

Dear Senators HARTGEN, Nichols, Semmelroth, and
Representatives ANDRUS, Raymond, Mathias:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the
Department of Agriculture:

IDAPA 02.04.03 - Rules Governing Animal Industry (ZBR Chapter Rewrite) - Proposed Rule
(Docket No. 02-0403-2401).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative
Services. The final date to call a meeting on the enclosed rules is no later than 11/21/2024. If a meeting is
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis
from Legislative Services. The final date to hold a meeting on the enclosed rules is 12/19/2024.

The germane joint subcommittee may request a statement of economic impact with respect to a
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has
been held.

To notify Research and Legislation, call 334-4854, or send a written request to the address on the
memorandum attached below.



Terri Kondeff
Director

Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Agricultural Affairs Committee and the House Agricultural Affairs Committee

FROM: Legislative Drafter - Alli Olson

DATE: November 04, 2024

SUBJECT: Department of Agriculture

IDAPA 02.04.03 - Rules Governing Animal Industry (ZBR Chapter Rewrite) - Proposed Rule (Docket No. 02-0403-2401)

Summary and Stated Reasons for the Rule

The Idaho Department of Agriculture submits notice of proposed rulemaking for the Rules Governing Animal Industry, IDAPA 02.04.03. The Department states that, consistent with the Governor's Zero-Based Rulemaking initiative, redundant language that is verbatim in statute was removed. The proposed changes remove several sections and improve readability by improving sentence structure in other sections.

Negotiated Rulemaking / Fiscal Impact

The Department states that negotiated rulemaking was conducted and notice was published in the July 3, 2024, Idaho Administrative Bulletin, Volume 24-7, pages 41-42. The Department also states that there are no associated fees nor fiscal impact to the General Fund.

Statutory Authority

The Department of Agriculture appears to have the authority to promulgate this rule pursuant to Sections 22-103(20), 22-3418, 22-3419, 22-3421, 22-4504, 25-203, 25-207, 25-207B, 25-212, 25-804, 25-3704, and 69-231 Idaho Code.

cc: Department of Agriculture
Lloyd Knight

*** PLEASE NOTE ***

Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

Paul Headlee, Deputy Director Matt Drake, Manager Keith Bybee, Manager April Renfro, Manager Norma Clark, Manager
Legislative Services Office Research & Legislation Budget & Policy Analysis Legislative Audits Information Technology

Statehouse, P.O. Box 83720
Boise, Idaho 83720-0054

Tel: 208-334-2475
legislature.idaho.gov

INCORPORATION BY REFERENCE SYNOPSIS

In compliance with Section 67-5223(4), Idaho Code, the following is a synopsis of the differences between the materials previously incorporated by reference in this rule that are currently of full force and effect and newly revised or amended versions of these same materials that are being proposed for incorporation by reference under this rulemaking.

The following agency of the state of Idaho has prepared this synopsis as part of the proposed rulemaking for the chapter cited here under the docket number specified:

***Idaho State Department of Agriculture
IDAPA 02.04.03. Rules Governing Animal Industry
Proposed Rulemaking - Docket No. 02-0403-2401***

Summary of Document Changes listed below:

1. The USDA Pseudorabies Eradication standards updated to a different file address.
2. Title 9 Parts 145, 146, and 147, CFR were removed from CFR. Title 9 Part 161, CFR remained the same.
3. The following reference documents were removed due to it being redundant.
 - a. National Poultry Improvement Plan and Auxiliary Provisions
 - b. The Compendium of Animal Rabies Prevention and Control
 - c. Equine Biral Arthritis Uniform Methods and Rules
 - d. Sections 510-591: 9 CFR

Authority is given in Title 25, Chapter 2, Idaho Code to the State Veterinarian that these documents referenced and supported.

End of Document

IDAPA 02 – IDAHO STATE DEPARTMENT OF AGRICULTURE

02.04.03 – RULES GOVERNING ANIMAL INDUSTRY

DOCKET NO. 02-0403-2401 (ZBR CHAPTER REWRITE)

NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 69-231, 22-3418, 22-3419, 22-3421, 22-103 (20), 25-203, 25-207, 25-207B, 25-212, 25-804, 25-3704, 22-5404, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 16, 2024.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

This rule is being presented for authorization as part of the ISDA’s plan to review each rule every 5 years. Redundant language that is verbatim in statute has been removed, consistent with the Governor’s [Zero-Based Regulation Executive Order](#).

The rule was reviewed over the course of two negotiated rulemaking meetings, and that review benefited from the participation of program stakeholders. No negative comments were submitted as part of this rulemaking process.

This rule clarifies the procedure for disease control of livestock and other animals into, within, and out of the state, procedures for prevention, control, and eradication of diseases among animals in the state of Idaho, and remedies of the Department for non-compliance.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

There is no change in fee or charge.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking:

There is no fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000).

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the July 3, 2024 Idaho Administrative Bulletin, [Volume 24-7, Pages 41 and 42](#).

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

The Incorporation by Reference Section has been updated to remove four documents that are unnecessary in the rule as they are already included in the Code of Federal Regulations as they are federal program diseases, included in Idaho Code, or include standards that are impractical.

The following documents are no longer referenced:

- A. The USDA Pseudorabies Eradication State Federal Industry Program Standards
- B. National Poultry Improvement Plant and Auxiliary Provisions
- D. The Compendium of Animal Rabies Prevention and Control
- E. Equine Viral Arteritis Uniform Methods and Rules

IDAHO CODE SECTION 22-101A STATEMENT: Pursuant to 22-101A(1), for any rule promulgated or adopted by the director which is broader in scope or more stringent than federal law or regulations, or which regulates an activity not regulated by the federal government, the director shall identify the portions of the adopted rule that are broader in scope or more stringent than federal law or rules, or which regulate an activity not regulated by the federal government. The following sections of the rule are broader in scope, more stringent than federal law or regulations, or regulate an activity not regulated by the federal government:

The federal government only provides standards and best practices for certain diseases and programs implemented under this rule. The federal government does not regulate animals within the state. This activity is defined in Idaho Code.

The detailed 22-101A analysis can be found on the agency’s website at www.agri.idaho.gov.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Lloyd Knight at lloyd.knight@isda.idaho.gov.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 23, 2024.

DATED this 2nd day of October, 2024.

