RA 26-140

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Regulatory Analysis

Notice of Intended Action to be published: 21—Chapter 64
"Infectious and Contagious Diseases"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 163.2A, 165A.3 and 189A.13

State or federal law(s) implemented by the rulemaking: Iowa Code chapters 163 and 189A and 9 CFR Parts 54, 55 and 79

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

July 29, 2026 10 to 11 a.m.	Borlaug Conference Room (H516) Hoover State Office Building Des Moines, Iowa

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Iowa Department of Agriculture and Land Stewardship no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Colin Tadlock
1305 East Walnut Street
Des Moines, Iowa 50319
Email: colin.tadlock@iowaagriculture.gov

Purpose and Summary

The purpose of this proposed rulemaking is to protect Iowa's livestock from infectious, contagious and communicable disease by providing a framework for reporting and responding to animal disease. This rulemaking modernizes the reportable disease list to be consistent with federal reportable diseases. Disease response regulations were updated to the most current version of 9 CFR. This rulemaking ensures rapid detection and response to disease, safeguarding the food supply and protecting the public from zoonotic disease.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

Livestock and companion animal owners will bear the cost of the proposed rulemaking.

- **Classes of persons that will benefit from the proposed rulemaking:**

Livestock owners, companion animal owners and the general public will benefit from the rulemaking because it ensures rapid detection and response to disease, safeguarding the food supply and protecting the public from zoonotic disease.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

Livestock and companion animal owners will bear the cost of complying with required testing and identification of animals. Veterinarians will bear a minimal administrative cost.

- **Qualitative description of impact:**

This proposed rulemaking ensures the health of Iowa's animals and allows for the response to infectious, contagious or communicable diseases.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

The agency will bear the costs for implementing disease response activities.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

Failure to maintain and evolve a comprehensive reportable disease list would allow the spread of disease and a delayed response, impacting Iowa's agricultural economy and resulting in loss of trade. This rulemaking allows for rapid containment of diseases that pose serious threats to Iowa.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

No less costly or intrusive alternatives exist.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

The Department considered reducing the scope of the reportable disease list.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Reducing the reportable disease list would increase the risk for disease to go unreported, allow for the spread of disease, and reduce the Department's agility to respond.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This rulemaking does not have a substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 21—Chapter 64 and adopt the following **new** chapter in lieu thereof:

CHAPTER 64
INFECTIOUS AND CONTAGIOUS DISEASES

21—64.1(163) Reporting disease. Whenever any person or persons who shall have knowledge of the existence of any infectious or contagious disease, such disease affecting the animals within the state or resulting in exposure thereto, which may prove detrimental to the health of the animals within the state, it shall be the duty of such person or persons to report the same in writing to the state veterinarian, animal health division, who shall then take such action as deemed necessary for the suppression and prevention of such disease. The following named diseases are infectious, contagious or communicable, and the diagnosis or suspected diagnosis of any of these diseases, as well as any disease classified by the World Organization for Animal Health and any disease classified by the United States Department of Agriculture (USDA) as a foreign animal disease, in animals must be reported promptly to the Iowa department of agriculture and land stewardship by the veterinarian making the diagnosis or suspected diagnosis.

64.1(1) *Multiple species diseases.*

a. Anthrax (*Bacillus anthracis*).
b. Bluetongue (Serotype 8).
c. Brucellosis.
d. Crimean Congo hemorrhagic fever.
e. Echinococcosis/hydatidosis.
f. Epizootic hemorrhagic disease.
g. Equine encephalomyelitis (Eastern).
h. Foot and mouth disease.
i. Heartwater.
j. Highly pathogenic avian influenza.
k. Japanese encephalitis.
l. Johne's disease (Paratuberculosis, *Mycobacterium avium paratuberculosis*).
m. Leishmaniosis.
n. Leptospirosis.
o. Meliodsosis (*Burkholderia pseudomallei*).
p. Mycobacterium tuberculosis complex (*M. bovis*, *M. caprae*, *M. tuberculosis*).
q. New world screwworm (*Cochliomyia hominivorax*).
r. Old world screwworm (*Chrysomya bezziana*).
s. Infection with orthobunyuaviruses—Simbu serogroup (Akbane virus, Schmallenberg virus).
t. Pseudorabies (Aujeszky's disease).
u. Q fever.
v. Rabies.
w. Rift Valley fever.
x. Rinderpest.
y. SARS-CoV-2.
z. Surra (*Trypanosoma evansi*).
aa. Trichinellosis.
ab. Trypanosomiasis (tsetse-transmitted, *Trypanosoma congolense*, *T. vivax*, *T. brucei*, *T. simiae*).
ac. Tularemia.
ad. Vesicular stomatitis.
ae. West Nile Virus.

64.1(2) *Cattle diseases.*

a. Anaplasmosis (*Anaplasma marginale*, *A. centrale*).
b. Bovine babesiosis (*Babesia bovis*, *B. bigemina*, *B. divergens*).
c. Bovine genital campylobacteriosis (*Campylobacter fetus venerealis*).
d. Bovine spongiform encephalopathy.
e. Bovine viral diarrhea (BVD, mucosal disease).
f. Contagious bovine pleuropneumonia (*Mycoplasma mycoides mycoides*).
g. Enzootic bovine leukosis (BLV).

h. Haemorrhagic septicaemia (*Pasteurella multocisa*, serotypes B/Asian or E/African).
i. Infectious bovine rhinotracheitis/infectious pustular vulvovaginitis (IBR/IPV).
j. Malignant catarrhal fever.
k. Lumpy skin disease.
l. Theileriosis (*Theileria annulata*, *T. orientalis*, *T. pava*).
m. Trichomonosis.

64.1(3) *Swine diseases.*

a. African swine fever.
b. Classical swine fever (hog cholera).
c. Nipah virus.
d. Porcine cysticercosis (*Taenia solium*).
e. Porcine reproductive and respiratory syndrome (PRRS).
f. Swine vesicular disease.
g. Transmissible gastroenteritis.

64.1(4) *Sheep and goat diseases.*

a. Caprine arthritis/encephalitis.
b. Contagious agalactia (*Mycoplasma agalactiae*, *M. Capricolum capricolum*, *M. putrefaciens*, *M. mycoides capri*, *M. mycoides mycoides* LC).
c. Contagious caprine pleuropneumonia (*Mycoplasma capricolum capripneumoniae*).
d. Enzootic abortion of ewes (ovine chlamydiosis, *Chlamydophila abortus*).
e. Maedi-visna/ovine progressive pneumonia.
f. Mange (*Sarcoptes scabiei var ovis*, *Chorioptes bovis*, *Psoroptes ovis*, *P. cuniculi*, *Psoregates ovis*).
g. Nairobi sheep disease.
h. Peste des petits ruminants.
i. Salmonellosis (*Salmonella abortusovis*).
j. Scrapie.
k. Sheep pox and goat pox.
l. Theleriosis (*Theileria lestoquardi*, *T. luwenshuni*, *T. uilenbergi*).

