

Senate Amendment 3809

Amendment Text

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1 1 Amend [Senate File 555](#) as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 "Section 1. Section [163.30](#), subsection 2,
1 5 paragraph c, Code 1997, is amended to read as follows:
1 6 c.

~~"Swine moved"~~

~~- "Move" or "movement" means~~

~~any~~

1 7

~~physical~~

~~- to ship, transport, or deliver swine by land,~~

1 8 ~~water, or air, except that "move" or "movement" does~~

1 9 ~~not mean a relocation~~

~~of~~

~~-~~

1 10 ~~d. "Relocate" or "relocation" means to ship,~~

1 11 ~~transport, or deliver swine by land, water, or air, to~~

1 12 ~~different premises, if the ownership of the swine~~

~~to~~

~~-~~

1 13

~~different~~

~~- does not change, the prior and new premises~~

~~,~~

~~-~~

1 14

~~except that it does not include movement of swine when~~

~~-~~

1 15

~~their ownership does not change, and both their prior~~

~~-~~

1 16

~~and new locations, and the movement between such~~

~~-~~

1 17

~~locations,~~

~~- are located within the state~~

~~of Iowa~~

~~, and~~

1 18 ~~the shipment, transportation, or delivery between the~~

1 19 ~~prior and new premises occurs within the state.~~

1 20 Sec. 2. Section [166D.2](#), subsection 7, unnumbered

1 21 paragraph 1, Code 1997, is amended to read as follows:

1 22 "Certificate of inspection" means a document
1 23 approved by the United States department of
1 24 agriculture or the department of agriculture and land
1 25 stewardship, and issued by a licensed veterinarian
1 26 prior to the interstate or intrastate movement of
1 27 swine or to the relocation of swine. The certificate
1 28 of inspection must state all of the following:

1 29 Sec. 3. Section [166D.2](#), subsection 7, unnumbered
1 30 paragraph 2, Code 1997, is amended by striking the
1 31 unnumbered paragraph.

1 32 Sec. 4. Section [166D.2](#), subsection 31, Code 1997,
1 33 is amended to read as follows:

1 34 31. "Move" or "movement" means

~~to ship, transport,~~

1 35

~~or deliver by land, water, or air~~

~~the same as defined~~

1 36 in section 163.30.

1 37 Sec. 5. Section [166D.2](#), Code 1997, is amended by
1 38 adding the following new subsections:

1 39 NEW SUBSECTION. 39A. "Relocate" or "relocation"
1 40 means the same as defined in section 163.30.

1 41 NEW SUBSECTION. 39B. "Relocation record" means a
1 42 record as maintained by the owner of swine in a form
1 43 and containing information as required by the rules
1 44 adopted by the department, which indicates a
1 45 relocation of swine as provided in section 166D.10.

1 46 Sec. 6. Section [166D.2](#), subsection 45, Code 1997,
1 47 is amended to read as follows:

1 48 45. "Transportation certificate" means

~~the same~~

~~a~~

1 49 written document evidencing that the movement or
1 50 relocation of swine complies with the requirements of
2 1 this chapter, and which may be a transportation
2 2 certificate as provided in chapter 172B, or another
2 3 document approved by the department, including but not
2 4 limited to one or more types of forms covering
2 5 different circumstances, as prescribed by the
2 6 department.

2 7 Sec. 7. NEW SECTION. 166D.3A DEPARTMENTAL
2 8 DETERMINATION OF PSEUDORABIES PREVALENCE.

2 9 The department shall periodically determine the
2 10 prevalence of pseudorabies in each county in a manner
2 11 and according to procedures established by rules
2 12 adopted by the department.

2 13 Sec. 8. Section [166D.9](#), subsection 4, unnumbered
2 14 paragraph 1, Code 1997, is amended to read as follows:

2 15 While the state is classified in

~~either~~

~~stage I,~~

~~or~~

2 16 II, or III of the national pseudorabies program
2 17 pursuant to federal regulations, the following
2 18 requirements must be satisfied:

2 19 Sec. 9. Section [166D.10](#), subsection 1, unnumbered
2 20 paragraph 1, Code 1997, is amended to read as follows:

2 21 A person shall not sell, lease, exhibit,

~~or~~

- loan,
2 22 move, or relocate swine within the state,
- ~~except to~~
-
2 23
- ~~slaughter,~~
- unless the swine are accompanied by a
2 24 certificate of inspection
- ~~provided by the owner~~
-
2 25
- ~~transferring possession~~
- in the same manner as provided
2 26 for an official health certificate or veterinarian
2 27 certificate as provided in section 163.30. The
2 28 department may combine the certificate of inspection
2 29 with an official health certificate or a veterinarian
2 30 inspection certificate. A certificate of inspection
2 31 is not required if any of the following apply:
2 32 a. The swine are moved to slaughter.
2 33 b. The swine are relocated, if all of the
2 34 following apply:
2 35 (1) A transportation certificate accompanies the
2 36 relocated swine.
2 37 (2) The swine's owner maintains information
2 38 regarding the relocation in relocation records. The
2 39 department may adopt rules excusing a person from
2 40 maintaining relocation records, if the department
2 41 determines that the purposes of the chapter as
2 42 provided in section 166D.1 are not furthered by the
2 43 requirement.
2 44 (3) A certificate of inspection, or an official
2 45 health certificate or a veterinarian inspection
2 46 certificate as provided in section 163.30, has been
2 47 issued for the swine within thirty days prior to the
2 48 date of relocation. The department may adopt rules
2 49 excusing a person from complying with this
2 50 subparagraph if the department determines that the
3 1 purposes of the chapter as provided in section 166D.1
3 2 are not furthered by the requirement.
3 3 The department shall adopt rules required to
3 4 administer this paragraph. A transportation
3 5 certificate accompanying relocated swine shall cite
3 6 the relevant relocation record and certificate of
3 7 inspection, or official health certificate or
3 8 veterinarian inspection certificate. The department
3 9 may provide for the examination of the relocation
3 10 records on the owner's premises during normal business
3 11 hours, or may require that reports containing relevant
3 12 information contained in relocation records and
3 13 certificates of inspection, or official health
3 14 certificates or veterinarian inspection certificates,
3 15 be periodically submitted to the department. For
3 16 purposes of this section, swine production information
3 17 contained in relocation records is a trade secret as
3 18 provided in section 22.7, unless otherwise provided by
3 19 rules adopted by the department. The department shall
3 20 provide for the disclosure of confidential information
3 21 only to the extent required for enforcement of this
3 22 chapter, the detection and prosecution of public
3 23 offenses, or to comply with a subpoena or court order.
3 24 c. A person transferring ownership of all or part
3 25 of a herd, if the herd remains on the same premises.

3 26 However, the herd must be tested by statistical
3 27 sampling. If any part of the herd is subsequently
3 28 moved or relocated, the swine that are moved or
3 29 relocated must be accompanied by a certificate of
3 30 inspection, or an official health certificate or
3 31 veterinarian certificate as provided in section
3 32 163.30, unless the swine are moved to slaughter.
3 33 1A. Swine that are moved shall be individually
3 34 identified as provided in section 163.30, which may
3 35 include requirements for affixing ear tags to swine.
3 36 However,

~~—a~~
- native Iowa feeder

~~—pig~~
- pigs moved from farm
3 37 to farm within the state

~~—is exempt from the~~

3 38

~~—certificate of inspection's~~
- shall not be subject to
3 39 the identification requirements of this subsection, if
3 40 the owner transferring possession

~~—and~~
- of the feeder
3 41 pigs executes a written agreement with the person
3 42 taking possession

~~—state on the certificate of~~

3 43

~~—inspection that~~
- of the feeder

~~—swine~~
- pigs. The
3 44 agreement shall provide that the feeder pigs will not
3 45 be commingled with other swine for a period of thirty
3 46 days. The owner transferring possession shall provide
3 47 a copy of the agreement to the person taking
3 48 possession of the feeder pigs.

3 49 As used in this subsection "farm to farm within the
3 50 state" does not include the movement or relocation of
4 1 native Iowa feeder pigs to the possession of a dealer
4 2 licensed pursuant to section 163.30. Native Iowa
4 3 feeder pigs that are moved shall be accompanied by a
4 4 certificate of inspection, or an official health
4 5 certificate or veterinarian certificate as provided in
4 6 section 163.30, unless swine are otherwise exempted
4 7 from this requirement by this section.

4 8 Sec. 10. Section 166D.10, subsection 1, unnumbered
4 9 paragraph 2, Code 1997, is amended to read as follows:

4 10 1B. Swine moved into or within Iowa for breeding
4 11 purposes must originate from a herd not under
4 12 quarantine which is one of the following:

4 13 Sec. 11. Section 166D.10, subsection 4, Code 1997,
4 14 is amended to read as follows:

4 15 4. In addition to other applicable requirements of
4 16 this section, feeder swine

~~—shall not be~~

- moved

~~into~~

4 17 from a location outside of this state

~~from another~~

4 18

~~state except to slaughter, unless the feeder swine are~~

4 19

~~vaccinated by a differentiable vaccine within forty~~

4 20

~~five days of arrival in this state~~

~~to a location~~

4 21 within this state shall be vaccinated, if the feeder
4 22 swine are moved into a county where the department
4 23 determines that more than three percent of all herds
4 24 in the county are infected herds. The feeder swine
4 25 shall be vaccinated with a differentiable vaccine
4 26 according to procedures established by rules adopted
4 27 by the department. However, this subsection shall not
4 28 require vaccination if the feeder swine originate from
4 29 a qualified negative herd or a qualified
4 30 differentiable negative herd.

4 31 Sec. 12. ADOPTION OF RULES. The department of
4 32 agriculture and land stewardship shall adopt all rules
4 33 required to administer this Act not later than January
4 34 1, 1998.

4 35 Sec. 13. EFFECTIVE DATES.

4 36 1. Except as provided in subsection 2, this Act,
4 37 being deemed of immediate importance, is effective
4 38 upon enactment.

4 39 2. The amendment to section 166D.10, subsection 4,
4 40 Code 1997, takes effect upon the adoption of rules by
4 41 the department of natural resources required to
4 42 administer the section, but not later than January 1,
4 43 1998."

4 44

4 45

4 46

4 47 COMMITTEE ON AGRICULTURE

4 48 WILMER RENSINK, Chairperson

4 49 SF 555.302 77

4 50 da/cf/28