

**ARTICLE 48.1-12  
SWINE**

Chapter  
48.1-12-01 Swine

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**48.1-12-01-01. Definitions.**

The terms used throughout this title have the same meaning as in North Dakota Century Code chapter 36-01. Additionally:

1. "Breeding swine" means any swine that are maintained for breeding purposes, including sows that are parturient or which have given birth to one or more litters of pigs and boars which are uncastrated and which have reached a stage of maturity rendering the animal capable of being used as a breeding animal, including those boars that through age or infirmity are no longer suitable for such use.
2. "Feeder swine" means swine being fed or intended to be fed for weight-gaining purposes and eventual slaughter.
3. "Slaughter swine" means swine that are consigned to a slaughter market or consigned directly to slaughter regardless of age, breed, or sex.

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

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

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

**48.1-12-01-02. Importation requirements - Certificate of veterinary inspection - Identification - Exemptions.**

1. Swine imported into the state, must be accompanied by a certificate of veterinary inspection except:
  - a. Swine originating directly from a producer's premises, not diverted en route, and consigned to an auction market approved by the board.
  - b. Swine consigned to a state or federally inspected slaughtering establishment.
  - c. Swine granted an exception by the board, if in the determination of the state veterinarian the animals are free of contagious or infectious diseases.
  - d. Swine leaving the state for exhibition or competition with a valid certificate of veterinary inspection may return to the state with the same certificate of veterinary inspection if the animal has not been out of the state for more than thirty days.
  - e. Other swine as otherwise provided for by these rules.

2. Certificates of veterinary inspection must include an importation permit number issued by the state veterinarian before entering the state. Swine imported on an approved electronic certificate of veterinary inspection platform, not originating from an area classified as infected with contagious disease by the board or state veterinarian, may be exempt from the requirement for an importation permit number.
3. The state veterinarian may deny a request for an importation permit number if the state veterinarian has information that swine:
  - a. Have not met the disease testing, vaccination, or identification requirements set forth in North Dakota Century Code title 36 or this title, or as otherwise required by the state veterinarian;
  - b. Have not met any pre-entry quarantine conditions imposed by law;
  - c. Have been exposed to, may have been exposed to, is infected with, or may be infected with any contagious or infectious disease;
  - d. Is or may originate from an area or premises under quarantine or other form of official or regulatory action relating to contagious or infectious disease; or
  - e. May be a threat to the health and well-being of the human or animal population of the state, or both.
4. Swine imported into the state must be identified and marked in a manner prescribed by the state veterinarian.
5. The state veterinarian may require additional disease testing, treatment, vaccination, or identification if the state veterinarian has reason to believe other health risks are present.
6. Swine that is infected, or recently exposed to any contagious or infectious disease, may not be imported.

**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, 36-14-04.1

#### **48.1-12-01-03. Importation disease testing requirements.**

1. Brucellosis. Breeding swine over six months of age must have had a negative brucellosis test within thirty days prior to entry into the state unless they are imported from a validated herd or a validated state.
2. Pseudorabies. Imported swine must test negative for pseudorabies within thirty days prior to entry into the state or comply with one of the following:
  - a. Be from a stage V or stage IV state or area, as designated by the USDA-APHIS-VS;
  - b. Be from a qualified pseudorabies negative herd; or
  - c. Be from a feeder swine pseudorabies monitored herd as designated by USDA-APHIS-VS.
3. Transmissible gastroenteritis. The accredited veterinarian must declare in a statement on the certificate of veterinary inspection, "The premises the swine are originating from has not had any signs or a diagnosis of transmissible gastroenteritis in the last sixty days."

4. Porcine epidemic diarrhea virus. The accredited veterinarian must declare in a statement on the certificate of veterinary inspection, "The premises the swine are originating from has not had any signs or a diagnosis of porcine epidemic diarrhea virus in the last sixty days."

**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, 36-14-04.1

#### **48.1-12-01-04. Disease control.**

Pseudorabies.

1. USDA-APHIS-VS establishes criteria for recognizing pseudorabies low-state area or prevalence areas.
2. A pseudorabies vaccination for all swine is prohibited unless approved in writing by the state veterinarian.
3. Breeding and feeder swine of unknown status must be quarantined until the swine pseudorabies status is determined by isolation and a pseudorabies test is conducted at the owner's expense, as well as a retest conducted in thirty to sixty days, at the owner's expense, or such swine must be shipped directly to slaughter.
4. A pseudorabies infected swine herd, as determined by a test approved by the board, must be quarantined and isolated from other susceptible animals on the farm, or other premises where the infected herd is located.
5. Reactor animals must be slaughtered. Then, the infected herd must be retested and receive two negative tests, the tests at least thirty days apart, with the first test occurring not sooner than thirty days after the last reactor animal is removed from the herd. Nursing piglets are not required to be tested.
6. As an alternative to a retest, the entire infected herd may be sent directly to slaughter.
7. The quarantine will be lifted only after the retests required pursuant to this subsection have occurred, or the entire infected herd has been shipped directly to slaughter. Before the quarantine is lifted, the premises of the infected herd must be cleaned and disinfected in a manner prescribed by the state veterinarian, or other agent of the board.
8. Slaughter sows and boars must receive pseudorabies testing at the first point of sale in the state, if necessary under a mandatory pseudorabies testing program instituted by the board.
9. Disposal of carcasses of swine infected with or testing positive for pseudorabies must be by a method prescribed by the state veterinarian.

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

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

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

#### **48.1-12-01-05. Removal or damaging of official identification or marks.**

Official identification or marks may not be removed or tampered with without authorization by the state veterinarian.

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

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

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