Readopt with amendment Agr 2100, effective 11-19-15 (Document #10975), to read as follows:

CHAPTER Agr 2100 IMPORTATION OF BOVINES AND OTHER DOMESTIC ANIMALS INTO NEW HAMPSHIRE

Statutory Authority: RSA 436:24

PART Agr 2101 PURPOSE AND SCOPE

Agr 2101.01 Purpose. The purpose of this chapter is to ensure that domestic animals brought into this state are healthy and free from contagious and infectious diseases and any other reportable condition listed on the U.S. National Animal Health Reporting System Reportable Diseases, Infections, and Infestations List as updated annually by USDA and published at https://www.aphis.usda.gov/livestock-poultry-disease/surveillance/reportable-diseases.

Agr 2101.02 Scope. This chapter shall apply to all domestic animals proposed to be or actually imported into the state of New Hampshire, but only to the extent of determining the health of the domestic animals.

PART Agr 2102 DEFINITIONS

Agr 2102.01 Definitions.

(a) "Accredited veterinarian" means a licensed veterinarian approved by the Veterinary Services, United States Department of Agriculture, Animal and Plant Health Inspection Service (USDA APHIS) administrator and the state animal health official to perform duties as outlined in 9 C.F.R. Part 161.

(b) "Buffalo" means all animals of the genus *Bison* and *Bubalus bubalis*.

(c) "Buffered acidified plate antigen (BAPA)" means a test for diagnosing brucellosis in cattle serum.

(d) "Camelidae" means llamas, alpacas, ~~e~~guanacos, vicunas and camels.

(e) "Cattle" means all bovine animals in genus bos, including buffalo.

(f) "Certificate of veterinary inspection (CVI)" means a serially numbered certificate signed by an accredited veterinarian in the state of origin attesting to the health of an animal or animals, with appropriate test results listed, which are moving interstate and are free of any evidence of contagious or infectious diseases.

(g) "*Cervidae*" means elk (*Cervus elephus canadensis*), fallow deer (*Dama dama*) red deer (*Cervus elephus*) and reindeer (*Rangifer tarandus*).

(h) "Chronic wasting disease (CWD)" means a transmissible spongiform encephalopathy of deer and elk characterized by vacuolar changes in the brain.

(i) "Commissioner" means the commissioner of agriculture, markets, and food.

(j) "Domestic animals," as used in RSA 436:1, II, means domestic livestock and poultry, and includes *camelidae, cervidae*, ratite, ferrets and buffalo.

(k) "Equine" means horses, asses, mules, zebras, ponies or any other *caballus* species.

(l) "Equine infectious anemia (EIA) test" means any designated test for equine infectious anemia which has been approved for use by USDA APHIS and has been conducted at a laboratory approved by USDA APHIS to conduct such testing as outlined in 9 C.F.R. Part 75.4.

(m) "Immediate slaughter" means direct shipment to an inspected slaughter facility not more than 2 weeks from the date of transfer of ownership as outlined in in 9 C.F.R. Part 93.400, 93.500.

(n) "Infectious" or "infection", as used in relation to animal disease control, shall include parasite infestations which are listed on the U.S. National Animal Health Reporting System Reportable Diseases, Infections, and Infestations List as updated annually by USDA and published at https://www.aphis.usda.gov/livestock-poultry-disease/surveillance/reportable-diseases.

(o) "Microchip" means electronic identification.

(op) "Official identification" means any state or federally required unique and permanent method of identification that specifically identifies individual animals in accordance with one of the systems outlined in Table 1 of USDA's Animal Disease Traceability General Standard in compliance with all applicable state and federal animal identification laws and regulations. Forms of identification include but are not limited to ear tags, brands, bands, tattoos, microchips, and physical description of natural and/or acquired markings unique to an individual animal. Physical description is only an acceptable means of identification for dogs, cats, and equines.

(qp) "Owner shipper statement" means a document that can be used in lieu of a CVI only when a prior written agreement between New Hampshire and the state-of-origin is in place and only for animals that are being moved interstate directly to an approved slaughter market or to a state or federally inspected slaughter plant.

