

SUBCHAPTER 52B - ANIMAL DISEASE

SECTION .0100 - ANIMAL DISEASE: QUARANTINE

02 NCAC 52B .0101 QUARANTINE NOTICES

(a) The original of the quarantine notice shall be personally given to the owner or person in charge of the animals or poultry being quarantined, one copy of quarantine notice shall be mailed to the office of the State Veterinarian and one copy retained by the regulatory official issuing the quarantine.

(b) No poultry or other animals under quarantine shall be moved from the premise for any purpose except on a written permit from the State Veterinarian or his authorized representative.

(c) The quarantine shall not be lifted or cancelled until there is no longer a threat of exposure to poultry or other animals as determined by the State Veterinarian or his authorized representative. The necessity for cleaning and disinfection of premises prior to release of quarantine shall be determined by the State Veterinarian or his authorized representative.

(d) Written permits to move poultry or other animals which are affected with or exposed to a contagious and/or infectious disease or which originate in a quarantined area, into North Carolina may be issued by the State Veterinarian or his authorized representative under the following conditions:

- (1) The animals or poultry are to be used for research purposes under conditions which will prevent exposure to other livestock and poultry;
- (2) Animals affected with or exposed to brucellosis, tuberculosis, and/or other diseases designated by the State Veterinarian which are consigned to a state or federal inspected slaughter house for immediate slaughter; such livestock shall be identified in a manner acceptable to the State Veterinarian or his authorized representative;
- (3) For the movement of swine in accordance with the North Carolina Pseudorabies Program.

*History Note: Authority G.S. 106-307.3 through 106-307.5;
Eff. April 1, 1984;
Amended Eff. December 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

02 NCAC 52B .0102 QUARANTINE PLACARD

The person issuing the quarantine shall give public notice of such quarantine by posting or placarding the entrance to any part of the premises on which the animals are held with a suitable quarantine sign, said animal or animals to be maintained by the owner or person in charge, as provided by law at the owner's expense. The quarantine sign shall be furnished by the department and shall read as follows:

QUARANTINE NOTICE

It has been determined that the _____ on these premises are affected with or exposed to _____. Therefore, said _____ are quarantined in accordance with the law and regulations of the North Carolina Department of Agriculture.

(Signature)

State Veterinarian

Persons who willfully or maliciously destroy this public notice are liable to prosecution to the full extent of the law. A copy of the livestock sanitary laws and regulations may be obtained upon request to State Veterinarian, Raleigh, North Carolina.

*History Note: Authority G.S. 106-307.3 through 106-307.6; 106-400; 106-401;
Eff. April 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

SECTION .0200 - ADMISSION OF LIVESTOCK TO NORTH CAROLINA

02 NCAC 52B .0201 HEALTH REGULATIONS IN GENERAL

(a) No animal, including poultry or birds of any species, that is affected with, or exposed to, within the contagious period of, any infectious, contagious, or communicable disease, or which originates from a quarantine area affecting such animal, shall be transported or in any manner moved into the state until written permission for such importation has been obtained from:

State Veterinarian of North Carolina
North Carolina Department of Agriculture and Consumer Services
Raleigh, North Carolina 27611

Those diseased or exposed animals which are approved by the Animal and Plant Health Inspection Service, Veterinary Services, United States Department of Agriculture for interstate shipment for immediate slaughter are exempt from this provision; however, any vehicle used to transport such diseased or exposed animals must be cleaned and disinfected immediately after use and prior to transporting other animals.

(b) All livestock (including the American buffalo or bison which for the purpose of this Section shall be considered as beef cattle) transported or otherwise moved into the state shall be accompanied by a health certificate, and permit when required, which shall be attached to the waybill or shall be in the possession of the driver of the vehicle or person in charge of the livestock.

(c) A copy of the health certificate approved by the chief livestock sanitary official of the state of origin shall be forwarded within 30 days of issuance to:

State Veterinarian
472 Agriculture Building
Post Office Box 26026
Raleigh, North Carolina 27611

(d) Livestock entering North Carolina without a proper health certificate, and permit when required, shall be quarantined and held at the owner's risk and expense until released by the State Veterinarian.

History Note: Authority G.S. 106-307.4; 106-307.5; 106-317; 106-348; 106-540;
Eff. April 1, 1984;
Amended Eff. July 18, 2002; April 1, 1997;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

02 NCAC 52B .0202 OFFICIAL HEALTH CERTIFICATES: PERMITS

(a) An official health certificate is a legible record made on an official form from the state of origin, or from the Animal and Plant Health Inspection Service, Veterinary Services, United States Department of Agriculture. All health certificates must be issued and signed by veterinarians accredited in the state of origin, veterinarians employed by the Animal and Plant Health Inspection Service, Veterinary Services, United States Department of Agriculture, or graduate veterinarian employed by the state of origin.

(b) The health certificate shall contain the names and addresses of the consignor and consignee, the origin of the animals, their final destination and an accurate description or identification of the animals (age, sex, breed and tag, tattoo or brand number). It shall also indicate the health status of the animals listed including dates and results of required tests and dates of pertinent vaccinations. Health certificates shall be void after 30 days except those for cattle and hogs entering the state for exhibition purposes; these shall be valid for 60 days from the date of issuance and the requirements for negative brucellosis or tuberculosis tests within 30 days of entry into the state shall be interpreted to mean within 60 days. Requests for permits to be issued in accordance with these Regulations should be directed to:

State Veterinarian of North Carolina
472 Agriculture Building
Post Office Box 26026
Raleigh, North Carolina 27611

All animals entering the state under permit shall be consigned to a resident of the state or to a legal entity authorized by law to do business within the state. All permits shall expire 15 days after the date of issuance.

History Note: Authority G.S. 106-307.5; 106-317; 106-540;
Eff. April 1, 1984;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

02 NCAC 52B .0203 DUTIES OF OWNERS: CUSTODIANS: AND CARRIERS

(a) All livestock not required to be accompanied by health certificates, test certificates or permits by the provisions of these Regulations shall be accompanied by a waybill, or owner-shipper certificate stating the following:

- (1) the point from which the animals are moved interstate;
- (2) the specific unloading destination (including street address and number if any) of the animals;
- (3) the number of animals covered by the document;
- (4) the name and address of the owner or shipper; and
- (5) the identification of the animals.

(b) Owners, custodians and carriers shall not unload livestock or other animals including poultry except at locations indicated on health certificates, waybills, invoices, or owner-shipped certificates. Any deviation of unloading site shall be accompanied by a written permit issued by the State Veterinarian or his agent.

*History Note: Authority G.S. 106-307.5; 106-317; 106-540;
Eff. April 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

02 NCAC 52B .0204 IMPORTATION REQUIREMENTS: CATTLE

(a) All cattle imported into North Carolina shall comply with 9 CFR Part 86, which is hereby incorporated by reference, including any amendments or subsequent editions. Copies of the Code of Federal Regulations may be obtained at no cost by accessing the website of the U.S. Government Printing Office at <http://www.gpoaccess.gov/cfr/index.html>.

