097-04C Madison	Canine	Justice	Animal Protection League, Inc. contacted BOAH for possible neglect.	Animal Care
152E10NR-04C Madison	Canine	Justice	Animal Protection League, Inc. contacted BOAH for possible neglect.	Animal Care

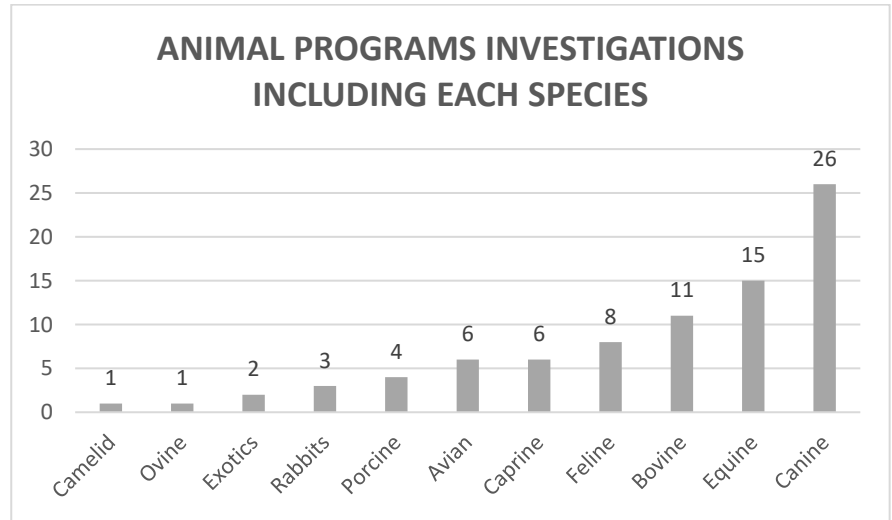
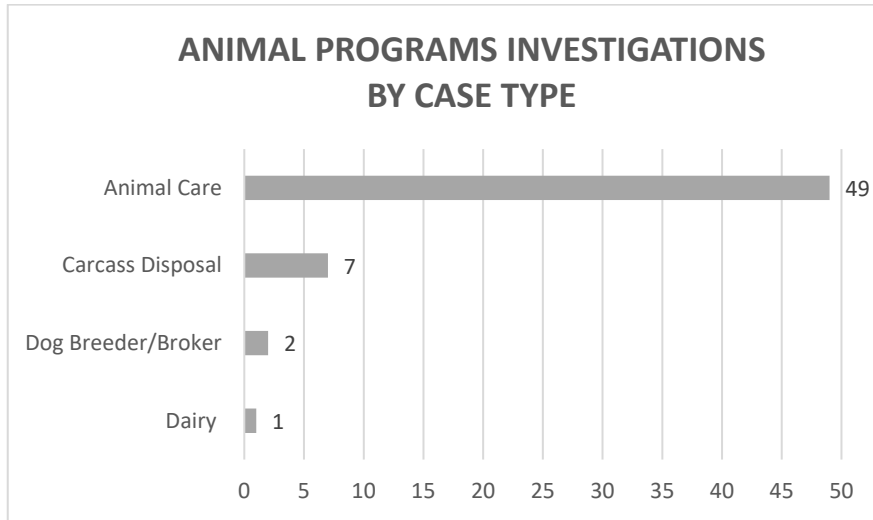
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<b>Incident Name County</b>	<b>Species Involved</b>	<b>Primary Investigator</b>	<b>Summary of Complaint</b>	<b>Case Type</b>
152F0SKP-093 Sullivan	Bovine	Renshaw	Town Marshal and IDEM contacted BOAH regarding a recheck of a property for the presence of cattle.	Animal Care
152F0YHS-0AL Ripley	Feline	Macy	Health Department contacted BOAH for a neglect recheck.	Animal Care
152F0ZB3-0AL Franklin	Equine	Macy	Private citizen contacted BOAH for possible neglect.	Animal Care
152F0YZ6-0AL Harrison	Canine	Macy	Animal Control contacted BOAH regarding aggressive behavior.	Animal Care
152F0Z46-0AL Harrison	Avian, Canine, Caprine	Macy	Animal Control contacted BOAH for possible neglect.	Animal Care
152F12HM-0AL Harrison	Avian, Canine, Caprine	Macy	Animal Control contacted BOAH for a neglect recheck.	Animal Care
152L10WY-02N Noble	Canine	Chavis	Sheriff's Department contacted BOAH for possible neglect.	Animal Care
152H0XHP-016 Johnson	Canine, Feline, Rabbit	Miller	Animal Control contacted BOAH for possible neglect.	Animal Care
152P1GSH-01X Jackson	Canine, Equine	Lovejoy	Animal Control contacted BOAH for possible neglect.	Animal Care
152P1DBC-02N Huntington	Canine	Chavis	Sheriff's Department contacted BOAH for possible neglect.	Animal Care

