

Title 15 DEPARTMENT OF AGRICULTURE

Subtitle 11 ANIMAL HEALTH

Chapter 18 Requirements for Sheep and Goats for the Eradication of Scrapie

Authority: Agriculture Article, §§3-101, 3-105, and 3-108, Annotated Code of Maryland

.01 Purpose.

The purpose of this chapter is to explain State animal health requirements for sheep and goats entering or moving within Maryland to prevent the introduction or spread of scrapie, a fatal, degenerative disease. The control and prevention of this disease is a joint effort by the Maryland Department of Agriculture and the U.S. Department of Agriculture's Animal and Plant Health Inspection Service. The requirements of this chapter qualify Maryland to be classified as a scrapie consistent state under 9 CFR, Part 79. Scrapie consistent status not only enhances the well-being of the State's sheep and goat industry by protecting against scrapie but also helps ensure the most favorable treatment possible for Maryland sheep and goat producers in any market. Sheep and goat producers electing to participate in the U.S. Scrapie Flock Certification Program shall follow the requirements for certification found in 9 CFR, Part 54 and 79.

.02 Definitions.

A. In this chapter the following terms have the meanings indicated.

B. Terms Defined.

(1) "Animal" means a sheep or a goat.

(2) "Administrator" means an employee of USDA, APHIS-VS authorized to administer the National Scrapie Eradication Program.

(3) "APHIS-VS" means the Animal and Plant Health Inspection Service, Veterinary Services unit of the U.S. Department of Agriculture.

(4) "Approved tagging site" means a site approved by the Department or APHIS-VS that tags and records all animals according to 9 CFR 86, the Animal Disease Traceability Rule.

(5) "Department" means the Maryland Department of Agriculture.

(6) "DSE" means a designated scrapie epidemiologist with knowledge of scrapie who is selected by the Administrator and the Department to coordinate and evaluate the scrapie eradication program.

(7) "Exposed animal" means an animal that:

(a) Has been in a flock or an enclosure off the premises of the flock with a scrapie positive animal;

(b) Resides in a non-compliant flock; or

(c) Has resided on the premises of a flock before or while it was designated an infected or source flock and before a flock plan was completed.

(8) "High risk animal" means any one of the following:

(a) A genetically susceptible exposed animal including embryos;

(b) A female offspring of a scrapie-positive female animal including embryos;

(c) A suspect animal; or

(d) Any animal including embryos that the Administrator determines to be high risk based on the epidemiology of the flock.

(9) "Immediate Slaughter" means a process where a goat or sheep is sold or transferred for slaughter and is moved with an owner-hauler statement to a restricted slaughter facility for processing within 72 hours of a sale or transfer or entry into Maryland.

(10) "Interstate Certificate of Veterinary Inspection" or "ICVI" means a certificate for interstate movement of animals completed by an issuing veterinarian, or a State or federal veterinarian.

(11) "Issuing Veterinarian" means an accredited veterinarian approved by the Department and APHIS-VS to issue an ICVI.

(12) "Low risk exposed animal" means any one of the following:

(a) The animal was exposed to a positive animal that was not born in the flock and did not lamb in the flock or lamb in an enclosure where the exposed animal resided;

(b) The exposed animal is male and was not born in the infected or source flock; or

(c) The exposed animal is a castrated male; or

(d) The exposed animal, as determined by the Administrator and State representative, is unlikely to be infected with scrapie.

(13) "Official Identification" means an identification mark or device approved by the Department and APHIS-VS that identifies an animal and is used in accordance with APHIS-VS program standards, including:

(a) A U.S. Department of Agriculture approved scrapie ear tag, provided that the tag is placed:

(i) In the animal's ear (left ear recommended); or

- (ii) If the animal is earless and moving for immediate slaughter or to a terminal feedlot as defined in 9 CFR 79, on a durable neck strap placed around the animal's neck;
- (b) An electronic implanted device as defined by the U.S. Department of Agriculture under 9 CFR 79.2;
- (c) Legible registry tattoos issued by a registry that has agreed to cooperate with APHIS-VS in tracing scrapie positive, suspect, and exposed animals, provided the tattoo is placed:
 - (i) In the animal's ears in the location required by the registry; or
 - (ii) If the animal is earless, on the animal's tail web.
- (14) "Owner" means the owner of the flock of origin or an agent of the owner.
- (15) "Owner-hauler statement" or "owner-shipper statement" means a document that is generated by the owner, signed by the owner or hauler, documenting an animal's movement to a approved tagging site or a restricted livestock facility approved by the Department, and that, at a minimum, includes:
 - (a) The name, address, and telephone number of the owner and, if different, the hauler;
 - (b) The address and scrapie flock identification number of the flock of origin;
 - (c) The name and address of the destination of the shipment;
 - (d) A description of the species, breed, number, sex, and age of the animals shipped;
 - (e) A complete listing of all animals by official identification; and
 - (f) The date of the shipment.
- (16) "Restricted livestock facility" means an auction market approved by the Department that maintains animals to be sold or transferred for immediate slaughter in separate enclosures from other animals.
- (17) "Scrapie" means a fatal degenerative disease, classified as transmissible spongiform encephalopathy, affecting the central nervous system of sheep and goats.
- (18) "Scrapie consistent state" means a state that meets the scrapie control requirements provided in 9 CFR 79.6.
- (19) "Scrapie exposed flock" means a flock:
 - (a) That the DSE has designated as:
 - (i) An infected flock; or
 - (ii) A source flock that has completed a flock plan and has retained a female genetically susceptible exposed animal; or
 - (b) A flock under investigation:
 - (i) That has retained a female genetically susceptible exposed animal or suspect animal; or
 - (ii) Whose owner declines genotyping and live-animal or post-mortem scrapie testing required by APHIS-VS or the Department
 - (c) Any flock for which a Post Exposure Monitoring and Management Plan is required by APHIS-VS or the Department that is not in compliance with the conditions of that plan.
- (20) "Scrapie positive animal" means an animal that is diagnosed with scrapie by an authorized laboratory approved by APHIS-VS.
- (21) "Scrapie suspect animal" means an animal suspected of having scrapie by an accredited veterinarian, the Department, or by a veterinary medical officer of USDA.
- (22) "Waybill" means a document from an approved tagging site, a restricted livestock facility, or a licensed livestock dealer that documents an animal's sale from such location to a farm, an authorized slaughter facility, or other location approved by the Department, and that, at a minimum, includes:
 - (a) The name, address, and telephone number of the issuing party;
 - (b) The date of sale and the date of movement;
 - (c) The name and address of the destination of the animal shipment;
 - (d) A description of the species, breed, age, sex, and number; and
 - (e) A complete listing of the individual official identification of each animal, which may include any use of glue-on back tags for animals destined for slaughter.

.03 Official Identification Requirements.

A. Except as provided by §B of this regulation, for any animal entering or moving within Maryland, an animal owner shall:

- (1) Ensure that the animal has an official identification; and
- (2) Keep and maintain a record of each animal's official identification for five years in a manner that will allow the Department to trace the animal to its flock of origin or a new owner, if sold or transferred.

B. Exceptions to Official Identification Requirement. The official identification requirements of this regulation do not apply for an animal:

- (1) That never leaves the premise of birth and has not commingled with animals originating outside the premise of birth;
- (2) Less than 18 months of age that has not lambed, is not pregnant, and is moving for immediate slaughter; or
- (3) Born in or entering Maryland and moving directly for sale to an approved tagging site, provided the animal is accompanied with an owner-hauler statement.

.04 Requirements for Sheep and Goats Entering Maryland.

A. General Requirements.

(1) Except for an animal moving to immediate slaughter, a person may not import an animal into Maryland unless the animal originates from a flock in a scrapie-consistent state or from a flock enrolled in the Scrapie Flock Certification Program as defined by 9 CFR 54.

(2) Exposed Animals. A person may not move a high or low risk exposed animal into Maryland without the Department's written approval.

(3) ICVI Requirement.

