

NEBRASKA ADMINISTRATIVE CODE

TITLE 23 – NEBRASKA ADMINISTRATIVE CODE CHAPTER 1

NEBRASKA DEPARTMENT OF AGRICULTURE

CHAPTER 1 - NEBRASKA LIVESTOCK DISEASE REPORTING REGULATIONS

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001 Statement of Purpose. The purpose of these regulations is to aid in carrying out the legislative intent and general purposes of Neb. Rev. Stat. §54-742, governing the development of a livestock disease reporting system to assist in the prevention, suppression, control and eradication of dangerous, infectious, contagious, or otherwise transmissible livestock diseases.

002 Administration. These regulations are administered by the Department of Agriculture, fourth floor, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska 68509. The telephone number is (402)471-2351, FAX (402)471-6893.

003 Definitions. For purposes of the Nebraska Livestock Disease Reporting Regulations, unless the context otherwise requires, the definitions found in Neb. Rev. Stat. §54-701.03 and herein, shall apply:

003.01 ANIMAL DISEASE DIAGNOSTIC LABORATORY (LABORATORY) means a laboratory which has been approved by the state or federal authorities to conduct animal disease testing.

003.02 APHIS means the Animal and Plant Health Inspection Service of the United States Department of Agriculture (USDA).

003.03 CATEGORY I DISEASE means all foreign animal diseases, emergency conditions, and program diseases. Category I diseases may be subject to movement restrictions, quarantine, or other monitoring as deemed necessary by the department.

003.04 CATEGORY II DISEASE means endemic animal diseases which are not program diseases. Category II diseases are categorized into two tiers:

003.04A Tier I means a serious and transmissible disease requiring immediate reporting, and may be subject to movement restrictions, quarantine, or other monitoring as deemed necessary by the department; and

003.04B Tier II means a less serious disease, more common in Nebraska, and requires no more than monthly reporting.

003.05 COUNTY OF ANIMAL LOCATION means the Nebraska county where the suspected or confirmed diseased animal resides. A listing of all Nebraska counties, along with their respective boundaries, may be found at Neb. Rev. Stat. §§22-101 to 22-193.

003.06 DISEASE SYMPTOM means any manifestation, exhibition or any other indication of a disease, or deteriorating condition of an animal which may be caused by a toxin, toxic substance contamination, biological agent, prion, or any other material or factors which the department has determined to have the potential for rapid spread irrespective of state or national borders and can have a potentially devastating effect on livestock and the livestock industry.

003.07 EMERGENCY CONDITION means any disease, disease symptom, condition, parasite, or manifestation of illness caused by a toxin, toxic substance contamination, biological agent, prion, or any other material or factors which the department has determined to have the potential for rapid spread irrespective of state or national borders and can have a potentially devastating effect on livestock and the livestock industry. Emergency conditions may be subject to movement restrictions, quarantine, or other monitoring as deemed necessary by the department.

003.08 EMERGING DISEASE means a new infection resulting from the evolution, re-emergence, or change of an existing pathogenic agent, a known infection spreading to a new geographic area, population, or species, or a previously unrecognized pathogenic agent or disease diagnosed for the first time and which has a significant impact on animal or public health. Emerging diseases may be identified by the state veterinarian in conjunction with Nebraska livestock health committees, producers, practicing veterinarians, and other affected persons, as having the potential for serious economic impact or serious threat to livestock health.

003.09 ENDEMIC ANIMAL DISEASE means an animal disease known to exist in the United States.

003.10 FOREIGN ANIMAL DISEASE means any transmissible animal disease, or pest affecting livestock, which does not currently exist in the United States.

003.11 IMMEDIATE REPORTING means no more than four hours.

003.12 STATE VETERINARIAN means the veterinarian appointed pursuant to Neb. Rev. Stat. §81-202.01, or his or her designee.

003.13 VETERINARY BIOLOGICAL DIAGNOSTIC PRODUCT means a USDA licensed diagnostic test product or other diagnostic test kits or products approved for use by the state veterinarian, which can be utilized by veterinarians or other authorized persons for use in non-laboratory settings.

004 Category I Diseases. Category I diseases shall include foreign animal diseases, emergency conditions, and program diseases.