(b) Brucellosis requirements for cattle imported into North Carolina:

- (1) Cattle originating from any validated brucellosis-free state, as defined in 9 CFR 78.1, which is hereby incorporated by reference, including any amendments or subsequent editions, may enter North Carolina provided the following is recorded on the official interstate certificate of veterinary inspection or owner shipper statement:
 - (A) Individual identification of each animal as required by 9 CFR Part 86; and
 - (B) Brucellosis status of the state of origin.
- (2) No cattle shall be accepted, other than those consigned to immediate slaughter, which have been adult vaccinated, in accordance with the current edition of the Uniform Methods and Rules for Brucellosis Eradication of the United States Department of Agriculture-Animal and Plant Health Inspection Service (USDA-APHIS), against brucellosis or originate from infected, exposed or quarantined herds. A copy of the Uniform Methods and Rules for Brucellosis Eradication may be obtained at no cost by accessing the website of USDA-APHIS at https://www.aphis.usda.gov/animal_health/animal_diseases/brucellosis/downloads/umr_bovine_bruc.pdf.
- (3) In addition, cattle imported from brucellosis class A states, as defined in 9 CFR 78.1, shall comply with the following:
 - (A) All females and bulls eight months of age and older must test negative for brucellosis within 30 days prior to entry into North Carolina, except:
 - (i) Dairy heifers under 20 months of age that are vaccinated against brucellosis;
 - (ii) Heifers of the beef breeds less than 24 months of age that are vaccinated against brucellosis; or
 - (iii) Cattle originating from any certified brucellosis-free herd, as defined in 9 CFR 78.1, provided the following is recorded on the official interstate certificate of veterinary inspection:
 - (I) individual identification of each animal;
 - (II) herd certification number; and
 - (III) date of last herd test; and
 - (B) Cattle from class A states that originate from the farm of origin and move directly to a state or federally licensed stockyard or to a farm in North Carolina in compliance with this Rule are not required to be tested between 45 and 120 days after entry. However, retests may be

performed by a representative of the State Veterinarian at no expense to the owner. Eligible cattle that have been commingled in a stockyard prior to importation must, in addition to the requirements of this Rule, test negative for brucellosis between 45 and 120 days after arrival in North Carolina.

- (4) In addition, cattle imported from class B states, as defined in 9 CFR 78.1, shall comply with the following:
- (A) A permit must be issued to the person importing the cattle by the State Veterinarian of North Carolina prior to entry;
 - (B) All females and bulls eight months of age or older must test negative for brucellosis within 30 days prior to entry into North Carolina except:
 - (i) Dairy heifers under 20 months of age that are vaccinated against brucellosis;
 - (ii) Heifers of the beef breeds less than 24 months of age that are vaccinated against brucellosis; or
 - (iii) Cattle originating from any certified brucellosis-free herd, as defined in 9 CFR 78.1, provided that the following is recorded on the official interstate certificate of veterinary inspection:
 - (I) Individual identification of each animal;
 - (II) Herd certification number; and
 - (III) Date of last herd test; and
 - (C) All cattle shall be quarantined upon arrival and must test negative between 45 and 120 days after arrival in order to be released from quarantine.
- (c) Cattle fever tick and scabies importation requirements:
- (1) No cattle infested with ticks, *Boophilus annulatus*, *B. microplus*, or *Rhipicephalus evertsi evertsi*, or exposed to such infestation shall be shipped, trailed, driven, or otherwise imported into the State for any purpose.
 - (2) No cattle affected with scabies shall be shipped, trailed, driven or otherwise imported into the State for any purpose. No cattle recently exposed to scabies or from an area quarantined on account of scabies shall be imported into the State except in accordance with 9 CFR Part 73, which is hereby incorporated by reference, including any amendments or subsequent editions.

History Note: Authority G.S. 106-307.5; 106-361; 106-400;
Eff. April 1, 1984;
Amended Eff. August 1, 2004; May 1, 1992; June 1, 1988; December 1, 1987;
Readopted Eff. July 1, 2019.

02 NCAC 52B .0205 IMPORTATION REQUIREMENTS: CATTLE FEVER TICK AND SCABIES

History Note: Authority G.S. 106-307.5; 106-361; 106-400;
Eff. April 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017;
Repealed Eff. July 1, 2019.

02 NCAC 52B .0206 IMPORTATION REQUIREMENTS: EQUINE

(a) Horses, ponies, mules, asses, zebras, and all other equine species may be imported into the state when accompanied by an official health certificate giving an accurate description of them and certifying that as determined by a physical examination they are free from any evidence of an infectious or transmissible disease and have not been exposed to any infectious or transmissible disease, and attesting that any animal over six months of age has passed a negative official test, as defined in 2 NCAC 52B .0401, for equine infectious anemia within 12 months prior to entry, provided that stallions imported into North Carolina from any country where contagious equine metritis (CEM) is recognized by the U.S. Department of Agriculture to exist must also comply with requirements of Paragraph (c) of this Rule. The EIA test form shall list one horse only. Equine without a current EIA test may be imported into the state for direct shipment to a livestock market or equine sale that is approved to provide EIA testing, pursuant to 2 NCAC 52B .0410.

(b) No health certificate will be required for horses, ponies, mules and asses which are consigned to a race track or entering the state temporarily for the purpose of exhibition, provided such animals are accompanied by certificates verifying a negative test for equine infectious anemia within 12 months prior to entry.

(c) Any stallion imported into North Carolina from any country where CEM is recognized by the U.S. Department of Agriculture to exist shall be accompanied by a written permit from the State Veterinarian, and shall be placed under quarantine by a representative of the State Veterinarian upon arrival. Prior to being used for breeding, he shall be treated by or under the direct supervision of an accredited veterinarian licensed to practice in North Carolina, according to the procedure prescribed in the Federal Register/Vol. 45, No. 3/Friday, January 4, 1980/Rules and Regulations/Pages 1003 through 1006 (9 C.F.R., Part 92).

(d) For the purpose of Paragraph (c) of this Rule the following shall apply:

- (1) Stallion. A male horse other than gelding;
- (2) Breeding. Natural or artificial insemination of a mare;
- (3) CF test. A complement-fixation test on equine serum for the detection of specific antibodies of the CEM bacterium.

History Note: Authority G.S. 106-307.5; 106-405.17; S.L. 1999-237, s. 13.6; Eff. April 1, 1984; Amended Eff. December 1, 1987; Temporary Amendment Eff. October 1, 1999; Amended Eff. April 1, 2001; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

02 NCAC 52B .0207 IMPORTATION REQUIREMENTS: SWINE

(a) All swine imported into the State, except by an interstate commercial swine movement agreement or for immediate slaughter, shall be accompanied by an interstate certificate of veterinary inspection issued by a state, federal, or accredited veterinarian stating that they are free from any signs of an infectious or communicable disease and are not known to have been exposed to same. The interstate certificate of veterinary inspection shall contain the ear tag or tattoo number of each animal. The interstate certificate of veterinary inspection must show the pseudorabies status of both the herd and state or area of origin. Swine imported for feeding or breeding purposes shall be moved in clean and disinfected trucks or other conveyances to prevent the spread of infection to other swine. "Accredited veterinarian" means a veterinarian accredited pursuant to 9 CFR Part 161, which is hereby incorporated by reference, including any amendments or subsequent editions.

(b) Breeding swine and all other swine being shipped to a breeding swine premise shall originate from a "Validated Brucellosis-Free" herd or a "Validated Brucellosis-Free" state and shall originate from a "Qualified Pseudorabies-Negative" herd, Qualified-Negative Gene-Altered Vaccinated Herd (QNV), or Pseudorabies Stage IV or V (Free) state. Breeding swine and all other swine being shipped to a breeding swine premise originating from Stage II, II/III or III areas or states must also be isolated and test negative to a statistical 95/5 sample test using a pseudorabies serological test approved pursuant to 9 CFR Part 85.1, which is hereby incorporated by reference, including any amendments or subsequent editions, between 30 and 60 days after arrival and before being added to the herd.

