

1. TITLE OF RULE FILING:

**RULES GOVERNING THE IMPORTATION OF DOMESTIC ANIMALS,
INCLUDING LIVESTOCK AND POULTRY**

2. PROPOSED NUMBER ASSIGNED BY THE SECRETARY OF STATE

24P 004

3. ADOPTING AGENCY:

Vermont Agency of Agriculture, Food & Markets

4. PRIMARY CONTACT PERSON:

(A PERSON WHO IS ABLE TO ANSWER QUESTIONS ABOUT THE CONTENT OF THE RULE).

Name: Kaitlynn Levine

Agency: Vermont Agency of Agriculture, Food & Markets

Mailing Address: 116 State Street, Montpelier, VT 05620

Telephone: 802-636-7144 Fax:

E-Mail: kaitlynn.levine@vermont.gov

Web URL *(WHERE THE RULE WILL BE POSTED)*:

<https://agriculture.vermont.gov/rule-governing-importation-livestock-and-poultry-rule-98074>

5. SECONDARY CONTACT PERSON:

(A SPECIFIC PERSON FROM WHOM COPIES OF FILINGS MAY BE REQUESTED OR WHO MAY ANSWER QUESTIONS ABOUT FORMS SUBMITTED FOR FILING IF DIFFERENT FROM THE PRIMARY CONTACT PERSON).

Name: Kristin Haas

Agency: Vermont Agency of Agriculture, Food & Markets

Mailing Address: 116 State Street, Montpelier, VT 05620

Telephone: 802-522-7326 Fax:

E-Mail: kristin.haas@vermont.gov

6. RECORDS EXEMPTION INCLUDED WITHIN RULE:

(DOES THE RULE CONTAIN ANY PROVISION DESIGNATING INFORMATION AS CONFIDENTIAL; LIMITING ITS PUBLIC RELEASE; OR OTHERWISE, EXEMPTING IT FROM INSPECTION AND COPYING?) No

IF YES, CITE THE STATUTORY AUTHORITY FOR THE EXEMPTION:

PLEASE SUMMARIZE THE REASON FOR THE EXEMPTION:

7. LEGAL AUTHORITY / ENABLING LEGISLATION:

(THE SPECIFIC STATUTORY OR LEGAL CITATION FROM SESSION LAW INDICATING WHO THE ADOPTING ENTITY IS AND THUS WHO THE SIGNATORY SHOULD BE. THIS SHOULD BE A SPECIFIC CITATION NOT A CHAPTER CITATION).

6 V.S.A. §1460 and § 1475

8. EXPLANATION OF HOW THE RULE IS WITHIN THE AUTHORITY OF THE AGENCY:

Section 1460 of Title 6 authorizes the Agency to adopt rules to prevent the introduction and spread of contagious disease. Section 1474 grants authority to adopt rules on the importation, documents required, and restrictions of movement into Vermont for domestic animals.

9. THE FILING HAS CHANGED SINCE THE FILING OF THE PROPOSED RULE.

10. THE AGENCY HAS INCLUDED WITH THIS FILING A LETTER EXPLAINING IN DETAIL WHAT CHANGES WERE MADE, CITING CHAPTER AND SECTION WHERE APPLICABLE.

11. SUBSTANTIAL ARGUMENTS AND CONSIDERATIONS WERE RAISED FOR OR AGAINST THE ORIGINAL PROPOSAL.

12. THE AGENCY HAS INCLUDED COPIES OF ALL WRITTEN SUBMISSIONS AND SYNOPSES OF ORAL COMMENTS RECEIVED.

13. THE AGENCY HAS INCLUDED A LETTER EXPLAINING IN DETAIL THE REASONS FOR THE AGENCY'S DECISION TO REJECT OR ADOPT THEM.

14. CONCISE SUMMARY (150 WORDS OR LESS):

This is an update to the existing importation rules for livestock and poultry. The rule outlines the documentation and disease testing requirements to import cattle/bison, equine, swine, sheep, goats, poultry, ratites, psittacine birds, camelids, and cervids from the US 50 States and Canada. Disease epidemiology and testing have changed, this update addresses the significant diseases of concerns and the tests required to reasonably demonstrate free status. This update aligns the rule with USDA disease programs, modern technology, and the disease traceability standards set by Vermont statutes. Examples of the changes: current USDA brucellosis program standards are eliminating the Class A-C language for describing state

status and has increased the age recommendation for swine testing from four months to six months of age.

15. EXPLANATION OF WHY THE RULE IS NECESSARY:

This rule was last updated in 1998, and many of the disease testing and documentation requirements have changed dramatically over the last 25 years due to changes in federal policies and scientific advancement. This update is needed to bring Vermont's animal importation rules in line with current science and national standards defined in the Code of Federal Regulations and United States Department of Agriculture policy documents and program standards.

16. EXPLANATION OF HOW THE RULE IS NOT ARBITRARY:

Vermont law (6 V.S.A. §1460 and § 1475) authorizes the Agency to adopt rules to control the movement of domestic animals into Vermont. These steps are necessary to prevent the introduction and spread of contagious disease and to efficiently track animals should a disease event occur, thereby lessening negative impacts of disease outbreak and spread for Vermont's animal agriculture sector. The proposed updates are based on state and federal laws, federal program disease standards, and the best science currently available, and are applied as practically as possible for each situation to balance the protection of animal and human health with the needs of animal agricultural businesses.

17. LIST OF PEOPLE, ENTERPRISES AND GOVERNMENT ENTITIES AFFECTED BY THIS RULE:

All entities involved in the importation of livestock and/or poultry or the enforcement of those rules, including Vermont-based and out-of-state livestock/poultry farmers and owners; livestock dealers/packers/transporters and markets; slaughter facilities; food animal veterinarians; agricultural fair superintendents and managers; and livestock/poultry event and exhibition organizers and managers.

18. BRIEF SUMMARY OF ECONOMIC IMPACT (150 WORDS OR LESS):

This proposal does not constitute a new set of requirements for livestock and poultry stakeholders but

instead modernizes and streamlines requirements that have been in place since at least 1998. The proposed amendments make some animal importation requirements more lenient and flexible, allowing for the realization of greater economic potential by livestock and poultry stakeholders, and others more stringent to ensure adequate protection from introduction and spread of diseases that affect animals and humans. The net effect should be minimal for any individual stakeholder or animal agricultural business owner. Most animal importation-related requirements in the current rule and contemplated under the proposed amendments are fulfilled by out of state entities before the animal(s) are imported into Vermont.

19. A HEARING WAS HELD.

20. HEARING INFORMATION

(THE FIRST HEARING SHALL BE NO SOONER THAN 30 DAYS FOLLOWING THE POSTING OF NOTICES ONLINE).

IF THIS FORM IS INSUFFICIENT TO LIST THE INFORMATION FOR EACH HEARING, PLEASE ATTACH A SEPARATE SHEET TO COMPLETE THE HEARING INFORMATION.

Date: 2/23/2024

Time: 12:00 PM

Street Address: 163 Admin Dr, Randolph Center

Zip Code: 05061

URL for Virtual: https://teams.microsoft.com/l/meetup-join/19%3ameeting_M2UwZWZhMDktNTljYi00NzRlLTg5YTMtNmFkMTc5NTUyZjcy%40thread.v2/0?context=%7b%22Tid%22%3a%2220b4933b-baad-433c-9c02-70edcc7559c6%22%2c%220id%22%3a%221e4d7752-ac37-4ace-b110-97532d9e861b%22%7d

Date: 2/27/2024

Time: 06:00 PM

Street Address:

Zip Code:

URL for Virtual: https://teams.microsoft.com/l/meetup-join/19%3ameeting_OGU3YTU0ODUtMWYxNi00OTdiLTkzMWYtNzg0OGFjNzZhZDZk%40thread.v2/0?context=%7b%22Tid%22%3a%2220b4933b-baad-433c-9c02-

70edcc7559c6%22%2c%22Oid%22%3a%221e4d7752-ac37-4ace-
b110-97532d9e861b%22%7d

Date: 3/6/2024

Time: 12:00 PM

Street Address: 163 Admin Dr, Randolph Center

Zip Code: 05061

URL for Virtual: https://teams.microsoft.com/l/meetup-join/19%3ameeting_N2RjYWY3MmEtM2I1My00MTA4LWI5ZTMtYjk2YzdjMzE1NDUz%40thread.v2/0?context=%7b%22Tid%22%3a%2220b4933b-baad-433c-9c02-70edcc7559c6%22%2c%22Oid%22%3a%221e4d7752-ac37-4ace-b110-97532d9e861b%22%7d

Date:

Time: AM

Street Address:

Zip Code:

URL for Virtual:

21. DEADLINE FOR COMMENT (NO EARLIER THAN 7 DAYS FOLLOWING LAST HEARING):

3/15/2024

KEYWORDS (PLEASE PROVIDE AT LEAST 3 KEYWORDS OR PHRASES TO AID IN THE SEARCHABILITY OF THE RULE NOTICE ONLINE).

Import Rules

Livestock and Poultry

Animal Disease Traceability

Adopting Page

Instructions:

This form must accompany each filing made during the rulemaking process:

Note: To satisfy the requirement for an annotated text, an agency must submit the entire rule in annotated form with proposed and final proposed filings. Filing an annotated paragraph or page of a larger rule is not sufficient. Annotation must clearly show the changes to the rule.

When possible, the agency shall file the annotated text, using the appropriate page or pages from the Code of Vermont Rules as a basis for the annotated version. New rules need not be accompanied by an annotated text.

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3. TYPE OF FILING (*PLEASE CHOOSE THE TYPE OF FILING FROM THE DROPDOWN MENU
BASED ON THE DEFINITIONS PROVIDED BELOW*):

- **AMENDMENT** - Any change to an already existing rule, even if it is a complete rewrite of the rule, it is considered an amendment if the rule is replaced with other text.
- **NEW RULE** - A rule that did not previously exist even under a different name.
- **REPEAL** - The removal of a rule in its entirety, without replacing it with other text.

This filing is **AN AMENDMENT OF AN EXISTING RULE** .

4. LAST ADOPTED (*PLEASE PROVIDE THE SOS LOG#, TITLE AND EFFECTIVE DATE OF
THE LAST ADOPTION FOR THE EXISTING RULE*):

RULE #98074, Effective 12/8/98, "RULES GOVERNING THE
IMPORTATION OF DOMESTIC ANIMALS, INCLUDING LIVESTOCK
AND POULTRY"



INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: January 8, 2024, virtually via Microsoft Teams

Members Present: Chair Sean Brown, Jared Adler, Jennifer Mojo, Diane Sherman, Michael Obuchowski, and Nicole Dubuque

Members Absent: John Kessler

Minutes By: Melissa Mazza-Paquette

- 2:00 p.m. meeting called to order, welcome and introductions.
- Review and approval of minutes from the November 13, 2023 meeting.
- No additions/deletions to agenda. Agenda approved as drafted.
- No public comments made.
- Presentation of Proposed Rules on pages 2-12 to follow.
 1. Administration of Nonemergency Involuntary Psychiatric Medications, Department of Mental Health, page 2
 2. Vital Records Rule, Department of Health, page 3
 3. VPharm Coverage, Department of Vermont Health Access, page 4
 4. Rules Governing the Importation of Domestic Animals, Including Livestock and Poultry, Vermont Agency of Agriculture, Food & Markets, page 5
 5. Antidegradation Implementation Rule, Agency of Natural Resources, page 6
 6. Reach Up Eligibility Rules, Department for Children and Families, page 7
 7. Reach Up Services Rules, Department for Children and Families, page 8
 8. Reach First Rules, Department for Children and Families, page 9
 9. Postsecondary Education Program Rules, Department for Children and Families, page 10
 10. Private Nonmedical Institution Rules Simplification, Department of Vermont Health Access, page 11
 11. Nursing Home Reimbursement Rule Simplification, Department of Vermont Health Access, page 12
- Next scheduled meeting is Monday, February 23, 2024 at 1:00 p.m.
- 3:38 p.m. meeting adjourned.

Presented By: Kaitlynn Levine

Motion made to accept the rule by Mike Obuchowski, seconded by Sean Brown, and passed unanimously except for Nicole Dubuque who abstained, with the following recommendations:

1. Title Page: Proposed rule must be signed by Agency Secretary Anson Tebbetts prior to moving forward with LCAR.
2. Economic Impact Analysis, #3: Include the estimated costs and benefits anticipated. May use language from #8, Concise Summary on the Proposed Coversheet, and address the cost neutral balance.
3. Public Input Maximization Plan, #3: Define the stakeholders and distribution lists.

Economic Impact Analysis

Instructions:

In completing the economic impact analysis, an agency analyzes and evaluates the anticipated costs and benefits to be expected from adoption of the rule; estimates the costs and benefits for each category of people enterprises and government entities affected by the rule; compares alternatives to adopting the rule; and explains their analysis concluding that rulemaking is the most appropriate method of achieving the regulatory purpose. If no impacts are anticipated, please specify “No impact anticipated” in the field.

Rules affecting or regulating schools or school districts must include cost implications to local school districts and taxpayers in the impact statement, a clear statement of associated costs, and consideration of alternatives to the rule to reduce or ameliorate costs to local school districts while still achieving the objectives of the rule (see 3 V.S.A. § 832b for details).

Rules affecting small businesses (excluding impacts incidental to the purchase and payment of goods and services by the State or an agency thereof), must include ways that a business can reduce the cost or burden of compliance or an explanation of why the agency determines that such evaluation isn't appropriate, and an evaluation of creative, innovative or flexible methods of compliance that would not significantly impair the effectiveness of the rule or increase the risk to the health, safety, or welfare of the public or those affected by the rule.

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3. CATEGORY OF AFFECTED PARTIES:

LIST CATEGORIES OF PEOPLE, ENTERPRISES, AND GOVERNMENTAL ENTITIES POTENTIALLY AFFECTED BY THE ADOPTION OF THIS RULE AND THE ESTIMATED COSTS AND BENEFITS ANTICIPATED:

All entities involved in the importation of livestock and/or poultry or the enforcement of those rules, including Vermont-based and out-of-state livestock/poultry farmers and owners; livestock dealers/packers/transporters and markets; slaughter facilities; food animal veterinarians; agricultural

fair superintendents and managers; and livestock/poultry event and exhibition organizers and managers. Costs are associated with the various testing requirements, but are anticipated to be de minimis. Benefits will include access to modern testing protocols, electronic and extended CVIs which lower costs and increase efficiency, and continued assurance that imported animals meet minimum health standards.

4. IMPACT ON SCHOOLS:

INDICATE ANY IMPACT THAT THE RULE WILL HAVE ON PUBLIC EDUCATION, PUBLIC SCHOOLS, LOCAL SCHOOL DISTRICTS AND/OR TAXPAYERS CLEARLY STATING ANY ASSOCIATED COSTS:

N/A

5. ALTERNATIVES: CONSIDERATION OF ALTERNATIVES TO THE RULE TO REDUCE OR AMELIORATE COSTS TO LOCAL SCHOOL DISTRICTS WHILE STILL ACHIEVING THE OBJECTIVE OF THE RULE.

