

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1150

By: Representative M. Wilson

"AN ACT TO PROVIDE PROCEDURES FOR THE CONTROL AND ERADICATION
OF EQUINE INFECTIOUS ANEMIA; 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) "Commission" means the Arkansas Livestock and Poultry Commission;
- (b) "Equidae" means a family of perissodactyl ungulate mammals containing a single genus, equus, which includes horses, asses, jacks, jennies, hinnies, mules, donkeys, burros, ponies and zebras.
- (c) "Equine Infectious Anemia" or EIA means the communicable, infectious disease which affects only equidae and is caused by the virus of equine infectious anemia.
- (d) "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
- (e) "Reactor" means any equidae which discloses a positive reaction to an official test for equine infectious anemia.

SECTION 2. When the Commission has reasonable evidence that one or more equidae are infected with equine infectious anemia, it shall initiate and conduct a program of testing all equidae which are or could get within 200 yards from the fence line that restricts the infected equidae. When the Commission initiates such a program all owners of equidae within the test area shall permit an employee of the Commission or veterinarian to administer an official test of their animals for the detection of equine infectious anemia and to

apply official identification to such animals. Such owners shall render reasonable assistance in testing and identifying their animals when requested by the Commission, but all costs of administering such tests by the Commission or employees of the Commission, shall be borne by the Commission.

SECTION 3. Equidae entering the State of Arkansas for other than immediate slaughter shall be accompanied by an official interstate health certificate issued by an accredited veterinarian of the State of origin showing:

- (a) The name, breed, registration number if any, tattoo, if any, sex, age, and color and markings of each equidae listed on the certificate;
- (b) Record of physical examination of each animal, verifying freedom from visible evidence of any contagious, infectious or communicable disease;
- (c) All equidae over six months of age must be negative to an official test for EIA within six months prior to entry. The laboratory conducting the test must be approved by the Animal and Plant Health Inspection Service, USDA.

Equidae may enter the State of Arkansas accompanied by an owner's waybill or official health certificate confining them to an approved equine slaughtering establishment or to a livestock market for sale directly to a slaughtering establishment. If any reactor is discovered in another state, the animal may enter the State of Arkansas if such entry is in compliance with Title 9, Part 75.4, Code of Federal Regulations.

SECTION 4. If any animal of the equidae family within the State of Arkansas is found to be a reactor to the official test administered by the Commission or an employee of the Commission, the owner of such animal may request that an additional test for equine infectious anemia be administered to such animal 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 over six months of age 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". 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.

(b) An official quarantine will be issued by an agent of the Commission 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.

SECTION 5. Every horse or other member of the equidae family brought into the State of Arkansas for sale at a public horse auction in this State shall be accompanied by a certificate showing that such animal has been subjected to an official test within the preceding thirty day period and that such animal was not a reactor at the time of the test.

It shall be the responsibility of all auction barns to require a negative official test report to accompany each animal that is for sale.

When livestock auctions receive positive tested animals to sell on the same day with negative tested animals, proper segregation as prescribed by the Commission shall be maintained.

Any equidae transported by motor vehicle on any road or highway within the State of Arkansas must be accompanied by a negative official test report dated within six months after the transportation. Any equidae being transported without the aforementioned negative test will be impounded and quarantined at the owner's expense until proper testing is done.

SECTION 6. Any person or business violating or refusing to comply with any of the above provisions of this Act shall be guilty of a misdemeanor and upon conviction will be punished by a fine of not less than three hundred dollars (\$300.00) nor more than one thousand dollars (\$1,000.00).

SECTION 7. (a) Act 1212 of 1975 (Extended Session 1976), the same being Arkansas Statutes 78-455 through 460, is hereby repealed.

(b) All laws and parts of laws in conflict with this Act are hereby repealed.