(c) All feeder swine imported into the State from a Pseudorabies Stage II, II/III, or III state or area, as set forth under the USDA Pseudorabies Eradication State–Federal–Industry Program Standards, the definitions of which are incorporated by reference, including amendments and subsequent editions, and can be accessed at no cost at https://www.aphis.usda.gov/animal_health/animal_dis_spec/swine/downloads/prv_program_standards.pdf, shall be accompanied by a permit for entry issued by the State Veterinarian within 30 days prior to entry. The permit number and the date of issuance shall be shown on the interstate certificate of veterinary inspection. The feeder swine in the shipment must have been vaccinated for pseudorabies using a USDA-licensed pseudorabies vaccine with gI deletion and must have tested negative on a statistical (95/2) test within 30 days prior to shipment, and they shall be isolated and quarantined until slaughtered. In addition, the swine must be tested on statistical (95/2) test between 30 and 45 days after arrival. The swine must originate from a qualified negative pseudorabies or a pseudorabies monitored herd that has tested negative on a statistical (95/10) test within 30 days prior to shipment. Feeder swine from a pseudorabies-free state or area may be imported in accordance with Paragraph (a) of this Rule.

(d) Healthy swine for feeding purposes may move directly from a farm of origin in a contiguous state where they have been located for not less than 30 days to a livestock market or stockyard in North Carolina that has been state-federal approved for handling feeder swine, without the interstate certificate of veterinary inspection required herein, provided

such swine are accompanied by proof of the pseudorabies status of the herd of origin. The swine shall be inspected by a state or federal inspector or approved accredited veterinarian prior to sale at the market.

(e) Healthy swine may be shipped into the State for immediate slaughter without an interstate certificate of veterinary inspection provided they go directly to a slaughtering establishment under State or federal inspection, or to a state-federal approved livestock market or stockyard for sale to a slaughtering establishment under State or federal inspection for immediate slaughter only.

(f) Swine from a pseudorabies-quarantined herd or swine that have been in contact with pseudorabies-quarantined swine may be imported into the State for immediate slaughter only under the following conditions:

- (1) the swine must be accompanied by a shipping permit (Veterinary Services Form 1-27) issued by an accredited veterinarian or a state or federal animal health employee, consigning the swine only to a slaughtering establishment under State or federal inspection;
- (2) the vehicle transporting the swine must be sealed after loading with an official USDA or state of origin seal. The seal number must be recorded on the Veterinary Services Form 1-27. The seal can be broken or removed only by an NCDA&CS or a USDA employee or other individual authorized by the State Veterinarian; and
- (3) the vehicle used to transport the swine must be cleaned, including any animal waste, and disinfected to prevent the spread of disease immediately after unloading the swine and prior to using the vehicle to transport other livestock.

(g) Feral Swine:

- (1) As used in this Section, "feral swine" means any untamed or undomesticated hog, boar, or pig; swine whose reversion from the domesticated state to the wild state is evident; or an otherwise freely roaming swine having no visible tags, marking, or characteristics indicating that such swine is from a domestic herd. Feral swine includes members of the species *Sus scrofa* Linnaeus, including swine commonly known as old world swine, Russian wild boar, European wild boar, Eurasian wild boar, and razorbacks.
- (2) No person shall import or transport live feral swine in this State.
- (3) No person shall release any hog, boar, pig, or swine to live as a feral swine in North Carolina.

History Note: Authority G.S. 106-307.5; 106-316.1; 106-317; 106-318;
Eff. April 1, 1984;
Amended Eff. February 1, 1996; May 1, 1992; June 1, 1989; January 1, 1989;
Temporary Amendment Eff. April 3, 2000; February 21, 2000; April 30, 1999;
Amended Eff. April 1, 2001; July 1, 2000;
Readopted Eff. July 1, 2019.

02 NCAC 52B .0208 IMPORTATION REQUIREMENTS: GOATS

History Note: Authority G.S. 106-307.5; 106-396;
Eff. April 1, 1984;
Amended Eff. January 1, 2005; April 1, 2001;
Repealed Eff. April 1, 2008.

02 NCAC 52B .0209 IMPORTATION REQUIREMENTS: SHEEP AND GOATS

(a) All sheep and goats imported into North Carolina, regardless of age, must be officially identified prior to leaving the farm of origin (see "official scrapie identification" in Subparagraph (c)(2) of this Rule), except:

- (1) Sheep and goats less than 12 months of age moving directly to slaughter;
- (2) Sheep and goat wethers.

(b) Sheep and goats consigned for the purpose of immediate slaughter to a livestock market licensed under G.S. 106, Article 35, or to a slaughtering establishment with state or federal inspection may be imported without a health certificate. A waybill or certificate marked for immediate slaughter must accompany such shipments. No sheep or goats consigned for immediate slaughter may be removed from slaughter channels.

(c) Sheep and goats not consigned for the purpose of immediate slaughter must be accompanied by an official health certificate from the state of origin signed by a veterinarian accredited in that state as follows:

- (1) The health certificate covering the importation of sheep and goats shall include a report of inspection indicating the sheep and goats are not under quarantine and are free from signs of any infectious or communicable disease.
- (2) The health certificate shall contain a statement that the flock of origin has not had scrapie diagnosed within the past 42 months. The health certificate shall include United States Department of Agriculture-approved scrapie identification, age, sex, breed and markings for each animal. Official scrapie identification shall consist of one of the following:
 - (A) Official ear tags which are approved by the United States Department of Agriculture, Animal and Plant Health Inspection Service for use in the Scrapie Eradication Program or the Scrapie Flock Certification Program;
 - (B) Electronic implants which are approved for use in animals participating in a scrapie flock certification program and accompanied by a certificate of veterinary inspection or owner statement that includes the implant numbers and name of the chip manufacturer; or which are used in animals registered with a national registry association and the implant number is recorded by the registry on the registration certificate accompanying the animal. The animal shall be accompanied by an implant reader which can read the implant in the animal;
 - (C) Legible official registry tattoos that have been recorded in the record of a sheep or goat registry association when the animal is accompanied by either a registration certificate or certificate of veterinary inspection upon which the tattoo number is recorded.
- (3) Sheep and goats not consigned for the purpose of immediate slaughter that originate from United States Department of Agriculture-certified and accredited free states are exempt from brucellosis and tuberculosis testing requirements. Sheep and goats that do not originate from a United States Department of Agriculture-certified and accredited free state shall have a negative brucellosis test within 30 days prior to import and shall have a negative tuberculosis test within 60 days prior to import unless they originate from a United States Department of Agriculture-certified and accredited free herd.
- (4) Dairy goats and sheep over six months of age and sexually intact imported from out-of-state shall have a negative brucellosis test within 30 days prior to import and shall have a negative tuberculosis test within 60 days prior to import unless they originate from a United States Department of Agriculture-certified and accredited free herd.
- (5) The brucellosis and tuberculosis testing requirements of this Rule does not apply to sheep and goats entering the state for only exhibition purposes, coming from states or herds that are United States Department of Agriculture-certified and accredited free, when accompanied by an official health certificate which includes a United States Department of Agriculture-approved scrapie identification. Such animals shall remain in the state for exhibition purposes for no more than 30 days from the date of issuance of the health certificate.

History Note: Authority G.S. 106-307.5; 106-348; 106-396;
 Eff. April 1, 1984;
 Amended Eff. April 1, 2008; January 1, 2005; April 1, 2001; May 1, 1992; December 1, 1989;
 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

02 NCAC 52B .0210 IMPORTATION REQUIREMENTS: AVIAN SPECIES

History Note: Authority G.S. 106-539; 106-540; 106-543;
 Eff. April 1, 1984;
 Temporary Amendment Eff. August 13, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
 Amended Eff. January 1, 1994;
 Repealed Eff. July 1, 2010.

