

Reviewed
September, 1992

NEBRASKA SWINE BRUCELLOSIS ACT

Administration: This Act is administered by the Nebraska Department of Agriculture, Bureau of Animal Industry, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska 68509. Telephone: (402) 471-2351.

Revisions: The provisions of this Act were last revised during the 1991 session of the Nebraska Legislature.

Rules: A regulation has been promulgated under this Act, known as Title 23, Chapter 4, Nebraska Administrative Code - Swine Brucellosis.

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54-1348. Terms, defined. As used in sections 54-1348 to 54-1366, unless the context otherwise requires:

(1) Brucellosis shall mean the disease wherein an animal of the porcine species is infected with brucella microorganisms,

irrespective of the occurrence or absence of clinical symptoms of infectious abortion;

(2) Bureau shall mean the Bureau of Animal Industry of the Department of Agriculture;

(3) Exposed herd shall mean a herd that has been exposed to a brucellosis infected or exposed animal or herd under quarantine or that has been in direct contact with reactor animals in commerce for at least twenty-four hours. Exposed herd shall also include a herd that has had direct contact with a reactor that has recently aborted or farrowed, or has a vaginal or uterine discharge;

(4) Entire herd test shall mean a brucellosis test of all breeding swine six months of age and over within a herd;

(5) Immediate slaughter shall mean delivered directly to an officially inspected slaughter establishment within seven days of removal from the farm of origin or following the date of sale through any market;

(6) Infected herd shall mean a herd in which reactors have been disclosed by an official test;

(7) Market swine testing program shall mean an official test of swine moving in trade through auction markets, stockyards, and livestock dealer concentration points, to slaughtering establishments, or officially tested on the farm of origin immediately prior to movement;

(8) Negative shall mean any swine disclosing a negative reaction to an official brucellosis test;

(9) Official test shall mean an agglutination test of blood samples taken in a manner acceptable to the State Veterinarian with an approved antigen in a manner approved by the State Veterinarian and made by an authorized representative of the bureau. Official test shall also include other tests which may in the future be designated and approved by the State Veterinarian;

(10) Reactor shall mean any swine disclosing a positive reaction to an official brucellosis test;

(11) State Veterinarian shall mean the chief of the Bureau of Animal Industry of the Department of Agriculture; and

(12) Validated herd shall mean a swine herd that has met the requirements for validation as set forth in section 54-1349.

54-1349. Swine herd; validated; requirements. A swine herd may become a validated herd when such herd has had one negative

brucellosis test of all breeding swine six months of age and over within the herd. The validation period shall be one year. In order for a herd to maintain its status as a validated herd, either a negative herd test may be conducted annually or a minimum of twenty percent of all breeding swine six months of age and over within the herd may be brucellosis tested under a market swine testing program during the validation period. Not less than one-half of such tests shall be conducted during the final six months of the validation period.

54-1350. Lease, loan, trade, or sell female swine or boars; prohibited; exceptions. No person shall lease, loan, trade, or sell female swine or boars six months of age and over, except swine consigned for immediate slaughter, or offer or receive the services of any male swine for breeding purposes, unless (1) such swine have been given an official brucellosis test by an authorized representative of the bureau within thirty days prior to the date of such transaction and found free of brucellosis, (2) such swine originated from a validated herd, or (3) Nebraska is a validated brucellosis-free state for swine in accordance with the terms of 9 C.F.R. 78.1 in effect on January 1, 1990.

54-1351. Blood samples; State Veterinarian determine when samples taken; manner of taking. Blood samples may be collected from sows, boars, or stags slaughtered at federal establishments, state establishments, or state-federal establishments. The State Veterinarian shall determine when such samples are to be collected and the manner in which such samples are to be taken.

54-1352. Exposed herd, quarantined; exception. All swine from an exposed herd may be quarantined to the premises and the movement of all such swine may be prohibited until the herd has passed a negative herd test at least thirty days following the last date on which exposure occurred, except that all swine consigned for immediate slaughter shall be allowed to move under permit approved by the bureau.

