

**CHAPTER 2**

**DISEASE CONTROL PROGRAM**

**Authority**

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

**Source and Effective Date**

R.2004 d.454, effective November 10, 2004.  
See: 36 N.J.R. 3324(a), 36 N.J.R. 5335(a).

**Chapter Expiration Date**

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 2, Disease Control Program, expires on May 9, 2010. See: 41 N.J.R. 4349(a).

**Chapter Historical Note**

Chapter 2, Disease Control Program, was filed and became effective prior to September 1, 1969.

Subchapter 3, Tuberculosis Control and Eradication, was adopted as R.1971 d.214, effective November 29, 1971. See: 3 N.J.R. 198(a), 4 N.J.R. 2(a).

Pursuant to Executive Order No. 66(1978), Subchapter 2, Brucellosis Control and Eradication, was readopted as R.1983 d.411, effective September 7, 1983. See: 15 N.J.R. 1203(a), 15 N.J.R. 1647(a).

Pursuant to Executive Order No. 66(1978), Subchapter 1, Reportable Diseases, was readopted as R.1983 d.448, effective September 29, 1983. See: 15 N.J.R. 1202(a), 15 N.J.R. 1753(a).

Pursuant to Executive Order No. 66(1978), Subchapter 3, Tuberculosis Control and Eradication, was readopted as R.1983 d.449, effective September 29, 1983. See: 15 N.J.R. 1203(b), 15 N.J.R. 1753(b).

Pursuant to Executive Order No. 66(1978), Subchapter 4, Swine Disease Control, was readopted as R.1983 d.450, effective September 29, 1983. See: 15 N.J.R. 1204(a), 15 N.J.R. 1753(c).

Subchapter 10, Tests and Improvement Plans, was repealed by 1983 d.451, effective October 17, 1983. See: 15 N.J.R. 1204(b), 15 N.J.R. 1753(d).

Pursuant to Executive Order No. 66(1978), Subchapter 9, Fees, expired on June 11, 1984.

Pursuant to Executive Order No. 66(1978), Chapter 2, Brucellosis Control and Eradication, expired on October 18, 1988.

Subchapter 2, Brucellosis Control and Eradication, was adopted as new rules, Subchapter 5, Sheep Disease Control, was repealed and Subchapter 5, Bovine Leucosis Program, was adopted as new rules, and Subchapter 6, Nutria, was repealed and Subchapter 6, Swine Pseudorabies Virus, was adopted as new rules by R.1989 d.30, effective January 17, 1989. See: 20 N.J.R. 2419(a), 21 N.J.R. 154(a).

Pursuant to Executive Order No. 66(1978), Chapter 2, Disease Control Program, expired on January 17, 1994.

Chapter 2, Disease Control Program, was adopted as new rules by R.1994 d.108, effective March 7, 1994. See: 25 N.J.R. 5387(b), 26 N.J.R. 1223(b). Pursuant to Executive Order No. 66(1978), Chapter 2 expired on March 7, 1999.

Chapter 2, Disease Control Program, was adopted as new rules by R.1999 d.183, effective June 7, 1999. See: 31 N.J.R. 571(a), 31 N.J.R. 1477(a).

Chapter 2, Disease Control Program, was readopted as R.2004 d.454, effective November 10, 2004. See: Source and Effective Date.

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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:

“Aquaculture” means the propagation, rearing and subsequent harvesting of aquatic organisms in controlled or selected environment, and their subsequent processing, packaging and marketing, and shall include, but need not be limited to, activities to intervene in the rearing process to increase production such as stocking, feeding, transplanting and providing for protection from predators.

“Aquatic organism” means an animal or plant of any species or hybrid thereof and includes gametes, seeds, eggs,

sperm, larvae, juvenile and adult stages any of which is required to be in water during that stage of its life. This definition does not include birds and mammals.

“Aquatic species” means any species of fish, mollusk, crustacean, other aquatic invertebrate, amphibian, reptile or aquatic plant, but is not limited to fish and fishes.

“Cattle” includes cattle, calves, bison, buffalo and other domesticated Bovidae.

“Foreign animal disease (FAD)” is defined as an important transmissible livestock or poultry disease believed to be absent from the United States and its territories that has a potential significant health or economic impact.

“Horses” includes horses, ponies, donkeys and mules and miniature breeds.

“Livestock” means cattle, horses, swine, small ruminants, rabbits and poultry.

“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.

“Poultry” includes chickens, roosters, capons, hens, ducks, geese, turkeys, pigeon and guinea fowl (N.J.S.A. 4:5-94) and ratites (N.J.S.A. 4:2-17).

“Rabbits” include all rabbit breeds used or intended for food or fiber.

“Select agents (S. agent)” are biological agents and toxins that have the potential to pose a severe threat to public health and safety.

“Small ruminants” include sheep, goats, llama, alpaca, and farm-raised cervidae.

“Swine” include domestic and exotic porcine breeds.

“USDA-APHIS” means the United States Department of Agriculture-Animal and Plant Health Inspection Service which is responsible for protecting and promoting United States agricultural health, protecting America’s animal and plant resources from agricultural pests and diseases, threats to our food supply, administering the Animal Welfare Act, and carrying out wildlife damage management activities.

