

2028



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: Department of Agriculture

- Permanent Rule
- Emergency Rule

(1) Date of adoption: 2-16-90

(2) Purpose: To establish the amount and conditions under which indemnity may be paid when the director of agriculture may order the destruction of any sheep or goats affected with or exposed to Scrapie.

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

- Repealed:
- Amended:
- Suspended:

(4) Authority for adoption:

Statute: Chapter 16.36.096 RCW
Other Authority:

(5.1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR _____ on _____ (date).

Describe any changes other than editing from proposed to adopted version:

(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: Federal Scrapie eradication plans have not been successful. The present bloodline program has resulted in an increase in Scrapie nationwide. Federal indemnity alone has not been sufficient to obtain complete flock depopulation in most areas. To protect the Washington sheep industry from Scrapie, a return to total flock depopulation must be established. Since any state indemnity is tied to a cooperative federal program, in the future, if there is no federal program, the state would not be obligated to operate its own eradication program.

(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 | Emergency Rules |
| <input type="checkbox"/> 31 days after filing | <input checked="" type="checkbox"/> Immediately |
| <input type="checkbox"/> Other (specify) _____ * | <input type="checkbox"/> Later (specify) _____ |

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

NAME (TYPE OR PRINT)

C. Alan Pettibone

SIGNATURE

TITLE

Director

DATE

2-16-90

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

FEB 16 1990

TIME

5:07

WSR

20-05-049

Chapter 16-86 WAC

((CATTLE,--GOATS--)) BRUCELLOSIS ((AND)), TUBERCULOSIS, AND SCRAPIE IN CATTLE, GOATS, AND SHEEPAMENDATORY SECTION (Amending Order 1917, filed 3/25/87)

WAC 16-86-005 DEFINITIONS. For purposes of this chapter:

(1) "Director" means the director of agriculture of the state of Washington or his duly authorized representative.

(2) "Department" means the Washington state department of agriculture.

(3) "Accredited veterinarian" means a veterinarian licensed to practice veterinary medicine, surgery, and dentistry in the state of Washington and approved by the United States Department of Agriculture veterinary services to participate in state-federal cooperative programs.

(4) "Official calfhood vaccinate" means a female bovine animal vaccinated between the ages of four and twelve months (one hundred twenty days to three hundred sixty-five days) for beef breed cattle and between the ages of four and eight months (one hundred twenty days to two hundred forty days) for dairy breed cattle with an approved brucella vaccine.

(5) "Approved brucella vaccine" means only those biological products that are approved by and produced under license of the United States Department of Agriculture for injection into cattle for the purpose of enhancing their resistance to brucellosis.

(6) "Registry tattoo" means a tattoo identifying the individual as a registered animal within the breed association.

(7) "Vaccination tattoo" means the United States registered shield and V preceded by a number indicating the quarter of the year and followed by a number corresponding to the last digit of the year in which vaccination was done.

(8) "Scrapie infected flock" means a flock of sheep or goats in which the disease scrapie has been diagnosed positive in one or more animals by the National Veterinary Service Laboratory (NVSL).

NEW SECTION

WAC 16-86-093 INDEMNITY FOR SCRAPIE INFECTED OR EXPOSED SHEEP OR GOATS. As provided under RCW 16.36.096, the director of agriculture may order the destruction of any sheep or goats affected with or exposed to scrapie. Subject to the availability of sufficient funds, the director may pay an indemnity for any scrapie infected flocks ordered destroyed.

(1) The indemnity paid may not exceed fifty percent of the appraised value of the sheep or goats up to a limit of three hundred dollars per animal.

(2) State indemnity will not be paid for any animal on which federal indemnity has been paid and state indemnity will not exceed the total federal indemnity available for an individual flock under a federal scrapie program.

(3) State indemnity funds will be paid to the owner or owners of a scrapie infected flock only under a total flock depopulation plan.

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

(5) The provision for payment of indemnity will not apply to animals which have been brought into this state for a period of less than

six months and have been in this state for a period of less than six months before being ordered destroyed by the director of agriculture.