
REGULATIONS

For information concerning the different types of regulations, see the Information Page.

Symbol Key

Roman type indicates existing text of regulations. Underscored language indicates proposed new text. Language that has been stricken indicates proposed text for deletion. Brackets are used in final regulations to indicate changes from the proposed regulation.

TITLE 2. AGRICULTURE

STATE BOARD OF AGRICULTURE AND CONSUMER SERVICES

Proposed Regulation

Title of Regulation: 2 VAC 5-206. Regulation for Scrapie Eradication (adding 2 VAC 5-206-10 through 2 VAC 5-206-50).

Statutory Authority: §§ 3.1-724, 3.1-726 and 3.1-730 of the Code of Virginia.

Public Hearing Date: August 23, 2007 - 9:30 a.m.

Public comments may be submitted until August 24, 2007.
(See Calendar of Events section
for additional information)

Agency Contact: David Cardin, D.V.M. Deputy State Veterinarian, Division of Animal and Food Industry Services, P.O. Box 1163, Richmond, VA 23218, telephone (804) 692-0601, FAX (804) 371-2380, or email david.cardin@vdaes.virginia.gov.

Basis: Section 3.1-724 mandates that the Board of Agriculture and Consumer Services and the State Veterinarian cooperate with the livestock sanitary control officials of other states, and with the U.S. Secretary of Agriculture and the United States Department of Agriculture (USDA) in establishing rules and regulations to protect the livestock and poultry of Virginia against contagious and infectious diseases.

Section 3.1-726 authorizes the Board of Agriculture and Consumer Services to adopt regulations as may be necessary for eradicating and preventing the spread of contagious and infectious diseases.

Section 3.1-730 mandates that the Board of Agriculture and Consumer Services or the State Veterinarian give and enforce directions and prescribe rules and regulations to separating, feeding, and caring for diseased or exposed animals or poultry as may be necessary to prevent the animals or poultry affected with disease, or capable of communicating disease, from coming in contact with other animals or poultry not affected.

Under 9 CFR 54.2, the U.S. Department of Agriculture, Animal and Plant Health Inspection Service (USDA/APHIS) will execute cooperative agreements and/or memoranda of understanding with the animal health agencies of any state in order to cooperatively administer the Scrapie Eradication

Program. Each agreement must specify the roles of the state and federal government for the eradication program and the state Scrapie Flock Certification Program.

Purpose: Scrapie is a debilitating disease of sheep and goats that is estimated to cost U.S. producers \$20 to \$25 million annually. Infected flocks are less productive, as affected animals usually die during their peak productive years. Recent publicity regarding a possible link between Bovine Spongiform Encephalopathy (Mad Cow Disease) and the feeding of cattle in England with scrapie-infected sheep products has severely affected domestic and international trade in sheep and sheep-derived products. Many renderers have declined to render sheep offal or to pick up dead sheep, significantly increasing disposal costs. In addition, other countries have threatened possible restrictions on importing certain nonsheep ruminant products from the U.S. because of scrapie.

The USDA has made a commitment to the sheep industry to eradicate scrapie in the U.S. by 2010. The federal regulation, which became effective in September 2001, restricts interstate movement of sheep and goats from states that have not initiated intrastate regulatory action concerning scrapie eradication within two years. The goal of the proposed regulation is to eradicate scrapie in Virginia sheep and goats. The regulation will provide the program standards and procedures for Virginia to participate in the Cooperative State-Federal-Industry Scrapie Program.

The agency has determined that the proposed regulation will protect the welfare of Virginia because it will allow the continued interstate movement of sheep and goats and negate economic losses due to this debilitating disease. Additionally, the eradication of scrapie in Virginia would eliminate the basis for the possible restrictions on trade with Virginia.

