

## **CHAPTER 48.1-09-05 DISEASE CONTROL**

### Section

48.1-09-05-01 Disease Control

48.1-09-05-02 Removal or Damaging of Official Identification Tags or Markings

### **48.1-09-05-01. Disease control.**

1. Anthrax.
  - a. Nontraditional livestock susceptible to anthrax located on farms where anthrax has been diagnosed must be vaccinated. Nontraditional livestock must be quarantined for thirty days after the death of the last animal or thirty days following vaccination, whichever occurs last.
  - b. Sale of hides removed from nontraditional livestock infected with anthrax is prohibited.
2. Brucellosis.
  - a. The recommended brucellosis eradication uniform methods and rules as they appear in publication of the USDA-APHIS-VS are hereby adopted and constitute a rule of the board, unless otherwise ordered by the board.
  - b. Condemnation of infected animals.
    - (1) The state veterinarian shall determine when an animal is infected with brucellosis, and if infected, shall condemn the animal.
    - (2) Nontraditional livestock that are condemned due to brucellosis must be marked in accordance with a method prescribed by the state veterinarian.
    - (3) Animals must be slaughtered within thirty days following condemnation.
  - c. Sale of nontraditional livestock out of brucellosis-infected herds. Herds of animals infected with brucellosis must be quarantined, with the quarantine prohibiting sale of all intact bulls and females, except to licensed, monitored feedlots or for slaughter, under written permit. Such animals must be held separate and apart. The state veterinarian may grant an exception by official permit as provided in this section.
3. Chronic wasting disease.
  - a. If any white-tailed deer, mule deer, moose, or other susceptible species twelve months of age and older die for any reason, the owner shall submit the appropriate sample to an approved laboratory for chronic wasting disease surveillance as soon as practicable. Official identification must accompany the sample to the laboratory.
  - b. A chronic wasting disease diagnosis will be based on postmortem sample testing confirmed by the national veterinary services laboratory.
  - c. Other species may be subject to this requirement as determined by the state veterinarian.
  - d. The state veterinarian may grant exemptions to this surveillance.
  - e. Herd disposition upon diagnosis with chronic wasting disease.

- (1) A herd containing animals diagnosed with chronic wasting disease, or which has had chronic wasting disease traced back to the herd, must be quarantined until the herd is depopulated or until a herd plan is established.
- (2) If depopulation is not practicable, the owner and the state veterinarian shall develop a herd plan according to the following:
  - (a) If the herd displays no evidence of disease transmission within the herd as determined by an epidemiological investigation by the state veterinarian or a validated test, the herd plan must include provisions for:
    - [1] Herd inspection by board agents;
    - [2] Herd inventory with annual verification;
    - [3] Herd surveillance (mandatory death reporting and chronic wasting disease testing for sixty months from the last case or exposure);
    - [4] Separation of high-risk animals (high-risk animals are pen mates of an affected animal for twelve months prior to the death of the affected animal and all animals related to the affected animal); and
    - [5] High-risk animals must be quarantined for sixty months from the last case or exposure or euthanized and tested for chronic wasting disease.
  - (b) If the herd displays evidence of disease transmission within the herd as determined by an epidemiological investigation by the state veterinarian or a validated test, the herd plan must include provisions for:
    - [1] Herd inspection by board agents;
    - [2] Herd surveillance (mandatory death reporting and chronic wasting disease testing for sixty months from the last case or exposure);
    - [3] Separation of high-risk animals;
    - [4] High-risk animals must be quarantined for sixty months from the last case or exposure; and
    - [5] The entire herd must be quarantined for sixty months from the last case or exposure.
  - (c) If the herd is a trace herd as determined by an epidemiological investigation by the state veterinarian or a validated test, the herd plan must include provisions for:
    - [1] Herd inspection by board agents;
    - [2] Herd inventory with annual verification;
    - [3] Herd surveillance (mandatory death reporting and chronic wasting disease testing for sixty months from the last case or exposure); and
    - [4] Separation of high-risk animals and quarantine for sixty months from the last exposure or death of high-risk animals and testing for chronic wasting disease.

- f. Management of herds containing animals diagnosed with, exposed to, or potentially exposed to chronic wasting disease may be adjusted based upon epidemiological investigation and guidance in the USDA-APHIS-VS chronic wasting disease program standards.
- 4. Tuberculosis.
  - a. Uniform methods and rules - Tuberculosis. The current uniform methods and rules on cervid tuberculosis eradication as they appear in publication of USDA-APHIS-VS are hereby adopted and constitute a rule of the board unless otherwise ordered by the board.
  - b. Condemnation of infected animals.
    - (1) The state veterinarian shall determine when an animal is infected with tuberculosis, and if infected, shall condemn the animal.
    - (2) Animals that are determined to be infected with tuberculosis must be marked in accordance with a method prescribed by the state veterinarian.
    - (3) Animals must be slaughtered within thirty days following condemnation.
  - c. Reactors to tuberculosis must be accompanied by the proper official permit and are to be slaughtered in slaughter establishments under the supervision of the federal government or in another facility approved by the state veterinarian.

**History:** Effective July 1, 2016; amended effective July 1, 2024.

**General Authority:** NDCC 36-01-08

**Law Implemented:** NDCC 36-01-08, 36-01-12

#### **48.1-09-05-02. Removal or damaging of official identification tags or markings.**

Official identification or reactor tags or markings may not be removed or tampered with without approval by the state veterinarian.

**History:** Effective July 1, 2016.

**General Authority:** NDCC 36-01-08

**Law Implemented:** NDCC 36-01-08