

Senate Study Bill 2177

Bill Text

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1 1 Section 1. NEW SECTION. 163.6 SLAUGHTER FACILITIES
1 2 BLOOD SAMPLES.
1 3 1. As used in this section, unless the context otherwise
1 4 requires:
1 5 a. "Concentration point" means a location or facility
1 6 where animals customarily slaughtered at a slaughtering
1 7 establishment are assembled for purposes of sale or resale for
1 8 feeding, breeding, or slaughtering, and where contact may
1 9 occur between groups of animals from various sources.
1 10 "Concentration point" includes a public stockyard, auction
1 11 market, street market, state or federal market, untested
1 12 consignment sales location, buying station, or a livestock
1 13 dealer's yard, truck, or facility.
1 14 b. "Department" means the department of agriculture and
1 15 land stewardship or the United States department of
1 16 agriculture.
1 17 c. "Slaughtering establishment" means a person engaged in
1 18 the business of slaughtering animals, if the person is an
1 19 establishment subject to the provisions of chapter 189A which
1 20 slaughters animals for meat food products as defined in
1 21 section 189A.2.
1 22 2. The department may require that samples of blood be
1 23 collected from animals which are consigned to slaughter or
1 24 slaughtered in order to determine if the animals are infected
1 25 with an infectious or contagious disease, according to rules
1 26 adopted by the department of agriculture and land stewardship.
1 27 The collection shall be performed by either of the following:
1 28 a. A collection point or slaughtering establishment under
1 29 an agreement executed by the department and the collection
1 30 point or the slaughtering establishment.
1 31 b. A person authorized by the department.
1 32 An authorized person collecting samples shall have access
1 33 to areas where the animals are confined in order to collect
1 34 blood samples. The department shall notify the concentration
1 35 point or slaughtering establishment in writing that samples of
2 1 blood must be collected for analysis. The notice shall be
2 2 provided in a manner required by the department.
2 3 3. In carrying out this section, a person authorized by
2 4 the department to collect blood samples from animals as
2 5 provided in this section shall have the right to enter and
2 6 remain on the premises of the slaughtering establishment in
2 7 the same manner and on the same terms as a meat inspector
2 8 authorized by the department, including the right to access
2 9 facilities routinely available to employees of the
2 10 slaughtering establishment such as toilet and lavatory
2 11 facilities, lockers, cafeterias, areas reserved for work
2 12 breaks or dining, and storage facilities. The slaughtering
2 13 establishment shall provide a secure area for the permanent
2 14 storage of equipment used to collect blood, an area reserved
2 15 for collecting the blood, including the storage of blood
2 16 during the collection, and a refrigerated area used to store
2 17 blood samples prior to analysis. The area reserved for
2 18 collecting the blood shall be adjacent to the area where the
2 19 animals are killed, unless the authorized person and the
2 20 slaughtering establishment select another area. The
2 21 department is not required to compensate a slaughtering

2 22 establishment for allowing a person authorized by the
2 23 department to carry out this section.
2 24 4. A person violating this section or a rule adopted
2 25 pursuant to this section shall be subject to a civil penalty
2 26 of at least one hundred dollars but not more than one thousand
2 27 dollars. Moneys collected in civil penalties shall be
2 28 deposited in the general fund of the state.
2 29 Sec. 2. Section [163.30](#), subsection 5, unnumbered paragraph
2 30 3, Code Supplement 1997, is amended to read as follows:
2 31 However, registered swine for exhibition or breeding
2 32 purposes which can be individually identified by an ear notch
2 33 or tattoo or other method approved by the department are
2 34 excepted from this identification requirement. In addition,
2 35 native Iowa swine moved from farm to farm

~~may~~
- shall be
3 1 excepted from the identification requirement if the

~~seller and~~

-
3 2

~~purchaser sign a statement providing that feeder pigs will not~~

-
3 3

~~be commingled for a period of thirty days and such fact is~~

-
3 4

~~stated on the health certificate~~

- owner transferring possession

3 5 of the feeder pigs executes a written agreement with the
3 6 person taking possession of the feeder pigs. The agreement
3 7 shall provide that the feeder pigs shall not be commingled
3 8 with other swine for a period of thirty days. The owner
3 9 transferring possession shall be responsible for the
3 10 completion of this agreement prior to transferring possession.
3 11 The owner transferring possession shall provide a copy of the
3 12 agreement to the person taking possession of the feeder pigs.

