

RULE ADOPTIONS

AGRICULTURE

(a)

DIVISION OF ANIMAL HEALTH

Notice of Readoption

Disease Control Program

Readoption with Technical Changes: N.J.A.C. 2:2

Authority: N.J.S.A. 4:1-11.1 and 4:5-1 et seq.

Authorized By: The State Board of Agriculture and Joseph Atchison III, Assistant Secretary, Department of Agriculture.

Effective Dates: December 28, 2023, Readoption;
February 5, 2024, Technical Changes.

New Expiration Date: December 28, 2030.

Take notice that pursuant to N.J.S.A. 52:14B-5.1.c, the rules at N.J.A.C. 2:2 were scheduled to expire on March 22, 2024.

Subchapter 1 enumerates those reportable diseases designated as a particular and dangerous menace to animal health in the State of New Jersey; provides for declaring epidemics of emergent proportion; and, if funds are available, provides for the indemnification of livestock ordered sent to slaughter to prevent the spread of disease.

Subchapter 2 pertains to the control and eradication of brucellosis in cattle by establishing requirements for the vaccination, testing, identification, and quarantine of cattle, and disposition and indemnification of brucellosis reactors. It also pertains to the control and eradication of brucellosis in swine. The control and eradication of the disease is not only important to the economy of New Jersey's cattle and swine industry, but also to the protection of public health.

Subchapter 3 sets forth the general requirements relative to the control and eradication of tuberculosis in cattle by establishing requirements for testing, identification, and quarantine of cattle and disposition and indemnification of cattle slaughtered to prevent the spread of disease. Tuberculosis is also a major economic concern in the bovine industry and is transmissible to humans.

Subchapter 4 sets forth the requirements relative to the control of disease in swine. It establishes requirements for sheltering and feeding swine and the identification, quarantine, disposition, and indemnification of swine infected with hog cholera.

Subchapter 5 establishes requirements to conduct a voluntary bovine leucosis program for the eradication of the leukemia virus in cattle.

Subchapter 6 adopts and incorporates by reference, the rules and regulations at 9 CFR 85.1 through 85.13 by the Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS, USDA) for the control of pseudorabies virus in swine. The subchapter also explains how to obtain copies of the rules.

Subchapter 7 sets forth general requirements for the control of disease in poultry, to include testing, reporting, quarantine, and disposition of poultry infected with pullorum-typhoid.

Subchapter 8 regulates the activities of cattle, sheep, swine, and horse dealers by establishing requirements for recordkeeping.

Subchapter 9 addresses the official identification requirements for sheep and goats when they are moved within the State of New Jersey.

The Department of Agriculture has reviewed the rules and has determined that the rules should be readopted without substantial changes. However, technical changes are needed at N.J.A.C. 2:2-1.1(a) and (c), 2.2, 2.4, 2.12(b), 2.16, 2.17, 3.3(b), 6.1, and 7.3(h) to update agency or organization names, to update publication details, and to update contact address details. These rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1, these rules are readopted with technical changes and shall continue in effect for a seven-year period.

Full text of the technical changes follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 1. REPORTABLE DISEASES

2:2-1.1 Enumeration of diseases and agents contagious, infectious, or hazardous to the health of livestock, poultry, aquaculture, or animals raised for fur

(a) The following words and terms, as used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

...
[“Office of International des Epizooties (OIE)” is an intergovernmental organization created by the International Agreement of January 25, 1924, signed by 28 countries, to ensure transparency in the global animal disease situation, to collect, analyze and disseminate veterinary scientific information, to provide expertise and encourage international solidarity in the control of animal diseases, within its mandate under the World Trade Organization SPS (Sanitary/PhytoSanitary) Agreement, to safeguard world trade by publishing health standards for international trade in animals, and animal products, and to improve the legal framework and resources of national veterinary services.]

...
[“World Organisation for Animal Health (WOAH)” is an intergovernmental organization created by the International Agreement of January 25, 1924, signed by 28 countries, to ensure transparency in the global animal disease situation, to collect, analyze, and disseminate veterinary scientific information, to provide expertise and encourage international solidarity in the control of animal diseases, within its mandate pursuant to the World Trade Organization SPS (Sanitary/PhytoSanitary) Agreement, to safeguard world trade by publishing health standards for international trade in animals and animal products, and to improve the legal framework and resources of national veterinary services.

(b) (No change.)

