

**CHAPTER 3**

**LIVESTOCK AND POULTRY IMPORTATION**

**Authority**

N.J.S.A. 4:5-54 through 75.

**Source and Effective Date**

R.2005 d.37, effective December 17, 2004.

See: 36 N.J.R. 4285(a), 37 N.J.R. 256(a).

**Chapter Expiration Date**

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 3, Livestock and Poultry Importation, expires on June 15, 2010. See: 42 N.J.R. 3(a).

**Chapter Historical Note**

Chapter 3, Livestock and Poultry Importation, was filed and became effective prior to September 1, 1969.

Pursuant to Executive Order No. 66(1978), Chapter 3, Livestock and Poultry Importation, was readopted as R.1983 d.452, effective September 29, 1983. See: 15 N.J.R. 1205(a), 15 N.J.R. 1754(a).

Pursuant to Executive Order No. 66(1978), Subchapter 4, Livestock for Immediate Slaughter, expired on January 8, 1986.

Pursuant to Executive Order No. 66(1978), Chapter 3, Livestock and Poultry Importation, expired on June 18, 1989.

Chapter 3, Livestock and Poultry Importation, was adopted as new rules by R.1989 d.455, effective August 21, 1989. See: 21 N.J.R. 1477(a), 21 N.J.R. 2470(a).

Pursuant to Executive Order No. 66(1978), Chapter 3, Livestock and Poultry Importation, was readopted as R.1994 d.399, effective July 7, 1994. See: 26 N.J.R. 1908(a), 26 N.J.A.C. 3159(a). Pursuant to Executive Order No. 66(1978), Chapter 3 expired on July 7, 1999.

Chapter 3, Livestock and Poultry Importation, was adopted as new rules by R.1999 d.258, effective August 16, 1999, and former 2:5-3.1, Poultry importation, and 2:5-3.4, Routes: Interstate shipment through New Jersey of live poultry, were readopted by R.1999 d.258, effective July 15, 1999, and recodified as 2:3-6.4 and 2:3-6.5 and amended by R.1999 d.258, effective August 16, 1999. See: 31 N.J.R. 1399(a), 31 N.J.R. 2325(a).

Chapter 3, Livestock and Poultry Importation, was readopted as R.2005 d.37, effective December 17, 2004. Subchapter 5, Goat Importation, was adopted as a new rule by R.2005 d.37 effective January 18, 2005. See: Source and Effective Date. See, also, section annotations.

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## SUBCHAPTER 1. GENERAL REQUIREMENTS

**2:3-1.1 Definitions**

(a) The following words and terms, as used in this chapter, shall have the following meanings. Words of art undefined in the following paragraphs shall have the meaning attributed to them by trade usage or general usage as reflected by definition in a standard dictionary, such as Webster's.

"Approved livestock facility" shall mean a facility as described in 9 C.F.R. Part 71.20.

"Custom slaughter operation" shall mean a slaughtering operation as described in 9 C.F.R. Part 303.1.

"Department" shall mean the New Jersey Department of Agriculture. For purposes of actions authorized by these rules, the Department may act through the State Veterinarian.

"Recognized slaughtering establishment" shall mean a slaughtering establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. §§ 601 et seq.) and the Poultry Products Inspection Act (21 U.S.C. §§ 451 et seq.).

"State Veterinarian" means Director, Division of Animal Health, New Jersey Department of Agriculture.

"Waybill" shall mean a document setting forth:

1. The name and address of the origin of the livestock or poultry imported for slaughter;
2. The type and quantity of such livestock or poultry being moved;
3. The name and address of the establishment to which such livestock or poultry are being moved; and
4. The date of the movement of such livestock or poultry into the establishment.

(b) Whenever, in describing or referring to any person, party, matter or thing, any word importing the singular number or masculine gender is used, the same shall be understood to include and to apply to several persons or parties as well as to one person or party and to females as well as males, and to bodies corporate as well as individuals, and to several matters and things as well as one matter or thing.

New Rule, R.2005 d.37, effective January 18, 2005.

See: 36 N.J.R. 4285(a), 37 N.J.R. 256(a).

Former N.J.A.C. 2:3-1.1, Interstate health certificate to a company animals entering State, recodified to N.J.A.C. 2:3-1.2.