N/A

6. IMPACT ON SMALL BUSINESSES:

INDICATE ANY IMPACT THAT THE RULE WILL HAVE ON SMALL BUSINESSES (EXCLUDING IMPACTS INCIDENTAL TO THE PURCHASE AND PAYMENT OF GOODS AND SERVICES BY THE STATE OR AN AGENCY THEREOF):

Small businesses that are livestock/poultry centric will need to ensure that the animals they are importing comply with the updated rule. While the direct actionable changes are on the out-of-state producers, ultimately the responsibility to maintain compliance will fall to the Vermont importer. The costs for disease testing, veterinary services, and documentation may be passed onto the Vermont importer, but that is dependent on the business relationship of animal exchange and is inherent to these industries.

7. SMALL BUSINESS COMPLIANCE: EXPLAIN WAYS A BUSINESS CAN REDUCE THE COST/BURDEN OF COMPLIANCE OR AN EXPLANATION OF WHY THE AGENCY DETERMINES THAT SUCH EVALUATION ISN'T APPROPRIATE.

Compliance with these rules in advance of importation reduces the risk of contagious diseases that could be devastating to their existing herds and businesses. The use of electronic or extended CVIs as provided for in this update decreases the average costs and increases

the convenience of providing copies to states, fairs, transporters, and inspectors. This will minimize disruptions to commerce. Additional cost saving would be on an individual basis depending on their state of origin (some provide free official ID as Vermont does), business model, and veterinary-client relationships. Veterinarians responsible for completing health inspections often have decreased rates for farms they have regular interactions with versus just-in-time services. Each state has importation requirements for disease testing and documentation, this is considered part of the cost of doing business in this sector.

8. COMPARISON:

COMPARE THE IMPACT OF THE RULE WITH THE ECONOMIC IMPACT OF OTHER ALTERNATIVES TO THE RULE, INCLUDING NO RULE ON THE SUBJECT OR A RULE HAVING SEPARATE REQUIREMENTS FOR SMALL BUSINESS:

There is currently a rule in place. Keeping the rule as-is beholdens producers to obsolete processes which can be costly and burdensome. Remaining with the old rule also decreases the Agency's ability to enforce, respond to, and control animal diseases of concern coming into the state. While changes will require additional testing for some animals, it will decrease the requirements of others. This update also increases the efficiency and standardization of required documentation which will allow for faster identification of animal movements in the event of an outbreak. Rapid identification and containment of disease will minimize the impact of disease on the animal agricultural economy.

9. SUFFICIENCY: *DESCRIBE HOW THE ANALYSIS WAS CONDUCTED, IDENTIFYING RELEVANT INTERNAL AND/OR EXTERNAL SOURCES OF INFORMATION USED.*

The Agency consulted with the USDA and state partners for consistency with other state importation requirements to ensure the proposed rule amendments were in line with national standards and similar practices. The Agency also researched the scientific literature pertaining to the prevalence and methods of spread of program diseases in the US to determine the most practical policies for preventing introduction of

those diseases while also taking into consideration the financial impacts of disease prevention on Vermont livestock/poultry stakeholders.

Environmental Impact Analysis

Instructions:

In completing the environmental impact analysis, an agency analyzes and evaluates the anticipated environmental impacts (positive or negative) to be expected from adoption of the rule; compares alternatives to adopting the rule; explains the sufficiency of the environmental impact analysis. If no impacts are anticipated, please specify “No impact anticipated” in the field.

Examples of Environmental Impacts include but are not limited to:

- Impacts on the emission of greenhouse gases
- Impacts on the discharge of pollutants to water
- Impacts on the arability of land
- Impacts on the climate
- Impacts on the flow of water
- Impacts on recreation
- Or other environmental impacts

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3. GREENHOUSE GAS: *EXPLAIN HOW THE RULE IMPACTS THE EMISSION OF GREENHOUSE GASES (E.G. TRANSPORTATION OF PEOPLE OR GOODS; BUILDING INFRASTRUCTURE; LAND USE AND DEVELOPMENT, WASTE GENERATION, ETC.):*

This rule does not change the number of transports or infrastructure related to livestock. It is unlikely that this rule will alter greenhouse gas emissions associated with the importation of livestock.

4. WATER: *EXPLAIN HOW THE RULE IMPACTS WATER (E.G. DISCHARGE / ELIMINATION OF POLLUTION INTO VERMONT WATERS, THE FLOW OF WATER IN THE STATE, WATER QUALITY ETC.):*

This rule will have no effect on the way livestock are maintained in the state and does not impact the use of water in Vermont.

5. **LAND:** *EXPLAIN HOW THE RULE IMPACTS LAND (E.G. IMPACTS ON FORESTRY, AGRICULTURE ETC.):*

This rule will have no effect on the way livestock are maintained in the state and does not impact the use of land in Vermont.

6. **RECREATION:** *EXPLAIN HOW THE RULE IMPACTS RECREATION IN THE STATE:*

This rule defines the requirements for importing domestic animals for exhibition or personal use. These updates do not create unnecessary burden and are in line with surrounding state requirements for animals in this category. The rule provides for flexibility of livestock movement within New England during fair season and it brings Vermont into alignment with 34 other states allowing for easier movement of horses.

7. **CLIMATE:** *EXPLAIN HOW THE RULE IMPACTS THE CLIMATE IN THE STATE:*

This rule does not affect the number of animals being farmed in Vermont or elsewhere. It does not alter the use of water, or obligate more land to be used for maintaining livestock. It increases the emphasis on electronic systems, thus decreasing paper copies that used to be sent in triplicate. This rule does not rely on new or obligate systems, but rather integrates with computers, tablets, or phones that people are already using. The impact is therefore likely to be neutral to the existing rule.

8. **OTHER:** *EXPLAIN HOW THE RULE IMPACT OTHER ASPECTS OF VERMONT'S ENVIRONMENT:*

The rule update supports the concept of One Health, by testing for and controlling the spread of diseases that can impact both human health and wildlife.

9. **SUFFICIENCY:** *DESCRIBE HOW THE ANALYSIS WAS CONDUCTED, IDENTIFYING RELEVANT INTERNAL AND/OR EXTERNAL SOURCES OF INFORMATION USED.*

The Agency based the environmental impact analysis on the information available and in conversation with federal, state, and wildlife partners.

Public Input Maximization Plan

Instructions:

Agencies are encouraged to hold hearings as part of their strategy to maximize the involvement of the public in the development of rules. Please complete the form below by describing the agency's strategy for maximizing public input (what it did do, or will do to maximize the involvement of the public).

This form must accompany each filing made during the rulemaking process:

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3. **PLEASE DESCRIBE THE AGENCY'S STRATEGY TO MAXIMIZE PUBLIC INVOLVEMENT IN THE DEVELOPMENT OF THE PROPOSED RULE, LISTING THE STEPS THAT HAVE BEEN OR WILL BE TAKEN TO COMPLY WITH THAT STRATEGY:**

The Agency is in constant contact with the public on topics of importation requirements. Daily discussions and observations have been incorporated into the decision making process. The Agency will publish the proposal on our website and advertise in Agency of Agriculture newsletters. The Agency will specifically reach out to stakeholders via distribution lists- including vets, program participants, and FSCP Field Notes subscribers- and key partners - 4H, VVMA, breed associations- to invite relevant feedback. Public hearings will also be scheduled to provide a forum for public comments.

4. **BEYOND GENERAL ADVERTISEMENTS, PLEASE LIST THE PEOPLE AND ORGANIZATIONS THAT HAVE BEEN OR WILL BE INVOLVED IN THE DEVELOPMENT OF THE PROPOSED RULE:**

Attorney General's Office

Vermont Department of Fish and Wildlife

Public Input

VVMA

USDA AHPIS

Vermont Department of Health

Scientific Information Statement

THIS FORM IS ONLY REQUIRED IF THE RULE RELIES ON SCIENTIFIC INFORMATION FOR ITS VALIDITY.

PLEASE REMOVE THIS FORM PRIOR TO DELIVERY IF IT DOES NOT APPLY TO THIS RULE FILING:

Instructions:

In completing the Scientific Information Statement, an agency shall provide a summary of the scientific information including reference to any scientific studies upon which the proposed rule is based, for the purpose of validity.

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3. BRIEF EXPLANATION OF SCIENTIFIC INFORMATION:

Literature reviews of disease prevalence throughout the US were evaluated to determine the current range of the diseases of concern. Additional consultation was made of subject matter experts at the USDA who have access to privileged information to ensure that our recommendations aligned with best practices and the program updates they have in the works but are not yet able to publish.

4. CITATION OF SOURCE DOCUMENTATION OF SCIENTIFIC INFORMATION:

Information on relevant diseases and federal program standards are provided on the Agency website.

5. INSTRUCTIONS ON HOW TO OBTAIN COPIES OF THE SOURCE DOCUMENTS OF THE SCIENTIFIC INFORMATION FROM THE AGENCY OR OTHER PUBLISHING ENTITY:

Information on relevant diseases and federal program standards are provided on the Agency website.

Incorporation by Reference

THIS FORM IS ONLY REQUIRED WHEN INCORPORATING MATERIALS BY REFERENCE. PLEASE REMOVE PRIOR TO DELIVERY IF IT DOES NOT APPLY TO THIS RULE FILING:

Instructions:

In completing the incorporation by reference statement, an agency describes any materials that are incorporated into the rule by reference and how to obtain copies.

This form is only required when a rule incorporates materials by referencing another source without reproducing the text within the rule itself (e.g., federal or national standards, or regulations).

Incorporated materials will be maintained and available for inspection by the Agency.

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3. DESCRIPTION (*DESCRIBE THE MATERIALS INCORPORATED BY REFERENCE*):

Vermont state statutes, Vermont Rules Governing Captive Cervidae, and the Code of Federal Regulations for "Animal Disease Traceability" and "Scrapie in Sheep and Goats"

4. FORMAL CITATION OF MATERIALS INCORPORATED BY REFERENCE:

6 V.S.A. §1459 - 1477; 6 V.S.A § 1151 - 1184; 6 V.S.A § 762 - 764; 6 V.S.A. §1 - 23; 9 CFR Part 86; 9 CFR Part 79; Vermont Rules Governing Captive Cervidae

5. OBTAINING COPIES: (*EXPLAIN WHERE THE PUBLIC MAY OBTAIN THE MATERIAL(S) IN WRITTEN OR ELECTRONIC FORM, AND AT WHAT COST*):

All are available for free online:

<https://legislature.vermont.gov/statutes/title/06>

<https://agriculture.vermont.gov/sites/agriculture/files/Vermont%20Captive%20Cervid%20Rules.pdf>

<https://www.ecfr.gov/current/title-9/chapter-I/subchapter-C/part-86>

<https://www.ecfr.gov/current/title-9/chapter-I/subchapter-C/part-79>

6. **MODIFICATIONS** (*PLEASE EXPLAIN ANY MODIFICATION TO THE INCORPORATED MATERIALS E.G., WHETHER ONLY PART OF THE MATERIAL IS ADOPTED AND IF SO, WHICH PART(S) ARE MODIFIED*):

Run Spell Check

Vermont Agency of Agriculture, Food, and Markets
Food Safety & Consumer Protection Division
116 State Street
Montpelier, VT 05620
www.agriculture.vermont.gov

Office (802) 828-2426
Fax (802) 828-5983

**Rules Governing the Importation of Domestic Animals, Including Livestock and Poultry:
Public Comment Response Summary**

April 5, 2024

On January 19, 2024, the Vermont Agency of Agriculture, Food and Markets (Agency) submitted a proposed rule titled “Rules Governing the Importation of Domestic Animals, Including Livestock and Poultry” to the Vermont Secretary of State. The public comment period began on January 24, 2024, when the Secretary of State’s office published the proposed rule. In accordance with the requirements of 6 V.S.A. §840(a), the Agency held public hearings on February 23, February 27, and March 6, 2024.

Pursuant to 6 V.S.A. §840(c), the Agency is required to afford all persons reasonable opportunity to submit data, views or arguments, orally or in writing, at least through the seventh day following the last public hearing. Since submitting the proposed rule, the Agency has utilized multiple newspapers, newsletters and distribution email lists, created a new email address and webpage, and held multiple public hearings all for the purpose of engaging the public and stakeholders to submit comments. Further, the Agency afforded the public this opportunity to submit comments beyond the §840(c) required minimum seven days following its public hearing by concluding the public comment period on March 15, 2024.

In addition to affording the public a reasonable opportunity to submit public comment, 6 V.S.A. §840(d) requires that the Agency consider fully all written and oral submissions concerning its proposed rule. Comments received, whether orally or in writing, during the public comment period were compiled and evaluated by Agency staff.

The Public Comment Response Summary provides responses from the Food Safety and Consumer Protection Division to the questions and comments that were received during the public comment period on the proposed “Rules Governing the Importation of Domestic Animals, Including Livestock and Poultry.”





Summary of Comments / Questions

This response summary groups the comments/questions received by individuals/organizations and provides the Division's responses. The comments are in bold below, and the Division's response to each is in the highlighted text following.

Kathleen Gill

Hi,

I am an ambulatory equine veterinarian based out of Addison County, and have clients in Rutland and Chittenden counties as well.

I have concerns regarding the new import requirement for horses requiring a negative EIA (Coggins) test every 6 months. I have been practicing in Vermont since 2016 and there has not been an EIA positive horse in this state in those years, and to my knowledge for many years prior. If we were a state with a greater flow of horses into the state with positive cases occurring more regularly than every 8+ years, this new rule would not be so surprising. What is the reasoning behind this new rule?

Does this mean clients who do not travel out of state but simply need a coggins to trailer to their trainer or to local horse shows would need a new coggins drawn every 6 months?

The cost of horse ownership is increasing in every facet- grain, farrier, hay (especially with last year's decimation of the hay crop), and veterinary costs are all increasing. I do not believe requiring biannual Coggins testing is a reasonable cost to add to our clients.

Thank you for your comments. The 6-month requirement was proposed due to the insidious nature of the disease and an acknowledgement that a test only represents the disease status the day it was taken. EIA remains a great concern in many parts of the United States. New England had a positive case as recently as March 2024. Testing only once annually increases the risk of introduction to Vermont via importations from regions where there is a higher prevalence of this disease. However, the proposed 6-month requirement does not match the industry standard of annual testing and may also add to the cost of horse ownership. The Agency is therefore removing the proposed 6-month requirement and replacing it with the prior 12-month requirement.

Harry and Colleen O'Rourke

This document is pertaining to the new proposed Changes on page 12, section C. Equine, stating that Equines must have a 6-month coggins test to enter the state of Vermont.

Pond Hill Ranch, the O'Rourke Family is strongly opposed to this change for various reasons, not limited to the cost associated with it, the unavailable access to Veterinarians in





remote locations that our horses go to in the summer (camps), and the knowledge that 95% of the states in the US abide by the 12-month rule.

Please take into consideration our concerns.