64.1(5) *Equine diseases.*

a. African horse sickness.
b. Contagious equine metritis (CEM, *Taylorella equigenitalis*).
c. Dourine (Trypanosoma equiperdum).
d. Equine infectious anemia (EIA).
e. Equine influenza (virus type A).
f. Equine piroplasmosis (babesiosis, *Theileria equi*, *Babesia caballi*).
g. Equine rhinopneumonitis.
h. Equine viral arteritis.
i. Glanders (*Burkholderia mallei*).
j. Hendra.
k. Pigeon Fever (*Corynebacterium pseudotuberculosis*, ulcerative lymphangitis).
l. Strangles (*Streptococcus equi equi*).
m. Venezuelan equine encephalomyelitis.
n. Western equine encephalomyelitis.

64.1(6) *Avian diseases.*

a. Avian chlamydiosis.
b. Avian infectious bronchitis.
c. Avian infectious laryngotracheitis.
d. Avian metapneumovirus (domestic poultry).
e. Avian mycoplasmosis (*M. gallisepticum*).
f. Avian mycoplasmosis (*M. synoviae*).

g. Duck virus hepatitis (domestic poultry).
h. Fowl cholera.
i. Fowl typhoid (*Salmonella enterica—Gallinarum*).
j. Low pathogenic avian influenza in poultry.
k. Infectious bursal disease (Gumboro disease).
l. Marek's disease.
m. Newcastle disease (domestic poultry).
n. Pullorum disease (*Salmonella enterica—Pullorum*).

64.1(7) *Lagomorph diseases.*

a. Myxomatosis.
b. Rabbit haemorrhagic disease.

64.1(8) *Fish diseases.*

a. Epizootic haematopoietic necrosis (EHN).
b. Epizootic ulcerative syndrome (*Aphanomyces invadans*, EUS).
c. Gyrodactylosis (*Gyrodactylus salaris*).
d. Infection with *Megalocytivirus pargus* 1 (infectious spleen and kidney necrosis virus (ISKNV), turbot reddish body iridovirus (TRBIV), red sea bream iridoviral disease (RSIV)).
e. Infectious salmon anemia (ISA).
f. Infection with salmonid alphavirus (SAV).
g. Koi herpesvirus disease.
h. Spring viraemia of carp (SVC).
i. Viral hemorrhagic septicemia (VHS).

64.1(9) *Mollusk diseases.*

a. Infection with abalone herpes virus.
b. Infection with *Bonamia exitiosa*.
c. Infection with *Bonamia ostreae*.
d. Infection with *Haplosporidian nelsoni* (Hp).
e. Infection with *Marteilia refringens*.
f. Infection with *Mikrocytos mackini*.
g. Infection with Ostreid herpesvirus-1.
h. Infection with *Perkinsus marinus*.
i. Infection with *Perkinsus olseni*.
j. Infection with *Xenohaliotis californiensis*.

64.1(10) *Crustacean diseases.*

a. Acute hepatopancreatic necrosis disease (*Vibrio parahaemolyticus* pVA-1 plasmid).
b. Crayfish plague (*Aphanomyces astaci*).
c. Infection with decapod iridescent virus (DIV1).
d. Infection with *Enterocytozoon hepatopenaei* (EHP).
e. Infectious hypodermal and haematopoietic necrosis (IHHN).
f. Infectious myonecrosis (IMN).
g. Necrotizing hepatopancreatitis (*Hepatobacter penaei* NHP).
h. Taura syndrome (TS).
i. White spot syndrome (WSS).
j. White tail disease (*Macrobrachium rosenbergii* nodovirus).
k. Yellowhead disease (yellow head virus genotype 1).

64.1(11) *Amphibian diseases.*

a. Infection with *Batrachochytrium dendrobatidis* or *B. salamandrivorans* (*Bsal*).
b. Infection with ranavirus (*Ranavirus* species).

64.1(12) *Other diseases.*

a. Camel pox.
b. Chronic wasting disease.

c. Infection of dromedary camels with Middle East Respiratory Syndrome coronavirus (MERS).

Reporting is required for any case or suspicious case of an animal having any disease that may be caused by bioterrorism, epidemic or pandemic disease, or novel or highly fatal infectious agents or biological toxins and that might pose a substantial risk of a significant number of animal fatalities, incidents of acute short-term illness in animals, or incidents of permanent or long-term disability in animals.

This rule is intended to implement Iowa Code sections 163.1, 163.2, 189A.12, 189A.13 and 197.5.

21—64.2(163) Definitions.

"Accredited veterinarian" means the same as defined in rule 21—65.1(163).

"Administrator" means the administrator of the Animal and Plant Health Inspection Service (APHIS) of USDA or any employee of USDA to whom the administrator has delegated authority to act on behalf of the administrator.

"APHIS representative" means an individual employed by USDA APHIS in animal health activities who is authorized by the administrator to perform the functions and duties involved.

"Approved laboratory" means an American Association of Veterinary Laboratory Diagnosticians (AAVLD)-accredited laboratory or the National Veterinary Services Laboratory in Ames, Iowa.

"Certificate of veterinary inspection" or *"CVI"* means the same as defined in 21—65.1(163).

"Certified CWD cervid herd" means a herd of cervids that has been enrolled in the CWD Herd Certification Program and has attained certified status as defined by 9 CFR Part 55 dated February 9, 2022.

"Cervid" means all animals belonging to the family Cervidae.

"Cervid CWD surveillance identification program" or *"CCWDSI program"* means a CWD surveillance program that requires identification and laboratory diagnosis on all deaths of cervids 12 months of age and older, including but not limited to deaths by slaughter, hunting, illness, and injury for at least five years, unless the herd owner purchases or assembles a herd of animals from herds with certified status and concurrently enrolls the resulting herd in a state herd certification program.

"Chronic wasting disease" or *"CWD"* means a transmissible spongiform encephalopathy of cervids.

"Commingle" means to group animals together in a manner that allows them to have physical contact with each other, including contact through a fence, but not limited contact. Commingling includes sharing the same section in a transportation unit where physical contact can occur.

"Department" means the Iowa department of agriculture and land stewardship.

"Designated epidemiologist" means a veterinarian who has demonstrated the knowledge and ability to perform the functions required under these rules and who has been selected by the state veterinarian.

"Directly to slaughter" means movement from a farm to a slaughter establishment as defined in Iowa Code chapter 163, excluding movement through an auction market or livestock dealer's place of business.

"Disease" means any harmful divergence from an animal's normal physiological or structural state that disrupts vital functions and may include but is not limited to bacteria, virus, fungus protozoa, and parasites.

"Exposed" means that an animal has stood on a premises with or been in contact with any animal known to be affected with a contagious, infectious or transmissible disease; been placed in a premises, stable, yard or other enclosure where such diseased animal or animals have been kept unless such premises, stable, yard or other enclosure has been thoroughly cleaned and disinfected after containing animals so affected; or had contact indirectly through fomites, including but not limited to vectors, inanimate objects, people, aerosols, water and feed.

"Flock identification number" or *"flock ID number"* means the unique alphanumeric premises identification number that appears on the official identification issued to a flock; that conforms with

the standards for an epidemiologically distinct premises as outlined in 9 CFR 79.1 dated August 21, 2001; and that is assigned by USDA and approved by the department.

"Foreign animal disease" means an important transmissible disease of animals that is not known to exist in the United States.

"Individual CWD herd plan" means a written herd management and testing plan that is designed by the herd owner; the owner's veterinarian, if requested; and a designated epidemiologist to identify and eradicate CWD from an affected, exposed or adjacent herd.

