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FILED MAR 2 1998

SENATE FILE 2371  
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 2177)

(P.639) Passed Senate, Date 3-11-98 Passed House, Date 3-31-98 (P.1079)  
Vote: Ayes 49 Nays 0 Vote: Ayes 100 Nays 0  
Approved April 6, 1998

A BILL FOR

1 An Act relating to infectious and contagious diseases affecting  
2 livestock and providing penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 2371

1 Section 1. NEW SECTION. 163.6 SLAUGHTER FACILITIES --  
2 BLOOD SAMPLES.

3 1. As used in this section, unless the context otherwise  
4 requires:

5 a. "Concentration point" means a location or facility  
6 where animals customarily slaughtered at a slaughtering  
7 establishment are assembled for purposes of sale or resale for  
8 feeding, breeding, or slaughtering, and where contact may  
9 occur between groups of animals from various sources.

10 "Concentration point" includes a public stockyard, auction  
11 market, street market, state or federal market, untested  
12 consignment sales location, buying station, or a livestock  
13 dealer's yard, truck, or facility.

14 b. "Department" means the department of agriculture and  
15 land stewardship or the United States department of  
16 agriculture.

17 c. "Slaughtering establishment" means a person engaged in  
18 the business of slaughtering animals, if the person is an  
19 establishment subject to the provisions of chapter 189A which  
20 slaughters animals for meat food products as defined in  
21 section 189A.2.

22 2. The department may require that samples of blood be  
23 collected from animals which are consigned to slaughter or  
24 slaughtered in order to determine if the animals are infected  
25 with an infectious or contagious disease, according to rules  
26 adopted by the department of agriculture and land stewardship.  
27 Upon approval by the department, the collection shall be  
28 performed by either of the following:

29 a. A collection point or slaughtering establishment under  
30 an agreement executed by the department and the collection  
31 point or the slaughtering establishment.

32 b. A person authorized by the department.

33 An authorized person collecting samples shall have access  
34 to areas where the animals are confined in order to collect  
35 blood samples. The department shall notify the concentration

1 point or slaughtering establishment in writing that samples of  
2 blood must be collected for analysis. The notice shall be  
3 provided in a manner required by the department.

4 3. In carrying out this section, a person authorized by  
5 the department to collect blood samples from animals as  
6 provided in this section shall have the right to enter and  
7 remain on the premises of the slaughtering establishment in  
8 the same manner and on the same terms as a meat inspector  
9 authorized by the department, including the right to access  
10 facilities routinely available to employees of the  
11 slaughtering establishment such as toilet and lavatory  
12 facilities, lockers, cafeterias, areas reserved for work  
13 breaks or dining, and storage facilities. The slaughtering  
14 establishment shall provide a secure area for the permanent  
15 storage of equipment used to collect blood, an area reserved  
16 for collecting the blood, including the storage of blood  
17 during the collection, and a refrigerated area used to store  
18 blood samples prior to analysis. The area reserved for  
19 collecting the blood shall be adjacent to the area where the  
20 animals are killed, unless the authorized person and the  
21 slaughtering establishment select another area. The  
22 department is not required to compensate a slaughtering  
23 establishment for allowing a person authorized by the  
24 department to carry out this section.

25 4. A person violating this section or a rule adopted  
26 pursuant to this section shall be subject to a civil penalty  
27 of at least one hundred dollars but not more than one thousand  
28 dollars. Moneys collected in civil penalties shall be  
29 deposited in the general fund of the state.

30 Sec. 2. Section 163.30, subsection 5, unnumbered paragraph  
31 3, Code Supplement 1997, is amended to read as follows:

32 However, registered swine for exhibition or breeding  
33 purposes which can be individually identified by an ear notch  
34 or tattoo or other method approved by the department are  
35 excepted from this identification requirement. In addition,

1 native Iowa swine moved from farm to farm may shall be  
2 excepted from the identification requirement if the seller-and  
3 purchaser-sign-a-statement-providing-that-feeder-pigs-will-not  
4 be-commingled-for-a-period-of-thirty-days-and-such-fact-is  
5 stated-on-the-health-certificate owner transferring possession  
6 of the feeder pigs executes a written agreement with the  
7 person taking possession of the feeder pigs. The agreement  
8 shall provide that the feeder pigs shall not be commingled  
9 with other swine for a period of thirty days. The owner  
10 transferring possession shall be responsible for the  
11 completion of this agreement prior to transferring possession.  
12 The owner transferring possession shall provide a copy of the  
13 agreement to the person taking possession of the feeder pigs.

14 Sec. 3. Section 166D.5, subsection 2, unnumbered paragraph  
15 1, Code 1997, is amended to read as follows:

16 When the department determines that a majority of herds  
17 within a program area have been tested and a majority of herds  
18 reveal a noninfection rate of ninety eighty percent or  
19 greater, the following shall apply:

20 Sec. 4. Section 166D.7, subsection 1, paragraph a, Code  
21 1997, is amended to read as follows:

22 a. The herd shall be certified when all breeding swine  
23 have reacted negatively to a test. The herd must have been  
24 free from infection for thirty days prior to testing. At  
25 least ninety percent of swine in the herd must have been on  
26 the premises as a part of the herd for at least sixty days  
27 prior to testing, or swine in the herd must have been moved  
28 directly from another qualified negative herd. To remain  
29 certified, the herd must be retested and recertified as  
30 provided by the department. The herd shall be recertified  
31 when ~~either-of-the-following-occurs:~~

32 ~~(1)--Each-eighty-to-one-hundred-five-days-at-least-twenty-~~  
33 ~~five-percent-of-the-herd's-breeding-swine-react-negatively-to~~  
34 ~~a-test-~~

35 ~~(2)--Each~~ each month the greater of five head of swine or

1 at least ten percent of the herd's breeding swine react  
2 negatively to a test.