02 NCAC 52B .0211 IMPORTATION REQUIREMENTS: DOGS

History Note: Authority G.S. 106-374;

Eff. April 1, 1984;
Repealed Eff. October 1, 1987.

02 NCAC 52B .0212 IMPORTATION REQUIREMENTS: WILD ANIMALS

(a) A person shall obtain a permit from the State Veterinarian before importing any of the following animals into this State:

- (1) Skunk;
- (2) Fox;
- (3) Raccoon;
- (4) Ringtail;
- (5) North and South American felines;
- (6) Marten;
- (7) Brushtail Possum (*Trichosurus vulpecula*).

(b) Permits for the importation into this State of any of the animals listed in Paragraph (a) of this Rule shall be issued only if the animal(s) will be used in a research institute, or for exhibition by a USDA licensed exhibitor, or organized entertainment as in zoos or circuses.

(c) Nothing in the permit requirements for the importation of wild animals, as defined by G.S. 113-129 and as set forth in this Subchapter, shall excuse or exempt the applicant from compliance with applicable North Carolina Wildlife Resource Commission rules in 15A NCAC 10B .0100 or 15A NCAC 10H .1400.

(d) Camelids, bison, and other bovidae other than domestic cattle may be imported into the State if accompanied by an official health certificate issued by a licensed, accredited veterinarian, as defined in 02 NCAC 52B .0401, which states that:

- (1) all animals six months of age or older have tested negative for brucellosis within 30 days prior to importation; and
- (2) all animals six months of age or older have tested negative for tuberculosis within 60 days prior to importation; and
- (3) the herd of origin has had no brucellosis or tuberculosis diagnosed within the past 12 months.

(e) Additionally, all bison and other bovidae other than domestic cattle may be imported into the State only if officially identified in accordance with 9 CFR 86.1, which shall be incorporated by reference, including any subsequent amendments and editions, and can be obtained free of cost at https://www.ecfr.gov/cgi-bin/text-idx?SID&node=pt9.1.86&rgn=div5#se9.1.86_11. The requirements of this Paragraph shall not apply to camelids, llamas, vicunas, alpacas, and guanacos from other states that are tuberculosis Accredited-Free and brucellosis Certified-Free, when accompanied by an official health certificate.

(f) Any species or hybrid of a mammal not otherwise covered in the Administrative Code must be accompanied by a valid certificate of veterinary inspection.

(g) Imported elephants shall be accompanied by an official health certificate issued by a licensed, accredited veterinarian for the duration of the certificate in North Carolina, as defined in 02 NCAC 52B .0401, which states that "all animals have tested negative for tuberculosis within 365 days prior to importation."

History Note: Authority G.S. 106-317; 106-400;
Eff. April 1, 1984;
Amended Eff. July 1, 1998; February 1, 1996; May 1, 1992;
Temporary Amendment Eff. February 18, 2002;
Temporary Amendment Expired August 1, 2002 (See Rule .0213);
Amended Eff. August 1, 2002;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017;
Amended Eff. December 1, 2022.

02 NCAC 52B .0213 IMPORTATION REQUIREMENTS: CERVIDS

(a) No farmed cervids shall be imported into North Carolina from:

- (1) a herd located in a county or its equivalent, if not within the United States or in a territory without counties, where Chronic Wasting Disease ("CWD") has been diagnosed;

- (2) a herd located in a county or its equivalent, if not within the United States or in a territory without counties, that is contiguous to a county or its equivalent, if not within the United States or in a territory without counties, where CWD has been diagnosed; or
 - (3) a CWD-positive, exposed, or suspect farmed cervid facility.
- (b) Any imported farmed cervid that fails to comply with G.S. 106-549.97, 02 NCAC 52L, or this Rule, shall be deemed a CWD-suspect animal until further investigation by the North Carolina Department of Agriculture and Consumer Services' Veterinary Division.
- (c) No CWD-susceptible cervids, as identified by the North Carolina Department of Agriculture and Consumer Services' Veterinary Division or the USDA, shall be imported into North Carolina without first being tested negative for CWD using an antemortem test approved by the USDA.
- (d) All cervids entering North Carolina shall be accompanied by all of the following:
- (1) an interstate certificate of veterinary inspection ("ICVI") issued within 30 days prior to arrival;
 - (2) the following statement shall also appear on the ICVI: "All cervidae on this certificate originate from a Chronic Wasting Disease (CWD) monitored or certified herd in which these animals have been kept for at least one year or were natural additions. There has been no diagnosis, signs, or epidemiological evidence of CWD in this herd or any herd contributing to this herd for the previous five years."; and
 - (3) proof of a negative USDA-approved tuberculosis test for animals six months of age or older conducted within 60 days prior to arrival if the animal originates from a tuberculosis accredited herd. If the animal is six months of age or older and originates from a herd of unknown status, two negative USDA approved tests for tuberculosis shall be required with the second being greater than 90 days from the initial test and within 60 days prior to arrival. If the animal is less than six months of age and from a herd of unknown status, one negative USDA approved tuberculosis test shall be required. The herd of origin and commingled susceptible species shall have had no diagnosis of tuberculosis in the 36 months preceding shipment.
- (e) All farmed cervids entering North Carolina shall be accompanied by all of the following:
- (1) individual animal identification required by 02 NCAC 52L .0112 and noted on the ICVI; and
 - (2) a valid transportation permit issued by the North Carolina Department of Agriculture and Consumer Services' Veterinary Division.
- (f) The State Veterinarian of North Carolina may issue orders prohibiting the importation of certain farmed cervids or issue moratoriums pending the investigation of any threat of disease based on his or her expertise and experience that will pose a risk of spreading disease that will damage or harm the North Carolina farmed cervid industry, including the control or spread of CWD.

*History Note: Authority G.S. 106-307.5; 106-317; 106-399.4; 106-400; 106-549.97(a2);
Eff. August 1, 2002;
Amended Eff. July 1, 2018;
Readopted Eff. July 1, 2019.*

02 NCAC 52B .0214 IMPORTATION REQUIREMENTS: RABBITS, OR ANY SPECIES IN THE ORDER LAGOMORPHA, INCLUDING HARES AND PIKAS

- (a) An import permit from the State Veterinarian is required for the importation of a rabbit, or any species in the order of Lagomorpha, including hare and pika, into the State of North Carolina originating from:
- (1) any country or state with Rabbit Hemorrhagic Disease Virus-2 ("RHDV-2") detected; or
 - (2) a state or country without RHDV-2 if the animal makes any intervening stop in a country or state with RHDV-2 detected, if the animal is commingled or exposed to any other animal in the order of Lagomorpha not being shipped directly from the point of origin together, or if the imported rabbit is exposed to materials such as cages, beddings, and supplies that have been in contact with another animal in the order of Lagomorpha not shipped directly from the point of origin together.
- (b) The import permit application shall be accompanied by an official health certificate, as detailed in 02 NCAC 52B .0202, certifying the animal to be free from any contagious animal disease, including RHDV-2, as follows:
- (1) If the animal is shipped directly without any intervening stops, without commingling or exposure to any other animal in the order of Lagomorpha not being shipped directly from the point of origin together, and without exposure to materials such as cages, beddings, and supplies that have been in contact with another animal in the order of Lagomorpha not shipped directly from the point of origin

together, then the official health certificate shall be obtained within 7 days of the date of importation into North Carolina.

- (2) If the animal is shipped with intervening stops, with commingling or exposure to another animal in the order of Lagomorpha not being shipped directly from the point of origin together, or with exposure to materials such as cages, beddings, and supplies that have been in contact with another animal in the order of Lagomorpha not shipped directly from the point of origin together, then the official health certificate shall be obtained from the country or state of the last intervening stop, commingling, or exposure, and within 7 days of the date of importation into North Carolina.

