

House Study Bill 672

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
AGRICULTURE AND LAND
STEWARDSHIP BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act regulating animal health by the department of agriculture
2 and land stewardship, making an appropriation, and making
3 penalties applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5242DP 80
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1 1 Section 1. Section 163.1, subsections 1 through 8, Code
1 2 2003, are amended to read as follows:
1 3 1. ~~Make all~~ Adopt any necessary ~~rules~~ rule for the
1 4 ~~suppression and prevention~~ control of an infectious ~~and or~~
1 5 contagious ~~diseases among~~ disease affecting animals within the
1 6 state.
1 7 2. Provide for quarantining animals ~~affected~~ afflicted
1 8 with an infectious or contagious ~~diseases~~ disease, or that
1 9 have been exposed to such ~~diseases~~ disease, whether within or
1 10 without the state.
1 11 3. Determine and employ the most efficient and practical
1 12 means for the ~~prevention, suppression, control, and~~
1 13 ~~eradication control of contagious or an infectious diseases~~
1 14 ~~among or contagious disease afflicting~~ animals.
1 15 4. Establish, maintain, enforce, and regulate quarantine
1 16 and other measures relating to the ~~movements~~ movement and care
1 17 of ~~diseased~~ animals ~~that may be exposed or afflicted with an~~
1 18 ~~infectious or contagious disease~~.
1 19 5. Provide for the disinfection of suspected yards,
1 20 buildings, ~~and or~~ articles, and ~~for~~ the destruction of ~~such~~
1 21 animals as may be deemed necessary ~~by the department~~.
1 22 6. Enter any place where any animal is at the time
1 23 located, or where it has been kept, or where the carcass of
1 24 such animal may be, for the purpose of examining it in any way
1 25 that may be necessary to determine whether it was or is
1 26 ~~infected~~ exposed to or afflicted with any an infectious or
1 27 contagious ~~or infectious~~ disease.
1 28 7. Regulate or prohibit the arrival in, departure from,
1 29 and passage through the state, of animals ~~infected~~ exposed to
1 30 ~~or afflicted with or exposed to any an infectious or~~
1 31 contagious disease; and in case of a violation of any such
1 32 regulation or prohibition, to detain any animal at the owner's
1 33 ~~cost~~ expense.
1 34 8. Regulate or prohibit the ~~bringing~~ movement of animals
1 35 into the state, which, in ~~its opinion~~ the department's
2 1 ~~determination~~, for any reason, may be detrimental to the
2 2 health of animals in the state.
2 3 Sec. 2. Section 163.2, Code 2003, is amended to read as
2 4 follows:
2 5 163.2 INFECTIOUS ~~AND OR~~ CONTAGIOUS DISEASES.
2 6 ~~For the purpose of~~ As provided in this chapter, infectious
2 7 ~~and contagious diseases shall be deemed to embrace unless the~~
2 8 ~~context otherwise requires:~~
2 9 1. "Certificate of veterinary inspection" or "certificate"
2 10 means a legible record, made on an official form of the state
2 11 of origin or the animal and plant health inspection service of
2 12 the United States department of agriculture, and issued by an
2 13 accredited veterinarian of the state of origin or a
2 14 veterinarian in the employ of the animal and plant health
2 15 inspection service, which shows that an animal listed on the
2 16 form meets the health requirements of the state of
2 17 destination.
2 18 2. "Control" means the prevention, suppression, or
2 19 eradication of an infectious or contagious disease afflicting
2 20 an animal within the state.
2 21 3. "Department" means the department of agriculture and

2 22 land stewardship.

2 23 4. "Infectious or contagious disease" means glanders,
2 24 farcy, maladie du coit (dourine), anthrax, foot and mouth
2 25 disease, scabies, hog cholera, ~~swine dysentery,~~ tuberculosis,
2 26 brucellosis, vesicular exanthema, scrapie, rinderpest, ~~ovine~~
2 27 foot rot, or any other ~~transmissible, transferable, or~~
2 28 communicable disease so designated by the department.

2 29 As used in this chapter, "foot and mouth disease" means a
2 30 virus of the family picornaviridae, genus aphthovirus,
2 31 including any immunologically distinct serotypes.

2 32 5. "Move" or "movement", except as provided in subchapter
2 33 III, means to ship, transport, or deliver an animal.