Substance: The proposed regulation will meet the minimum requirements of the "Scrapie Eradication State-Federal-Industry Uniform Methods and Rules" established by the USDA/Animal Plant Health Inspection Service (APHIS) in August 2002, and revised in October 2003. The proposed regulation will provide guidance for the prevention, monitoring, control, and eradication of scrapie disease from domestic sheep flocks and goat herds in Virginia and for maintenance of state status in the USDA Scrapie Eradication Program. An analysis of Virginia's compliance was conducted in April 2006 by the USDA. They found Virginia to be fully compliant pending final adoption of the proposed regulation.

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Issues: The primary advantage to small business sheep and goat owners is that they will maintain the ability to sell their animals in interstate commerce and at markets that deal in interstate commerce. This means more competition for the animals and thus higher prices. Market managers will be able to pool sheep and goats so that they will be attractive to large volume buyers outside of the state of Virginia.

The principle disadvantage to the small business flock owner is maintaining the records, since most sheep and goat flocks in Virginia are identified in some manner. The animals must be identified with a tag unique to the farm of origin and distinct from other animals on that farm, and records must be kept. Livestock markets and slaughter houses will also have to assure that the animals are tagged. From a regulatory point of view, this helps in disease trace backs. Adequate tracking is essential to meet the national goal of tracing any animal back to its farm of origin within 48 hours.

Department of Planning and Budget's Economic Impact Analysis:

Summary of the Proposed Regulation. The Department of Agriculture & Consumer Services (VDACS) proposes to promulgate the Regulation for Scrapie Eradication. The adoption of this regulation is necessary to maintain Virginia's status as a scrapie consistent state. Consistent state status allows the free movement of Virginia sheep and goats in interstate commerce.

Results of Analysis. The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact. Scrapie is a debilitating disease of sheep and goats. It is a fatal, degenerative disease affecting the central nervous system of sheep and goats. Infected flocks that contain a high percentage of susceptible animals can experience significant production losses.

The United States Department of Agriculture (USDA) has made a commitment to the sheep industry to eliminate outbreaks of scrapie by 2010 and to have the United States officially declared scrapie free by international standards by 2017. The federal regulation, which became effective in September 2001, restricts interstate movement of sheep and goats from states that have not initiated intrastate regulatory action concerning scrapie eradication within two years.¹ In the Federal Register of August 21, 2001, all states were granted Consistent State Status. States were given two years to comply with all requirements of 9 CFR § 79.6 (Standards for States to qualify as Consistent States). On September 21, 2003, the time expired for States to meet Consistent State Status criteria. All states were sent a checklist for the 9 CFR § 79.6 requirements July 1, 2004, which required a response

by July 30, 2004. Follow-up required that states provide documentation to verify that all the requirements of 9 CFR § 79.6 were met by January 1, 2005 or submit a work plan and timeline to address any deficiencies. At the end of fiscal year 2006, ²47 states had approved programs and are considered "consistent" including Virginia.

VDACS proposes to promulgate the Regulation for Scrapie Eradication so as to maintain Virginia's Consistent State Status. According to VDACS, Virginia has initiated the scrapie eradication program since 2001 and has received federal funding for scrapie eradication every year since 2000. The proposed regulation will meet the minimum requirements of the Scrapie Eradication State-Federal-Industry Uniform Methods and Rules established by USDA /Animal Plant Health Inspection Service (APHIS). The proposed regulation will provide guidance for the prevention, monitoring, control, and eradication of scrapie disease from domestic sheep flocks and goat herds in Virginia and for maintenance of state status in the USDA Scrapie Eradication Program. USDA has reviewed Virginia's compliance and found Virginia to be fully compliant pending final adoption of the proposed regulation.