(c) No permit is needed for rabbits, or any species in the order of Lagomorpha, including hare and pika, brought into the State on a temporary basis for the sole purpose of seeking veterinary services by a North Carolina licensed veterinarian, lasting only until the end of the veterinary service visit, and the animal is brought directly to the veterinary clinic and departs from the veterinary clinic to the originating state with no intervening stops.

(d) The application for an importation permit shall include the state of origin, the date that the official health inspection was conducted, the owner's name, address, and phone number at the time of import, the import destination within the State of North Carolina, the name, address, and phone number of the person with control and responsibility over the animal at the import destination, and any federal licensing, permit, and documentation required for the importation of the animal if imported from outside of the United States of America.

(e) A rabbit, or any species in the order of Lagomorpha, including hare and pika, requiring an import permit that is imported into North Carolina shall be accompanied by an official health certificate with the import permit number and shall be made available for inspection by the State Veterinarian or his or her designee upon request.

(f) An intervening stop is defined as a stop in a country or state longer than 24 hours but less than 10 days. The location of any stop for longer than 10 days shall be deemed the new country or state of origin.

(g) Health certificates issued outside of the United States shall be issued in English and by a veterinarian with a valid license to practice veterinary medicine in the country of export.

(h) The requirement for an entry permit and official health certificate are waived for a rabbit, or any species in the order of Lagomorpha, including hare and pika, for exhibitions or shows that adhere to the following guidelines:

- (1) A licensed and USDA accredited veterinarian, specifically a professional veterinarian who has completed formal training from the National Veterinary Accreditation Program (NVAP) in the state in which they are licensed to practice veterinary medicine, performs a health assessment outside of the exhibition or show venue prior to any commingling of animals from separate origins, and prior to entry of the exhibition or show venue. For the purposes of this subchapter, a health assessment conducted by a licensed and USDA accredited veterinarian involves the veterinary examination of an animal to ensure that the animal is in good health and well-being, as well as free of any visible signs of pain, distress, suffering, or displaying any symptoms consistent with RHDV-2. If an animal is found to exhibit any symptoms consistent with RHDV-2, that animal as well as any cohorts, which includes animals from the same origin, animals that traveled together, or animals that where commingled, will be excluded from the exhibition or show and must return without any commingling of other animals directly to its origin location.
- (2) The exhibition or show administrators, upon request from the NCDA&CS Veterinary Division, shall provide the name, address, phone number, and number of animals for every participant in the exhibition or show for NCDA&CS disease epidemiological investigation and testing purposes.

History Note: Authority G.S. 106-317;
Emergency Adoption Eff. July 13, 2021;
Temporary Adoption Eff. September 24, 2021;
Eff. December 1, 2022;
Amended Eff. December 1, 2023.

SECTION .0300 - BRUCELLOSIS REGULATIONS

02 NCAC 52B .0301 QUALIFICATIONS OF PERSONS CONDUCTING BRUCELLOSIS TEST

Brucellosis testing of cattle, swine, goats or other livestock shall be conducted only by an accredited veterinarian or an employee of the veterinary division of the North Carolina Department of Agriculture or Animal and Plant Health Inspection Services, Veterinary Services, United States Department of Agriculture. The sale of brucellosis test antigen to

any individual, firm or corporation not in possession of a written permit from the State Veterinarian, or the possession of said antigen by any person not in possession of such a permit, is prohibited.

*History Note: Authority G.S. 106-390; 106-396;
Eff. April 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

02 NCAC 52B .0302 BRUCELLOSIS REQUIREMENTS FOR SALE OF CATTLE AND SWINE

(a) All cattle offered for public sale must test negative for brucellosis within 30 days preceding the date of sale except those cattle listed as follows:

- (1) cattle sold for immediate slaughter;
- (2) native heifers and bulls less than 18 months of age;
- (3) steers and spayed heifers;
- (4) officially brucellosis vaccinated heifers of the dairy breeds under 20 months of age (provided that all officially brucellosis vaccinated heifers of any breed that are parturient or post parturient must be tested and negative for brucellosis);
- (5) officially brucellosis vaccinated heifers of the beef breeds under 24 months of age (provided that all officially brucellosis vaccinated heifers of any breed that are parturient or post parturient must be tested and negative for brucellosis);
- (6) cattle originating directly from a certified brucellosis-free herd or state; or
- (7) heifers under 12 months of age purchased for feeding purposes; provided, however, that if the State Veterinarian determines that the heifers originated from a herd of unknown brucellosis status, buyers of feeder heifers under 12 months of age may be required, before they remove such cattle from place of purchase, to sign a statement of intent to feed those cattle not tested for brucellosis in isolation from breeding animals. Willful failure of a buyer of such cattle to sign a statement of intent when requested by the State Veterinarian or his authorized representative or willful failure to comply with such a signed statement of intent is a violation of this Section.

(b) All swine sold or offered for sale for breeding purposes must originate directly from a validated brucellosis-free herd unless they originate from a state classified as swine-brucellosis free.

(c) Sporting swine:

- (1) For the purpose of this Rule:
 - (A) "Sporting swine" means any domestic or feral swine intended for hunting purposes and includes the progeny of these swine whether or not the progeny are intended for hunting purposes;
 - (B) "Feral swine" means any swine that have lived any part of its life free roaming.
- (2) All sporting swine sold or offered for sale must originate directly from a validated brucellosis-free herd.

*History Note: Authority G.S. 106-389; 106-396;
Eff. April 1, 1984;
Amended Eff. July 1, 2000; February 1, 1996; December 1, 1987;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

02 NCAC 52B .0303 CALFHOOD VACCINATION

Official Brucellosis calfhood vaccination of heifers between the ages of four and eight months by accredited veterinarians, employees of the veterinary division of the North Carolina Department of Agriculture, or employees of the Animal and Plant Health Inspection Service, Veterinary Services, United States Department of Agriculture, is permitted. The vaccine used must be licensed by the Biologics Division of the U.S. Department of Agriculture and be authorized for use in North Carolina by the State Veterinarian. Each vaccinated heifer shall be identified by the official vaccination tattoo and an approved ear tag in the right ear: Provided that the State Veterinarian may waive the ear tag requirement if other acceptable means of identifying individual heifers are used. The original and one copy of the brucellosis calfhood vaccination record shall be submitted by the person doing the vaccinating to the State Veterinarian within 10 days following vaccination. Officially brucellosis vaccinated cattle of the dairy breeds 20 months of age and over, and those of

the beef breeds 24 months of age and over, classified as reactors to an official test for brucellosis shall be branded and tagged as brucellosis reactors. Parturient and post parturient animals reacting to the official brucellosis test shall be branded and tagged as reactors regardless of age.

*History Note: Authority G.S. 106-389; 106-396;
Eff. April 1, 1984;
Amended Eff. July 1, 1998;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

02 NCAC 52B .0304 COMPULSORY TESTING

The State Veterinarian is empowered to require the testing of cattle, goats and swine he has reasonable grounds to believe are affected with or have been exposed to brucellosis. Following a ten day notice, the owner shall have his cattle, swine or goats confined at the appointed time of the test. He shall provide the necessary facilities and assistance for the person making the test.