Lloyd Knight
Deputy Director
Idaho Department of Agriculture
2270 Old Penitentiary Road
P.O. Box 7249
Boise, Idaho 83707
Phone: (208) 332-8615
Email: lloyd.knight@isda.idaho.gov

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 02-0403-2401
(ZBR Chapter Rewrite)

02.04.03 – RULES GOVERNING ANIMAL INDUSTRY

000. LEGAL AUTHORITY.

~~This chapter is adopted under the legal authority of~~ Sections 22-103(20), 25-203, 25-207, 25-207B, 25-212, and 25-804, 25-3704 Idaho Code. ~~(3-15-22)()~~

001. ~~TITLE AND SCOPE.~~

~~01. Title.~~ The title of this chapter is “Rules Governing Animal Industry.” ~~(3-15-22)~~

~~02. Scope.~~ These rules govern procedures for the prevention, control and eradication of diseases among the animals in the state of Idaho and the declaration of an animal health emergency. ~~(3-15-22)()~~

002. -- 010. (RESERVED)

011. ABBREVIATIONS.

- 01. APHIS. Animal and Plant Health Inspection Service. (3-15-22)
- 02. CFR. Code of Federal Regulations. (3-15-22)
- 03. CVI. Certificate of Veterinary Inspection. ()
- 04. NASAHO. National Assembly of State Animal Health Officials. ()
- 035. USDA. United States Department of Agriculture. (3-15-22)
- 046. VS. Veterinary Services. (3-15-22)
- 102. -- 103. (RESERVED)

SUBCHAPTER A – ANIMAL INDUSTRY

104. INCORPORATION BY REFERENCE.

The following documents are incorporated by reference and apply only to Subchapter A, Sections 110-460: (3-15-22)

- 01. **Incorporated Documents.** (3-15-22)
 - a. The USDA Pseudorabies Eradication State-Federal-Industry Program Standards, November 1, 2003, which can be viewed online at http://www.aphis.usda.gov/animal_health/animal_diseases/pseudorabies/downloads/program_std.pdf ~~https://www.aphis.usda.gov/sites/default/files/prv_program_standards.pdf~~. (3-15-22)()
 - b. ~~National Poultry Improvement Plan and Auxiliary Provisions, February 12, 2008, which can be viewed online at <http://edocket.access.gpo.gov/2009/E9-7240.htm>.~~ (3-15-22)
 - c. Title 9, Parts ~~145, 146, 147, and~~ 161, CFR, January 1, 2008~~24~~, which can be viewed online at <https://www.govinfo.gov/content/pkg/CFR-2008-title9-vol1/pdf/CFR-2008-title9-vol1-chap1.pdf> ~~<https://www.ecfr.gov/current/title-9/chapter-I/subchapter-J/part-161>~~. (3-15-22)()
 - d. ~~The Compendium of Animal Rabies Prevention and Control, 2008, which can be viewed online at <http://www.nasphv.org/Documents/NASPHVRabiesCompendium.pdf>.~~ (3-15-22)
 - e. ~~Equine Viral Arteritis Uniform Methods and Rules, April 19, 2004, which can be viewed online at <http://www.aphis.usda.gov/vs/nahss/equine/eva/eva-umr.pdf>.~~ (3-15-22)

105. -- 109. (RESERVED)

110. DEFINITIONS.

~~In addition to the definitions found in Idaho Code Sections 25-239 and 25-802,~~ The definitions in Section 110 apply in the interpretation and enforcement of Subchapter A only: (3-15-22)()

- 01. **Accredited Veterinarian.** A veterinarian approved by the Administrator and USDA/APHIS/VS, in accordance with the provisions of Title 9, Part 161, Code of Federal Regulations, ~~to perform functions of State-Federal animal disease control programs.~~ (3-15-22)()
- 02. **Animal.** Any vertebrate member of the animal kingdom, except man. (3-15-22)
- 03. **Approved Pseudorabies Vaccine.** Any pseudorabies vaccine produced under current USDA license and intended for immunizing swine against pseudorabies. (3-15-22)
- 04. **Cachexia.** Weakness and emaciation caused by a serious disease such as tuberculosis or cancer.

- (3-15-22)
- 05. Epithelioma.** Cancer or tumor. (3-15-22)
- 06. Equidae.** Horses, ponies, mules, asses, and zebras. (3-15-22)
- 07. Exposed Livestock.** Any livestock that have been in contact with an animal infected with, or affected by, any contagious, infectious or communicable disease, including all livestock in a known infected herd. (3-15-22)
- 08. Gamebirds.** Domesticated gallinaceous fowl such as pheasants, partridge, quail, grouse, and guineas. (3-15-22)
- 09. Garbage.** Putrescible animal and vegetable waste containing animal parts resulting from the handling, preparation, processing, cooking or consumption of foods. (3-15-22)
- 10. Hatching Eggs.** Fertilized eggs. (3-15-22)
- 11. Herd.** ~~A herd is a~~ Any group of livestock maintained on common ground for any purpose, or two (2) or more groups of livestock under common ownership or supervision, geographically separated, but which have an interchange or movement of animals without regard to whether the animals are infected with or exposed to contagious, infectious, or communicable animal diseases. ~~(3-15-22)~~()
- 12. Infected Livestock.** Any herd of livestock or individual animal determined to be infected with a contagious, infectious, ~~of or~~ communicable disease by an official test or diagnostic procedure, or diagnosed by a veterinarian as infected. ~~(3-15-22)~~()
- 13. Interstate Movement.** Movements of livestock and poultry from Idaho into any other state, territory or the District of Columbia or from any other state, territory or the District of Columbia into Idaho. (3-15-22)
- 14. Intrastate Movement.** Movement of any animal from one location to another location within Idaho. (3-15-22)
- ~~**15. Known Infected Herd.** Any herd in which any livestock has been determined to be infected with contagious, infectious, or communicable diseases by an official test or diagnostic procedure, or diagnosed by a veterinarian as being infected. (3-15-22)~~
- 165. Livestock.** Swine, cattle, sheep, goats, equidae, domestic bison, domestic cervidae, camelids, ratites, and other domestically raised animals. (3-15-22)
- ~~**176. Necrosis.** Death of tissue. (3-15-22)~~
- ~~**187. Negative.** An animal that has been tested with official test procedures and is found to be negative. (3-15-22)~~
- ~~**198. Neoplastic Tissue.** New growth or tissue associated with a tumor. (3-15-22)~~
- ~~**2019. Official Pseudorabies Test.** Any test for the diagnosis of pseudorabies that has been approved by USDA/APHIS and is conducted by a state/federal approved laboratory. (3-15-22)~~
- ~~**240. Orbital Region.** The cavity containing the eye and surrounding bones. (3-15-22)~~
- 221. Positive.** An animal that has been tested and ~~found~~ confirmed positive with official disease test procedures and is considered infected with any contagious, infectious, or communicable disease. ~~(3-15-22)~~()
- ~~**232. Poultry.** Domesticated fowl, including chickens, turkeys, waterfowl, and gamebirds. (3-15-22)~~

243. Pseudorabies. The contagious, infectious, and communicable disease of livestock and other animals also known as Aujeszky's disease, mad itch or infectious paralysis. (3-15-22)

254. Quarantine. A written order, or a verbal order followed by a written order, executed by the Administrator, to confine or hold animals on a premise or any other location, and to prevent movement of animals from a premise or any other location when the Administrator has determined that the animals have been found or are suspected to be exposed to or infected with any contagious, infectious, or communicable disease, or the animals are not in compliance with the provisions of this chapter. (3-15-22)

265. Quarantined Area. The counties, areas, or districts, portions thereof, quarantined by the Division of Animal Industries for specific contagious, infectious, or communicable animal diseases. (3-15-22)

276. Quarantined. Isolation of all animals diseased or exposed thereto, from contact with healthy animals and exclusion of such healthy animals from enclosures or grounds where said diseased or exposed animals are, or have been kept. (3-15-22)

287. Ratites. Large, non-flying birds including, but not limited to ostriches, emus, cassowaries, and rheas. (3-15-22)

~~**29. Registered Veterinarians.** Veterinarians registered with, and approved by, the Division of Animal Industries to collect Trichomoniasis samples for official Trichomoniasis culture testing. (3-15-22)~~