“USDA HCLD” means United States Department of Agriculture list of High Consequence Livestock Diseases which include agents or toxins deemed a severe threat to animal or plant health or products.

State. The chart below identifies categories of diseases and identifies the source location for these diseases. Diseases may be included on several or none of these lists. Those diseases not included on any list remain significant to animal health in the State of New Jersey and are therefore included in the chart.

(b) The following diseases and agents are designated as a particular and dangerous menace to the animal health of the

<b>Multiple Species Diseases</b>	<b>FAD</b>	<b>S. Agent</b>	<b>OIE</b>	<b>USDA HCLD</b>
Aflatoxin				
African Animal Trypanosomiasis	x		x	
Aujesky’s disease (Psuedorabies)			x	
Bluetongue/Epizootic Hemorrhagic Dz	x		x	x
Botulism		x		
Burkholderia (pseudomallei, mallei)		x		x
Campylobacteriosis			x	
Coccidiomycosis		x		
Echinococcus/hyatidosis			x	
Foot and Mouth disease	x		x	x
Foreign Pests and Vectors of Arthropod-borne disease	x	x		
Hantavirus				
Heartwater	x		x	x
Leptospirosis			x	
Lumpy skin disease	x		x	x
New and Old World Screwworm	x		x	
Nipah Virus	x	x		x
Orthopox virus (Monkey Pox, Camel Pox)	x	x		x
Paratuberculosis			x	
Plague (Yersinia pestis)		x		
Q fever (Coxiella brunetti)		x	x	
Ricin		x		
Rift Valley Fever	x	x	x	x
Salmonellosis			x	
Tuberculosis			x	x
Tularemia (Francisella tularensis)		x		
Vesicular stomatitis	x		x	x
Viral Hemorrhagic diseases		x		
Hemorrhagic Septicaemia	x		x	
Toxin (Shigatoxin (STEC e.coli), Staphylococcal enterotoxins, T-2 toxin)		x		x

<b>Diseases infectious to livestock</b>	<b>FAD</b>	<b>S. Agent</b>	<b>OIE</b>	<b>USDA HCLD</b>
Akabane	x			x
African Horse Fever	x			x
African Swine Fever	x		x	x
Anaplasmosis			x	
Anthrax		x	x	
Bovine Ephemeral Fever	x			
Brucellosis	x	x	x	
Cattle tick fever (Babesiosis)			x	
Caprine Arthritis Encephalitis (CAE)			x	
Classical Swine Fever	x		x	x
Contagious Agalactia of Sheep and Goats	x		x	
Contagious Bovine Plueropneumonia	x		x	

Contagious equine metritis (CEM)	x		x	
Contagious Caprine Plueroneumonia	x		x	
Cysticercosis			x	
Dourine	x		x	
East Coast Fever	x			
Epizootic Lymphangitis	x		x	
Equine Morbillivirus Pneumonia	x			
Equine Piroplasmosis			x	
Equine infectious anemia (EIA)			x	
Equine rhinopneumonitis (EHV-1, EHV-4)			x	
Equine viral encephalitis		x	x	
Erysipelas in swine			x	
Glanders	x		x	
Hendra Virus	x	x		x
Louping III	x			
Maedi-Visna			x	
Malignant Catarrhal Fever	x		x	x
Melioidosis				
Menangle Virus				x
Mycoplasma (Capricolum/M.F38/mycoides mycoides, mycoides capri)				x
Mucosal disease complex				
Nairobi Sheep Disease	x		x	
Parafilaria in cattle	x			
Porcine reproductive and respiratory syndrome (PRRS)			x	
Peste Des Petits Ruminants	x		x	x
Rabies			x	
Rinderpest	x		x	x
Sheep and Goat Pox	x		x	
Swine Vesicular Diseases	x		x	
Transmissible spongiform encephalopathies (TSEs)	x		x	x
Trichinellosis			x	
Trichomonosis			x	
Tuberculosis (Mycobacterium avium, Mycobacterium bovis, and Mycobacterium tuberculosis)			x	
Vesicular exanthema	x			

<b>Diseases infectious to poultry</b>	<b>FAD</b>	<b>S. Agent</b>	<b>OIE</b>	<b>USDA HCLD</b>
Asian tapeworm (Bothriocephalus acheilognathi)				
Avian infection bronchitis			x	
Avian infectious laryngotracheitis			x	
Avian influenza	x		x	x
Avian mycoplasmosis			x	
Exotic New Castle Disease (VVND)	x		x	x
Duck virus enteritis	x		x	
Erysipelas in poultry				
Fowl cholera			x	
Fowl typhoid (Salmonella gallinarum)			x	
Paracolon infestation				
Paratyphoid infection (Salmonella paratyphi)				
Psittacosis (ornithosis, chlamydiosis)			x	
Pullorum (Salmonella pullorum)			x	
Salmonella enteriditis				