*History Note: Authority G.S. 106-390; 106-396;
Eff. April 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

SECTION .0400 – EQUINE INFECTIOUS ANEMIS (EIA)

02 NCAC 52B .0401 DEFINITIONS

The following definitions are in effect throughout this Section:

- (1) Equine. Any member of the equine family, including horses, ponies, mules, asses and other equines;
- (2) Reactor. An equine over six months of age that reacts positively to an approved test for equine infectious anemia;
- (3) Official Test. A test recognized by Veterinary Services, APHIS, USDA, pursuant to 9 CFR 75.4;
- (4) Date of Test. Date blood sample is collected from the equine;
- (5) Licensed Accredited Veterinarian. A veterinarian licensed to practice in North Carolina by the North Carolina Veterinary Medical Board and accredited by the USDA;
- (6) Exposed Equine. An equine which the State Veterinarian or his authorized representative has reasonable grounds to believe has been exposed to equine infectious anemia; An equine shall be considered exposed when in the professional judgment of a state or federally employed, or accredited, veterinarian designated by the State Veterinarian, the equine has been exposed. A premises may be approved by the State Veterinarian for the permanent quarantine of an equine which is positive to an official test for equine infectious anemia when it can be determined that other equines will not be exposed to the disease;
- (7) Division. Veterinary Division of the North Carolina Department of Agriculture and Consumer Services;
- (8) Dealer. Any person who buys equine for his own account for the purpose of resale, or for the account of others;
- (9) Public Place. Any premises owned or operated by any governmental entity, any privately owned or operated premises open to the public, or any privately owned or operated premises where three or more equine originating from three or more premises are gathered.

*History Note: Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6;
Eff. April 1, 1984;
Temporary Amendment Eff. October 1, 1999;
Amended Eff. April 1, 2001;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

02 NCAC 52B .0402 DISPOSITION OF REACTORS

02 NCAC 52B .0403 EXPOSED HORSES
02 NCAC 52B .0404 REPORT OF TEST RESULTS

History Note: *Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6;*
Eff. April 1, 1984;
Temporary Repeal Eff. October 1, 1999;
Repealed Eff. April 1, 2001.

02 NCAC 52B .0405 FEES FOR BLOOD TEST

A person submitting a blood sample to the Division to be tested for equine infectious anemia (EIA) shall pay a fee of four dollars (\$4.00) per sample.

History Note: *Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6;*
Eff. April 1, 1984;
Amended Eff. April 1, 1985;
Temporary Amendment Eff. October 1, 1999;
Amended Eff. April 1, 2001;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

02 NCAC 52B .0406 EIA TEST REQUIRED

(a) All equine more than six months of age entering North Carolina for any purpose other than for immediate slaughter shall be accompanied by a copy of the certificate of test from a laboratory approved by the USDA showing the animal to be negative to an official test for equine infectious anemia (EIA) within the past 12 months, except as provided in 02 NCAC 52B .0410. (See 02 NCAC 52B .0206 for other importation requirements.)

(b) No equine more than six months of age shall be sold, offered for sale, traded, given away, or moved for the purpose of change of ownership unless accompanied by the original official negative test for EIA administered within 12 months prior to sale or movement, except that equine which are offered for sale at auction markets or sales may have a blood sample drawn at the market by the market's veterinarian at the seller's expense. In such cases, the equine may be sold and transferred contingent upon receipt of an official negative EIA test. Until receipt of an official negative EIA test, the equine must be isolated in accordance with standards for isolation of positive reactors, pursuant to 02 NCAC 52B .0408(c)(2).

(c) All equine brought to or kept at any public place for exhibition, recreation or assembly shall be accompanied by either the original or a copy of an official negative test for EIA administered within the previous 12 months. The person in charge of any public place where equine are brought or kept for exhibition, recreation or assembly shall not permit an equine to remain on the premises without the test required by this Rule.

(d) A person in possession or control of an equine in a public place shall, upon the request of an authorized person, present the original or a copy of the test required by this Rule and shall assist in identifying the equine. A person in possession or control of an equine who does not have an original or a copy of the test required by this Rule shall remove the equine from the premises within two hours of receiving written notification to leave from an authorized person. As used in this Rule, "authorized person" means the person in charge of the premises, or the State Veterinarian or his representative.

History Note: *Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6;*
Temporary Adoption Eff. October 1, 1999;
Eff. April 1, 2001;
Amended Eff. October 1, 2004; April 1, 2001;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

02 NCAC 52B .0407 TESTING FOR EIA

(a) Equine tested for equine infectious anemia (EIA) must be completely and accurately identified by a licensed, accredited veterinarian, using the official test form provided by the office of the State Veterinarian.

(b) Only one form shall be utilized by the testing veterinarian for each equine to be tested. Any distinctive markings and their location on the animal such as brands, tattoos, stars, snips, stockings, or other markings shall be noted on the official chart.

(c) Equine receiving on-farm or private treaty test shall not be sold or ownership otherwise transferred until the results of the equine infectious anemia test performed on the animal are returned. Positive test results shall automatically result in the quarantine of the animal without further notice at the premises of the owner or where the test was conducted.

(d) All test results shall be reported to the office of the State Veterinarian. Tests conducted at a laboratory within the state shall be reported on official forms supplied by the Division. Licensed, accredited veterinarians submitting samples for testing in U.S. Department of Agriculture approved laboratories outside of North Carolina shall supply a copy of the test record to the office of the State Veterinarian within five days upon receipt of the test results from the testing laboratory.

(e) The owner or manager of a market or sale shall announce, prior to the sale or auction, that all equines not accompanied by either the original or a copy of an official negative test for EIA will be tested. Each buyer of such equine at the sale or auction shall sign an agreement to maintain such equine at a specified location until notified of the results of the test. Equine that prove negative to the test may move in normal trade channels. Owners of equine that react to the test must comply with 2 NCAC 52B .0408.

*History Note: Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6;
Temporary Adoption Eff. October 1, 1999;
Eff. April 1, 2001;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

02 NCAC 52B .0408 POSITIVE REACTORS

(a) Equine testing positive to an approved test for equine infectious anemia (EIA) may have a confirmatory retest by a representative of the State Veterinarian within 15 days of the initial test. If there is no retest within 15 days from notification, the right to retest is forfeited and the equine shall be euthanized or branded immediately.

(b) If not euthanized, reactors must be branded on the left side of the neck with the characters '55A' and the official reactor number assigned by the Division. The owner of the reactor must submit the equine for branding by a representative of the State Veterinarian within 15 days of the confirmatory test.

(c) A reactor shall be isolated, euthanized or sold for slaughter within seven days of branding. Reactors shall be subject to the following disposition, at the option of the owner:

- (1) With approval of the State Veterinarian or his designated representative, the equine may be sold for slaughter to bona fide slaughter buyers. EIA reactors must be permitted on VS Form 1-27 by a representative of the State Veterinarian for movement from farm to an approved slaughter establishment or research facility when, in the State Veterinarian's judgment, it can be done without risk of exposure of other equine;
- (2) Quarantine of the infected, branded, equine until death in an isolation facility on the owner's premises or elsewhere, approved by an authorized representative of the State Veterinarian. A written quarantine will be issued for each equine. Minimum standards for an approved isolation facility shall be a plot or pasture located a minimum of 880 yards from any other equine enclosure, or other equine, except another known EIA reactor. Owners of infected, branded equine shall not sell, barter, trade or give away these equine except as provided in this Rule.

*History Note: Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6;
Temporary Adoption Eff. October 1, 1999;
Eff. April 1, 2001;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

02 NCAC 52B .0409 ADJACENT OR EXPOSED EQUINE

When an equine is found positive by an official equine infectious anemia (EIA) test and an EIA retest by state personnel, all equine on the same premises (farm, pasture, or stable), and all other equine located on adjacent farms, pastures, or stables within 880 yards shall be required to be tested by state regulatory personnel or a licensed, accredited veterinarian.

All exposed equine, as defined in 2 NCAC 52B .0401(6), shall be quarantined until tested and found negative to the EIA test 60 days after removal of the reactor.

