



# RULE-MAKING ORDER

## CR-103 (June 2004) (Implements RCW 34.05.360)

Agency: Department of Agriculture

Permanent Rule  
 Emergency Rule

**Effective date of rule:**

**Permanent 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)

**Effective date of rule:**

**Emergency Rules**

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:** This emergency rule filing amends subsection (4) of WAC 16-54-030 (Health certificate). This filing is necessary to help prevent the spread of Vesicular Stomatitis (VS) to Washington state livestock from the affected areas of Colorado, Montana, Utah and Wyoming. This emergency rule filing replaces the emergency rule that the department filed with the Office of the Code Reviser on April 28, 2005 (WSR#05-10-040). The department's Animal Health and Livestock Identification Program is currently developing permanent rule amendments to WAC 16-54-030. A CR-101 was filed with the Office of the Code Reviser on May 18, 2005 (WSR#05-11-093).

**Citation of existing rules affected by this order:**

Repealed:  
Amended: WAC 16-54-030(4)  
Suspended:

**Statutory authority for adoption:** RCW 16.36.040

**Other authority:** RCW 34.05.350

**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: *See Attached*

**Date adopted:** September 1, 2005

NAME (TYPE OR PRINT)

Valoria H. Loveland  
*Valoria H. Loveland*

SIGNATURE

TITLE

Director

**CODE REVISER USE ONLY**

CODE REVISER'S OFFICE STATE OF WASHINGTON FILED	
SEP 2 2005	
TIME	8:17 <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">AM</span>
WSR	05-18-046 <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">PM</span>

(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:**

<b>Federal statute:</b>	New	0	Amended	0	Repealed	0
<b>Federal rules or standards:</b>	New	0	Amended	0	Repealed	0
<b>Recently enacted state statutes:</b>	New	0	Amended	0	Repealed	0

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

New	0	Amended	0	Repealed	0
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**The number of sections adopted in the agency's own initiative:**

New	0	Amended	1	Repealed	0
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	0	Amended	0	Repealed	0
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	0	Amended	0	Repealed	0
<b>Pilot rule making:</b>	New	0	Amended	0	Repealed	0
<b>Other alternative rule making:</b>	New	0	Amended	1	Repealed	0

Set A Attachment

Reasons for this finding: The outbreak of VS began the end of the fourth week of April in New Mexico and has since spread to Colorado, Montana, Utah and Wyoming. VS is a serious viral disease of livestock and can also be transmitted to humans. The disease caused serious animal health and financial problems in Washington in 1983/84 prior to its elimination from the state.

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 thirty days, vesicular stomatitis has been diagnosed within ten miles of any premises where the livestock has been located. Any livestock entering Washington from a state where vesicular stomatitis has been diagnosed within the last thirty days must be accompanied by a valid import number issued by the department's animal health program and an official interstate health certificate 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 thirty days, these animals have not been exposed to vesicular stomatitis or located within ten miles of an area where vesicular stomatitis has been diagnosed."