(rq) "Poultry" means meat and egg type chickens, turkeys, birds of prey, exhibition and game birds and hatching eggs thereof, such as pheasant and quail.

(sr) "Psittacine" means birds belonging to the parrot family most commonly being the macaw, conures, parrots, parakeets, cockatoos and cockatiels.

(ts) "Qualified Pseudorabies negative herd" mean such creatures as defined in USDA APHIS State-Federal-Industry Program Standards for Pseudorabies as outlined in 9 C.F.R. Part 85.1.

(ut) "Ratite" means emu, rhea, ostrich, ~~moa,~~ kiwi and cassowary.

(vu) "Rivinol test" means a plate agglutination for brucellosis to determine the field strain of the disease in the serum of cattle, goats, sheep, *cervidae*, *camelidae*, buffalo or yak.

(wv) "Scrapie" means a transmissible spongiform encephalopathy of sheep and goats characterized by vacuolar changes in the brain.

(xw) "VS Form 1-27" means a USDA form for permitting the movement of restricted animals.

(yx) "VS Form 9-3" means a USDA form for reporting the sale of hatching eggs, chicks and poults.

(zy) "Yak" means a large long haired ox of the *Bos* genus from Tibet and central Asia.

PART Agr 2103 REQUIREMENTS OF IMPORTATION OF BOVINES AND OTHER DOMESTIC ANIMALS

Agr 2103.01 All Domestic Animals and Poultry Entering the State of New Hampshire. All domestic animals and poultry entering New Hampshire shall:

(a) ~~(a)~~ Be accompanied by a CVI, unless specifically exempted elsewhere in Agr 2100;

~~(a)~~(b) Be in compliance with federal regulations applicable to interstate animal movement; and

(~~b~~c) Not be known to be infected with or exposed to any contagious or infectious disease or from a quarantined area.

Agr 2103.02 Who Inspects. A CVI shall be completed by an accredited veterinarian in the state of origin who has inspected the animals for interstate movement and filled out the CVI.

Agr 2103.03 Permits for Entry.

(a) No poultry, swine, ratites, *camelidae*, *cervidae*, ~~yaks~~ and/or ~~psittacine~~ birds customarily used as household pets shall be shipped into New Hampshire without a prior permit.

(b) Domestic animals or poultry that have been given a biological product capable of spreading disease and capable of causing an antibody titer for reportable diseases among susceptible animals or poultry shall not be imported without first obtaining a prior permit.

(c) Permits shall be issued by telephone or in writing for the importation of poultry, swine, ratites, ~~buffalo,~~ camelidae, cervidae, ~~yaks~~ and/or ~~psittacine~~ birds customarily used as household pets when all testing requirements have been complied with and a CVI has been otherwise completed by the inspecting accredited veterinarian. Subsequent approval of the CVI by the chief regulatory official of the state of origin shall be required. The permit numbers shall appear on the CVI, one copy of which shall accompany the animal to the state of destination.

(d) The permit or CVI pertaining to the species as described in Agr 2103.03(a) shall be:

(1) Attached to the waybill; or

(2) In the possession of the driver of the vehicle in which the domestic animal is imported.

(e) Permits for import of domestic animals into the state shall be obtained from the:

NH Department of Agriculture, Markets, and Food
Division of Animal Industry
~~PO Box 2042~~One Granite Place, South, Suite 211
Concord, NH 0330~~12 2042~~
Telephone: 603-271-2404

Agr 2103.04 Requirements for CVI.

(a) A CVI shall be:

(1) A certificate containing information required pursuant to (b) below and any specific requirements listed elsewhere in Agr 2100;

(2) Issued by an accredited veterinarian who is licensed in the state of origin; and

(3) Approved by the chief regulatory official of the state of origin.

(b) The CVI shall include the following:

(1) Complete names and addresses of the locations from which the animals will be moved and to which the animals will be sent;

(2) The permanent official identification of the individual animal;

(3) The health status of the animals, poultry and/or other species involved; and

(4) The results of required testing and dates.