History Note: Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6; Temporary Adoption Eff. October 1, 1999; Eff. April 1, 2001; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

02 NCAC 52B .0410 MARKET AND SALE RESPONSIBILITY

(a) Livestock markets and all others conducting sales of equine shall send a written request for approval of all sales to the State Veterinarian at least two weeks prior to sale. The State Veterinarian shall approve the request if:

- (1) the applicant is in compliance with this Section at the time of the application;
- (2) it appears that the applicant is able to comply with this Section at the time of the proposed sale; and
- (3) the Veterinary Division has personnel available to monitor the sale to determine compliance with this Section.

(b) Livestock markets or equine sales offering to provide equine infectious anemia (EIA) testing must employ a licensed, accredited veterinarian.

(c) Livestock markets or sales that have permanent facilities, including a licensed, accredited veterinarian, may handle equine that do not have a negative test, provided each such equine is tested as provided in this Section.

(d) Livestock markets and all others conducting sales of equine shall have check-in procedures, including at least the following:

- (1) See that the correct name and mailing address of the owner is on the "check-in" form, along with the license number of the vehicle that transported the animal;
- (2) Apply a backtag or paint number at "check-in" and note it on the "check-in" form;
- (3) See that all EIA test records are collected and presented to the market veterinarian or representative of the State Veterinarian for verification prior to the sale.

(e) Equine shall be presented to the market or sale veterinarian if testing is required, and assistance shall be provided for drawing blood samples for the EIA test.

(f) The market or sale management shall maintain records of sales for a minimum of two years, so that animals that react positively to the EIA test may be traced.

(g) Those managing the sale shall not permit the sale of equine on the premises except through the market or sale.

(h) Non-compliance with these Rules is grounds for revocation of approval to conduct sales.

History Note: Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6; Temporary Adoption Eff. October 1, 1999; Eff. April 1, 2001; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

02 NCAC 52B .0411 MARKET OR SALE VETERINARIANS

(a) Market or sale veterinarians shall:

- (1) Collect blood samples of five cubic centimeters in a blood collection tube with identification of each equine presented for test;
- (2) Properly identify each equine tested on a Department of Agriculture and Consumer Services form as to name, age, sex, breed, color and markings, brands, tattoos, scars; and
- (3) Mail blood and form to an approved laboratory by the end of the next business day following the sale.

(b) Each market veterinarian involved in the equine infectious anemia (EIA) program shall notify the State Veterinarian of such involvement.

History Note: Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6; Temporary Adoption Eff. October 1, 1999; Eff. April 1, 2001; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

02 NCAC 52B .0412 SLAUGHTER SALES

Market or sale operators who wish to conduct a sale of equine only for slaughter without EIA testing must sign an agreement with the State Veterinarian to comply with the terms of this Section.

*History Note: Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6;
Temporary Adoption Eff. October 1, 1999;
Eff. April 1, 2001;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

SECTION .0500 - POULTRY DISEASES

02 NCAC 52B .0501 POULTRY DISEASES

If it shall be determined that any contagious or infectious disease of poultry, or exposure thereto, exists in any hatchery, poultry processing plant, or on any other place where poultry is raised, kept or handled, the State Veterinarian, his assistants or any duly authorized inspector, acting under the authority of the Commissioner of Agriculture is authorized to perform any or all of the following acts:

- (1) quarantine and placard such premises and all poultry on same premises when necessary to control the spread of contagious or infectious diseases of poultry;
- (2) restrict the movement of poultry, baby chicks, eggs or any other agent capable of transmitting infection;
- (3) require the cleaning and disinfecting of trucks and other vehicles used in transporting poultry and other products;
- (4) require the cleaning and disinfecting of hatcheries, poultry houses, slaughtering plants, coops, crates, transporting cages, containers, egg cases, chick boxes or any other agent capable of carrying infection;
- (5) restrict and regulate the disposition of offal and other waste material from poultry slaughtering and processing establishments, provide for disposal of manure from poultry houses by composting for 30 to 60 days on the farm or by burial on the farm where disease has occurred, or dispose by method authorized by the State Veterinarian;
- (6) require the proper disposition of all dead birds.

*History Note: Authority G.S. 106-540;
Eff. April 1, 1984;
Amended Eff. July 1, 1986;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

02 NCAC 52B .0502 HEALTH REGULATIONS FOR POULTRY EXHIBITIONS

(a) Persons conducting and participating in poultry exhibitions shall comply with the following:

- (1) All poultry, excluding doves and pigeons, for exhibition in North Carolina shall originate from U.S. pullorum-typhoid clean flocks, or have a negative pullorum-typhoid test within 90 days (30 days for out-of-state birds) of the date of exhibition. All North Carolina owned birds must be tested by agents of the North Carolina Department of Agriculture. For North Carolina birds and for out-of-state birds from U.S. pullorum-typhoid clean states, these test requirements may be satisfied by a negative test conducted by a North Carolina Department of Agriculture agent at the time of entry. The fee for pullorum-typhoid testing at the exhibition is ten cents (\$0.10) per bird with a minimum fee of one dollar (\$1.00) per exhibitor.
- (2) Poultry for exhibition shall not have been vaccinated with a live virus vaccine within the last 30 days preceding the exhibition.
- (3) Each bird must be identified with a "tamper-proof" band at the time of pullorum-typhoid test. A copy of the pullorum-typhoid test chart must accompany birds to exhibition.
- (4) Birds are subject to examination (including blood test and swabs) by a representative of the North Carolina Department of Agriculture. Birds shall not be accepted which are infected with or showing any clinical signs of a contagious disease, or are infested with lice or mites.

- (5) Out-of-state birds shall be admitted provided they are from an area that is not under quarantine for an infectious disease and have a negative antigen detection test for Avian Influenza performed within 21 days prior to presenting for exhibition.
 - (6) The secretary of each show shall furnish the representative of the State Veterinarian with a list of names and addresses of all exhibitors at the time of the exhibition.
 - (7) The secretary of each show shall have the requirements in this Rule printed in the show catalog or premium list.
- (b) The Commissioner may, when in the public interest to prevent disease, suspend any poultry exhibition in North Carolina.

*History Note: Authority G.S. 106-540;
Eff. April 1, 1984;
Amended Eff. August 1, 2010; October 1, 1993;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

02 NCAC 52B .0503 TRANSPORTING LIVE POULTRY

- (a) No person, firm, or corporation shall re-use for transporting live poultry, any coop, crate, or other container that has been used previously for live poultry, unless said coop, crate, or other container has been thoroughly cleaned and properly disinfected. No person, firm, or corporation shall transport on the public highways of this state any empty coop, crate, or other container that has been used previously for live poultry, except to transport such coop, crate, or other container to a designated point for cleaning and disinfecting.
- (b) Any truck, trailer, or other conveyance used in transporting live poultry shall be thoroughly cleaned and disinfected after the hauling of each lot of live poultry.
- (c) Disinfectants acceptable for use under this Regulation are limited to the chemicals approved in 9 CFR 71.10, 71.11, and 71.12.
- (d) The provisions of (a) and (b) of this Rule shall not apply to any persons, firms, or corporations when transporting or handling only their own poultry.