2 34 Sec. 3. Section 163.10, Code 2003, is amended to read as
2 35 follows:

3 1 163.10 ~~QUARANTINING OR KILLING~~ DESTROYING ANIMALS.

3 2 The department may quarantine or ~~condemn~~ destroy any animal
3 3 which is infected exposed to or afflicted with any an
3 4 infectious or contagious or ~~infectious~~ disease, but no.

3 5 However, cattle exposed to or infected with tuberculosis shall
3 6 be killed not be destroyed without the owner's consent, unless
3 7 there ~~shall be~~ are sufficient funds ~~moneys~~ to pay reimburse

3 8 the owner for such the cattle, in which may be paid from the
3 9 allotment made for that purpose from the appropriation for the
3 10 eradication of infectious and contagious diseases among

3 11 animals as provided in this chapter section 163.15, moneys in
3 12 the brucellosis and tuberculosis eradication fund created in
3 13 section 165.18, or moneys made available by the United States

3 14 department of agriculture.

3 15 Sec. 4. Section 163.11, unnumbered paragraph 1, Code 2003,
3 16 is amended to read as follows:

3 17 ~~No~~ A person shall ~~bring not move~~ an animal into this state,
3 18 except to a public livestock ~~markets~~ market where federal
3 19 inspection of livestock is maintained, ~~any animal~~ for work,
3 20 breeding, or dairy purposes, unless such animal has been
3 21 examined and found free from all ~~contagious or~~ infectious or
3 22 contagious diseases.

3 23 Sec. 5. Section 163.12, Code 2003, is amended to read as
3 24 follows:

3 25 163.12 ~~FREEDOM FROM DISEASE.~~

3 26 Freedom from disease as specified in section 163.11 shall
3 27 be established by a ~~certificate of health~~ certificate of

3 28 veterinary inspection signed by a veterinarian acting under
3 29 either the authority of the ~~federal~~ department of agriculture
3 30 and land stewardship, or of the ~~state~~ United States department
3 31 of agriculture and land stewardship. A copy of the

3 32 certificate shall be attached to the waybill accompanying a
3 33 shipment, and a copy of the certificate shall be delivered to
3 34 the department.

3 35 Sec. 6. Section 163.14, Code 2003, is amended to read as
4 1 follows:

4 2 163.14 ~~INTRASTATE SHIPMENTS~~ MOVEMENT.

4 3 ~~All animals~~ An animal, except those intended other than an
4 4 animal to be moved for immediate slaughter, shall be inspected
4 5 when required by the department, and accompanied by the

4 6 ~~aforsaid~~ certificate of veterinary inspection provided in
4 7 section 163.12 when shipped moved from a point public

4 8 stockyard in this state to another point within the state
4 9 where federal inspection is not maintained.

4 10 Sec. 7. Section 163.15, unnumbered paragraphs 1 and 2,
4 11 Code 2003, are amended to read as follows:

4 12 ~~Whenever any animal is found to be infected with one of the~~
4 13 contagious diseases enumerated in section 163.2 or one which
4 14 has been designated by the department thereunder, if there be

4 15 no other provisions for indemnifying the owner in case the
4 16 same be condemned and ordered by the department to be killed,

4 17 and If the secretary of agriculture determines that the
4 18 existence of said communicable the outbreak of an infectious

4 19 or contagious disease among an animal population constitutes a
4 20 threat to the general welfare or the public health of the
4 21 inhabitants of the this state, the secretary shall formulate a

4 22 program of eradication including therein which shall include
4 23 the condemnation and killing destroying of the infected

4 24 animals; provided however, that said exposed to or afflicted
4 25 with the disease. The program of eradication shall provide

4 26 for the indemnification of owners of the livestock under this
4 27 section, if there are no other sources of indemnification.

4 28 The program shall not be put into effect as hereinafter

4 29 provided effective until the same program has been approved by
4 30 the executive council.

4 31 If an animal ~~infected~~ afflicted with a an infectious or

4 32 contagious disease is destroyed under a program of eradication

4 33 as provided in this section, the owner shall be compensated
4 34 according to one of the following methods:

4 35 Sec. 8. Section 163.15, subsection 2, unnumbered paragraph
5 1 2, Code 2003, is amended to read as follows:

5 2 c. If an owner elects to be paid an indemnity amount based
5 3 on a method that provides either a determination by appointed
5 4 appraisers or pursuant to a formula, the owner shall not be
5 5 entitled to revoke the election, unless otherwise provided by
5 6 the department. An owner's decision to delay or refuse to
5 7 make an election under this section shall not affect the
5 8 condemnation and destruction of ~~infected~~ afflicted animals
5 9 under the program of eradication.