According to the proposed regulation, any sheep or goat born after January 1, 2002 that are required to be officially identified shall be identified³ with official USDA identification⁴ to the premises of birth, if not the same as the premises of origin, prior to change of ownership or exhibition. Any sheep or goat that is bartered, leased, traded, loaned, sold, exhibited, or otherwise moved from one management to another shall be deemed to have undergone a change of ownership for the purpose of this proposed regulation. The buyer, seller, and any dealer or market operator shall keep a record of all changes of ownership for a minimum of five years. Any goat or sheep undergoing a change of ownership (including exhibition and/or importation into the state) not having an official identification shall be quarantined until the requirements of this proposed regulation are met.

The proposed regulations require that no sheep or goat be imported into Virginia that does not originate from a consistent state, unless originating from a complete monitored scrapie flock⁵ or enrolled in the USDA Scrapie

² The federal government's fiscal year runs from October 1 to September 30.

³ Animals required to be officially identified include: 1) all breeding sheep, 2) all sexually intact animals for exhibition, 3) all sheep over 18 months of age, 4) all exposed and high-risk animals including all low-risk exposed animals, genetically susceptible exposed animals, genetically less susceptible exposed animals, and genetically resistant exposed sheep, 5) all suspect and test-positive animals, 6) animals from noncompliant flocks.

⁴ Official USDA Identification means identification approved by the USDA/APHIS/Veterinary Services (VS) for the identification of animals, which is so designed as to prevent alteration. This may include tattoo and electronic identification.

⁵ Flock or herd means all animals maintained on a single premise and all animals under common ownership or supervision on two or more premises with animal interchange between the premises. Changes in ownership of part or all of the flock do not change the identity of the flock or the regulatory requirements applicable to the flock.

¹ Individual producers who wish to move sheep over state lines from a non-compliant state will be required to enroll in the Scrapie Flock Certification Program and the flock will have to be inspected annually.

Flock Certification Program.⁶ Any out-of-state sheep or goats that are offered for sale in an approved Virginia livestock market that have not previously been identified must be either identified with an official USDA tag on arrival and prior to commingling with any other sheep or goats or returned to the state of origin. Except as exempted, all sheep and goats imported into Virginia must be accompanied by a Certificate of Veterinary Inspection (CVI). The proposed regulation also provides guidance on the monitoring and investigation of scrapie-infected animals and source flocks/herds.

The adoption of the proposed regulation will allow the continued interstate movement of sheep and goats. Sheep and goat owners, sellers, buyers, dealers, and market operators in Virginia will benefit from continued business involving interstate commerce. The proposed regulations will help to reduce the occurrence of scrapie and eventually eradicate scrapie in Virginia sheep and goats and will negate economic losses due to this debilitating disease.

The major compliance cost imposed by this proposed regulation is the cost of identification devices used for sheep and goats. Official USDA identification may include ear tag, tattoo, and electronic identification. According to VDACS, the cost for a basic ear tag is very low while other methods such as a micro-chip implanted would be more expensive. The average cost of official USDA tags would be up to \$5 per head. Animal owners, sellers, buyers, or market operators will also spend a small amount of time for physically identifying the animals and document movement as well as record-keeping. VDACS will incur a cost of approximately \$30,000 every year associated with administration of the scrapie eradication program.

According to VDACS, Virginia has received federal funding every year since 2000 which has covered all of the above costs for scrapie eradication program. Scrapie Consistent States may apply annually for federal grants submitting a detailed plan on how the money will be used. If Virginia continues to receive the federal grant for scrapie eradication, there will be no additional costs for animal owners, sellers, buyers, or market operators except for the small amount of time spent on physically identifying the animals and record-keeping. In the case that federal grant is not available, animal owners, sellers, buyers, or market operators will have to pay for the identification device for every animal that is required to be identified, with the average cost of \$5 per head. According to VDACS, as of April 2006, all animals at fairs and those leaving markets are identified with official USDA tags. Approximately 85% of animals entering markets and auctions are tagged. Supposing that about 67,400⁷ sheep and

goats will enter the livestock markets every year and 15% of them need to be tagged, the total estimated cost will be \$50,550 statewide.⁸

Given that the proposed regulation will allow the continued business in interstate commerce and will reduce the occurrence of scrapie, and given the fact that Virginia has received federal funding every year since 2000, the total benefit of the proposed regulations will likely outweigh the total cost. Therefore, the proposed regulations will likely generate a net economic benefit.