(c) CVIs shall be valid for 30 days from date of issue except as stated in Agr 2103.06 – 2103.08.

(d) ~~(1)~~ An APHIS Form 7001 is not an acceptable form.~~; and~~

~~(b)~~(e) ~~(2)~~ Electronic CVIs (eCVI) are permissible as long as they meet the 2019 eCVI data standards established by the US Animal Health Association-American Association of Veterinary Laboratory Diagnosticians Joint Committee on Animal Health Surveillance and Information Systems.

Agr 2103.05 Laboratory Tests and Other Tests.

(a) All laboratory tests of animals intended for interstate movement into New Hampshire shall be performed at diagnostic laboratories approved by Veterinary Services, USDA APHIS.

(b) All non-laboratory tests shall be applied by an accredited veterinarian in the state of origin.

Agr 2103.06 Vesicular Stomatitis. Any susceptible livestock, including equine, bovine, porcine, caprine, ovine, and *cervidae* entering the State from a county where vesicular stomatitis has been diagnosed within the last 14 days or a county that contains a premises quarantined for vesicular stomatitis shall be accompanied by a CVI dated within fourteen 14 days of entry containing the following statement: "All animals identified on this certificate of veterinary inspection have been inspected and found to be free from clinical signs of vesicular stomatitis."

Agr 2103.07 Fair Season.

(a) Any livestock entering the state from Connecticut, Maine, Massachusetts, Rhode Island or Vermont for the purpose of participating in one of the member fairs of the New Hampshire Association of Fairs and Expositions between July 1 and October 31 shall be accompanied by a CVI issued by an accredited veterinarian in the state of origin.

(b) The CVI shall be valid ~~for a period not to exceed 180 days~~ until October 31, when the CVI:

(1) Was issued on or after April 1 of that year;

(2) Lists individual official identification for all animals thereon;

(3) Includes all required test results for the animals thereon;

(4) States "New England Fair season" as the consignee; and

(5) Has an attachment listing the name and dates of each fair at which the animals have been in attendance.

—(c) If an animal listed on a "New England Fair Season CVI" travels outside of New England before October 1 of the issue year, said animal shall require a new CVI to enter any subsequent New Hampshire fairs or exhibitions in the issue year.

Agr 2103.08 Trail Rides. No CVI shall be required for a horse residing in an adjacent state to enter the state for the purpose of a trail ride when:

(a) The horse enters and leaves the state on the same day;

(b) The horse is free from runny nose, runny eyes, sneezing, coughing, or any clinical signs of illness such as a lay person would be expected to recognize on the day of the trail ride; and

(c) The horse is accompanied by a copy of current negative EIA test results as required in Agr 2113.02.

Agr 2103.09 Suspension of Exceptions. In the event of documented animal health risks, Agr 2103.07 and 2103.08 shall be suspended by written order of the commissioner.

PART Agr 2104 CATTLE, ~~(INCLUDING~~ BUFFALO, and YAKS~~)~~

Agr 2104.01 Brucellosis.

(a) Cattle, buffalo, and yaks from brucellosis class free states or Canadian provinces may enter ~~into~~ New Hampshire without a blood test for brucellosis provided those cattle have resided in that free area for the previous 365 days or their entire life if younger than 365 days of age and that fact is documented on the CVI. CVIs shall be required.

(b) There shall be no brucellosis test required for cattle, buffalo, and yaks originating directly from a USDA Certified brucellosis free herd.

Office of the Commissioner
One Granite Place, Ste 211
Concord, NH 03301 Agr 2115.01 Permit and CVI Required.

(a) No bird customarily used as a household pet shall be imported into the state of New Hampshire unless accompanied by a permit and CVI.

~~(b)~~

(b) The permit shall be obtained prior to shipment and the permit number shall appear on the CVI. ~~A permit shall be issued by telephone or in writing by calling the New Hampshire department of agriculture, markets and food.~~

(c) The CVI shall certify the following:

(1) That the birds and flock of origin have been inspected and are free from all visual or physical exam evidence of contagious and infectious diseases and did not originate from a quarantined area for any contagious and infectious disease of the species;

(2) Permanent official identification of each animal has been made; and

(3) The number and species of birds in each lot or shipment.

