

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

DEPARTMENT OF AGRICULTURE
(agency name)

Administrative Order No. 1885

(1) I, C. Alan Pettibone, director of the Department of Agriculture

do promulgate and adopt at Olympia, Washington (place)

the annexed rules relating to:

Amending WAC 16-59-030 POULTRY AND HATCHING EGGS - IMPORTATION AND INTRASTATE MOVEMENT and amended rules relating to avian influenza

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. filed with the code reviser on These rules shall take effect:
[] thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).
[] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, C. Alan Pettibone, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is:

The immediate enactment of this order will enable the state veterinarian to take necessary steps to prevent and/or control the spread of avian influenza in the state of Washington. Spread of the disease in the state could have a severe negative economic impact on the states poultry/egg industry.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b), or (c) as appropriate:

[X] (a) This rule is promulgated pursuant to RCW 16.36 and is intended to administratively implement that statute.
[] (b) This rule is promulgated pursuant to RCW which directs that the

(agency) has authority to implement the provisions of (name of act or RCW citation)

[] (c) This rule is promulgated under the general rule-making authority of the (agency)

as authorized in RCW

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this agency, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON

APPROVED AND ADOPTED April 3 1986

APR 3 1986

By C. Alan Pettibone

Director of Agriculture

Title

CODE REVISER'S OFFICE

WSR 86-09-001

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

WAC 16-59-030 **Testing of breeding stock.** (1) **Pullorum-typhoid:** All hatching eggs, baby chicks and/or poults, growing stock and adult stock in intrastate or interstate movement shall have originated from parent or grandparent stock which have been found free from pullorum-typhoid by the application of blood agglutination tests performed within twelve months (18 months if hatching eggs) immediately prior to the breeding season during which the eggs or poultry being moved were produced or all birds in the shipment be found free under same approved methods within thirty days of movement. Such blood agglutination tests are to be conducted under supervision of national poultry or turkey improvement plans or other personnel, agencies or laboratories authorized to perform such testing by the animal health control agency of the state of origin. Tube agglutination test of serum, rapid test of serum or whole blood test are acceptable when applied in accordance with the requirements of this regulation. In all tests conducted the reactors must be serially numbered by leg or wing bands or otherwise positively identified before being removed from the flock. Any person who sells poultry or poultry products as pullorum-typhoid free must qualify such under the provisions of this order: 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, vaccinated with or exposed to poultry vaccinated with, a live or attenuated infectious laryngotracheitis and/or coryza vaccine or exposed to poultry that are or have been infected with infectious laryngotracheitis or infectious coryza, except upon a permit from the director of agriculture and subject to thirty day 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, 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; infectious coryza requirements contained in this order: Provided further, That crates or equipment used for such transportation are cleaned and sterilized to the satisfaction of Washington state department of agriculture authorities or burned before leaving the slaughter or diagnostic premises.

(3) **Ornithosis:** Poultry and eggs from flocks in areas where 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.

(4) **Avian Influenza:**

(a) No gallinaceous birds, nor the eggs, manure, litter or other products therefrom, originating in states where avian influenza has been diagnosed, shall be imported into the state of Washington except with the permission of the Washington state veterinarian.

(b) All gallinaceous birds found in the state of Washington to be infected with or exposed to avian influenza shall be placed under quarantine. They shall be held separate and apart from all other birds and animals until destroyed.

(c) The director of agriculture may order the destruction of any gallinaceous birds affected with or exposed to avian influenza and may pay indemnity to the owner or owners not to exceed the appraised value of the birds or a portion thereof subject to availability of funds.

(d) Subsequent to destruction of infected or exposed birds and prior to payment of indemnity, the premises shall be thoroughly cleaned and disinfected.

(e) All destroyed birds shall be disposed of in a manner prescribed by the Washington state veterinarian.

(f) All vehicles, crates and other such equipment shall be thoroughly cleaned and disinfected by the owner before leaving the premises where infected or exposed birds have been located.