Businesses and Entities Affected. The proposed regulation will affect owners of flocks or herds of sheep and goats, buyers, sellers, dealers, or market operators involved in the barter, lease, trade, loan, sale, exhibit, or movement of sheep and goats. According to VDACS, there are approximately 983 sheep and goat flocks which is approximately the number of animal owners. And there are 5 to 6 livestock markets in Virginia.

Localities Particularly Affected. The proposed regulation applies to all localities in the Commonwealth.

Projected Impact on Employment. Sheep and goat owners, sellers, buyers, dealers, and market operators in Virginia will benefit from continued business involving interstate commerce. The proposed regulations will help to reduce the occurrence of scrapie and eventually eradicate scrapie in Virginia sheep and goats and will negate economic losses due to this debilitating disease. This will likely have a positive impact on the number of people employed by the affected businesses.

If the federal grant for scrapie eradication is not available, animal owners, sellers, buyers, or market operators will have to pay for the identification devices for animals that are required to be identified. This will likely increase their costs and have a small negative impact on the number of people employed by the affected businesses.

Effects on the Use and Value of Private Property. The proposed regulation will allow the continued business in interstate commerce and will reduce the occurrence of scrapie, which will benefit sheep and goat owners, sellers, buyers, dealers, and market operators in Virginia and will likely have a positive impact on their asset values. On the other hand, sheep and goat owners, sellers, buyers, dealers, and market operators may have to pay for the identification devices when the federal grant is not available, which will likely have a small negative impact on their asset values.

Small Businesses: Costs and Other Effects. Small businesses will benefit from continued business involving interstate commerce as well as possibly reduced economic losses due to occurrence of scrapie. They may have to pay for the

⁶ Scrapie Flock Certification Program means a program, sponsored by the USDA/APHIS/VS, to reduce scrapie occurrence and spread; identify flocks which have been free of evidence of scrapie over a specified time period; and contribute to the eventual eradication of scrapie.

⁷ Source: VDACS

⁸ Calculation: $\$5 * 67,400 * 15\% = \$50,550$.

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identification devices when the federal grant is not available. Generally speaking, small businesses will likely receive net benefit from the proposed regulations. According to VDACS, almost all of the animal owners and markets are small businesses.

Small Businesses: Alternative Method that Minimizes Adverse Impact. The adoption of this proposed regulation is necessary to maintain Virginia's status as a scrapie consistent state so as to allow the continued businesses involving interstate commerce. There are no alternatives that could achieve the same result with less adverse impact.

Legal Mandate. The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007 H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007 H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has an adverse effect on small businesses, § 2.2-4007 H requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The agency concurs with the analysis of the Department of Planning and Budget.

Summary:

The proposed regulation meets the minimum requirements of the "Scrapie Eradication State-Federal-Industry Uniform Methods and Rules" established by the USDA /Animal Plant Health Inspection Service (APHIS) in August 2002, and revised in October 2003. The proposed regulation provides guidance for the prevention, monitoring, control, and eradication of scrapie disease from domestic sheep flocks and goat herds in Virginia and for maintenance of state status in the USDA Scrapie Eradication Program.

CHAPTER 206.

REGULATION FOR SCRAPIE ERADICATION.

2 VAC 5-206-10. Definitions.

"Accredited veterinarian" means a veterinarian approved by the United States Department of Agriculture in accordance with 9 CFR 160.1 (2002).

"Animal" means any sheep or goat.

"Breeding sheep and goats" means any sexually intact sheep or goat that is not moving directly to slaughter, or through slaughter channels to slaughter.

"Consistent state" means a state listed in 9 CFR 79.1 that the USDA Administrator has determined in compliance with 9 CFR 79.6.