54-1353. Swine from infected herd; quarantined. All swine from an infected herd shall be quarantined to the premises and the movement of all such swine may be prohibited until the herd has passed a negative entire herd test at least sixty days following the removal of reactors, except that all swine consigned for immediate slaughter shall be allowed to move under permit approved by the bureau. Infected herds may be retested at thirty-day intervals, with reactors being removed for slaughter until the entire herd is negative.

54-1354. Owners of reactor swine; present for identification. It shall be the responsibility of the owner or owners of reactor swine, whether privately or officially tested, to present such swine for identification within fifteen days following the date the infection is disclosed and to have the swine confined in a

suitable place or yard for such identification and provide the necessary assistance and facilities for restraining the animals to be identified.

54-1355. Owners of reactor swine; sale after identification.

All reactor swine shall be sold directly to slaughter or consigned to a livestock auction market or stockyards approved by the bureau for sale to immediate slaughter within fifteen days after having been identified as prescribed in section 54-1354.

54-1356. Premises; reactors discovered; cleaned and disinfected.

All premises upon which reactors have been discovered shall be cleaned and disinfected under supervision of the bureau within fifteen days following removal of the reactors. An extension of such time may be granted by the bureau under extenuating circumstances.

54-1357. Diverting for slaughter; removal of identification unlawful. It shall be unlawful for any person to divert from immediate slaughter swine which are designated for immediate slaughter or to remove from any animal any official identification.

54-1358. Slaughter sows and boars; identification; reports. All slaughter sows and boars received at the first point of sale by livestock dealers, assembly points, livestock auction markets, or stockyards, or which are sold direct to slaughter shall be identified by the farm of origin in a uniform manner acceptable to the bureau. At the time of taking possession or control of such sows and boars, it shall be the duty of every livestock dealer, livestock auction market operator, commission firm, or stockyard or slaughtering establishment livestock dealer to identify each such animal in a manner acceptable to the bureau. Every person required to identify animals in accordance with this section shall maintain reports of such identification on forms prescribed by the bureau for a period of time designated by the bureau and make such reports available to the bureau upon request.

54-1359. Swine tested for brucellosis; identification. All swine tested for brucellosis shall be identified by an ear notch, tattoo, or ear tag in a uniform manner as specified by the bureau.

54-1360. Activities connected with swine brucellosis; tests; identification of animals; report to bureau. All activities connected with swine brucellosis control, conducted either privately or as part of an official swine brucellosis eradication program such as results of agglutination tests and identification of animals, shall be promptly reported to the bureau.

54-1361. Brucellosis control; available to owners of infected herds without expense. All services in connection with swine brucellosis control shall be available to the owner or owners of infected herds without expense, except for the expense for the handling of his swine, as long as funds for such purposes are available. When state or federal funds are not available, each owner shall continue his program at his own expense with his private veterinarian and under the supervision of state and federal veterinarians and such swine owner in an area shall not be released from compulsory participation in the swine brucellosis control program.

54-1362. Sections; administration. The provisions of sections 54-1348 to 54-1366 shall be administered by the bureau with whatever assistance the bureau may request of and receive from the United States Department of Agriculture, Agricultural Research Service, Animal and Plant Health Inspection Service on a cooperative basis.

54-1363. State Veterinarian; rules and regulations. The State Veterinarian shall, subject to the approval of the Director of Agriculture, adopt and promulgate rules and regulations for the purpose of carrying out the Nebraska Swine Brucellosis Act. Such rules and regulations shall be reasonable, shall be based on the latest available scientific information to further the control and eradication of swine brucellosis, and shall be adaptable to and serve the best interest of the swine industry in Nebraska.

54-1364. Failure to comply with sections; injunction. Upon application of the bureau, any district court may issue a mandatory injunction against any person, firm, or corporation who fails to comply with the provisions of sections 54-1348 to 54-1366.

54-1365. Violations; penalty. Any person violating any of the provisions of sections 54-1348 to 54-1366 for which a specific penalty is not otherwise provided shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not to exceed thirty days, or by both such fine and imprisonment.

54-1366. Act, how cited. Sections 54-1348 to 54-1366 may be cited as the Nebraska Swine Brucellosis Act.

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