(a) Except as provided by §B of this regulation, for any animal entering Maryland, the hauler or person responsible for the animal shall ensure that each animal is accompanied with an ICVI.

(b) The owner shall provide the issuing veterinarian the following information for completing the ICVI:

- (i) Complete addresses of the flock or premise of origin and destination;
- (ii) The species, breed, sex and official scrapie identification of each animal; and
- (iii) Any document certifying the scrapie status of the flock.

(c) The issuing veterinarian shall include the following information in the ICVI:

- (i) The date of inspection;
- (ii) The date that the ICVI is issued;
- (iii) The scrapie premise or flock identification number(s); and
- (iv) Any other statement pertaining to the scrapie status of the flock if required under 9 CFR 79.3 and 79.5, certifying the known scrapie status of the flock.

(d) After completing the ICVI, the issuing veterinarian shall forward a copy to the chief animal health official of the state of destination within 7 days of issuance and keep a copy of it for a minimum of 5 years.

(e) An ICVI is invalid 30 days after issuance.

B. Exceptions to ICVI Requirement. An ICVI is not required for an animal moving into this State for immediate slaughter provided that the animal is accompanied with an owner-hauler statement.

.05 Requirements for Moving Sheep and Goats within Maryland.

A. Except as provided in Regulation .03B, an owner or hauler may move an animal within Maryland only if the animal is officially identified.

B. When an animal is moved within Maryland, the seller and new owner shall keep a record of the transaction for a minimum of 5 years on an owner-hauler statement or other document approved by the Department that provides for traceability as required by 9 CFR 86.

C. When an owner or hauler moves an animal within Maryland to an approved tagging site, the owner or hauler shall ensure that the animal is accompanied with a properly completed owner-hauler statement.

D. When an owner or hauler moves an animal within Maryland from an approved tagging site or a restricted livestock facility to a farm in Maryland, the owner or hauler shall ensure that the animal is officially identified and accompanied with a waybill.

.06 Requirements for Moving Sheep and Goats for Immediate Slaughter.

A. When selling or transferring animals for immediate slaughter:

(1) The owner shall note on the owner-hauler statement or waybill that the animal is being sold for "immediate slaughter only"; and

(2) The owner, dealer, market operator or hauler shall insure that the animal is delivered to the slaughter facility for processing within 72 hours of the animal's sale or transfer.

B. A person may not remove an animal from immediate slaughter:

(1) Without an ICVI or other document approved by the Department that has been signed by a State or federal official; or

(2) If prohibited by 9 CFR 79.

C. Animals in slaughter channels as defined by 9 CFR 79 may only be removed from slaughter channels as provided in 9 CFR 79.

.07 Movement of High Risk Animal or Low Risk Exposed Animals.

A. The Department with the concurrence of the Administrator may re-designate high risk exposed animals as low risk exposed animals based on either the scrapie type involved or the epidemiology of the flock.

B. A person may not move any of the following high risk exposed animals into or within Maryland without prior written approval from the Department:

(1) An animal that originates from a state that:

(a) Is not a scrapie consistent state as provided in 9 CFR 79.6, as determined by APHIS-VS; or

(b) Originates from any flock or area under any animal movement restriction resulting from the presence or suspected presence of scrapie infection;

(2) A sexually intact genetically susceptible exposed animal;

(3) An animal that is scrapie suspect or scrapie positive; or

(4) An animal that is considered to be a high risk animal for scrapie as determined by the Department, APHIS-VS or by the chief animal health official of any state, territory, the District of Columbia, or any other official of a political subdivision recognized by the Department.

.08 Reporting Scrapie-Tested, Scrapie-Suspect, or Scrapie-Positive Animals.

A. If a clinically suspicious animal or test suspect is found, the flock owner or flock veterinarian is responsible for notifying the Department or the district office of APHIS-VS within 24 hours.

B. The accredited veterinarian or APHIS-VS authorized laboratory that conducts a scrapie test is responsible for notifying the Department of the test results within 24 hours when a test-positive scrapie animal is found. The Department shall immediately notify the district APHIS-VS office of the positive finding.