Thank you for the comments you submitted in writing and during your participation at our public hearing. As discussed above, the proposal was intended to be a protective measure on behalf of resident equines. However, it is not our intention to impede commerce, and this would create a burden for the Vermont equine industry disproportionate to other states. We are therefore returning the requirement back to 12 month testing interval.

Mary ODonovan

Hello,

I am an equine veterinarian in Addison County.

I have reservations regarding the new import requirements for horses.

A negative EIA test every 6 months is not needed. Please explain your rationale.?! We simply do not have a problem with EIA in New England or east of the Mississippi River.

Also, requiring an import permit number for horses is also unnecessary. This will cause our equine producers unnecessary costs? Many of the largest states out west do not require import numbers for horses and they actually have highly transmissible diseases out west. Do you propose to have an electronic version available, for after hours? My colleagues out west state, they have wrote health certificates twice, and charge 2 x more when permit numbers are required.

Both of these proposals scream big government that will only increase costs unnecessarily for local businesses.

Thank you for your comments. The 6-month requirement was proposed due to the insidious nature of the disease and an acknowledgement that a test only represents the disease status the day it was taken. EIA remains a great concern in many parts of the United States. New England had a positive case as recently as March 2024. Testing only once annually increases the risk of introduction to Vermont via importations from regions where there is a higher prevalence of this disease. The proposed 6-month requirement does not match the industry standard of annual testing and may also add to the cost of horse ownership. The Agency is therefore removing the proposed 6-month requirement and replacing it with the prior 12-month requirement.



Additionally, the proposed rules do not require an import permit for horses. Instead, the Rule clarifies that exhibition permits may be obtained for horses originating in partnering states to afford the opportunity for those imports to travel with a CVI for 180 days, though only for temporary import and exhibition. Clarification has been added to the import permit section of the proposed Rule to prevent confusion in the future.

Hank Dimuzio/Rhonda Roberts

As one of the few cervid farms in Vermont, we have two comments.

First:

“Section III G. Cervids a. Importation requirements for all purposes other than immediate slaughter:

iv. All cervids imported into Vermont shall be imported directly from the herd of origin they were born into.”

All livestock moves. Why single out cervids to come only from their birth herd of origin. We have disease traceability, dual tagging, and health papers like the rest of the livestock industry. This portion of the proposed rule is biased and a restraint of trade. It should be stricken.

Second:

“F. Exhibition Animals

b. In order to temporarily import livestock, except cervids, for exhibition on an extended Certificate of Veterinary Inspection, a person must obtain an exhibition permit in accordance with the procedure adopted by the Secretary.”

This is very vague and unclear. Does this mean that cervids can't be temporarily imported for exhibition or that they don't need an exhibition permit, just an extended Certificate of Veterinary Inspection? Further clarification is necessary. If the intention is that they cannot be temporarily imported for exhibition purposes, why not? Again, there is no reason to isolate the cervid industry from other livestock, if all the other rules of importation are followed.

Respectfully submitted,

Thank you for your comments. Both comments stem from a perception of treating captive cervids differently than other livestock and you are correct, they are. Cervids pose a unique risk of spreading a potentially devastating disease to resident wildlife. Chronic wasting disease (CWD) can go undetected for years and has no approved antemortem regulatory test for cervid species allowed to be imported into Vermont. Due to this risk,



there are rules and restrictions on federal and state levels imposed on captive cervids beyond those required for other livestock. These rules are specifically designed to allow for the continuation of farming cervids while balancing the concerns for native wild deer and moose.

The federal standard relies on a minimum of 5 years' worth of mortality testing to gain reasonable confidence in the disease status of an individual animal. Additional layers of protection are added by evaluating the CWD status of the entire state or province of origin. Without limitations to a herd of origin, Vermont would be subject to the risk of an animal moving from a region from which it does not allow importation to a new herd in an allowable region and then into Vermont.

Cervids cannot be imported into Vermont temporarily or for exhibition. Prions that cause CWD can persist in the environment and spread to wildlife. Farms with cervids have fencing specifications beyond what is practical to require of fairgrounds. Additionally, all CWD-susceptible cervid mortalities must be reported to the state for disease sampling to determine if that individual could have spread CWD while still alive. A CWD-positive animal brought to the state temporarily could have contaminated the environment and the Agency would not have knowledge of its final disposition once it returned to its state of origin.

Julie Smith

The rule looks sound overall. I have a question about the avian influenza testing section on page 18. The description doesn't mention avian influenza testing at all, just Pullorum. Is this correct or is something missing?

All the best

Thank you, and yes, this was a typographical error. It has been corrected.

Kent Underwood

Hi team,

Please include water buffalo in one of the categories or include own category for water buffalo. There are more water buffalo milked around the world than dairy cattle.

The largest water buffalo dairy in US was in Vermont and there are still a few throughout the state.

Thank you

Thank you for catching this oversight. The original definition of "cattle" was broad enough that it covered water buffalo. Unfortunately, it technically included sheep and



goats as well. In an effort to ensure small ruminants were clearly not defined as "cattle," the new definition was proposed, inadvertently omitting water buffalo. In response to your comment, the Agency has specified that the requirements for water buffalo are the same as those for "cattle." Thank you.

Josh Lucas

To Whom it may concern,

I am writing to express my concern regarding the Rule Governing the Importation of Domestic Livestock. I am a cattle producer and professional grazer in western Vermont, beef cattle in particular. My concerns with the rule is that it still has Anaplasmosis testing required in Section III,A,a,ii,3. My question is why are we still requiring testing for a disease that we have many confirmed cases of right here in Vermont? There has been Anaplasmosis, that we have seen first hand with cattle born and raised right here with no exposure to out of state livestock, for the better part of the last decade. Veterinarians have tested whole herds and found many positive blood levels, and many confirmed numerous individual cases. It's pretty widespread in my area and it shows up every time you put cattle into brush filled pastures, particularly pastures with a lot of Red Cedar trees. This is a tick born illness at this point and time, it came when the tick populations exploded in the last two decades.

In addition to this, the list of states that are listed as high risk, is totally wrong, it has states on there where the producers I talk to from there have never heard of Anaplasmosis. The inverse is also true, known hot spots for Anaplasmosis are not on there at all. So I question the vitality of the list.

So as a producer who wants to do commerce nation wide, this testing is absolutely a waste of time and resources, it's already here. In the high speed world we are operating in, to ask a seller to test and hold their animals until the results come back, is just ludicrous; they won't do it. So therefore, this outdated rule, is constricting our agriculture economy unnecessarily.

I would propose that the state of Vermont drop all testing requirements for Anaplasmosis.

Respectfully submitted

Thank you for your comments and perspective on behalf of your industry. Anaplasmosis is a vector spread disease that is endemic in many parts of the United States. In these endemic regions, where the disease is an everyday occurrence, the morbidity and mortality of exposed animals is significantly lower than when it is introduced to new or naive populations. This is why many producers within the endemic states may not be aware of its presence. As the ticks responsible for spreading this disease are able to overwinter and sustain life cycles in broader geographical territories, the economic



impacts are felt along the leading edge of that geographic expansion. Vermont does have a low prevalence of anaplasmosis, and the proposed language of the rule intended to make sure the prevalence remains low. Only through pre-importation testing would the State of Vermont be able to limit disease prevalence in Vermont-resident livestock and prevent more impactful disease introduction.

However, the host range of anaplasmosis and bluetongue are changing. Inevitably they will reach Vermont in time, with or without importation restrictions. There is also limited data of the prevalence of each of these conditions in other geographic regions, and determining the states of concern identified in the proposed rule was difficult. The Agency's intention had been to protect industry from diseases that are primarily economic concerns. There are many diseases for which the Agency does not require testing, and it may be time to place anaplasmosis and bluetongue into that category. The goal of seeking public comments and the Agency's outreach to industry partners was to hear from those most significantly impacted. Individual herdsman can choose to require these tests prior to importation in the future, and though we may recommend it, it will no longer be mandated by the Agency.

Mark Rodgers

Dr Kristin Haas,

I would like to comment on VERMONT RULE #98074 Effective 2024 RULES GOVERNING THE IMPORTATION LIVESTOCK AND POULTRY

I am concerned that while the State of VT has a requirement for the testing of CWD in cervids that there is not a similar concern for MV (Maedi-Visna) otherwise referred to as OPP (Ovine Progressive Pneumonia) in sheep and CEA (Caprine arthritis-encephalitis) in goats. All are chronic wasting diseases for which there are no vaccines and no cure.

Please see following scientific details from WOA and Merck Veterinary Manual:

“Maedi-visna (MV) is a persistent lentivirus infection of sheep. It is often grouped together with caprine arthritis-encephalitis (CAE) of goats as the small ruminant lentiviruses (SRLVs). Maedi-visna is also known as ovine progressive pneumonia (OPP). Maedi-visna is an Icelandic name that describes two of the clinical syndromes recognized in MV virus From the World Organization on Animal Health:

(MVV)-infected sheep. ‘Maedi’ means ‘laboured breathing’ and describes the disease associated with a progressive interstitial pneumonitis, and ‘visna’ means ‘shrinkage’ or ‘wasting’, the signs associated with a paralyzing meningoencephalitis. Progressive lung disease is the primary finding with MVV infection. Phylogenetic analyses



comparing nucleotide sequences of MV virus (MVV) and CAE virus (CAEV) have demonstrated that these are closely related lentiviruses. One source of CAEV and MVV transmission is colostrum and milk. The source of horizontal transmission in the absence of lactation remains unknown; however, faeces and lung fluids are known to harbour infectious virus. Clinical and subclinical MV and CAE are associated with progressive, mononuclear cell inflammatory lesions in the lungs, joints, udder and central nervous system. Indurative mastitis is common in both host species, and its economic significance may be underestimated. Laboured breathing associated with emaciation caused by progressive pneumonitis is the predominant feature in clinically affected sheep, whereas polyarthritis is the main clinical sign in goats. However, most lentivirus-infected sheep and goats are largely asymptomatic, but remain persistent carriers of virus and are capable of transmitting infection via colostrum or milk and respiratory secretions. There are no vaccines available. There is no evidence that humans are susceptible to any SRLVs.”

Merck Veterinary Manual

“Currently, there is no practical, effective treatment for ovine progressive pneumonia, and no vaccines are available. Therefore, the only means for control and prevention are serologic testing and removal of positive animals. Because of the long incubation period and time to seroconversion, retesting animals once yearly, or even twice yearly, may be indicated. In addition to the approach of testing and culling, it has previously been recommended to raise lambs or kids from seropositive dams separately. Recent research suggests that seroconversion more frequently occurs when young animals join the breeding flock, and separating lambs and kids may not be necessary. Some producers may still feed lambs and kids colostrum from seronegative animals, or heat-treated colostrum, and raise the animals on milk replacer, milk from seronegative animals, or heat-treated milk as the primary method of control.

Key Points

- *Lentiviral infection is responsible for chronic diseases in sheep and goats, including ovine progressive pneumonia and caprine arthritis and encephalitis.*
- *Control relies on serologic testing of herds and preventing the introduction of infected animals.”*

As is recommended by Merck Veterinary Manual, we can only resist this disease by preventing the introduction of infected animals. It is a logical conclusion that the State of Vermont should require the testing and prevention of MV (or OPP) and or CAE infected animals from entering Vermont.

I wish to go on record as insisting that the State of Vermont require that only sheep and goats negative tested for MV (or OPP) and CAE be allowed import into Vermont.





Please feel free to contact me if you wish any further discussion. I appreciate your time and consideration.

Sincerely,

Thank you for your comments and perspective on behalf of your industry. There are many diseases for which the Agency does not require testing as there are no federal or state regulatory programs to support standardized requirements. Individual herdsman can choose to request these tests prior to importation, and though recommended, it is not mandated by the Agency.

Additional comments were received from partners outside of the public comment period. These comments were separately responded to and incorporated as necessary into the final draft of the rules as submitted.



Annotated
Text

RULES GOVERNING THE IMPORTATION LIVESTOCK AND POULTRY

Promulgated under the authority of 6 V.S.A. Chapter 107 § 1475

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Information and assistance in understanding these rules may be obtained by contacting the Animal Health Section of the Agency of Agriculture, Food and Markets, at 802-828-2421 or agr.animalhealth@vermont.gov

SECTION I. DEFINITIONS

1. **Accredited Veterinarian** is a veterinarian who is approved by the United States Department of Agriculture (USDA) and the State Animal Health Official in the state of origin of the imported animal to inspect and test domestic animals and issue Certificates of Veterinary Inspection.

~~2. **Anaplasmosis Prevalent State** refers to the following states with high risk of Anaplasma marginale and Anaplasma centrale in livestock:~~

Alabama	Arkansas	California
Colorado	Delaware	Florida
Georgia	Idaho	Kansas
Louisiana	Maryland	Mississippi
Missouri	Montana	Nebraska
Nevada	North Carolina	Oklahoma
Oregon	South Carolina	South Dakota
Tennessee	Texas	Washington
Wyoming	Puerto Rico	Virgin Islands
Virginia		

~~3.2. **Animal or Domestic Animal** means cattle, sheep, goats, equines, swine, camelids, fallow deer, red deer, elk, reindeer domestic cervids, American bison, poultry, pheasant, Chukar partridge, Coturnix quail, psittacine birds, ferrets, and ratites (ostriches, rheas and emus), and water buffalo.~~

~~4.3. **Approved Laboratory** is a laboratory recognized by USDA Animal and Plant Health Inspection Service (APHIS) to conduct official diagnostic testing.~~

~~5. **Approved Livestock Market** is a livestock market that is recognized by USDA and that has a current market agreement with it.~~

~~6. **Bluetongue High Risk State** refers to the following states with high risk of Bluetongue Virus infection in livestock:~~

Alabama	Arizona	Arkansas
California	Colorado	Florida
Georgia	Idaho	Illinois
Indiana	Iowa	Kansas
Kentucky	Louisiana	Mississippi
Missouri	Montana	Nebraska
Nevada	New Mexico	North Carolina
North Dakota	Oklahoma	Oregon
South Carolina	South Dakota	Tennessee
Texas	Utah	Washington
Wyoming	Puerto Rico	Virgin Islands
Virginia		

~~7.4. **Certificate of Veterinary Inspection** is a document issued by an Accredited~~

Veterinarian in which the Accredited Veterinarian certifies that:

- a. all statements required by these rules concerning the importation of domestic animals are true,
- b. all animals referenced on the document have been inspected and officially identified, and
- c. all tests required by these rules have been performed.

~~8~~.5. **Chronic Wasting Disease (CWD) Affected State** is a state or Canadian province that has had a positive diagnosis of CWD in a captive cervid. A state or province may be considered no longer affected if the Secretary has determined that it has taken appropriate actions to control or eradicate CWD and/or it has instituted a mandatory CWD monitoring/certification program for all captive cervid herds and has not diagnosed a case of CWD for a minimum of 5 years.

~~9~~.6. **CWD Endemic State** is a state or Canadian province that has had a positive diagnosis of CWD in free-ranging cervids. A state or province may be considered no longer endemic if the Secretary has determined appropriate actions were taken to determine disease prevalence and has not diagnosed a case of CWD for a minimum of 5 years.

