

January 26, 1929.

By BENSON.

A BILL FOR

An Act to repeal the law as it appears in sections twenty-six hundred sixty-seven (2667), twenty-six hundred eighty-three (2683), twenty-six hundred eighty-four (2684), twenty-six hundred eighty-five (2685), twenty-six hundred ninety-four (2694), twenty-six hundred ninety-five (2695), twenty-six hundred ninety-six (2696), twenty-six hundred ninety-seven (2697) and twenty-six hundred ninety-eight (2698), of the Code of Iowa, 1927, relating to the eradication of bovine tuberculosis; to repeal the law as it appears in sections twenty-six hundred sixty-six (2666), twenty-six hundred seventy-three (2673), twenty-six hundred seventy-four (2674), twenty-six hundred eighty-six (2686), twenty-six hundred ninety-nine (2699), twenty-seven hundred (2700), twenty-seven hundred one (2701), twenty-seven hundred two (2702), twenty-seven hundred three (2703), twenty-seven hundred four (2704), twenty-seven hundred four b one (2704-b1), twenty-seven hundred four b two (2704-b2), twenty-seven hundred four b three (2704-b3), and to enact substitutes therefor relating to the eradication of bovine tuberculosis; to establish the state of Iowa on an accredited area for the eradication of bovine tuberculosis and require the examination of all breeding and dairy cattle therein; to define a modified accredited county; and to prohibit the transportation of dairy or breeding cattle into such county unless accompanied by certificate of entry, and to provide a penalty for the violation thereof.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. That the law as it appears in section twenty-
2 six hundred sixty-seven (2667), section twenty-six hundred
3 eighty-three (2683), section twenty-six hundred eighty-four
4 (2684), section twenty-six hundred eighty-five (2685), section
5 twenty-six hundred ninety-four (2694), section twenty-six
6 hundred ninety-five (2695), section twenty-six hundred ninety-
7 six (2696), section twenty-six hundred ninety-seven (2697).

8 and section twenty-six hundred ninety-eight (2698), of the
9 Code of Iowa, 1927, all in chapter one hundred twenty-nine
10 (129) of said Code, be and the same is hereby repealed.

1 Sec. 2. That the law as it appears in section twenty-six
2 hundred sixty-six (2666) of the Code of Iowa, 1927, be and
3 the same is hereby repealed and the following enacted in lieu
4 thereof:

5 "The state of Iowa is hereby declared to be and is
6 hereby established as an accredited area for the
7 eradication of bovine tuberculosis from the dairy
8 and breeding cattle of the state. It shall be the
9 duty of the department of agriculture to eradicate
10 bovine tuberculosis in all of the counties of the
11 state in the manner provided by law as it appears
12 in chapter one hundred twenty-nine (129) of the
13 Code of Iowa, 1927, as amended. Said department
14 shall proceed with the examination, including the
15 tuberculin test, of all such herds of cattle as
16 rapidly as practicable and as is consistent with
17 efficient work, and as funds are available for
18 paying the indemnities as provided by law.

19 "After the effective date of this act it shall be
20 the duty of each and every owner of dairy or breeding
21 cattle in the state to conform to and abide by the
22 rules laid down by the state and federal departments
23 of agriculture and follow their instructions designed

24 to suppress the disease, prevent its spread, and
25 avoid reinfection of the herd.”

1 Sec. 3. That the law as it appears in section twenty-six
2 hundred eighty-six (2686) of the Code of Iowa, 1927, be and
3 the same is hereby repealed and the following enacted in lieu
4 thereof:

5 “In each county in the state, the board of super-
6 visors shall each year when it makes the levy for
7 taxes, levy a tax sufficient to provide a fund to
8 pay the indemnity and other expenses provided in
9 said chapter one hundred twenty-nine (129), as
10 amended, except as provided therein, but such levy
11 shall not exceed three (3) mills in any year upon
12 the taxable value of all the property in the county.”

1 Sec. 4. That the law as it appears in section twenty-six
2 hundred ninety-nine (2699) of the Code of Iowa, 1927, be and
3 the same is hereby repealed and the following enacted in lieu
4 thereof:

5 “After the effective date of this act every owner
6 of dairy or breeding cattle in the state shall per-
7 mit his cattle to be tested for tuberculosis as pro-
8 vided in chapter one hundred twenty-nine (129), as
9 amended, and shall confine his cattle in a proper place
10 so that the examination and test can be applied. If
11 he refuses to so confine his cattle the department
12 may employ sufficient help to properly confine them

13 and the expense of such help shall be paid by the
14 owner or deducted from the indemnity if any is paid.
15 Such owner shall comply with all the requirements for
16 the establishment and maintenance of a tuberculosis
17 free accredited herd.”

1 Sec. 5. That the law as it appears in section twenty-
2 seven hundred (2700) of the Code of Iowa, 1927, be and the
3 same is hereby repealed, and the following enacted in lieu
4 thereof:

5 “After the effective date of this act any owner
6 of breeding cattle in the state who prevents,
7 hinders, obstructs or refuses to allow a veter-
8 inarian authorized by the department of agri-
9 culture to conduct such tests for tuberculosis
10 on his cattle, shall be deemed guilty of a mis-
11 demeanor and shall be punished by a fine of not
12 more than one hundred dollars (\$100.00), nor less
13 than twenty-five dollars (\$25.00).”