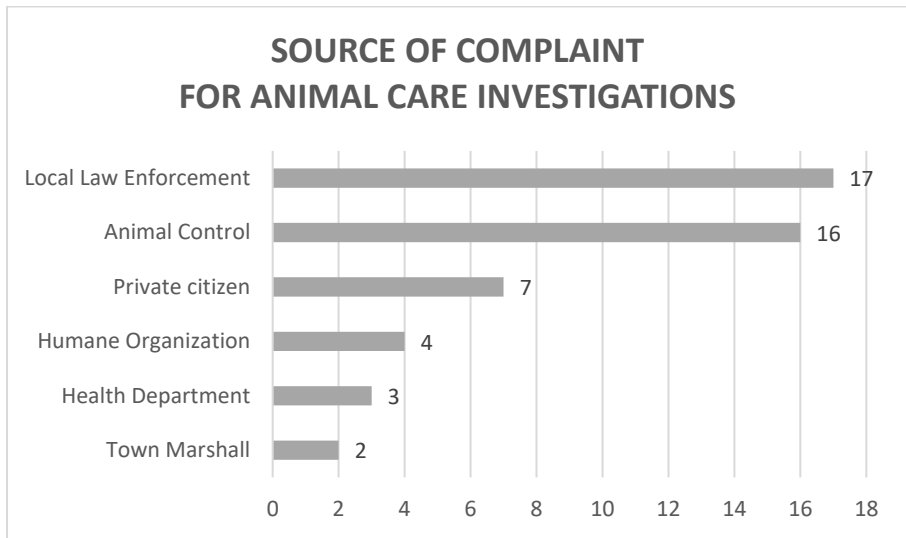
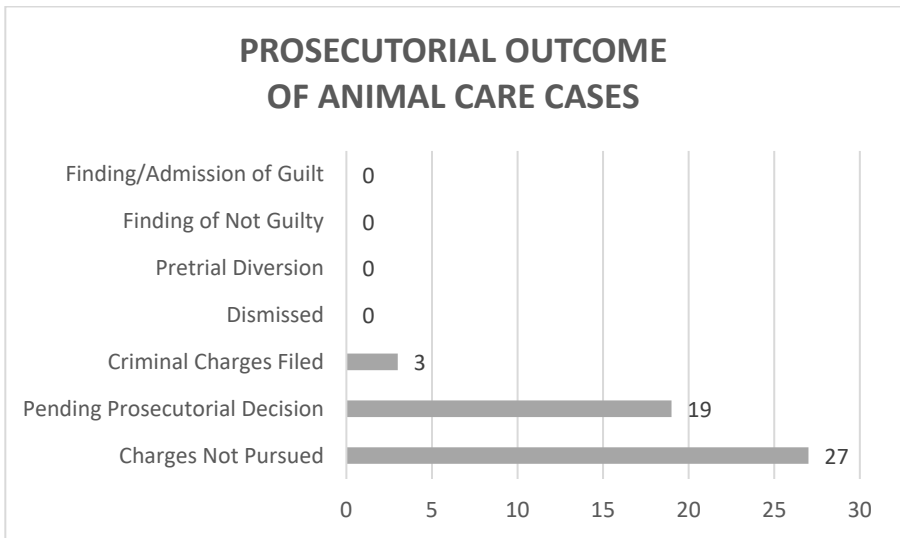
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<b>Incident Name County</b>	<b>Species Involved</b>	<b>Primary Investigator</b>	<b>Summary of Complaint</b>	<b>Case Type</b>
152P1GSH-01X Jackson	Bovine	Paul	Private citizen complaint regarding improper disposal of a dead calf. Unfounded complaint.	Carcass Disposal
152G1GMT-01Y Hancock	Porcine	Price	IDEM contacted BOAH regarding improper disposal of dead swine. Corrective action taken.	Carcass Disposal
152A1HTE-01Y Fayette	Porcine	Siedling	Indiana Pork contacted BOAH regarding improper disposal of dead swine. Corrective action taken.	Carcass Disposal
152U18AR-01Y Marion	Caprine	Siedling	Private citizen complaint regarding improper disposal of dead goat and illegal slaughter. Corrective action taken.	Carcass Disposal
152T1EH1-01Y Vanderburgh	Bovine	Gunn	Health Department contacted BOAH regarding improper disposal of cattle. Corrective action taken.	Carcass Disposal
152TOXEN-01Y Morgan	Avian	Gunn	Private citizen complaint regarding improper disposal of chickens. Disposal information provided.	Carcass Disposal
152U14AV-01Y Boone	Bovine	Gunn	Private citizen complaint regarding improper disposal of dead cattle. Corrective action taken.	Carcass Disposal
151Y0WD7-01Y Jay	Bovine	Price	Indiana Department of Health contacted BOAH regarding the advertising and selling of raw milk for human consumption. Corrective action taken.	Dairy Compliance
151410LE-0BJ Kosciusko	Canine	Paul	Humane Society contacted BOAH regarding possible unregistered commercial dog breeder. Unfounded complaint.	Dog Breeder/Broker
15171FMN-0BJ Lagrange	Canine	Paul	Private citizen contacted BOAH regarding the sale of dogs at auction market. Evidence was gathered and forwarded to USDA-Animal Care.	Dog Breeder/Broker