"Low pathogenic avian influenza" or *"LPAI"* means an infectious, contagious disease of poultry caused by Type A influenza virus. For the purposes of these rules, LPAI shall include only subtypes identified as H5 or H7.

"LPAI affected" means a designation applied to poultry diagnosed as infected with LPAI based on laboratory results, clinical signs or epidemiologic investigation.

"Monitored CWD cervid herd" means a herd of cervids that is in compliance with the CCWDSI program as defined in this rule. Monitored herds are defined as one-year, two-year, three-year, four-year, and five-year monitored herds in accordance with the time in years such herds have been in compliance with the CCWDSI program.

"Official cervid identification" means the same as defined in 21—Chapter 65.

"Official CWD test" means a test approved by the USDA APHIS administrator to diagnose CWD that is conducted at an official laboratory approved by the USDA APHIS administrator.

"Official individual identification" means the same as defined in rule 21—65.1(163).

"Official laboratory" means a USDA-approved, AAVLD-accredited laboratory or the National Veterinary Services Laboratory in Ames, Iowa.

"Owner" means a person, partnership, company or corporation or any other legal entity that has legal or rightful title to animals.

"Owner statement" means a statement signed by an owner certifying that the sexually intact animals are not scrapie-positive, suspect, high-risk or exposed and that they did not originate from an infected, source, exposed or noncompliant flock.

"Permit" means an official document for movement of affected or exposed animals that is issued by the state veterinarian, or USDA Area Veterinarian-in-Charge, or designee.

"Premises" means a parcel of land, ground, an area, buildings, enclosures or facilities sufficient to house animals.

"Poultry" means the same as defined in rule 21—65.1(163).

"Poultry flock" means a group of poultry, generally of the same age, that are hatched, housed, managed and sold together as one unit.

"Quarantine" means the perfect isolation of all diseased or suspected animals from contact with other animals as well as the exclusion of other animals from the premises, yards, stables, enclosures or grounds where suspected or diseased animals are or have been kept. Movement of animals or animal products is strictly prohibited without specific written permission.

"Scrapie" means a nonfebrile, transmissible, insidious degenerative disease affecting the central nervous system of sheep and goats.

"Scrapie eradication program" means the cooperative state-federal-industry program administered by USDA APHIS and states to control and eradicate scrapie.

"Scrapie flock certification program" or *"SFCP"* means a voluntary state-federal-industry cooperative program established and maintained to reduce the occurrence and spread of scrapie, to identify flocks that have been free of evidence of scrapie over specified time periods, and to contribute to the eventual eradication of scrapie. This program was formerly known as the voluntary scrapie flock certification program.

"Scrapie flock plan" means the same as "postexposure management and monitoring plan" or "PEMMP" as described in 9 CFR 54.8 dated August 21, 2001.

"Sheep or goat flock" means a group of sheep or goats, or a mixture of both species, residing on the same premises or under common ownership or supervision on two or more premises with animal

interchange between the premises. Changes in ownership of part or all of a flock do not change the identity of the flock or the regulatory requirements applicable to the flock.

"Slaughter" or *"disposal"* means the removal or depopulation of the poultry flock.

"Source flock" means a flock in which a department or USDA APHIS representative has determined that at least one animal was born that was diagnosed as a scrapie-positive animal at an age of 72 months or less.

"State" means any state of the United States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, or Guam.

"Trace" means all actions required to identify the origin or destination of an animal.

"Traceback" means the process of identifying the herd of origin of CCWDSI-positive animals, including herds that were sold for slaughter.

21—64.3(163) Disease prevention and suppression. Whenever the chief of the division of animal industry shall have knowledge of an outbreak of any contagious, infectious or communicable disease among domestic animals in the state, the chief of the division of animal industry shall take such action as necessary for the prevention and suppression of such disease, including establishment, enforcement and maintenance of quarantines. The chief of the division of animal industry is authorized and empowered to obtain the assistance of any peace officer.

This rule is intended to implement Iowa Code sections 163.1 and 163.10.

21—64.4(163) Sale of vaccine. No attenuated or live culture vaccine or virus shall be sold or offered for sale at retail except to a licensed veterinarian of this state, nor shall it be administered to any livestock or poultry, except by or under the supervision of a licensed veterinarian of the state of Iowa.

This rule is intended to implement Iowa Code section 163.1.

21—64.5(163) Chiefs of Iowa and U.S. animal industries to cooperate. The department hereby authorizes and directs the chief of the division of animal industry to cooperate with USDA in all regulations for the prevention, control and eradication of contagious and infectious diseases among domestic animals in the state of Iowa.

This rule is intended to implement Iowa Code section 163.1.

21—64.6(163) Animal blood or tissue sample collection. Any animal slaughtered in Iowa is subject to having blood or tissue samples taken in order to determine whether the animal is infected with an infectious, contagious or communicable disease. Upon written notification from the department or USDA, the management of a slaughter facility shall provide for or permit the collection of blood or tissue samples for testing from any animal confined at or being slaughtered at such a facility. If the department or USDA chooses to place government employees or private contractors in the facility for the purpose of collecting the blood or tissue samples, neither the facility nor the management of the facility shall charge a fee for providing such access. In addition, the slaughter facility shall provide blood or tissue collectors access to facilities routinely available to plant employees such as restrooms, lockers, break rooms, lunchrooms, and storage facilities to facilitate blood or tissue collection in the same manner and on the same terms as the facility provides access to the facility to meat inspectors employed by the department or the Food Safety Inspection Service of USDA.

GLANDERS AND FARCY CONTROL

21—64.7(163) Preventing spread of glanders. No person owning or having the care or custody of any animal affected with glanders or farcy, or that there is a reason to believe is affected with said disease, shall lead, drive or permit such animal to go on or over any public grounds, unenclosed lands, street, road, public highway, lane or alley; permit such animal to drink at any public watering trough, pail or spring; or keep such diseased animal in any enclosure in or from which such diseased animal may come in contact with, or in proximity to, any animal not affected with such disease.

This rule is intended to implement Iowa Code section 163.20.

21—64.8(163) Disposal of diseased animal. Whenever any animal affected with glanders dies or is destroyed, the carcass of such animal shall be disposed of as determined by the department. Because glanders is transmissible to human beings, great care must be exercised in handling diseased animals or carcasses.

This rule is intended to implement Iowa Code section 163.1.

21—64.9(163) Glanders quarantine. It shall be the duty of the chief of the division of animal industry to maintain quarantine on all animals affected with glanders until such animals have been destroyed by consent of the owner or otherwise, carcasses have been disposed of in accordance with rule 21—64.8(163), and the premises where the same have been kept have been thoroughly cleaned and disinfected.

This rule is intended to implement Iowa Code sections 163.1 and 163.2.

RABIES CONTROL

21—64.10(163) Rabies—exposed animals. Whenever rabies is known to exist in any community, it shall be the duty of all owners of exposed animals to immediately confine animals securely to prevent them from spreading the infection should they develop the disease.

This rule is intended to implement Iowa Code sections 163.1 and 351.39.

21—64.11(163) Rabies quarantine. When quarantine is established in any community on account of the existence of rabies, all dogs not confined or muzzled shall be promptly destroyed.

This rule is intended to implement Iowa Code sections 163.1 and 351.40.