~~10~~.7. **CWD monitored/certified herd** is a herd which has successfully enrolled and advanced in an officially recognized-state/provincial approved program requiring identification, records, inspection and testing of cervids for CWD.

~~11~~.8. **Contagious Disease** is any disease found in domestic animals which is capable of spreading from one domestic animal to another or to wild animals with or without actual contact, including reportable diseases as defined in 6 V.S.A. Section 1151(13).

~~12~~.9. **Herd of Origin** is a group of animals under common ownership or supervision in which the animal was born or spent the past 90 days prior to importation. Herd of Origin does not include a temporary assembly of animals for sale or shipment.

~~13~~.10. **Immediate Slaughter** means slaughter of livestock within 7 days from time of entry into Vermont and without diversion from slaughter channels or comingling with animals outside of those channels.

~~14~~.11. **Import** is any act of transporting domestic animals into Vermont from any state or country. The term "import" does not apply to domestic animals residing in Vermont that temporarily leave the state for not more than 30 days, return to the premises of origin, and have met the health requirements of the state(s) of destination in the interim.

~~15~~.12. **Importer** is any person transporting their own domestic animals into Vermont or a purchaser or consignee to whose premises or to whose custody domestic animals are first delivered after entry into Vermont.

~~16~~.13. **Import Permit** is a permit issued by the Secretary authorizing a person to import domestic animals into Vermont. See section II.C of these rules.

~~17~~.14. **Livestock** are domesticated animals normally considered farm animals which are generally used as a food source, including cattle, equine, goats, sheep, swine, camelids, fallow deer, red deer, elk, reindeer, and American bison.

~~18~~.15. **Livestock Dealer** is a person who is licensed and bonded in accordance with 6 V.S.A. § 762 and 764 to buy, sell, lease, or transport livestock, or to operate a livestock auction or sales ring.

~~19~~.16. **National Poultry Improvement Plan (NPIP)** is a national poultry management, sanitation and monitoring program as described in 9 CFR Part 145.

~~20~~.17. **Official Individual Identification** is a set of unique identifying characters that comply with USDA's Animal Disease Traceability rule, 9 CFR Part 86, including any future amendments to the rule, except that:

- a. the Agency does not accept group/lot identification number (GIN) as Official Individual Identification; animals must be individually identified.

- b. the Agency does not accept backtags, even if moving directly to slaughter; official identification must be tamper-resistant and have a high rate of retention.
 - c. Species not covered by 9 CFR Part 86 may be identified by microchips or other EID.
- ~~21~~.18. **Official Test or Official Diagnostic Test** is a diagnostic test that is approved and recommended by USDA or Secretary for determining the presence or absence of a disease and that is conducted and reported by an Official Tester.
- ~~22~~.19. **Official Tester** is a person who conducts or reports Official Tests within an Approved Laboratory or a person authorized by USDA to conduct and report Official Diagnostic Tests outside of the laboratory environment.
- ~~23~~.20. **Person** is an individual, partnership, association, corporation, or organization of persons whether incorporated or not, including any municipality, state, or federal agency, or subdivision of any state.
- ~~24~~.21. **Post-entry Test and Examination** means the testing and examining of imported domestic animals deemed necessary by the Secretary.
- ~~25~~.22. **Poultry** means domesticated birds of all ages which may be used as human food, and/or which produce eggs that may be used as human food. Poultry includes chickens, turkeys, domestic ducks, geese, pheasants, Chucker partridge and Coturnix quail. Poultry includes these species even when used for exhibition, hobby, or as pets.
- ~~26~~.23. **Premises of Destination** is the first premises within the Vermont on which imported domestic animals are confined.
- ~~27~~.24. **Premises of Origin** is the place of birth or last housing of the animal for at least 90 days prior to its importation.
- ~~28~~.25. **Secretary** means the Secretary of the Vermont Agency of Agriculture, Food & Markets (the Agency) or their designated representative, including the State Veterinarian and Animal Health Specialists.
- ~~29~~.26. **Slaughter Channels** means movement of animals only within Approved Livestock Markets and/or to commercial slaughter facility, as defined by 6 V.S.A. §1459, without diversion to or interim stops in established breeding, feeding or commercial production herds.
- ~~30~~.27. **Slaughter Livestock** is livestock originating in any state or country specifically designated to a licensed slaughter establishment for immediate slaughter or to an Approved Livestock Market authorized to handle out-of-state livestock.
- ~~31~~.28. **Test Eligible** means that the animal has attained the specified age to require testing as set forth in these rules.
- a. **Brucellosis test eligible cattle/bison** means all unvaccinated cattle/bison over 6 months of age (180 days) and all official vaccinates over 18 months of age (540 days), or as defined by current Uniform Methods and Rules.
- ~~32~~.29. **Uniform Methods and Rules** are the procedures published by USDA APHIS for the eradication of specific diseases under federal/state cooperative eradication programs. Uniform Methods and Rules also refers to future updates to these procedures which may be given a different name by USDA APHIS.

SECTION II. GENERAL INFORMATION

A. Requirements

- a. In order to import or cause a domestic animal to be imported into Vermont, a person must ensure that the requirements of these rules are met. All tests and documentation required by 6 V.S.A. Chapter 107 and these rules, including a Certificate of Veterinary Inspection, import permit, or an Owner-Shipper Statement, are the responsibility of the importer.
- b. A Certificate of Veterinary Inspection and import permit are not required for livestock imported into Vermont for immediate slaughter as prescribed by section II.E of these rules.
- c. Before importing or causing to import a domestic animal from a federal quarantine, region of enhanced surveillance, or movement restriction order, a person must first obtain written permission from the Secretary.
- d. A person shall not import or cause to be imported into Vermont a domestic animal that is affected with or has been exposed to any contagious disease.
- e. All tests required for import purposes must be Official Diagnostic Tests completed in the state of origin.
 - i. During periods of heightened disease risk, the Secretary may alter the testing, timing, and restrictions associated with importation of livestock and poultry.
- f. If the Secretary has reason to believe that a domestic animal may have been imported into Vermont in violation of these rules, the Secretary may issue a quarantine for the domestic animal, its products, and conveyances. The quarantine is in place until the Secretary releases the quarantine in writing.

If the Secretary determines that a domestic animal has been imported into Vermont in violation of these rules, the Secretary may require that the domestic animal be:

- i. returned to the state of origin within 48 hours,
- ii. slaughtered or euthanized within 72 hours, or
- iii. tested, identified and/or inspected.

The importer shall pay any expense incurred under this subsection and shall not be entitled to any compensation from the state.

B. Certificate of Veterinary Inspection

- a. A Certificate of Veterinary must include:
 - i. the name and address of the consignor and the consignee;
 - ii. the physical address of the premises of origin and the premises of destination;
 - iii. the Official Individual Identification and a listing of breed, sex, age, and any other information pertinent to each animal's identity;
 - iv. the dates and results of all tests conducted as required by section III of these rules;
 - v. the date of examination which must be within 30 days of the import date;
 - vi. unique identifying number for the certificate itself;

- vii. the import permit number when required by these rules;
 - viii. the signature and accreditation number of the accredited veterinarian;
 - ix. a certification by the accredited veterinarian that all statements made, tests conducted, and identities established for each domestic animal to be imported; and
 - x. when requested by the accredited veterinarian, the signature of the owner certifying that, at the time of issue, the domestic animals readied for import are in fact the animals for which the Certificate of Veterinary Inspection has been issued.
- b. The accredited veterinarian must ensure that an official copy of each Certificate of Veterinary Inspection is submitted to the state animal health official of the state of origin, as prescribed by 9 CFR Part 86.5.
 - c. For each animal, the importer is required to:
 - i. have a Certificate of Veterinary Inspection completed by an accredited and licensed veterinarian of the state or country of origin within 30 days immediately prior to entry into the state or as otherwise provided by these rules; and
 - ii. ensure an official copy of each Certificate of Veterinary Inspection accompanies the animal during shipment and transportation.
 - d. The Secretary may disapprove a Certificate of Veterinary Inspection that does not meet the requirements of these rules.
 - e. Animals accompanied by a Certificate of Veterinary Inspection that has been disapproved may be considered illegal imports and may be subject to quarantine or to actions pursuant to section II.A.f of these rules.

C. Import Permit

- a. If an import permit is required by section III of these rules, the importer shall ensure that an import permit is obtained by the accredited veterinarian issuing the Certificate of Veterinary Inspection.
- b. To apply for an import permit, the veterinarian shall provide to the Secretary:
 - i. A Certificate of Veterinary Inspection with a unique identifying number completed within 30 days of proposed movement. The Certificate of Veterinary Inspection must contain all information required in section II.B.
 - ii. The expected date of importation.
 - iii. All species testing specifically required in section III of these rules.
- c. An import permit is not required for livestock imported into Vermont from Canada that have passed USDA veterinary inspection and have been properly released for entry into the United States, except that an import permit is required for cervids imported into Vermont from Canada for any reason, including for immediate slaughter.

- d. The Secretary may require an import permit for any domestic animal not otherwise provided for under section III of these rules from any area that the Secretary has determined may represent a threat for the introduction of a contagious animal disease.

D. Owner-Shipper Statement

- a. In order to import or cause to be imported into Vermont any livestock consigned for immediate slaughter, a person must have in their possession an Owner-Shipper Statement certifying that the identified animals are being transported for purposes stipulated in accordance with 9 CFR Part 86.
- b. The Owner-Shipper Statement must include:
 - i. the name and address of the consignor and the consignee,
 - ii. the physical address of the premises of origin and the premises of destination,
 - iii. the date of entry into Vermont and a statement that all livestock are consigned for immediate slaughter,
 - iv. a listing of Official Individual Identification as defined in section I.20, and
 - v. the signature of shipper certifying that the livestock is/are imported for immediate slaughter.

E. Slaughter Livestock

- a. Slaughter livestock imported into Vermont must be accompanied by an Owner-Shipper Statement in accordance with section II.D.
- b. Because slaughter livestock are not required to have a Certificate of Veterinary Inspection, an import permit, or required specific tests as specified in section III, they may not be comingled with animals outside of slaughter channels. Therefore, slaughter livestock must be moved directly without interim stops to an Approved Livestock Market or approved slaughter establishment.
 - i. Slaughter livestock shall not be removed from the slaughter channels except as permitted by the Secretary.
- c. Slaughter livestock moved to an Approved Livestock Market:
 - i. must be individually identified as defined by these rules.
 - ii. may then be sold only to an approved slaughter establishment, and after sale shall be moved immediately and directly without interim stops from the Approved Livestock Market to the slaughtering establishment.

F. Exhibition Animals

- a. An exhibition is a recognized/organized spectator event in which a domestic animal is exhibited or entered in a competition and may receive awards or prizes.

- b. In order to temporarily import livestock, except cervids, for exhibition on an extended Certificate of Veterinary Inspection, a person must obtain an exhibition permit in accordance with the procedure adopted by the Secretary. All tests must be current at the time of exhibition as required under section III of these rules. Livestock must originate from a state approved by the Secretary. To obtain a copy or learn more about this procedure, please contact the Animal Health Section.
- c. If the Secretary determines there is a risk of contagious disease, the Secretary may require a Certificate of Veterinary Inspection to be issued within 30 days and/or import permit in accordance with section II prior to entry.

G. Variance

- a. A variance to these rules must be requested in writing to the Secretary and must be obtained prior to importation.

H. Importation and Possession of Animals for Hunting

- a. A person shall not import or possess any live animal for the purpose of taking by hunting, unless the Vermont Department of Fish and Wildlife has issued the person an importation and possession permit.

I. Penalties

- a. A violation of these rules may be subject to penalties under 6 V.S.A. §1469 and 6 V.S.A. Chapter 1.

SECTION III. TESTING AND SPECIAL REQUIREMENTS FOR IMPORTING DOMESTIC ANIMALS

A. CATTLE/BISON

Bison an animal of the genus *Bison* also called American bison and “buffalo.”

Cattle are animals of the genus *Bos*. For the purposes of importation, domestic water buffalo must meet the requirements for “cattle.”

a. Importation requirements for all purposes other than immediate slaughter:

i. Documentation

1. Certificate of Veterinary Inspection,
2. import permit, and
3. Official Individual Identification

ii. Disease Testing

1. Brucellosis:

a. All cattle shall either:

- i. originate from a herd of origin in states or Canadian provinces classified "certified free" of brucellosis or an equivalent classification, or
- ii. originate from officially recognized certified brucellosis free herds, or
- iii. all test-eligible cattle must individually test negative to an Official Test for brucellosis within 30 days immediately prior to entry into the state. All unvaccinated cattle/bison over 6 months of age (180 days) and all official vaccinates over 18 months of age (540 days) shall be considered brucellosis test eligible cattle/bison unless otherwise defined by current federal brucellosis program standards.
- iv. All bison must have a negative Official Test for brucellosis within 30 days prior to importation. Bison that originate from official certified brucellosis free herd are exempt from the requirement for a brucellosis test. The current brucellosis certified free herd status shall be indicated on the Certificate of Veterinary Inspection.
- v. All test-eligible imported bison must be tested for brucellosis between 45 days and 120 days post entry into Vermont. The owner of imported bison is responsible for the cost of testing.

2. Tuberculosis:

- a. All cattle or bison shall either:
 - i. originate from a herd of origin in states or Canadian provinces classified accredited free of tuberculosis or an equivalent classification;
 - ii. originate from a bovine tuberculosis accredited free herd. The current TB accredited herd status shall be indicated on the Certificate of Veterinary Inspection; or
 - iii. test negative to on an Official Test for tuberculosis within 60 days immediately prior to entry into Vermont, except that the following cattle/bison are exempt from the tuberculosis test requirement.

~~3. Anaplasmosis:~~

- ~~a. All cattle/bison 30 days of age or older originating in an Anaplasmosis Prevalent State as defined by these rules shall have been negative on an Official Test for anaplasmosis conducted within 30 days prior to entry.~~

~~4. Bluetongue:~~

- ~~a. All cattle/bison 30 days of age or older originating in a Bluetongue High Risk State as defined by these rules, shall have been tested by an Official Test for bluetongue within 30 days prior to entry. Cattle/bison testing serologically positive will be allowed entry if they are negative on a virus isolation or PCR test conducted in an Approved Laboratory.~~

- iii. **Calves under fourteen (14) days** of age are exempt from the import permit and Certificate of Veterinary Inspection requirements if:
 1. The calves:
 - a. were born in and originate from a state with which the Secretary has an agreement regarding the import of calves under 14 days of age; and
 - b. have Official Individual Identification prior to movement;
 2. The importer:
 - a. is a Vermont licensed livestock dealer;
 - b. keeps a separate record of each shipment listing all animals imported, the date of import, the disposition of each animal and the date of disposition;
 - c. maintains this record for five years or as specified in 9 CFR Part 86.3 and it available for inspection by the Secretary upon request.

b. Importation requirements for immediate slaughter (slaughter livestock):

i. Documentation

1. Official Individual Identification
2. Owner Shipper Statement (section II.D)
- ii. Slaughter livestock must remain in the slaughter channels as defined in

these rules. Such cattle consigned to an Approved Livestock Market shall be identified by slaughter only ear tags or other official means of identification approved for this purpose by the Secretary. Cattle or bison so identified shall not be allowed to leave slaughter channels except as permitted by the Secretary.

B. SWINE

Swine is an animal of the species *Sus scrofa domesticus*, commonly referred to as pigs or hogs, including pot-belly pigs. Swine does not include free-living or feral wild boars or wild swine.

a. Importation requirements for all purposes other than immediate slaughter:

i. Documentation

1. Certificate of Veterinary Inspection,
2. import permit, and
3. Official Individual Identification.

ii. Disease Testing

1. Brucellosis:

- a. All swine shall either:
 - i. originate from a herd of origin in states or Canadian provinces classified "certified free" of brucellosis or an equivalent classification: or
 - ii. originate from a Validated swine brucellosis free or Validated-Qualified herd: or
 - iii. if 6 months of age or over, or per current federal brucellosis program standards, be blood tested negative to a USDA officially recognized brucellosis test dated within 30 days immediately prior to entry into Vermont.

2. Pseudorabies:

- a. All swine imported into the state must either:
 - i. originate directly from herds of origin in states in Stage V of the swine pseudorabies eradication program;
 - ii. originate directly from an officially recognized Qualified pseudorabies negative herd and the current pseudorabies qualified herd status shall be indicated on the Certificate of Veterinary Inspection; or
 - iii. test negative to an Official Test for pseudorabies within 30 days immediately prior to entry into Vermont.
- b. All swine required to test that are not imported directly from the herd of origin must be quarantined apart from other swine on the importer's premises until retested with an Official Test within 30-60 days at the importer's expense.

b. Importation requirements for immediate slaughter (slaughter livestock):

i. Documentation

1. Official Individual Identification
 2. Owner Shipper Statement (section II.D)
- ii. Slaughter livestock must remain in the slaughter channels as defined in these rules. Such pigs consigned to an Approved Livestock Market shall be identified by slaughter only ear tags or other official means of identification approved for this purpose by the Secretary. Pigs so identified shall not be allowed to leave slaughter channels except as permitted by the Secretary.

C. EQUINE

Equine means any member of the family equidae including horses, ponies, mules, donkeys, and zebra.

a. Importation requirements for all purposes:

i. Documentation

1. Certificate of Veterinary Inspection.

ii. Disease Testing

1. Equine Infectious Anemia:

- a. All equine imported into Vermont shall test negative for Equine Infectious Anemia (EIA) within 12~~6~~ months of entry by a Coggins test or other USDA Official Test for Equine Infectious Anemia, except for pre-weaned foals under 6 months of age traveling with its dam which has been tested as required under these rules. The Certificate of Veterinary Inspection shall contain the date of the test for EIA, and identify the laboratory performing the test.

iii. Extended Equine CVI:

1. Horses originating from participating states may travel ~~on an~~under the authority of EECVI provided the Coggins is up to date at the time of movement into Vermont and they are accompanied by the ~~appropriate EECVI Movement~~required Trip Permit(s).

D. SHEEP

Sheep is an animal of the genus Ovis.

a. Importation requirements for all purposes other than immediate slaughter:

i. Documentation

1. Certificate of Veterinary Inspection,
2. import permit, and
3. Official Individual Identification.

ii. Disease Testing

1. ~~Bluetongue:~~

- ~~a. Sheep 90 days or more of age originating in a Bluetongue High Risk State as defined by these rules, shall be negative to an Official Test for bluetongue conducted within 30 days prior to entry. Sheep or lambs testing serologically positive will be allowed entry if they are negative on a virus isolation or PCR test conducted in an Approved Laboratory.~~

2.1. Scrapie:

- a. No sheep or lamb known as positive, suspect, high-risk or exposed for scrapie disease or originating from an infected, source or exposed flock shall be imported into Vermont except in accordance with 9 CFR Part 79 and with written permission from the Secretary.

b. Importation requirements for immediate slaughter (slaughter livestock):

i. Documentation

1. Official Individual Identification
2. Owner Shipper Statement (section II.D)

- ii. Slaughter livestock must remain in the slaughter channels as defined in these rules. Such sheep consigned to an Approved Livestock Market shall be identified by slaughter only ear tags or other official means of identification approved for this purpose by the Secretary or in accordance with 9 CFR Part 79. Sheep so identified shall not be allowed to leave slaughter channels except as permitted by the Secretary.

E. GOATS

Goat is an animal of the genus Capra.

a. Importation requirements for all purposes other than immediate slaughter:

i. Documentation

1. Certificate of Veterinary Inspection,
2. import permit, and
3. Official Individual Identification.

ii. Disease Testing

1. Brucellosis:

- a. All goats shall either:
- i. originate from brucellosis certified free states/Canadian provinces; or
 - ii. originate from a herd which has completed a negative whole herd brucellosis test of animals 6 months of age or older within the previous 12 months and shall be indicated on the Certificate of Veterinary Inspection; or
 - iii. must have a negative test for brucellosis within 30 days prior to importation.

2. Tuberculosis:

- a. All goats shall either:
 - i. Originate from bovine tuberculosis accredited free states/Canadian provinces; or
 - ii. tuberculosis accredited free herds are exempt from tuberculosis tests; or
 - iii. test negative for tuberculosis within 60 days prior to importation.

3. Scrapie:

- a. No goat known as positive, suspect, high-risk or exposed for scrapie disease or originating from an infected, source or exposed herd shall be imported into Vermont except in accordance with 9 CFR Part 79 and with written permission from the Secretary.

b. Importation requirements for immediate slaughter (slaughter livestock):

i. Documentation

- 1. Official Individual Identification
- 2. Owner Shipper Statement (section II.D)
- ii. Slaughter livestock must remain in the slaughter channels as defined in these rules. Such goats consigned to an Approved Livestock Market shall be identified by slaughter only ear tags or other official means of identification approved for this purpose by the Secretary or in accordance with 9 CFR Part 79. Goats so identified shall not be allowed to leave slaughter channels except as permitted by the Secretary.

F. CAMELIDS

Camelid is an animal of the family Camelidae including alpacas, camels, guanacos, llamas, and vicunas.

a. Importation requirements for all purposes other than immediate slaughter:

i. Documentation

- 1. Certificate of Veterinary Inspection,
- 2. import permit, and
- 3. Official Individual Identification.

ii. Disease Testing

1. Brucellosis:

- a. All camelids imported into Vermont shall either:
 - i. originate from a herd of origin in states or Canadian provinces classified certified free of brucellosis or equivalent;
 - ii. originate from a herd which has completed a negative whole herd brucellosis test of animals 6 months of age or older within the previous 12 months and shall be indicated on the Certificate of Veterinary Inspection; or

- iii. test negative on an Official Test for brucellosis dated within 30 days prior to the date of entry into Vermont if 6 months of age or older.

2. Tuberculosis:

- a. All camelids imported into Vermont shall either:
 - i. originate from a herd of origin in a state or Canadian province classified tuberculosis accredited free or equivalent;
 - ii. originate from a herd which has completed a negative whole herd TB test of animals 1 year of age or older within the previous 12 months and shall be indicated on the Certificate of Veterinary Inspection; or
 - iii. test negative to an Official Test for tuberculosis dated within 60 days prior to the date of entry into the state if 6 months of age or older.

3. ~~Bluetongue:~~

- ~~a. All camelids 30 days of age or older originating in a Bluetongue High Risk State as defined by these rules shall have been tested by an Official Test for bluetongue within 30 days prior to entry. Camelids testing serological positive will be allowed entry if they are negative on a virus isolation or PCR test conducted in an Approved Laboratory.~~

b. Importation requirements for immediate slaughter (slaughter livestock):

i. Documentation

- 1. Official Individual Identification
- 2. Owner Shipper Statement (section II.D)
- ii. Slaughter livestock must remain in the slaughter channels as defined in these rules. Camelids imported for immediate slaughter shall not be allowed to leave slaughter channels except as permitted by the Secretary.

G. CERVIDS

Cervid means any domesticated and non-native member of the family Cervidae including red deer, fallow deer, elk, and reindeer. For purposes of this rule, white-tailed deer and moose are not considered cervids.

a. Importation requirements for all purposes other than immediate slaughter:

i. Documentation

- 1. Certificate of Veterinary Inspection,
- 2. import permit, and
- 3. Two forms of Official Identification, including an RFID (or equivalent) device.

ii. Facility Requirements

- 1. Prior to the issuance of an import permit, the importer shall

construct and maintain suitable facilities at the premises of destination for restraining and testing cervids in accordance with Vermont Rules Governing Captive Cervidae establishing facility, fencing and transportation requirements.

iii. Disease Testing

1. Brucellosis:

- a. All cervids imported into Vermont shall either:
 - i. originate from an officially recognized brucellosis certified free cervid herd and the current status shall be indicated on the certificate of veterinary inspection; or
 - ii. test negative to a USDA officially recognized test for brucellosis dated within 30 days prior to the date of entry for all cervids 6 months of age or older.

2. Tuberculosis:

- a. All cervids imported into Vermont shall either:
 - i. originate from accredited free cervid herds accompanied by a Certificate of Veterinary Inspection stating the herd status; or
 - ii. originate from qualified or monitored cervid herds accompanied by a Certificate of Veterinary Inspection stating the herd status and have been classified negative to Official Test for tuberculosis that was conducted within 90 days prior to the date of movement; or
 - iii. have two negative Official Tests for tuberculosis that were conducted no less than 90 days apart, with the second test conducted within 90 days prior to the date of movement, and that the animals were isolated from all other members of the herd during the testing period.

iv. Exceptions:

- 1. Cervids less than 12 months of age, that originate from and were born in qualified or monitored herds may enter Vermont without further tuberculosis testing, provided they are accompanied by a Certificate of Veterinary Inspection stating that such cervids originated from such herds and have not been exposed to cervids from a lower status herd.
- 2. Institutions that have been accredited by the American Association of Zoological Parks and Aquariums (AAZPA) are exempt from those requirements when movement is between accredited member facilities. All other movement from AAZPA-accredited members must comply with these movement

requirements.

3. ~~Anaplasmosis:~~

- ~~a. All cervids 30 days of age or older originating in a Anaplasmosis Prevalent State as defined by these rules shall have been negative to an Official Test for anaplasmosis conducted within 30 days prior to entry.~~

4. ~~Bluetongue:~~

- ~~a. All cervids 30 days of age or older originating in a Bluetongue High Risk State as defined by these rules shall have been tested by an Official Test for bluetongue within 30 days prior to entry. Cervids testing serological positive will be allowed entry if they are negative on a virus isolation or PCR test conducted on an Approved Laboratory.~~

5.3. Chronic Wasting Disease (CWD):

- a. CWD susceptible cervids shall not be imported into Vermont for any reason from a CWD Endemic state or province.
- b. CWD susceptible cervids may only be imported into Vermont from a CWD Affected state or province if:
 - i. the Secretary determines the herd or state of origin has completed sufficient CWD monitoring and surveillance and is of negligible risk; and
 - ii. documentation of this determination by the Secretary has been submitted in writing.
- c. CWD susceptible cervids shall not be imported into Vermont unless the herd of origin is a CWD monitored herd that has participated in a USDA CWD program or a comparable state certified program for a minimum of 5 years, or as recommended by current program standards, and has been determined by the Secretary to be of negligible risk.
- iv. **All cervids imported into Vermont shall be imported directly from the herd of origin they were born into.**

b. Importation requirements for immediate slaughter (slaughter livestock):

i. Documentation

- 1. Official Individual Identification
- 2. Owner Shipper Statement (section II.D)
- ii. Slaughter livestock must remain in the slaughter channels as defined in these rules. Cervids imported for immediate slaughter shall not be allowed to leave slaughter channels except as permitted by the Secretary.

H. POULTRY

Poultry means domesticated birds of all ages which may be used as human food, and/or which produce eggs that may be used as human food. Poultry includes chickens, turkeys, domestic ducks, geese, pheasants, Chucker partridge, and Coturnix quail, and other

Galliformes. Poultry includes these species even when used for exhibition, hobby, or as pets.

a. Importation requirements for all purposes other than immediate slaughter:

i. Documentation

1. Certificate of Veterinary Inspection or a National Poultry Improvement Plan VS Form 9-3 dated within 30 days prior to the date of importation;

ii. Disease Testing

1. Pullorum-Typhoid:

- a.—All poultry, except waterfowl, 5 months or more of age must originate from a Pullorum-Typhoid clean flock or test negative to an agglutination test for Pullorum-Typhoid disease within 30 days immediately prior to the date of entry into Vermont.

~~**2.a. Avian Influenza:**~~

- ~~a.b.~~All poultry less than 5 months of age and all hatching eggs imported into Vermont must originate from a hatchery or other premises that is under the supervision of the poultry disease control officials of the state of origin, and that has a Pullorum-Typhoid classification of clean or better.

b. Importation requirements for immediate slaughter:

i. Documentation

1. Owner Shipper Statement (section II.D).

I. RATITES

Ratites mean domesticated large flightless birds including ostriches, rheas and emus.

a. Importation requirements for all purposes other than immediate slaughter:

i. Documentation

1. Certificate of Veterinary Inspection or a National Poultry Improvement Plan VS 9-3 dated within 30 days prior to the date of importation;

b. Importation requirements for immediate slaughter:

i. Documentation

1. Owner Shipper Statement (section II.D).

J. PSITTACINE BIRDS

Psittacine Birds means domestic birds commonly sold in the pet trade for household pets that are susceptible to psittacosis including Psittaciformes, Passeriformes, and Columbiformes. Galliformes are considered Poultry under these rules even if sold as pets. Poultry species are not considered pet birds by these rules.

a. Importation requirements for all purposes:

i. Documentation

1. Certificate of Veterinary Inspection dated within 15 days prior to the date of importation;
 2. Official Identification
- ii. All psittacine birds imported into Vermont shall be identified by a metal band, implant or other approved identification which identifies the breeder. Psittacine birds originating from outside the United States must be identified in accordance with federal requirements for international imports.
 - iii. All imported psittacine birds shall be inspected and found to be free of infectious, contagious, and communicable diseases within 15 days immediately prior to the date of entry into Vermont.
 - iv. All imported psittacine birds may be quarantined for 15 days immediately after entry into Vermont and may be subject to post-entry test and examination.
 - v. All importers of psittacine birds shall keep records that indicate the origin and date of shipment, the name and address of the consignor, the number of birds shipped, and the name and address of the persons to whom the imported birds are sold.

K. NON-DOMESTIC SPECIES

- a. The Agency does not have jurisdiction over wildlife, fish, and non-domestic species. The Importer should contact the Vermont Department of Fish and Wildlife.

RULES GOVERNING THE IMPORTATION LIVESTOCK AND POULTRY

Promulgated under the authority of 6 V.S.A. Chapter 107 § 1475

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Information and assistance in understanding these rules may be obtained by contacting the Animal Health Section of the Agency of Agriculture, Food and Markets, at 802-828-2421 or agr.animalhealth@vermont.gov

SECTION I. DEFINITIONS

1. **Accredited Veterinarian** is a veterinarian who is approved by the United States Department of Agriculture (USDA) and the State Animal Health Official in the state of origin of the imported animal to inspect and test domestic animals and issue Certificates of Veterinary Inspection.
2. **Animal or Domestic Animal** means cattle, sheep, goats, equines, swine, camelids, domestic cervids, American bison, poultry, psittacine birds, ferrets, ratites (ostriches, rheas and emus), and water buffalo.
3. **Approved Laboratory** is a laboratory recognized by USDA Animal and Plant Health Inspection Service (APHIS) to conduct official diagnostic testing.
4. **Approved Livestock Market** is a livestock market that is recognized by USDA and that has a current market agreement with it.
5. **Certificate of Veterinary Inspection** is a document issued by an Accredited Veterinarian in which the Accredited Veterinarian certifies that:
 - a. all statements required by these rules concerning the importation of domestic animals are true,
 - b. all animals referenced on the document have been inspected and officially identified, and
 - c. all tests required by these rules have been performed.
6. **Chronic Wasting Disease (CWD) Affected State** is a state or Canadian province that has had a positive diagnosis of CWD in a captive cervid. A state or province may be considered no longer affected if the Secretary has determined that it has taken appropriate actions to control or eradicate CWD and/or it has instituted a mandatory CWD monitoring/certification program for all captive cervid herds and has not diagnosed a case of CWD for a minimum of 5 years.
7. **CWD Endemic State** is a state or Canadian province that has had a positive diagnosis of CWD in free-ranging cervids. A state or province may be considered no longer endemic if the Secretary has determined appropriate actions were taken to determine disease prevalence and has not diagnosed a case of CWD for a minimum of 5 years.
8. **CWD monitored/certified herd** is a herd which has successfully enrolled and advanced in an officially recognized-state/provincial approved program requiring identification, records, inspection and testing of cervids for CWD.
9. **Contagious Disease** is any disease found in domestic animals which is capable of spreading from one domestic animal to another or to wild animals with or without actual contact, including reportable diseases as defined in 6 V.S.A. Section 1151(13).
10. **Herd of Origin** is a group of animals under common ownership or supervision in which the animal was born or spent the past 90 days prior to importation. Herd of Origin does not include a temporary assembly of animals for sale or shipment.
11. **Immediate Slaughter** means slaughter of livestock within 7 days from time of entry into Vermont and without diversion from slaughter channels or comingling with animals outside of those channels.
12. **Import** is any act of transporting domestic animals into Vermont from any state or country. The term "import" does not apply to domestic animals residing in Vermont that temporarily leave the state for not more than 30 days, return to the premises of origin, and have met the health requirements of the state(s) of destination in the interim.
13. **Importer** is any person transporting their own domestic animals into Vermont or a purchaser or consignee to whose premises or to whose custody domestic animals are first delivered after entry into Vermont.
14. **Import Permit** is a permit issued by the Secretary authorizing a person to import domestic

animals into Vermont. See section II.C of these rules.

15. **Livestock** are domesticated animals normally considered farm animals which are generally used as a food source, including cattle, equine, goats, sheep, swine, camelids, fallow deer, red deer, elk, reindeer, and American bison.
16. **Livestock Dealer** is a person who is licensed and bonded in accordance with 6 V.S.A. § 762 and 764 to buy, sell, lease, or transport livestock, or to operate a livestock auction or sales ring.
17. **National Poultry Improvement Plan (NPIP)** is a national poultry management, sanitation and monitoring program as described in 9 CFR Part 145.
18. **Official Individual Identification** is a set of unique identifying characters that comply with USDA's Animal Disease Traceability rule, 9 CFR Part 86, including any future amendments to the rule, except that:
 - a. the Agency does not accept group/lot identification number (GIN) as Official Individual Identification; animals must be individually identified.
 - b. the Agency does not accept backtags, even if moving directly to slaughter; official identification must be tamper-resistant and have a high rate of retention.
 - c. Species not covered by 9 CFR Part 86 may be identified by microchips or other EID.
19. **Official Test or Official Diagnostic Test** is a diagnostic test that is approved and recommended by USDA or Secretary for determining the presence or absence of a disease and that is conducted and reported by an Official Tester.
20. **Official Tester** is a person who conducts or reports Official Tests within an Approved Laboratory or a person authorized by USDA to conduct and report Official Diagnostic Tests outside of the laboratory environment.
21. **Person** is an individual, partnership, association, corporation, or organization of persons whether incorporated or not, including any municipality, state, or federal agency, or subdivision of any state.
22. **Post-entry Test and Examination** means the testing and examining of imported domestic animals deemed necessary by the Secretary.
23. **Poultry** means domesticated birds of all ages which may be used as human food, and/or which produce eggs that may be used as human food. Poultry includes chickens, turkeys, domestic ducks, geese, pheasants, Chucker partridge and Coturnix quail. Poultry includes these species even when used for exhibition, hobby, or as pets.
24. **Premises of Destination** is the first premises within the Vermont on which imported domestic animals are confined.
25. **Premises of Origin** is the place of birth or last housing of the animal for at least 90 days prior to its importation.
26. **Secretary** means the Secretary of the Vermont Agency of Agriculture, Food & Markets (the Agency) or their designated representative, including the State Veterinarian and Animal Health Specialists.
27. **Slaughter Channels** means movement of animals only within Approved Livestock Markets and/or to commercial slaughter facility, as defined by 6 V.S.A. §1459, without diversion to or interim stops in established breeding, feeding or commercial production herds.
28. **Slaughter Livestock** is livestock originating in any state or country specifically designated to a licensed slaughter establishment for immediate slaughter or to an Approved Livestock Market authorized to handle out-of-state livestock.
29. **Test Eligible** means that the animal has attained the specified age to require testing as set forth in these rules.
 - a. **Brucellosis test eligible cattle/bison** means all unvaccinated cattle/bison over 6 months of age (180 days) and all official vaccinates over 18 months of age (540 days), or as defined by current Uniform Methods and Rules.

30. **Uniform Methods and Rules** are the procedures published by USDA APHIS for the eradication of specific diseases under federal/state cooperative eradication programs. Uniform Methods and Rules also refers to future updates to these procedures which may be given a different name by USDA APHIS.

SECTION II. GENERAL INFORMATION

A. Requirements

- a. In order to import or cause a domestic animal to be imported into Vermont, a person must ensure that the requirements of these rules are met. All tests and documentation required by 6 V.S.A. Chapter 107 and these rules, including a Certificate of Veterinary Inspection, import permit, or an Owner-Shipper Statement, are the responsibility of the importer.
- b. A Certificate of Veterinary Inspection and import permit are not required for livestock imported into Vermont for immediate slaughter as prescribed by section II.E of these rules.
- c. Before importing or causing to import a domestic animal from a federal quarantine, region of enhanced surveillance, or movement restriction order, a person must first obtain written permission from the Secretary.
- d. A person shall not import or cause to be imported into Vermont a domestic animal that is affected with or has been exposed to any contagious disease.
- e. All tests required for import purposes must be Official Diagnostic Tests completed in the state of origin.
 - i. During periods of heightened disease risk, the Secretary may alter the testing, timing, and restrictions associated with importation of livestock and poultry.
- f. If the Secretary has reason to believe that a domestic animal may have been imported into Vermont in violation of these rules, the Secretary may issue a quarantine for the domestic animal, its products, and conveyances. The quarantine is in place until the Secretary releases the quarantine in writing.

If the Secretary determines that a domestic animal has been imported into Vermont in violation of these rules, the Secretary may require that the domestic animal be:

- i. returned to the state of origin within 48 hours,
- ii. slaughtered or euthanized within 72 hours, or
- iii. tested, identified and/or inspected.

The importer shall pay any expense incurred under this subsection and shall not be entitled to any compensation from the state.

B. Certificate of Veterinary Inspection

- a. A Certificate of Veterinary must include:
 - i. the name and address of the consignor and the consignee;
 - ii. the physical address of the premises of origin and the premises of destination;
 - iii. the Official Individual Identification and a listing of breed, sex, age, and any other information pertinent to each animal's identity;
 - iv. the dates and results of all tests conducted as required by section III of these rules;
 - v. the date of examination which must be within 30 days of the import date;

- vi. unique identifying number for the certificate itself;
 - vii. the import permit number when required by these rules;
 - viii. the signature and accreditation number of the accredited veterinarian;
 - ix. a certification by the accredited veterinarian that all statements made, tests conducted, and identities established for each domestic animal to be imported; and
 - x. when requested by the accredited veterinarian, the signature of the owner certifying that, at the time of issue, the domestic animals readied for import are in fact the animals for which the Certificate of Veterinary Inspection has been issued.
- b. The accredited veterinarian must ensure that an official copy of each Certificate of Veterinary Inspection is submitted to the state animal health official of the state of origin, as prescribed by 9 CFR Part 86.5.
 - c. For each animal, the importer is required to:
 - i. have a Certificate of Veterinary Inspection completed by an accredited and licensed veterinarian of the state or country of origin within 30 days immediately prior to entry into the state or as otherwise provided by these rules; and
 - ii. ensure an official copy of each Certificate of Veterinary Inspection accompanies the animal during shipment and transportation.
 - d. The Secretary may disapprove a Certificate of Veterinary Inspection that does not meet the requirements of these rules.
 - e. Animals accompanied by a Certificate of Veterinary Inspection that has been disapproved may be considered illegal imports and may be subject to quarantine or to actions pursuant to section II.A.f of these rules.

C. Import Permit

- a. If an import permit is required by section III of these rules, the importer shall ensure that an import permit is obtained by the accredited veterinarian issuing the Certificate of Veterinary Inspection.
- b. To apply for an import permit, the veterinarian shall provide to the Secretary:
 - i. A Certificate of Veterinary Inspection with a unique identifying number completed within 30 days of proposed movement. The Certificate of Veterinary Inspection must contain all information required in section II.B.
 - ii. The expected date of importation.
 - iii. All species testing specifically required in section III of these rules.
- c. An import permit is not required for livestock imported into Vermont from Canada that have passed USDA veterinary inspection and have been properly released for entry into the United States, except that an import permit is required for cervids imported into Vermont from Canada for any reason, including for immediate slaughter.

- d. The Secretary may require an import permit for any domestic animal not otherwise provided for under section III of these rules from any area that the Secretary has determined may represent a threat for the introduction of a contagious animal disease.

D. Owner-Shipper Statement

- a. In order to import or cause to be imported into Vermont any livestock consigned for immediate slaughter, a person must have in their possession an Owner-Shipper Statement certifying that the identified animals are being transported for purposes stipulated in accordance with 9 CFR Part 86.
- b. The Owner-Shipper Statement must include:
 - i. the name and address of the consignor and the consignee,
 - ii. the physical address of the premises of origin and the premises of destination,
 - iii. the date of entry into Vermont and a statement that all livestock are consigned for immediate slaughter,
 - iv. a listing of Official Individual Identification as defined in section I.20, and
 - v. the signature of shipper certifying that the livestock is/are imported for immediate slaughter.

E. Slaughter Livestock

- a. Slaughter livestock imported into Vermont must be accompanied by an Owner-Shipper Statement in accordance with section II.D.
- b. Because slaughter livestock are not required to have a Certificate of Veterinary Inspection, an import permit, or required specific tests as specified in section III, they may not be comingled with animals outside of slaughter channels. Therefore, slaughter livestock must be moved directly without interim stops to an Approved Livestock Market or approved slaughter establishment.
 - i. Slaughter livestock shall not be removed from the slaughter channels except as permitted by the Secretary.
- c. Slaughter livestock moved to an Approved Livestock Market:
 - i. must be individually identified as defined by these rules.
 - ii. may then be sold only to an approved slaughter establishment, and after sale shall be moved immediately and directly without interim stops from the Approved Livestock Market to the slaughtering establishment.

F. Exhibition Animals

- a. An exhibition is a recognized/organized spectator event in which a domestic animal is exhibited or entered in a competition and may receive awards or prizes.
- b. In order to temporarily import livestock, except cervids, for exhibition on an extended Certificate of Veterinary Inspection, a person must obtain an exhibition

permit in accordance with the procedure adopted by the Secretary. All tests must be current at the time of exhibition as required under section III of these rules. Livestock must originate from a state approved by the Secretary. To obtain a copy or learn more about this procedure, please contact the Animal Health Section.

- c. If the Secretary determines there is a risk of contagious disease, the Secretary may require a Certificate of Veterinary Inspection to be issued within 30 days and/or import permit in accordance with section II prior to entry.

G. Variance

- a. A variance to these rules must be requested in writing to the Secretary and must be obtained prior to importation.

H. Importation and Possession of Animals for Hunting

- a. A person shall not import or possess any live animal for the purpose of taking by hunting, unless the Vermont Department of Fish and Wildlife has issued the person an importation and possession permit.

I. Penalties

- a. A violation of these rules may be subject to penalties under 6 V.S.A. §1469 and 6 V.S.A. Chapter 1.

SECTION III. TESTING AND SPECIAL REQUIREMENTS FOR IMPORTING DOMESTIC ANIMALS

A. CATTLE/BISON

Bison is a domestic animal of the genus *Bison* also called American bison and “buffalo.”

Cattle are animals of the genus *Bos*. Domestic **water buffalo** must also meet the testing and special requirements for importing cattle set forth in these rules.

a. Importation requirements for all purposes other than immediate slaughter:

i. Documentation

1. Certificate of Veterinary Inspection,
2. import permit, and
3. Official Individual Identification

ii. Disease Testing

1. Brucellosis:

a. All cattle shall either:

- i. originate from a herd of origin in states or Canadian provinces classified "certified free" of brucellosis or an equivalent classification, or
- ii. originate from officially recognized certified brucellosis free herds, or
- iii. all test-eligible cattle must individually test negative to an Official Test for brucellosis within 30 days immediately prior to entry into the state. All unvaccinated cattle/bison over 6 months of age (180 days) and all official vaccinates over 18 months of age (540 days) shall be considered brucellosis test eligible cattle/bison unless otherwise defined by current federal brucellosis program standards.

b. All bison must have a negative Official Test for brucellosis within 30 days prior to importation. Bison that originate from official certified brucellosis free herd are exempt from the requirement for a brucellosis test. The current brucellosis certified free herd status shall be indicated on the Certificate of Veterinary Inspection.

- i. All test-eligible imported bison must be tested for brucellosis between 45 days and 120 days post entry into Vermont. The owner of imported bison is responsible for the cost of testing.

2. Tuberculosis:

a. All cattle or bison shall either:

- i. originate from a herd of origin in states or Canadian provinces classified accredited free of tuberculosis or an equivalent classification;
- ii. originate from a bovine tuberculosis accredited free herd. The current TB accredited herd status shall be indicated on the Certificate of Veterinary Inspection; or

- iii. test negative to on an Official Test for tuberculosis within 60 days immediately prior to entry into Vermont, except that the following cattle/bison are exempt from the tuberculosis test requirement.

iii. Calves under fourteen (14) days of age are exempt from the import permit and Certificate of Veterinary Inspection requirements if:

- 1. The calves:
 - a. were born in and originate from a state with which the Secretary has an agreement regarding the import of calves under 14 days of age; and
 - b. have Official Individual Identification prior to movement;
- 2. The importer:
 - a. is a Vermont licensed livestock dealer;
 - b. keeps a separate record of each shipment listing all animals imported, the date of import, the disposition of each animal and the date of disposition;
 - c. maintains this record for five years or as specified in 9 CFR Part 86.3 and makes it available for inspection by the Secretary upon request.

b. Importation requirements for immediate slaughter (slaughter livestock):

i. Documentation

- 1. Official Individual Identification
- 2. Owner Shipper Statement (section II.D)
- ii. Slaughter livestock must remain in the slaughter channels as defined in these rules. Such cattle consigned to an Approved Livestock Market shall be identified by slaughter only ear tags or other official means of identification approved for this purpose by the Secretary. Cattle or bison so identified shall not be allowed to leave slaughter channels except as permitted by the Secretary.

B. SWINE

Swine is an animal of the species *Sus scrofa domesticus*, commonly referred to as pigs or hogs, including pot-belly pigs. Swine does not include free-living or feral wild boars or wild swine.

a. Importation requirements for all purposes other than immediate slaughter:

i. Documentation

- 1. Certificate of Veterinary Inspection,
- 2. import permit, and
- 3. Official Individual Identification.

ii. Disease Testing

1. Brucellosis:

- a. All swine shall either:
 - i. originate from a herd of origin in states or Canadian provinces classified "certified free" of brucellosis or an

- equivalent classification: or
- ii. originate from a Validated swine brucellosis free or Validated-Qualified herd: or
- iii. if 6 months of age or over, or per current federal brucellosis program standards, be blood tested negative to a USDA officially recognized brucellosis test dated within 30 days immediately prior to entry into Vermont.

2. Pseudorabies:

- a. All swine imported into the state must either:
 - i. originate directly from herds of origin in states in Stage V of the swine pseudorabies eradication program;
 - ii. originate directly from an officially recognized Qualified pseudorabies negative herd and the current pseudorabies qualified herd status shall be indicated on the Certificate of Veterinary Inspection; or
 - iii. test negative to an Official Test for pseudorabies within 30 days immediately prior to entry into Vermont.
- b. All swine required to test that are not imported directly from the herd of origin must be quarantined apart from other swine on the importer's premises until retested with an Official Test within 30-60 days at the importer's expense.

b. Importation requirements for immediate slaughter (slaughter livestock):

i. Documentation

- 1. Official Individual Identification
- 2. Owner Shipper Statement (section II.D)
- ii. Slaughter livestock must remain in the slaughter channels as defined in these rules. Such pigs consigned to an Approved Livestock Market shall be identified by slaughter only ear tags or other official means of identification approved for this purpose by the Secretary. Pigs so identified shall not be allowed to leave slaughter channels except as permitted by the Secretary.

C. EQUINE

Equine means any member of the family equidae including horses, ponies, mules, donkeys, and zebra.

a. Importation requirements for all purposes:

i. Documentation

- 1. Certificate of Veterinary Inspection.

ii. Disease Testing

1. Equine Infectious Anemia:

- a. All equine imported into Vermont shall test negative for Equine Infectious Anemia (EIA) within 12 months of entry by

a Coggins test or other USDA Official Test for EIA, except for pre-weaned foals under 6 months of age traveling with its dam which has been tested as required under these rules. The Certificate of Veterinary Inspection shall contain the date of the test for EIA, and identify the laboratory performing the test.

iii. Extended Equine CVI:

1. Horses originating from participating states may travel under the authority of an EECVI provided the Coggins is up to date at the time of movement into Vermont and they are accompanied by the required Trip Permit(s).

D. SHEEP

Sheep is an animal of the genus *Ovis*.

a. Importation requirements for all purposes other than immediate slaughter:

i. Documentation

1. Certificate of Veterinary Inspection,
2. import permit, and
3. Official Individual Identification.

ii. Disease Testing

1. Scrapie:

- a. No sheep or lamb known as positive, suspect, high-risk or exposed for scrapie disease or originating from an infected, source or exposed flock shall be imported into Vermont except in accordance with 9 CFR Part 79 and with written permission from the Secretary.

b. Importation requirements for immediate slaughter (slaughter livestock):

i. Documentation

1. Official Individual Identification
2. Owner Shipper Statement (section II.D)
- ii. Slaughter livestock must remain in the slaughter channels as defined in these rules. Such sheep consigned to an Approved Livestock Market shall be identified by slaughter only ear tags or other official means of identification approved for this purpose by the Secretary or in accordance with 9 CFR Part 79. Sheep so identified shall not be allowed to leave slaughter channels except as permitted by the Secretary.

E. GOATS

Goat is an animal of the genus *Capra*.

a. Importation requirements for all purposes other than immediate slaughter:

i. Documentation

1. Certificate of Veterinary Inspection,

2. import permit, and
3. Official Individual Identification.

ii. Disease Testing

1. Brucellosis:

- a. All goats shall either:
 - i. originate from brucellosis certified free states/Canadian provinces; or
 - ii. originate from a herd which has completed a negative whole herd brucellosis test of animals 6 months of age or older within the previous 12 months and shall be indicated on the Certificate of Veterinary Inspection; or
 - iii. must have a negative test for brucellosis within 30 days prior to importation.

2. Tuberculosis:

- a. All goats shall either:
 - i. Originate from bovine tuberculosis accredited free states/Canadian provinces; or
 - ii. tuberculosis accredited free herds are exempt from tuberculosis tests; or
 - iii. test negative for tuberculosis within 60 days prior to importation.

3. Scrapie:

- a. No goat known as positive, suspect, high-risk or exposed for scrapie disease or originating from an infected, source or exposed herd shall be imported into Vermont except in accordance with 9 CFR Part 79 and with written permission from the Secretary.

b. Importation requirements for immediate slaughter (slaughter livestock):

i. Documentation

1. Official Individual Identification
2. Owner Shipper Statement (section II.D)
- ii. Slaughter livestock must remain in the slaughter channels as defined in these rules. Such goats consigned to an Approved Livestock Market shall be identified by slaughter only ear tags or other official means of identification approved for this purpose by the Secretary or in accordance with 9 CFR Part 79. Goats so identified shall not be allowed to leave slaughter channels except as permitted by the Secretary.

F. CAMELIDS

Camelid is an animal of the family Camelidae including alpacas, camels, guanacos, llamas, and vicunas.

a. Importation requirements for all purposes other than immediate slaughter:

i. Documentation

1. Certificate of Veterinary Inspection,
2. import permit, and
3. Official Individual Identification.

ii. Disease Testing

1. Brucellosis:

- a. All camelids imported into Vermont shall either:
 - i. originate from a herd of origin in states or Canadian provinces classified certified free of brucellosis or equivalent;
 - ii. originate from a herd which has completed a negative whole herd brucellosis test of animals 6 months of age or older within the previous 12 months and shall be indicated on the Certificate of Veterinary Inspection; or
 - iii. test negative on an Official Test for brucellosis dated within 30 days prior to the date of entry into Vermont if 6 months of age or older.

2. Tuberculosis:

- a. All camelids imported into Vermont shall either:
 - i. originate from a herd of origin in a state or Canadian province classified tuberculosis accredited free or equivalent;
 - ii. originate from a herd which has completed a negative whole herd TB test of animals 1 year of age or older within the previous 12 months and shall be indicated on the Certificate of Veterinary Inspection; or
 - iii. test negative to an Official Test for tuberculosis dated within 60 days prior to the date of entry into the state if 6 months of age or older.

b. Importation requirements for immediate slaughter (slaughter livestock):

i. Documentation

1. Official Individual Identification
2. Owner Shipper Statement (section II.D)
- ii. Slaughter livestock must remain in the slaughter channels as defined in these rules. Camelids imported for immediate slaughter shall not be allowed to leave slaughter channels except as permitted by the Secretary.

G. CERVIDS

Cervid means any domestic and non-native member of the family Cervidae including red deer, fallow deer, elk, and reindeer. For purposes of this rule, white-tailed deer and moose are not considered cervids.

a. Importation requirements for all purposes other than immediate slaughter:

i. Documentation

1. Certificate of Veterinary Inspection,

2. import permit, and
3. Two forms of Official Identification, including an RFID (or equivalent) device.

ii. Facility Requirements

1. Prior to the issuance of an import permit, the importer shall construct and maintain suitable facilities at the premises of destination for restraining and testing cervids in accordance with Vermont Rules Governing Captive Cervidae establishing facility, fencing and transportation requirements.

iii. Disease Testing

1. Brucellosis:

- a. All cervids imported into Vermont shall either:
 - i. originate from an officially recognized brucellosis certified free cervid herd and the current status shall be indicated on the certificate of veterinary inspection; or
 - ii. test negative to a USDA officially recognized test for brucellosis dated within 30 days prior to the date of entry for all cervids 6 months of age or older.

2. Tuberculosis:

- a. All cervids imported into Vermont shall either:
 - i. originate from accredited free cervid herds accompanied by a Certificate of Veterinary Inspection stating the herd status; or
 - ii. originate from qualified or monitored cervid herds accompanied by a Certificate of Veterinary Inspection stating the herd status and have been classified negative to Official Test for tuberculosis that was conducted within 90 days prior to the date of movement; or
 - iii. have two negative Official Tests for tuberculosis that were conducted no less than 90 days apart, with the second test conducted within 90 days prior to the date of movement, and that the animals were isolated from all other members of the herd during the testing period.

iv. Exceptions:

1. Cervids less than 12 months of age, that originate from and were born in qualified or monitored herds may enter Vermont without further tuberculosis testing, provided they are accompanied by a Certificate of Veterinary Inspection stating that such cervids originated from such herds and have not been exposed to cervids from a lower status herd.
2. Institutions that have been accredited by the American Association of Zoological Parks and Aquariums (AAZPA) are exempt from those

requirements when movement is between accredited member facilities. All other movement from AAZPA-accredited members must comply with these movement requirements.

3. Chronic Wasting Disease (CWD):

- a. CWD susceptible cervids shall not be imported into Vermont for any reason from a CWD Endemic state or province.
 - b. CWD susceptible cervids may only be imported into Vermont from a CWD Affected state or province if:
 - i. the Secretary determines the herd or state of origin has completed sufficient CWD monitoring and surveillance and is of negligible risk; and
 - ii. documentation of this determination by the Secretary has been submitted in writing.
 - c. CWD susceptible cervids shall not be imported into Vermont unless the herd of origin is a CWD monitored herd that has participated in a USDA CWD program or a comparable state certified program for a minimum of 5 years, or as recommended by current program standards, and has been determined by the Secretary to be of negligible risk.
- iv. All cervids imported into Vermont shall be imported directly from the herd of origin they were born into.**

b. Importation requirements for immediate slaughter (slaughter livestock):

i. Documentation

- 1. Official Individual Identification
 - 2. Owner Shipper Statement (section II.D)
- ii. Slaughter livestock must remain in the slaughter channels as defined in these rules. Cervids imported for immediate slaughter shall not be allowed to leave slaughter channels except as permitted by the Secretary.

H. POULTRY

Poultry means domestic birds of all ages which may be used as human food, and/or which produce eggs that may be used as human food. Poultry includes chickens, turkeys, domestic ducks, geese, pheasants, Chucker partridge, Coturnix quail, and other Galliformes. Poultry includes these species even when used for exhibition, hobby, or as pets.

a. Importation requirements for all purposes other than immediate slaughter:

i. Documentation

- 1. Certificate of Veterinary Inspection or a National Poultry Improvement Plan VS Form 9-3 dated within 30 days prior to the date of importation;

ii. Disease Testing

- 1. **Pullorum-Typhoid:**

- a. All poultry, except waterfowl, 5 months or more of age must originate from a Pullorum-Typhoid clean flock or test negative to an agglutination test for Pullorum-Typhoid disease within 30 days immediately prior to the date of entry into Vermont.
- b. All poultry less than 5 months of age and all hatching eggs imported into Vermont must originate from a hatchery or other premises that is under the supervision of the poultry disease control officials of the state of origin, and that has a Pullorum-Typhoid classification of clean or better.

b. Importation requirements for immediate slaughter:

i. Documentation

- 1. Owner Shipper Statement (section II.D).

I. RATITES

Ratites mean domestic large flightless birds including ostriches, rheas and emus.

a. Importation requirements for all purposes other than immediate slaughter:

i. Documentation

- 1. Certificate of Veterinary Inspection or a National Poultry Improvement Plan VS 9-3 dated within 30 days prior to the date of importation;

b. Importation requirements for immediate slaughter:

i. Documentation

- 1. Owner Shipper Statement (section II.D).

J. PSITTACINE BIRDS

Psittacine Birds means domestic birds commonly sold in the pet trade for household pets that are susceptible to psittacosis including Psittaciformes, Passeriformes, and Columbiformes. Galliformes are considered Poultry under these rules even if sold as pets.

a. Importation requirements for all purposes:

i. Documentation

- 1. Certificate of Veterinary Inspection dated within 15 days prior to the date of importation;
- 2. Official Identification

- ii. All psittacine birds imported into Vermont shall be identified by a metal band, implant or other approved identification which identifies the breeder. Psittacine birds originating from outside the United States must be identified in accordance with federal requirements for international imports.

- iii. All imported psittacine birds shall be inspected and found to be free of infectious, contagious, and communicable diseases within 15 days immediately prior to the date of entry into Vermont.

- iv. All imported psittacine birds may be quarantined for 15 days immediately after entry into Vermont and may be subject to post-entry test and examination.
- v. All importers of psittacine birds shall keep records that indicate the origin and date of shipment, the name and address of the consignor, the number of birds shipped, and the name and address of the persons to whom the imported birds are sold.

K. NON-DOMESTIC SPECIES

- a. The Agency does not have jurisdiction over wildlife, fish, and non-domestic species. The Importer should contact the Vermont Department of Fish and Wildlife.

The Migratory Bird Treaty Act of 1918 is a federal law that helps ensure the sustainability of populations of protected migratory bird species by prohibiting their take (including killing, capturing, selling, trading, and transport) without prior authorization from the Department of Interior U.S. Fish and Wildlife Services.

The U.S. Fish and Wildlife Service also manages migratory game bird species under a separate set of migratory game bird regulations. These regulations apply to some species in the following families: Anatidae (wild ducks, geese, and brant), Rallidae (rails, coots, moorhens and gallinules), and Scolopacidae (woodcock and snipe). Except as expressly provided in the regulations, it is unlawful to hunt, capture, kill, take, possess transport, buy or sell any migratory game bird or part thereof.

VERMONT **GENERAL ASSEMBLY**

The Vermont Statutes Online

The Vermont Statutes Online have been updated to include the actions of the 2023 session of the General Assembly.

NOTE: The Vermont Statutes Online is an unofficial copy of the Vermont Statutes Annotated that is provided as a convenience.