<b>Diseases infectious to aquaculture</b>	<b>FAD</b>	<b>S. Agent</b>	<b>OIE</b>	<b>USDA HCLD</b>
Bacterial kidney disease ( <i>Renibacterium salmonarium</i> )			x	
Baculovirus pennaci and other Baculovirus species				
Channel catfish virus				
Disseminated neoplasia blue mussel				
Enteric Redmouth ( <i>Yersinia ruckeri</i> )				
Enteric septicemia of catfish ( <i>Edwardsiella tarda</i> , <i>Ictalari</i> )			x	
Epizootic hematopoietic necrosis			x	
Furunculosis ( <i>Aeromonas salmonicida</i> )				
Infectious hematopoietic necrosis			x	
Infectious pancreatic necrosis virus				
Juvenile oyster disease				
Koi herpes virus				
Non-endemic Protozoan and Metazoan parasites of finfish				
Onchorychus masou virus disease				
Perkinsus chesapeakei				
Pleistophora ovariae in baitfish				
Streptococcus iniae and other streptococcus species of finfish				
Spring Viremia of carp				
Taura virus			x	
Viral encephalopathy and retinopathy				
Whirling disease ( <i>Myxobolus cerebralis</i> )				
White spot disease virus			x	
Yellowhead disease			x	
Proliferative kidney disease				
Viral hemorrhagic septicemia			x	x

(c) In addition to the diseases listed in (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 or USDA APHIS emergency declarations must also be reported.

Amended by R.1989 d.30, effective January 17, 1989.  
See: 20 N.J.R. 2419(a), 21 N.J.R. 154(a).

Repealed (a)1viii-viii, xii-xv, xx and recodified accordingly; added new xv. In (a)2, repealed i-ii and added new i; repealed ix and added new viii; recodified accordingly.

Amended by R.2005 d.288, effective September 6, 2005.  
See: 37 N.J.R. 1271(a), 37 N.J.R. 3281(a).

Rewrote the rule heading, added new (a), recodified former (a) as (b) and rewrote subsection, and added (c).

**2:2-1.2 Provision for Statement of Imminent Peril**

Whenever a disease outbreak occurs in New Jersey or in neighboring states that has all the symptoms of being severely devastating by contagious or infectious properties, the Secretary of Agriculture may immediately issue a Statement of Imminent Peril and take necessary steps to prevent spread of the disease to New Jersey livestock and poultry.

Amended by R.1989 d.30, effective January 17, 1989.  
See: 20 N.J.R. 2419(a), 21 N.J.R. 154(a).

**2:2-1.3 Provision for epidemic of emergent proportion**

Whenever a disease outbreak occurs in New Jersey that appears severely devastating and contagious, the Secretary of Agriculture may declare an epidemic of emergent proportion exists and take whatever steps may be necessary to prevent its spread even before the causative agent may be identified.

Amended by R.1989 d.30, effective January 17, 1989.  
See: 20 N.J.R. 2419(a), 21 N.J.R. 154(a).

**2:2-1.4 Indemnification**

The Division of Animal Health shall have the authority to destroy or order sent to slaughter any animals it deems necessary to prevent the spread of the diseases that threaten the viability of the industry. For each animal slaughtered to prevent the spread of disease, the owner shall receive the net proceeds, if any, of the sale of the animal and in addition, if funds are available shall be paid an indemnity not to exceed the market value of the animal, if funds for such indemnity are provided.

Amended by R.1989 d.30, effective January 17, 1989.  
See: 20 N.J.R. 2419(a), 21 N.J.R. 154(a).

### 2:2-1.5 Notice of existence of dangerous diseases

Any veterinarian or other person (including but not limited to any auctioneer, broker, dealer, licensed swine farmer, racing commission official, extension agent, etc.) who shall gain knowledge of the existence or suspected existence of such diseases, as set forth in N.J.A.C. 2:2-1.1, within the State shall notify the Department of Agriculture without delay, and in any case within 48 hours.

Amended by R.1989 d.30, effective January 17, 1989.  
See: 20 N.J.R. 2419(a), 21 N.J.R. 154(a).

Added text "including but not . . . extension agent, etc."

## SUBCHAPTER 2. BRUCELLOSIS CONTROL AND ERADICATION

### 2:2-2.1 Scope

This subchapter concerns vaccination, testing, quarantine, disposition of reactors, and indemnification of brucellosis reactors. All rules apply to bovine animals. Milk-producing goats and swine are exempt from the requirements for official vaccination, but all other rules must be met. Except as otherwise indicated, swine are subject to all rules in this subchapter.

Amended by R.1982 d.237, effective August 2, 1982.  
See: 14 N.J.R. 487(b), 14 N.J.R. 833(a).

Swine included within scope.

Amended by R.1989 d.30, effective January 17, 1989.  
See: 20 N.J.R. 2419(a), 21 N.J.R. 154(a).

Substantially amended.

### 2:2-2.2 Official calfhood Brucella vaccination

Only 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.

Amended by R.1981 d.173, effective June 4, 1981.  
See: 13 N.J.R. 114(b), 13 N.J.R. 318(a).

Deleted injection requirement of five cubic centimeters of vaccine per animal, and added "such dosage . . . APHIS-91-1."

