

RULES GOVERNING THE CONTROL AND ERADICATION
OF EQUINE INFECTIOUS ANEMIA *

SECTION I. AUTHORITY

6 V.S.A. Section 1181, 1182, 1183 and 1461
3 V.S.A. Chapter 25

SECTION II. DEFINITIONS

- A. "Accredited Veterinarian" means any veterinarian who is approved by the U. S. Department of Agriculture and the Livestock Sanitary Official in the State or Country of origin to inspect domestic animals and issue Certificates of Veterinary Inspection.
- B. "Approved Equine Quarantine Facility" means a facility or paddock for holding equines of unknown EIA status in quarantine prior to and during the time the animals are undergoing testing for EIA.
- C. "Approved Laboratory" means a laboratory approved by the Commissioner of Agriculture, Food and Markets to perform official tests for equine infectious anemia.
- D. "Approved holding area for equine animals for slaughter" means an area approved by the commissioner in which equine animals are confined prior to shipment to a slaughter plant.
- E. "Commissioner" means the Commissioner of the Department of Agriculture, Food and Markets or his or her designee.
- F. "Department" means the Vermont Department of Agriculture, Food and Markets.
- G. "Directly to Slaughter" means the equine animal must move directly to an approved plant or approved commission market authorized to handle equine animals for slaughter purposes.
- H. "Equine Animal" means any member of the equine family which includes horses, ponies, mules, asses and zebras.
- I. "Equine Animals of Unknown EIA Status" means equine animals not known to be tested for EIA and equine animals waiting for the results of blood samples collected for EIA testing.

- * These rules amend rule 86-P87
- J. "Equine Infectious Anemia" (EIA) also known as swamp fever, means a viral disease of equine animals which is infectious and may be spread from animal to animal by blood sucking insects, unsterile surgical instruments and community use of equipment that may produce cuts or abrasions.
- K. "Freeze Brand" means a metal brand or other device utilizing cold temperatures to produce a permanent mark with a configuration of 13A that is 3" in height and is applied to the left neck or shoulder area of equines that are positive to the EIA test.
- L. "Import" means 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 complied with the health requirements of the state of destination.
- M. "Isolation" means confinement to an enclosure or pasture whose boundaries are not closer than 200 yards from other pastures or enclosures which harbor equine animals. Enclosures or pastures, whose boundaries are closer than 200 yards from other pastures or enclosures, may be approved for isolation of an EIA reactor if, in the judgement of the Commissioner, the enclosures are sufficiently screened to preclude entry of biting insects.
- N. "Livestock Dealer" means any person who is licensed and bonded in accordance with 6 V.S.A. Chapter 63, Sections 762 and 764 to buy, sell, lease, or transport livestock, or to operate a livestock auction or sales ring.
- O. "Official Test" means any test used for detection of equine infectious anemia that is approved by the United States Department of Agriculture including but not limited to a Coggins test, which is a serological test that is also known as an agar-gel immunodiffusion test (AGID test).
- P. "Owner" means any person, partnership or corporation who holds legal title to the equine animal.
- Q. "Physical Exam" means an inspection by an accredited veterinarian for the purpose of certifying that an animal is free from signs of infectious, contagious or communicable disease other than EIA.
- R. "Quarantine" means restriction of movement of animals from a premise to prevent a contagious or infectious disease from spreading.
- S. "Reactor" means an equine animal whose blood serum reacts positively to an approved serological test for equine infectious anemia.

SECTION III. GENERAL RULES GOVERNING THE IMPORTATION OF EQUINE ANIMALS INTO VERMONT AND/OR TRANSFER OF OWNERSHIP OF EQUINE ANIMALS WITHIN VERMONT.

A. GENERAL RULES

1. Any equine animal that is imported into the state shall be accompanied by proof that such animal has been officially tested and found to be negative to equine infectious anemia within one year prior to transportation into the state.
2. Any equine animal that is purchased, sold, offered for sale, bartered, exchanged or given away within the state must be tested for and certified as negative to Equine Infectious Anemia by an accredited veterinarian within 60 days prior to the transfer of ownership of the equine animal.
3. Any equine animal may be required to be tested for EIA if the commissioner has reason to believe that the equine animal has been exposed to EIA and may pose a threat to other equine animals.
4. The owner of an equine animal shall be responsible for compliance with all requirements as set forth in these rules.