~~**3028. Restrain.** The confinement of livestock, or other animals, in a chute, or other device, for the purpose of efficiently, effectively, and safely inspecting, treating, vaccinating, or testing, as approved by the Administrator. (3-15-22)~~

~~**3429. Stockyards.** A facility where trading in livestock is carried on, where yarding, feeding and watering places are provided by the stockyards or transportation companies, or where livestock associations or similar companies maintain corrals for feeding, shearing, dipping and separating animals. (3-15-22)~~

320. Suppuration. The formation of pus. (3-15-22)

~~**331. Suspect.** An animal that has a response to an official test, but the response is not sufficient to determine confirm the disease status of the animal tested. (3-15-22)()~~

342. Swine. All breeds of domestic porcine and all wild and exotic porcine. (3-15-22)

353. Swine Feedlot. Premises designed and used exclusively for the finish feeding of swine, from which the swine will be moved directly to slaughter. (3-15-22)

364. Waterfowl. Domesticated fowl that normally swim such as ducks and geese. (3-15-22)

~~**37. Wildfowl.** Wild gallinaceous fowl, turkeys, and waterfowl. (3-15-22)~~

111. ABBREVIATIONS.

01. AGID. Agar gel immunodiffusion. (3-15-22)

02. c-ELISA. Competitive Enzyme Linked Immunosorbent Assay. (3-15-22)

03. EIA. Equine Infectious Anemia. (3-15-22)

04. NPIP. National Poultry Improvement Plan. (3-15-22)

112. -- 113. (RESERVED)

114. SAMPLES FOR OFFICIAL REGULATORY TESTS.

No person shall collect samples, in Idaho, for official regulatory tests except: (3-15-22)

01. Accredited Veterinarians. (3-15-22)
02. State or Federal Animal Health Officials. (3-15-22)
03. Persons Approved by the Administrator. (3-15-22)

~~115. QUARANTINE.~~

~~The Administrator and all state and federal animal health officials are authorized to quarantine any animals affected or infected with, or exposed to any contagious, infectious, or communicable disease where such animals are found, or quarantine to a place designated by the Administrator. (3-15-22)~~

~~01. **Written Notice.** The owner or person in charge of the quarantined animals shall be given written notice of the quarantine. (3-15-22)~~

~~02. **Acknowledgment of Quarantine.** A quarantine is valid whether or not it is acknowledged by the signature of the owner or person in charge of the quarantined animals. (3-15-22)~~

~~03. **Disposition of Quarantined Animals.** No quarantined animals shall be moved, treated, or disposed of without the written approval of the Administrator. (3-15-22)~~

~~04. **Hold Order.** A hold order is a form of quarantine that may be used to restrict the movement of animals while the disease status of the animals is being investigated. (3-15-22)~~

116.5 -- 119. (RESERVED)

120. DISINFECTION OF PREMISES, BUILDINGS AND VEHICLES.

The Administrator is authorized to order the cleaning and disinfecting of any ~~barns, sheds, stockyards, railroad cars, ferryboats and other vehicles, feed yards, stable, pens, corrals, lanes and premises~~ facilities, equipment, or vehicles which have been used in confining, trailing handling, or transporting any animals exposed to, affected by, or infected with any contagious, infectious, or communicable diseases. (3-15-22)()

01. **Supervision of Cleaning and Disinfection.** State or federal animal health officials may supervise and/or verify the cleaning and disinfecting of such premises or conveyances. (3-15-22)()

02. **Owner Responsibility.** The owner of such premises or conveyances, is responsible for cleaning and disinfecting when directed to do so by the Administrator. (3-15-22)

~~03. **Moving Contaminated Vehicle.** Any conveyance that has contained cattle, swine or other livestock exposed to, or affected by, any contagious, infectious or communicable disease, may not be moved for any purpose unless the Administrator has approved the movement in writing, prior to the movement occurring. (3-15-22)~~

~~04. **Yards and Other Premises.** Yards and other premises which have contained cattle, swine or other livestock exposed to, or affected by, any contagious, infectious or communicable disease shall not be used in connection with the movement of healthy animals until the said yards and premises have been cleaned and disinfected, under state or federal supervision, as directed by the Administrator. (3-15-22)~~

~~053. **Disinfectants.** Only disinfectants approved by USDA or the Administrator may be used. (3-15-22)~~

121. -- 124. (RESERVED)

~~125. TRANSIT INSPECTION.~~

~~When deemed necessary, movements of animals will be stopped in transit for inspection. If the animals are suspected of being infected with or exposed to any contagious, infectious or communicable disease, all persons having control of the transportation or movement of the animals shall cease the movement of the animals upon receipt of an order~~

~~from state or federal animal health officials.~~

~~(3-15-22)~~

~~126. — 129. (RESERVED)~~

130. SLAUGHTERING OF DISEASED ANIMALS.

01. Authorized by Law. When, in order to prevent the spread of contagious, infectious or communicable disease, it becomes necessary to slaughter any diseased or exposed livestock, the purchase of such livestock by the state is authorized by law, and an appropriation is available therefore, the value of the livestock is ascertained and compensation made therefore in accordance with the rules hereinafter provided. (3-15-22)

02. Not Authorized by Law. When, in order to prevent the spread of or to eradicate any contagious, infectious or communicable disease among any animals of this state, it becomes necessary to slaughter or destroy any diseased or exposed animals, and the purchase of such animals by the state is not authorized, and an appropriation not available therefore, the said animals shall be slaughtered under federal meat inspections rules and regulations, or destroyed and disposed of in accordance with IDAPA 02.04.17, "Rules Governing Dead Animal Movement and Disposal." (3-15-22)

~~131. -- 139. (RESERVED)~~

140. INSPECTION OF ANIMALS.

~~When animals are being inspected by a state or federal animal health official, proper facilities for restraining the animals, and assistance shall be provided by the owner in order that a careful inspection may be made, and state and federal animal health officials shall not be interfered with in any manner. The owner of any animal being inspected shall assist, in any manner required, state or federal health officials and shall not interfere with the inspection.~~

~~(3-15-22)()~~

~~141. -- 144. (RESERVED)~~

145. CERTIFICATES OF VETERINARY INSPECTION.

A physical or electronic copy of ~~certificates~~ CVIs issued by an accredited veterinarian, ~~or a state or federal animal health official covering the movement of livestock~~ shall accompany the livestock to its' destination, ~~and be provided to the receiver of the livestock by the person who delivers the livestock.~~

~~(3-15-22)()~~

01. Copies Approved Certificates. ~~Legible copies of All~~ certificates of veterinary inspection ~~shall be submitted to the Division of Animal Industries~~ must be an electronic CVI approved by the NASAHO and issued by an accredited veterinarian.