Amended by R.1989 d.30, effective January 17, 1989.  
See: 20 N.J.R. 2419(a), 21 N.J.R. 154(a).

Deleted "Brucella abortus vaccine and substituted "USDA approved Brucella vaccine".

### 2:2-2.3 Vaccination of female bovine animals

(a) All female cattle brought into the State under 239 days of age, that are not officially vaccinated, shall be vaccinated against brucellosis between the ages of 120 and 239 days, if they are to be sold for purposes other than

immediate slaughter. This shall not be construed to prohibit the sale of any female calf under the age of 120 days.

(b) Female bovine animals will be considered to be officially calfhood Brucella vaccinated only when all of the requirements below are met.

1. Approved Brucella abortus vaccine shall be properly injected before the expiration date of the vaccine.

2. The calves shall be four through eight months of age or from 120 to 239 days when vaccinated.

3. The vaccinated calves shall be identified by an ear tag or tattoo and marked as officially calfhood Brucella vaccinated animals by a special tattoo as prescribed by the New Jersey Department of Agriculture.

4. A vaccination report shall be submitted within 15 days of vaccination to the New Jersey Department of Agriculture on forms provided by it.

(c) The New Jersey Department of Agriculture is not responsible for an unfavorable effect that might be attributed to or resulting from the vaccination.

(d) The New Jersey Department of Agriculture shall provide vaccine to accredited private veterinary practitioners to conduct official calfhood Brucella vaccination, provided all laws, regulations, and policies are complied with and reports are submitted within the prescribed period.

R.1971 d.105, effective July 2, 1971.

See: 3 N.J.R. 146(c); 3 N.J.R. 98(a).

Amended by R.1975 d.233, effective August 1, 1975.

See: 7 N.J.R. 290(a), 7 N.J.R. 399(a).

Amended by R.1981 d.288, effective August 6, 1981.

See: 13 N.J.R. 256(a), 13 N.J.R. 471(a).

(a)2: "four" was "two"; "eight" was "six"; "120 to 239" was "60 to 180".

Amended by R.1982 d.237, effective August 2, 1982.

See: 14 N.J.R. 487(a), 14 N.J.R. 833(a).

New (a) added; old (a) redesignated as (b).

Amended by R.1989 d.30, effective January 17, 1989.

See: 20 N.J.R. 2419(a), 21 N.J.R. 154(a).

Substantially amended.

### 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, as revised. Copies are filed with and may be received by writing to: Director, Division of Animal Health, N.J. Department of Agriculture, Health-Agriculture Building, John Fitch Plaza, PO Box 330, Trenton, New Jersey 08625-0330.

Amended by R.1978 d.402, effective November 21, 1978.

See: 10 N.J.R. 416(a), 11 N.J.R. 2(b).

Amended by R.1980 d.237, effective June 2, 1980.

See: 12 N.J.R. 247(a), 12 N.J.R. 377(c).

Amended by R.1980 d.422, effective September 30, 1980.

See: 12 N.J.R. 377(a), 12 N.J.R. 627(b).

"Eradication" was "eradicate". July 1977 revision date deleted for present "as revised".

### 2:2-2.5 Tests conducted by the New Jersey Department of Agriculture

(a) Official tests for brucellosis shall be conducted only by the New Jersey Department of Agriculture or other official-ly authorized personnel under the Department's supervision.

(b) No brucellosis test shall be conducted without written permission of the New Jersey Department of Agriculture.

Amended by R.1978 d.402, effective November 21, 1978.  
See: 10 N.J.R. 416(a), 11 N.J.R. 2(b).

### 2:2-2.6 Department or accredited veterinarians to draw blood samples

Blood samples for official brucellosis tests shall be drawn by New Jersey Department of Agriculture personnel or by accredited veterinarians under its supervision.

Amended by R.1982 d.237, effective August 2, 1982.  
See: 14 N.J.R. 487(b), 14 N.J.R. 833(a).

(a): Department of Agriculture "veterinarians" changed to "personnel".

Amended by R.1989 d.30, effective January 17, 1989.  
See: 20 N.J.R. 2419(a), 21 N.J.R. 154(a).

Substantially amended.

### 2:2-2.7 Herd owner responsibilities: employing private veterinarian

(a) The owner or custodian of any herd shall stable all animals eligible for test and shall provide proper restraint for the collection of blood samples by the veterinarian.

(b) If the owner refuses to permit an authorized veterinarian to draw blood samples for an official brucellosis test, he or she may employ an accredited private veterinary practitioner to draw the blood samples within a specified time. This testing shall be accomplished at no cost to the State of New Jersey.

Amended by R.1978 d.402, effective November 21, 1978.

See: 10 N.J.R. 416(a), 11 N.J.R. 2(b).

Amended by R.1989 d.30, effective January 17, 1989.

See: 20 N.J.R. 2419(a), 21 N.J.R. 154(a).

Recodified from 2.8.

### 2:2-2.8 Identification of animals

(a) Each animal shall be identified by ear tag or tattoo.

(b) Under unusual circumstances, the New Jersey Department of Agriculture may grant permission to identify animals by other means.