"Diagnosis" means a result of an official test indicating a positive result for scrapie.

"Exposed flock" means any flock in which a scrapie-positive or suspect animal was born or lambed, or any flock into which a scrapie positive or scrapie suspect animal has been introduced.

"Flock or herd" means all animals maintained on a single premises and all animals under common ownership or supervision on two or more premises with animal interchange between the premises. Changes in ownership of part or all of the flock do not change the identity of the flock or the regulatory requirements applicable to the flock.

"Flock plan" means a written flock-management agreement signed by (i) the owner of a flock, (ii) the accredited veterinarian (if one is employed by the owner), (iii) an APHIS representative, and (iv) the State Veterinarian, in which each participant agrees to undertake actions specified in the flock plan to control the spread of scrapie from, and eradicate scrapie in, an infected flock or source flock or to reduce the risk of the occurrence of scrapie in a flock that contains a high-risk or an exposed animal. As part of a flock plan, the flock owner must provide the facilities and personnel needed to carry out the requirements of the flock plan.

"Infected flock" means any flock in which a state or APHIS representative has determined that a scrapie-positive female animal has resided unless an epidemiologic investigation conducted by a State or APHIS representative shows that the animal did not lamb or abort in the flock.

"Low-risk commercial goat" means a low-risk goat from a herd in which animals are moved to slaughter only directly or through slaughter channels or any animal raised only for meat or fiber production and not registered with a sheep or goat registry or used for exhibition.

"Low-risk goat" means a goat that is not a scrapie-positive, suspect, high-risk, or exposed animal; that has not been

commingled with sheep; and that is from a state in which (i) scrapie has not been identified in a goat during the previous 10 years; (ii) scrapie has been identified in a goat during the previous 10 years, but the scrapie-positive goat was not born in the state, resided in the state for less than 72 months, and did not kid while in the state; or (iii) scrapie has been identified in a goat during the previous 10 years and the scrapie-positive goat was commingled with sheep but records allowed a complete epidemiologic investigation to be completed and all resulting infected, source, and exposed goat herds had completed flock plans and were in compliance with post-exposure monitoring and management plans.

"Noncompliant flock" means (i) any source or infected flock whose owner declines to enter into a flock plan or postexposure management and monitoring plan (PEMMP) agreement within 60 days of being so designated or whose owner is not in compliance with either agreement; (ii) any exposed flock whose owner fails to make animals available for testing within 60 days of notification or as mutually agreed, or whose owner fails to submit required postmortem samples as directed in the PEMMP; (iii) any flock whose owner has misrepresented, or who employs a person who has misrepresented, the scrapie status of an animal or any other information on a certificate, permit, owner statement, or other official document within the last five years; or (iv) any flock whose owner or manager has moved, or who employs a person who has moved, an animal in violation of 9 CFR Part 79 within the last five years, as determined by the State Veterinarian.

"Official USDA identification" means identification approved by the USDA/APHIS/VS for the identification of animals, which is so designed as to prevent alteration. This may include tattoo and electronic identification.

"Postexposure management and monitoring plan (PEMMP)" means a written agreement signed by the owner of a flock, any accredited veterinarian employed by the owner, and a state or APHIS representative in which each participant agrees to undertake actions specified in the agreement to reduce the risk of the occurrence of scrapie and to monitor for the occurrence of scrapie in the flock for at least five years after the last high-risk or scrapie-positive animal is removed from the flock or after the last exposure of the flock to a scrapie-positive animal unless the monitoring time is otherwise specified by a state or APHIS representative. As part of a postexposure management and monitoring plan, the flock owner must provide the facilities and personnel needed to carry out the required elements listed in the plan.

"Scrapie" means a nonfebrile, transmissible, insidious, degenerative disease that affects the central nervous system, and is a transmissible spongiform encephalopathy (TSE) found in sheep and goats.