3 Sec. 5. Section 166D.8, subsection 1, Code 1997, is  
4 amended to read as follows:

5 1. a. A herd cleanup plan may include any or a  
6 combination of the following:

7 a. (1) The segregation of progeny with restricted  
8 movement. The herd cleanup plan must include the location of  
9 the premises that will receive the progeny. The receiving  
10 premises shall be quarantined.

11 b. (2) The test and removal of infected swine from the  
12 herd.

13 c. (3) Depopulation.

14 b. Notwithstanding paragraph "a", breeding swine in an  
15 infected herd shall be tested and the infected breeding swine  
16 shall be removed from the infected herd in accordance with  
17 procedures and by dates established by rules adopted by the  
18 department.

19 Sec. 6. Section 166D.8, subsection 2, paragraphs a and c,  
20 Code 1997, are amended to read as follows:

21 a. There must have been no clinical signs of pseudorabies  
22 during the past ~~six-months~~ thirty days.

23 c. An approved pseudorabies eradication plan must be  
24 implemented. ~~However, swine from a feeder pig cooperator herd~~  
25 ~~may be moved within Iowa without individual tests as feeder~~  
26 ~~pigs of unknown origin.~~ The herd cleanup plan must include  
27 the location of the premises that will receive the progeny.  
28 The receiving premises shall be quarantined.

29 Sec. 7. Section 166D.9, subsection 4, unnumbered paragraph  
30 2, Code Supplement 1997, is amended to read as follows:

31 ~~Herds~~ A herd removed from quarantine under this subsection  
32 shall be tested by statistical sampling one year later, unless  
33 an epidemiologist determines that the herd must be tested  
34 earlier.

35 Sec. 8. Section 166D.10, subsection 1, paragraph c, Code

1 Supplement 1997, is amended to read as follows:

2 c. A person ~~transferring~~ transfers ownership of all or  
3 part of a herd, if the herd remains on the same premises.  
4 However, the herd must be tested by statistical sampling. If  
5 any part of the herd is subsequently moved or relocated, the  
6 swine ~~that-are~~ must be moved or relocated ~~must-be-accompanied~~  
7 ~~by-a-certificate-of-inspection,-or-an-official-health~~  
8 ~~certificate-or-veterinarian-certificate-as-provided-in-section~~  
9 ~~163.30,-unless-the-swine-are-moved-to-slaughter~~ in accordance  
10 with this section and sections 166D.7, 166D.8, and 166D.9.

11 Sec. 9. Section 166D.10, subsection 2, unnumbered  
12 paragraph 1, Code Supplement 1997, is amended to read as  
13 follows:

14 Swine that are moved shall be individually identified as  
15 provided in section 163.30, which may include requirements for  
16 affixing ear tags to swine. However, native Iowa feeder pigs  
17 moved from farm to farm within the state shall ~~not be subject~~  
18 to exempted from the identification requirements of this  
19 subsection, if the owner transferring possession of the feeder  
20 pigs executes a written agreement with the person taking  
21 possession of the feeder pigs. The agreement shall provide  
22 that the feeder pigs ~~will~~ shall not be commingled with other  
23 swine for a period of thirty days. The owner transferring  
24 possession shall be responsible for completing the agreement  
25 prior to transferring possession. The owner transferring  
26 possession shall provide a copy of the agreement to the person  
27 taking possession of the feeder pigs.

28 Sec. 10. Section 166D.10, subsection 6, Code Supplement  
29 1997, is amended to read as follows:

30 6. In addition to other applicable requirements of this  
31 section, feeder swine moved from a location outside of this  
32 state to a location within this state shall be vaccinated, if  
33 the feeder swine are moved into a county where the department  
34 determines that more than three percent of all herds in the  
35 county are infected herds. The feeder swine shall be

1 vaccinated with a differentiable vaccine according to  
2 procedures established by rules adopted by the department.  
3 However, this subsection shall not require vaccination if the  
4 feeder swine originate from a qualified negative herd or a  
5 qualified differentiable negative herd and are introduced to a  
6 qualified negative herd or a qualified differentiable negative  
7 herd.

8 Sec. 11. Section 166D.12, subsection 4, paragraph a, Code  
9 1997, is amended to read as follows:

10 a. Other species of livestock must not be held kept  
11 separate and apart from swine from known infected herds at the  
12 concentration point.

13 Sec. 12. Section 166D.13, subsection 1, Code 1997, is  
14 amended to read as follows:

15 1. Swine from ~~a~~-quarantined an infected herd shall not be  
16 displayed or shown at any exhibition.

17 EXPLANATION

18 This bill amends several provisions regulating contagious  
19 diseases among livestock, including Code chapter 163 which  
20 regulates contagious diseases generally and Code chapter 166D  
21 which regulates pseudorabies affecting swine.

22 The bill amends Code chapter 163 by providing for the  
23 collection and analysis of blood from livestock by collection  
24 points and slaughtering establishments. The bill provides  
25 that the department of agriculture and land stewardship or the  
26 United States department of agriculture may require that  
27 samples of blood be collected from animals which are consigned  
28 to slaughter or slaughtered in order to determine if the  
29 animals are infected with an infectious or contagious disease.

30 The bill amends Code chapter 166D by providing that an  
31 owner transferring possession of feeder pigs must execute a  
32 written agreement with the person taking possession providing  
33 that the feeder pigs shall not be commingled with other swine  
34 for 30 days.

35 The bill amends a provision placing special conditions upon

1 an area when the department determines that a majority of  
2 herds within the area have been tested and a majority of herds  
3 reveal a noninfection rate of 90 percent or greater. The bill  
4 reduces this percentage to 80 percent.

