

WSR 22-22-095

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF AGRICULTURE

[Filed November 2, 2022, 7:36 a.m.]

Subject of Possible Rule Making: Chapter 16-80 WAC, Swine diseases regulated in Washington state. The department is considering amending chapter 16-80 WAC to:

- Change the title to reflect updated content in chapter;
- Update definitions consistent with other changes to the rules;
- Remove WAC 16-80-009 and 16-80-010 as they are unnecessary;
- Clarify official United States Department of Agriculture (USDA) approved identification requirements and exemptions for swine;
- Require observations of feral swine to be reported to the Washington invasive species council; and
- Adopting the definition of "Official USDA-approved identification" in the most recent version of the USDA's Code of Federal Regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 16.36.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 16.36.010(1) states, "The director shall supervise the prevention of the spread and the suppression of infectious, contagious, communicable, and dangerous diseases affecting animals within, in transit through, and imported into the state."

Swine are high risk for many reportable foreign animal diseases such as foot and mouth disease, African swine fever, classical swine fever, and pseudorabies. Diseases of public health significance include tuberculosis, brucellosis, and trichinosis. Swine influenza viruses also have zoonotic potential, and transmission at fairs and exhibitions has been well-documented. Being able to track swine movement, both intra- and interstate, is critical to our mission to detect, contain, and eradicate diseases to protect the economic viability of swine production in Washington and across the United States. Identification of swine entering and commingling in Washington state is necessary for animal disease traceability, and limiting the number of farms being placed under quarantine in the event of a disease outbreak.

Washington is considered a small swine state with an estimated 5,000 breeding sows; however, the state sees an influx of pigs for shows and exhibitions. In 2021, the department's animal health program conducted a fair and agriculture event swine identification survey and received feedback from five key stakeholder groups (i.e., fairs, veterinarians, exhibitors, WSU extension, producers). The survey showed that 57 percent of fairs already require identification for exhibition but the majority use fair tags rather than official identification. Official identification is a unique number that allows individual animals, rather than groups of animals, to be traced. Fair tags can be duplicated each year, impeding animal disease traceability efforts. Swine at fairs tend to be market animals destined for slaughter (70 percent); only about 13 percent are of out-of-state animals that are required to be officially identified by current regulations. In addition, less than five percent of breeding swine, which are the highest risk for disease transmission since they return to a farm, were required to have identification. Almost 70 percent of those surveyed indicated they would support a rule change to require official individu-

al swine identification for exhibition that would support rapid response and containment of disease outbreaks.

Feral swine are capable of spreading both foreign animal diseases and endemic diseases to domestic or commercial swine. Awareness of their presence to responsible agencies for reporting purposes is critical. In 2020, the Washington invasive species council convened a working group of more than 40 federal, state, and Canadian feral swine experts to discuss challenges and opportunities to prevent feral swine along interstate and international borders. The report includes 22 recommendations that address five strategic areas of feral swine management, one being standardizing communications and reporting efforts.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department has discussed the need for the proposed changes with our federal partners at the United States Department of Agriculture, Animal and Plant Health Inspection Services, and Veterinary Services, and have received support to update the citations referencing USDA Code of Federal Regulations.

The department has also discussed the need for the proposed changes with the Washington invasive species council and USDA Wildlife Services who have policy and regulations around feral swine.

Process for Developing New Rule: Department staff will share proposed amendments with affected stakeholders prior to the formal notice and comment period. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ben Smith, P.O. Box 42577, Olympia, WA 98504-2577, phone 509-350-0081, fax 360-902-2087, email bsmith@agr.wa.gov, website www.agr.wa.gov.

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