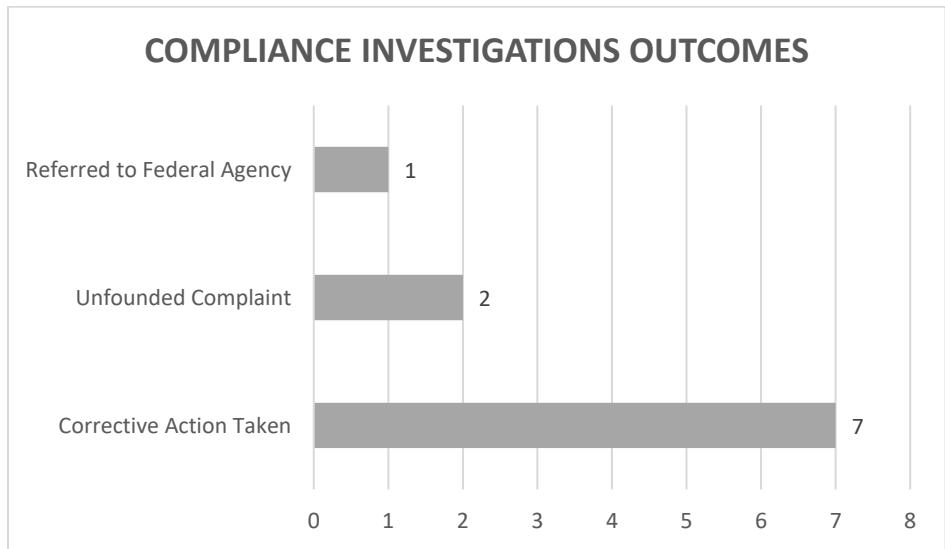
## ANIMAL PROGRAMS INVESTIGATIONS SUMMARY



### ANIMAL CARE INVESTIGATIONS SUMMARY



### COMPLIANCE INVESTIGATIONS SUMMARY





## REPORT TO THE BOARD, October, 2023

### Quarterly Highlights

- 7 new plants have joined the program this quarter- 2 new facilities started under inspection ( CE facilities that increased their inspection for slaughter and processing) and 5 new Custom Exempt facilities. We had 0 inspected facilities close.
- Last year, we had 11 new plants total. In the first 9 months of this year, we have had 29 new facilities/owners.
- Dan Doles, EIAO, held a HACCP training session on September 20, 2023, for 6 inspectors.



### Fast Facts:

- Facilities by type:
 

Red meat harvest and processing	51
Poultry harvest and processing	1
Meat harvest, no further insp. processing	2
<u>Processing only facilities</u>	<u>26</u>
Official establishments	<b>80</b>
+	
Limited Permit Retail HRI	3
<u>Custom exempt establishments</u>	<u>56</u>
<b>Total program facilities</b>	<b>139</b>

- **We currently have one open inspector position in the Northeast area.**
- **Elmer Clancy, Supervisor in the Northeast area is retiring the end of November. Jamie Wolff has been promoted to fill his position as supervisor. He will be training with Mr. Clancy until his last day.**
- **Our staff consists of 38 inspectors, 7 Supervisors, 2 EIAOs, 2 Compliance Officers, 1 EIAO/Compliance officer, 4 Central Office staff = 54 employees**
- BOAH MPI continues to take advantage of USDA/FSIS virtual training courses. We had 2 inspectors complete the Inspection Methods course in September. All classes were held virtually.