5 The bill amends a provision that requires herds to be  
6 periodically recertified by the department. The provision  
7 allows a herd to retain certification when at least 25 percent  
8 of the herd's breeding swine react negatively to a test every  
9 80 to 105 days or at least 10 percent of the herd's breeding  
10 swine react negatively to a test each month. This bill  
11 eliminates the 25 percent requirement.

12 The bill provides for herd cleanup plans which provide for  
13 the segregation of progeny with restricted movement, the test  
14 and removal of infected swine from a herd, or depopulation.  
15 This bill provides that in the case of progeny segregation,  
16 the herd cleanup plan must include the location of the  
17 premises that will receive the progeny. The receiving  
18 premises must be quarantined.

19 The bill changes a requirement providing that a feeder pig  
20 cooperator herd plan may be adopted if there have been no  
21 clinical signs of pseudorabies during the past six months.  
22 The plan must include the location of the premises that will  
23 receive the progeny. The receiving premises must be  
24 quarantined. The bill changes the requirement to provide that  
25 no clinical signs of pseudorabies must have been detected for  
26 30 days and eliminates a requirement that a feeder pig  
27 cooperator herd may be moved within Iowa without individual  
28 tests as feeder pigs of unknown origin.

29 The bill eliminates a provision applying to herds which  
30 have transferred ownership but remain on the same premises.  
31 The bill eliminates a requirement that provides that moved or  
32 relocated swine must be accompanied by a certificate of  
33 inspection or an official health certificate or veterinarian  
34 certificate.

35 The bill amends a provision that applies to feeder swine



1 moved from a location outside of this state to a location  
2 within this state. The bill provides that the feeder swine  
3 are not required to be vaccinated if the feeder swine  
4 originate from a qualified negative herd or qualified  
5 differentiable negative herd and are introduced to a qualified  
6 negative herd or a qualified differentiable negative herd.

7 The bill amends a provision which provides that swine from  
8 known infected herds may be moved through a concentration  
9 point if other species of livestock are not to be held at the  
10 concentration point. This bill amends that restriction by  
11 providing that the other species must be kept separate and  
12 apart from the swine.

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H. 3/12/98 Referred to agriculture  
H. 3/19/98 Do Pass  
H. 3/26/98 UNFINISHED

SENATE FILE **2371**  
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 2177)

(AS AMENDED AND PASSED BY THE SENATE MARCH 11, 1998)

\_\_\_\_\_ - New Language by the Senate

\* - Language Stricken by the Senate

Passed Senate, <sup>(p. 639)</sup> Date 3/11/98 Passed House, Date 3/31/98 <sup>(p. 1079)</sup>  
Vote: Ayes 49 Nays 0 Vote: Ayes 100 Nays 0  
Approved April 6, 1998

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1 Section 1. NEW SECTION. 163.6 SLAUGHTER FACILITIES --  
2 BLOOD SAMPLES.

3 1. As used in this section, unless the context otherwise  
4 requires:

\* 5 a. "Department" means the department of agriculture and  
6 land stewardship or the United States department of  
7 agriculture.

8 b. "Slaughtering establishment" means a person engaged in  
9 the business of slaughtering animals, if the person is an  
10 establishment subject to the provisions of chapter 189A which  
11 slaughters animals for meat food products as defined in  
12 section 189A.2.

13 2. The department may require that samples of blood be  
14 collected from animals at a slaughtering establishment in  
15 order to determine if the animals are infected with an  
16 infectious or contagious disease, according to rules adopted  
17 by the department of agriculture and land stewardship. Upon  
18 approval by the department, the collection shall be performed  
19 by either of the following:

\* 20 a. A slaughtering establishment under an agreement  
\* 21 executed by the department and the slaughtering establishment.

22 b. A person authorized by the department.

23 An authorized person collecting samples shall have access  
24 to areas where the animals are confined in order to collect  
\* 25 blood samples. The department shall notify the slaughtering  
26 establishment in writing that samples of blood must be  
27 collected for analysis. The notice shall be provided in a  
28 manner required by the department.

29 3. In carrying out this section, a person authorized by  
30 the department to collect blood samples from animals as  
31 provided in this section shall have the right to enter and  
32 remain on the premises of the slaughtering establishment in  
33 the same manner and on the same terms as a meat inspector  
34 authorized by the department, including the right to access  
35 facilities routinely available to employees of the

1 slaughtering establishment such as toilet and lavatory  
2 facilities, lockers, cafeterias, areas reserved for work  
3 breaks or dining, and storage facilities. The slaughtering  
4 establishment shall provide a secure area for the permanent  
5 storage of equipment used to collect blood, an area reserved  
6 for collecting the blood, including the storage of blood  
7 during the collection, and a refrigerated area used to store  
8 blood samples prior to analysis. The area reserved for  
9 collecting the blood shall be adjacent to the area where the  
10 animals are killed, unless the authorized person and the  
11 slaughtering establishment select another area. The  
12 department is not required to compensate a slaughtering  
13 establishment for allowing a person authorized by the  
14 department to carry out this section.

15 4. A person violating this section or a rule adopted  
16 pursuant to this section shall be subject to a civil penalty  
17 of at least one hundred dollars but not more than one thousand  
18 dollars. Moneys collected in civil penalties shall be  
19 deposited in the general fund of the state.

20 Sec. 2. Section 163.30, subsection 5, unnumbered paragraph  
21 3, Code Supplement 1997, is amended to read as follows:

22 However, registered swine for exhibition or breeding  
23 purposes which can be individually identified by an ear notch  
24 or tattoo or other method approved by the department are  
25 excepted from this identification requirement. In addition,  
26 native Iowa swine moved from farm to farm ~~may~~ shall be  
27 excepted from the identification requirement if the ~~seller and~~  
28 ~~purchaser sign a statement providing that feeder pigs will not~~  
29 ~~be commingled for a period of thirty days and such fact is~~  
30 ~~stated on the health certificate~~ owner transferring possession  
31 of the feeder pigs executes a written agreement with the  
32 person taking possession of the feeder pigs. The agreement  
33 shall provide that the feeder pigs shall not be commingled  
34 with other swine for a period of thirty days. The owner  
35 transferring possession shall be responsible for making

1 certain that the agreement is executed and for providing a  
2 copy of the agreement to the person taking possession.