.09 Management of Scrapie-Suspect or Scrapie-Positive Animals and their Flocks.

A. If a clinical or other scrapie-suspect animal is reported by an owner, a veterinarian, or any other person, the following action shall be taken:

(1) The Department shall place the scrapie-suspect animal and the flock under a hold order until the actual status of the animal is determined;

(2) A State or federal animal health official shall officially identify the suspect animal and the entire flock;

(3) The owner of the animal shall allow the Department to collect and submit tissues for diagnostic testing and scrapie genetic susceptibility testing from all animals in the flock to an authorized laboratory to conduct scrapie testing; and

(4) If the suspect animal is euthanized or dies, the Department shall ensure that appropriate tissues are collected for scrapie testing and that the carcass is completely destroyed by one of the following means:

(a) Proper disposal by the owner on the owner's premises; or

(b) Disposal of the carcass by the owner at a Department approved facility.

B. When a scrapie-positive animal is identified by an official test, the following action shall be taken:

(1) The Department shall place the scrapie-positive animal and the flock under a hold order or other appropriate restriction until:

(a) An epidemiologic investigation is complete and the status of each animal in the flock is determined;

(b) The high risk animals die or are euthanized or removed to an approved research facility; and

(c) The lambing or kidding areas are cleaned and disinfected;

(2) A DSE, or any other appropriate official designated by the Department and APHIS-VS, shall conduct the epidemiologic investigation for scrapie;

(3) A State or federal animal health official shall officially identify the positive animal and entire flock;

(4) The owner of the animal shall allow a State or federal animal health official to collect and submit tissues for diagnostic testing from all animals in the flock to a laboratory authorized by APHIS-VS to conduct scrapie testing or scrapie genetic susceptibility testing; and

(5) If an animal is euthanized or dies, the Department shall ensure that appropriate tissues are collected for scrapie testing and that the carcass is completely destroyed by one of the following means:

(a) Proper disposal by the owner on the owner's premises; or

(b) Disposal of the carcass by the owner at a Department approved facility.

.10 Management of Flocks that Have Received Exposed or High-Risk Animals.

A. When a flock of sheep or goats is determined by State or federal animal health official to have received a scrapie-exposed or high-risk animal, the following steps shall be taken:

(1) The flock owner shall be contacted by a State or federal veterinary medical officer;

(2) The State or federal animal health officer shall place the scrapie-exposed or high risk animal and the entire flock under a hold order until the status of the flock is determined;

(3) A State or federal animal health official shall officially identify the exposed or high risk animal and the entire flock; and

(4) A DSE or a designated veterinary medical officer of the Department or APHIS-VS shall determine the status of animals within the flock by identifying the high-risk and exposed animals and restricting the movement of any animal that is determined to be high risk.

B. The flock owner shall allow a State or federal animal health official to officially identify the animals and to collect and submit animal tissues for diagnostic testing from all animals in the flock to a laboratory authorized by APHIS to conduct scrapie testing or scrapie genetic susceptibility testing. The owner shall report immediately to a State or federal animal health official if an exposed or high-risk animal dies or is in danger of dying.

C. If an animal in the flock is euthanized or dies, the appropriate State or APHIS-VS official shall ensure that appropriate tissues are collected for scrapie testing and that the carcass is completely destroyed by one of the following means:

(1) Proper disposal by the owner on the owner's premises; or

(2) A disposal of the carcass by the owner at a Department approved facility.

.11 APHIS-VS Requirements.

In addition to the requirements of this chapter, the owner of a sheep or goat shall comply with APHIS-VS requirements as provided by 9 CFR Parts 54 and 79.

.12 Non-Compliance.

A. A person who violates this chapter is subject to an administrative fine up to \$10,000 as provided in COMAR 15.11.19.

B. In addition to any administrative penalty, any person who violates this chapter is guilty of a misdemeanor, and is subject to fine or imprisonment as provided by Agriculture Article, §§ 12-101 and 12-102, Maryland Annotated Code.