004.01 Foreign Animal Diseases.

004.01A Currently, the following diseases are considered to be foreign animal diseases: African Horse Sickness (equine species); African Swine Fever (porcine species); Akabane disease (multiple species); Babesiosis (bovine species); Bovine ephemeral fever (bovine species); Bovine Spongiform Encephalopathy (BSE) (bovine species); Classical Swine Fever (Hog Cholera) (porcine species); Contagious Agalactia (caprine/ovine species); Contagious Bovine Pleuropneumonia (CBPP) (bovine species); Contagious Caprine Pleuropneumonia (caprine/ovine species); Contagious Equine Metritis (equine species); Crimean Congo Hemorrhagic Fever (multiple species); Dourine (equine species); Duck viral hepatitis (avian species); Epizootic lymphangitis (equine species); Foot and Mouth Disease (FMD) (multiple species); Glanders (equine species); Goat Pox (caprine species); Heartwater (multiple species); Hemorrhagic Septicemia (bovine species); Hendra virus (equine species); Highly Pathogenic Avian Influenza (avian species); Japanese Encephalitis (multiple species); Lumpy Skin Disease (bovine species); Malignant Catarrhal Fever (bovine species); Melioidosis (multiple species); Menangle virus infection (porcine species); Nairobi Sheep Disease (caprine/ovine species); Newcastle Disease (Exotic) (avian species); Nipah Virus Encephalitis (porcine species); Peste des Petits Ruminants (caprine/ovine species); Rift Valley Fever (multiple species); Rinderpest (multiple species); Screwworm (Old World and New World) (multiple species); Sheep Pox (ovine species); Sheep Scabies (ovine); Surra (multiple species); Swine vesicular disease (porcine species); Teschovirus encephalomyelitis (porcine species); Theileriasis (bovine species); Trypanosomiasis (multiple species); Venezuelan Equine Encephalomyelitis (equine species).

004.01B Reporting requirements for foreign animal diseases.

004.01B(1) A veterinarian, in-state laboratory, or any other person who makes a clinical diagnosis or laboratory confirmation of, including positive results from a veterinary biological diagnostic product, or who reasonably suspects the presence or occurrence of any foreign animal disease shall immediately report such results by telephone to the state veterinarian;

004.01B(2) Diagnosis of a foreign animal disease in an animal residing in Nebraska, confirmed in an out-of-state laboratory, shall be reported by the veterinarian who was responsible for submitting the sample or animal for testing;

004.01B(3) The reporting party shall include the name or nature of the suspected disease, including clinical history and any death losses; species, and approximate number of animals which may have been exposed or suspected to be diseased; name, address, animal location and telephone number of both the reporting party and the animal's owner, if known, and any additional information requested by the state veterinarian.

004.02 Emergency Conditions.

004.02A The following symptoms or conditions shall be known as emergency conditions and may be used as a guide by producers, animal caretakers, and veterinarians to assess the urgency for reporting the disease or condition:

004.02A(1) Sudden and unexpected increase in morbidity or mortality.

004.02A(2) Disease symptoms with significant zoonotic potential.

004.02A(3) Vesicular lesions.

004.02A(4) Undiagnosed encephalitic conditions with high morbidity or mortality.

004.02A(5) Pox or lumpy skin disease.

004.02A(6) Unexplained or unusual septicemia.

004.02A(7) Severe respiratory disease symptoms, with high morbidity or mortality.

004.02A(8) Avian disease with acute deaths or central nervous system signs.

004.02A(9) Uncommon larvae in wounds.

004.02A(10) Cases of toxicoses or large mortalities of unknown cause.

004.02A(11) Any other condition which reasonably causes or should cause a suspicion of bioterrorism, including the intentional use of any microorganism, virus, infectious substance, or any component thereof, whether naturally occurring or bioengineered, to cause the death, illness, disease, or other biological malfunction in an animal or animal product. All intentional acts involving a biological agent shall be considered bioterrorism.

004.02B Reporting requirements for emergency conditions.