3 Sec. 3. Section 166D.5, subsection 2, unnumbered paragraph  
4 1, Code 1997, is amended to read as follows:

5 When the department determines that a majority of herds  
6 within a program area have been tested and a majority of herds  
7 reveal a noninfection rate of ~~ninety~~ eighty percent or  
8 greater, the following shall apply:

9 Sec. 4. Section 166D.7, subsection 1, paragraph a, Code  
10 1997, is amended to read as follows:

11 a. The herd shall be certified when all breeding swine  
12 have reacted negatively to a test. The herd must have been  
13 free from infection for thirty days prior to testing. At  
14 least ninety percent of swine in the herd must have been on  
15 the premises as a part of the herd for at least sixty days  
16 prior to testing, or swine in the herd must have been moved  
17 directly from another qualified negative herd. To remain  
18 certified, the herd must be retested and recertified as  
19 provided by the department. The herd shall be recertified  
20 when ~~either-of-the-following-occurs:~~

21 ~~{1}--Each-eighty-to-one-hundred-five-days-at-least-twenty-~~  
22 ~~five-percent-of-the-herd's-breeding-swine-react-negatively-to~~  
23 ~~a-test.~~

24 ~~{2}--Each~~ each month the greater of five head of swine or  
25 at least ten percent of the herd's breeding swine react  
26 negatively to a test.

27 Sec. 5. Section 166D.8, subsection 1, Code 1997, is  
28 amended to read as follows:

29 1. a. A herd cleanup plan may include any or a  
30 combination of the following:

31 a. (1) The segregation of progeny with restricted  
32 movement. The herd cleanup plan must include the location of  
33 the premises that will receive the progeny. The receiving  
34 premises shall be quarantined.

35 b. (2) The test and removal of infected swine from the

1 herd.

2 c- (3) Depopulation.

3 b. Notwithstanding paragraph "a", breeding swine in an  
4 infected herd shall be tested and the infected breeding swine  
5 shall be removed from the infected herd in accordance with  
6 procedures and by dates established by rules adopted by the  
7 department.

8 Sec. 6. Section 166D.8, subsection 2, paragraphs a and c,  
9 Code 1997, are amended to read as follows:

10 a. There must have been no clinical signs of pseudorabies  
11 during the past six-months thirty days.

12 c. An approved pseudorabies-eradication feeder pig  
13 cooperator herd plan must be implemented. However, swine from  
14 a feeder pig cooperator herd may be moved within Iowa without  
15 individual tests as feeder pigs of unknown origin. The feeder  
16 pig cooperator herd plan must include the location of the  
17 premises that will receive the progeny. The receiving  
18 premises shall be quarantined.

19 Sec. 7. Section 166D.9, subsection 4, unnumbered paragraph  
20 2, Code Supplement 1997, is amended to read as follows:

21 Herds A herd removed from quarantine under this subsection  
22 shall be tested by statistical sampling one year later, unless  
23 an epidemiologist determines that the herd must be tested  
24 earlier.

25 Sec. 8. Section 166D.10, subsection 1, paragraph c, Code  
26 Supplement 1997, is amended to read as follows:

27 c. A person transferring transfers ownership of all or  
28 part of a herd, if the herd remains on the same premises.  
29 However, the herd must be tested by statistical sampling. If  
30 any part of the herd is subsequently moved or relocated, the  
31 swine that are must be moved or relocated must be accompanied  
32 by a certificate of inspection, or an official health  
33 certificate or veterinarian certificate as provided in section  
34 163.307, unless the swine are moved to slaughter in accordance  
35 with this section and sections 166D.7, 166D.8, and 166D.9.

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

4 Swine that are moved shall be individually identified as  
5 provided in section 163.30, which may include requirements for  
6 affixing ear tags to swine. However, native Iowa feeder pigs  
7 moved from farm to farm within the state shall **not be subject**  
8 **to exempted from** the identification requirements of this  
9 subsection, if the owner transferring possession of the feeder  
10 pigs executes a written agreement with the person taking  
11 possession of the feeder pigs. The agreement shall provide  
12 that the feeder pigs ~~will~~ **shall** not be commingled with other  
13 swine for a period of thirty days. The owner transferring  
14 possession shall **provide be responsible for making certain**  
15 **that the agreement is executed and for providing a copy of the**  
16 **agreement to the person taking possession of-the-feeder-pigs.**

17 Sec. 10. Section 166D.10, subsection 6, Code Supplement  
18 1997, is amended to read as follows:

19 6. In addition to other applicable requirements of this  
20 section, feeder swine moved from a location outside of this  
21 state to a location within this state shall be vaccinated, if  
22 the feeder swine are moved into a county where the department  
23 determines that more than three percent of all herds in the  
24 county are infected herds. The feeder swine shall be  
25 vaccinated with a differentiable vaccine according to  
26 procedures established by rules adopted by the department.  
27 However, this subsection shall not require vaccination if the  
28 feeder swine originate from a qualified negative herd or a  
29 **qualified differentiable negative herd and are introduced to a**  
30 **qualified negative herd or a qualified differentiable negative**  
31 **herd.**

32 Sec. 11. Section 166D.12, subsection 4, paragraph a, Code  
33 1997, is amended to read as follows:

34 a. Other species of livestock must **not be held kept**  
35 **separate and apart from swine from known infected herds at the**

1 concentration point.

2 Sec. 12. Section 166D.13, subsection 1, Code 1997, is  
3 amended to read as follows:

4 1. Swine from ~~a~~-quarantined an infected herd shall not be  
5 displayed or shown at any exhibition.

