

ANIMAL INDUSTRY ACT (EXCERPT)
Act 466 of 1988

287.717c Equid herd; change of ownership and location; equine infectious anemia test; requirements; quarantine and testing; records; destruction or removal prohibited; interstate movement permit.

Sec. 17c.

(1) As used in this section:

(a) "Change of ownership and location" means a transfer of ownership of an equid from 1 person to another person through selling, bartering, trading, leasing, adopting, or donating the equid along with a change of location of the equid.

(b) "Equid herd" means any of the following:

(i) All animals of the family equidae under common ownership or supervision that are grouped on 1 or more parts of any single premises, lot, farm, or ranch.

(ii) All animals of the family equidae under common ownership or supervision on 2 or more premises that are geographically separated but in which either or both of the following have occurred:

(A) The equids have been interchanged.

(B) Equids from 1 of the premises have had contact with equids from a different premises.

(iii) All animals of the family equidae on common premises, such as community pastures or grazing association units, but owned by different persons.

(c) "Equine infectious anemia" means an infectious disease of an equid caused by a lentivirus, equine infectious anemia virus.

(d) "Equine infectious anemia laboratory test form" means the official federal government form required to submit blood samples to an approved laboratory for equine infectious anemia testing or other form approved by the director.

(e) "Equine infectious anemia test-positive equid" means any animal of the family equidae that has been subjected to an official equine infectious anemia test whose result is positive for equine infectious anemia.

(f) "Exposed equid" means an animal in the family equidae that has been exposed to equine infectious anemia by associating with an equid known or later found to be affected with equine infectious anemia.

(g) "Official equine infectious anemia test" means any test for the laboratory diagnosis of equine infectious anemia that utilizes a diagnostic product that is both of the following:

(i) Produced under license from the secretary of agriculture of the United States Department of Agriculture, or the secretary's authorized representative, under the virus-serum-toxin act, 21 USC 151 to 159.

(ii) Conducted in an approved laboratory.

(h) "Permit" means an official document or a United States Department of Agriculture Veterinary Services form 1-27, commonly known as vs form 1-27, or comparable state form, issued by a state or federal representative or by an accredited veterinarian, that is required to accompany an equine infectious anemia test-positive equid or an exposed equid that is being moved under official seal during its movement to a specified destination.

(i) "Restricted equid" means an equine infectious anemia test-positive equid or exposed equid.

(2) Subject to subsection (3), before an equid may participate in any of the following activities, it shall have an official equine infectious anemia test with a negative result within the previous 12 months of entry documented on an equine infectious anemia laboratory test form:

(a) Exhibitions, expositions, or fairs.

(b) Change of ownership and location within this state.

(c) Entering, remaining at, or being present on the premises of horse auctions or sales markets whether or not licensed under 1974 PA 93, MCL 287.111 to 287.119, and 1937 PA 284, MCL 287.121 to 287.131. If an equine infectious anemia test is not possible before sale, then the equid must be held on the sale premises until the test results are known.

(3) Subsection (2) does not apply to an equid that is both 6 months or younger and nursing.

(4) An equid that changes ownership and location in this state or that is moved into this state from another state must have an official equine infectious anemia test with a negative result within the previous 12 months. An equid moved into this state from another state must meet the requirements of section 19.

(5) An equine infectious anemia laboratory test form shall contain, at a minimum, the color, breed, sex, age, markings, name of owner, and location or address of the equid to which it applies. A photographic or graphic likeness may also be used to demonstrate the color and markings of the equid.

(6) An owner of an equid or an organization sponsoring an event involving equids may require an official equine infectious anemia test for the equids involved in an equid group activity or that are commingling with or in proximity to other equids.

(7) The department shall test all equids located within a 1/4-mile radius of the perimeter of the area in which an

equine infectious anemia test-positive equid is or has been contained at the expense of the department. If the director determines that a large number of equids are equine infectious anemia test-positive, the director may require testing of all equids within an area larger than the 1/4-mile radius described in this subsection at the expense of the department.