(d) One copy of the CVI shall accompany shipment.

(e) CVIs shall be valid for 30 days.

PART Agr 2116 CERVIDAE

Agr 2116.01 Permit and CVI Required.

(a) Importation of *cervidae* shall only be allowed when both New Hampshire and the state of origin are in compliance with 9 C.F.R. Parts 55 and 81 and recognized by USDA as such, and when the importation is permitted pursuant New Hampshire Fish and Game rules, Fis 803.04.

(b) A CVI shall be required for the importation of *cervidae* as defined in Agr 2102.03 (g) into the state of New Hampshire.

(c) The permit shall be obtained prior to shipment and the permit number shall appear on the CVI.

(d) The CVI shall certify that:

(1) Permanent official identification of each animal has been provided;

(2) The accredited veterinarian has inspected all *cervidae* on the premises;

(3) The *cervidae* have never been exposed to animals confirmed to have CWD or animals exposed to confirmed CWD animals; and

(4) The *cervidae* are free from clinical signs of contagious and infectious diseases, including but not limited to CWD.

Agr 2116.02 Chronic Wasting Disease.

(a) Cervids shall only be imported into herds of destination which are participating in good standing in the USDA CWD program, 9 C.F.R. Parts 55 and 81.

(b) Herds of destination in New Hampshire shall be recognized by the regulatory body of the relevant CWD monitoring program to have achieved recognition or certification at a level consistent with at least 5 years of participation.

(c) Herds of origin shall have been certified by the regulatory body of the USDA or comparable state CWD monitoring program as having achieved a level consistent with at least 5 years of participation.

(d) The program status of the herd of destination shall be downgraded to the equivalent program status of the herd of origin if the program status of the herd of origin is less than the herd of destination.

(e) Once imported, an individual cervid shall never be transferred to another herd within the state of New Hampshire.

(f) Cervids may be imported directly to slaughter without leaving the conveyance if the herd of origin is in compliance with Agr 2116.02 (c), as written above.

PART Agr 2117 *CAMELIDAE*

Agr 2117.01 ~~Permit and~~ CVI Required.

(a) To bring camelidae into the state of New Hampshire an official CVI shall be required and shall be issued prior to shipment by an accredited veterinarian of the state of origin.

~~(b) The permit shall be obtained prior to shipment and the permit number shall appear on the CVI.~~

(~~c~~b) The CVI shall certify that:

(1) *Camelidae* 6 months of age or older have been brucellosis tested negative within 30 days and tuberculosis tested negative within 60 days of shipment;

(2) Permanent official identification of each animal has been made by metal ear tag, legible tattoo, or microchip if a microchip reader is available at the point of destination; and

(3) *Camelidae* under 6 months of age have permanent official identification with either a metal eartag, legible tattoo or microchip, as progeny of a brucellosis and tuberculosis tested dam.

PART Agr 2118 RATITE

Agr 2118.01 Permit and CVI Required.

(a) To bring ratites into the state of New Hampshire an official CVI shall be required and shall be issued prior to shipment by an accredited veterinarian of the state of origin.

(b) ~~(a)~~ To bring ratites into the state of New Hampshire an official CVI shall be required and shall be issued prior to shipment by an accredited veterinarian of the state of origin.

(c) The permit shall be obtained prior to shipment and the permit number shall appear on the CVI.

(d) The CVI shall certify that:

(1) Ratites have been tested negative to avian influenza within 10 days of shipment; and

(2) They have been permanently officially identified.