~~(3-15-22)()~~

02. Idaho Certificates. ~~Accredited veterinarians in Idaho shall submit legible copies of all certificates that they issue to the Division of Animal Industries within five (5) business days of issuance.~~

~~(3-15-22)~~

~~146. -- 149. (RESERVED)~~

150. STATE AND FEDERAL SEALS.

No person may break, or in any way tamper with, a seal or other device applied to premises or conveyances by state or federal animal health officials, except: (3-15-22)

01. State or Federal Animal Health Officials; or (3-15-22)

02. Persons Designated by the Administrator. (3-15-22)

151. NOTIFICATION OF BROKEN SEALS.

Any person who discovers a state or federal seal that has been broken, tampered with, or is missing shall immediately notify the Administrator. (3-15-22)

152. LIVESTOCK IDENTIFICATION REMOVAL.

No person, except persons authorized by the Administrator, may remove or tamper with any state or federal livestock

identification, including but not limited to: (3-15-22)

01. Official Vaccination Tags. (3-15-22)

02. Official Identification Tags. (3-15-22)

03. Trichomoniasis Tags. (3-15-22)

04. Identification Tattoos. (3-15-22)

153. -- 199. (RESERVED)

200. ARTIFICIAL INSEMINATION.

01. **License Application.** Any person desiring to practice artificial insemination of domestic animals may file an application for a license on an application form furnished by the Administrator and accompanied by a license fee of twenty-five (\$25) dollars. (3-15-22)

~~02. **Training.** Each applicant is required to take a course of training in artificial insemination at the place and time designated by the Administrator. (3-15-22)~~

~~03. **Examination.** Examinations are in writing and focused on the skill of artificial insemination. (3-15-22)~~

~~04. **Passing Examination.** To be granted a license to practice artificial insemination applicants must answer correctly seventy-five percent (75%) of all questions asked. (3-15-22)~~

05. **Temporary License.** Temporary license to practice artificial insemination under the direct supervision of a licensed inseminator or veterinarian may be granted by the administrator, until such time as the next insemination course and examination is given. (3-15-22)

06. **License Expiration.** Licenses expire on the 30th day of June of each year, and all persons holding a license shall renew their license on or before the 1st day of July of each year. (3-15-22)

07. **License Renewal.** Each license renewal is to be addressed to the Administrator and accompanied by a renewal license fee of five dollars (\$5). (3-15-22)

08. **Renewal Delinquency.** Licenses not renewed by the 1st day of October following the date of delinquency are canceled. (3-15-22)

09. **Issuance Denial.** The Administrator may refuse to issue or renew a license pursuant to Section 25-810, Idaho Code. (3-15-22)

201. -- 209. (RESERVED)

210. CANCER EYE - EPITHELIOMA.

Any animal offered for sale and found to be affected with epithelioma of the eye or of the orbital region ~~in which the eye has been destroyed or obscured by neoplastic tissue and which shows extensive infection, suppuration and necrosis, usually accompanied with foul odor, or any animal affected with epithelioma of the eye or the orbital region which, regardless of extent, is accompanied with cachexia shall not be sold for slaughter for human consumption. All such animals~~ shall be humanely euthanized, or disposed of for immediate slaughter directly to: (3-15-22)()

01. Animal Rendering Plants; or (3-15-22)

02. Fur Farms. Fur or mink farm or other establishment as approved by the Administrator. (3-15-22)

211. EPITHELIOMA -- PUBLIC LIVESTOCK MARKETS.

Any animal entering a public livestock market that is affected, as described in Section 210 of this rule, shall be held only in the quarantine pen and sold only there from. (3-15-22)

~~212. -- 219. (RESERVED)~~

~~220. RABIES.~~

~~The Administrator is authorized to develop and implement a plan for rabies control in any portion of this state. (3-15-22)~~

~~01. Reporting. It is hereby made the duty of all persons practicing veterinary medicine in this state, or owners or persons in charge of animals, to report to the Administrator, by telephone, facsimile, or electronic mail, all cases of rabies within forty-eight (48) hours. (3-15-22)~~

~~02. Discharging Authority. State and federal animal health officials are authorized and empowered to: (3-15-22)~~

~~a. Inspect, quarantine, treat, condemn, slaughter and dispose of any animals affected or infected with or exposed to rabies. (3-15-22)~~

~~b. Quarantine, clean and disinfect all premises where such animals have been kept. (3-15-22)~~

~~c. Call upon sheriffs, constables and other peace officers to assist them in the discharge of their duties. (3-15-22)~~

~~221.—229. (RESERVED)~~

~~230. BIOLOGICALS.~~

~~Veterinary serums, vaccines, recombinant vaccines, bacterins, biologic remedies, diagnostic agents, immunoassay agents and diagnostic probes (“biologicals”) used in the treatment or diagnosis of disease of livestock, poultry, domestic animals, fish or fur bearing animals shall not be imported into or sold, distributed, or used within the state of Idaho unless such serum, vaccines, recombinant vaccines, bacterins, biologic remedies, diagnostic agents, immunoassay agents and diagnostic probes biologicals have been produced under a license by the United States Department of Agriculture and the manufacturers shall have a permit issued by the Idaho Department of Agriculture, Division of Animal Industries. (3-15-22)()~~

~~231. -- 239. (RESERVED)~~

~~240. POULTRY AND RATITES.~~

~~Any person producing poultry or ratites for any of the following uses, is required to be in compliance with the NPIP program: (3-15-22)~~

~~01. Sale of Live Birds or Hatching Eggs. The sale of live birds or hatching eggs; or (3-15-22)~~

~~02. Release of Live Birds. Release of live birds, such as hunting clubs, hunting preserves, or dog trials; or the release of live birds into the wild. (3-15-22)~~

~~241. RECORD REQUIREMENTS.~~

~~In addition to meeting the record keeping requirements of the NPIP program, all NPIP participants shall forward a copy of their annual flock qualification test results to the Division of Animal Industries within fifteen (15) days of the completion of testing. (3-15-22)~~

~~242. INSPECTIONS.~~

~~The premises where participants in the NPIP program raise poultry or ratites shall be inspected at least once each calendar year by state or federal animal health officials. (3-15-22)~~

~~01. Scheduling of Inspections. State or federal animal health officials will attempt to notify the NPIP participant prior to any inspection and schedule the annual inspections in advance with the NPIP participant.~~

(3-15-22)

~~02. **Inspecting Records.** During normal business hours, state or federal animal health officials are authorized to inspect, review, and copy any poultry or ratite records deemed necessary to ensure compliance with these rules. State or federal animal health officials will attempt to notify the owner or operator of the premises where records are kept prior to inspecting records.~~ (3-15-22)

243. NPIP CERTIFICATES OF PARTICIPATION.

The Division of Animal Industries will issue NPIP participation certificates annually to the owners of poultry and ratites that meet the following requirements: (3-15-22)

~~01. **Records.** Each NPIP participant must have on file records of their flock qualification testing; and~~ (3-15-22)

~~02. **Inspection Forms.** Each NPIP participant shall have on file a copy of the annual inspection form from the previous year documenting compliance with the NPIP program.~~ (3-15-22)

~~244.—249. (RESERVED)~~

250. EQUIDAE -- EQUINE INFECTIOUS ANEMIA.

Official tests for EIA include the AGID test, the C-ELISA test, and other EIA tests approved by USDA or the Administrator. (3-15-22)

01. Blood Samples. Equine blood samples collected for official EIA tests shall be collected by a state or federal animal health official or an accredited veterinarian who is licensed in the state in which the animal being tested is located. (3-15-22)