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## SENATE FILE 2371

S-5169

- 1 Amend Senate File 2371 as follows:  
2 1. Page 1, by striking lines 5 through 13.  
3 2. Page 1, by striking lines 23 and 24 and  
4 inserting the following: "collected from animals at a  
5 slaughtering establishment in order to determine if  
6 the animals are infected".  
7 3. Page 1, line 29, by striking the words  
8 "collection point or".  
9 4. Page 1, lines 30 and 31, by striking the words  
10 "collection point or the".  
11 5. Page 1, line 35, by striking the word  
12 "concentration".  
13 6. Page 2, line 1, by striking the words "point  
14 or".  
15 7. Page 3, line 10, by striking the words "for  
16 the" and inserting the following: "for".  
17 8. Page 3, by striking lines 11 through 13 and  
18 inserting the following: "making certain that the  
19 agreement is executed and for providing a copy of the  
20 agreement to the person taking possession."  
21 9. Page 4, line 23, by striking the words  
22 "pseudorabies eradication" and inserting the  
23 following: "pseudorabies-eradication feeder pig  
24 cooperator herd".  
25 10. Page 4, line 26, by striking the words "herd  
26 cleanup" and inserting the following: "feeder pig  
27 cooperator herd".  
28 11. Page 5, by striking lines 24 through 27 and  
29 inserting the following: "possession shall provide be  
30 responsible for making certain that the agreement is  
31 executed and for providing a copy of the agreement to  
32 the person taking possession of-the-feeder-pigs."

By WILMER RENSINK

S-5169 FILED MARCH 10, 1998

*Adopted**3/11/98**(p.639)*

Rensink  
Kibbie  
Bartz

SSB 2177  
Agriculture  
introduced by  
SF/HF 2371

SENATE FILE  
BY (PROPOSED COMMITTEE ON  
AGRICULTURE BILL BY  
CHAIRPERSON RENSINK)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

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1 Section 1. NEW SECTION. 163.6 SLAUGHTER FACILITIES --  
2 BLOOD SAMPLES.

3 1. As used in this section, unless the context otherwise  
4 requires:

5 a. "Concentration point" means a location or facility  
6 where animals customarily slaughtered at a slaughtering  
7 establishment are assembled for purposes of sale or resale for  
8 feeding, breeding, or slaughtering, and where contact may  
9 occur between groups of animals from various sources.

10 "Concentration point" includes a public stockyard, auction  
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12 consignment sales location, buying station, or a livestock  
13 dealer's yard, truck, or facility.

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15 land stewardship or the United States department of  
16 agriculture.

17 c. "Slaughtering establishment" means a person engaged in  
18 the business of slaughtering animals, if the person is an  
19 establishment subject to the provisions of chapter 189A which  
20 slaughters animals for meat food products as defined in  
21 section 189A.2.

22 2. The department may require that samples of blood be  
23 collected from animals which are consigned to slaughter or  
24 slaughtered in order to determine if the animals are infected  
25 with an infectious or contagious disease, according to rules  
26 adopted by the department of agriculture and land stewardship.  
27 The collection shall be performed by either of the following:

28 a. A collection point or slaughtering establishment under  
29 an agreement executed by the department and the collection  
30 point or the slaughtering establishment.

31 b. A person authorized by the department.

32 An authorized person collecting samples shall have access  
33 to areas where the animals are confined in order to collect  
34 blood samples. The department shall notify the concentration  
35 point or slaughtering establishment in writing that samples of

1 blood must be collected for analysis. The notice shall be  
2 provided in a manner required by the department.

3 3. In carrying out this section, a person authorized by  
4 the department to collect blood samples from animals as  
5 provided in this section shall have the right to enter and  
6 remain on the premises of the slaughtering establishment in  
7 the same manner and on the same terms as a meat inspector  
8 authorized by the department, including the right to access  
9 facilities routinely available to employees of the  
10 slaughtering establishment such as toilet and lavatory  
11 facilities, lockers, cafeterias, areas reserved for work  
12 breaks or dining, and storage facilities. The slaughtering  
13 establishment shall provide a secure area for the permanent  
14 storage of equipment used to collect blood, an area reserved  
15 for collecting the blood, including the storage of blood  
16 during the collection, and a refrigerated area used to store  
17 blood samples prior to analysis. The area reserved for  
18 collecting the blood shall be adjacent to the area where the  
19 animals are killed, unless the authorized person and the  
20 slaughtering establishment select another area. The  
21 department is not required to compensate a slaughtering  
22 establishment for allowing a person authorized by the  
23 department to carry out this section.

24 4. A person violating this section or a rule adopted  
25 pursuant to this section shall be subject to a civil penalty  
26 of at least one hundred dollars but not more than one thousand  
27 dollars. Moneys collected in civil penalties shall be  
28 deposited in the general fund of the state.

29 Sec. 2. Section 163.30, subsection 5, unnumbered paragraph  
30 3, Code Supplement 1997, is amended to read as follows:

31 However, registered swine for exhibition or breeding  
32 purposes which can be individually identified by an ear notch  
33 or tattoo or other method approved by the department are  
34 excepted from this identification requirement. In addition,  
35 native Iowa swine moved from farm to farm may shall be

1 excepted from the identification requirement if the seller and  
2 purchaser sign a statement providing that feeder pigs will not  
3 be commingled for a period of thirty days and such fact is  
4 stated on the health certificate owner transferring possession  
5 of the feeder pigs executes a written agreement with the  
6 person taking possession of the feeder pigs. The agreement  
7 shall provide that the feeder pigs shall not be commingled  
8 with other swine for a period of thirty days. The owner  
9 transferring possession shall be responsible for the  
10 completion of this agreement prior to transferring possession.  
11 The owner transferring possession shall provide a copy of the  
12 agreement to the person taking possession of the feeder pigs.