21—64.12(351) Control and prevention of rabies.

64.12(1) *Antirabies vaccine.* Vaccines and immunization procedures recommended in the Compendium of Animal Rabies Prevention and Control prepared by the National Association of Public Health Veterinarians (NASPHV), Inc., 2016 edition, are approved by the department.

64.12(2) *Tag and certificate.*

a. A veterinarian shall issue a tag with the numerical number thereon, and the certificate of vaccination shall designate the tag number.

b. Each rabies vaccination certificate issued by the veterinarian must be the NASPHV Form #51, Rabies Vaccination Certificate, which can be obtained from vaccine manufacturers or the NASPHV website (www.nasphv.org). The form must be completed in full and signed by the administering or supervising veterinarian. Computer-generated forms containing the same information are acceptable.

This rule is intended to implement Iowa Code sections 351.35 and 163.1.

BRUCELLOSIS

21—64.13(163) Certified brucellosis-free herd. In order to qualify a herd of cattle as brucellosis-free and receive a certificate evidencing the same, the owner thereof shall comply with the following requirements:

64.13(1) *Certified brucellosis-free herd.* A herd may qualify for initial certification by a minimum of four consecutive negative brucellosis ring tests (BRTs) conducted at not less than 90-day intervals; or at least two consecutive negative blood tests not less than 10 months nor more than 14 months apart. A herd may qualify for recertification by a negative blood test within 10 to 12 months of each anniversary date, and the certification period being 12 months. If recertification is not conducted within 60 days following the anniversary date, then certification may be reinstated if a herd blood test is conducted within 14 months of the last certificate date.

a. One of the following methods may be used to qualify a herd as certified brucellosis-free:

(1) Conducting at least two consecutive negative herd blood tests not less than 10 months nor more than 14 months apart, or

(2) For dairy cattle, conducting a minimum of four consecutive negative BRTs, or other brucellosis milk test approved by the USDA APHIS administrator, not less than 90 days after the last negative BRT or other official brucellosis milk test approved by the USDA APHIS administrator.

b. Certification will remain in effect for one year beginning with the date of issuance of the certified brucellosis-free herd certificate. One of the following methods may be used to maintain certification:

(1) A negative herd blood test conducted within 10 to 12 months of the last certification date for continuous status. Lapsed certification may be reinstated if a herd blood test is conducted within 14 months of the last certificate date. A new certification test date may be established by the owner and if the herd is negative to a herd blood test on that date, provided that the date is within one year of the previous certification date; or

(2) For dairy cattle, a minimum of four consecutive negative BRTs, or other official brucellosis milk test approved by the USDA APHIS administrator, must be conducted at approximately 90-day intervals, with the fourth test conducted within 60 days before the one-year anniversary of the previous certification date.

64.13(2) *Additions to certified herds.*

a. Movement of cattle or bison into a certified brucellosis-free herd must meet the state of Iowa import requirements for cattle or bison as prescribed in 21—Chapter 65.

b. Cattle or bison from a certified brucellosis-free herd, area or state do not need to be tested prior to movement. However, they must be tested within 60 to 120 days after being added in order to qualify for certified brucellosis-free status for sale purposes.

64.13(3) *Request for certification or recertification.* The owner or veterinarian shall make a request to the chief of the division of animal industry for certification or recertification for a brucellosis-free herd when the required tests are completed.

This rule is intended to implement Iowa Code section 164.4.

21—64.14(163) Restraining animals. To facilitate the vaccination, the taking of a blood sample or identifying animals as reactors, it shall be the duty of the owner to confine the animals in a suitable enclosure and to restrain the individual animal in a manner sufficient to permit the veterinarian to perform any of the services required under laws and rules of Iowa.

This rule is intended to implement Iowa Code section 164.4.

21—64.15(163) Quarantines.

64.15(1) Bovine animals classified as reactors shall be quarantined on the premises and not permitted to mingle with other cattle until disposed of for slaughter under a permit issued by the department or its authorized agent.

64.15(2) All bovine animals comprising a herd operating under an individual herd plan shall be quarantined when one of the herd's members has been classified as a reactor, and such quarantine is to remain in effect until three consecutive negative herd blood tests have been made, with the first negative herd blood test occurring 30 to 60 days after all reactors have been removed from the herd and slaughtered. The second of these tests must occur 180 to 210 days after all reactors have been removed from the herd and slaughtered. The third test (releasing test) must occur 365 days or more after all reactors have been removed and slaughtered. The releasing test must include all intact cattle, bison, or both over six months of age. No animals of such a herd may be moved or sold except to slaughter under a permit issued by the department or its authorized agent except that the department in hardship cases may permit the movement of such animals other than to slaughter with quarantines remaining in effect at the new location, together with any new animals with which they may commingle.

64.15(3) Owners of animals tested for brucellosis shall hold the entire herd on the premises until the results of the test are determined.

64.15(4) Notice of quarantine shall be delivered in writing by the department or its authorized agent to the owner or caretaker of all cattle quarantined.

This rule is intended to implement Iowa Code sections 164.15 and 164.19.

21—64.16(163) Identification of bovine animals.

64.16(1) *Identification tag.* Every veterinarian, in conjunction with the testing of any bovine animal for brucellosis or the vaccination of any such animal, shall insert an electronic identification tag of the type approved by the department in the right ear of each animal that is not so identified, provided that in the case of an animal registered with a purebred association, the registry or tattoo number assigned to the animal by such association may be used for identification in lieu of an identification tag. Identification must be recorded on the brucellosis test record.

64.16(2) *Official vaccinates.* An animal vaccinated with RB-51 brucella abortus vaccine must have an official electronic identification tag in the right ear or an individual animal registration tattoo. Additionally, the animal must be tattooed in the right ear with the U.S. Registered Shield and the letter "V," which shall be preceded by a letter "R" and followed by a number corresponding to the last digit of the year in which the animal was vaccinated. All vaccinations must be reported at the time of vaccination by submitting the USDA APHIS VS 1-24 or VS 1-26 or comparable form to the department.

64.16(3) *Reactor identification.* Bovine-reactor cattle shall be permanently branded with a hot iron on the tailhead over the fourth to the seventh coccygeal vertebrae with the letter "B" that is at least two inches by two inches, and shall also be tagged in the left ear with a reactor identification tag approved by the department within 15 days of the date of testing.

This rule is intended to implement Iowa Code sections 164.11 and 164.12.

21—64.17(163) Cleaning and disinfection. After any disclosure of reactors to the brucellosis test and following their disposal for slaughter, the owner of such cattle shall be required to clean and disinfect all barns and premises in which said cattle have been held. Such cleaning and disinfection shall be done in accordance with instructions and with a disinfectant approved by the department.

This rule is intended to implement Iowa Code section 163.1.

21—64.18(163) Disposal of reactors.

64.18(1) Reactor cattle disclosed in herds operating under an individual herd plan shall be tagged and branded within 15 days of the date the blood samples were taken. In accordance with Iowa law, an additional 30 days will be allowed for slaughter.

64.18(2) All reactors shall be disposed of for slaughter only in plants operating under federal meat inspection or slaughtering establishment approved by the department and must be accompanied by a shipping permit USDA APHIS VS 1-27 issued by an accredited veterinarian.