5 10 d. Upon approval by the executive council, there is
5 11 appropriated to the department from any moneys in the general
5 12 fund of the state not otherwise appropriated moneys sufficient
5 13 to carry out the provisions of this subsection.

5 14 Sec. 9. Section 163.23, Code 2003, is amended to read as
5 15 follows:

5 16 163.23 FALSE CERTIFICATES OF HEALTH.

5 17 A veterinarian shall not issue a certificate of ~~health~~
5 18 veterinary inspection for an animal knowing that the animal
5 19 described in the certificate ~~of health~~ was not the same animal
5 20 from which tests were made as a basis for issuing the
5 21 certificate. A veterinarian shall not otherwise falsify a
5 22 certificate ~~of health~~.

5 23 Sec. 10. Section 163.24, Code 2003, is amended to read as
5 24 follows:

5 25 163.24 USING FALSE CERTIFICATE.

5 26 A person shall not conduct a transaction to import, export,
5 27 or transport an animal within this state or sell or offer for
5 28 sale an animal if the person uses a certificate of ~~health~~
5 29 veterinary inspection in connection with the transaction
5 30 knowing that the animal described in the certificate ~~of health~~
5 31 was not the animal from which tests were made as a basis for
5 32 issuing the certificate ~~of health~~. A person shall not
5 33 otherwise use an altered or otherwise false certificate in
5 34 connection with such transaction.

5 35 Sec. 11. Section 163.30, subsection 5, unnumbered
6 1 paragraphs 1 and 4, Code Supplement 2003, are amended to read
6 2 as follows:

6 3 All swine moved shall be accompanied by ~~an official a~~
6 4 ~~health certificate or veterinarian of veterinary~~ inspection
6 5 ~~certificate~~ issued by the state of origin and prepared and
6 6 signed by a veterinarian. The ~~health certificate or~~
6 7 ~~veterinarian inspection certificate~~ shall show the point of
6 8 origin, the point of destination, individual identification,
6 9 immunization status, and, when required, any movement permit
6 10 number assigned to the shipment by the department. All such
6 11 movement of swine shall be completed within seventy-two hours
6 12 unless an extension of time for movement is granted by the
6 13 department.

6 14 The department may combine ~~an official health a~~ certificate
6 15 ~~or a veterinarian of veterinary~~ inspection certificate with a
6 16 certificate of inspection required under chapter 166D.

6 17 Sec. 12. Section 163.30, subsection 9, Code Supplement
6 18 2003, is amended to read as follows:

6 19 9. All swine found by a registered veterinarian to have
6 20 any ~~infectious, contagious, or communicable swine~~ infectious
6 21 ~~or contagious~~ disease after delivery to any livestock sale

6 22 barn or auction market for resale other than for slaughter,
6 23 shall be immediately returned to the consignor's premises to
6 24 be quarantined separate and apart for fifteen days. Such
6 25 swine ~~may shall~~ not be moved from such premises for any
6 26 purpose unless ~~an official health a~~ certificate ~~or~~
6 27 ~~veterinarian of veterinary~~ inspection certificate accompanies
6 28 the movement or unless they are sent to slaughter. This
6 29 subsection shall in no way supersede the requirements of
6 30 sections 163A.2 and 163A.3.

6 31 Sec. 13. Section 163.43, Code 2003, is amended to read as
6 32 follows:

6 33 163.43 ~~HEALTH~~ HEALTH CERTIFICATE REQUIRED.

6 34 1. A person shall not be a party to a lease of a breeding
6 35 bull within this state in which the lessor is a licensee,
7 1 unless the breeding bull is accompanied by a ~~health~~
7 2 certificate of veterinary inspection. For the purposes of
7 3 this section, a breeding bull is leased within this state if
7 4 it is leased to an Iowa resident.