## Meat & Poultry Inspection Division



### Looking ahead

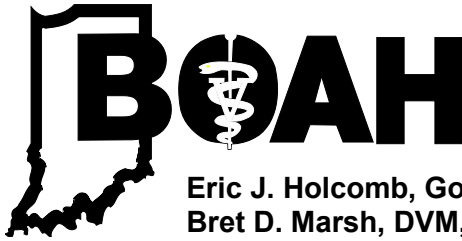
- Dr. Swiatkowski has continued meeting weekly with small groups of inspectors for training.
- 4 new facilities are estimated to join the State MPI program in the next few months.
- Dr. Suhr is going to attend the National Association of Meat and Food Inspection Directors (NASMFID) meeting during the USAHA meeting in Washington D.C. on October 16<sup>th</sup> and 17<sup>th</sup>. Dr Renae will join virtually.
- HACCP trainings for the inspectors by the EIAOs will continue on a quarterly basis.

### Partnerships and Outreach

- FSIS Chicago District Office CIS weekly teleconference between BOAH MPI and Ohio MPI – sharing pandemic and CIS related information.
- MPI weekly teleconference with field staff.
- MPI, IMPPA and ISDA are holding monthly meetings to help support new and existing plants that we actively participate in.

Respectfully submitted,

*Kerri Z. Suhr, DVM*



Eric J. Holcomb, Governor  
Bret D. Marsh, DVM, State Veterinarian

## INDIANA STATE BOARD OF ANIMAL HEALTH

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Office of the State Veterinarian  
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1202 East 38<sup>th</sup> Street  
Indianapolis, IN 46205-2898  
Phone: 317/544-2400

### Dairy Division

#### Quarterly Highlights

- For the third quarter of 2023 there were 8 state surveys and 15 Federal Check Ratings. Overall average farm sanitation score state surveys 96. Overall average enforcement score for state surveys was 96.
- These ratings included 3 Grade A plants, 7 single service plants and 13.
- Indiana had no change in Grade A farm numbers for this quarter.

#### Fast Facts

- Currently 689 Grade A farms
- Haulers 431
- 24 Grade A Dairy Plants (+1)
- 2 Pending Grade A Plant
- 4 Truck Wash / 2 Transfer Stations
- 34 farms with a total of 180 AMI's
- 11 Manufactured Grade Farms (+2)
- Milk Trucks 498
- 27 Manufactured Grade Plants (+1)
- 14 Single Service Manufactures
- 9 Distributors

#### Looking Ahead

- There are currently 2 manufacturing plants pending that are under construction and looking to start production in the 4<sup>th</sup> quarter of 2023.
- BOAH will be sending a delegation on October 24-26 to the 2023 Eastern Milk Seminar. This is an informational conference held with FDA for all states in this region. This trip is funded by the AFDO (Association of Food and Drug Officials) training grant.
- BOAH will be sending a delegation to the Dairy Practices Council held in Nashville, Tennessee in November. This meeting allows state and federal regulators and industry representatives to collaborate on in person work groups creating industry best standards.

#### Partnerships and Outreach

- Amy Pettijohn and Kassie Gunn attended the FDA 375 Farm Inspection Course held in Tulsa Oklahoma.
- Glenn Goss attended FDA 372 Plant Pasteurization course held in Dallas, Texas.

Respectfully Submitted,

Patrick Hash  
Director, Dairy Division

**Safeguarding Indiana's animals, food supply and citizens for more than 125 years.**

An equal opportunity employer and provider.