004.02B(1) A veterinarian or any other person who observes emergency conditions shall immediately report such conditions by telephone to the state veterinarian;

004.02B(2) The reporting party shall include the name or nature of the suspected disease, including clinical history and any death losses; species, and approximate number of animals which may have been exposed or suspected to be diseased; name, address, animal location, and telephone number of both the reporting party; and the animal's owner, if known, and any additional information as requested by the state veterinarian.

004.03 Program Diseases.

004.03A Unless otherwise amended by statute, program diseases shall include the following: Anthrax (multiple species); Brucellosis (*B. abortus*, *B. melitensis*, *B. suis*) (multiple species); Chronic Wasting Disease (cervid species); H5/H7 Low Pathogenic Avian Influenza (avian species); Pseudorabies (porcine species); Pullorum (*Salmonella pullorum*) (avian species); Scrapie (caprine/ovine species); Trichomoniasis (*Trichomonas foetus*) (bovine species); Tuberculosis (multiple species); and Typhoid (*Salmonella gallinarum*) (avian species).

004.03B Reporting Requirements for program diseases.

004.03B(1) A veterinarian, in-state laboratory, or any other person who makes a clinical diagnosis or laboratory confirmation of, including positive results from a veterinary biological diagnostic product, or who reasonably suspects the presence or occurrence of any program disease, except for Trichomoniasis, shall immediately report such results by telephone to the state veterinarian. A laboratory confirmed trichomoniasis diagnosis of beef or dairy breeding bulls shall be reported within five (5) business days in accordance with Neb. Rev. Stat. §54-742(3). Owners or managers of trichomoniasis infected breeding bulls are further required to notify each adjacent landowner or land manager in accordance with Neb. Rev. Stat. §54-742(4).

004.03B(2) Diagnosis of a program disease confirmed in an out-of-state laboratory shall be reported by the veterinarian who was responsible for submitting the sample or animal for testing.

004.03B(3) The reporting party shall include the name or nature of the suspected program disease, including clinical history and any death losses; species, and approximate number of animals which may have been exposed or suspected to be diseased; name, address, animal location, and telephone number of both the reporting party and the animal's owner, if known, and any additional information requested by the state veterinarian.

005 Category II Diseases. Category II diseases are other potentially serious animal diseases which pose a concern to the health of Nebraska's livestock or livestock industry.

005.01 Tier 1 Diseases. Tier I diseases shall include the following: Equine Herpes Virus Myeloencephalopathy (Equine Herpesvirus type 1)(equine species); Equine Infectious Anemia (equine species); Equine Piroplasmiasis (equine species); Vesicular Stomatitis (multiple species).

005.01A Reporting Requirements for Tier I Diseases.

005.01A(1) A veterinarian, in-state laboratory, or any other person who makes a clinical diagnosis or laboratory confirmation of, including positive results from a veterinary biological diagnostic product, or who reasonably suspects the presence or occurrence of any Tier I disease shall immediately report such results by telephone to the state veterinarian;

005.01A(2) Diagnoses of a Tier I disease, confirmed in an out-of-state laboratory, shall be reported by the veterinarian or person who was responsible for submitting the sample or animal for testing. Such report shall be immediately submitted to the state veterinarian upon confirmation from the out-of-state laboratory.

005.01A(3) The reporting party shall include the name or nature of the suspected disease, including clinical history and any death losses; species, and approximate number of animals which may have been exposed or suspected to be diseased; name, address, animal location and telephone number of both the reporting party and the animal's owner, if known, and any additional information requested by the state veterinarian.