Title 6 : Agriculture

Chapter 107 : Movement of Livestock and Poultry

(Cite as: 6 V.S.A. § 1460)

§ 1460. Interstate movement; administration

(a) In order to implement the requirements of this chapter and chapter 63 of this title related to the licensing of livestock businesses, the Secretary of Agriculture, Food and Markets shall require importers of livestock or poultry into the State to comply with minimum requirements of the U.S. Department of Agriculture Animal Disease Traceability rule, 9 C.F.R. part 86, including any future amendments to the rule.

(b) In order to prevent the introduction or spread of contagious disease, or to ensure adequate animal traceability within this State, the Secretary may adopt rules to mandate stricter movement requirements than those required by the U.S. Department of Agriculture Animal Disease Traceability rule. (Added 2017, No. 30, § 4.)

VERMONT **GENERAL ASSEMBLY**

The Vermont Statutes Online

The Vermont Statutes Online have been updated to include the actions of the 2023 session of the General Assembly.

NOTE: The Vermont Statutes Online is an unofficial copy of the Vermont Statutes Annotated that is provided as a convenience.

Title 6 : Agriculture

Chapter 107 : Movement of Livestock and Poultry

(Cite as: **6 V.S.A. § 1475**)

§ 1475. Rulemaking

The Secretary may adopt rules to carry out the provisions of this chapter. (Added 1991, No. 153 (Adj. Sess.), § 11, eff. May 5, 1992; amended 2003, No. 42, § 2, eff. May 27, 2003; 2017, No. 30, § 4.)



Proposed Rules Postings

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Deadline For Public Comment

Deadline: Mar 15, 2024

The deadline for public comment has expired. Contact the agency or primary contact person listed below for assistance.

Rule Details

Rule Number:	24P004
Title:	Rules Governing the Importation of Domestic Animals, Including Livestock and Poultry.
Type:	Standard
Status:	Final Proposed
Agency:	Agency of Agriculture, Food and Markets
Legal Authority:	6 V.S.A. §1460 and § 1475
Summary:	This is an update to the existing importation rules for livestock and poultry. The rule outlines the documentation and disease testing requirements to import cattle/bison, equine, swine, sheep, goats, poultry, ratites, psittacine birds, camelids, and

cervids from the US 50 States and Canada. Disease epidemiology and testing have changed, this update addresses the significant diseases of concerns and the tests required to reasonably demonstrate free status. This update aligns the rule with USDA disease programs, modern technology, and the disease traceability standards set by Vermont statutes. Examples of the changes: current USDA brucellosis program standards are eliminating the Class A-C language for describing state status and has increased the age recommendation for swine testing from four months to six months of age.

Persons Affected:

All entities involved in the importation of livestock and/or poultry or the enforcement of those rules, including Vermont-based and out-of-state livestock/poultry farmers and owners; livestock, dealers/packers/transporters and markets; slaughter facilities; food animal veterinarians; agricultural fair superintendents and managers; and livestock/poultry event and exhibition organizers and managers.

Economic Impact:

This proposal does not constitute a new set of requirements for livestock and poultry stakeholders but instead modernizes and streamlines requirements that have been in place since at least 1998. The proposed amendments make some animal importation requirements more lenient and flexible, allowing for the realization of greater economic potential by livestock and poultry stakeholders, and others more stringent to ensure adequate protection from introduction and spread of diseases that affect animals and humans. The net effect should be minimal for any individual stakeholder or animal agricultural business owner. Most animal importation-related requirements in the current rule and contemplated under the proposed amendments are fulfilled by out of state entities before the animal(s) are imported into Vermont.

Posting date:

Jan 24,2024

Hearing Information

Information for Hearing # 1

Hearing date: 02-23-2024 12:00 PM [ADD TO YOUR CALENDAR](#)

Location: Vermont Agriculture and Environmental Laboratory

Address: 163 Admin. Dr

City: Randolph Center

State: VT
Zip: 05061
Hearing
Notes:

Information for Hearing # 2

Hearing 02-23-2024 12:00 PM **ADD TO YOUR CALENDAR**
date:

Location: Virtually via MS Teams

Address: https://teams.microsoft.com/l/meetupjoin/193ameeting_M2UwZWZhMDktNTljYi00NzRILTg5YTMtNmFkMTc5NTUcontext7b22Tid223a2220b493b-baad-433c-9c02-70edcc7559c6222c22Oid22ac37-4aceb110-97532d9e861b227d

City: n/a
State: VT
Zip: n/a

MS Teams: https://teams.microsoft.com/l/meetupjoin/193ameeting_M2UwZWZhMDktNTljYi00NzRILTg5YTMtNmFkMTc5NTUcontext7b22Tid223a2220b493b-baad-433c-9c02-70edcc7559c6222c22Oid22ac37-4aceb110-97532d9e861b227d
Hearing
Notes:

Information for Hearing # 3

Hearing 02-27-2024 6:00 PM **ADD TO YOUR CALENDAR**
date:

Location: Virtually Only via MS Teams

Address: https://teams.microsoft.com/l/meetupjoin/193ameeting_OGU3YTU0ODUtMWYxNi00OTdiLTkzMWYtNzg0OGFjNzcotext7b22Tid223a2220b4933b-baad-433c-9c02-70edcc7559c6222c22Oid22ac37-4aceb110-97532d9e861b227d

City: n/a
State: VT
Zip: n/a

MS Teams: https://teams.microsoft.com/l/meetupjoin/193ameeting_OGU3YTU0ODUtMWYxNi00OTdiLTkzMWYtNzg0OGFjNzcotext7b22Tid223a2220b4933b-baad-433c-9c02-70edcc7559c6222c22Oid22ac37-4aceb110-97532d9e861b227d
Hearing
Notes:

Information for Hearing # 4

Hearing 03-06-2024 12:00 PM **ADD TO YOUR CALENDAR**
date:

Location: Vermont Agriculture and Environmental Laboratory

Address: 163 Admin. Dr.
City: Randolph Center
State: VT
Zip: 05061

Hearing
Notes:

Information for Hearing # 5

Hearing date: 03-06-2024 12:00 PM [ADD TO YOUR CALENDAR](#)

Location: Virtually via MS Teams:

Address: https://teams.microsoft.com/l/meetupjoin/193ameeting_N2RjYWY3MmEtM2I1My00MTA4LWI5ZTMtYjk2YzdlMzIcontext7b22Tid223a2220b4933b-baad-433c-9c02-70edcc7559c6222c22Oidac37-4aceb110-97532d9e861b227d

City: n/a

State: VT

Zip: n/a

MS Teams: https://teams.microsoft.com/l/meetupjoin/193ameeting_N2RjYWY3MmEtM2I1My00MTA4LWI5ZTMtYjk2YzdlMzIcontext7b22Tid223a2220b4933b-baad-433c-9c02-70edcc7559c6222c22Oidac37-4aceb110-97532d9e861b227d

Contact Information

Information for Primary Contact

PRIMARY CONTACT PERSON - A PERSON WHO IS ABLE TO ANSWER QUESTIONS ABOUT THE RULE.

Level: Primary
Name: Kaitlynn Levine
Agency: Agency of Agriculture, Food and Markets
Address: 116 State Street
City: Montpelier
State: VT
Zip: 05620
Telephone: 802-636-7144
Fax:
Email: AGR.FSCPRule@vermont.gov

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Website Address: <https://agriculture.vermont.gov/rule-governing-importation-livestock-and-p>

[VIEW WEBSITE](#)

Information for Secondary Contact

SECONDARY CONTACT PERSON - A SPECIFIC PERSON FROM WHOM COPIES OF THE RULES ARE REQUESTED OR WHO MAY ANSWER QUESTIONS ABOUT FORMS SUBMITTED FROM THE PRIMARY CONTACT PERSON.

Level: Secondary
Name: Kristin Haas
Agency: Agency of Agriculture, Food and Markets
Address: 116 State Street

City: Montpelier
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Keyword Information

Keywords:

Import rules
Livestock and Poultry
Animal Disease Traceability

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PROPOSED STATE RULES

By law, public notice of proposed rules must be given by publication in newspapers of record. The purpose of these notices is to give the public a chance to respond to the proposals. The public notices for administrative rules are now also available online at <https://secure.vermont.gov/SOS/rules/>. The law requires an agency to hold a public hearing on a proposed rule, if requested to do so in writing by 25 persons or an association having at least 25 members.

To make special arrangements for individuals with disabilities or special needs please call or write the contact person listed below as soon as possible.

To obtain further information concerning any scheduled hearing(s), obtain copies of proposed rule(s) or submit comments regarding proposed rule(s), please call or write the contact person listed below. You may also submit comments in writing to the Legislative Committee on Administrative Rules, State House, Montpelier, Vermont 05602 (802-828-2231).

VPharm Coverage.

Vermont Proposed Rule: 24P003

AGENCY: Agency of Human Services

CONCISE SUMMARY: This proposed rulemaking amends VPharm rule 5450 titled "Coverage" which establishes coverage for the VPharm program. This VPharm Coverage rule was last amended effective February 25, 2012. This amendment aligns with federal and state guidance and law, improves clarity, and makes technical corrections. Certain content, such as 5450.1 Rebate or Price Discount, has been removed as it was redundant with language that exists in state statute. Substantive revisions include: expanding drug coverage available under VPharm 2 and VPharm 3 to be equivalent to the drug coverage available under VPharm 1 and the Medicaid program, as authorized through Vermont's Global Commitment to Health 1115 Demonstration waiver effective July 1, 2022.

FOR FURTHER INFORMATION, CONTACT: Ashley Berliner, Department of Vermont Health Access, 280 State Drive, Waterbury, VT 05671-1000 Tel: 802-578-9305 Fax: 802-241-0450 E-Mail:

ahs.medicaidpolicy@vermont.gov URL: <https://humanservices.vermont.gov/rules-policies/health-care-rules>.

FOR COPIES: Danielle Fuoco, Department of Vermont Health Access, 280 State Drive, Waterbury, VT 05671-1000 Tel: 802-585-4265 Fax: 802-241-0450 E-Mail: danielle.fuoco@vermont.gov.

Rules Governing the Importation of Domestic Animals, Including Livestock and Poultry.

Vermont Proposed Rule: 24P004

AGENCY: Agriculture, Food & Markets

CONCISE SUMMARY: This is an update to the existing importation rules for livestock and poultry. The rule outlines the documentation and disease testing requirements to import cattle/bison, equine, swine, sheep, goats, poultry, ratites, psittacine birds, camelids, and cervids from the US 50 States and Canada. Disease epidemiology and testing have changed, this update addresses the significant diseases of concerns and the tests required to reasonably demonstrate free status. This update aligns the rule with USDA disease programs, modern technology, and the disease traceability standards set by Vermont statutes. Examples of the changes: current USDA brucellosis program standards are eliminating the Class A-C language for describing state status

and has increased the age recommendation for swine testing from four months to six months of age.

FOR FURTHER INFORMATION, CONTACT: Kaitlynn Levine, Vermont Agency of Agriculture, Food & Markets, 116 State Street, Montpelier, VT 05620, Tel: 802-636-7144 Email: AGR.FSCPRule@vermont.gov URL: <https://agriculture.vermont.gov/rule-governing-importation-livestock-and-poultry-rule-98074>.

FOR COPIES: Kristin Haas, Vermont Agency of Agriculture, Food & Markets, 116 State Street, Montpelier, VT 05620, Tel: 802-522-7326 Email: AGR.FSCPRule@vermont.gov.

Private Nonmedical Institution Rules Simplification.

Vermont Proposed Rule: 24P005

AGENCY: Agency of Human Services

CONCISE SUMMARY: These rules strike all existing Division of Rate Setting rules and replace them in the Agency of Human Services' Health Care Administrative Rules. Some material, particularly language regarding which costs are allowable and how the Division applies various bonuses or penalties, is moved into a new manual. The remaining material primarily sets out the administrative process for applying for, receiving, and appealing per diem rates set by the Division.

FOR FURTHER INFORMATION, CONTACT: James LaRock, Department of Vermont Health Access, NOB 1 South, 280 State Drive, Waterbury, VT 05671 Tel: 802-241-0251 Fax: 802-241-0260 Email: james.larock@vermont.gov URL: <https://humanservices.vermont.gov/rules-policies/health-care-rules/health-care-administrative-rules-hcar>.

FOR COPIES: Jaime Mooney, Department of Vermont Health Access NOB 1 South, 280 State Drive, Waterbury, VT 05671 Tel: 802-798-2144 Fax: 802- 241-0260 Email: jaime.mooney@vermont.gov.

Nursing Home Reimbursement Rule Simplification.

Vermont Proposed Rule: 24P006

AGENCY: Agency of Human Services

CONCISE SUMMARY: These rules strike all existing Division of Rate Setting rules and replace them in the Agency of Human Services' Health Care Administrative Rules. Some material, particularly language regarding which costs are allowable and how the Division applies various bonuses or penalties, is moved into a new manual. The remaining material primarily sets out the administrative process for applying for, receiving, and appealing per diem rates set by the Division.

FOR FURTHER INFORMATION, CONTACT: James LaRock, Department of Vermont Health Access, NOB 1 South, 280 State Drive, Waterbury, VT 05671 Tel: 802-241-0251 Fax: 802-241-0260 Email: james.larock@vermont.gov URL: <https://humanservices.vermont.gov/rules-policies/health-care-rules/health-care-administrative-rules-hcar>.

FOR COPIES: Jaime Mooney, Department of Vermont Health Access NOB 1 South, 280 State Drive, Waterbury, VT 05671 Tel: 802-798-2144 Fax: 802-241-0260 Email: jaime.mooney@vermont.gov.

General Assistance Temporary Housing Assistance.

Vermont Proposed Rule: 24P007

AGENCY: Agency of Human Services, Department for Children and Families

CONCISE SUMMARY: The proposed rule contains four amendments to the General Assistance program rules: (1) language was added to rule 2650 authorizing DCF to withhold payments to hotels/motels in violation of

lodging licensing rules;(2) the rule expands categorical eligibility for 28 days of housing under rule 2652.3 to include families with children who are 19 years old or younger; (3) the rule updates the basic needs standard chart in rule 2652.4 to align with the current Reach Up basic needs dollar amounts; and (4) the methodology for calculating the 30% income contribution in rule 2652.4 was changed from using the least expensive daily motel rate to either the current daily rate at the motel in which the temporary housing applicant is staying or if the applicant is not currently housed in a motel, the average daily rate.

FOR FURTHER INFORMATION, CONTACT: Heidi Moreau, Agency of Human Services, Department for Children and Families 280 State Drive, NOB 1 North, Waterbury, VT 05671 Tel: 802-595-9639 Email: heidi.moreau@vermont.gov URL: <https://dcf.vermont.gov/esd/laws-rules/current>.

FOR COPIES: Amanda Beliveau, Agency of Human Services, Department for Children and Families 280 State Drive, HC 1 South, Waterbury, VT 05671 Tel: 802-241-0641 Email: amanda.beliveau@vermont.gov.
