

## CHAPTER 142

## ERADICATION OF HOG CHOLERA

S. F. 291

AN ACT relating to the eradication of hog cholera, the establishment of a biological products pool, and to make appropriations therefor.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section one hundred sixty-three point eleven (163.11),  
2 Code 1966, is hereby amended by inserting in line eighteen (18) after the  
3 word "prescribe" the words "except that this sentence shall not apply to  
4 swine".

1 SEC. 2. Section one hundred sixty-three point twenty-six (163.26),  
2 subsection three (3), Code 1966, is hereby amended by adding thereto the  
3 following sentence:

4 "Animals or parts of animals, which are processed by slaughterhouses  
5 or rendering establishments, and which as part of such processing are  
6 heated to not less than two hundred twelve degrees Fahrenheit for thirty  
7 minutes, shall not be deemed garbage for purposes of this chapter. Where  
8 cattle slaughtering operations are completely separate from any other  
9 slaughter operations, the rumen content taken from cattle slaughtered  
10 need not be cooked and shall not be considered garbage for the purposes  
11 of this chapter."

1 SEC. 3. Section one hundred sixty-three point twenty-seven (163.27),  
2 Code 1966, is hereby amended by adding thereto the following:

3 "It shall be unlawful for any person, firm, partnership, or corporation  
4 to feed any public or commercial garbage to swine after September 1, 1970."

1 SEC. 4. Section one hundred sixty-three point twenty-eight (163.28),  
2 Code 1966, is hereby amended by adding thereto the following:

3 "The secretary shall not issue a license which would permit the process-  
4 ing of any garbage for swine feeding after September 1, 1970."

1 SEC. 5. Section one hundred sixty-three point thirty (163.30), Code  
2 1966, as amended by chapter one hundred sixty-nine (169), Acts of the Six-  
3 ty-second General Assembly, is hereby further amended as follows:

4 1. By repealing subsection three (3) and enacting in lieu thereof the fol-  
5 lowing:

6 "After July 1, 1969 all swine, other than registered swine for exhibition  
7 or breeding purposes, which can be individually identified by an ear notch  
8 or tattoo system or other identification system approved by the department,  
9 or swine for manufacture of biological products, or swine for immediate  
10 slaughter, imported into this state shall have affixed in either ear of each  
11 animal an ear tag, each ear tag having a number thereon and the name of  
12 the state of origin from which the swine are imported into this state. All  
13 native Iowa swine that are purchased for further resale as feeders, except  
14 as slaughter animals or for the production of biological products, and ex-  
15 cept the swine sold at Iowa auction markets operating under a valid  
16 Iowa permit, shall be individually ear tagged with an approved Iowa swine  
17 tag, affixed to either ear, at the time of purchase by the purchaser before  
18 leaving the premises of the seller, or by the purchaser prior to leaving the  
19 premises of the livestock market from which they were consigned for sale,

20 provided, however, this Act shall not apply to native Iowa swine raised  
21 from birth, and consigned or sold to an Iowa auction market operating un-  
22 der a valid Iowa permit. The attached swine ear tag numbers shall be re-  
23 corded in series inclusive for each separate lot of swine on the appropriate  
24 certificates and such certificates must accompany the swine from either the  
25 premises of the seller or livestock market. A record shall be kept by the  
26 purchaser, or seller, or the approved market if consigned there for sale, of  
27 the number on the attached swine ear tags. These records shall be made  
28 available to any state inspector.”

29 2. By repealing subsections four (4), five (5), six (6), and seven (7) and  
30 enacting in lieu thereof the following new subsections:

31 “4. All swine regardless of point of origin being moved interstate into  
32 Iowa shall be accompanied by an official health certificate showing point  
33 of origin, point of destination, and individual identification of swine as  
34 well as immunization status, and, when required, a permit number, except  
35 that healthy swine other than swine fed raw garbage may be imported  
36 into Iowa without an official health certificate if shipped directly to a  
37 slaughtering establishment for immediate slaughter or to a public stock-  
38 yard for sale directly to a slaughtering establishment for immediate slaugh-  
39 ter except that swine animals shipped directly to a public stockyard which  
40 are intended for sale to a slaughtering establishment for immediate  
41 slaughter, but are found on arrival at such stockyard to be apparently  
42 healthy, may be sold for feeding purposes if such swine are individually  
43 identified in accordance with section one hundred sixty-three point thirty  
44 (163.30), subsection three (3), of the Code, as amended by chapter one  
45 hundred sixty-nine (169), Acts of the Sixty-second General Assembly; if  
46 they are given anti-hog cholera serum or antibody concentrate as specified  
47 in the Code of Federal Regulations, Title IX, Chapter I, Part 76, forthwith,  
48 and, if an official health certificate indicating the out-of-state point of  
49 origin of such swine is secured and accompanies them from such stock-  
50 yard. All such movements of swine shall be completed within seventy-two  
51 hours unless an extension of time for movement is granted by the depart-  
52 ment.

