

CHAPTER 48.1-01-06 VIRULENT PRODUCTS

Section

48.1-01-06-01 Sale of Virulent Products

48.1-01-06-02 Permit Requirements - Virulent Products

48.1-01-06-01. Sale of virulent products.

All persons, except licensed veterinarians practicing in the state, are prohibited from distributing or selling any products containing any live germs, cultures, or viruses for the treatment or vaccination of any domestic animals or nontraditional livestock without a written permit by the state veterinarian.

1. Nontransferable permits will be issued to all qualified applicants, as determined by the board, and may be obtained only upon written application by the person selling the product through retail distribution channels.
2. A written application for a permit shall be provided in a form as approved by the state veterinarian.
3. The board may revoke a permit to sell virulent products for violation of North Dakota Century Code chapter 36-01, or any rules adopted pursuant to that chapter.

History: Effective July 1, 2016.

General Authority: NDCC 36-01-08

Law Implemented: NDCC 36-01-08

48.1-01-06-02. Permit requirements - Virulent products.

An applicant for a permit to sell or distribute virulent products shall:

1. Agree not to sell or distribute any of the following vaccines:
 - a. Brucella vaccines.
 - b. Pseudorabies vaccines.
 - c. Rabies vaccines.
 - d. Anthrax vaccines.
 - e. Contagious ecthyma (live).
 - f. Erysipelas (live cultures).
 - g. Johne's Disease (paratuberculosis) vaccines.
 - h. Anaplasmosis vaccines.
 - i. Vaccines for foreign animal diseases.
 - j. Other vaccines as ordered by the board.
2. Complete four hours of training, approved by the state veterinarian, annually for the applicant and all employees pertaining to the use of virulent vaccines.
3. Store live germs, cultures, or viruses offered for sale, or sold, in a dark place at a temperature of not more than forty-five degrees Fahrenheit [7.22 degrees Celsius] and not less than thirty-five degrees Fahrenheit [1.67 degrees Celsius] until such time as they are sold. Live germs,

cultures, or viruses may not be sold after their expiration date. A working thermometer must be present in a refrigerated unit containing live germs, cultures, or viruses offered for sale.

4. Offer for sale, products in their original containers only.
5. Agree not to accept, for return, retail purchases of live germs, cultures, or viruses.
6. When approved for and provided a permit, comply with subsections 1 through 5, with respect to all farm sales.

History: Effective July 1, 2016.

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