1 Sec. 6. That the law as it appears in section twenty-seven
2 hundred one (2701) of the Code of Iowa, 1927, be and the same
3 is hereby repealed and the following enacted in lieu thereof:

4 “The cattle owned by any owner who violates the
5 provisions of chapter one hundred twenty-nine
6 (129) of the Code of Iowa, 1927, as amended, or
7 which have reacted to the tuberculin test, shall
8 be quarantined by the department until the law

9 is complied with. When such quarantine is
10 established no beef or dairy products shall be
11 sold from cattle under quarantine until the test
12 has been applied or the quarantine released.

13 “The accredited veterinarians appointed under
14 this chapter shall enforce this quarantine and
15 all of the rules of the department of agriculture
16 of the state of Iowa and of the provisions of
17 chapter one hundred twenty-nine (129) of the Code
18 of Iowa, 1927, as amended, and in so doing may
19 call to their assistance any peace officer of the state.”

1 Sec. 7. That the law as it appears in section twenty-seven
2 hundred two (2702) of the Code of Iowa, 1927, be and the same
3 is hereby repealed and the following enacted in lieu thereof:

4 “Before any action commenced under the second
5 preceding section, and upon request of the
6 secretary of agriculture, the Board of Super-
7 visors of any county shall cause such owner to
8 be served with a written notice of the provisions
9 of this chapter, at least fifteen days before the
10 commencement of the action.”

1 Sec. 8. That the law as it appears in section twenty-
2 seven hundred three (2703) of the Code of Iowa, 1927, be and
3 the same is hereby repealed and the following enacted in lieu
4 thereof:

5 “The department shall allot, on or before

6 November first of each year, among the counties
7 of the state in proportion to the number of breed-
8 ing cattle owned in each county as shown by the
9 last assessors' books, the amount of the
10 state funds estimated to be available for
11 the testing of cattle for tuberculosis. The
12 department shall also attempt to secure a
13 similar allotment each year of the available
14 federal funds by the federal department of
15 agriculture.”

1 Sec. 9. That the law as it appears in section twenty-
2 seven hundred four (2704) of the Code of Iowa, 1927, be and
3 the same is hereby repealed and the following enacted in lieu
4 thereof:

5 “The amount of state funds allotted to each
6 county shall be expended therein, but the
7 department, whenever such moneys are not needed
8 in any county, may transfer the same to any
9 other county.”

1 Sec. 10. That the law as it appears in section twenty-
2 seven hundred four b one (2704-b1) of the Code of Iowa, 1927,
3 be and the same is hereby repealed and the following enacted
4 in lieu thereof:

5 “The secretary of agriculture may order a retest
6 of breeding cattle at any time when, in his
7 opinion, it is necessary to do so, and shall, once

8 in three years, order the tuberculin testing of
9 any cattle to conform to and comply with the
10 regulations of the federal bureau of animal
11 industry in any county where the percentage of
12 bovine tuberculosis has been reduced to one-half
13 of one per cent or less, subject to the provisions
14 of this chapter with reference to the disposition
15 or slaughtering of animals found to be reactors
16 when given a tuberculin test. Such county shall
17 be a modified accredited county, and it shall be
18 unlawful for any person to transport any dairy or
19 breeding cattle into such county unless they have
20 been examined for tuberculosis as provided in this
21 chapter. Any person found guilty of violating the
22 provisions of this chapter shall be deemed guilty
23 of a misdemeanor and punished by a fine of not to
24 exceed one hundred dollars (\$100.00) nor less than
25 twenty-five dollars (\$25.00).

1 Sec. 11. That the law as it appears in section twenty-seven
2 hundred four b two (2704-b2) and 2704-b3 of the Code of Iowa, 1927,
3 same is hereby repealed and the following enacted in lieu thereof:
be and the

4 “The board of supervisors shall use whatever tuber-
5 culosis eradication funds may be on hand in said
6 county, and shall levy the tax provided in this act,
7 each year for the purpose of paying the expenses
8 of such testing and the indemnities provided for

9 herein if the state and federal funds are not
10 sufficient to pay the cost thereof and the
11 indemnities for such animals. The township
12 trustees in such county are hereby constituted
13 the animal board of health in their respective
14 townships and they shall by April first of each
15 year and at such other times as they shall deem
16 advisable, make a survey and report to the state
17 department of agriculture all breeding cattle
18 brought into their respective townships from
19 outside of the county.”

20 Sec. 12. That the law as it appears in section twenty-six
21 hundred seventy-three (2673) of the Code of Iowa, 1927, be and
22 the same is hereby repealed and the following enacted in lieu
23 thereof:

24 “No compensation shall be paid to any person for
25 an animal condemned for tuberculosis unless said
26 animal, if produced in, or imported into, the
27 state has been owned by such owner for at least
28 six months prior to condemnation or was raised by
29 such person.”

1 Sec. 13 That the law as it appears in section twenty-six
2 hundred seventy-four (2674) of the Code of Iowa 1927, be
3 repealed and the following enacted in lieu thereof:

4 “The department in making examinations of herds
5 shall give priority to applications by owners

6 for the testing of dairy herds from which are
7 sold, or are offered for sale, in cities and towns,
8 milk or milk products in liquid or condensed form.”