13 Sec. 3. Section 166D.5, subsection 2, unnumbered paragraph  
14 1, Code 1997, is amended to read as follows:

15 When the department determines that a majority of herds  
16 within a program area have been tested and a majority of herds  
17 reveal a noninfection rate of ninety eighty percent or  
18 greater, the following shall apply:

19 Sec. 4. Section 166D.7, subsection 1, paragraph a, Code  
20 1997, is amended to read as follows:

21 a. The herd shall be certified when all breeding swine  
22 have reacted negatively to a test. The herd must have been  
23 free from infection for thirty days prior to testing. At  
24 least ninety percent of swine in the herd must have been on  
25 the premises as a part of the herd for at least sixty days  
26 prior to testing, or swine in the herd must have been moved  
27 directly from another qualified negative herd. To remain  
28 certified, the herd must be retested and recertified as  
29 provided by the department. The herd shall be recertified  
30 when ~~either of the following occurs:~~

31 ~~{1}--Each eighty to one hundred five days at least twenty-~~  
32 ~~five percent of the herd's breeding swine react negatively to~~  
33 ~~a test.~~

34 {2}--Each each month the greater of five head of swine or  
35 at least ten percent of the herd's breeding swine react

1 negatively to a test.

2 Sec. 5. Section 166D.8, subsection 1, Code 1997, is  
3 amended to read as follows:

4 1. A herd cleanup plan may include any or a combination of  
5 the following:

6 a. The segregation of progeny with restricted movement.

7 The herd cleanup plan must include the location of the  
8 premises that will receive the progeny. The receiving  
9 premises shall be quarantined. Progeny shall not be  
10 segregated with restricted movement after January 1, 2000.

11 b. The test and removal of infected swine from the herd.  
12 The removal shall be completed prior to January 1, 2001, in a  
13 manner required by the department.

14 c. Depopulation. The depopulation shall be completed  
15 prior to January 1, 2001, in a manner required by the  
16 department.

17 Sec. 6. Section 166D.8, subsection 2, paragraphs a and c,  
18 Code 1997, are amended to read as follows:

19 a. There must have been no clinical signs of pseudorabies  
20 during the past six-months thirty days.

21 c. An approved pseudorabies eradication plan must be  
22 implemented. ~~However, swine from a feeder pig cooperator herd~~  
23 ~~may be moved within Iowa without individual tests as feeder~~  
24 ~~pigs of unknown origin.~~

25 Sec. 7. Section 166D.9, subsection 4, unnumbered paragraph  
26 2, Code Supplement 1997, is amended to read as follows:

27 Herds A herd removed from quarantine under this subsection  
28 shall be tested by statistical sampling one year later, unless  
29 an epidemiologist determines that the herd must be tested  
30 earlier.

31 Sec. 8. Section 166D.10, subsection 1, paragraph c, Code  
32 Supplement 1997, is amended to read as follows:

33 c. A person transferring transfers ownership of all or  
34 part of a herd, if the herd remains on the same premises.  
35 However, the herd must be tested by statistical sampling. If

1 any part of the herd is subsequently moved or relocated, the  
2 swine that ~~are~~ must be moved or relocated ~~must be accompanied~~  
3 ~~by a certificate of inspection, or an official health~~  
4 ~~certificate or veterinarian certificate as provided in section~~  
5 ~~163.30, unless the swine are moved to slaughter~~ in accordance  
6 with this section and sections 166D.7, 166D.8, and 166D.9.

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

10 Swine that are moved shall be individually identified as  
11 provided in section 163.30, which may include requirements for  
12 affixing ear tags to swine. However, native Iowa feeder pigs  
13 moved from farm to farm within the state shall not be subject  
14 to exempted from the identification requirements of this  
15 subsection, if the owner transferring possession of the feeder  
16 pigs executes a written agreement with the person taking  
17 possession of the feeder pigs. The agreement shall provide  
18 that the feeder pigs ~~will~~ shall not be commingled with other  
19 swine for a period of thirty days. The owner transferring  
20 possession shall be responsible for completing the agreement  
21 prior to transferring possession. The owner transferring  
22 possession shall provide a copy of the agreement to the person  
23 taking possession of the feeder pigs.

24 Sec. 10. Section 166D.10, subsection 6, Code Supplement  
25 1997, is amended to read as follows:

26 6. In addition to other applicable requirements of this  
27 section, feeder swine moved from a location outside of this  
28 state to a location within this state shall be vaccinated, if  
29 the feeder swine are moved into a county where the department  
30 determines that more than three percent of all herds in the  
31 county are infected herds. The feeder swine shall be  
32 vaccinated with a differentiable vaccine according to  
33 procedures established by rules adopted by the department.  
34 However, this subsection shall not require vaccination if the  
35 feeder swine originate from a qualified negative herd or a

1 qualified differentiable negative herd and are introduced to a  
2 qualified negative herd or a qualified differentiable negative  
3 herd.

4 Sec. 11. Section 166D.12, subsection 4, paragraph a, Code  
5 1997, is amended to read as follows:

6 a. Other species of livestock must not be held kept  
7 separate and apart from swine from known infected herds at the  
8 concentration point.

9 Sec. 12. Section 166D.13, subsection 1, Code 1997, is  
10 amended to read as follows:

11 1. Swine from a quarantined an infected herd shall not be  
12 displayed or shown at any exhibition.

13 Sec. 13. PSEUDORABIES -- HERD CLEANUP PLAN REQUIREMENTS.

14 1. As used in this section, "requirement" means the  
15 requirement provided in IAC 21-64.157(2)(c)(7) that all herds  
16 with breeding swine infected with pseudorabies implement a  
17 test and removal herd cleanup plan with all positive swine  
18 moved directly to slaughter; all infected "finisher only"  
19 swine herds operate on an all-in-all-out herd management  
20 program directly to slaughter; and all swine movement from  
21 infected herds may be by "restricted movement to slaughter"  
22 unless excepted by a "feeder pig cooperator" plan.