### 2:2-2.9 Times established for brucellosis tests

(a) The New Jersey Department of Agriculture may subject any herds to a blood test for brucellosis whenever it is deemed necessary.

(b) Officially vaccinated dairy heifers under 20 months of age and heifers of the beef breeds under 24 months except those that are parturient, springers or post-parturient need not be routinely tested.

(c) All dairy herds producing milk for sale shall be brucellosis ring tested every three months.

(d) All MCI test eligible cattle as defined in the USDA, APHIS-91-1 are to be back tagged when presented to any auction market. The Department shall supply the necessary tags and glue. Auction markets shall be responsible for correlation in their market records of back tag numbers with their market method of identifying individual cattle. Back tags may be applied at locations other than auction markets when the Department deems its advisable.

(e) Market swine for slaughter: All breeding swine, sows, and boars over six months of age shall be individually identified as to herd of origin before mixing with other swine. Such identification shall be by either slap tattoo, official ear tags or other approved identification. The auction market shall be responsible for correlation in their market records of tattoos, individual ear tags or other approved identification with their market method of identification. The market shall be responsible for recording the farm or herd of origin of all swine so identified and shall be responsible for maintenance of these records.

(f) Swine herds: The complete herd test shall include all breeding swine over six months of age. All swine being held for slaughter purposes are exempt from herd test requirements and shall be maintained separate and apart from breeding swine. All swine tested shall be identified with an official ear tag, tattoo, or other permanent identification, as permitted by the New Jersey Department of Agriculture.

R.1973 d.273, effective September 20, 1973.

See: 5 N.J.R. 254(b), 5 N.J.R. 327(c).

Amended by R.1978 d.402, effective November 21, 1978.

See: 10 N.J.R. 416(a), 11 N.J.R. 2(b).

Amended by R.1982 d.237, effective August 2, 1982.

See: 14 N.J.R. 487(b), 14 N.J.R. 833(a).

(e) and (f) added.

Amended by R.1989 d.30, effective January 17, 1989.

See: 20 N.J.R. 2419(a), 21 N.J.R. 154(a).

Amended (d) and (e).

### 2:2-2.10 Blood tests on suspicious reaction

All herds of cattle with suspicious reaction to the brucellosis ring test of the milk shall be subjected to immediate blood tests for brucellosis.

### 2:2-2.11 Quarantine on disclosure of brucellosis reactor

Any herd in which a brucellosis reactor or reactors are disclosed shall be quarantined. Any brucellosis suspect shall be quarantined until epidemiology or further testing determines the status of the individual animal.

**2:2-4.25 Premises concentrating swine for public sales construed as livestock market**

Any farm or premises where swine are concentrated for public sale shall be considered a livestock market under this subchapter, except where only the swine raised on the premises are offered for sale.

**2:2-4.26 Quarantine of premises suspected of hog cholera infection**

(a) Premises suspected of infection with hog cholera shall be quarantined until determination is made by the cooperating agencies that the disease is or is not present.

(b) Once official confirmation of hog cholera exists, such premises shall remain under quarantine until program agents are satisfied that exposure no longer exists.

**2:2-4.27 Notice of hog cholera illness**

(a) Swine owners shall promptly report to their accredited veterinarians or to an agent of the New Jersey Department of Agriculture any illness in their herd suggestive of hog cholera.

(b) The accredited veterinarian shall promptly notify an agent of the Division of Animal Health of the State Department of Agriculture or the office of Veterinary Services, United States Department of Agriculture.

As amended, R.1978 d.402, eff. November 21, 1978.  
See: 10 N.J.R. 416(a), 11 N.J.R. 2(b).  
Amended by R.1989 d.30, effective January 17, 1989.  
See: 20 N.J.R. 2419(a), 21 N.J.R. 154(a).

**2:2-4.28 Removal of swine dead of hog cholera; construction of trucks**

(a) Swine dead of hog cholera shall be removed under official supervision from a quarantined premises in trucks constructed of, or lined with, impervious material and which do not permit the escape of any liquid and are covered in such a way that the contents shall not be openly exposed to insects.

(b) Such removal shall be to a rendering plant whose processes include rendering temperatures sufficient to destroy the virus of hog cholera.

(c) Carcasses of swine dead of hog cholera may be buried or burned on the premises under official supervision of an agent of the Department in lieu of rendering.

**2:2-4.29 Cleaning and disinfecting trucks**

Trucks hauling market hogs to slaughter from quarantined premises shall be cleaned and disinfected at the unloading point or at a designated return point under official supervision.

**2:2-4.30 Investigation of suspected hog cholera; access to premises**

Agents of the New Jersey Department of Agriculture and the United States Department of Agriculture, Animal Health Division, shall be permitted access to any swine farm at any time for the purpose of investigating suspected hog cholera.

