



RULE-MAKING ORDER

1-103 (June 2004)
(Implements RCW 34.05.360)

Agency: Department of Agriculture

Permanent Rule
 Emergency Rule

Effective date of rule:

Effective date of rule:

Permanent Rules

Emergency Rules

31 days after filing.
 Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Immediately upon filing.
 Later (specify) _____

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

Yes No If Yes, explain:

Purpose:

To aid in preventing the spread of vesicular stomatitis (VS) to Washington livestock from affected states which at this time are Texas, New Mexico, and Colorado.

Citation of existing rules affected by this order:

Repealed:
Amended: WAC 16-54-030
Suspended:

Statutory authority for adoption: RCW 16.36.040, RCW 34.05.350

Other authority :

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR _____ on _____ (date).
Describe any changes other than editing from proposed to adopted version:

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
Address: _____ fax () _____
e-mail _____

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- 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.
- 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: The current outbreak of VS began when a case of VS was confirmed on May 19, 2004 in Reeves County, Texas. Since that time, multiple cases have been confirmed in Texas and at least 10 premises have been subject to quarantine. In addition, cases of VS have been confirmed on two premises in southeastern and central Colorado and 11 premises are subject to quarantine in New Mexico. (see attached page)

Date adopted:

July 9, 2004

NAME (TYPE OR PRINT)

William E. Brookreson

SIGNATURE

TITLE

Deputy Director

CODE REVISER USE ONLY

CODE REVISER USE ONLY
CODE REVISER'S OFFICE
STATE OF WASHINGTON
JUL 9 2004
1143
TIME 11:15 AM
PK

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

The number of sections adopted in the agency's own initiative:

New	_____	Amended	1	Repealed	_____
-----	-------	---------	---	----------	-------

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

Reason for finding (continued):

VS is a serious viral disease of livestock and it can also be transmitted to humans. VS can affect horses, cattle, pigs, sheep, and goats. The disease is highly contagious and causes blister-like lesions to form on the mounds, teats, or along the hooves of animals. Although it is usually not fatal, while the disease runs its course it can be extremely debilitating to livestock. The disease caused serious animal health and financial damages in Washington during an outbreak in 1983/84.

AMENDATORY SECTION (Amending WSR 99-09-023, filed 4/15/99, effective 5/16/99)

WAC 16-54-030 Health certificate. (1) All animals entering Washington shall be accompanied by an official health certificate except:

- (a) Dogs and cats originating in Washington and visiting Canada for thirty days or less.
- (b) Dogs, cats and ferrets that are family pets traveling by private automobile with their owners who possess a current rabies certificate for the animals. This exemption does not apply to dogs, cats or ferrets imported for sale or puppies, kittens, or kits too young to vaccinate.
- (c) Horses traveling into Washington with their Oregon or Idaho owners in personal vehicles for round-trip visits of not more than ninety-six hours duration. This exemption does not apply during emergency disease conditions declared by the state veterinarian or extend to any required testing.
- (d) Llamas and alpacas traveling into Washington with their Oregon or Idaho owners in personal vehicles for round-trip visits of not more than ninety-six hours duration. This exemption does not apply during emergency disease conditions declared by the state veterinarian.
- (e) Sheep traveling into Washington with their Oregon or Idaho owners in personal vehicles for round-trip visits of not more than ninety-six hours duration. This exemption does not apply during emergency disease conditions declared by the state veterinarian or extend to any animals entering for breeding purposes.
- (f) Those classes of animals specifically exempted in laws or regulations of this state.

(2) Official health certificate shall contain the following information:

- (a) Date of inspection. All health certificates void after thirty days, except breeding cattle forty-five days from date of issue. The director may give special exemption for show animals.
- (b) Names and addresses of the consignor and consignee.
- (c) Certification that the animals are apparently free from evidence of infectious and communicable disease.
- (d) Test or vaccination status when required.
- (e) Description of each animal to include species, breed, age, sex, tag or tattoo and for cattle, only an official ear tag will be accepted or if registered, the registry name, number and tattoo for individual identification except one brand or other owner identified animals, all of the same description, for which tests are not required.
- (f) Certification of disinfection of cars and trucks when required.
- (g) An owner/agent statement which says "the animals in this shipment are those certified to and listed on this certificate" and is signed and dated by the owner, agent, or veterinarian.

(3) All health certificates shall be reviewed by the livestock sanitary official of the state of origin and a copy shall be forwarded immediately to the department of agriculture, Olympia, Washington.

(4) No livestock (equine, bovine, porcine, caprine, or ovine) may enter Washington if, within the last 30 days, vesicular stomatitis has been diagnosed within 10 miles of any premise where the livestock has

been located. Any livestock entering Washington from a state where vesicular stomatitis has been diagnosed within the last 30 days must be accompanied by a valid import permit number issued by the department's Animal Health and a Certificate of Veterinary Inspection with the following statement written by the accredited Veterinarian on the Certificate:

"All animals identified on this certificate have been examined and found to be free from vesicular stomatitis. During the past 30 days, these animals have not been exposed to vesicular stomatitis or located within 10 miles of an area where vesicular stomatitis has been diagnosed."