**2:3-1.2 Interstate health certificate to accompany animals entering State**

All livestock and poultry moved into New Jersey, except for slaughter, shall be accompanied by an official Certificate

of Veterinary Inspection approved by the livestock disease control agency of the state of origin. A Poultry Inspection Certificate conforming with the requirements of N.J.A.C. 2:9-1.3 may be used for poultry being transported directly to live bird markets and auction markets in lieu of the Certificate of Veterinary Inspection. A Veterinary Services (VS) Form 9-3 may be used for poultry in lieu of the Certificate of Veterinary Inspection.

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.455, effective August 21, 1989.

See: 21 N.J.R. 1477(a), 21 N.J.R. 2470(a).

Reference to Certificate of Veterinary Inspection and to NPIP Form 3-B, added.

Amended by R.2001 d.283, effective August 20, 2001.

See: 33 N.J.R. 1886(a), 33 N.J.R. 2806(a).

Inserted sentence following first sentence, substituted "9-2" for "3-8" and inserted "other than live poultry markets" in last sentence.

Recodified from N.J.A.C. 2:3-1.1 and amended by R.2005 d.37, effective January 18, 2005.

See: 36 N.J.R. 4285(a), 37 N.J.R. 256(a).

Rewrote the section. Former N.J.A.C. 2:3-1.2, Contents of Certificate of Veterinary Inspection, recodified to N.J.A.C. 2:3-1.4.

**2:3-1.3 Livestock and poultry for slaughter**

(a) No livestock or poultry shall be imported into New Jersey for slaughter except in accordance with both the general requirements set forth in (a)1 through 5 below, and the specific requirements contained in N.J.A.C. 2:3-2 through 11 for each specific class of animal.

1. The livestock or poultry imported for slaughter shall be accompanied by a waybill;

2. The livestock or poultry imported for slaughter shall be transported directly to an approved livestock facility, custom slaughter operation, recognized slaughtering establishment or to a private residence for the purpose of slaughter;

3. The livestock or poultry imported for slaughter shall be slaughtered within 10 days of arrival in the State of New Jersey;

4. All approved livestock facilities, custom slaughter operations, recognized slaughtering establishments, and private residences as described in (b)2 above shall maintain all waybills for a period of six months and must present such waybills upon demand by the State Veterinarian or other employee or agent of the New Jersey Department of Agriculture, Division of Animal Health; and

5. Livestock and poultry for slaughter shall not be used or sold for any other purpose than slaughter, except that livestock and poultry for slaughter may be sold to custom slaughter operations.

“Class B State or area” shall mean a state or area as defined in 9 C.F.R. Part 78.1.

“Class C State or area” shall mean a state or area as defined in 9 C.F.R. Part 78.1.

“Class Free State or area” shall mean a state or area as defined in 9 C.F.R. Part 78.1.

(b) Copies of the documents listed in (a) above may be obtained electronically at [www.access.gpo.gov/nara/cfr/waisidx\\_04/9cfr77\\_04.html](http://www.access.gpo.gov/nara/cfr/waisidx_04/9cfr77_04.html) and [www.access.gpo.gov/nara/cfr/waisidx\\_04/9cfr78\\_04.html](http://www.access.gpo.gov/nara/cfr/waisidx_04/9cfr78_04.html).

(c) A copy of the documents listed in (a) above is on file in the State Veterinarian's Office, Division of Animal Health, New Jersey Department of Agriculture, Health and Agriculture Building, John Fitch Plaza, Trenton, NJ 08625.

New Rule, R.1984 d.226, effective May 31, 1984.

See: 16 N.J.R. 294(a), 16 N.J.R. 1469(b).

Old section 2.2 “Importing diseased cattle and goats” recodified to 2:3-2.3.

Amended by R.1989 d.455, effective August 21, 1989.

See: 21 N.J.R. 1477(a), 21 N.J.R. 2470(a).

Definition of “accredited herd” repealed and replaced and C.F.R. cites corrected.

Amended by R.2005 d.37, effective January 18, 2005.

See: 36 N.J.R. 4285(a), 37 N.J.R. 256(a).

Rewrote the section.

### 2:3-2.3 Tuberculosis testing

(a) All imported cattle shall be negative to a tuberculosis test within 60 days prior to entry, as described in the “Bovine Tuberculosis Eradication Uniform Methods and Rules” United States Department of Agriculture, 2004, APHIS 91-45-011, as amended and supplemented, which is hereby adopted and incorporated by reference.

