

CHAPTER 23

IMPORTATION OF DOGS, REPORTING OF RABIES IN ANIMALS, CONTROL OF AVIAN CHLAMYDIOSIS IN PET BIRDS, TURTLES AND TURTLE EGG SALES, AND TRANSPORTATION BY ANIMAL CONTROL OFFICERS

Authority

N.J.S.A. 4:19-15.16; 26:1A-7 and 26:4-78, 79, 80 and 81.

Source and Effective Date

R.2006 d.135, effective March 14, 2006.
See: 37 N.J.R. 1113(a), 4019(a), 38 N.J.R. 1733(b).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 23, Importation of Dogs, Reporting of Rabies in Animals, Control of Avian Chlamydia in Pet Birds, Turtles and Turtle Egg Sales, and Transportation by Animal Control Officers, expires on September 10, 2013. See: 43 N.J.R. 1203(a).

Chapter Historical Note

Chapter 23, Veterinary Public Health, was filed and became effective prior to September 1, 1969.

Subchapter 4, Sale or Distribution of Live Turtles, was adopted as R.1972 d.116, effective July 6, 1972. See: 4 N.J.R. 45(d), 4 N.J.R. 158(c).

Subchapter 5, Animal Control Officer Certification, was adopted as R.1984 d.575, effective December 17, 1984. See: 16 N.J.R. 2725(a), 16 N.J.R. 3432(b).

Pursuant to Executive Order No. 66(1978), Chapter 23, Veterinary Public Health was readopted as R.1990 d.20, effective December 13, 1989. See: 21 N.J.R. 3274(a), 22 N.J.R. 204(a).

Subchapter 6, Pilot Low Cost Spaying and Neutering Clinic Surgery Fees, was adopted as R.1993 d.568, effective November 15, 1993. See: 25 N.J.R. 3116(a), 25 N.J.R. 5148(b).

Pursuant to Executive Order No. 66(1978), Chapter 23, Veterinary Public Health, was readopted as R.1995 d.24, effective December 13, 1994. As a part of R.1995 d.24, Chapter 23 was renamed Rabies Reporting; Animal and Bird Importation, Testing and Quarantine; former Subchapter 2, Importation or Release of Rabbits in this State, was repealed; Subchapter 4, Sale or Distribution of Live Turtles, was recodified as Subchapter 2; and Subchapter 3, Sanitary Operation of Kennels, Pet Shops, Shelters and Pounds, Subchapter 5, Animal Control Officer Certification, and Subchapter 6, Pilot Low Cost Spaying and Neutering Clinic Surgery Fees were recodified as N.J.A.C. 8:23A, effective January 17, 1995. See: 26 N.J.R. 4129(a), 27 N.J.R. 343(b). Pursuant to Executive Order No 66(1978), Chapter 23 expired on December 13, 1999.

Chapter 23, Rabies Reporting; Animal and Bird Importation, Testing and Quarantine, was adopted as new rules by R.2000 d.121, effective March 20, 2000. See: 31 N.J.R. 3024(a), 32 N.J.R. 1052(b).

In accordance with N.J.S.A. 52:14B-5.1d, Chapter 23, Rabies Reporting, Animal and Bird Importation, Testing and Quarantine, was extended by gubernatorial directive from September 16, 2005 to September 15, 2006. See: 37 N.J.R. 4019(a).

Chapter 23, Rabies Reporting, Animal and Bird Importation, Testing and Quarantine, was readopted as R.2006 d.135, effective March 14, 2006. As a part of R.2006 d.135, Chapter 23 was renamed Importation of Dogs, Reporting of Rabies in Animals, Control of Avian Chlamydia in Pet Birds, Turtles and Turtle Egg Sales, and Transportation by

Animal Control Officers; Subchapter 1, Sanitary Operation of Kennels, Pet Shops, Shelters and Pounds, was renamed Importation of Dogs, Rabies Reporting, Transportation of Confined Animals, and Control of Avian Chlamydia in Pet Birds; and Subchapter 2, Rabies Reporting; Animal and Bird Importation, Testing and Quarantine, was renamed Sale or Distribution of Viable Turtle Eggs and Live Turtles, effective April 17, 2006. See: Source and Effective Date. See, also, section annotations.