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

3 15 When the department determines that a majority of herds
3 16 within a program area have been tested and a majority of herds
3 17 reveal a noninfection rate of

~~ninety~~

- eighty percent or

3 18 greater, the following shall apply:

3 19 Sec. 4. Section [166D.7](#), subsection 1, paragraph a, Code
3 20 1997, is amended to read as follows:

3 21 a. The herd shall be certified when all breeding swine
3 22 have reacted negatively to a test. The herd must have been
3 23 free from infection for thirty days prior to testing. At
3 24 least ninety percent of swine in the herd must have been on
3 25 the premises as a part of the herd for at least sixty days
3 26 prior to testing, or swine in the herd must have been moved
3 27 directly from another qualified negative herd. To remain
3 28 certified, the herd must be retested and recertified as
3 29 provided by the department. The herd shall be recertified
3 30 when

~~either of the following occurs:~~

-
3 31

~~(1) Each eighty to one hundred five days at least twenty~~

3 32

~~five percent of the herd's breeding swine react negatively to~~

3 33

~~a test.~~

3 34

~~(2) Each~~

~~each month the greater of five head of swine or~~

3 35 at least ten percent of the herd's breeding swine react
4 1 negatively to a test.

4 2 Sec. 5. Section [166D.8](#), subsection 1, Code 1997, is
4 3 amended to read as follows:

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

4 6 a. The segregation of progeny with restricted movement.

4 7 The herd cleanup plan must include the location of the
4 8 premises that will receive the progeny. The receiving
4 9 premises shall be quarantined. Progeny shall not be
4 10 segregated with restricted movement after January 1, 2000.

4 11 b. The test and removal of infected swine from the herd.
4 12 The removal shall be completed prior to January 1, 2001, in a
4 13 manner required by the department.

4 14 c. Depopulation. The depopulation shall be completed
4 15 prior to January 1, 2001, in a manner required by the
4 16 department.

4 17 Sec. 6. Section [166D.8](#), subsection 2, paragraphs a and c,
4 18 Code 1997, are amended to read as follows:

4 19 a. There must have been no clinical signs of pseudorabies
4 20 during the past

~~six months~~

~~thirty days.~~

4 21 c. An approved pseudorabies eradication plan must be
4 22 implemented.

~~However, swine from a feeder pig cooperator herd~~

4 23

~~may be moved within Iowa without individual tests as feeder~~

4 24

~~pigs of unknown origin.~~

4 25 Sec. 7. Section [166D.9](#), subsection 4, unnumbered paragraph
4 26 2, Code Supplement 1997, is amended to read as follows:
4 27

~~Herds~~

~~A herd removed from quarantine under this subsection~~

4 28 shall be tested by statistical sampling one year later, unless
4 29 an epidemiologist determines that the herd must be tested
4 30 earlier.

4 31 Sec. 8. Section [166D.10](#), subsection 1, paragraph c, Code
4 32 Supplement 1997, is amended to read as follows:

4 33 c. A person

~~transferring~~

~~transfers ownership of all or~~

4 34 part of a herd, if the herd remains on the same premises.

4 35 However, the herd must be tested by statistical sampling. If
5 1 any part of the herd is subsequently moved or relocated, the
5 2 swine

~~that are~~
- ~~must be~~ moved or relocated

~~must be accompanied~~

5 3

~~by a certificate of inspection, or an official health~~

5 4

~~certificate or veterinarian certificate as provided in section~~

5 5

~~163.30, unless the swine are moved to slaughter~~

- ~~in accordance~~

5 6 with this section and sections 166D.7, 166D.8, and 166D.9.

5 7 Sec. 9. Section [166D.10](#), subsection 2, unnumbered

5 8 paragraph 1, Code Supplement 1997, is amended to read as

5 9 follows:

5 10 Swine that are moved shall be individually identified as

5 11 provided in section 163.30, which may include requirements for

5 12 affixing ear tags to swine. However, native Iowa feeder pigs

5 13 moved from farm to farm within the state shall

~~not~~

- be

~~subject~~

5 14

~~to~~

- ~~exempted from~~ the identification requirements of this

5 15 subsection, if the owner transferring possession of the feeder

5 16 pigs executes a written agreement with the person taking

5 17 possession of the feeder pigs. The agreement shall provide

5 18 that the feeder pigs

~~will~~

- ~~shall~~ not be commingled with other

5 19 swine for a period of thirty days. The owner transferring

5 20 possession shall be responsible for completing the agreement

5 21 prior to transferring possession. The owner transferring

5 22 possession shall provide a copy of the agreement to the person

5 23 taking possession of the feeder pigs.

5 24 Sec. 10. Section [166D.10](#), subsection 6, Code Supplement

5 25 1997, is amended to read as follows:

5 26 6. In addition to other applicable requirements of this

5 27 section, feeder swine moved from a location outside of this

5 28 state to a location within this state shall be vaccinated, if

5 29 the feeder swine are moved into a county where the department

5 30 determines that more than three percent of all herds in the

5 31 county are infected herds. The feeder swine shall be

5 32 vaccinated with a differentiable vaccine according to

5 33 procedures established by rules adopted by the department.

