

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

Chapter 2, Disease Control Program, expires on November 10, 2009.

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Subchapter 10, Tests and Improvement Plans, was repealed by 1983 d.451, effective October 17, 1983.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Subchapter 2, Brucellosis Control and Eradication, was adopted as new rules, Subchapter 5, Sheep Disease Control, was repealed and Subchapter 5, Bovine Leucosis Program, was adopted as new rules, and Subchapter 6, Nutria, was repealed and Subchapter 6, Swine Pseudorabies Virus, was adopted as new rules by R.1989 d.30, effective January 17, 1989.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 dangerous to animal health

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

1. Livestock:
 - i. Anaplasmosis;
 - ii. Anthrax;
 - iii. Cattle tick fever;
 - iv. Contagious equine metritis;
 - v. Equine viral encephalitis;
 - vi. Equine infectious anemia;
 - vii. Mucosal disease complex;
 - viii. Paratuberculosis;
 - ix. Pseudorabies;
 - x. Rabies;
 - xi. Swine erysipelas;

- xii. Tuberculosis;
- xiii. Vesicular exanthema;
- xiv. Vesicular stomatitis;

xv. All foreign diseases that pose a threat to the health of livestock in the State as designated by USDA APHIS Title 9 CFR or USDA APHIS emergency declarations.

2. Poultry:

- i. Avian influenza;
- ii. Fowl typhoid;
- iii. Paracolon infestation;
- iv. Paratyphoid infection;
- v. Psittacosis or ornithosis;
- vi. Pullorum;
- vii. Erysipelas in poultry;
- viii. All foreign animal diseases.

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.

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.