64.18(3) No cattle shall be disposed of through public sales or sales barns.

This rule is intended to implement Iowa Code section 164.17.

21—64.19(163) Brucellosis tests and reports. "Brucellosis test" means the blood serum test for brucellosis, applied in accordance with a technique approved by the department.

64.19(1) All brucellosis tests conducted at state-federal expense must be performed at a state-federal laboratory as determined by the department.

64.19(2) Testing shall be conducted by a licensed and accredited veterinarian.

64.19(3) All brucellosis tests conducted by a veterinarian must be reported to the department, on forms prescribed, within seven days following completion of such tests. A copy of such tests shall also be given to the herd owner by the veterinarian.

64.19(4) Reports of vaccination shall be rendered by the veterinarian within 30 days in compliance with the regulation.

This rule is intended to implement Iowa Code section 164.10.

21—64.20(163) Suspect animals designated as reactors. A nonvaccinated animal classified as a suspect on the brucellosis test may be reclassified as a reactor by the veterinarian obtaining the blood sample provided that such an animal is known to have aborted and is from a herd containing reactors.

ERADICATION OF BOVINE TUBERCULOSIS

21—64.21(163) Tuberculosis tests classified. Tuberculosis tests adopted by the department are:

64.21(1) Cervical tuberculin test (CFT).

64.21(2) Comparative cervical tuberculin (CCT).

64.21(3) Bovine interferon gamma for cattle.

64.21(4) Single cervical tuberculin (SCT) test for cervids.

64.21(5) Dual Path Platform VetTB Assay (DPP) test for cervids.

21—64.22(163) Acceptance of bovine tuberculosis tests. The CFT will be accepted provided it has been applied by a regularly employed state or federal veterinarian, by an accredited veterinarian or by an approved veterinarian when endorsed by the authorities of the state of origin, provided the observations be made at the seventy-second hour. CCT or bovine interferon gamma will be accepted provided it has been applied by a regularly employed state or federal veterinarian.

This rule is intended to implement Iowa Code section 164.4.

21—64.23(163) Ear tags. All cattle tested for tuberculosis must be identified by an official electronic identification attached to the right ear.

21—64.24(163) Tuberculin reactors. All cattle that react to the tuberculin test, as well as those which show physical evidence of tuberculosis, shall be marked for identification by branding with the letter "T" not less than two or more than three inches high on the hip near the tailhead, and to the left ear shall be attached a metal tag bearing a serial number and the inscription "REACTOR".

This rule is intended to implement Iowa Code section 165.4.

21—64.25(163) Reporting of tests. Reporting of tests must conform with 9 CFR 77.33(d) dated October 23, 2000.

This rule is intended to implement Iowa Code sections 163.1 and 164.4.

21—64.26(163) Slaughtering reactors.

64.26(1) Reactors to the tuberculin test must be brought directly to slaughter at a slaughtering establishment having federal inspection under a permit.

64.26(2) When it is found on slaughter that animals are affected with tuberculosis, the chief of the division of animal industry may order an immediate investigation and, if deemed advisable, have all cattle on the premises from which the tubercular animals originated tested for tuberculosis.

21—64.27(163) Agriculture tuberculin rules. The rules adopted by the department governing the establishment of tuberculosis-free accredited herds and accredited areas or units in Iowa will be applied to such herds and to areas or units in cooperation with USDA APHIS.

This rule is intended to implement Iowa Code section 165.12.

21—64.28(163) Tuberculosis-free accredited herd. A herd that has passed at least two consecutive official tuberculosis tests of all eligible animals conducted at 9- to 15-month intervals, has no evidence of exposure to bovine tuberculosis and meets the standards of the USDA APHIS Uniform Methods and Rules for Bovine Tuberculosis Eradication dated January 1, 2003, shall be a tuberculosis-free accredited herd.

This rule is intended to implement Iowa Code section 165.12.

21—64.29(163) Recertification. Accredited herd status is maintained through biennial herd testing during a period of three months prior to the anniversary date to three months following the anniversary date. If the reaccreditation test is conducted following the anniversary date, the accredited status of the herd will be suspended until the reaccreditation test is completed.

This rule is intended to implement Iowa Code section 165.32.

21—64.30(163) Supplemental diagnostic testing. Cattle and bison shall not be subjected to a CFT retest at an interval of less than 60 days. The CCT injection must occur either (1) within 10 days following the CFT injection or (2) more than 60 days following the CFT injection. This test shall be administered only by a state or federal veterinarian specifically trained in the application of the test. Bovine interferon gamma assay can be used either (1) in parallel with CCT testing, (2) as a replacement for CCT test for retesting CFT test suspect or (3) in parallel with the CFT test or CCT test in affected herds.

This rule is intended to implement Iowa Code sections 163.1, 165.10, 165.13 and 165.26.

21—64.31(163) Milk. All milk and other dairy products fed to calves shall be pasteurized by a pasteurization method described in 9 CFR 58.101 dated December 31, 1981.

This rule is intended to implement Iowa Code section 163.1.

21—64.32(163) Sanitary measures. All reasonable sanitary measures and other recommendations by the state and federal authorities for the control of tuberculosis shall be complied with.

This rule is intended to implement Iowa Code section 163.1.

21—64.33(163) Reactors—removal. All cattle that react to the tuberculin test are required to be immediately isolated from other cattle.

21—64.34(163) Certificate. Strict compliance with these methods and rules shall entitle the owner of tuberculosis-free herds to a certificate, "TUBERCULOSIS-FREE ACCREDITED HERD", to be issued by USDA APHIS and the division of animal industry of the department. Said certificate shall be good for one year from date of test unless revoked at an earlier date.

This rule is intended to implement Iowa Code section 165.12.

21—64.35(163) Violation of certificate. Failure on the part of the owners to comply with these methods and rules shall be considered sufficient cause for immediate cancellation of the cooperative agreement with them by the state and federal officials.

This rule is intended to implement Iowa Code section 165.12.

21—64.36(163) Tuberculin—administration. In accordance with the provisions of Iowa Code chapter 165, the department shall have control of the sale, distribution and use of all tuberculin used in the state and shall formulate regulations for its distribution and use. Only licensed accredited veterinarians shall be entitled to administer tuberculin to any animal included within the scope of this chapter.

This rule is intended to implement Iowa Code section 165.13.

21—64.37(163) Sale of tuberculin. No person, firm or corporation shall sell or distribute tuberculin to any person or persons in the state of Iowa except to licensed and accredited veterinarians.

This rule is intended to implement Iowa Code section 165.12.

21—64.38(165) Fee schedule.

64.38(1) *Injection.* Thirty dollars per stop (herd) and two dollars per head.

64.38(2) *Reading.* Thirty dollars per stop (herd) and two dollars per head.

64.38(3) *Tagging and branding reactors.* Five dollars for the first reactor and three dollars for each additional reactor.

21—64.39(163) Supervision of the cervid CWD surveillance identification program. The state veterinarian's office will conduct an annual inventory of cervids in a herd enrolled in the CCWDSI program.

21—64.40(163) Surveillance procedures. For cervid herds enrolled in this voluntary certification program, surveillance procedures shall include the following.

64.40(1) *Slaughter establishments.* All slaughtered cervids 12 months of age and older must have brain tissue submitted at slaughter and examined for CWD by an official laboratory. This brain tissue sample will be obtained by a state or federal meat inspector or accredited veterinarian on the premises at the time of slaughter.