(8) The director shall quarantine an equid that tests positive to an official equine infectious anemia test and its herd of origin. Equids that test positive to an official equine infectious anemia test may, with approval from the director, be moved or quarantined to a premises that confines them to an area that is a minimum of 1/4 mile away from any other equid. Equids that test positive to an official equine infectious anemia test may, with approval from the director, be segregated and quarantined in an insect-free enclosure as determined by the director.

(9) The owner or agent of an equid herd that is the source of an equine infectious anemia test-positive equid shall allow the director to test, in accordance with the following schedule, the complete source herd with an official equine infectious anemia test after the official equine infectious anemia test-positive equid has been removed or segregated from the herd in a manner approved by the director:

(a) Between November 1 and April 30, a source herd may be tested at any time and qualify for quarantine release if all tested equids are negative to an official equine infectious anemia test.

(b) Between May 1 and October 31, a source herd may be tested after waiting a minimum of 45 days after the official equine infectious anemia test-positive equid has been removed or segregated from the herd. If all equids tested are negative to the official equine infectious anemia test, the quarantine may be released.

(10) To the best of his or her knowledge, the owner of an equine infectious anemia test-positive equid shall provide to the department records reflecting the time period during which the equine infectious anemia test-positive equid both had been on the premises and had been a member of the equid herd that include at least the following information:

(a) The name and address of the previous owner.

(b) The location of other equids that were potentially exposed to the equine infectious anemia test-positive equid.

(11) Within 30 days after positive test results are reported to an owner of an equine infectious anemia test-positive equid or at a different time period agreed to by the director, the owner of an equine infectious anemia test-positive equid shall provide to the department the records described in subsection (10).

(12) The director may conduct epidemiological investigations on all equids that have possible exposure to official equine infectious anemia test-positive equids to determine the need for additional quarantining and official equine infectious anemia testing.

(13) A person shall not destroy or remove an official equine infectious anemia test-positive equid from the original test location or premises without prior permission from the director.

(14) The owner shall not destroy an official equine infectious anemia test-positive equid without permission from the director. The director shall be present when the equid is destroyed or shall allow an accredited veterinarian to document and certify that the official equine infectious anemia test-positive equid has been destroyed. The director shall not issue a quarantine release until the official equine infectious anemia test-positive equid has been destroyed.

(15) Unless immediately destroyed, an official equine infectious anemia test-positive equid shall be identified by the director with the freeze brand 34A, which shall be in characters not less than 2 inches in height and placed on the left cervical area of the neck or shall be identified in another manner approved by the director.

(16) Restricted equids may move interstate only if accompanied by a permit listing the owner's name and address, points of origin and destination, number of equids included, purpose of the movement, and at least either the individual equid registered breed association registration tattoo or the individual equid registered breed association registration number, or other unique official identification. The permit shall also list the name, age, sex, breed, color, and markings of the equids.

(17) An equine infectious anemia test-positive equid may only move interstate under permit to the following locations, or as determined by the director:

(a) A federally inspected slaughter facility.

(b) A federally approved diagnostic or research facility.

(c) A herd or farm of origin.

(18) The individual issuing the permit described in subsection (16) shall consult with the state animal health official in the state of destination for approval and shall determine that the equine infectious anemia test-positive equid to be moved interstate will be maintained in isolation sufficient to prevent the transmission of equine infectious anemia to other equids. An equine infectious anemia test-positive equid that is moved to a location described in subsection (17) shall remain quarantined under state authority at that location until natural death, slaughter, or euthanasia. The carcass shall be disposed of as provided in 1982 PA 239, MCL 287.651 to 287.683.

(19) An individual exposed equid may be allowed to move from a quarantined area for specific purposes if it has a negative test at the time of movement. The equid shall be moved under quarantine and maintained under quarantine at the new premises until tested negative to an official equine infectious anemia test at least 60 days after the last known exposure to an equine infectious anemia test-positive equid.

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