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 23, Importation of Dogs, Reporting of Rabies in Animals, Control of Avian Chlamydia in Pet Birds, Turtles and Turtle Egg Sales, and Transportation by Animal Control Officers, was scheduled to expire on September 10, 2011. See: 43 N.J.R. 937(a).

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. IMPORTATION OF DOGS, RABIES REPORTING, TRANSPORTATION OF CONFINED ANIMALS, AND CONTROL OF AVIAN CHLAMYDIOSIS IN PET BIRDS

- 8:23-1.1 Importation of dogs; certification requirements
- 8:23-1.2 Reporting of cases of rabies in animals
- 8:23-1.3 Transportation of confined animals
- 8:23-1.4 Quarantine, testing and transportation of quarantined pet birds
- 8:23-1.5 Records of dealers in pet birds
- 8:23-1.6 (Reserved)

SUBCHAPTER 2. SALE OR DISTRIBUTION OF VIABLE TURTLE EGGS AND LIVE TURTLES

- 8:23-2.1 Sale or distribution of viable turtle eggs and live turtles

SUBCHAPTER 3. TRANSPORTATION OF ANIMALS BY ANIMAL CONTROL OFFICERS

- 8:23-3.1 Transportation of animals by animal control officers; responsibility

SUBCHAPTER 1. IMPORTATION OF DOGS, RABIES REPORTING, TRANSPORTATION OF CONFINED ANIMALS, AND CONTROL OF AVIAN CHLAMYDIOSIS IN PET BIRDS

8:23-1.1 Importation of dogs; certification requirements

Dogs shall not be brought into this State excepting when in transit or for breeding, laboratory, or exhibition purposes unless accompanied by a health certificate issued by a licensed veterinarian of the state or nation of the dog's origin indicating that the dog is free from rabies and other communicable disease and has not recently been exposed to any such disease. This certificate shall also state the breed, sex, age, point of origin, point of destination, the name and post office address of the consignee or owner and the consignor or seller and if the dog has been vaccinated, the type and date of vaccination.

Amended by R.1995 d.24, effective January 17, 1995.
See: 26 N.J.R. 4129(a), 27 N.J.R. 343(b).

8:23-1.2 Reporting of cases of rabies in animals

(a) Persons, including veterinarians and animal control officers, having in their possession, care or control, owning or

having an interest in or knowledge of, an animal affected with rabies or suspected of being affected with rabies, shall provide forthwith a report containing the fact of the animal being affected with or suspected of being affected with rabies to the person designated to receive such reports by the local health agency having jurisdiction over the place where the animal is located.

(b) The report shall contain, in addition to the fact of the animal being affected with or suspected of being affected with rabies, the following additional information, to the extent the information is available to the reporter:

1. The location of the animal;
2. A description of the animal;
3. The name, address and telephone number of the owner or person with possession, care, or control, or having interest in the animal; and
4. The reporter's name and telephone number.

(c) The reporter shall submit the report by telephone, telefacsimile, or electronic mail, or in person, or in any other manner determined by the local health agency or its designee to be acceptable.

Amended by R.2006 d.135, effective April 17, 2006.
See: 37 N.J.R. 1113(a), 4019(a), 38 N.J.R. 1733(b).
Rewrote the section.

8:23-1.3 Transportation of confined animals

Animals confined by provisions of N.J.S.A. 26:4-82, 83, or 84 shall not be transported from confinement unless permission therefor shall be granted by the health officer of the municipality in this State into which such animal or animals are to be transported under conditions which may be prescribed by the Department. In the event the destination of a confined animal is beyond the boundaries of this State, permission must be obtained from the Department of Health and Senior Services.

Amended by R.1995 d.24, effective January 17, 1995.
See: 26 N.J.R. 4129(a), 27 N.J.R. 343(b).

