

CHAPTER 1092

POSSESSION AND DISTRIBUTION OF ANTHRAX

H.F. 2507

AN ACT creating a criminal offense for possession or distribution of anthrax, and providing a penalty.

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

Section 1. NEW SECTION. 126.24 ANTHRAX.

1. UNLAWFUL POSSESSION. Any person who knowingly possesses bacillus anthracis or any substance containing bacillus anthracis, is guilty of a class "C" felony.

2. UNLAWFUL DISTRIBUTION. Any person who knowingly distributes bacillus anthracis or any substance containing bacillus anthracis to any other person which may or may not cause exposure to bacillus anthracis, is guilty of a class "B" felony.

3. EXCEPTIONS. This section shall not apply to a person who possesses or distributes bacillus anthracis or any substance containing bacillus anthracis which is being used solely for a purpose which is lawfully authorized under federal law.

Approved April 8, 2002

CHAPTER 1093

PSEUDORABIES CONTROL

H.F. 2530

AN ACT providing for the control of pseudorabies, making penalties applicable, and providing an effective date.

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

Section 1. Section 166D.10, subsection 3, paragraph b, Code 2001, is amended to read as follows:

b. For swine which is exposed or swine from a herd of unknown status, a person shall not move or relocate the swine, unless one of the following applies:

(1) The swine reacts negatively to a differentiable test within thirty days prior to moving or relocating the swine.

(2) The swine moves by restricted movement to either a fixed concentration point or slaughtering establishment.

Sec. 2. Section 166D.10, subsection 3, Code 2001, is amended by adding the following new paragraph after paragraph b, and relettering the subsequent paragraph:

NEW PARAGRAPH. bb. For swine from a herd of unknown status, a person shall not move or relocate the swine, unless one of the following applies:

(1) The swine reacts negatively to a differentiable test within thirty days prior to moving or relocating the swine.

(2) The swine moves by restricted movement to either a fixed concentration point or slaugh-

tering establishment. However, the swine is not required to move by restricted movement, if the swine is moved from a fixed concentration point directly to another fixed concentration point or to a slaughtering establishment.

Sec. 3. Section 166D.10, subsection 4, paragraph b, subparagraph (2), subparagraph subdivision (a), Code 2001, is amended to read as follows:

(a) Except as provided in this subparagraph, the owner of swine shall vaccinate the swine with a modified-live differentiable vaccine, prior to moving swine into the stage II county. ~~A statistical sampling of the swine moved into a herd as provided in this subparagraph shall be tested using a differentiable test within thirty days after the swine is moved to a herd in this state. If a swine reacts positively to the test, the herd is an infected herd. A person is not required to vaccinate swine prior to moving swine into the stage II county or test the swine after the swine has been moved to a herd in the stage II county, if one of the following applies:~~

Sec. 4. Section 166D.10, subsection 4, paragraph b, subparagraph (2), subparagraph subdivision (b), subparagraph subdivision parts (i) and (ii), Code 2001, are amended to read as follows:

(i) ~~For swine other than swine moved into a herd within a stage II county as an isowean feeder pig, a statistical sampling of the swine moved into the herd shall be tested using a differentiable test within forty-eight hours after the swine moves to a herd in this state. If a swine reacts positively to the test, the herd is an infected herd. If, according to the statistical sampling, the swine moved into the herd reacts negatively to the test, all moved the swine must be immediately vaccinated with a differentiable vaccine, as provided in section 166D.11. The swine shall be considered as part of a herd of unknown status, until tested negative and vaccinated.~~

(ii) ~~For swine moved into a herd within a stage II county as an isowean feeder pig, a statistical sampling of the swine moved into the herd shall be tested using a differentiable test when a majority of swine moved together into the herd as isowean feeder pigs reach a weight of more than twenty pounds. If a swine reacts positively to the test, the herd is an infected herd. If, according to the statistical sampling, the swine moved into the herd react negatively to the test, all the swine moved into the herd must be immediately vaccinated with a differentiable vaccine, as provided in section 166D.11. The department may require that the swine be revaccinated with a differentiable vaccine at a later date. The swine shall be considered as part of a herd of unknown status, until tested negative and vaccinated.~~

Sec. 5. Section 166D.10, subsection 6, Code 2001, is amended to read as follows:

6. ~~Known infected swine moved through a fixed concentration point, other than a buying station of a slaughtering establishment, shall only be moved by restricted movement to a slaughtering establishment.~~

Sec. 6. Section 166D.12, subsection 2, paragraph c, Code Supplement 2001, is amended to read as follows:

c. ~~(1) A~~ Except as provided in subparagraph (2), a person shall not move swine subject to restricted movement to or from a fixed concentration point or receive swine subject to restricted movement at a fixed concentration point, unless the swine is moved and received in compliance with section 166D.10A.

(2) A person may move swine from a herd of unknown status from a fixed concentration point other than by restricted movement as provided in section 166D.10A, if the person moves the swine directly to another fixed concentration point or to a slaughtering establishment.

Sec. 7. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 8, 2002