53 5. Unvaccinated swine moving interstate from the farm of origin  
54 direct to a farm of destination in Iowa shall be moved only after a permit  
55 has been issued by the department. On arrival at the farm of destination,  
56 such incoming swine shall either be quarantined separate and apart for  
57 thirty days thereafter, from other swine located on such premises at the  
58 time of arrival, or, if such incoming swine are not thus separated, all swine  
59 on such premises shall be quarantined for thirty days beginning with ar-  
60 rival of the incoming swine, except animals going from such premises direct  
61 to slaughter.

62 6. Movement of swine interstate into Iowa from an approved market or  
63 public stockyard which is located in a state not classified as Phase IV or  
64 hog cholera free by the United States department of agriculture shall be  
65 restricted to swine which have received anti-hog cholera serum or antibody  
66 concentrate as specified in the Code of Federal Regulations, Title 9, Chapter  
67 I, Part 76, within five days prior to entry into the state. On arrival at the  
68 farm of destination such swine shall either be quarantined separate and  
69 apart for thirty days thereafter from other swine located on such premises  
70 at the time of arrival, or if such incoming swine are not thus separated, all  
71 swine on such premises shall be quarantined for thirty days beginning with  
72 arrival of the incoming swine, except animals going from such premises

73 direct to slaughter. In no case, however, will swine originating in states  
74 classified in Phase I or Phase II be permitted to enter into Iowa except  
75 for immediate slaughter.

76 7. Swine originating in states classified as hog cholera free states by the  
77 United States department of agriculture may be moved interstate into Iowa  
78 when accompanied by an official health certificate from the state of origin.  
79 Swine originating in states classified as Phase IV by the United States de-  
80 partment of agriculture, being moved interstate into Iowa, shall be accom-  
81 panied by an official health certificate from the state of origin. A permit  
82 may be required at the discretion of the secretary. All such swine, whether  
83 imported from states classified as Phase IV or from states classified as hog  
84 cholera free by the United States department of agriculture, on arrival at  
85 the farm of destination shall either be quarantined separate and apart for  
86 thirty days thereafter from other swine located on such premises at the  
87 time of arrival, or if such incoming swine are not thus separated, all swine  
88 on such premises shall be quarantined for thirty days beginning with arriv-  
89 al of the incoming swine, except animals going from such premises direct  
90 to slaughter.

91 8. Swine moving interstate to approved markets in Iowa shall be indi-  
92 vidually identified at their out-of-state point of origin in accordance with  
93 subsection three (3) of section one hundred sixty-three point thirty (163.30),  
94 of the Code, as amended by chapter one hundred sixty-nine (169), Acts of  
95 the Sixty-second General Assembly of this section except as otherwise pro-  
96 vided in subsection two (2) of section five (5) of this Act.

97 9. Notwithstanding any provisions of this chapter, no swine vaccinated  
98 with any inactivated vaccine shall be imported into this state except those  
99 swine moving into Iowa for the purpose of immediate slaughter. Native  
100 Iowa swine officially vaccinated with modified live virus prior to July 1,  
101 1969, shall for a period of one year from the date of said vaccination be  
102 exempt from the provisions of this Act.

103 10. All swine not meeting the requirements set forth in subsections  
104 five (5), six (6), seven (7), and eight (8) of this section may enter into Iowa  
105 under special permit issued by the department."

1 SEC. 6. Chapter one hundred sixty-three (163), Code 1966, is hereby  
2 amended by adding thereto the following new sections:

3 1. "When used in this chapter:

4 a. 'Dealer' means any person who is engaged in the business of buying  
5 for resale, or selling, or exchanging swine as a principal or agent or who  
6 holds himself out as so engaged, but does not include the owner or operator  
7 of a farm who does not hold himself out as so engaged and who sells or  
8 exchanges only those swine which have been kept by him solely for feeding  
9 or breeding purposes.

10 b. 'Concentration point' means any place where swine from more than  
11 one source are assembled and offered for sale other than for immediate  
12 slaughter.

13 c. 'Separate and apart' means a manner of holding swine so as not to  
14 have physical contact with other swine on the premises."

15 2. "Swine moving intrastate through a concentration point or a dealer  
16 shall be treated with anti-hog cholera serum or antibody concentrate as  
17 specified in the Code of Federal Regulations, Title 9, Chapter I, Part 76, by  
18 an accredited veterinarian within five days prior to the movement from a  
19 concentration point or dealer to a purchaser's premises. Such movement

20 shall be completed within seventy-two hours unless an extension of time  
21 for movement is granted by the department, and on arrival at the farm of  
22 destination, such swine shall either be quarantined separate and apart  
23 for thirty days thereafter from other swine located on such premises at the  
24 time of arrival, or if such incoming swine are not thus separated, all swine  
25 on such premises shall be quarantined for thirty days beginning with  
26 arrival of the incoming swine, except animals going from such premises  
27 direct to slaughter. There can be one transfer by a dealer prior to quaran-  
28 tine. Such treatment and quarantine shall continue to be required for such  
29 swine until Iowa is classified as Phase IV or hog cholera free by the United  
30 States department of agriculture, whichever event shall first occur, at  
31 which time the requirements of this subsection shall terminate. In the  
32 event that Iowa shall subsequently be reclassified as Phase III, said re-  
33 quirements shall be restored."

34 3. "All swine sold or otherwise exchanged intrastate, except those sold  
35 or otherwise exchanged for immediate slaughter, shall be accompanied  
36 by an official health certificate and shall be individually identified in accord-  
37 ance with subsection three (3) of section one hundred sixty-three point  
38 thirty (163.30) of the Code. On arrival at the farm of destination, all such  
39 incoming swine shall either be quarantined separate and apart for thirty  
40 days thereafter from other swine located on such premises at the time of  
41 arrival, or if such incoming swine are not thus separated, all swine on such  
42 premises shall be quarantined for thirty days beginning with arrival of the  
43 incoming swine, except animals going from such premises direct to slaugh-  
44 ter."

1 SEC. 7. Section one hundred sixty-six point twelve (166.12), Code 1966,  
2 is hereby amended by striking from line two (2) the words "one year from"  
3 and inserting in lieu thereof the words "on the first day of July following".

1 SEC. 8. Section one hundred sixty-six point sixteen (166.16), Code 1966,  
2 is hereby amended by striking subsection five (5).

1 SEC. 9. Section one hundred sixty-six point thirty-two (166.32), Code  
2 1966, is hereby repealed.

1 SEC. 10. Section one hundred sixty-six point forty-one (166.41), Code  
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "The sale or use of hog cholera vaccine, except as provided in section  
4 one hundred sixty-six point sixteen (166.16) of the Code is prohibited and  
5 it shall be unlawful to use such products in the state of Iowa, except that  
6 in case of emergency as defined in section eleven (11) of this Act, a special  
7 permit for the use of vaccines may be issued by the secretary."

1 SEC. 11. Chapter one hundred sixty-six (166), Code 1966, is hereby  
2 amended by adding thereto the following new section:

3 "The secretary may establish a reserve supply of biological products of  
4 approved modified live virus hog cholera vaccine and of anti-hog cholera  
5 serum or its equivalent in antibody concentrate to be used as directed by  
6 the secretary in the event of an emergency resulting from a hog cholera  
7 outbreak. Vaccine and serum or antibody concentrate from the reserve  
8 supply, if used for such an emergency, shall be made available to swine  
9 producers at a price which will not result in a profit. Payment shall be  
10 made by the producer to the department and such vaccine shall be admin-  
11 istered by a licensed practicing veterinarian. The secretary may cooperate

12 with other states in the accumulation, maintenance and disbursement of  
13 such reserve supply of biological products. The secretary, with the advice  
14 and written consent of the chief of the division of animal industry of the  
15 state, and the advice and written consent of the veterinarian-in-charge in  
16 Iowa, animal health division, United States department of agriculture,  
17 shall determine when an emergency resulting from a hog cholera outbreak  
18 exists.

19 The secretary is authorized to sell or otherwise dispose of such vaccine  
20 and serum at such time as the state is declared a hog cholera free state  
21 by the United States department of agriculture, or if the potency of such  
22 vaccine and serum is in doubt. Money received under provisions of this  
23 section shall be paid into the state treasury."

1 SEC. 12. Section one hundred sixty-six B point three (166B.3), Code  
2 1966, is hereby amended by striking line seven (7) and inserting in lieu there-  
3 of the words "one hundred dollars for registered purebred and inbred or  
4 hybrid swine and eighty".

1 SEC. 13. Section four (4) of chapter one hundred seventy-one (171),  
2 Acts of the Sixty-second General Assembly, is hereby repealed.

1 SEC. 14. There is hereby appropriated from the general fund of the  
2 state to the department of agriculture the sum of two hundred fifty thou-  
3 sand (250,000) dollars for the period from July 1, 1969 to June 30, 1971, or  
4 so much thereof as may be necessary, for the payment of indemnities for  
5 hogs destroyed under the hog cholera eradication program in accordance  
6 with chapter one hundred sixty-six B (166B) of the Code. Said appropria-  
7 tion shall not be considered exclusive and may be augmented, when neces-  
8 sary, by the executive council from the state contingent fund.

1 SEC. 15. There is hereby appropriated from the general fund of the  
2 state to the department of agriculture the sum of fifty thousand (50,000)  
3 dollars for the period from July 1, 1969 to June 30, 1971, or so much thereof  
4 as may be necessary, to be used for the purchase of biological products in  
5 accordance with section eleven (11) of this Act. Section eleven (11) of this  
6 Act shall be implemented only to the extent of funds available from this  
7 appropriation and from federal funds available for this purpose; however,  
8 said appropriation shall not be considered exclusive and may be augmented,  
9 when necessary, by the executive council from the state contingent fund.

Approved May 9, 1969.