02. Official Samples. Official EIA test samples shall be accompanied to the testing laboratory by an official EIA test report on submission form approved by USDA or the Administrator which ~~is recorded the name and address of the owner or person in charge of the animal, the breed, sex, age and~~ includes the physical description and identification of the animal being tested. ~~Identification includes identifying tattoos, brands, color and distinctive markings. The accredited veterinarian or animal health official collecting the EIA test samples shall record the date the samples were collected and affix his signature to the official EIA test report.~~ (3-15-22)()

03. Official Tests. Official EIA tests shall be conducted in a laboratory approved by USDA or the state of Idaho to conduct EIA tests. (3-15-22)

251. EIA IS A REPORTABLE DISEASE.

All laboratories conducting EIA tests on Idaho origin equidae ~~and all veterinarians who diagnose EIA in Idaho equidae~~ shall report positive results of all EIA tests ~~and diagnoses~~ to the Administrator of Animal Industries within twenty-four (24) hours of such test or diagnosis. ~~Negative test results shall be reported within forty eight (48) hours.~~ (3-15-22)()

252. EIA INFECTED ANIMALS.

Any equidae which are positive to an official EIA test are to be declared infected with EIA and designated as an EIA reactor. The Administrator may require or recommend a re-test of EIA reactors in order to confirm infection or identification of the animal. In cases where a confirmatory test is conducted, the final determination of infection will be delayed until the results of the confirmatory test are available. The animal on which a confirmatory test is to be conducted will be placed under an official Hold Order until the results of the confirmatory test are available. (3-15-22)

253. DISPOSITION OF EIA REACTORS.

Equidae found to be infected with EIA shall: (3-15-22)

01. Quarantined. Be quarantined to the premises where the animal was found to be infected, the owner's premises, or another premises that is approved by the Administrator. (3-15-22)

- 02. Duration of Quarantine.** Remain under quarantine until it is: (3-15-22)
- a. Consigned to slaughter at a USDA approved equine slaughter establishment; or (3-15-22)
 - b. Euthanized and buried or incinerated; or (3-15-22)
 - c. Donated to a university or other research facility for use in EIA research projects. (3-15-22)

254. ISOLATION OF EIA REACTORS.

The quarantine premises or area for EIA reactors shall provide no less than two-hundred (200) yards separation from all other equidae. The quarantine area and quarantined animals therein may be monitored periodically by state or federal animal health officials to ensure that provisions of the quarantine are being met. (3-15-22)

255. IDENTIFICATION OF EIA REACTORS.

All equidae found to be infected with EIA shall be identified with an “82 A”, at least two (2) inches high, hot iron or freeze brand on the left neck or left shoulder of the animal. Identification as an EIA reactor shall be accomplished within fifteen (15) days of notification that the animal is infected with EIA. (3-15-22)

256. EXPOSED EQUIDAE.

EIA exposed equidae may include all equidae that are held within two-hundred (200) yards of the location where an EIA reactor is or was maintained. (3-15-22)

01. Hold Order. Exposed equidae shall be placed under a Hold Order until the animals have been tested negative to EIA at least sixty (60) days after the last reactor animal has been removed from the premises. (3-15-22)

02. Movement of Exposed Equids. Individual exposed equids, which have not had a negative sixty (60) day test, may be allowed to move under Hold Order for specific purposes if they have a negative EIA test prior to movement. Such movement shall not be for longer than fifteen (15) days. (3-15-22)

257. EXTENDED VALIDITY EQUINE CERTIFICATES.

~~Provided there is a written agreement between the Administrator and the chief livestock sanitary official of the state of destination, Idaho origin equidae may be moved from Idaho for shows, rides, or other equine events and return to Idaho on an extended validity equine certificate under a state system of equine certification acceptable to the Administrator and the state of destination. The Administrator may authorize the movement of equidae into or out of Idaho on extended validity equine certificates~~ system approved by the Administrator. (3-15-22)()

258. -- 299. (RESERVED)

300. FOREIGN ANIMAL AND REPORTABLE DISEASES.

It is the duty of all persons in Idaho to immediately report to the Administrator ~~immediately, by telephone, facsimile, or electronic mail,~~ any lesions or symptoms resembling any of the foreign animal and reportable diseases listed in Subchapter A, ~~that they may find existing among the~~ if observed in any animals in Idaho. The Administrator may add a foreign animal and reportable disease by issuing an administrative order explaining in writing the reasons for requiring the disease to be reported. (3-15-22)()

301. FOREIGN ANIMAL AND REPORTABLE DISEASES: MULTIPLE SPECIES.

- 01. Anthrax.** (3-15-22)
- 02. Brucellosis.** (3-15-22)
- 03. Foot and Mouth Disease.** (3-15-22)
- 04. Heartwater.** (3-15-22)
- 05. Leishmaniasis.** (3-15-22)

- 06. Plague (*Yersinia pestis*). (3-15-22)
- 07. Pseudorabies. (3-15-22)
- 08. Q Fever (*Coxiella burnetti*). (3-15-22)
- 09. Rabies. (3-15-22)
- 10. Rift Valley Fever. (3-15-22)
- 11. Scabies. (3-15-22)
- 12. Screw Worms. (3-15-22)
- 13. Theileriosis. (3-15-22)
- 14. Trypanosomiasis. (3-15-22)
- 15. Tuberculosis. (3-15-22)
- 16. Tularemia. (3-15-22)
- 17. Vesicular Stomatitis. (3-15-22)
- 302. FOREIGN ANIMAL AND REPORTABLE DISEASES: AVIAN DISEASES.**
- 01. Avian Influenza. (3-15-22)
- 02. Avian Chlamydiosis (*Psittacosis*). (3-15-22)
- 03. Exotic Newcastle Disease. (3-15-22)
- 303. FOREIGN ANIMAL AND REPORTABLE DISEASES: BOVINE DISEASES.**
- 01. Babesiosis. (3-15-22)
- 02. Bovine Brucellosis (*B. abortus*). (3-15-22)
- 03. Bovine Spongiform Encephalopathy. (3-15-22)
- 04. Bovine Tuberculosis. (3-15-22)
- 05. Contagious Bovine Pleuropneumonia. (3-15-22)
- 06. Crimean Congo Hemorrhagic Fever. (3-15-22)
- 07. Lumpy Skin Disease. (3-15-22)
- 08. Malignant Catarrhal Fever (Foreign Type). (3-15-22)
- 09. Rinderpest. (3-15-22)
- 10. Trichomoniasis. (3-15-22)
- 304. FOREIGN ANIMAL AND REPORTABLE DISEASES: CERVIDAE DISEASES.**
- Chronic Wasting Disease is a reportable disease. (3-15-22)

305. FOREIGN ANIMAL AND REPORTABLE DISEASES: EQUINE DISEASES.

- 01. African Horse Sickness. (3-15-22)
- 02. Contagious Equine Metritis. (3-15-22)
- 03. Dourine. (3-15-22)
- 04. Equine Encephalomyelitis (Eastern, Western, Venezuelan). (3-15-22)
- 05. Equine Infectious Anemia. (3-15-22)
- 06. Equine Piroplasmosis (*Babesiosis*). (3-15-22)
- 07. Equine Viral Arteritis. (3-15-22)
- 08. Glanders. (3-15-22)
- 09. Hendra Virus. (3-15-22)
- 10. Japanese Encephalitis. (3-15-22)
- 11. Surra (*Trypanosoma evansi*). (3-15-22)