(c) In addition to the diseases listed [in] at (b) above, all other foreign animal diseases and emerging diseases that pose a threat to the health of livestock, poultry, aquaculture, or animals raised for fur in the State as designated by USDA APHIS Title 9 CFR, CDC, [OIE] **WOAH**, or USDA APHIS emergency declarations must also be reported.

SUBCHAPTER 2. BRUCELLOSIS CONTROL AND ERADICATION

2:2-2.2 Official calfhood Brucella vaccination

Only [USDA approved] **USDA-approved** Brucella vaccine shall be used for official calfhood Brucella vaccination. Such dosage shall be administered in conformity with the uniform methods and rules of the bovine brucellosis eradication program as published by the United States Department of Agriculture [APHIS-91-1] **APHIS 91-45-013**.

2:2-2.4 Conformity of brucellosis tests with Federal methods

The official brucellosis tests shall be conducted in conformity with the uniform methods and rules of the bovine brucellosis eradication program as published by the United States Department of Agriculture [APHIS-91-1] **APHIS 91-45-013**, as revised. Copies are filed with and may be received by writing to: [Director] **State Veterinarian's Office**, Division of Animal Health, [N.J.] NJ Department of Agriculture, [Health-Agriculture Building, John Fitch Plaza] **NJPHEAL**, PO Box [330] **400**, Trenton, New Jersey [08625-0330] **08625-0400**.

2:2-2.12 Conditions for quarantine release

(a) (No change.)

(b) Cattle or swine herds quarantined for brucellosis are to remain under quarantine until conditions are as stated in the Brucellosis Eradication Recommended Uniform Methods and Rules, USDA, [APHIS-91-1] **APHIS 91-45-013** and in the **Swine Brucellosis Control/Eradication Uniform Methods and Rules, USDA, APHIS 91-55-042**. These rules can be obtained from the Division of Animal Health, PO Box [330] **400**, Trenton, New Jersey [08625-0330] **08625-0400**.

2:2-2.16 Swine brucellosis

Eradication of brucellosis from swine breeding herds in New Jersey shall be conducted by the swine owner in conformity with the recommended uniform methods and rules in USDA, [APHIS-91-1, Chapter II] **APHIS 91-55-042, Part IV**, with the cooperation and supervision of the New Jersey Department of Agriculture (see N.J.A.C. 2:2-2.12(b)).

2:2-2.17 Swine brucellosis: testing of swine moved intrastate

Swine moved intrastate for breeding or exhibition purposes must be tested negative to a brucellosis test within 30 days prior to movement. Swine originating from a Brucellosis Validated Free herd are exempt from this requirement. Form DAH 111 or a Certificate of Veterinary Inspection must accompany swine for movement intrastate with the test dates or validation dates stated on the certificate. These forms can be obtained from the Division of Animal Health, PO Box [330] **400**, Trenton, New Jersey [08625-0330] **08625-0400**.

SUBCHAPTER 3. TUBERCULOSIS CONTROL AND ERADICATION

2:2-3.3 Times established for tuberculin tests

(a) (No change.)

(b) Testing shall be performed according to procedures [under] at 9 [C.F.R. §] **CFR 77.1**.

1. Copies are filed and may be received by writing to:

Director, Division of Animal Health
New Jersey Department of Agriculture
PO Box [330] **400**
Trenton, New Jersey [08625-0330] **08625-0400**

SUBCHAPTER 6. SWINE PSEUDORABIES VIRUS

2:2-6.1 Adoption of USDA rules

The New Jersey Department of Agriculture adopts the rules and regulations [of] at 9 [C.F.R. §§ 85.1-85.13] **CFR 85.1 through 85.13** APHIS, USDA, as the official rules and regulations of the New Jersey Swine Pseudorabies program. Copies of these regulations may be obtained by writing the New Jersey Department of Agriculture, Division of Animal Health, PO Box [330] **400**, Trenton, NJ [08625-0330] **08625-0400**.

SUBCHAPTER 7. POULTRY DISEASE CONTROL

2:2-7.3 Pullorum-typhoid disease testing and testing agents

(a)-(g) (No change.)

(h) Any reactors must be submitted for bacteriological examination for pullorum-typhoid disease. The bacteriological examination must be done by the Animal Health Diagnostic Laboratory, New Jersey Department of Agriculture, [Health and Agriculture Building, John Fitch Plaza, PO Box 330, Trenton, New Jersey 08625-0330] **NJPHEAL, 3 Schwarzkopf Drive, Ewing, New Jersey 08628**.

