

"AN ACT TO REQUIRE THE TESTING OF HORSES FOR EQUINE INFECTIOUS ANEMIA BEFORE CHANGING OWNERSHIP, OFFERING THEM FOR SALE, OR ALLOWING THEIR PARTICIPATION IN A HORSE SHOW; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. As used in this Act, the following terms shall have the meanings respectively ascribed to them:

(a) 'Certificate' means an official interstate health certificate issued by an accredited veterinarian showing:

(1) the name, breed, registration number if any, tattoo, if any, sex, age and color and markings of each equidae listed on the form;

(2) the record of a physical examination of each animal, verifying freedom from visible evidence of any contagious, infectious, or communicable disease, and

(3) the results of an official test for equine infectious anemia and the date of the most recent test results.

(b) 'Commission' means the Arkansas Livestock and Poultry Commission;

(c) 'Equidae' means a family of perissodactyl ungulate mammals containing a single genus, equus, which includes horses, asses, jacks, jennies, hinnies, mules, donkeys, burrows, ponies and zebras.

(d) "Equine Infectious Anemia" or EIA means the communicable, infectious disease which affects only equidae and is caused by the virus of equine infectious anemia.

(e) "Official test" means the Agar-Gel Immunodiffusion (AGID) test for equine infectious anemia which has been conducted in a laboratory approved by the Commission or the United States Department of Agriculture for the purpose of conducting this test or any other test or examination for the detection of equine infectious anemia approved by the Department; and

(f) "Reactor" means any equidae which discloses a positive reaction to an official test for equine infectious anemia.

(g) Equine Infectious Anemia Laboratory Test Paper (Coggins Test Paper) is an official paper recording EIA test results (state or federal).

SECTION 2. (a) Every horse or other member of the equidae family which is sold, traded, exchanged, or otherwise involved in a change of ownership from one person, group, farm, corporation, association, or partnership to another such entity shall be required to have been tested for equine infectious anemia within the preceding twelve (12) months and shall be accompanied by a certificate showing that such animal has been subjected to an official test for the disease and that such test results were negative at the time of the test.

(b) Every horse or other member of the equidae family which is sold or offered for sale through an Arkansas livestock market, public horse auction or other event where animals are offered for sale in Arkansas shall be required to have been tested for equine infectious anemia within the preceding twelve (12) month period and shall be accompanied by a Certificate or Coggins test chart showing that such animal has been subjected to an official test for the disease and that such test results were negative at the time of the test. Horses bound for slaughter will be exempt from negative test requirement. The chief official of each sale or event where horses and other equidae are offered for sale shall be responsible for insuring each ani-

mal is accompanied by such certification and shall not offer for sale or sell any animal not so certified.

(c) When livestock auctions receive positive tested animals to sell for slaughter on the same day negative tested animals are sold, proper segregation as prescribed by the Commission shall be maintained.

(d) Every horse or other member of the equidae family which participates in any horse show, trailride, or other event or congregation of horses or other equidae shall be required to have been tested for equine infectious anemia within the preceding twelve (12) month period and shall be accompanied by a certificate or Coggins Test Paper showing that such animal has been subjected to an official test for the disease and that such test results were negative at the time of the test. The chief official or organizer of the event shall insure each animal is accompanied by such certification and shall not allow any animal not so certified to participate in the horse show, trailride, or other event or congregation of horses and equidae.

(e) Every horse or other member of the equidae family that changes ownership, that is offered for sale at a market or auction, or that participates in an equine event and that fails to meet the certification requirements of this Section shall be quarantined at the owner's expense until proper testing can be accomplished. After an official test for equine infectious anemia is performed and the test results show the animal is free of the disease, the horse or other equidae shall be released to the owner upon payment of expenses for testing and quarantine.

(f) The Commission shall have the authority to promulgate all rules and regulations necessary to enforce the provisions of this Act.

SECTION 3. If any animal of the equidae family within the State of Arkansas is found to be a reactor to the official test in Arkansas laboratories or out-of-state laboratories, the owner of such animal may request that an additional second test for equine infectious anemia be administered to such animal within 30 days by any USDA approved laboratory at the expense of the owner. If any animal is a reactor to the official test administered by or at the direction of the Commission and the owner does not request an additional test or if any animal is a reactor to the official test administered by or at the direction of the Commission and to an official test administered by a USDA approved laboratory pursuant to request of the owner, such animal shall be subject to the following requirements:

(a) All reactors will be permanently identified by an employee of the Commission or an employee of Veterinary Services of the United States Department of Agriculture. The identifying mark shall be "71" followed by the letter "A" and a number. The markings shall be not less than two inches high and shall be applied to the left side of the neck of the reactor. A chemical brand or a freezemarking will be employed for the marking of the reactor; and

(b) An official quarantine will be issued by an agent of the Commission or a licensed veterinarian to the effect that the reactor is:

(1) Confined to a single premise and is not to be transported without an official permit;

(2) Confined in such a manner that the reactor is two hundred yards from other equidae. Written application for deviation from this regulation may be considered by the Commission. A description of properly constructed isolation facilities, including exercise areas, will be furnished to the Commission as part of the application. Any written request with a description of the quarantine facilities will be the official application; or

(c) The infected equidae may be sent with an accompanying official 1-27 certificate confining them to an approved equine slaughtering facility or to a livestock market for sale directly to a slaughtering facility to be destroyed.

SECTION 4. Any person who sells or exchanges ownership of any equidae in this State without having the required certification; or any person or chief official of a livestock market, public horse auction, or other sales event who sells or offers for sale equidae without proper certification; or any person or chief official of a horse show, trailride, or other equidae congregating event who allows equidae to participate in such events without certification, shall be guilty of a misdemeanor and upon conviction may be punished by a fine of not less than two hundred dollars (\$200.00) nor more than one thousand dollars (\$1,000.00) and each violation shall constitute a separate offense.

SECTION 5. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 6. EMERGENCY. It is hereby found and determined by the Seventy-Sixth General Assembly that equine infectious anemia is significantly widespread and poses a serious threat to the equine population of this State and thereby threatens the livelihood of many citizens of Arkansas and that the immediate passage of this Act is necessary for the control and eradication of this disease. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and welfare shall be in full force and effect from and after its passage and approval.

APPROVED: 3/23/87