*History Note: Authority G.S. 106-540;
Eff. April 1, 1984;
Amended Eff. April 1, 1985;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

02 NCAC 52B .0504 AVIAN INFLUENZA (H5N2)

*History Note: Filed as a Temporary Rule Eff. January 30, 1986, for a Period of 120 Days to Expire on May 30, 1986;
Statutory Authority G.S. 106-307.5;
Expired Eff. May 30, 1986.*

02 NCAC 52B .0505 AVIAN INFLUENZA (H5N2)

*History Note: Authority G.S. 106-307.5;
Eff. July 1, 1986;
Repealed Eff. July 1, 2010.*

SECTION .0600 - POULTRY: HATCHERIES: PULLORUM DISEASE

02 NCAC 52B .0601 NATIONAL POULTRY IMPROVEMENT PLAN

- (a) All provisions for the recognition, classification, control, and eradication of pullorum disease, fowl typhoid, and Mycoplasma Gallisepticum (MG) as contained in the United States Department of Agriculture National Poultry Improvement Plan and Auxiliary Provisions, as incorporated by reference at 02 NCAC 52A .0102, shall apply to all

hatcheries in this state and provided further that egg type chicken flocks shall be treated as egg type chicken breeding flocks for determining compliance with the provisions of this Rule.

(b) All poultry and poultry products produced, sold, offered for sale, shipped into this state, or transported within this state shall originate from flocks that meet the requirements for the control of pullorum, fowl typhoid and Mycoplasma Gallisepticum as expressed in the National Poultry Improvement Plan and Auxiliary Provisions except that birds enroute to or from a show or exhibition that complies with 02 NCAC 52B .0502 need not comply with this Paragraph.

(c) Poultry that does not meet the standards prescribed in Paragraph (b) of this Rule shall be subject to the provisions of 02 NCAC 52B .0501 as applicable.

(d) Poultry slaughtered within 24 hours after entering the state need not comply with the provisions of this Rule, unless the poultry originates from a quarantined flock. Poultry originating from a quarantined flock shall be accompanied by a permit from the State Veterinarian.

*History Note: Authority G.S. 106-539; 106-540; 106-543;
Eff. April 1, 1984;
Amended Eff. July 1, 2005; July 1, 1986;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

02 NCAC 52B .0602 HATCHERIES: RECORDS

Every hatchery shall keep a permanent record showing the name and address of the flock owner of all eggs received, together with the number of eggs and date received; also, a permanent record of all hatching eggs, baby chicks, and turkey poults sold, with number, flock origin, date and name and address of purchaser. They also shall keep a permanent record of all flock inspections and test reports.

*History Note: Authority G.S. 106-540;
Eff. April 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

02 NCAC 52B .0603 ENTRY OF AVIAN SPECIES INTO THE STATE OF NORTH CAROLINA

(a) Every shipment of poultry and hatching eggs entering this State shall be accompanied by a certificate or label showing the name and address of the shipper and the National Poultry Improvement Plan (NPIP) Disease Program Status of the flock of origin. The certificate or label must be approved by the duly authorized agency of the state of origin.

(b) Hatching Eggs, Chicks, or Poults, and any poultry under 16 weeks of age shall:

- (1) Originate from a Pullorum-Typhoid (PT) clean flock and be accompanied by a Certificate of Veterinary Inspection (CVI) or VS 9-3 NPIP form from the state of origin; and
- (2) Originate from a flock certified NPIP US H5/H7 Avian Influenza (AI) Clean or US AI Clean. Source hatcheries must handle only eggs from NPIP US AI Clean or US H5/H7 AI Clean parent flocks.

(c) Poultry and Ratites, 16 weeks of age and older, shall:

- (1) Originate from a P-T clean flock and have CVI or VS 9-3 NPIP form from state of origin, or negative P-T test within 30 days prior to entry; and
- (2) Originate from flock certified NPIP H5/H7 AI Clean or US AI Clean, with CVI (issued within 5 days of entry) or VS 9-3 NPIP form from state of origin, or be accompanied by records of a negative antigen detection AI test within 21 days prior to entering the state. (If the flock has more than 500 birds in number and is being tested for AI prior to entry, the owner or his agent must test 30 samples per flock and at least 10 per house, with all pens and houses represented.)

Ratites shall also have a permit number from the NC State Veterinarians Office.

(d) Poultry entering NC for slaughter must be compliant with NPIP pre-slaughter guidelines for AI testing within 21 days of entry (11 samples per flock for chickens, and six samples per flock for turkeys). Pre-slaughter AI test records must accompany the flock on an official NPIP-approved laboratory form.

(e) Pigeons, doves, birds of prey, psitticines, and song birds shall:

- (1) have a permit number from the NC State Veterinarian's office; and
- (2) be accompanied by a CVI issued within five days of entry.

(f) No hatching eggs, chicks, poults or adult domestic poultry or ratites may enter NC if they originate in counties or areas under quarantine for H5/H7 Avian Influenza. Entry is not allowed for six weeks following last AI positive test.

- (g) For conveyances or containers that have been in AI-infected counties:
- (1) No person, firm, or corporation shall re-use for transporting live poultry, any coop, crate, or other container that has been used previously for live poultry, unless said coop, crate, or other container has been cleaned and disinfected. No person, firm, or corporation shall transport on the public highways of this state any empty coop, crate, or other container that has been used previously for live poultry, except to transport such coop, crate, or other container to a designated point for cleaning and disinfecting.
 - (2) Any truck, trailer, or other conveyance used in transporting live poultry shall be cleaned and disinfected after the hauling of each lot of live poultry.
 - (3) Disinfectants acceptable for use under this Rule are limited to the chemicals listed in 9 CFR 71.10, 71.11 and 71.12.

History Note: Authority G.S. 106-539; 106-540; 106-543;
Eff. April 1, 1984;
Amended Eff. August 1, 2010;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

02 NCAC 52B .0604 CHICK DEALERS AND JOBBERS: FEE AND APPLICATION

All chick dealers and jobbers shall, on or before July 1 of each year, pay the required fee and file application with the Department of Agriculture, on forms furnished by the department, for a permit to operate.

History Note: Authority G.S. 106-540;
Eff. April 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

02 NCAC 52B .0605 CHICK DEALERS AND JOBBERS: RECORDS

All chick dealers and jobbers shall keep a permanent record showing date, number of chicks and from whom purchased and shall keep similar records on all chicks sold in lots of 100 or more.

History Note: Authority G.S. 106-540;
Eff. April 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

02 NCAC 52B .0606 DUTY TO REPORT OUTBREAK OF DISEASE

It shall be the duty of every hatchery, chick dealer or jobber to report promptly to the Department of Agriculture the outbreak of any contagious or infectious disease affecting baby chicks or turkey poults in their possession or in any flock supplying eggs to said hatchery.

History Note: Authority G.S. 106-540;
Eff. April 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

02 NCAC 52B .0607 POULTRY RUNNING AT LARGE

- (a) A person owning or having legal custody of any poultry shall not maintain poultry in any manner that creates a reasonable likelihood that poultry will wander outside of the legal boundaries of the property on which they are kept.
- (b) A person owning or having custody of any poultry shall not allow said poultry to wander outside the legal boundaries of the property on which they are kept.

History Note: Authority G.S. 106-539; 106-540; 106-543;
Eff. April 1, 1984;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

02 NCAC 52B .0608 POULTRY AND RATITE DEALERS: LICENSING AND RECORDS

(a) A poultry or ratite dealer, as defined in G.S. 106-541(3), shall register with the Department of Agriculture and Consumer Services on or before July 1 of each year on a form furnished by the Department.

(b) A poultry or ratite dealer shall keep records of purchases and sales of poultry and ratites, showing the date of each purchase or sale, the number of birds and the name and address of the seller or purchaser on a form provided by the Department. A poultry dealer shall also keep records of any disease testing performed on birds under his control that are subject to the requirements of this Section. These records must be available for examination upon request by the Department and shall be kept for three years.

History Note: G.S. 106-540; 106-547;

Eff. July 1, 2010;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.