

TITLE 25
ANIMALS

CHAPTER 36
RATITES

25-3601. RATITES DESIGNATED LIVESTOCK. It shall be lawful for any person, persons, association or corporation to engage in the business of propagating, breeding, owning or controlling domestic ratites, which are defined as cassowary, ostrich, emu and rhea. For the purposes of all classification and administration of the laws of the state of Idaho, and all administrative orders and rules pertaining thereto, the breeding, raising, producing or marketing of such animals or their products by the producer shall be deemed an agricultural pursuit; such animals shall be deemed livestock and their products shall be deemed agricultural products; the persons engaged in such agricultural pursuits shall be deemed farmers, ratite farmers, ratite breeders or ratite ranchers; the premises within which such a pursuit is conducted shall be deemed farms, ratite farms, or ratite ranches.

[(25-3601) 25-3501, added 1994, ch. 72, sec. 1, p. 149; am. and redesignig. 2005, ch. 25, sec. 24, p. 94.]

25-3602. RATITE FARMS PLACED UNDER JURISDICTION OF DEPARTMENT OF AGRICULTURE. The department of agriculture and the administrator of the division of animal industries shall have administrative authority for all functions which affect the breeding, raising, producing, marketing or any other phase of the production or distribution of domestic ratites, or the products thereof.

[(25-3602) 25-3502, added 1994, ch. 72, sec. 1, p. 150; am. and redesignig. 2005, ch. 25, sec. 25, p. 94.]

25-3603. APPLICATION OF LAWS RELATING TO LIVESTOCK AND DOMESTIC ANIMALS. All of the provisions of [chapter 2, title 25](#), Idaho Code, applicable to livestock and domestic animals, except those provisions which by their terms are restricted to swine, bovine animals, dairy or breeding cattle, or range cattle, or other particular kind or kinds of livestock and domestic animals to the exclusion of livestock or domestic animals generally, are applicable to domestic ratite animals.

[(25-3603) 25-3503, added 1994, ch. 72, sec. 1, p. 150; am. and redesignig. 2005, ch. 25, sec. 26, p. 94.]

25-3604. RULES FOR DISEASE PREVENTION. The administrator of the division of animal industries is hereby authorized and empowered to make, promulgate, and enforce general and reasonable rules not inconsistent with law, for the prevention of the introduction or dissemination of diseases among domestic ratite animals of this state, and to otherwise effectuate enforcement of the provisions of [chapter 2, title 25](#), Idaho Code, applicable to domestic ratite animals.

[(25-3604) 25-3504, added 1994, ch. 72, sec. 1, p. 150; am. and redesignig. 2005, ch. 25, sec. 27, p. 94.]

25-3605. INSPECTION OF RATITE FARMS. The division of animal industries and any of its officers shall have the right at any time to inspect any ratite farm, and may go upon such farms or any part thereof to inspect and examine the same and any animals therein.

[(25-3605) 25-3505, added 1994, ch. 72, sec. 1, p. 150; am. and re-desig. 2005, ch. 25, sec. 28, p. 95.]

25-3606. PENALTY FOR VIOLATIONS. Any person, firm or corporation violating any of the provisions of [chapter 2, title 25](#), Idaho Code, applicable to domestic ratite animals, or of the rules promulgated by the division of animal industries for the enforcement thereof, shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) for each offense.

[(25-3606) 25-3506, added 1994, ch. 72, sec. 1, p. 150; am. and re-desig. 2005, ch. 25, sec. 29, p. 95.]

25-3607. PROPERTY RIGHTS IN RATITE ANIMALS. Domestic ratite animals shall be, together with their offspring and increases, the subject of ownership, lien and absolute property rights, in whatever situation, location or condition such animals may thereafter become, or be, and regardless of their remaining in, or escaping from such restraint or captivity.

[(25-3607) 25-3507, added 1994, ch. 72, sec. 1, p. 150; am. and re-desig. 2005, ch. 25, sec. 30, p. 95.]

25-3608. SEVERABILITY. The provisions of this act are hereby declared to be severable and if any provision of this act or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this act.

[(25-3608) 25-3508, added 1994, ch. 72, sec. 1, p. 151; am. and re-desig. 2005, ch. 25, sec. 31, p. 95.]