**2:2-4.31 Indemnity for swine destroyed by hog cholera**

(a) Once official confirmation has been had of hog cholera in a herd of swine, the following measures shall apply as long as funds are available:

1. All infected and exposed swine on the premises alive at the time initial notification of the disease was made to the official cooperating agencies shall be appraised under the following rules:

i. The schedule as set forth below shall apply in respect to appraisal of swine for meat, feeding, or breeding, but in no instance shall the appraisal exceed the actual value of the animal. The basis for appraisal will be established by averaging the quotations from three of the major quality feeder and slaughter swine markets in the United States. Swine may be appraised in groups provided they are of the same type or of the same value per pound. Swine shall be appraised at their actual value for meat, feeding or breeding purposes except that in the case of grade animals only females shall be eligible for appraisal based on breeding values and that no such appraisal shall exceed three times the animal's meat or feeding value. Swine presented for appraisal as purebreds shall be accompanied by their certificate of pure breeding.

ii. Expenses for the care and feeding of swine held for destruction and the expense of destruction, burial, incineration and/or transportation and other expenses incidental to their slaughter will be the responsibility of the owner of the swine.

iii. Any indemnity claim for swine destroyed shall contain owner certification that the swine were, or were not, covered by a mortgage. If the owner states that there is a mortgage, forms furnished by the cooperating agencies shall be signed by the owner and by each person holding a mortgage on the swine consenting to the payment of any indemnity allowed to the person specified thereon.

iv. The New Jersey Department of Agriculture agrees to pay the owner of swine destroyed for hog cholera not to exceed 50 percent of the difference between the appraised value of each swine so destroyed and the net salvage received by the owner thereof. State indemnity shall not exceed \$100.00 per head for purebred, inbred or hybrid swine and for breeding swine, or \$50.00 for all other swine and in no case shall State indemnity exceed 50 percent of the difference

between the appraised value of each swine so destroyed and the net salvage, if any, received by the owner.

v. No indemnity will be paid until the premises and associated vehicles are cleaned and disinfected in a manner approved by the cooperating agencies.

vi. Following disclosure of hog cholera infection on a premises, prompt depopulation of all swine, indemnity payments by the cooperating agencies and premises disinfection, restocking of such premises with swine will be permitted provided owners and/or operators of such a swine farm follow recommendations of the cooperating agencies for the prevention of hog cholera. Failure to follow such agencies shall render owners and/or operators ineligible for indemnity should hog cholera reinfection occur on such premises.

vii. Any swine owner who has willfully violated any rules of the Department, that would result in the herd, will be ineligible for indemnity.

viii. Feeder swine moving intra-State must be ear tagged by the owner with tags supplied by the Department and recorded in triplicate on an owner's certificate, one copy of which must accompany the swine to destination, one copy to be forwarded to the Division of Animal Health, and one copy to be retained by the owner.

As amended, R.1970 d.89, eff. July 31, 1970.

See: 2 N.J.R. 53(a), 2 N.J.R. 69(a).

As amended, R.1972 d.191, eff. September 27, 1972.

See: 4 N.J.R. 178(a), 4 N.J.R. 260(a).

As amended, R.1973 d.305, eff. October 25, 1973.

See: 5 N.J.R. 326(b), 5 N.J.R. 363(b).

Amended by R.1989 d.30, effective January 17, 1989.

See: 20 N.J.R. 2419(a), 21 N.J.R. 154(a).

Incorporated v with iv and recodified vi-ix as v-viii.

#### 2:2-4.32 Swine consigned to livestock markets

(a) Swine offered for sale at livestock markets for other than immediate slaughter shall be individually identified by ear tag, tattoo or other approved individual identification, and shall be so recorded on the market records as to farm of origin.

(b) Swine for immediate slaughter shall also be identified either by slap tattoo, individual ear tag or other approved individual identification and recorded in the market records as to the farm of origin.

As amended, R.1972 d.131, effective July 1, 1972.

See: 4 N.J.R. 114(b), 4 N.J.R. 180(a).

As amended, R.1978 d.402, effective November 21, 1978.

See: 10 N.J.R. 416(a), 11 N.J.R. 2(b).

Amended by R.1989 d.30, effective January 17, 1989.

See: 20 N.J.R. 2419(a), 21 N.J.R. 154(a).

Substituted "form of" for "form or" and added text "or other approved individual identification".

#### 2:2-4.33 Quarantine of swine after sale

The swine shall be held in quarantine on the farm of the buyer for 30 days.

Amended by R.1972 d.131, effective July 1, 1972.

See: 4 N.J.R. 114(b), 4 N.J.R. 180(a).

Amended by R.1978 d.402, effective November 21, 1978.

See: 10 N.J.R. 416(a), 11 N.J.R. 2(b).

#### 2:2-4.34 Disinfecting following sale of swine

Following the sale of swine, the pens, runways and the sales ring shall be cleaned and disinfected with an approved disinfectant.

#### 2:2-4.35 Indemnity of infected swine in sale market

No indemnity shall be paid on swine found to be infected with hog cholera while in an approved sale market in the eradication area.

Amended by R.1971 d.45, effective March 26, 1971.

See: 3 N.J.R. 34(a), 3 N.J.R. 55(c).

#### 2:2-4.36 Authority of Secretary of Agriculture or his or her agents

The Secretary of Agriculture or his or her authorized agent shall have the authority to enter any premises on which swine are kept, and have the power to have appraisal and order the disposal of any and all swine that have been exposed to hog cholera.