23 2. The requirement shall not apply until after January 1,  
24 2000.

25 EXPLANATION

26 This bill amends several provisions regulating contagious  
27 diseases among livestock, including Code chapter 163 which  
28 regulates contagious diseases generally and Code chapter 166D  
29 which regulates pseudorabies affecting swine.

30 The bill amends Code chapter 163 by providing for the  
31 collection and analysis of blood from livestock by collection  
32 points and slaughtering establishments. The bill provides  
33 that the department of agriculture and land stewardship or the  
34 United States department of agriculture may require that  
35 samples of blood be collected from animals which are consigned



1 to slaughter or slaughtered in order to determine if the  
2 animals are infected with an infectious or contagious disease.

3 The bill amends Code chapter 166D by providing that an  
4 owner transferring possession of feeder pigs must execute a  
5 written agreement with the person taking possession providing  
6 that the feeder pigs shall not be commingled with other swine  
7 for 30 days.

8 The bill amends a provision placing special conditions upon  
9 an area when the department determines that a majority of  
10 herds within the area have been tested and a majority of herds  
11 reveal a noninfection rate of 90 percent or greater. The bill  
12 reduces this percentage to 80 percent.

13 The bill amends a provision that requires herds to be  
14 periodically recertified by the department. The provision  
15 allows a herd to retain certification when at least 25 percent  
16 of the herd's breeding swine react negatively to a test every  
17 80 to 105 days or at least 10 percent of the herd's breeding  
18 swine react negatively to a test each month. This bill  
19 eliminates the 25 percent requirement.

20 The bill provides for herd cleanup plans which provide for  
21 the segregation of progeny with restricted movement, the test  
22 and removal of infected swine from a herd, or depopulation.  
23 This bill provides that in the case of progeny segregation,  
24 the herd cleanup plan must include the location of the  
25 premises that will receive the progeny. The progeny cannot be  
26 segregated with restricted movement after January 1, 2000. In  
27 the case of removal of infected swine, the removal must be  
28 completed prior to January 1, 2001. In the case of  
29 depopulation, the depopulation must be completed prior to  
30 January 1, 2001.

31 The bill changes a requirement providing that a feeder pig  
32 cooperator herd plan may be adopted if there have been no  
33 clinical signs of pseudorabies during the past six months.  
34 The bill changes the requirement to provide that no clinical  
35 signs of pseudorabies must have been detected for 30 days and

1 eliminates a requirement that a feeder pig cooperato herd may  
2 be moved within Iowa without individual tests as feeder pigs  
3 of unknown origin.

4 The bill eliminates a provision applying to herds which  
5 have transferred ownership but remain on the same premises.  
6 The bill eliminates a requirement that provides that moved or  
7 relocated swine must be accompanied by a certificate of  
8 inspection or an official health certificate or veterinarian  
9 certificate.

10 The bill amends a provision that applies to feeder swine  
11 moved from a location outside of this state to a location  
12 within this state. The bill provides that the feeder swine  
13 are not required to be vaccinated if the feeder swine  
14 originate from a qualified negative herd and are introduced to  
15 a qualified negative herd or the feeder swine originate from a  
16 qualified differentiable negative herd and are introduced to a  
17 qualified differentiable negative herd.

18 The bill amends a provision which provides that swine from  
19 known infected herds may be moved through a concentration  
20 point if other species of livestock are not to be held at the  
21 concentration point. This bill amends that restriction by  
22 providing that the other species must be kept separate and  
23 apart from the swine.

24 The bill delays by one year the time that herds with  
25 breeding swine infected with pseudorabies must implement a  
26 cleanup plan.

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SENATE FILE 2371

AN ACT  
RELATING TO INFECTIOUS AND CONTAGIOUS DISEASES AFFECTING  
LIVESTOCK AND PROVIDING PENALTIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 163.6 SLAUGHTER FACILITIES --  
BLOOD SAMPLES.

1. As used in this section, unless the context otherwise requires:

a. "Department" means the department of agriculture and land stewardship or the United States department of agriculture.

b. "Slaughtering establishment" means a person engaged in the business of slaughtering animals, if the person is an establishment subject to the provisions of chapter 189A which slaughters animals for meat food products as defined in section 189A.2.

2. The department may require that samples of blood be collected from animals at a slaughtering establishment in order to determine if the animals are infected with an infectious or contagious disease, according to rules adopted by the department of agriculture and land stewardship. Upon approval by the department, the collection shall be performed by either of the following:

a. A slaughtering establishment under an agreement executed by the department and the slaughtering establishment.

b. A person authorized by the department.

An authorized person collecting samples shall have access to areas where the animals are confined in order to collect blood samples. The department shall notify the slaughtering establishment in writing that samples of blood must be collected for analysis. The notice shall be provided in a manner required by the department.

3. In carrying out this section, a person authorized by the department to collect blood samples from animals as provided in this section shall have the right to enter and remain on the premises of the slaughtering establishment in the same manner and on the same terms as a meat inspector authorized by the department, including the right to access facilities routinely available to employees of the slaughtering establishment such as toilet and lavatory facilities, lockers, cafeterias, areas reserved for work breaks or dining, and storage facilities. The slaughtering establishment shall provide a secure area for the permanent storage of equipment used to collect blood, an area reserved for collecting the blood, including the storage of blood during the collection, and a refrigerated area used to store blood samples prior to analysis. The area reserved for collecting the blood shall be adjacent to the area where the animals are killed, unless the authorized person and the slaughtering establishment select another area. The department is not required to compensate a slaughtering establishment for allowing a person authorized by the department to carry out this section.