"Scrapie Flock Certification Program" means a program, sponsored by the USDA/APHIS/VS, to reduce scrapie

occurrence and spread; identify flocks that have been free of evidence of scrapie over a specified time period; and contribute to the eventual eradication of scrapie.

"Scrapie-positive" means an animal that has been diagnosed by USDA-accepted testing methods by the National Veterinary Services Laboratory, or another laboratory designated by the State Veterinarian, to have the disease scrapie.

"Source flock" means a flock in which a state or APHIS representative has determined that at least one animal was born that was diagnosed as scrapie positive at an age of 72 months or less or in which a scrapie-positive animal has resided throughout its life.

"State Veterinarian" means the Virginia State Veterinarian or his representative employed by the Virginia Department of Agriculture and Consumer Services.

"USDA and USDA/APHIS/VS" means the United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services.

2 VAC 5-206-20 Identification of sheep and goats in commerce.

Any sheep or goat born after January 1, 2002, shall be identified to the premises of birth, if not the same as the premises of origin, prior to change of ownership or exhibition.

No person shall apply an official USDA tag or premises identification number or brand or official registry tattoo to an animal that did not originate on the premises to which the number has been officially assigned. No person may remove or tamper with any means of identification required to be on sheep or goats.

Any sheep or goat that is bartered, leased, traded, loaned, sold, exhibited, or otherwise moved from one management to another shall be deemed to have undergone a change of ownership for the purpose of this regulation. The buyer, seller, and any dealer or market operator shall keep a record of all changes of ownership for a minimum of five years. Any sheep or goat that loses its identification, that was applied at its flock/herd of origin for exhibition or change of ownership, shall be identified by the person in control or possession of the animal prior to its commingling with any other animals; and if the flock of origin cannot be determined all possible flocks/herds of origin shall be listed on the record. The buyer, seller, and any dealer or market operator shall be equally responsible for maintaining the required record, which shall be made available on request by representatives of the Virginia Department of Agriculture and Consumer Services.

Any out-of-state sheep or goats that are offered for sale in an approved Virginia livestock market that have not previously

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been identified must be (i) identified with an official USDA tag on arrival and prior to commingling with any other sheep or goats with all information recorded as required for change of ownership or meet the importation requirements; or (ii) returned to the state of origin.

Animals required to be officially identified include:

1. All breeding sheep.
2. All sexually intact animals for exhibition. This includes (i) sexually intact registered goats and goats used primarily for milk production, (ii) goats that are being moved from one location to another even if there is no change of ownership, and (iii) goats that are being sold for breeding or exhibition. It also includes sexually intact goats that have resided on the same premises as sheep and goats that have been exposed to animals that are affected with scrapie.
3. All sheep over 18 months of age.
4. All exposed and high-risk animals including all low-risk exposed animals, genetically susceptible exposed animals, genetically less susceptible exposed animals, and genetically resistant exposed sheep.
5. All suspect and test-positive animals.
- 6 Animals from noncompliant flocks.

Animals not required to be individually identified include:

1. Slaughter sheep (sheep in slaughter channels) under 18 months (Note: If a sexually intact sheep is sold at an unrestricted sale (any sale that is not a slaughter or feeding for slaughter sale), it must be identified.).
2. Slaughter goats (goats in slaughter channels).
3. Low-risk commercial goats.
4. Castrated goats that have not been exposed to scrapie.
5. Animals shipped directly to an approved slaughter facility.

Registered goat owners that have official tattoos registered with USDA in the Scrapie National Genetic Data Base and carry the registration papers with them to a registered goat sale would not be required to apply tags for exhibition or sale at a registered goat sale.

Any goat or sheep undergoing a change of ownership (including exhibition and/or importation into the state) not having an official identification shall be quarantined until the requirements of this regulation are met.

In order to simplify identification requirements, livestock markets or sale/show managers may require that all animals be identified with official USDA tags.