306. FOREIGN ANIMAL AND REPORTABLE DISEASES: FISH DISEASES.

- 01. Asian Tapeworm of Carp. (3-15-22)
- 02. Oncorhynchus Masou Virus Disease. (3-15-22)
- 03. Spring Viremia of Carp. (3-15-22)
- 04. Viral Hemorrhagic Septicemia. (3-15-22)

307. FOREIGN ANIMAL AND REPORTABLE DISEASES: LAGOMORPH DISEASES.

Rabbit Hemorrhagic Disease is a reportable disease. (3-15-22)

308. FOREIGN ANIMAL AND REPORTABLE DISEASES: SHEEP AND GOAT DISEASES.

- 01. Contagious Caprine Pleuropneumonia. (3-15-22)
- 02. Nairobi Sheep Disease. (3-15-22)
- 03. Ovine Brucellosis (*B. melitensis*). (3-15-22)
- 04. Peste des Petits Ruminants. (3-15-22)
- 05. Scrapie. (3-15-22)
- 06. Sheep and Goat Pox. (3-15-22)

309. FOREIGN ANIMAL AND REPORTABLE DISEASES: SWINE DISEASES.

- 01. African Swine Fever. (3-15-22)
- 02. Classical Swine Fever (Hog Cholera). (3-15-22)

- 03. Enterovirus Encephalitis (Teschen Disease). (3-15-22)
- 04. Nipah Virus Encephalitis. (3-15-22)
- 05. Porcine Brucellosis (*B. suis*). (3-15-22)
- 06. Swine Vesicular Disease. (3-15-22)
- 310. -- 329. (RESERVED)
- 330. NOTIFIABLE DISEASES.
All veterinarians licensed to practice in Idaho shall report any notifiable diseases listed in Subchapter A to the Administrator. The Administrator may add a notifiable disease by issuing an administrative order explaining in writing the reasons for requiring the disease to be reported. (3-15-22)
- 331. NOTIFIABLE DISEASES: MIXED SPECIES DISEASES.
West Nile Virus is a notifiable disease. (3-15-22)
- 332. NOTIFIABLE DISEASES: AVIAN DISEASES.
 - 01. Avian Mycoplasmosis (*M. gallisepticum* and *M. synoviae*). (3-15-22)
 - 02. Fowl Typhoid (*Salmonella gallinarum*). (3-15-22)
 - 03. Pullorum Disease (*Salmonella pullorum*). (3-15-22)
- 333. NOTIFIABLE DISEASES: BOVINE DISEASES.
 - 01. Hemorrhagic Septicemia (*Pasteurella multocida*). (3-15-22)
 - 02. Malignant Catarrhal Fever (Sheep Associated). (3-15-22)
- 334. NOTIFIABLE DISEASES: EQUINE DISEASES.
 - 01. Equine Herpesvirus Myeloencephalopathy. (3-15-22)
 - 02. Equine Rhinopneumonitis. (3-15-22)
- 335. NOTIFIABLE DISEASES: FISH DISEASES.
 - 01. Epizootic Hematopoietic Necrosis. (3-15-22)
 - 02. Infectious Hematopoietic Necrosis. (3-15-22)
 - 03. Whirling Disease. (3-15-22)
- 336. NOTIFIABLE DISEASES: LAGOMORPH DISEASES.
Myxomatosis is a notifiable disease. (3-15-22)
- 337. NOTIFIABLE DISEASES: SHEEP AND GOAT DISEASES.
 - 01. Bluetongue. (3-15-22)
 - 02. Caprine Arthritis/Encephalitis (CAE). (3-15-22)
 - 03. Caseous Lymphadenitis. (3-15-22)

04. Contagious Agalactia (*Mycoplasma spp.*). (3-15-22)
05. Enzootic Abortion (*Chlamydia psittici*). (3-15-22)
06. Footrot. (3-15-22)
07. Haemonchus Contortus (drug-resistant). (3-15-22)
08. Johne's Disease. (3-15-22)
09. Maedi-Visna/Ovine Progressive Pneumonia (OPP). (3-15-22)
10. Ovine Epididymitis (*Brucella ovis*). (3-15-22)
11. Toxoplasma Gondii Abortion. (3-15-22)
12. Vibrionic Abortion (*Campylobacter fetus*). (3-15-22)
338. NOTIFIABLE DISEASES: SWINE DISEASES.
01. Porcine Reproductive and Respiratory Syndrome (PRRS). (3-15-22)
02. Transmissible Gastroenteritis. (3-15-22)
339. -- ~~359.~~ (RESERVED)
- ~~360. ACTINOMYCOSIS (LUMP JAW).~~
- ~~01. Selling Diseased Animal.~~ It is unlawful for any person to knowingly sell, offer for sale, or in any manner transfer ownership to another person any animal infected or affected with the disease known as actinomycosis or lump jaw if the disease shows well marked clinical symptoms, or is in the advanced stage, except for immediate slaughter, and then only in accordance with the meat inspection rules and regulations of the USDA. (3-15-22)
- ~~02. Public Livestock Markets.~~ Animals showing well marked clinical symptoms or in the advanced stage of actinomycosis or lump jaw passing through public livestock markets shall be placed and sold only from quarantine pens. (3-15-22)
- ~~361.—399. (RESERVED)~~
- ~~400. GARBAGE FEEDING.~~
No person shall feed garbage to swine. (3-15-22)
- ~~01. Household Wastes.~~ Private household wastes not removed from the premises where produced is not considered garbage. (3-15-22)
- ~~02. Inspection and Investigation.~~ The Administrator is authorized to enter upon any private or public property for the purpose of inspecting and investigating conditions relating to the feeding of garbage to swine. (3-15-22)
- ~~401.0.~~ PSEUDORABIES -- PROCEDURES FOR CONTROL AND ERADICATION.
- ~~01. Laboratories.~~ Blood, serum, tissues, or other samples are to be tested only by state/federal approved laboratories. (3-15-22)
- ~~02. Supervision.~~ State or federal veterinarians will supervise pseudorabies control and eradication

efforts. (3-15-22)

~~03. Quarantines. Any herd in which any livestock has been determined to be infected with pseudorabies by an official pseudorabies test or diagnosed by a veterinarian as having pseudorabies will be placed under official state quarantine for pseudorabies. (3-15-22)~~

~~01. Sale of Infected Animals. All swine on pseudorabies-infected premises shall be sold for slaughter under permit within fifteen (15) days of diagnosis. (3-15-22)()~~

~~b. Livestock, other than swine, on pseudorabies infected premises shall be confined to the premises for a period of ten (10) days after the swine herd is sold for slaughter. Livestock, other than swine can, under permit, be moved to a separate holding area and be released from quarantine after a period of ten (10) days, if no signs of pseudorabies occur in the animals. (3-15-22)~~

~~402. Pseudorabies Vaccine. No person shall import into Idaho, possess, use, keep, buy, sell, offer for sale, barter, exchange, give away, or otherwise dispose of any pseudorabies vaccine without written permission from the Administrator. (3-15-22)()~~

~~403. VACCINATED SWINE. No person shall import into Idaho any swine that have been vaccinated for Pseudorabies. (3-15-22)~~