64.40(2) *Cervid herds.* All cervid herds must be under continuous surveillance for CWD as defined in the CCWDSI program.

64.40(3) *Identification.* All cervid animals must receive identification before 12 months of age and be identified with two forms of official cervid identification as defined in 21—Chapter 65.

21—64.41(163) Official CWD tests.

64.41(1) The following are recognized as official cervid tests for CWD:

a. Histopathology.

b. Immunohistochemistry.

c. Western blot.

d. Enzyme-linked immunosorbent assay (ELISA).

e. Any other tests performed by an official laboratory to confirm a diagnosis of CWD.

64.41(2) A copy of official laboratory reports shall be maintained by the owner for purposes of completion of the annual inventory examination for recertification. Such diagnosis shall include examination of brain and any other tissue as directed by the state veterinarian. If there are deaths for which tissues were not submitted for laboratory diagnosis due to postmortem changes or unavailability, the department shall determine compliance.

21—64.42(163) Investigation of CWD affected animals identified through surveillance. Traceback must be performed for all animals diagnosed at an official laboratory as affected with CWD. All herds of origin and all adjacent herds having contact with affected animals as determined by the CCWDSI program must be investigated epidemiologically. All herds of origin, adjacent herds, and herds having contact with affected animals or exposed animals must be quarantined. The department will investigate CWD suspect herds.

21—64.43(163) Duration of quarantine. Quarantines placed in accordance with these rules must maintain compliance with rules 21—64.39(163) through 21—64.52(163). Quarantines maintaining compliance shall be removed after five years from the date of the last CWD detected test or after all animals have died or been depopulated and have been tested without the detection of CWD.

21—64.44(163) Individual CWD herd plan. The herd owner; the owner's veterinarian, if requested; and the epidemiologist shall develop a plan for eradicating CWD in each affected herd. The plan must be designed to reduce and then eliminate CWD from the herd, to prevent spread of the disease to other herds, and to prevent reintroduction of CWD after the herd becomes a certified CWD cervid herd. Animals that die, are depopulated, or are otherwise killed must be tested for CWD. The herd plan must be developed and signed within 60 days after the determination that the herd is affected. The plan must address herd management and adhere to rules 21—64.39(163) through 21—64.52(163). The plan must be formalized as a memorandum of agreement between the owner and program

officials, must be approved by the state veterinarian, and must include plans to obtain certified CWD cervid herd status. No movement restrictions may be removed prior to formalization of the agreement.

21—64.45(163) Identification and disposal requirements. Affected and exposed animals must remain on the premises where they are found until they are identified and disposed of in accordance with direction from the state veterinarian. The department and the Iowa department of natural resources shall approve disposal issues of affected and exposed animals including manner and site.

21—64.46(163) Cleaning and disinfecting. Premises must be cleaned and disinfected under state supervision within 15 days after affected animals have been removed.

21—64.47(163) Methods for obtaining certified CWD cervid herd status. Certified CWD cervid herd status must include all cervids under common ownership. The animals that are part of a certified herd cannot be commingled with other cervids that are not certified, and a minimum geographic separation of 30 feet between herds of different status must be maintained in accordance with the USDA Chronic Wasting Disease Program Standards dated May 2019. The escape, disappearance or death of any cervid shall be promptly reported along with identification numbers and estimated time of escape, disappearance or death. Tissue samples shall be available. A herd may qualify for status as a certified CWD cervid herd by one of the following means:

64.47(1) Purchasing a certified CWD cervid herd. Upon request and with proof of purchase, the department shall issue a new certificate in the new owner's name. The anniversary date and herd status for the purchased animals shall be the same as for the herd to which the animals are added, or if part or all of the purchased herd is moved directly to premises that have no other cervids, the herd may retain the certified CWD status of the herd of origin. The anniversary date of the new herd is the date of the most recent herd certification status certificate.

64.47(2) Upon request and with proof by records, a herd owner shall be issued a certified CWD cervid herd certificate by complying with the CCWDSI program for a period of five years.

21—64.48(163) Recertification of CWD cervid herds. A herd is certified for 12 months. Annual inventories conducted by the department, a licensed and accredited veterinarian, or authorized state or federal personnel are required every 9 to 15 months from the anniversary date. A complete physical herd inventory will be completed by the department, a licensed and accredited veterinarian, or authorized federal personnel every three years. For continuous certification, adherence to the provisions in these rules and all other state laws and rules pertaining to raising cervids is required. A herd's certification status is immediately terminated and a herd investigation shall be initiated if CWD affected or exposed animals are determined to originate from that herd.

21—64.49(163) Movement into a certified CWD cervid herd.

64.49(1) Animals originating from certified CWD cervid herds may move into another certified CWD cervid herd with no change in the status of the herd of destination.

64.49(2) The movement of animals originating from noncertified or lesser status herds into certified CWD cervid herds will result in the redesignation of the herd of destination to the lesser status.

21—64.50(163) Movement into a monitored CWD cervid herd.

64.50(1) Animals originating from a monitored CWD cervid herd may move into another monitored CWD cervid herd of the same status.

64.50(2) The movement of animals originating from a herd that is not a monitored CWD cervid herd or from a lower status monitored CWD cervid herd will result in the redesignation of the herd of destination to the lesser status.

21—64.51(163) Recognition of monitored CWD cervid herds. The state veterinarian shall issue a monitored CWD cervid herd certificate, including CWD monitored herd status as CWD monitored Level 1 during the first calendar year, CWD monitored Level 2 during the second calendar year, CWD monitored Level 3 during the third calendar year, CWD monitored Level 4 during the fourth calendar year, CWD monitored Level 5 during the fifth calendar year, and CWD certification at the completion of the fifth year and thereafter so long as program standards are met.

21—64.52(163) Recognition of certified CWD cervid herds. The state veterinarian shall issue a certified CWD cervid herd certificate when the herd first qualifies for certification. The state veterinarian shall issue a renewal form annually so long as program standards are met.

PARATUBERCULOSIS (JOHNE'S) DISEASE CONTROL IN CATTLE

21—64.53(165A) Supervision of the Johne's disease program. The state veterinarian's office will provide supervision for the Johne's disease program.

21—64.54(165A) Official Johne's disease tests. Official tests include but are not limited to:

1. Fecal and tissue culture.
2. Direct fecal polymerase chain reaction (PCR).
3. Histology of tissue.

21—64.55(165A) Herd plan. The herd owner; the owner's veterinarian, if requested; and the department may develop a plan for preventing the introduction of and controlling the spread of Johne's disease in each affected herd.

21—64.56(165A) Identification and disposal requirements. Affected animals must remain on the premises where they are found until they are permanently identified with an official electronic identification tag by an accredited veterinarian. Affected animals may be moved only for the purpose of consigning the animal to slaughter.

21—64.57(165A) Segregation, cleaning and disinfecting. Positive animals, consigned to slaughter through a state- or federal-approved auction market, must be maintained separate and apart from noninfected animals. Positive animals must be the last class of animal sold. Cleaning and disinfection of the alleyways, pen(s) and sale ring used to house positive animals must be accomplished prior to the next scheduled sale. Affected animals entering slaughter marketing channels must be moved directly to the slaughter facility or the slaughter market concentration point. Transportation vehicles used to haul affected animals shall be cleaned and disinfected after such use and before transporting any additional animals.