7 5 2. The ~~health~~ certificate of veterinary inspection shall
7 6 be issued by a licensed veterinarian who examines the breeding
7 7 bull and signs the ~~health~~ certificate. The ~~health~~ certificate
7 8 shall include all of the following:

7 9 a. A statement that, to the best of the knowledge and
7 10 belief of the veterinarian, the breeding bull is apparently
7 11 free from ~~any an~~ infectious, ~~or~~ contagious, ~~or communicable~~
7 12 disease.
7 13 b. A statement that the breeding bull has reacted
7 14 negatively to a test for brucellosis conducted within six
7 15 months prior to the date that the veterinarian signs the
7 16 health certificate.
7 17 c. If the breeding bull does not originate from this
7 18 state, a statement providing that importing the breeding bull
7 19 satisfies applicable importation requirements.
7 20 d. The identification number of the breeding bull as
7 21 required pursuant to section 163.42.
7 22 e. The date that the ~~health~~ certificate is was issued.
7 23 3. The ~~health~~ certificate of veterinary inspection shall
7 24 not be valid after the term of the lease expires or after the
7 25 breeding bull moves from the lessee's premises. Thereafter, a
7 26 new ~~health~~ certificate must be issued as required in this
7 27 section.
7 28 4. One copy of the ~~health~~ certificate of veterinary
7 29 inspection shall be issued to the licensee who shall maintain
7 30 the ~~health~~ certificate as part of the licensee's business
7 31 records. One copy of the ~~health~~ certificate shall be issued
7 32 to the lessee when the breeding bull is delivered to the
7 33 lessee. A licensee shall show the ~~health~~ certificate upon
7 34 request to any person designated by the department to enforce
7 35 the provisions of this section.

8 1 Sec. 14. Section 163.46, Code 2003, is amended to read as
8 2 follows:

8 3 163.46 SALE OF SEMEN.

8 4 The owner of a breeding bull located within this state
8 5 shall not sell the semen from that bull for the purpose of
8 6 artificial insemination unless the owner is in possession of a
8 7 ~~health~~ certificate of veterinary inspection signed and issued
8 8 by a licensed veterinarian within six months before the date
8 9 the semen is collected. The ~~health~~ certificate shall not be
8 10 valid if the bull is moved to other premises between the date
8 11 of examination and the date of collection. The ~~health~~
8 12 certificate shall show that on the date of issue the breeding
8 13 bull had been tested negative for brucellosis and, to the best
8 14 knowledge and belief of the examining veterinarian, was free
8 15 from any infectious, ~~or~~ contagious, ~~or communicable~~ disease.

8 16 Sec. 15. Section 163.61, subsection 2, paragraph b, Code
8 17 2003, is amended to read as follows:

8 18 b. Notwithstanding the provisions of paragraph "a", a
8 19 person who falsifies a ~~health~~ certificate, ~~veterinarian of~~
8 20 ~~veterinary~~ inspection ~~certificate, or certificate of~~
8 21 ~~inspection~~ shall be subject to a civil penalty of not more
8 22 than five thousand dollars for each reference to an animal
8 23 falsified on the certificate. However, a person who falsifies
8 24 a certificate ~~of inspection~~ issued pursuant to chapter 166D
8 25 shall be subject to a civil penalty as provided in this
8 26 section or section 166D.16, but not both. A person shall not
8 27 be subject to a civil penalty totaling more than twenty-five
8 28 thousand dollars for falsifying a certificate, regardless of
8 29 the number of animals falsified on the certificate.

8 30 Sec. 16. Section 163A.1, subsection 4, Code 2003, is
8 31 amended to read as follows:

8 32 4. ~~"Health certificate" or "certificate of health" or~~
8 33 ~~"interstate health certificate" "Certificate of veterinary~~
8 34 ~~inspection" or "certificate" means a legible record, made on~~
8 35 ~~an official form of the state of origin or the animal disease~~
9 1 ~~eradication branch of the United States department of~~
9 2 ~~agriculture or any successor agency thereto, and issued by an~~
9 3 ~~accredited veterinarian of the state of origin or a~~
9 4 ~~veterinarian in the employ of the animal disease eradication~~
9 5 ~~branch of the United States department of agriculture or any~~
9 6 ~~successor agency thereto, which shows that the animals listed~~
9 7 ~~thereon meet the health requirements of the state of~~
9 8 ~~destination the same as defined in section 163.2.~~

9 9 Sec. 17. Section 163A.5, Code 2003, is amended to read as
9 10 follows:

9 11 163A.5 INTERSTATE SHIPMENTS.

9 12 1. ~~All~~ Except as provided in subsection 2, breeding swine
9 13 four months of age and over, entering ~~Iowa~~ this state for
9 14 breeding or exhibition purposes, shall be accompanied by ~~an~~
9 15 ~~official interstate health~~ a certificate of inspection issued
9 16 by an accredited veterinarian of the state of origin, ~~showing,~~
9 17 The certificate shall show that such swine meet the Iowa this
9 18 state's entry requirements and are negative to the test for
9 19 brucellosis conducted by an official laboratory of the state

9 20 of origin within thirty days of entry; ~~provided, that swine~~
9 21 ~~from validated brucellosis-free herds.~~
9 22 2. a. Swine may enter the state or be exhibited without a
9 23 test for brucellosis ~~when if one of the following applies:~~
9 24 (1) ~~The swine are from a brucellosis-free herd as~~
9 25 ~~validated according to rules adopted by the department.~~
9 26 (2) ~~The swine are from a state that is declared to be~~
9 27 ~~brucellosis-free as recognized by the department.~~
9 28 b. ~~The swine must be accompanied by a certificate of~~
9 29 ~~health veterinary inspection issued by an accredited~~
9 30 ~~veterinarian of the state of origin or a veterinarian employed~~
9 31 ~~by the animal disease eradication branch and plant inspection~~
9 32 ~~service of the United States department of agriculture or any~~
9 33 ~~successor agency thereto, showing such swine to have~~
9 34 ~~originated. The certificate must indicate whether the swine~~
9 35 ~~are from a state that is declared to be brucellosis-free. If~~
10 1 ~~the swine are from a brucellosis-free herds and giving herd,~~
10 2 ~~the certificate must indicate the herd number and showing show~~
10 3 ~~that the herd has been tested within the past twelve months.~~
10 4 Sec. 18. Section 164.1, Code 2003, is amended by adding
10 5 the following new subsection:
10 6 NEW SUBSECTION. 2A. "Certificate of veterinary
10 7 inspection" or "certificate" means the same as defined in
10 8 section 163.2.
10 9 Sec. 19. Section 164.14, subsection 2, paragraph c, Code
10 10 2003, is amended to read as follows:
10 11 c. ~~Accompanied by an official health~~ a certificate of
10 12 veterinary inspection showing a record of a negative
10 13 brucellosis test, when required, accomplished within thirty
10 14 days of importation.
10 15 Sec. 20. NEW SUBSECTION. 165.1A DEFINITIONS.
10 16 As used in this chapter, unless the context otherwise
10 17 requires:
10 18 1. "Department" means the department of agriculture and
10 19 land stewardship.
10 20 2. "Certificate of veterinary inspection" or "certificate"
10 21 means the same as defined in section 163.2.
10 22 Sec. 21. Section 165.36, subsection 3, Code 2003, is
10 23 amended to read as follows:
10 24 3. That such cattle are brought into ~~the state of Iowa~~
10 25 this state under quarantine to be tuberculin tested for
10 26 tuberculosis and fully examined in not less than sixty days
10 27 nor more than ninety days, ~~such. The test to must be applied~~
10 28 by a veterinarian accredited by the department of agriculture
10 29 and land stewardship of the state of Iowa and at the expense
10 30 of the ~~owners~~ owner. Such cattle brought in under quarantine
10 31 shall be accompanied by ~~an official~~ a certificate of
10 32 veterinary inspection issued by a veterinarian accredited by
10 33 the state from which the cattle ~~come are imported~~ or by the
10 34 ~~department of agriculture of the animal and plant health~~
10 35 inspection service of the United States department of
11 1 agriculture showing them to be free from tuberculosis. The
11 2 department of agriculture and land stewardship shall not
11 3 release its quarantine thus provided for shall be established
11 4 by the department of agriculture and land stewardship of the
11 5 state of Iowa and shall not be released until the an
11 6 examination has been made and the department determines that
11 7 such cattle found free from are not afflicted with
11 8 tuberculosis.
11 9 Sec. 22. Section 166A.1, subsection 8, Code 2003, is
11 10 amended to read as follows:
11 11 8. "Official health certificate" "Certificate of
11 12 veterinary inspection" or "certificate" means a legal record
11 13 covering the requirement of the state of Iowa and approved by
11 14 the proper livestock sanitary official of the state of origin
11 15 and issued by an accredited veterinarian the same as defined
11 16 in section 163.2.
11 17 Sec. 23. Section 166A.4, Code 2003, is amended to read as
11 18 follows:
11 19 166A.4 DIPPING.
11 20 All breeding and feeding sheep offered for sale or exchange
11 21 or otherwise moved or released from any premises, vehicle or
11 22 conveyance, shall, within ten days prior to exchange, release,
11 23 or movement, be dipped in an approved dip under the
11 24 supervision of the ~~Iowa department of agriculture and land~~
11 25 stewardship or of the animal disease eradication division or
11 26 the animal and plant health inspection service of the United
11 27 States department of agriculture; ~~provided, that when. When~~
11 28 sheep are moved within or from a certified scabies-free area
11 29 in the this state, the sheep must be accompanied by an
11 30 official health certificate, a certificate of veterinary