~~404.—419. (RESERVED)~~

~~420. ERADICATION METHODS. USDA Program Standards apply to elimination of pseudorabies from a herd. (3-15-22)~~

~~421.—429. (RESERVED)~~

~~403. Identification of Infected and Exposed Swine. All seropositive and infected swine are to be individually identified by placing a reactor ear tag in the left ear of the animal and recording the tag number on all movement documents. Identification shall be accomplished within five (5) days of the date the animals were being reported as positive or infected. All exposed swine removed from the premises of origin are to be administered official identification in the right ear of the animal prior to removal. Individual identification may be waived for swine moving directly to slaughter, on a permit, in a sealed vehicle. (3-15-22)()~~

~~431. IDENTIFICATION OF EXPOSED SWINE. All exposed swine that are removed from the premises of origin shall be individually identified by placing a swine identification tag in the right ear of the animal. The identification number shall be recorded on movement documents. Individual identification may be waived for swine moving directly to slaughter, on a permit, in a sealed vehicle. (3-15-22)~~

~~432.—449. (RESERVED)~~

~~450. QUALIFIED PSEUDORABIES NEGATIVE HERDS. The qualifying method and development of a pseudorabies negative herd shall be accomplished in accordance with the USDA Program Standards for pseudorabies. (3-15-22)~~

~~451.—459. (RESERVED)~~

~~460. CLEANING AND DISINFECTION. All pens, wherein swine are held prior to or after their sale, shall be thoroughly cleaned and disinfected within seventy-two (72) hours following completion of the sale or before the next sale, whichever occurs first. (3-15-22)~~

~~4601. -- 503. (RESERVED)~~

SUBCHAPTER B – ANIMAL HEALTH EMERGENCIES

504. INCORPORATION BY REFERENCE.

The following documents are incorporated by reference and apply only to Subchapter B, Sections 510-591: 9 C.F.R. § 53.2, January 1, 2002, which can be viewed online at <https://www.govinfo.gov/content/pkg/CFR-2002-title9-vol1/pdf/CFR-2002-title9-vol1-sec53-2.pdf>. (3-15-22)

5054. – 509. (RESERVED)

510. DEFINITIONS.

The definitions in Section 510 following apply in the interpretation and enforcement of Subchapter: B only: (3-15-22)()

- 01. Animals.** All vertebrates, except humans. (3-15-22)
- 02. Animal Health Emergency.** The discovery of any disease that could have a devastating impact on livestock, other animals, or people of this state, that requires immediately implementation of prevention, management, control, or eradication measures. ()
- 023. Conveyance.** Any type of vehicle, carrier, kennel, or trailer of any kind used to move or hold animals. (3-15-22)
- 034. Domestic Cervidae.** Elk, fallow deer, and reindeer owned by a person. (3-15-22)
- 045. Emergency Disease.** A disease, agent or parasite that could have a devastating impact on people, animals, or the economy as determined by the Director. (3-15-22)
- 056. Epidemiology.** The study of the distribution and determinants of health-related states or events in specified populations, and the application of this study to control of health problems. (3-15-22)
- 067. Exposed.** Animals that have had contact with other animals, herds, or materials that have been determined to be infected with or affected by any infectious, contagious, or communicable disease. (3-15-22)
- 078. Federal Animal Health Official.** An employee of USDA/APHIS/VS who is authorized to perform animal health activities. (3-15-22)
- 089. Foreign Animal Disease.** A transmissible disease of animals, believed to not exist in the United States and its territories, as determined by USDA that has a potential significant health or economic impact. (3-15-22)
- 109. Infected Zone.** The geographic portion of a quarantine area, which contains all animals known to be infected with or exposed to an emergency disease as designated by the Administrator. (3-15-22)
- 101. Livestock.** Cattle, swine, horses, mules, asses, sheep, goats, domestic cervidae, camelids, and ratites. (3-15-22)
- 142. Operator.** The person who has authority to manage or direct an animal premises or conveyance and the animals thereon. (3-15-22)
- 123. Premises.** The ground area, buildings, corrals, and equipment utilized to keep, hold or maintain animals. (3-15-22)
- 134. Quarantine.** A written order, executed by the Administrator, to confine or hold animals on a premises or any other location, where found, and prevent movement of animals from a premises or any other location when the Administrator has determined that the animals are infected with or exposed to a disease, or are not in compliance with the provisions of this chapter. (3-15-22)
- 145. Quarantine Area.** A geographic designation encompassing one (1) or more premises in one (1) or more counties, and consisting of an infected zone and a surveillance zone as determined by the Administrator.

(3-15-22)

156. State Animal Health Official. The Administrator, or his designee, who is responsible for disease control and eradication programs. (3-15-22)

167. Surveillance Zone. The geographic portion of the quarantine area surrounding the infected zone as designated by the Administrator. (3-15-22)

511. -- 5201. (RESERVED)

~~521. CIRCUMSTANCES OF AN ANIMAL HEALTH EMERGENCY.~~

~~The discovery of any emergency disease, which could have a devastating impact on the livestock, other animals, or people of this state, may constitute an animal health emergency requiring the implementation of prevention, management, control or eradication measures by state animal health officials. (3-15-22)~~

522. DECLARATION OF AN ANIMAL HEALTH EMERGENCY.

The Director is authorized to declare an animal health emergency upon the discovery of: (3-15-22)()

01. Foreign Animal Disease. ~~The discovery of any disease, parasite or agent which has been identified by the USDA/APHIS/VS as a “communicable foreign disease not known to exist in the United States”;~~ ~~or;~~ (3-15-22)()

02. Eradicated Diseases. ~~The discovery of any disease, parasite or agent which is not naturally occurring in or has been eradicated from Idaho, as determined by the Administrator, and which, if introduced into Idaho, would have a devastating impact on the livestock or other animals of the state; or (3-15-22)()~~

03. Specific Diseases. ~~The exposure to or infection of foot and mouth disease, bovine spongiform encephalopathy, chronic wasting disease, other transmissible spongiform encephalopathies, brucellosis, tuberculosis, or any foreign, exotic or emerging disease, as determined by the Administrator. (3-15-22)~~

04. Disease Presence. ~~The presence of any foreign, eradicated, or specific diseases in any state in the United States, any country contiguous to the United States, or any country from which the state of Idaho receives animals or animal products may constitute an emergency. (3-15-22)~~

~~523. QUARANTINE AUTHORITY.~~

~~State or federal animal health officials are authorized to quarantine any animal infected with or exposed to an emergency disease, or any premises, county or area of the state to prevent ingress or egress of animals, people, or vehicles in the event of an emergency disease. (3-15-22)~~

~~5243. UTILIZATION OF VACCINATION IN ANIMAL HEALTH EMERGENCIES.~~

~~The Administrator is authorized to order the strategic use of vaccinations, treatments or other remedies to reduce the risk or spread of emergency diseases. (3-15-22)~~

~~5254. -- 52931. (RESERVED)~~

~~530. QUARANTINE PROCEDURES FOR AN ANIMAL HEALTH EMERGENCY.~~

~~State or federal animal health officials are authorized to place under quarantine any infected animals, exposed animals, and those animals exhibiting signs of an emergency disease. The quarantine may also include susceptible animals not yet exposed. (3-15-22)~~