21—64.58(165A) Intrastate movement requirements.

64.58(1) Animals that are positive to an official Johne's disease test may be moved from the farm of origin for slaughter only if the animals are moved directly to a recognized slaughtering establishment and accompanied by an owner-shipper statement that identifies the animals as positive to an official Johne's disease test and the owner-shipper statement is delivered to the consignee. Positive animals shall be identified prior to movement by application of an official electronic identification tag.

64.58(2) Animals that are positive to an official Johne's disease test may be moved within Iowa for slaughter and consigned to a state- or federal-approved slaughter market if the animals are accompanied by an owner-shipper statement that identifies the animals as positive to an official Johne's disease test and the owner statement is delivered to the consignee. Positive animals shall be identified prior to movement by an official electronic identification tag in the right ear of the animal.

64.58(3) Animals that are positive to an official Johne's disease test may be moved within Iowa for purposes other than slaughter only by permit from the state veterinarian.

21—64.59(163) Supervision of the low pathogenic avian influenza program. The state veterinarian's office shall provide oversight and supervision of the LPAI program in Iowa.

21—64.60(163) Surveillance procedures. Surveillance procedures shall only apply to commercial poultry flocks of 10,000 or more layers, commercial chicken broiler operations with 10,000 or more broilers, and commercial turkey operations with 1,000 or more turkeys. Breeders that participate in, and qualify under, the USDA APHIS National Poultry Improvement Plan (NPIP) U.S. Avian Influenza Clean program and meet or exceed the surveillance provisions of this plan are exempt from further certification under this rule. For poultry flocks, surveillance procedures shall include the following.

64.60(1) *Turkeys and turkey poults.*

a. Preslaughter/movement testing. A minimum of six blood samples per flock may be collected and forwarded to an approved laboratory for LPAI testing within 21 days prior to depopulation or movement; or

b. Slaughter/disposal testing. Six blood samples per flock shall be collected at slaughter/disposal and forwarded to an approved laboratory for LPAI testing.

c. Sick flock testing. Twenty blood samples shall be collected between 10 days and 21 days after the onset of respiratory disease and forwarded to an approved laboratory for LPAI testing, and 20 pharyngeal swabs shall be collected at onset of respiratory disease and forwarded to an approved laboratory for LPAI testing.

d. Routine serologic testing. A test for LPAI should be included.

64.60(2) *Laying chickens and pre-lay pullets.*

a. Preslaughter/disposal/movement testing. Eleven blood samples shall be collected and forwarded to an approved laboratory for LPAI testing within 30 days prior to depopulation or disposal of spent hens or movement of pre-lay pullets to another farm.

b. Sick flock testing. Twenty blood samples shall be collected between 10 days and 21 days after the onset of respiratory disease and forwarded to an approved laboratory for LPAI testing, and 20 pharyngeal swabs shall be collected at onset of respiratory disease and forwarded to an approved laboratory for LPAI testing.

c. Routine serologic testing. A test for LPAI of 11 birds per barn during a 12-month period shall be collected and forwarded.

64.60(3) *Broiler chickens.*

a. Preslaughter testing. Eleven blood samples may be collected and forwarded to an approved laboratory for LPAI testing within 21 days prior to depopulation; or

b. Slaughter/disposal testing. Eleven blood samples shall be collected at slaughter/disposal and forwarded to an approved laboratory for LPAI testing.

c. Sick flock testing. Twenty blood samples shall be collected between 10 days and 21 days after the onset of respiratory disease and forwarded to an approved laboratory for LPAI testing, and 20 pharyngeal swabs shall be collected at onset of respiratory disease and forwarded to an approved laboratory for LPAI testing.

d. Routine serologic testing. A test for LPAI should be included.

21—64.61(163) Official LPAI tests.

64.61(1) Official tests for LPAI are:

a. Agar gel immunodiffusion (AGID).

b. ELISA.

c. Influenza type A antigen detection tests, including PCR tests approved by the state veterinarian. All positive tests results shall be reported immediately to the state veterinarian.

d. Any other tests performed by an approved laboratory to confirm a diagnosis of LPAI.

64.61(2) Tests positive to screening for avian influenza through AGID, ELISA, and any other tests performed by an approved laboratory to confirm a diagnosis of LPAI must be forwarded to National Veterinary Services Laboratory in Ames, Iowa, for subtype testing.

21—64.62(163) Investigation of LPAI affected poultry identified through surveillance. All poultry diagnosed at an approved laboratory as infected with LPAI must be traced back to the flock or farm of origin. All flocks having contact with affected or exposed poultry as determined by the designated epidemiologist must be investigated epidemiologically. All farms of origin and flocks having contact with affected or exposed poultry must be quarantined, pending the results of the epidemiological investigation.

21—64.63(163) Duration of quarantine. Quarantines imposed in accordance with these rules shall be in effect for a minimum of three months after the last detection of active avian influenza virus on the premises. Active avian influenza virus on the premises will be determined through the use of sentinel poultry or virus isolation.

21—64.64(163) Flock plan.

64.64(1) The flock owner; the owner's veterinarian, if requested; and the department shall develop a plan for eradicating LPAI in each affected flock. The plan must be designed to reduce and then eliminate LPAI from the flock, to prevent spread of the disease to other flocks, and to prevent reintroduction of LPAI after the flock becomes disease-free. The flock plan must be developed and signed within 15 days after the determination that the flock is affected.

64.64(2) The flock plan will include but is not limited to the following areas:

a. Movement of vehicles, equipment, and people on and off the premises.

b. Cleaning and disinfection of vehicles entering and leaving the premises.

c. Proper elimination of daily mortality through composting on premises, incineration on premises, or other approved method.

d. Biosecurity procedures for people entering or leaving the facility.

e. Controlled marketing.

(1) No poultry shall be removed from the premises for a minimum of 21 days after the last detection of active avian influenza virus on the premises. Immune flocks that have recovered from avian influenza infection may remain on the premises for the remainder of their scheduled life span.

(2) After 21 days, poultry marketing will only be allowed for delivery to slaughter establishments at the close of business for the week.

(3) Trucks used to transport poultry from an infected premises must be cleaned and disinfected.

(4) Eggs that are washed, sanitized, and packed in new materials may be moved into normal marketing channels, but trucks hauling these eggs must not visit another premises between the production site and the market. Egg handling materials must be destroyed at the plant or cleaned, sanitized, and returned to the premises of origin without contacting materials going to other premises. Disposable egg flats or sanitized, plastic flats must be used to transport eggs.

(5) Eggs that are sold as "nest run" and are not washed and sanitized must be moved directly to only an off-line breaking operation without poultry for pasteurization and used for breaking only. The egg handling materials must be handled as described in subparagraph 64.64(2)*"e"*(4).

(6) Liquid eggs from layer flocks may continue to move from breaking operations directly to pasteurization plants provided that the transport vehicles are cleaned and disinfected before entering and leaving the premises.

f. Vaccination. An avian influenza vaccine will be considered for use only if allowed by the state veterinarian and USDA APHIS.