8:23-1.4 Quarantine, testing and transportation of quarantined pet birds

(a) Whenever a veterinarian diagnoses a case of avian chlamydiosis in a pet bird within the jurisdiction of a local health agency, or there is danger of the transmission of avian chlamydiosis from that jurisdiction, the local health agency shall establish adequate bird quarantine procedures.

(b) The right of the Department of Health and Senior Services to establish bird quarantine procedure for any area of the State wherein psittacosis exists, or danger exists of the spread of that disease, shall not be considered as limited or otherwise affected by the provisions of this chapter.

(c) Laboratory testing when appropriate shall be performed on quarantined bird(s) suspected of having psittacosis

and the fees for such testing shall be paid by the owner of the bird(s).

(d) Quarantined birds shall not be transported from a quarantined area unless permission therefor shall be granted by the health officer of the municipality or local health district in this State into which such birds are to be transported under conditions which may be prescribed by the Department. In the event the destination of quarantined birds is beyond the boundaries of this State, permission must be obtained from the Department of Health and Senior Services.

Amended by R.1983 d.207, effective June 6, 1983.
See: 15 N.J.R. 466(a), 15 N.J.R. 918(a).

Added new (c). Recodified old (c) as new (d).
Amended by R.2006 d.135, effective April 17, 2006.
See: 37 N.J.R. 1113(a), 4019(a), 38 N.J.R. 1733(b).

Section heading was "Quarantine, testing and transportation of quarantined birds of psittacine family"; rewrote (a).

8:23-1.5 Records of dealers in pet birds

Dealers in pet birds shall keep a record for at least two years of each transaction relating to such birds. This record shall include the names and addresses of sellers and purchasers of these birds, and the date of each transaction. Such record shall be available to inspection by authorized representatives of a local health agency or the Department of Health and Senior Services.

Amended by R.2006 d.135, effective April 17, 2006.
See: 37 N.J.R. 1113(a), 4019(a), 38 N.J.R. 1733(b).

Section heading was "Records of dealers in birds of psittacine family"; deleted "of the psittacine family"; added "pet" in first sentence; substituted "local health agency" for "board of health".

8:23-1.6 (Reserved)

Repealed by R.2006 d.135, effective April 17, 2006.
See: 37 N.J.R. 1113(a), 4019(a), 38 N.J.R. 1733(b).
Section was "Herd testing program".

SUBCHAPTER 2. SALE OR DISTRIBUTION OF VIABLE TURTLE EGGS AND LIVE TURTLES

8:23-2.1 Sale or distribution of viable turtle eggs and live turtles

(a) Subject to, and except as otherwise provided at, 21 C.F.R. §1240.62, viable turtle eggs and live turtles with a carapace length of less than four inches shall not be sold, held for sale, or offered for any other type of commercial or public distribution.

(b) Live turtles of carapace length of four inches or greater shall not be sold or in any way distributed or offered for sale or distribution within the State unless the person or entity seeking to sell or distribute the turtles warrants to the satisfaction of the Department of Health and Senior Services that each shipment of turtles is free from *Salmonella* contamination.

(c) The Commissioner of Health and Senior Services, in his or her discretion, may waive the requirements of (b) above for live turtles sold or distributed within this State for the purposes of research, other zoological purposes, or for food.

Amended by R.2006 d.135, effective April 17, 2006.

See: 37 N.J.R. 1113(a), 4019(a), 38 N.J.R. 1733(b).

Section was "Sale or distribution of live turtles"; rewrote the section.

rules governing the transport of animals as set forth in N.J.A.C. 8:23A-1.12.

(b) The Department of Health and Senior Services and the local health agency with jurisdiction in the municipality where the animal control officer is providing this service shall have concurrent jurisdiction and responsibility to enforce this provision.

Amended by R.2006 d.135, effective April 17, 2006.

See: 37 N.J.R. 1113(a), 4019(a), 38 N.J.R. 1733(b).

Rewrote the section.

SUBCHAPTER 3. TRANSPORTATION OF ANIMALS
BY ANIMAL CONTROL OFFICERS

8:23-3.1 Transportation of animals by animal control officers; responsibility

(a) Animal control officers transporting animals under the provisions of N.J.S.A. 4:19-15.16b shall comply with the