~~01. Written Notice.~~ ~~Written notice of quarantine will be given to the owner of the animals, or the owner or operator of the premises or conveyance where the animals are found. (3-15-22)~~

~~02. Validity of Quarantine.~~ ~~The quarantine is valid whether or not it is acknowledged by signature of the owner or operator. (3-15-22)~~

~~03. Quarantine Release.~~ ~~The quarantine remains in place until a state or federal animal health official~~

~~releases the quarantine in writing.~~ (3-15-22)

~~**531. QUARANTINE AREA.**~~

~~The Administrator may establish a quarantine area, which includes an infected zone encompassing the infected and exposed animals and premises, and a surveillance zone, based on the locations of said premises and the characteristics and epidemiology of the disease. The quarantine area may include one or more premises, all or part of a county, or all or part of the state.~~ (3-15-22)

532. QUARANTINE AREA SECURITY.

The Administrator may limit access of people and vehicles to the quarantine area. (3-15-22)

533. QUARANTINE AREA BIO-SECURITY.

Bio-security of the quarantine area will be instituted and maintained. (3-15-22)

01. Personnel. People entering or leaving the quarantine area will follow disinfection or decontamination guidelines and procedures established by state or federal animal health officials. (3-15-22)

02. Vehicles and Equipment. Vehicles and equipment moving into or out of the quarantine area will be cleaned and disinfected or decontaminated according to guidelines and procedures established by state or federal animal health officials. (3-15-22)

~~**534. ANIMAL MOVEMENT IN QUARANTINE AREA.**~~

~~Animals shall not be moved into, out of, through, or within the quarantine area except by permit issued by the Administrator.~~ (3-15-22)

~~**535. SALE OF DISEASED OR EXPOSED ANIMALS NOT ALLOWED.**~~

~~Animals infected with, or susceptible animals exposed to, an emergency disease shall not be set free, sold, or in any way transferred to another person without written authorization from the Administrator.~~ (3-15-22)

~~**5364. EXPOSURE OF ANOTHER'S ANIMALS NOT ALLOWED.**~~

~~Animals infected with or exposed to an emergency disease or any disease not known to exist in Idaho shall not be:~~ (3-15-22)

01. Housed. Housed with, or adjacent to, another person's animals that have not been previously exposed or land used for raising such animals; or (3-15-22)

02. Turned Out. Turned out with, or adjacent to, another person's animals that have not been previously exposed or land used for raising such animals. (3-15-22)

~~**5375. MOVEMENT OR SALE OF ANIMAL PRODUCTS.**~~

~~The Administrator may prohibit the movement or sale of products from animals infected with or exposed to an emergency disease.~~ (3-15-22)

~~**5386. -- 53940. (RESERVED)**~~

~~**540. RESTRICTIONS ON ANIMALS FROM AREAS OR STATES AFFECTED BY EMERGENCY DISEASES.**~~

~~The Administrator may impose restrictions on animal movement into Idaho from areas or states affected by an emergency disease as provided in IDAPA 02.04.21, "Rules Governing the Importation of Animals."~~ (3-15-22)

541. ANIMALS IN TRANSIT AT TIME OF DECLARED EMERGENCY.

The Administrator will determine the disposition of animals in transit at the time of the declaration of an animal health emergency. (3-15-22)

~~**542. -- 549. (RESERVED)**~~

~~**550. CONDEMNATION OF INFECTED, EXPOSED, OR SUSCEPTIBLE ANIMALS.**~~

~~The Administrator is authorized to condemn, and order the slaughter, destruction, or other disposition of animals, infected with, exposed to, or susceptible to an emergency disease. (3-15-22)~~

~~551.—559. (RESERVED)~~

~~**560. DEPOPULATION OF ANIMALS.**~~

~~Animals infected with, exposed to, or susceptible to an emergency disease may be depopulated to control and eradicate the disease. (3-15-22)~~

~~**01. Preventive Slaughter or Destruction.** Animals, located within the quarantine area, that are susceptible to an emergency disease may be depopulated to control or eradicate the emergency disease. (3-15-22)~~

~~**02. Scope of Depopulation.** The Administrator will determine the scope of depopulation. (3-15-22)~~

~~**561. METHOD OF DEPOPULATION.**~~

~~The Administrator will determine the method for destruction of animals in quarantine areas. (3-15-22)~~

~~**562. TIME LIMIT FOR DEPOPULATION.**~~

~~The Administrator will determine the time limit for depopulation of condemned animals. (3-15-22)~~

~~563.—569. (RESERVED)~~

570. COMPENSATION FOR APPRAISED ANIMALS.

Owners of condemned animals will be compensated for animals ordered destroyed by the Administrator if the animals are appraised prior to depopulation, and the owner is in compliance with these rules. Compensation may be paid on animals that die or are depopulated before appraisal at the discretion of the Administrator. (3-15-22)

571. COMPENSATION FOR ANIMALS DESTROYED.

State compensation is limited to appraised value less any federal indemnity and salvage value for animals condemned, and slaughtered or otherwise destroyed. (3-15-22)

572. APPRAISAL PROCEDURE FOR ANIMALS DEPOPULATED.

01. Animal Appraisal. Animals to be depopulated shall be appraised by a team of three (3) persons including:

~~**a.** A representative of the Division of Animal Industries; (3-15-22)~~

ba. The owner; and (3-15-22)

eb. A person with experience marketing the species of animal as determined by the Administrator. (3-15-22)

02. Dispute of Appraisal. When the appraisal price is in dispute, the Director may grant a hearing to any person, under such rules as the Department may prescribe which are in compliance with Title 67, Chapter 52, Idaho Code. (3-15-22)

~~**573. TIME LIMIT FOR APPRAISAL.**~~

~~The Administrator will determine the time limit for completing the appraisal. (3-15-22)~~

~~574. -- 579. (RESERVED)~~

580. COMPENSATION FOR LABOR EMPLOYED.

01. Disposal of Animals. The Department may pay actual costs for labor employed for disposal of animals depopulated at the direction of the Administrator. (3-15-22)

02. Cleaning and Disinfection. The Department may pay actual costs for labor employed in the cleaning and disinfection of premises where infected or exposed animals were kept. (3-15-22)

581. COMPENSATION FOR PROPERTY DESTROYED.
The Department will compensate owners for property ordered destroyed by the Administrator. (3-15-22)

01. Property Destroyed Otherwise. The department may compensate owners for property otherwise destroyed as approved by the Administrator. (3-15-22)

02. Actual Value. The Department will pay actual value of property destroyed, as determined by the Administrator, if compensation is paid. (3-15-22)

582. -- 589. (RESERVED)

~~**590. CLEANING AND DISINFECTION OF PREMISES.**
Any premises or area where animals infected with or exposed to an emergency disease were held or kept shall be cleaned, disinfected, or decontaminated under the supervision and at the direction of state or federal animal health officials within the time limit established by the Administrator. (3-15-22)~~

~~**591. CLEANING AND DISINFECTION OF ANIMAL CONVEYANCE.**
Any conveyance used to hold or transport animals infected with or exposed to an emergency disease shall be cleaned, disinfected, or decontaminated under the supervision and at the direction of state or federal animal health officials within the time limit established by the Administrator. (3-15-22)~~

~~**592.—999. (RESERVED)**~~