(b) A copy of the document referred to in (a) above may be procured electronically at [www.aphis.usda.gov/oa/pubs/umr.html](http://www.aphis.usda.gov/oa/pubs/umr.html).

(c) A copy of the document referred to in (a) above is on file in the State Veterinarian's Office, Division of Animal Health, New Jersey Department of Agriculture, Health and Agriculture Building, John Fitch Plaza, Trenton, NJ 08625.

(d) Cattle that originate from an accredited-free State or zone or an accredited herd are exempt from tuberculosis testing. For an accredited herd, the Certificate of Veterinary Inspection shall include the accredited herd number of the herd of origin, the date on which the herd of origin was last tuberculin tested, and a statement by the accredited veterinarian that the cattle were included in the most recent test of the herd of origin and that testing with negative results occurred within one year prior to the date of movement, or that the cattle were natural additions to the herd.

Amended by R.1976 d.98, effective April 1, 1976.

See: 8 N.J.R. 95(a), 8 N.J.R. 215(a).

Revised (a)-(c).

Amended by R.1981 d.39, effective February 4, 1981.

See: 13 N.J.R. 4(b), 13 N.J.R. 115(a).

Revised text.

Recodified from 2:3-2.3 and amended by R.1984 d.226, effective May 31, 1984.

See: 16 N.J.R. 294(a), 16 N.J.R. 1469(b).

Old section “Brucellosis test for imported cattle” recodified to 2:3-2.9.

Amended by R.1989 d.455, effective August 21, 1989.

See: 21 N.J.R. 1477(a), 21 N.J.R. 2470(a).

Deleted (a); redesignated existing (b) to (a); added new (b) and (c).

Amended by R.2005 d.37, effective January 18, 2005.

See: 36 N.J.R. 4258(a), 37 N.J.R. 256(a).

Rewrote the section.

### 2:3-2.4 Tuberculosis test for imported cattle

The Department may require cattle imported to be tested for tuberculosis if in its judgment such testing would be necessary to prevent introduction of the disease.

Amended by R.2005 d.37, effective January 18, 2005.

See: 36 N.J.R. 4285(a), 37 N.J.R. 256(a).

Deleted “and bison” following “cattle”.

### 2:3-2.5 Brucellosis testing—Class Free States or areas

All cattle imported from Class Free States or areas are exempt from an official brucellosis test prior to entry.

New Rule, R.1984 d.226, effective May 31, 1984.

See: 16 N.J.R. 294(a), 16 N.J.R. 1469(b).

Amended by R.2005 d.37, effective January 18, 2005.

See: 36 N.J.R. 4285(a), 37 N.J.R. 256(a).

Substituted “cattle” for “animal” following “All”.

### 2:3-2.6 Brucellosis testing—Class A States

(a) The conditions in this section apply to cattle imported from Class A States or areas.

(b) All cattle to be imported, except steers or spayed heifers, must originate from and be members of, or natural additions to, a herd that has been brucellosis tested negative within 15 months or 450 days of entry, but prior to 90 days of shipment, and the herd test date shall be entered on the Certificate of Veterinary Inspection.

(c) All cattle to be imported six months of age or over shall be negative to an official brucellosis test within 30 days prior to entry.

(d) Official brucellosis vaccinated heifers under 14 months of age, steers and spayed heifers to be imported are exempt from brucellosis testing.

(e) Cattle to be imported that originate from a certified brucellosis-free herd are exempt from brucellosis testing. For a certified brucellosis-free herd, the Certificate of Veterinary Inspection shall include the certified herd number of the herd of origin, the date on which the herd of origin was last tested for brucellosis, and a statement by the accredited veterinarian that the cattle were included in the last herd test, or were natural additions to the herd.

New Rule, R.1984 d.226, effective May 31, 1984.

See: 16 N.J.R. 294(a), 16 N.J.R. 1469(b).

Amended by R.2005 d.37, effective January 18, 2005.  
See: 36 N.J.R. 4285(a), 37 N.J.R. 256(a).  
Rewrote the section.

### 2:3-2.7 Brucellosis testing—Class B and C States

(a) The conditions in this section apply to cattle imported from Class B and Class C States or areas.

(b) A prior permit for movement shall be obtained by the consignee from the State Veterinarian. Permits may be obtained as described in N.J.A.C. 2:3-1.9.

(c) All cattle to be imported must be members of or natural additions to a certified brucellosis-free herd.