~~PART Agr 2119 YAKS~~

~~Agr 2119.01 Permit and CVI Required.~~

~~(a) A CVI shall be required for the importation of yaks into the state of New Hampshire.~~

~~(b) A permit shall be obtained prior to shipment of yaks into the state of New Hampshire and the permit number shall appear on the CVI.~~

~~Agr 2119.02 Brucellosis.~~

~~(a) All yaks entering the state of New Hampshire shall have individual permanent official identification.~~

~~(b) Yaks shall also:~~

~~(1) Be from a brucellosis class free herd;~~

~~(2) Be over 6 months of age, have been tested negative for brucellosis within 30 days of shipment and be from a herd tested free of brucellosis within the last year; or~~

~~(3) If under 6 months of age, have individual permanent official identification.~~

~~Agr 2119.03 Tuberculosis.~~

~~(a) All yaks entering the state of New Hampshire shall:~~

~~(1) Be from a tuberculosis accredited free herd;~~

~~(2) Be over 6 months of age, have been tested negative for tuberculosis within 60 days of shipment and be from a herd tested free of tuberculosis within the last year; or~~

~~(3) If under 6 months of age, have individual permanent official identification.~~

PART Agr 2119 QUARANTINE

Agr 2119.01 Authority. Pursuant to RSA 436:34 thru 39, the commissioner has the authority to impose quarantine upon suspicion of any disease of domestic animals which could induce a risk to public health, trade, or the State's economy,

Agr 2119.02 Process.

(a) Upon suspicion of a condition which would meet the conditions in Agr 2119.01, the animal shall be subject to quarantine issued by the commissioner.

(b) Quarantines shall be issued either verbally or in writing by the commissioner or designee. If a verbal quarantine is issued, it shall be followed by written confirmation of quarantine.

(c) Pursuant to RSA 436:35, quarantined animals shall be kept under quarantine for such periods of time as the commissioner may deem necessary to prevent the spread of the suspected disease to other animals off the quarantined premises. The commissioner may determine the length of quarantine based upon the recommendations of the United States Animal Health Association and the United States Department of Agriculture.

PART Agr 2120 REPORTABLE DISEASES

Agr 2120.01 Reportable Diseases.

~~(a)~~ Pursuant to NH RSA 436:33, the commissioner shall establish a state list of reportable diseases and, subject to available funds, investigate the existence of contagious and infectious diseases among cattle, horses, asses, mules, sheep, swine and all other domestic animals, ~~including but not limited~~ to include the conditions listed on the U.S. National Animal Health Reporting System Reportable Diseases, Infections, and Infestations List as updated annually by USDA and published at https://www.aphis.usda.gov/livestock-poultry-disease/surveillance/reportable-diseases.:

~~(1) Pleuropneumonia;~~

~~(2) Foot and mouth disease;~~

~~(3) Glanders;~~

~~(4) Hog cholera;~~

~~(5) Anthrax;~~

~~(6) Black leg;~~

~~(7) Hemorrhagic septicemia;~~

~~(8) Rabies;~~

~~(9) Scrapie;~~

~~(10) Fowl cholera; and~~

~~(11) European fowl pest.~~

Agr. 2120.01 Action on Reportable Diseases. The list is divided into notifiable and monitored diseases which the State will handle as follows:

(a) Conditions listed as notifiable on the on the U.S. National Animal Health Reporting System Reportable Diseases, Infections, and Infestations List as updated annually by USDA consist of emergency incidents, emerging disease incidents, and regulated disease incidents. As such, the State will impose quarantine in response to any report.

(b) Conditions listed as monitored on the on the U.S. National Animal Health Reporting System Reportable Diseases, Infections, and Infestations List as updated annually by USDA are considered endemic in the United States. As such, the State will not exercise its regulatory authority and impose quarantine. The State does retain the right to impose quarantine upon discussion with the attending veterinarian and risk assessment as to potential impacts on public health and trade.

APPENDIX

RULE NUMBER	STATUTE
Agr 2101 – Agr 2102	RSA 436:24
Agr 2103.01	RSA 436:6; RSA 436:24
Agr 2103.02	RSA 436:28
Agr 2103.03	RSA 436:10; RSA 436:24
Agr 2103.04	RSA 436:28
Agr 2103.05 – Agr 2103.06	RSA 436:24
Agr 2104.01	RSA 436:10; RSA 436:23-24
Agr 2104.02	RSA 436:10; RSA 436:14-16; RSA 436:24
Agr 2104.03 – Agr 2119.03	RSA 436:24
Agr 2120	RSA 436:6-a; RSA 436:31