5 34 However, this subsection shall not require vaccination if the

5 35 feeder swine originate from a qualified negative herd or a

6 1 qualified differentiable negative herd and are introduced to a

6 2 qualified negative herd or a qualified differentiable negative

6 3 herd.

6 4 Sec. 11. Section [166D.12](#), subsection 4, paragraph a, Code

6 5 1997, is amended to read as follows:
6 6 a. Other species of livestock must

~~not~~
~~be~~

~~held~~
~~kept~~

6 7 separate and apart from swine from known infected herds at the
6 8 concentration point.

6 9 Sec. 12. Section 166D.13, subsection 1, Code 1997, is
6 10 amended to read as follows:

6 11 1. Swine from

~~a quarantined~~

~~an infected~~ herd shall not be

6 12 displayed or shown at any exhibition.

6 13 Sec. 13. PSEUDORABIES HERD CLEANUP PLAN REQUIREMENTS.

6 14 1. As used in this section, "requirement" means the
6 15 requirement provided in IAC 21-64.157(2)(c)(7) that all herds
6 16 with breeding swine infected with pseudorabies implement a
6 17 test and removal herd cleanup plan with all positive swine
6 18 moved directly to slaughter; all infected "finisher only"
6 19 swine herds operate on an all-in-all-out herd management
6 20 program directly to slaughter; and all swine movement from
6 21 infected herds may be by "restricted movement to slaughter"
6 22 unless excepted by a "feeder pig cooperator" plan.

6 23 2. The requirement shall not apply until after January 1,
6 24 2000.

6 25 EXPLANATION

6 26 This bill amends several provisions regulating contagious
6 27 diseases among livestock, including Code chapter 163 which
6 28 regulates contagious diseases generally and Code chapter 166D
6 29 which regulates pseudorabies affecting swine.

6 30 The bill amends Code chapter 163 by providing for the
6 31 collection and analysis of blood from livestock by collection
6 32 points and slaughtering establishments. The bill provides
6 33 that the department of agriculture and land stewardship or the
6 34 United States department of agriculture may require that
6 35 samples of blood be collected from animals which are consigned
7 1 to slaughter or slaughtered in order to determine if the
7 2 animals are infected with an infectious or contagious disease.

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

7 8 The bill amends a provision placing special conditions upon
7 9 an area when the department determines that a majority of
7 10 herds within the area have been tested and a majority of herds
7 11 reveal a noninfection rate of 90 percent or greater. The bill
7 12 reduces this percentage to 80 percent.

7 13 The bill amends a provision that requires herds to be
7 14 periodically recertified by the department. The provision
7 15 allows a herd to retain certification when at least 25 percent
7 16 of the herd's breeding swine react negatively to a test every
7 17 80 to 105 days or at least 10 percent of the herd's breeding
7 18 swine react negatively to a test each month. This bill
7 19 eliminates the 25 percent requirement.

7 20 The bill provides for herd cleanup plans which provide for
7 21 the segregation of progeny with restricted movement, the test
7 22 and removal of infected swine from a herd, or depopulation.
7 23 This bill provides that in the case of progeny segregation,
7 24 the herd cleanup plan must include the location of the
7 25 premises that will receive the progeny. The progeny cannot be
7 26 segregated with restricted movement after January 1, 2000. In
7 27 the case of removal of infected swine, the removal must be

7 28 completed prior to January 1, 2001. In the case of
7 29 depopulation, the depopulation must be completed prior to
7 30 January 1, 2001.

7 31 The bill changes a requirement providing that a feeder pig
7 32 cooperator herd plan may be adopted if there have been no
7 33 clinical signs of pseudorabies during the past six months.
7 34 The bill changes the requirement to provide that no clinical
7 35 signs of pseudorabies must have been detected for 30 days and
8 1 eliminates a requirement that a feeder pig cooperator herd may
8 2 be moved within Iowa without individual tests as feeder pigs
8 3 of unknown origin.

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

8 10 The bill amends a provision that applies to feeder swine
8 11 moved from a location outside of this state to a location
8 12 within this state. The bill provides that the feeder swine
8 13 are not required to be vaccinated if the feeder swine
8 14 originate from a qualified negative herd and are introduced to
8 15 a qualified negative herd or the feeder swine originate from a
8 16 qualified differentiable negative herd and are introduced to a
8 17 qualified differentiable negative herd.

8 18 The bill amends a provision which provides that swine from
8 19 known infected herds may be moved through a concentration
8 20 point if other species of livestock are not to be held at the
8 21 concentration point. This bill amends that restriction by
8 22 providing that the other species must be kept separate and
8 23 apart from the swine.

8 24 The bill delays by one year the time that herds with
8 25 breeding swine infected with pseudorabies must implement a
8 26 cleanup plan.

8 27 LSB 4349SC 77
8 28 da/jl/8