005.02 Tier II Diseases. Tier II diseases shall include the following: Anaplasmosis (bovine species); Avian Chlamydiosis (avian species); Avian Infectious Bronchitis (avian species); Avian Infectious Laryngotracheitis (avian species); Bluetongue (multiple species); Bovine Genital Campylobacteriosis (bovine species); Bovine Viral Diarrhea (BVD) (bovine species); Brucella Ovis (sheep species); Caprine Arthritis/Encephalitis (caprine/ovine species); Cystercosis (porcine species); Eastern Equine Encephalomyelitis (equine species); Echinococcus/Hydatidosis (multiple species); Enzootic Abortion of Ewes (Ovine Psittacosis, Chlamydia psittaci) (caprine/ovine species); Enzootic Bovine Leukosis (bovine species); Epizootic Hemorrhagic Disease (multiple species); Equine Influenza (Virus Type A) (equine species); Equine Rhinopneumonitis Equine Herpesvirus types 1 and 4 (equine species); Equine Viral Arteritis (equine species); Fowl Cholera (avian species); Infectious Bovine Rhinotracheitis/Infectious Pustular Vulvovaginitis (IBR or red nose) (bovine species); Infectious Bursal Disease (avian species); Johne's (paratuberculosis) (multiple species); Leptospirosis (multiple species); Maedi-Visna/Ovine Progressive Pneumonia (caprine/ovine species); Marek's Disease (avian species); Mycoplasmosis (M. gallisepticum) (avian species); Mycoplasmosis (M. synoviae) (avian species); Ovine Epididymitis (Caprine/ovine species); Ovine Progressive Pneumonia (caprine/ovine species); Porcine Circovirus associated diseases (PCVAD) which includes, but is not limited to, Postweaning Multisystemic Wasting Syndrome (PMWS) (porcine species); Porcine Circovirus Type 2 (PCV2)(porcine species); Porcine Dermatitis and Nephropathy Syndrome (PDNS) (porcine species); Porcine Enterovirus Type I/Agent X (porcine species); Porcine Reproductive and Respiratory Syndrome (PRRS) (porcine species); Q Fever (multiple species); Rabies (multiple species); Salmonellosis (multiple species); Scabies (multiple species); Transmissible Gastroenteritis (TGE) (porcine species); Trichinellosis (multiple species); Tularemia (multiple species); Turkey Rhinotracheitis (pneumovirus) (avian species); West Nile Fever (multiple species); Western Equine Encephalomyelitis (equine species).

005.03 Reporting Requirements for Tier II Diseases.

005.03A Tier II disease diagnoses shall be submitted in accordance with subparts 005.03A(1) and 005.03A(2) below. Any reliable method for reporting any Category II disease shall be acceptable.

005.03A(1) Confirmed Tier II disease diagnoses shall be submitted on a monthly basis to the state veterinarian by an animal disease diagnostic laboratory and submitting veterinarian.

005.03A(2) The laboratory and submitting veterinarian shall report the name of the disease, species affected and the county of animal location and, when available, the approximate number of animals which have been affected by the disease.

006 Emerging Diseases. Emerging diseases shall be any disease which is identified as being an “emerging disease” by the state veterinarian, in conjunction with Nebraska livestock health committees, industry groups, producers, practicing veterinarians, diagnostic laboratories, or other affected parties as having the potential for serious economic impact or serious threat to Nebraska’s livestock health or livestock industry. Emerging diseases shall be monitored on a case-by-case basis in order to assess the progress of the disease transmissibility and its economic impact on the state.

006.01 The following diseases are identified by the state veterinarian as being emerging diseases in Nebraska: Novel Swine Enteric Coronavirus Disease (porcine species); Seneca Valley Virus, (Seneca Virus A) (porcine species).

006.02 Reporting Requirements for Emerging Diseases.

006.02A Emerging diseases shall be monitored on a case-by-case basis in order to assess the progress of the disease transmissibility and its economic impact on the state. Any reliable method for reporting emerging diseases shall be acceptable.

006.02B Diagnosis of an emerging disease confirmed by an in-state animal diagnostic laboratory shall be reported by such laboratory. Such report shall be submitted to the state veterinarian within thirty (30) days of confirmation by the in-state laboratory.

006.02C Diagnosis of an emerging disease in an animal residing in Nebraska, confirmed in an out-of-state laboratory, shall be reported by the veterinarian or person who was responsible for submitting the sample or animal for testing. Such report shall be submitted to the state veterinarian within thirty (30) days of confirmation from the out-of-state laboratory.

006.02D When available, the reporting party shall include the name or nature of the suspected disease, including clinical history and any death losses; county of animal location, species, and approximate number of animals which may have been exposed or suspected to be diseased; and, name, address, and telephone number of the reporting party and the animal’s owner, if known.

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007 Effect on Other Laws. The reporting requirements of these regulations do not supersede any requirement provided for in Nebraska statutes or federal law.

008 Annotation. Neb. Rev. Stat. §§54-701 to 54-753.05.