(d) All cattle to be imported that are six months of age or over shall be negative to an official brucellosis test within 30 days prior to entry.

(e) Official brucellosis vaccinated heifers under 14 months of age, steers and spayed heifers are exempt from brucellosis testing.

(f) The Certificate of Veterinary Inspection shall include the prior permit number, the certified brucellosis-free herd number of the herd of origin, the date on which the herd of origin was last tested for brucellosis, and a statement by an accredited veterinarian that the cattle being imported were included in the last herd test, or were natural additions to the herd.

(g) The imported cattle shall be quarantined separate and apart from native cattle upon entry into the State until brucellosis-tested negative at the owner's expense, not less than 45 or more than 120 days after entry into the State.

Repeal and New Rule, R.1984 d.226, effective May 31, 1984.  
See: 16 N.J.R. 294(a), 16 N.J.R. 1469(b).

Old section was "Dip treatment of sheep originating in state with scabies".

Amended by R.1989 d.455, effective August 21, 1989.

See: 21 N.J.R. 1477(a), 21 N.J.R. 2470(a).

New (a)2 added, requirements for contents of Certificate of Veterinary Inspection; recodified (a)2-3 as (a)3-4, old 4 deleted, at (a)5 owners expense added and (a)6 deleted and new language added.

Amended by R.2005 d.37, effective January 18, 2005.

See: 36 N.J.R. 4285(a), 37 N.J.R. 256(a).

Rewrote the section.

### 2:3-2.8 Brucellosis test for imported cattle

The Department may require cattle to be imported to be tested for brucellosis if in its judgment such testing would be necessary to prevent introduction of the disease.

Amended by R.1981 d.39, effective February 4, 1981.

See: 13 N.J.R. 4(b), 13 N.J.R. 115(a).

Stylistic changes in (a); added (b).

Recodified from 2:3-2.4 and amended by R.1984 d.226, effective May 31, 1984.

See: 16 N.J.R. 294(a), 16 N.J.R. 1469(b).

Recodified from 2:3-2.4 to 2.9 with revisions in (b).

Repeal and recodification from 2:3-2.9 by R.1989 d.455, effective August 21, 1989.

See: 21 N.J.R. 1477(a), 21 N.J.R. 2470(a).

Revised text. Old section was "Interstate health certificate. The following annotation was originally part of 2:3-2.8 Interstate health certificate:".

New Rule, R.1984 d.226, effective May 31, 1984.

See: 16 N.J.R. 294(a), 16 N.J.R. 1469(b).

Amended by R.2005 d.37, effective January 18, 2005.

See: 36 N.J.R. 4285(a), 37 N.J.R. 256(a).

Rewrote the section.

### 2:3-2.9 Anaplasmosis or Bluetongue

(a) All cattle from states with endemic Anaplasmosis or Bluetongue, as determined by the United States Department of Agriculture, except cattle imported for slaughter, must be tested negative within 30 days prior to entry.

(b) Anaplasmosis positive cattle will be returned to the state of origin or quarantined until three repeated tests at least 30 days apart are negative.

(c) Bluetongue positive cattle will be quarantined and must be isolated until epidemiology and retesting discloses no potential threat to contact animals.

New Rule, R.1989 d.455, effective August 21, 1989.

See: 21 N.J.R. 1477(a), 21 N.J.R. 2470(a).

Old section "Brucellosis test for imported cattle" was recodified to 2:3-2.8.

Amended by R.2005 d.37, effective January 18, 2005.

See: 36 N.J.R. 4285(a), 37 N.J.R. 256(a).

Rewrote (a), (b); in (c), substituted "cattle" for "animals" following "Bluetongue positive".

## SUBCHAPTER 3. SWINE IMPORTATION

### 2:3-3.1 Compliance with subchapter and importation requirements

In addition to the general requirements for importation set forth at N.J.A.C. 2:3-1.1 through 1.6, all swine moved into New Jersey shall meet the specific requirements of this subchapter.

Amended by R.1989 d.455, effective August 21, 1989.

See: 21 N.J.R. 1477(a), 21 N.J.R. 2470(a).

N.J.A.C. cite corrected.

Amended by R.2005 d.37, effective January 18, 2005.

See: 36 N.J.R. 4285(a), 37 N.J.R. 256(a).

Amended N.J.A.C. reference.

### 2:3-3.2 Definitions

(a) The following words and terms, as used in this subchapter, shall have the following meanings, unless context clearly indicates otherwise.