B. EXEMPTIONS TO CERTIFICATION REQUIREMENTS

Testing for equine infectious anemia is not required for any equine animal which:

1. is transferred between the owner and his or her spouse, child or sibling provided the equine animal is not transported to a new premise.
2. is consigned directly to slaughter.
3. is under six months of age providing it is nursing a dam which has been tested as required under these rules.
4. is transferred directly to a livestock dealer and the transfer of ownership is conducted in accordance with these rules.

C. PROOF OF CERTIFICATION

Proof that an equine animal has been officially tested and found to be negative to equine infectious anemia may be evidenced by a copy of the EIA test results contained on:

1. the official forms submitted for EIA laboratory testing, or,
2. a certificate of veterinary inspection.

SECTION IV. TESTING FOR EIA

A. PROCEDURAL REQUIREMENTS

1. Testing of equine animals for EIA shall be done by an accredited veterinarian by means of a Coggins test or other test acceptable to the commissioner.
2. Equine blood samples, withdrawn to test for equine infectious anemia, shall be obtained only by an accredited veterinarian.
3. Diagnostic testing for EIA shall be performed at approved laboratories.

B. CONFIRMATION TESTING

1. Any equine animal found to be a reactor based on the results of an official test, may be administered a second official test within 72 hours of receipt of the results of the first official test.
2. Confirmation testing will be done in the Department laboratory or a laboratory selected by the commissioner.

C. NOTIFICATION

1. All veterinarians and laboratories conducting official tests shall report the results of positive tests promptly to the owners and to the commissioner.
2. Veterinarians shall report to the commissioner the identity and location of any equine animal that is demonstrating clinical signs of EIA.
3. When the Commissioner receives notification of a positive test for EIA, the commissioner shall determine, based on all the facts and circumstances involved, which equine owners in the immediate area of the infected animal should be notified of the existence of equine infectious anemia in their locale.

D. IDENTIFICATION OF REACTORS AND ANIMALS UNDER TEST

1. Equine animals subject to official EIA testing shall be identified by the description of the testing veterinarian on the EIA form.
2. Equine animals for which the initial test was positive for EIA and for which the retest (confirmation of positive results) is pending shall be identified by a numbered metal locking device attached to the tail or mane of such animals or such other official individual identification devices approved by the commissioner.
3. Equine animals confirmed to be reactors shall be permanently and conspicuously identified by a freeze brand.

E. MOVEMENT OF EQUINE ANIMALS UNDER TEST

1. Animals under test shall not be removed from the premises on which samples were taken until the results are known except by special permission granted by the commissioner.
2. Any equine animal found to be a reactor based on the first EIA test shall be quarantined to the premises during the time interval between receipt of the first and second test results.

SECTION V. QUARANTINE AND DISPOSITION OF EIA REACTORS

A. QUARANTINED REACTORS

1. Any equine animal found to be a reactor to the second EIA test shall continue to be quarantined until properly disposed of in accordance with the rules.
2. A quarantine shall apply to all exposed equine animals on the owner's premises and shall remain in effect until the quarantined reactor is disposed of in accordance with these rules and the exposed animals on the premises are tested and proved to be negative to equine infectious anemia. The Commissioner shall determine which equine animals have been exposed.

B. DISPOSITION OF QUARANTINED REACTORS

1. Any quarantined reactors shall be properly disposed of in one of the following manners within two weeks of receipt of a second positive EIA test result. Quarantined reactors may be:
 - a. humanely destroyed under the supervision of an accredited veterinarian, or
 - b. condemned to slaughter at an approved slaughter plant, or
 - c. transported to a research facility that has been approved of in writing by the commissioner, or
 - d. permanently isolated under quarantine in conformance with these requirements:
 1. permission to isolate the infected animal must be requested from the commissioner. See Section V (D) for the procedure and requirements.
 2. the specific requirements for isolation are included in the definition of isolation in Section II (12).
 3. the infected animal must be identified with a freeze brand as defined in Section II (10).

C. REPORTING DISPOSITION OF REACTORS

Any person who destroys any equine animal in accordance with these rules shall report the destruction of the animal to the Commissioner in writing within seven days.

