

250-RICR-40-05-8

## **TITLE 250 - DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

### **CHAPTER 40 - AGRICULTURE AND RESOURCE MARKETING**

#### **SUBCHAPTER 05 - ANIMAL HEALTH**

PART 8 - Rules and Regulations Pertaining to Infectious Diseases of Swine

#### **8.1 Purpose**

A. The purpose of these Rules and Regulations is to:

1. Permit the importation into Rhode Island of only those swine which are disease free or which originate from herds that have qualified as disease free according to State or Federal Standards.
2. Require the testing of resident Rhode Island swine in an effort to control and/or eradicate swine diseases.
3. Ensure the removal and slaughter of those swine that are determined to be infected with such disease.

#### **8.2 Authority**

These Rules and Regulations are promulgated pursuant to Chapter 42-17.1, Environmental Management, and Chapters 4-4-12, 4-4-23, and in accordance with Chapter 42-35, Administrative Procedures, of the R.I. Gen. Laws.

#### **8.3 Administrative Findings**

Swine harboring infectious diseases present a health threat to both the livestock and human populations of Rhode Island. Many swine diseases are not readily detected through physical examination and anamnesis, but require the application of approved laboratory diagnostic procedures by professionally trained and supervised personnel. Therefore, only swine which have been tested negative or originate from qualified negative herds may be allowed entry into Rhode Island. It is necessary that any swine testing positive to such procedures shall be removed for slaughter.

#### **8.4 Application**

The terms and provisions of these Rules and Regulations shall be liberally construed to permit the Department to effectuate the purpose of state law, goals, and policies. These Regulations shall apply to any person importing or possessing swine into or within the State of Rhode Island.

## **8.5 Definitions**

- A. For the purposes of these regulations, the following terms shall have the following meanings:
1. "Accredited veterinarian" means a veterinarian approved by the Administrator of the Animal and Plant Health Inspection Service (APHIS) of the United States Department of Agriculture (USDA), to perform functions required by cooperative State-Federal-Industry animal disease control and eradication programs.
  2. "Breeding swine" means any sexually mature swine.
  3. "Feeder pigs" means any swine weighing twenty (20) pounds to one hundred (100) pounds inclusive.
  4. "Grower hogs" means any swine weighing one hundred (100) to two hundred (200) pounds being grown for the purpose of breeding or slaughter.
  5. "Person" means any person, firm, association, organization, partnership, business trust, corporation or company including but not limited to education and research institutions, zoological gardens, schools, pet stores and laboratories.
  6. "Slaughter hogs" means any pig over two hundred (200) pounds not being used for breeding.

## **8.6 Testing Swine for Contagious and Infectious Diseases**

- A. Any person engaged in the growing, breeding, or feeding of swine which are to be used or disposed of elsewhere than on the premises where such swine are grown, shall have all breeding swine tested when and for any disease the State Veterinarian orders. When State or Federal testing standards exist, tests shall be conducted under current Program Standards adopted by the United States Animal Health Association and approved by the Veterinary Services division of the Animal and Plant Health Inspection Service (APHIS), an agency of the U.S. Department of Agriculture (USDA). Such testing shall be performed by or under the direct supervision of a federally accredited veterinarian; a veterinarian employed by the United States Department of Agriculture; or the Rhode Island State Veterinarian.
- B. The owner of any herd or animal to be so tested shall provide any necessary assistance and proper restraint for confining the animals for and during the application and diagnosis of said test.
- C. Reactor or test positive swine shall be sold for slaughter and removed from the premises under the appropriate State and/or Federal permit within 15 days of the

date of identification of a disease. Swine removed for slaughter shall be shipped to a slaughtering establishment where Federal inspection is maintained.

- D. Breeding swine, feeder pigs, grower hogs, and slaughter hogs shall be imported only in accordance with current State Import Requirements and/or the current Uniform Methods and Rules Standards as promulgated or approved by the Veterinary Services Division of the Animal and Plant Health Inspection Service (APHIS), an agency of the U.S. Department of Agriculture.

## **8.7 Severability**

If any provision of these Rules and Regulations, or the application thereof to any person or circumstances, is held invalid by a court of competent jurisdiction, the validity of the remainder of the Rules and Regulations shall not be affected.