

A differentiable vaccinate to be classified as a noninfected animal must react negatively to field strains of pseudorabies virus as determined by a companion differentiable serologic test. The swine must be identified as differentiable vaccinated animals.

Sec. 15. NEW SECTION. 166D.15 TRACING PSEUDORABIES TO SOURCE OR DESTINATION HERDS.

1. The owner of a known infected herd shall furnish to the department all of the following information:

- a. A list of sources of feeder pigs or breeding swine during the preceding twelve months.
 - b. A list of sales of feeder pigs or breeding swine during the preceding twelve months.
2. If pseudorabies is diagnosed in breeding swine or feeder pigs which have been purchased from or sold to another swine producer within ninety days from the sale, the department may require a statistical sample of the breeding herd of the seller or buyer and a statistical sample of the herd progeny over four months. If the owner of the herd refuses to allow the test, the herd shall be classified as a known infected herd.

3. Tests conducted pursuant to this section shall be completed at the owner's expense unless state funds are available for this purpose.

Sec. 16. NEW SECTION. 166D.16 ENFORCEMENT.

The provisions of this chapter including departmental rules adopted pursuant to this chapter shall be administered and enforced by the department. A person violating a provision of this chapter or any rule adopted pursuant to this chapter shall be subject to a civil penalty of at least one hundred dollars but not more than one thousand dollars.

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 provisions of this chapter including a rule adopted pursuant to this chapter.

Sec. 17. Chapter 166C, Code 1989, is repealed.

Approved June 1, 1989

CHAPTER 281

SOLID WASTE DISPOSAL PENALTY

S.F. 488

AN ACT relating to solid waste disposal and providing penalties.

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

Section 1. Section 455B.307, subsection 3, Code 1989, is amended to read as follows:

3. Any person who violates any provision of part 1 of this division or any rule or any order adopted or the conditions of any permit or order issued pursuant to part 1 of this division shall be subject to a civil penalty. ~~The amount of the civil penalty shall be based upon the toxicity and severity of the solid waste as determined by rule, but not to exceed five hundred thousand~~ sand dollars for each day of such violation.

Approved June 1, 1989