

the bull had not been moved to any other premise between the date of examination and the date of collection, showing that on the date of issue the breeding bull had been tested negative for tuberculosis and bang's disease and, to the best knowledge and belief of the examining veterinarian, was apparently free from any infectious, contagious, or communicable disease. If a breeding bull is moved to any other premise after issuance of the health certificate but prior to collection of the semen, that health certificate shall be invalid for purposes of this section.

Sec. 9. The provisions of this Act shall not apply to 4-H or future farmers of America organizations engaged in breeding programs, the sale of semen collected before the effective date of this Act.

Sec. 10. This Act is effective January 1, 1978.

Approved May 13, 1977

CHAPTER 81
AUJESZKY'S DISEASE

H. F. 444

AN ACT authorizing the department of agriculture to establish an Aujeszky's disease control program and providing penalties.

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

Section 1. NEW SECTION. INTENT. This Act is intended to provide for measures to control the transmission and incidence of aujeszky's disease among animals.

Sec. 2. NEW SECTION. DEFINITIONS. As used in this chapter:

1. "Department" means the department of agriculture of the state of Iowa.
2. "Secretary" means the secretary of agriculture of the state of Iowa.
3. "Aujeszky's disease", commonly known as pseudorabies, means the disease wherein an animal is infected with aujeszky's disease virus irrespective of the occurrence or absence of clinical symptoms.
4. "Aujeszky's disease test" means any test for aujeszky's disease approved by the department.
5. "Infected animal" means an animal which has given a

positive reaction to the aujeszky's disease test.

6. "Approved aujeszky's disease-free herd" means a herd which has met the requirements specified by the department for this designation.

7. "Aujeszky's disease vaccine" means any vaccine consisting of live, modified live, or killed aujeszky's disease virus.

8. "Animal" means swine, cattle, sheep and horses.

Sec. 3. NEW SECTION. CONTROL PROGRAM. The department shall establish an aujeszky's disease control program which may include the following:

1. The designation of one or more aujeszky's disease tests and provision for the identification of infected animals by requiring the administration of any designated test at the times and in the manner specified by the department. The department may designate and require the use of designated disease test reports, health certificates, or other permits in connection therewith.

2. The regulation of the sale, lease, exhibition, or movement within this state of any group, class or type of animal in any manner calculated to control the transmission or incidence of aujeszky's disease within this state. But the department shall not regulate the movement of animals where the ownership does not change unless such movement constitutes a serious threat to the success of the aujeszky's disease control program.

3. The regulation of the importation of animals into this state in any manner calculated to prevent the spread of aujeszky's disease.

4. The imposition of quarantines, including quarantines until shipment to slaughter, upon herds containing one or more infected animals and the release of such quarantines under the conditions specified by the department. The department shall provide for the movement of herds under quarantine in hardship cases if such movement will not threaten the success of the aujeszky's disease control program.

5. The establishment of a program involving approved aujeszky's disease-free herds and the requirements for the certification thereof.

6. The prohibition of the use, sale, distribution or offer to sell or distribute any aujeszky's disease vaccine within this state if the secretary determines that such a prohibition will aid in the control of the transmission or incidence of

ajeszky's disease in this state; provided, however, that the secretary may during this prohibition issue permits for the use of a specified ajeszky's disease vaccine to an individual producer, if such use is required by an individual hardship, and a biological laboratory, governmental authority, or manufacturer of biological products for the purpose of research or testing; if such use, under the conditions imposed by the secretary, will not be detrimental to the department's statewide ajeszky's disease program. Every permit shall specify those conditions of use which in the opinion of the secretary are necessary to prevent any detriment to the department's statewide ajeszky's disease control program and shall authorize the sale of the specified vaccine, in the amount stated in the permit, to the permit holder.

Sec. 4. NEW SECTION. DEAD ANIMALS. Bodies of animals which have died from ajeszky's disease shall be disposed of in accordance with the provisions of chapter one hundred sixty-seven (167) of the Code.

Sec. 5. NEW SECTION. REPORTING OF TEST RESULTS. If the ajeszky's disease test result is determined by a laboratory located outside the state of Iowa, the person whose animal has been tested shall be responsible for assuring that the result is reported to the department, on forms prescribed, within ten days following the completion of the test. If the test result is determined by a laboratory located within Iowa, the director of that laboratory must report the result thereof to the department, on forms prescribed, within ten days following completion thereof.

Sec. 6. NEW SECTION. RULES. The department may make and adopt rules for the administration and enforcement of the provisions of this chapter.

Sec. 7. NEW SECTION. HEARING. Any person who feels wrongfully aggrieved by actions taken under the authority of this chapter shall upon application to the department be entitled to a prompt hearing on such matter, to be conducted in accordance with the contested case procedures of the Iowa administrative procedures Act.

Sec. 8. NEW SECTION. ENFORCEMENT. The provisions of this Act and the rules adopted hereunder shall be administered and enforced by the department. Any person who violates any provision of this Act or any rule adopted hereunder shall be assessed a fine of at least one hundred dollars but not more than one thousand dollars.

Sec. 9. NEW SECTION. INJUNCTION. In addition to any other remedies provided, the department may file a petition in the district court seeking an injunction restraining any person from violating any provisions of this chapter or the regulations adopted hereunder.

Sec. 10. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Sioux City Journal, a newspaper published in Sioux City, Iowa, and in the Tama News-Herald, a newspaper published in Tama, Iowa.

Approved June 23, 1977

I hereby certify that the foregoing Act, House File 444, was published in The Sioux City Journal, Sioux City, Iowa on June 28, 1977, and in the Tama News-Herald, Tama, Iowa on June 30, 1977.

MELVIN D. SYNHORST, *Secretary of State*

CHAPTER 82

AGRICULTURAL LAND ACQUIRED BY TRUSTS

S. F. 231

AN ACT providing for an extension of the moratorium for acquiring agricultural land to trusts, family trusts, authorized trusts, testamentary trusts and nonprofit corporations, and relating to information and reports required to be made under chapter one hundred seventy-two C (172C) of the Code.

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

Section 1. Section one hundred seventy-two C point one (172C.1), subsections one (1) and seven (7), Code 1977, are amended to read as follows:

1. "Corporation" means a domestic or foreign corporation ~~as defined in chapter 494, 496A, 497, 498, 499, 504 and 504A which owns or leases agricultural land or is engaged in farming~~ and includes a nonprofit corporation and co-operatives.

7. "Fiduciary capacity" means an undertaking to act ~~alone or jointly as trustee, executor, administrator, personal representative, agent, guardian, conservator, or receiver, escrow agent, attorney-in-fact and any other similar capacity.~~

Sec. 2. Section one hundred seventy-two C point one (172C.1), Code 1977, is amended by adding the following new subsections: