



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: Department of Agriculture

- Permanent Rule
- Emergency Rule

(1) Date of adoption: 11-22-94 *Kop*

(2) Purpose: To add ratites into WAC 16-59, the poultryhealth regulations.

(3) Citation of existing rules affected by this order:

Repealed:

Amended: WAC 16-59-010, 030 and 070

Suspended:

(4) Authority for adoption:

Statute: Chapter 16.36 RCW

Other Authority:

(5.1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR 94-20-105 on 10-5-94 (date).

Describe any changes other than editing from proposed to adopted version: A clarifying sentence was added after "(ELISA)" of line 11 of WAC 16-59-030 which reads "The state veterinarian may allow cloacal swab or environmental testing for salmonella in lieu of blood testing as may be appropriate for the species."

(5.2) EMERGENCY RULE ONLY

Pursuant to RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If yes, explain:

(6) Effective date of rule:

Permanent Rules

31 days after filing

Other (specify) _____ *

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

Emergency Rules

Immediately

Later (specify) _____

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STATE OF WASHINGTON
ALB

NOV 22 1994

TITLE 318
WAC 16.59.102

NAME (TYPE OR PRINT)

Jim Jesernig

SIGNATURE

Jim Jesernig

TITLE
Director

DATE

11/21/94

AMENDATORY SECTION (Amending Order 997, Regulation 1, filed 1/21/66)

WAC 16-59-010 Health certificates. (1) It shall be unlawful for any person, firm or corporation to import any poultry or hatching eggs into this state unless in compliance with the requirements set forth hereafter in this ~~((order))~~ rule and in accordance with Washington import ~~((order))~~ rules (chapter 16-54 WAC) and Title 9, Code of Federal Regulations. Shipment to be accompanied by an official health certificate or certificate of veterinary inspection (except shipments for immediate slaughter, hatching eggs and unfed poultry) on which vaccinations are shown when applicable giving dates, method and type of vaccine used in addition to requirements of Washington import ~~((order))~~ rules. A permit is required for import of ratites and the permit number entered on the certificate of veterinary inspection or health certificate. Each ratite imported must be permanently identified with a permanent leg band, microchip, or tattoo showing an individual number. The type of identification (including type of microchip if used) must be listed on the certificate of veterinary inspection or health certificate. Health requirements for ratites also appears in chapter 16-54 WAC.

(2) Poultry for immediate slaughter may enter and move within the state of Washington directly to slaughter plants under federal, state, county or municipal supervision providing the accompanying certificate or waybill is so marked ~~((designating))~~ with the following information:

- (a) The plant of destination ~~((and,))~~ ;
- (b) That the birds are consigned for immediate slaughter and shall be slaughtered forthwith ~~((and,))~~ ;
- (c) The shipper's name and address ~~((and,))~~ ;
- (d) The number of birds in the shipment.

(3) For the purpose of this order the term "poultry" is considered to include all chickens, turkeys, ratites and other domestic fowl.

AMENDATORY SECTION (Amending Order 1994, filed 2/17/89)

WAC 16-59-030 Testing of breeding stock. (1) **Pullorum-typhoid:** All hatching eggs, baby chicks and/or poults, and growing stock (started pullets) in interstate movement shall have originated from parent or grandparent stock which are/were registered as participating flocks under the National Poultry Improvement Plan (NPIP) or equivalent state program and classified as Salmonella pullorum-typhoid free or are tested negative for Salmonella pullorum-typhoid within thirty days of movement. Acceptable tests are serum tube agglutination, serum or whole blood plate agglutination with pullorum antigen or Enzyme Linked Immuno-

Sorbent Assay (EISA). The state veterinarian may allow cloacal swab or environmental testing for salmonella in lieu of blood testing as appropriate for certain species of ratites. Any person who sells poultry or hatching eggs as Salmonella pullorum-typhoid free must qualify such under the provisions of this ~~((order))~~ rule: Provided, however, That eggs for table consumption and stock for immediate slaughter, or shipments consigned to a diagnostic laboratory or research institute approved by Washington state department of agriculture, shall be exempt from pullorum-typhoid requirements contained in this order.

(2) **Infectious laryngotracheitis; infectious coryza:** No poultry shall be transported, shipped or otherwise introduced into the state that have been naturally infected with or exposed to poultry naturally infected with field strains of infectious laryngotracheitis or infectious coryza or vaccinated with virulent laryngotracheitis or infectious coryza vaccines, except upon a permit from the director of agriculture and subject to quarantine at destination. Such permits will be granted only when available authentic information indicates that the poultry to be transported will not present a disease hazard to state of Washington flocks: *Provided, however, That eggs for table consumption from flocks naturally infected with field strains of infectious laryngotracheitis or infectious coryza or vaccinated with virulent laryngotracheitis or infectious coryza vaccines, when washed and sanitized by methods required by the state veterinarian after consultation with Washington state poultry pathologists, stock for immediate slaughter or stock consigned to a diagnostic or research laboratory approved by Washington state department of agriculture shall be exempt from the infectious laryngotracheitis(~~(7)~~) or infectious coryza requirements contained in this order: Provided further, That crates, equipment, and packaging material used for such transportation are cleaned and sterilized to the satisfaction of Washington state department of agriculture authorities or burned before leaving the slaughter, diagnostic, or egg processing premises.*

(3) **Ornithosis:** Poultry and eggs from flocks in which ornithosis has been diagnosed shall not be imported into or moved intrastate in the state of Washington except on written permit from the Washington state department of agriculture.

AMENDATORY SECTION (Amending Order 997, Regulation 7, filed 1/21/66)

WAC 16-59-070 Penalty provisions. ~~((Any person, firm or corporation violating this regulation shall be deemed guilty of a misdemeanor.))~~ RCW 16.36.110 provides: A violation of or a failure to comply with any chapter shall be a gross misdemeanor. Each day upon which a violation occurs shall constitute a separate violation. Any person violating the provisions of RCW 16.36.005, 16.36.020, 16.36.030, 16.36.103, 16.36.105, 16.36.107, 16.36.108, or 16.36.109 may be enjoined from continuing such violation.