## State Veterinarian's Progress Report

For the Period

July 19, 2023 through October 3, 2023

### Highlights of the Quarter

1. In August 2022, the Board held a special meeting to discuss the ADDL budget request for the 2023 Legislative Session. As a part of the Board's support for the request, the Board asked that a strategic plan be developed for the ADDL. Pursuant to that request, Purdue secured the services of Dr. Ken Andrews, High Impact Facilitation, to conduct the analysis. I have met with Dr. Andrews on two occasions, and he plans to finalize the plan by the end of CY23. I am hopeful this report will provide an essential roadmap for the delivery of veterinary diagnostic services to the citizens of Indiana.
2. It is my understanding that Indiana Farm Bureau (IFB) passed a resolution to recognize the current statutory language regarding the budgeting process for the ADDL. According to Indiana statute, the "expense of operating and maintaining the laboratory must be paid from funds appropriated for the administration of the Indiana state board of animal health." Although this language has not been used in my experience, the IFB resolution supports utilizing the statutory language.
3. The VetBoard met for the first time in its new location on July 26, 2023. Additionally, there has been a vacancy on the Board for several years, and we recently received word that the Governor has appointed the seventh member of the VetBoard. This is the first time in many years that the Board is fully appointed.
4. The three new positions approved by the Indiana General Assembly, a Poultry Health Specialist, a Poultry Veterinarian, and an Epidemiologist, are being actively recruited. Two of the positions are close to final approval of the successful candidates, and we continue to actively recruit for the Poultry Veterinarian position.
5. IN Pork, BOAH and the National Pork Board (NPB) hosted the first-ever Cull Swine Marketing Channels Workshop in Indianapolis, August 23-24, 2023. Over forty participants attended the meeting from across the country, and there was an excellent exchange of information during the day and a half meeting. Four major marketing firms, as well as packers, state animal health officials, USDA, NPB, National Pork Producers Council, Swine Health Information Center, Swine Health Improvement Plan, attended the meeting and shared their views. The goal of the workshop was to determine the actions that would be taken in the cull marketing channels if African Swine Fever (ASF) was diagnosed in the United States. The NPB is preparing the final meeting summary which will identify next steps.
6. The Swine Health Improvement Plan (SHIP) House of Delegates (HOD) was held in Bloomington, MN, September 5-7, 2023. This was the third HOD session, and there has been tremendous progress. The HOD elected its first General Conference Committee (GCC) which includes nine members. Several program standards and resolutions were considered. USDA reported on their timeline to codify the SHIP program in the Code of Federal Regulations (CFR), which will formally recognize the program by the USDA. The goal is to have the program codified by January 2025.

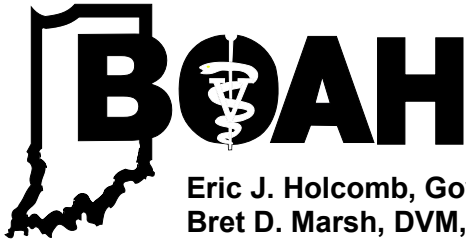
7. Laura Turner and I attended our first meeting of the American Association of Veterinary State Boards (AAVSB) in Kansas City, MO, September 28-30, 2023. Our goal is to learn from the experiences of other state Boards of Veterinary Medicine and utilize those insights here.
8. A survey of the State Veterinarians was conducted to determine their interest in a state-based accreditation program for animal health/veterinary infrastructure. The results of the survey are being compiled, but there was significant interest in the proposal. I will be presenting the results of the survey to the USAHA Board of Directors at the Annual Meeting next month.
9. I have participated in several meetings over the last quarter, including, but not limited to, the dedication of the Indiana Farm Bureau Fall Creek Pavilion, IN Pork Ham Breakfast, Indiana Deer and Elk Farmers Association, Indiana Rural Caucus, ASF Tri-National Forum, Purdue Veterinary Conference, Indiana Sheep Symposium, Bipartisan Commission on Biodefense, Indiana Poultry Health Advisory Council, and the National Association of State Departments of Agriculture's Animal Agriculture Committee.

### **Looking Forward**

1. The VetBoard will meet on November 2, 2023.
2. Notification for registration renewals for Veterinary Technicians will be sent soon in anticipation of the renewal deadline of January 1, 2024. Nearly 2,000 Veterinary Technicians are currently registered in Indiana.
3. BOAH will host the "Measures to Minimize Influenza Transmission at Swine Exhibitions" meeting, November 6-7, 2023. Researchers, public health officials, state animal health officials, representatives of 4H and FFA and exhibition professionals will convene to refresh the document that was originally prepared in 2013. Although it has been updated several times since 2013, this meeting's goal is to formalize the document for official publication.
4. The National Pork Producers Council is hosting a final meeting to formalize the swine traceability document. This final plan will be submitted to USDA for incorporation into the Code of Federal Regulations. I will be participating in this meeting in Des Moines, IA on November 9, 2023.
5. Preparations for the 2024 Legislative Session are underway. BOAH will have a proposal for the Governor's consideration, and if approved, BOAH will identify legislative sponsors for the bill.
6. More to come...

Bret D. Marsh, DVM

State Veterinarian



Eric J. Holcomb, Governor  
Bret D. Marsh, DVM, State Veterinarian

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**MEMORANDUM**

TO: BOAH Board Members  
FROM: Bret D. Marsh, D.V.M. *Bret D Marsh DVM*  
State Veterinarian  
RE: Proposed Meeting Dates for 2024  
DATE: October 3, 2023

Listed below are proposed dates for the Board of Animal Health meetings for 2024. The proposed dates are all on Tuesday. I anticipate the Board will continue to finalize the date of the next meeting at the end of each meeting. These dates are recommendations for your consideration:

**Board Meetings for 2024**

January 9  
April 9  
July 16  
October 8