R.1972 d.242, effective December 1, 1972.

See: 5 N.J.R. 3(a).

Amended by R.1989 d.30, effective January 17, 1989.

See: 20 N.J.R. 2419(a), 21 N.J.R. 154(a).

Repealed (b).

#### 2:2-4.37 Swine pseudorabies vaccination

(a) No person shall vaccinate swine for pseudorabies unless a permit has been issued by the Department. Permits may be granted only to veterinarians licensed in the State.

(b) No person or firm shall sell, distribute or give away any pseudorabies vaccine unless they have received permission from the Department.

(c) All premises at which garbage has been fed to swine in violation of this subchapter shall be quarantined for a minimum of 30 days during which time no garbage cooked or uncooked may be fed. The 30-day period commences after cleanup and disinfection is approved by Department personnel. The quarantine may be released by testing negative of all or a statistically significant amount of swine for hog cholera and African swine fever or observation and examination of all swine by veterinarians of the Department or USDA and found to be disease free. The selection of the release method shall be at the discretion of the State veterinarian.

(d) All waste feeding swine farms or suspected waste feeding swine farms shall be inspected regularly to assure compliance with garbage feeding rules.

(e) A licensee shall notify an inspector or veterinarian immediately upon detection of illness or death not normally associated with the licensee's operation in animal species on the licensee's premises.

R.1977 d.367, effective September 30, 1977.

See: 9 N.J.R. 402(a), 9 N.J.R. 502(b).

Amended by R.1989 d.30, effective January 17, 1989.

See: 20 N.J.R. 2419(a), 21 N.J.R. 154(a).

Added new (c)-(e).

## SUBCHAPTER 5. BOVINE LEUCOSIS PROGRAM

### 2:2-5.1 Scope and authority

The Division of Animal Health shall make rules and conduct a voluntary program leading to the eradication of the bovine leucosis virus from individual herds and may designate the animals in those herds as New Jersey Bovine Leucosis Free.

### 2:2-5.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context indicates otherwise:

"Bovine leucosis" means a disease of cattle caused by the bovine leukemia virus which is of economic significance.

"Infected animal" means an animal examined by the recognized testing method and found to be infected with the bovine leucosis virus.

"Official test" means the bovine leukemia agar gel immunodiffusion procedure recognized by the United States Department of Agriculture.

### 2:2-5.3 Procedures

(a) To be eligible for the bovine leucosis program, the following requirements shall be met:

1. All animals in a herd shall be included in an initial test.
2. Owners shall actively implement a culling program of animals found to be infected.
3. Owners shall practice those husbandry methods which reduce the spread of infection.
4. Owners will conduct retests according to a schedule to be cooperatively developed between the owner and the Division of Animal Health based upon the findings. Failure to follow the agreed upon schedule will exclude the herd from the official program.

5. Herds that have had at least one completely negative free herd test, and any additional testing that is required if they comply with (a)3 and 4 above, shall be designated "Leucosis Free" for a period of one year.

6. A "Leucosis Free" status shall be maintained by retesting all cattle over seven months between 340 and 390 days after the date of achieving "Leucosis Free Status". The results of such retesting must be negative for all cattle in the herd to be identified as Leucosis Free for another year.

### 2:2-5.4 Costs and fees

(a) Cattle owners will enter into a Memorandum of Agreement with the Division of Animal Health containing the following:

1. All costs shall be borne by the owner.
2. The owner agrees to comply with the rules of the program, but is free to withdraw at any time.
3. Accredited veterinarians will sample and identify animals and counsel owners.
4. The Division of Animal Health will provide information to accredited veterinarians, laboratory services, and interpretive and planning assistance.
5. The Division of Animal Health will provide information regarding the disease and program to the owners.

(b) The Division of Animal Health is authorized to establish the following fee schedule for laboratory services:

1. Herds (per animal) in the official program: \$6.00 for the first sample, \$1.75 thereafter.
2. Herds (per animal) not in the official program: \$6.00 per sample.

## 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 9 C.F.R. §§ 85.1-85.13 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, Trenton, NJ 08625-0330.

## SUBCHAPTER 7. POULTRY DISEASE CONTROL

### 2:2-7.1 National Plan adopted, supplemented

(a) The State Board of Agriculture adopts the rules and regulations of the National Poultry and Turkey Improve-

ment Plans of the United States Department of Agriculture as the official rules and regulations of the New Jersey Program.

(b) In addition, the State Board of Agriculture promulgates the rules and regulations found in the following sections of this chapter.

### 2:2-7.2 General regulations

(a) All poultry hatcheries and flocks within New Jersey must qualify as National Plan hatcheries. All hatcheries and flocks shipping to New Jersey must qualify as United States pullorum-typhoid clean; or they must meet equivalent requirements for pullorum-typhoid control under official supervision.

(b) All shipments of products, other than United States pullorum-typhoid clean or the equivalent, into the state are prohibited except for immediate slaughter.