4. A person violating this section or a rule adopted pursuant to this section shall be subject to a civil penalty of at least one hundred dollars but not more than one thousand dollars. Moneys collected in civil penalties shall be deposited in the general fund of the state.

Sec. 2. Section 163.30, subsection 5, unnumbered paragraph 3, Code Supplement 1997, is amended to read as follows:

However, registered swine for exhibition or breeding purposes which can be individually identified by an ear notch or tattoo or other method approved by the department are excepted from this identification requirement. In addition, native Iowa swine moved from farm to farm may shall be excepted from the identification requirement if the ~~seller and purchaser sign a statement providing that feeder pigs will not be commingled for a period of thirty days and such fact is~~

stated-on-the-health-certificate owner transferring possession of the feeder pigs executes a written agreement with the person taking possession of the feeder pigs. The agreement shall provide that the feeder pigs shall not be commingled with other swine for a period of thirty days. The owner transferring possession shall be responsible for making certain that the agreement is executed and for providing a copy of the agreement to the person taking possession.

Sec. 3. Section 166D.5, subsection 2, unnumbered paragraph 1, Code 1997, is amended to read as follows:

When the department determines that a majority of herds within a program area have been tested and a majority of herds reveal a noninfection rate of ninety eighty percent or greater, the following shall apply:

Sec. 4. Section 166D.7, subsection 1, paragraph a, Code 1997, is amended to read as follows:

a. The herd shall be certified when all breeding swine have reacted negatively to a test. The herd must have been free from infection for thirty days prior to testing. At least ninety percent of swine in the herd must have been on the premises as a part of the herd for at least sixty days prior to testing, or swine in the herd must have been moved directly from another qualified negative herd. To remain certified, the herd must be retested and recertified as provided by the department. The herd shall be recertified when ~~either-of-the-following-occurs:~~

~~(1)--Each-eighty-to-one-hundred-five-days-at-least-twenty-five-percent-of-the-herd's-breeding-swine-react-negatively-to-a-test.~~

~~(2)--Each each month the greater of five head of swine or at least ten percent of the herd's breeding swine react negatively to a test.~~

Sec. 5. Section 166D.8, subsection 1, Code 1997, is amended to read as follows:

1. a. A herd cleanup plan may include any or a combination of the following:

a. (1) The segregation of progeny with restricted movement. The herd cleanup plan must include the location of the premises that will receive the progeny. The receiving premises shall be quarantined.

b. (2) The test and removal of infected swine from the herd.

c. (3) Depopulation.

b. Notwithstanding paragraph "a", breeding swine in an infected herd shall be tested and the infected breeding swine shall be removed from the infected herd in accordance with procedures and by dates established by rules adopted by the department.

Sec. 6. Section 166D.8, subsection 2, paragraphs a and c, Code 1997, are amended to read as follows:

a. There must have been no clinical signs of pseudorabies during the past ~~six-months~~ thirty days.

c. An approved pseudorabies-eradication feeder pig cooperator herd plan must be implemented. ~~However, swine from a feeder pig cooperator herd may be moved within Iowa without individual tests as feeder pigs of unknown origin.~~ The feeder pig cooperator herd plan must include the location of the premises that will receive the progeny. The receiving premises shall be quarantined.

Sec. 7. Section 166D.9, subsection 4, unnumbered paragraph 2, Code Supplement 1997, is amended to read as follows:

Herds A herd removed from quarantine under this subsection shall be tested by statistical sampling one year later, unless an epidemiologist determines that the herd must be tested earlier.

Sec. 8. Section 166D.10, subsection 1, paragraph c, Code Supplement 1997, is amended to read as follows:

c. A person transferring transfers ownership of all or part of a herd, if the herd remains on the same premises. However, the herd must be tested by statistical sampling. If any part of the herd is subsequently moved or relocated, the swine that are must be moved or relocated must-be-accompanied

~~by a certificate of inspection or an official health certificate or veterinarian certificate as provided in section 163.30, unless the swine are moved to slaughter in accordance with this section and sections 166D.7, 166D.8, and 166D.9.~~

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

Swine that are moved shall be individually identified as provided in section 163.30, which may include requirements for affixing ear tags to swine. However, native Iowa feeder pigs moved from farm to farm within the state shall not be subject to exempted from the identification requirements of this subsection, if the owner transferring possession of the feeder pigs executes a written agreement with the person taking possession of the feeder pigs. The agreement shall provide that the feeder pigs will shall not be commingled with other swine for a period of thirty days. The owner transferring possession shall provide be responsible for making certain that the agreement is executed and for providing a copy of the agreement to the person taking possession of the feeder pigs.

Sec. 10. Section 166D.10, subsection 6, Code Supplement 1997, is amended to read as follows:

6. In addition to other applicable requirements of this section, feeder swine moved from a location outside of this state to a location within this state shall be vaccinated, if the feeder swine are moved into a county where the department determines that more than three percent of all herds in the county are infected herds. The feeder swine shall be vaccinated with a differentiable vaccine according to procedures established by rules adopted by the department. However, this subsection shall not require vaccination if the feeder swine originate from a qualified negative herd or a qualified differentiable negative herd and are introduced to a qualified negative herd or a qualified differentiable negative herd.

Sec. 11. Section 166D.12, subsection 4, paragraph a, Code 1997, is amended to read as follows:

a. Other species of livestock must not be held kept separate and apart from swine from known infected herds at the concentration point.

Sec. 12. Section 166D.13, subsection 1, Code 1997, is amended to read as follows:

1. Swine from a quarantined an infected herd shall not be displayed or shown at any exhibition.

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MARY E. KRAMER  
President of the Senate

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RON J. CORBETT  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2371, Seventy-seventh General Assembly.

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MARY PAT GUNDERSON  
Secretary of the Senate

Approved 4/6, 1998

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TERRY E. BRANSTAD  
Governor