

CHAPTER 5

QUARANTINES AND EMBARGOES ON ANIMALS

Authority

N.J.S.A. 4:1-11.1, 4:1-17, 4:1-18, 4:1-21.5 and 4:5-1 et seq.

Source and Effective Date

R.2005 d.398, effective October 20, 2005.
See: 37 N.J.R. 2307(a), 37 N.J.R. 4395(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 5, Quarantines and Embargoes on Animals, expires on April 18, 2011. See: 42 N.J.R. 2347(a).

Chapter Historical Note

Chapter 5, Quarantines and Embargoes on Animals, was adopted as R.1971 d.209, effective November 17, 1971. See: 3 N.J.R. 242(a).

Subchapter 1, Hog Cholera Quarantine, was repealed by R.1981 d.42, effective February 4, 1981. See: 13 N.J.R. 5(c), 13 N.J.R. 115(d).

Subchapter 1, Equine Entry Restriction, was adopted as Emergency New Rules by R.1992 d.321, effective July 20, 1992, expired September 18, 1992.

Subchapter 2, Equine Quarantines and Embargoes, was adopted as R.1973 d.233, effective August 30, 1973. See: 5 N.J.R. 254(a), 5 N.J.R. 327(a). Pursuant to Executive Order No. 66(1978), Subchapter 2 expired on April 3, 1984.

Subchapter 2, Equine Quarantines and Embargoes, was adopted as new rules by R.1984 d.221, effective June 18, 1984. See: 16 N.J.R. 578(a), 16 N.J.R. 1471(a).

Subchapter 3, Poultry Embargo, was adopted as Emergency New Rules by R.1983 d.572, effective November 21, 1983, to expire January 20, 1984. See: 15 N.J.R. 2048(a). The provisions of R.1983 d.572 were readopted by R.1984 d.59, effective March 19, 1984. See: 15 N.J.R. 2048(a), 16 N.J.R. 518(a).

Subchapter 4, Area Quarantine for Avian Influenza, was adopted as Emergency New Rules by R.1983 d.585, effective December 1, 1983, expired January 30, 1984. See: 15 N.J.R. 2176(a).

Pursuant to Executive Order No. 66(1978), Chapter 5, Quarantines and Embargoes on Animals, expired on June 18, 1989.

Chapter 5, Quarantines and Embargoes on Animals, was adopted as new rules by R.1989 d.454, effective August 21, 1989. See: 21 N.J.R. 1479(a), 21 N.J.R. 2472(a).

Pursuant to Executive Order No. 66(1978), Chapter 5, Quarantines and Embargoes on Animals, expired on August 21, 1994.

Chapter 5, Quarantines and Embargoes on Animals, was adopted as new rules by R.1995 d.199, effective April 3, 1995. See: 26 N.J.R. 1908(b), 27 N.J.R. 1399(b). Pursuant to Executive Order No. 66(1978), Chapter 5, Quarantines and Embargoes on Animals, expired on April 3, 2000.

Subchapter 1, Livestock Prohibition, was adopted as Emergency New Rules by R.1995 d.451, effective July 24, 1995, to expire September 22, 1995. See: 27 N.J.R. 2976(a). The provisions of R.1995 d.451 were readopted by R.1995 d.595, effective November 20, 1995. See: 27 N.J.R. 2976(a), 27 N.J.R. 4695(a).

Pursuant to Executive Order No. 66(1978), Chapter 5, Quarantines and Embargoes on Animals, was adopted as new rules by R.2000 d.224, effective June 5, 2000. See: 32 N.J.R. 733(a), 32 N.J.R. 2045(a).

Subchapter 4, Exotic Newcastle Disease (END), was adopted as Emergency New Rules by R.2003 d.170, effective April 2, 2003 to (expire June 1, 2003). See: 35 N.J.R. 1699(a).

The concurrent proposal of Subchapter 4, Exotic Newcastle Disease (END), was adopted by R.2003 d.251, effective May 29, 2003. See: 35 N.J.R. 1699(a), 35 N.J.R. 2861(a).

Subchapter 4, Exotic Newcastle Disease (END), was repealed by R.2004 d.229, effective June 21, 2004. See: 36 N.J.R. 1152(a), 36 N.J.R. 3055(a).

Chapter 5, Quarantines and Embargoes on Animals, was readopted by R.2005 d.398, effective October 20, 2005. See: Source and Effective Date. See, also, section annotations.

Subchapter 1, Delegation of Quarantine Authority, Subchapter 4, Livestock and Poultry, and Subchapter 5, Penalties, were adopted as new rules by R.2005 d.398, effective November 21, 2005. See: 37 N.J.R. 2307(a), 37 N.J.R. 4395(a).

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SUBCHAPTER 1. DELEGATION OF QUARANTINE AUTHORITY

2:5-1.1 State Board Approval

(a) At least once each calendar year, and at any other time deemed necessary, the Director, Division of Animal Health, shall advise the State Board of Agriculture of any contagious or infectious animal diseases as may be present in the State.