(1) A killed H5 or H7 vaccine may be used to immunize all noninfected poultry remaining on the premises. Laying-flock replacement poultry should be vaccinated at least two weeks before entering the laying operation.

(2) Slaughter withdrawal times must be followed in the marketing of poultry.

g. Housing facilities and manure. Before a new flock is placed in an infected house, manure must be removed and the housing facilities must be cleaned and disinfected. Manure shall not be removed from the premises for a minimum of 30 days after the last active detection of avian influenza virus in a house. Manure from infected housing facilities must be carried in covered conveyances. Manure handling and disposal will be at the direction of the state veterinarian.

h. Wild bird, insect, and rodent control. Wild bird, insect, and rodent control programs must be implemented and effective on the premises before a facility is repopulated with poultry.

64.64(3) The plan must address flock management and be in compliance with all provisions of these rules.

21—64.65(163) Cleaning and disinfecting. The housing facilities must be cleaned and disinfected under state supervision within 15 days after affected poultry and manure have been removed.

SCRAPIE DISEASE

21—64.66(163) Supervision of the scrapie eradication program. The scrapie eradication program is a cooperative program between the department and USDA APHIS and is supervised by full-time animal health veterinarians employed by the state or federal government.

21—64.67(163) Official scrapie test. An official scrapie test is any test used for the diagnosis of scrapie in a live or dead animal, approved by USDA APHIS for that use, and conducted at an approved laboratory.

21—64.68(163) Scrapie-positive animal. A scrapie positive animal means an animal for which a diagnosis of scrapie has been made by an approved laboratory through one of the following methods:

64.68(1) Histopathological examination of central nervous system (CNS) tissues from the animal for characteristic microscopic lesions of scrapie;

64.68(2) The use of protease-resistant protein analysis methods, including but not limited to immunohistochemistry or western blotting, on CNS or peripheral tissue samples from a live or a dead animal for which a given method has been approved by the administrator for use on that tissue;

64.68(3) Bioassay;

64.68(4) Scrapie-associated fibrils (SAF) detected by electron microscopy; or

64.68(5) Any other test method approved by the administrator in accordance with 9 CFR 54.10 dated August 21, 2001.

21—64.69(163) Infected scrapie flock. An infected scrapie flock is any flock in which the designated scrapie epidemiologist (DSE) has determined that a scrapie-positive female animal has resided, unless an epidemiological investigation conducted by the DSE shows that the animal did not give birth or abort in the flock.

21—64.70(163) Exposed scrapie flock. An exposed scrapie flock is any flock in which:

1. A scrapie-positive animal was born or gave birth; or
2. A high-risk or suspect female animal currently resides; or
3. A high-risk or suspect animal once resided that gave birth or aborted in the flock and from which tissues were not submitted for official scrapie testing.

21—64.71(163) Suspect scrapie flock. A flock is classified as suspect when:

1. A sheep or goat that exhibits any of the following possible signs of scrapie and that has been examined by an accredited veterinarian or a department or USDA APHIS representative. Possible signs of scrapie include weight loss despite retention of appetite; behavioral abnormalities; pruritus (itching); wool pulling; biting at legs or side; lip smacking; motor abnormalities such as incoordination, high-stepping gait of forelimbs, bunny hop movement of rear legs, or swaying of

back end; increased sensitivity to noise and sudden movement; tremor, star gazing, head pressing, recumbency, or other signs of neurological disease or chronic wasting;

2. A sheep or goat that has tested positive for scrapie or for the protease-resistant protein associated with scrapie on a live-animal screening test, or any other official test, unless the animal is designated as a scrapie-positive animal; or

3. A sheep or goat that has tested inconclusive or suggestive of scrapie on an official test for scrapie.

21—64.72(163) Flock of origin. The flock of origin means the flock of birth for male animals and, for female animals, means the flock in which the animal most recently resided in which it either was born, gave birth, or resided during lambing or kidding.

21—64.73(163) Records.

64.73(1) *Recordkeeping requirements for owners.* Records on every animal that requires official ID shall be maintained for five years from the time the animal leaves the sheep/goat flock or dies. For animals not born in the sheep/goat flock, records must include the flock-of-origin number or the previous owner's name and address, the date of acquisition, a description of the animal (sheep or goat, and breed or class), and the flock of birth, if known. When official ID tags are applied, it is recommended that the owner correlate official ID with production records, such as lambing dates, for all breeding animals. The owner shall maintain a record of the name and address of the market or buyer, the date, the number of animals sold, and a description of the animals (sheep or goat, and breed or class) for all animals moved from the sheep/goat flock. The owner must supply the market or buyer with the owner's flock ID number. A CVI is required for every change of ownership of animals in Iowa, other than for animals sold to slaughter. A copy of the CVI must be maintained for every animal purchased, and for every animal sold privately, other than to slaughter. For animals sold to slaughter, records must show the date of sale, the number of animals sold, and where or to whom sold.

64.73(2) Reserved.

21—64.74(163) Scrapie flock plans.

64.74(1) Infected and source sheep/goat flocks will be quarantined by the department upon the determination of their status. A written scrapie flock cleanup plan shall be signed by the owner of an infected or source sheep/goat flock, and the requirements set out in the scrapie plan shall be adhered to until its completion. The scrapie flock plan may consist of:

a. Whole flock depopulation;

b. The removal of genetically susceptible female animals, suspect animals, positive animals, and the female offspring of positive female animals; or

c. The removal of high-risk animals as defined in 9 CFR 79.4 dated August 21, 2001.

64.74(2) Indemnity may be paid for animals removed, if funds are available through USDA. All flock plans require cleaning and disinfecting procedures as part of the requirements. Upon completion of the flock plan, the quarantine may be released, with the approval of the DSE, and following an inspection of the premises by a state or federal animal health official. At that time, the owner is required to sign a PEMMP and agree to the requirements set out in that plan. Exposed flocks may also be quarantined, or have other movement restrictions placed on them, and may require a PEMMP plan that is consistent with current USDA regulations.

21—64.75(163) Noncompliant scrapie flock. A flock is noncompliant when:

1. Any source or infected flock whose owner declines to enter into a flock plan or PEMMP agreement within 60 days of the flock's being designated as a source or infected flock;

2. Any exposed flock whose owner fails to make animals available for testing within 60 days of notification, or as mutually agreed upon by the department and the owner, or whose owner fails to submit required postmortem samples;

3. Any flock whose owner or manager has misrepresented, or who employs a person who has misrepresented, the scrapie status of an animal or has misrepresented any other information on a certificate, permit, owner statement, or other official document within the last five years;

4. Any flock whose owner or manager has moved, or who employs a person who has moved, an animal in violation of this chapter within the last five years; or

5. Any flock that does not meet the requirements of a flock plan or PEMMP.

21—64.76(163) Movement restrictions for animals and flocks. A sexually intact animal shall not be moved from an infected or source flock, except under permit. Permitted animals may be moved to slaughter, to a research or diagnostic facility, or to another facility as specified in the flock plan. High-risk, suspect, and sexually intact exposed animals from other than infected or source flocks will be placed under movement restrictions. The movement restrictions on the flock and the criteria for release of these restrictions shall be specified as part of either the flock plan or the PEMMP. Animals from noncompliant flocks shall be placed under movement restrictions and shall be moved only by permit.

These rules are intended to implement Iowa Code chapter 163.