(c) All poultry, except water fowl, shown in public exhibitions in New Jersey must originate from United States pullorum-typhoid clean or equivalent flocks, or have a negative pullorum-typhoid test within 90 days of the movement to the public exhibition.

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

(a) All breeding birds to be tested shall be selected and banded by a veterinarian or inspector of the New Jersey Department of Agriculture or by qualified testing agents under Department supervision.

(b) The pullorum-typhoid test shall be done by representatives of the New Jersey Department of Agriculture or qualified testing agents under Department supervision.

(c) Testing agents shall take a minimum one-day course of training as prescribed by the New Jersey Department of Agriculture and shall pass a written examination on National Poultry Improvement Plan (NPIP) rules and sanitation and a practical test to prove their ability to select and test birds for pullorum-typhoid diseases before being certified. A refresher training course shall be required annually for recertification.

(d) Applications for certification shall be made in writing, sufficiently in advance to permit the early scheduling of work by the Department of Agriculture.

(e) Certification or recertification will be denied pursuant to provisions of NPIP or violation of these rules.

(f) Any reactors must be submitted for bacteriological examination for pullorum-typhoid disease. The bacteriological examination must be done in one of the following laboratories:

1. New Jersey Department of Agriculture, Health and Agriculture Building, John Fitch Plaza, PO Box 330, Trenton, New Jersey 08625-0330; or

2. Poultry Pathology, Department of Animal Science, Cook College/New Jersey Experiment Station, Rutgers, the State University, New Brunswick, New Jersey 08903.

### 2:2-7.4 Reporting and quarantine provisions

(a) Pullorum-typhoid diseases are reportable diseases under N.J.A.C. 2:2-1.1 and must be reported by any veterinarian or other person to the New Jersey Department of Agriculture.

(b) Upon receipt of a report of pullorum-typhoid, the Division of Animal Health shall direct the immediate investigation by an authorized representative to determine the origin and avenue of transmission of the infection.

(c) The flocks or hatching eggs deemed to be infected with pullorum-typhoid shall be quarantined. Quarantined flocks or any portion thereof shall not be removed from the premises where the infection was detected or disposed of except in accordance with the written permission of the Department of Agriculture.

## SUBCHAPTER 8. RECORDS OF CATTLE, SHEEP AND SWINE DEALERS

### 2:2-8.1 Official livestock record book

(a) Each license holder will be furnished an official record book by the New Jersey Department of Agriculture. Each license holder shall request additional record books when needed.

(b) Each New Jersey Department of Agriculture livestock record book is and shall remain the property of the New Jersey Department of Agriculture and the delivery of such a book into the care and possession of a license holder shall be in the nature of a loan for his convenience.

(c) License holders will be expected to use reasonable care and diligence to preserve and protect the assigned record book.

### 2:2-8.2 Content of record

The record shall include:

(a) All ear tag numbers; identification tattoo numbers excepting vaccination tattoos, registration numbers of pure-breds carried by the animal at time of purchase or exchange and at the time of sale or slaughter;

(b) The name and address of the person from whom purchased or if purchased at a commission sale the name and address of the dealer;

(c) The name of the person to whom sold or exchanged;

(d) The date the animal was purchased and date the animal was sold;

(e) The breed and sex of each animal purchased.

#### **2:2-8.3 When records are to be made**

(a) When any livestock is purchased or exchanged, the required information relating to such transaction shall be recorded immediately upon completion of the transaction.

(b) When the animal is sold, the required information relating to the sale or exchange shall be recorded immediately upon completion of that transaction.

#### **2:2-8.4 Manner of keeping records**

(a) The records required by this subchapter shall be recorded and kept in a New Jersey Department of Agriculture livestock record book except that upon request of a license holder the Secretary of Agriculture may authorize the license holder to use another type of record book or ledger provided that the other type of record book or ledger will permit the recording of information relating to livestock transactions in a manner that will, in the opinion of the Secretary, accomplish the purposes and objectives of these regulations.

(b) He must be willing to make such record available upon request for inspection by any authorized representa-

tives of the Department or of the Animal Health Division of the United States Government.

(c) Information relative to a livestock transaction which is entered in a livestock record book shall be accurate and legible in each detail and it shall not be altered, obliterated, defaced or erased.

(d) If, after information relative to a livestock transaction has been entered in a cattle record book, it is found that the information so recorded is in some part in error, the correct information relative to that particular transaction shall be reentered in the next available space in the record book without altering or changing the original entry except to note that the record is corrected by a later entry.

#### **2:2-8.5 Preservation of records; surrender**

(a) The records of livestock sales and purchases required by this subchapter shall be kept and retained in possession of the license holder only during such period as he holds the required license.

(b) Failure to renew the license annually shall require the return of such record books to the New Jersey Department of Agriculture. The same requirement shall also apply to those persons whose license has been suspended or revoked.

(c) New Jersey Department of Agriculture livestock record books shall be delivered into the possession of any agent of the New Jersey Department of Agriculture or of the United States Department of Agriculture immediately upon request of such agent.

#### **2:2-8.6 Effective date of subchapter**

These rules and regulations shall take effect July 1, 1966.