1. If, in the opinion of the Director, a disease is persistent and difficult to eradicate, authority may be requested from the State Board of Agriculture for the Division of Animal Health to issue prospective quarantines and violations and assess penalties for that disease, without prior board approval for a period not to exceed 12 months.

2. If a quarantine is issued pursuant to this authority, at the next regularly scheduled State Board of Agriculture meeting, the Director shall notify the Board of the quarantine and any violations issued, penalties assessed, or any other actions taken.

New Rule by R.2005 d.398, effective November 21, 2005.
See: 37 N.J.R. 2307(a), 37 N.J.R. 4395(a).

Former N.J.A.C. 2:5-1.1, Livestock prohibition—Vesicular stomatitis, recodified as N.J.A.C. 2:5-2.2, Vesicular stomatitis.

SUBCHAPTER 2. LIVESTOCK AND POULTRY PROHIBITION

2:5-2.1 Livestock and poultry prohibition

(a) Premises, areas, counties or states suspected or found positive by official laboratory confirmation for a contagious or infectious disease may be embargoed by the New Jersey Department of Agriculture.

(b) Once official laboratory confirmation is received that a premise, area, county or state is positive for a contagious or infectious disease, such premises, areas, counties or states shall remain embargoed until the State Veterinarian of the New Jersey Department of Agriculture is satisfied that the risk of disease exposure no longer exists.

New Rule by R.2005 d.398, effective November 21, 2005.
See: 37 N.J.R. 2307(a), 37 N.J.R. 4395(a).

Former N.J.A.C. 2:5-2.1 recodified as N.J.A.C. 2:5-3.1.

2:5-2.2 Vesicular stomatitis

(a) All livestock, and wild and exotic animals, to be imported from states which have been identified as being affected with the contagious viral disease known as vesicular stomatitis must first obtain a permit for entry by telephone at (609) 292-3965 or by fax at (609) 633-2550 (weekdays, 8:45 A.M.-4:45 P.M., EDT).

(b) Permits will be granted only for those animals that are accompanied by an approved Certificate of Veterinary Inspection which includes a statement that:

1. The animals have been examined and found free of evidence of vesicular stomatitis;
2. During the 30 days prior to shipment, the animals have not been within 10 miles of any premises on which vesicular stomatitis has been diagnosed within 60 days;
3. The animals have not been exposed to any animal which has been vaccinated with vesicular stomatitis vaccine, of any kind, within the last 30 days; and
4. The animals must have a negative test for vesicular stomatitis performed by an approved laboratory 10 days prior to shipment.

(c) Animals imported into New Jersey under such a permit shall be automatically quarantined for 14 days, and shall be isolated from other livestock until the quarantine expires or the animal(s) is released by the State Veterinarian or his or her representative.

(d) Premises suspected or found positive by official laboratory confirmation for vesicular stomatitis shall be quarantined by the Division of Animal Health, New Jersey Department of Agriculture.

(e) Once official laboratory confirmation of vesicular stomatitis exists, such premises shall remain under quarantine until the State Veterinarian of the New Jersey Department of Agriculture is satisfied that the risk of disease exposure no longer exists.

Emergency New Rule, R.1995, d.451, effective July 24, 1995 (expires September 22, 1995).

See: 27 N.J.R. 2976(a).

Adopted concurrent proposal, R.1995 d.595, effective November 20, 1995.

See: 27 N.J.R. 2976(a), 27 N.J.R. 4695(a).

Recodified from N.J.A.C. 2:5-1.1 and amended by R.2005 d.398, effective November 21, 2005.

See: 37 N.J.R. 2307(a), 37 N.J.R. 4395(a).

Former N.J.A.C. 2:5-2.2 recodified as N.J.A.C. 2:5-3.2.

2:5-2.3 (Reserved)

Repealed by R.2005 d.398, effective November 21, 2005.

See: 37 N.J.R. 2307(a), 37 N.J.R. 4395(a).

Section was "Importation for immediate slaughter."

SUBCHAPTER 3. EQUINE INFECTIOUS ANEMIA

2:5-3.1 Definitions

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

"Equine infectious anemia (EIA)" means an infectious and contagious disease of equidae caused by a transmissible virus, known colloquially as swamp fever.

"Infected animal" means an animal which has been examined by two or more official tests and is positive to both.

"Official test for equine infectious anemia" means the equine infectious anemia agar gel immuno-diffusion (AGID) procedure or the Enzyme Linked Immunosorbant Assay (ELISA) procedure as conducted in accordance with the following. All imported equidae shall have had a negative official test for equine infectious anemia conducted at a jointly approved United States Department of Agriculture—New Jersey Department of Agriculture laboratory within the past 12 months. Equidae younger than six months and accompanied by a dam that has a negative official test within the past 12 months are exempt from this testing requirement.