2 VAC 5-206-30. Importation of sheep and goats into Virginia.

No sheep or goat may be imported into Virginia that does not originate from a consistent state, unless originating from a complete monitored scrapie flock or enrolled in the USDA Scrapie Flock Certification Program (SFCP). All sheep or goats imported into the state of Virginia must be identified by official USDA tag, legible official goat registry tattoo if accompanied by a registration certificate, or other approved device that contains a premises identification issued by the state of origin in combination with a unique animal number. No sheep or goat that is infected with scrapie, and no offspring of sheep or goat infected with scrapie, may be moved into Virginia.

Except as stated below, all sheep and goats imported into Virginia must be accompanied by a Certificate of Veterinary Inspection (CVI).

No CVI is required for animals going directly to slaughter.

Animals entering Virginia from a state contiguous with Virginia without change in ownership or management and as a part of normal operating procedures may do so without a CVI.

The CVI for all sheep or goats imported into Virginia shall contain identification numbers for each animal. Acceptable identification includes official USDA ear tags that include the premises identification and a unique animal identification number, legible official goat registration tattoo if accompanied by a registration certificate or any form of identification approved by APHIS for use in the scrapie eradication program. Electronic identification may also be used.

2 VAC 5-206-40. Exhibition of sheep and goats.

Sheep and goats entering Virginia for exhibition shall meet all requirements for entry into Virginia.

2 VAC 5-206-50. Scrapie management.

All known cases of scrapie and any sheep or goat known to originate from a scrapie-infected flock or to have had contact with scrapie-infected animals or any sheep or goat showing clinical signs of scrapie not known to be caused by some other disease or injury shall be isolated from all other nonaffected animals and reported to the State Veterinarian within 24 hours of the isolation.

Upon notification of known cases of scrapie and all suspected cases of scrapie, the flock/herd shall be quarantined, investigated, all animals in the flock/herd individually identified, and a risk analysis conducted. A diagnostic plan shall be developed and reviewed by the State Veterinarian utilizing approved live diagnostic tests and submission of appropriate samples to an approved laboratory for scrapie testing upon the death or destruction of any

animals in a flock/herd quarantined for scrapie. All flocks/herds shall remain under quarantine until a determination of the status of the flock/herd is made. All flocks/herds under quarantine shall be examined at least yearly, or more frequently as determined by the State Veterinarian, and an inventory of all animals in the flock/herd recorded with all deaths, sales to slaughter, and destruction accounted for. Upon confirmation of the existence of scrapie in a flock/herd, a thorough epidemiological report of all source flocks and herds and contacts with other animals shall be documented and a risk analysis conducted. Subsequently all source flocks or herds and contacts of all confirmed or high risk scrapie flock/herd shall be quarantined, investigated, all animals in flock/herd individually identified, and a risk analysis conducted.

Scrapie-positive or animals suspected of having scrapie shall be moved only with the approval of the State Veterinarian, for transportation to a USDA-approved research facility or for the purpose of destruction.

All known scrapie-infected and source flocks/herds shall be quarantined with movements of animals only (i) to slaughter, (ii) to feedlots under permit and quarantine for later movement to slaughter, (iii) for destruction, or (iv) to a USDA-approved research facility. Animals destroyed as a result of this section will be disposed of in a manner approved by the State Veterinarian.

Infected and source flocks may be released from quarantine after completion of a USDA flock/herd plan or in an USDA approved pilot project flock/herd plan that includes the owners agreement to comply with a five-year postexposure monitoring and management plan. The State Veterinarian may release any suspected case of scrapie from quarantine when other causes of the symptoms are confirmed and scrapie has not been diagnosed.

Any flock/herd under quarantine that has not had a confirmation of scrapie diagnosis within five years that has followed the flock/herd plan shall be released from quarantine. The State Veterinarian may release any flock/herd from quarantine based on epidemiological or diagnostic factors.

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