11 31 inspection as provided in chapter 163. The dipping shall not
11 32 be required prior to such movement, ~~and provided further, that~~
~~11 33 sheep. Sheep~~ may be moved from a premises to an approved
11 34 facility for the purpose of dipping under such conditions as
11 35 may be required by the rules of the department, ~~and also or~~
12 1 the animal and plant health inspection service of the United
12 2 States department of agriculture. In addition, sheep are not
12 3 required to be dipped if moved to a livestock auction market
12 4 need not be dipped until after sale, ~~Nor. Sheep are not~~
12 5 required to be dipped if consigned directly for slaughter.

12 6 Sec. 24. Section 166A.10, Code 2003, is amended to read as
12 7 follows:

12 8 166A.10 RESTRAINT OF MOVEMENT.

12 9 Sheep from noncertified scabies-free areas within ~~Iowa this~~
12 10 state shall not enter certified scabies-free areas unless they
12 11 have been dipped in an approved dip under supervision within
12 12 ten days preceding movement and satisfactory evidence of
12 13 dipping accompanies the shipment, ~~except. However,~~ such sheep
12 14 may ~~move be moved~~ into certified scabies-free areas if
12 15 consigned directly to a stockyard market, auction market or
12 16 slaughter establishment, under federal inspection, provided
12 17 the sheep are accompanied by a certificate of veterinary
12 18 inspection stating number, description, consignor and
12 19 consignee.

12 20 Sec. 25. Section 166A.11, Code 2003, is amended to read as
12 21 follows:

12 22 166A.11 SHEEP ENTERING STATE.

12 23 1. ~~All sheep entering~~ Sheep being moved into the state for
12 24 breeding or feeding purposes shall be accompanied by a permit
12 25 and by a health certificate of veterinary inspection stating
12 26 the sheep are from any of the following:

12 27 a. ~~From a certified scabies-free area or if not from a~~
12 28 ~~certified scabies-free area that they have been dipped.~~

12 29 b. Dipped in an approved dip within ten days prior to
12 30 movement. ~~All livestock~~

12 31 2. Livestock markets, dealers and individuals shall retain
12 32 all incoming waybills, ~~permits and health and~~ certificates for
12 33 a period of one year, ~~same to which shall~~ be made available to
12 34 the department upon demand ~~by the department.~~

12 35 Sec. 26. Section 166D.2, Code 2003, is amended by adding
13 1 the following new subsection:

13 2 NEW SUBSECTION. 5A. "Certificate of veterinary
13 3 inspection" means the same as defined in section 163.2.

13 4 Sec. 27. Section 166D.10, subsection 1, unnumbered
13 5 paragraph 1, Code Supplement 2003, is amended to read as
13 6 follows:

13 7 A person shall not sell, lease, exhibit, loan, move, or
13 8 relocate swine within the state unless the swine are
13 9 accompanied by a certificate of inspection in the same manner
13 10 as provided for ~~an official health a certificate or~~
13 11 ~~veterinarian certificate of veterinary inspection~~ as provided
13 12 in section 163.30. The department may combine the certificate
13 13 of inspection with ~~an official health a certificate or a~~
13 14 ~~veterinarian of veterinary inspection certificate.~~ A
13 15 certificate of inspection is not required if any of the
13 16 following apply:

13 17 Sec. 28. Section 166D.10, subsection 1, paragraph b,
13 18 subparagraph (3), Code Supplement 2003, is amended to read as
13 19 follows:

13 20 (3) A certificate of inspection, or ~~an official health a~~
13 21 ~~certificate or a veterinarian of veterinary inspection~~
13 22 ~~certificate~~ as provided in section 163.30, has been issued for
13 23 the swine within thirty days prior to the date of relocation.
13 24 The department may adopt rules excusing a person from
13 25 complying with this subparagraph if the department determines
13 26 that the purposes of the chapter as provided in section 166D.1
13 27 are not furthered by the requirement.