1. The veterinarian, supervising the destruction of a quarantined reactor, shall send a signed statement attesting to the destruction of the reactor to the Commissioner.
2. The owner of an approved slaughter plant shall send to the Commissioner a signed form certifying that the reactor has been slaughtered.
3. Before a quarantined reactor may be transported to an approved research facility, the Department must receive a form from the research facility certifying that the research facility has authority to receive quarantined reactors and has given informed consent to receive the quarantined reactor.
4. The research facility shall send the commissioner a signed statement attesting to the arrival of the reactor at the research facility.

D. PERMANENT ISOLATION OF REACTORS

Any owner who chooses to permanently isolate a reactor must obtain written permission from the commissioner.

1. The owner or the owner's designated representative must submit a written application to the commissioner specifying in detail the conditions under which the animal will be isolated including, but not limited to:
 - a. a description of the housing facility, that specifies the location, the manner of screening to prevent entry of biting insects, the types of construction materials used, the measurements of the stall and boundaries, the distance to and location of any other equine animals on the premises, and
 - b. an explanation of the methods that will be used to insure that other equine animals are not exposed to the reactor, including, if necessary, provisions for periodic testing of other equine animals on the premises.
2. Prior to approval, an authorized department designee shall inspect the proposed permanent isolation facility and report whether the facts stated in the written application are true and accurate.

3. An owner or person in possession or control of a permanently isolated reactor shall notify the department immediately if the reactor escapes from its isolation facility.
4. The commissioner may revoke permission granted to any person to permanently isolate a reactor if any of the person's approved application terms are violated.

SECTION VI. COMPENSATION

- A. Expenses for all fees associated with testing an animal for equine infectious anemia shall be the responsibility of the owner.
- B. Owners will not be indemnified or compensated for any loss of value caused by destruction of any equine that is found to be positive to official tests for equine infectious anemia.

SECTION VII. MISREPRESENTATION

No person shall misidentify an equine animal in any way including, but not limited to, such acts as:

1. The misrepresentation of the identity of equine animals which have been tested for Equine Infectious Anemia, or
2. The transfer of test results from one equine animal to another, or
3. The falsification of records for purposes of misrepresentation.

SECTION VIII. RULES FOR THE PURCHASE OR IMPORTATION BY LICENSED LIVESTOCK DEALERS OF EQUINE ANIMALS THAT ARE NOT KNOWN TO BE TESTED FOR EQUINE INFECTIOUS ANEMIA

A. PROCEDURES FOR EQUINE ANIMALS OF UNKNOWN EIA STATUS PURCHASED FOR SLAUGHTER

1. The equine animal of unknown EIA status purchased for slaughter must be immediately identified by a cattle backtag specifically given to the livestock dealer for this purpose by the Department. This backtag must remain on the animal until the animal is removed from the approved holding area for shipment directly to slaughter.
2. Equine animals purchased for slaughter may be shipped directly to slaughter.

3. Equine animals purchased for slaughter may be moved to an approved holding area for slaughter horses.
 - a. The special facility or pasture must be approved in advance by the commissioner or his agent for holding such equine animals purchased for slaughter. The approved holding area must be 200 yards away from all other equine animals on the premises or adjacent premises.
 - b. Equine animals of known negative EIA status purchased for slaughter may be commingled with equine animals of unknown EIA status in the approved holding area.
 - c. No equine animals may be removed from the approved holding area except for shipment directly to slaughter as defined in Section II(7).
 - d. Equine animals kept in approved holding areas must be shipped directly to slaughter within 14 days of purchase by the livestock dealer.

B. PROCEDURE FOR CONDUCTING TESTS FOR EIA ON EQUINE ANIMALS OF UNKNOWN EIA STATUS, WHICH ARE INTENDED FOR RESALE.

Untested equine animals may be purchased for resale provided these rules are followed.

1. The untested equine animal must be immediately identified by a cattle backtag specifically given to the livestock dealer for this purpose by the Department. This backtag must remain on the animal until the animal is removed from the quarantine facility with EIA negative test results or has tested positive for EIA and is disposed of according to 6 V.S.A. Section 1183.
2. The untested equine animal must be moved from the place of purchase directly to the quarantine facility and remain there until all equine animals in the quarantine facility test negative for EIA.
3. Any equine animals in transit with equine animals of unknown EIA status must be individually identified with a backtag, be delivered to the quarantine facility with the equine animals of unknown EIA status and remain in the quarantine facility until the equine animals of unknown EIA status test negative for EIA.
4. The untested equine animal must be tested for EIA according to 6 V.S.A. Section 1182(a) within two working days of purchase.
 - a. The backtag number must be included on the EIA test chart.
 - b. The EIA diagnostic testing must be conducted in the Vermont Department of Agriculture, Food and Markets Laboratory in Waterbury, Vermont or in

a laboratory approved by the commissioner which agrees to provide EIA test results directly to the commissioner in a timely manner.

- c. After all equine animals confined in the quarantine facility have negative tests for EIA, the equine animals may be removed from the facility and sold in the normal course of business.
 - d. Equine animals testing positive for EIA shall be retested for EIA within 72 hours.
 - e. The diagnostic testing procedure shall be performed in the Laboratory of the Vermont Department of Agriculture, Food and Markets in Waterbury, Vermont or such other laboratory approved by the commissioner. Any equine animal found to be a reactor to a second test shall continue to be quarantined until adequate arrangements are made for disposition of the animal in accordance with 6 V.S.A. Section 1183 and rules promulgated thereunder. See Section V of these rules.
5. All equine animals in the quarantine facility at the time a reactor is identified will remain in the quarantine facility until the animals test negative for EIA by means of a test conducted a minimum of 45 days after the EIA reactor is removed from the quarantine facility. The commissioner may give written approval for the removal of the equine animals in the quarantine facility to another holding area, such as a pasture, for the 45 day waiting period until another EIA test may be conducted.
6. An untested equine animal imported into Vermont must also pass a physical exam either given at the time of testing or within two working days of purchase.
7. Private individuals wishing to purchase or import equine animals of unknown EIA status may make arrangements with a livestock dealer to utilize the dealer's backtags for identification and the dealers equine quarantine facility to hold these animals for testing in the same manner the dealer would hold them were he/she purchasing the animal.

C. EQUINE QUARANTINE FACILITY FOR EQUINE ANIMALS OF UNKNOWN EIA STATUS PURCHASED FOR RESALE.

1. An equine quarantine facility may be a building with screened windows or a division thereof maintained by a livestock dealer for the quarantine of equine animals of unknown EIA status. The building must keep equine animals of unknown EIA status separated from equines that have been tested with negative results and equines tested with positive results or
2. an equine quarantine facility may be one or more paddocks maintained by a livestock dealer for quarantine of equine animals of unknown EIA status. The paddocks must be 200 yards from other buildings, paddocks or pastures which contain equine animals or
3. a combination of 1 and 2 above. In all cases the equine animals must be kept available for inspection at any time by the commissioner.
4. The facility must pass an inspection by the commissioner prior to the issuance of an initial operational permit and annually thereafter.
5. An operational permit will be issued annually and will expire on June 30 of each year.
6. The operational permit may be for designated time periods during the year or for the entire 12 month period.
7. The commissioner may deny an application for an operational permit or revoke an operational permit after notice and an opportunity for a hearing whenever the applicant has had his/her Vermont livestock dealer's license suspended or revoked.
8. The commissioner may revoke an operational permit after a notice and an opportunity for a hearing whenever the facility fails to pass an inspection or is used for purposes other than the quarantine of equine animals of unknown EIA status.

SECTION IX. RECORD KEEPING REQUIREMENTS FOR LIVESTOCK DEALERS:

A. GENERAL.

1. Records shall be available for inspection by the commissioner during normal business hours.
2. Records must be kept for 3 years.

B. EQUINE ANIMALS PURCHASED FOR RESALE

1. Information required for all equine animals purchased for resale.
 - a. Date of purchase, seller's name and address.
 - b. A description of the animal purchased and the special backtag number if purchased as an animal of unknown EIA test status.
 - c. EIA test date, which EIA test was performed, the name of laboratory performing the EIA test and the EIA test results.
 - d. Disposition of the equine animal, including purchaser's name, address and date of purchase.
2. Additional information required for equine animals purchased out-of-state:
 - a. for animals with a valid EIA test the records must include the date of the Certificate of Veterinary Inspection.
 - b. for animals of unknown EIA status the records must include the date of the physical exam and the name and address of the veterinarian who performed the exam.

C. RECORDS REQUIRED FOR EQUINE ANIMALS PURCHASED FOR SLAUGHTER

1. Date of purchase, seller's name and address.
2. Description of the animal and special backtag number.
3. Date of shipment to slaughter or auction and name and address of purchaser.
4. Proof of sale.