(a)

DIVISION OF ANIMAL HEALTH

Notice of Readoption

Livestock and Poultry Importation

Readoption with Technical Changes: N.J.A.C. 2:3

Authority: N.J.S.A. 4:1-11.1 and 4:5-1 et seq.

Authorized By: The State Board of Agriculture and Joseph Atchison, Assistant Secretary, Department of Agriculture.

Effective Dates: December 28, 2023, Readoption;
February 5, 2024, Technical Changes.

New Expiration Date: December 28, 2030.

Take notice that pursuant to N.J.S.A. 52:14B-5.1.c, the rules at N.J.A.C. 2:3 were scheduled to expire on March 22, 2024.

Subchapter 1 sets forth the general requirements for the chapter, including definitions of terms, requirements for interstate health certificates for livestock and poultry moving into the State, importation requirements for animals entering the State for slaughter purposes, the contents of the Certificate of Veterinary Inspection, and other forms of animal identification. This subchapter also defines the time limit for the receipt of a Certificate of Veterinary Inspection by the Department of Agriculture, provides the expiration date of Certificates of Veterinary Inspection, provides a description of official actions that may follow the imposition of quarantine of livestock and poultry entering the State, addresses the import of diseased livestock and poultry and prior import permits, provides the procedure on failure to meet importation requirements, and explains exception requests based on epidemiological evaluation and risk determination.

Subchapter 2 sets forth the rules pertaining to cattle and bison importations and provides general importation requirements and definitions. The subchapter addresses tuberculosis testing of cattle, Brucellosis testing exemption for cattle imported from class-free states or areas, and Brucellosis testing for cattle imported from Class A, Class B, and Class C states, and addresses importation of cattle with Anaplasmosis or Bluetongue.

Subchapter 3 sets forth the rules pertaining to swine importation and requires compliance with general and specific importation requirements. It provides definitions of terms, addresses Brucellosis testing, and Pseudorabies testing of imported swine.

Subchapter 4 pertains to sheep importation and compliance and addresses Bluetongue testing of sheep entering the State.

Subchapter 5 pertains to goat importation, addressing compliance and importation requirements, providing definitions used in this subchapter, and describing tuberculosis and Brucellosis goat testing requirements.

Subchapter 6 pertains to equine importation, requiring compliance with general requirements and specific requirements, and providing for the official test for Equine Infectious Anemia.

Subchapter 7 pertains to poultry and hatching egg importation, providing additional definitions for the subchapter and for compliance with the general and specific requirements for importation. The subchapter addresses Pullorum testing and Salmonella enteritidis in imported poultry and provides rules for Avian Influenza testing. These rules include prohibition of importation to a live bird market of any poultry or hatching eggs from a state, territory, or country where Highly Pathogenic Avian Influenza has been detected unless the poultry or hatching eggs are approved, and provided a permit by the State Veterinarian and test negative, as specified for Avian Influenza with sample collection date within 72 hours of entry into New Jersey. The rules also prohibit importation of any poultry or hatching eggs from anywhere outside of New Jersey unless they are accompanied by documentation showing that they originated and are moving directly from an Avian Influenza test negative flock and the rules address permissible routes through New Jersey for shipment of live poultry and poultry products.

Subchapter 8 concerns captive cervid importation, providing general importation and subchapter requirements for importation, definitions of terms used, and addressing tuberculosis and Brucellosis testing for captive cervids to be imported and requiring Bluetongue testing of captive cervids entering the State. These rules also require that all captive cervids entering the State are active participants in the United States Department of Agriculture Chronic Wasting Disease Herd Certification Program.

Subchapter 9 pertains to llama and alpaca importation, providing the general and subchapter requirements for importation, definitions of subchapter terms, and requiring tuberculosis and Brucellosis testing of llamas and alpacas entering the State.

Subchapter 10 concerns nutria importation, providing general and subchapter requirements for importation.

Subchapter 11 concerns the importation of livestock and poultry for exhibition, providing general requirements through a cross-reference within the chapter rules.

The Department of Agriculture has reviewed the rules and has determined that the rules should be readopted without substantial changes; however, technical changes are needed at N.J.A.C. 2:3-1.5, 1.9, 2.2(b) and (c), 2.3(b) and (c), 3.2(b) and (c), 3.4(b) and (c), 5.2(b) and (c), 7.1(b)2, 7.2(b) and (c), 7.3(b) and (c), 8.2(b) and (c), 8.6(b) and (c), and 9.2(b) and