13 28 Sec. 29. Section 166D.10, subsection 1, paragraph b,
13 29 unnumbered paragraph 2, Code Supplement 2003, is amended to
13 30 read as follows:

13 31 The department shall adopt rules required to administer
13 32 this paragraph "b". A transportation certificate accompanying
13 33 relocated swine shall cite the relevant relocation record and
13 34 certificate of inspection, or ~~official health certificate or~~
13 35 ~~veterinarian of veterinary inspection certificate.~~ The
14 1 department may provide for the examination of the relocation
14 2 records on the owner's premises during normal business hours,
14 3 or may require that reports containing relevant information
14 4 contained in relocation records and certificates of
14 5 inspection, or ~~official health certificates or veterinarian of~~
14 6 ~~veterinary inspection certificates,~~ be periodically submitted

14 7 to the department. For purposes of this section, swine
14 8 production information contained in relocation records is a
14 9 trade secret as provided in section 22.7, unless otherwise
14 10 provided by rules adopted by the department. The department
14 11 shall provide for the disclosure of confidential information
14 12 only to the extent required for enforcement of this chapter,
14 13 the detection and prosecution of public offenses, or to comply
14 14 with a subpoena or court order.

14 15 Sec. 30. Section 166D.10, subsection 2, unnumbered
14 16 paragraph 2, Code Supplement 2003, is amended to read as
14 17 follows:

14 18 As used in this subsection, "farm to farm within the state"
14 19 does not include the movement or relocation of native Iowa
14 20 feeder pigs to the possession of a dealer licensed pursuant to
14 21 section 163.30. Native Iowa feeder pigs that are moved shall
14 22 be accompanied by a certificate of inspection, or ~~an official~~
~~14 23 health a certificate or veterinarian certificate of veterinary~~
14 24 inspection as provided in section 163.30, unless swine are
14 25 otherwise exempted from this requirement by this section.

14 26 Sec. 31. Section 172B.3, subsection 2, paragraph 1, Code
14 27 2003, is amended to read as follows:

14 28 1. The form number and state of issuance of any ~~health~~
14 29 certificate of veterinary inspection accompanying the
14 30 livestock.

14 31 EXPLANATION

14 32 This bill amends a number of provisions in Title V of the
14 33 Code relating to animal health, and specifically infectious or
14 34 contagious diseases regulated by the department of agriculture
14 35 and land stewardship. The bill amends the term "infectious or
15 1 contagious" throughout the title to be consistent. The bill
15 2 provides a common definition of the term "certificate of
15 3 veterinary inspection" (formerly "health certificate" or
15 4 "certificate of health") as used throughout chapters
15 5 regulating animal health. The definition is borrowed from
15 6 Code chapter 163A regulating brucellosis in swine. The bill
15 7 also amends Code chapter 163 to provide a definition of
15 8 "control" and "movement".

15 9 Code section 163.1 currently authorizes the department to
15 10 quarantine animals that have been infected or exposed to an
15 11 infectious or contagious disease and provides for the
15 12 destruction of such animals as determined by the department.
15 13 This presumably refers to animals which have been exposed to
15 14 or afflicted with the disease and this bill specifically
15 15 provides for that. The bill makes a related change to Code
15 16 section 163.10, which provides for quarantining and destroying
15 17 animals infected with the disease. The bill provides that
15 18 this includes animals which are exposed to the disease. Code
15 19 section 163.15 currently provides for indemnifying owners
15 20 whose livestock has been destroyed by the department. One
15 21 method is based on a formula adopted by the department and
15 22 approved by the executive council. The other method is an
15 23 appraisal method. The bill provides an appropriation to the
15 24 department from the general fund as approved by the executive
15 25 council to support payments under the formula method just as
15 26 executive council approves payments now based on the appraisal
15 27 method.

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