

EQUINE TESTING REQUIREMENTS

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House Bill 4567

Sponsor: Rep. Pat Somerville

Committee: Agriculture

Complete to 6-14-11

A SUMMARY OF HOUSE BILL 4567 AS INTRODUCED 4-21-11

This bill would amend the Animal Industry Act by adding Section 26a. Among other things this new section would:

- Prevent equidae (horses and related animals) from coming into the state unless they have tested negative on an official equine infectious anemia test within the 12 months prior to entry. The person in control of the equidae would be required to have an official interstate health certificate or interstate certificate of veterinary inspection in their possession. It must document the date, laboratory, accession number, and results of the latest equine infectious anemia test, and be signed by an accredited veterinarian. These testing requirements would not apply to equidae that are both six months or younger and nursing.
- Prevent equidae from being entered into exhibitions, expositions, or fairs unless they have tested negative on an official equine infectious anemia test within the previous 12 months that are documented on the infectious anemia laboratory test form. The fair, exhibition, exposition, or show authority would be responsible for assuring all participating equidae have tested negative for equine infectious anemia. These testing requirements would not apply to equidae that are both six months or younger and nursing.
- Prevent the changing of ownership and location of equidae within Michigan, unless the equidae have tested negative on an official equine infectious anemia test within the previous 12 months. All ownership changes must have a certificate signed by an accredited veterinarian and include the date, laboratory, accession number, and results of the latest equine infectious anemia test or by an equine infectious anemia laboratory test form. These testing requirements would not apply to equidae that are both six months or younger and nursing.
- Require all equidae entering, remaining at, or on the premises of horse auctions or sale markets to have tested negative on an official equine infectious anemia test within the previous 12 months of sale. If a test is not possible before each sale, the equidae must be held on the sale premises until the test results are known. These testing requirements would not apply to equidae that are both six months or younger and nursing.

- Require the owner or operator of an approved laboratory to report all positive results of equine infectious anemia to the Department of Agriculture and Rural Development. Operators would have to report positive tests as soon as possible and negative tests within 10 business days after the results are completed. Equidae owners or an organization sponsoring an event involving equidae would not be prohibited from requiring an equine infectious anemia test for equidae involved in any group activity or that are comingling with or are in close proximity to other equidae. A violation of this subsection is a civil violation that carries a fine of not more than \$100.
- Require the department to test all equidae that are located within a 1/4 mile radius of an area in which an equine that tested positive is or has been contained at the expense of the department. If the director determines that a large enough number of equidae have tested positive, he or she may require all equidae within an area larger than the 1/4 mile radius to be tested.
- Require the director to quarantine equidae that test positive and their herd of origin. With approval of the department director, an equidae that tests positive may be moved or quarantined to a premises that keeps them at least 1/4 mile away from any other equine. Equidae that test positive may, with approval of the director, be segregated and quarantined in an insect-free enclosure.
- Require the owner of an equine herd that is the source of a positive test to allow the director to test, in accordance with the following schedule, the complete source herd after the test positive equidae has been removed or segregated.
 - Between November 1 and April 30, a source herd may be tested at any time and qualify for quarantine release if all tested equidae are negative.
 - Between May 1 and October 31, a source herd may be tested after waiting a minimum of 45 days after the test-positive equidae have been removed. If all equidae tested are negative then the quarantine may be released.
- Require the owner of a test-positive equine to provide the department with records reflecting the time period during which the test positive equine had been on the premises and had been a member of the equine herd. It must include at least the following information:
 - The name and address of the previous owner.
 - The location of other equidae that were potentially exposed to the test positive equine.
- Require the owner of a test-positive equine to provide the department with the records described above within 30 days after positive test results are reported or at a different time agreed to by the director.

- Allow the director to conduct epidemiological investigations on all equidae that have possible exposure to test-positive equidae to determine the need for additional quarantines.
- Prohibit a person from destroying or removing test-positive equidae from the original test location without prior permission from the director.
- Prevent the owner from destroying a test-positive equine without the permission of the director. The director is required to issue a quarantine release and be present when the equine is destroyed. An accredited veterinarian may document and certify the test positive equine has been destroyed.
- Unless immediately destroyed, test-positive equidae must be identified with the freeze brand 34A, which would have to be at least two inches in height and placed on the left cervical area of the neck. (The animals could be identified in another manner if approved by the director.)
- Allow restricted equidae to move interstate only if they are accompanied by a permit listing the owner's name and address, points of origin and destination, number of equidae included, purpose of the movement, and at least either the individual equine registered breed association registration tattoo, the individual equine registered breed association registration number, or other unique official identification. The permit must also list the equine's name, age, sex, breed, color, and markings. The individual issuing the permit would have to consult with the state animal health official in the state of destination for approval and determine that the test-positive equine will be maintained in isolation sufficient to prevent the transmission of equine infectious anemia to other equidae.
- Restrict the interstate movement of test positive equidae to the following locations and require that they remained quarantined there under state authority until natural death, slaughter, or euthanasia:
 - A federally inspected slaughter facility.
 - A federally approved diagnostic or research facility.
 - A herd or farm of origin.
- Allow individual exposed equidae to move from a quarantined area for specific purposes if they have tested negative at the time of movement. The equidae must be moved under quarantine and remain under quarantine until testing negative at least 45 days after the last known exposure to a test-positive equidae.
- Allow the department to establish a voluntary program regarding an equidae identification card system, funded by a reasonable fee to participants that includes at least the following information:
 - A pocket size card made of durable material.

- A photographic likeness of the equine and a description of at least the color, breed, sex, age, markings, name of owner, and location of address of the equine.
- An indication of a negative test result, including the date of the test.

This bill would also exempt any information that identifies the owner of an equine that is gathered by the department from disclosure under the Freedom of Information Act.

MCL 287.701 to 287.746

FISCAL IMPACT:

A fiscal analysis is in process.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.