

CHAPTER 23

RABIES REPORTING, ANIMAL AND BIRD IMPORTATION, TESTING AND QUARANTINE

Authority

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

Source and Effective Date

R.2000 d.121, effective March 20, 2000.
See: 31 N.J.R. 3024(a), 32 N.J.R. 1052(b).

Chapter Expiration Date

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 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.1984 d.575, 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, Rabies Reporting; Animal and Bird Importation, Testing and Quarantine, was readopted as R.1995 d.24, effective December 13, 1994, and Subchapter 2, Importation or Release of Rabbits in this State, was repealed and Subchapter 4, Sale or Distribution of Live Turtles, was recodified as Subchapter 2, and Subchapter 3, Sanitary Operation of Kennels, Pet Shops, Shelters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 by R.1995 d.24, 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: Source and Effective Date.

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 23, Rabies Reporting, Animal and Bird Importation, Testing and Quarantine, expired September 16, 2005. See: 37 N.J.R. 1113(a).

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SUBCHAPTER 1. SANITARY OPERATION OF KENNELS, PET SHOPS, SHELTERS AND POUNDS

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

It shall be the duty of all veterinarians or persons owning or having an interest in, or having in their possession or under their care or control, or having knowledge of any dog, cat, or other animal, affected with rabies, or suspected of being affected with rabies, to forthwith notify the person designated by the board of health having jurisdiction over the place in which such animal is located, to receive such reports, by telephone, telegraph or in person, if practicable, and also in writing, signed by the person making the same, which report shall state where such animal may be found and shall contain, if possible, a description of the animal, the location of the animal, and the name and address of the owner.

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 birds of psittacine family

(a) Whenever a case of psittacosis exists among birds within the jurisdiction of a local board of health, or there is danger of the transmission of psittacosis from that jurisdiction, the local board of health 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).

8:23-1.5 Records of dealers in birds of psittacine family

Dealers in birds of the psittacine family 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 board of health or the Department of Health and Senior Services.

8:23-1.6 Herd testing program

Milk may not be used or sold within New Jersey unless obtained from dairy animals free of brucellosis as determined

by satisfactory blood tests or such other tests as are approved by the Department of Health and Senior Services, provided that animals which are the natural offspring of a brucellosis-free herd and which have never been moved from the herd of origin may, for practical purposes, be considered free of brucellosis until they are old enough to be tested in accordance with the regulations of the Department of Health and Senior Services. The tests shall be administered in accordance with standards approved by the Department of Health and Senior Services and shall be subject to review and final acceptance by that Department.

SUBCHAPTER 2. RABIES REPORTING; ANIMAL AND BIRD IMPORTATION, TESTING AND QUARANTINE

8:23-2.1 Sale or distribution of live turtles

(a) No live turtles shall be sold or in any way distributed or offered for sale or distribution within the State except where the seller or distributor of the turtles shall warrant to the satisfaction of the State Department of Health and Senior Services that each shipment of turtles is free from salmonella contamination.

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

SUBCHAPTER 3. TRANSPORTATION OF ANIMALS BY ANIMAL CONTROL OFFICERS

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

Animal control officers transporting animals under the provisions of N.J.S.A. 4:19-15.16b shall comply with the rules governing the transport of animals as set forth in N.J.A.C. 8:23A-1.12. It shall be the responsibility of the Department of Health and Senior Services and the local health department with jurisdiction in the municipality where the animal control officer is providing this service to enforce this provision.