



STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
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Concise Explanatory Statement

Adoption of Permanent Rule

The department held hearings in Moses Lake and Olympia on December 6 and December 12, 2011 to accept testimony on a proposed addition to WAC 16-54, Animal importation.

Identifying the Agency's Reasons for Adopting the Rule:

On April 29, 2011, Governor Gregoire signed Substitute House Bill 1538, which directed the department to adopt rules designating when a physical address is required on a certificate of veterinarian inspection, permit, or other transportation documents, and when those animals must be transported directly to the physical address of that destination.

Animal disease traceability is a vital tool used to protect public health, safety, and welfare and to maintain the economic vitality of our livestock industries. The rule making to require physical addresses and delivery to the designated address on a certificate of veterinarian inspection, permit, or other transportation documents will aid in animal disease traceability when an adverse animal health event occurs.

The department proposes to add a new section to Chapter 16-54 of the Washington Administrative Code (WAC) to align with the recently enacted legislation.

Summarizing All Comments Received Regarding the Proposed Rule and Responses:

Written Comments Against the Proposal:

I am opposed to the changes. You have no personnel to check up on them and putting more regulations on producers without being able to check will not help the situation.

Response: WSDA appreciates all input into the rule making process. Providing a physical address will aid the department in finding and tracing animals that may be infected or exposed in the event of an adverse animal health event and help prevent diversion in route.

I vote no on your new proposals and fines.

Response: WSDA appreciates all input into the rule making process.

Oral Comments from December Hearing:

CPoW are in support of changes to 16-54. I have a concern. Should add that animals need to reach their destination within 12 hours of entering the state.

Response: WSDA appreciates the support of the rule. The department has no way of knowing the exact date and time animals enter the state; therefore, putting a regulation in place as suggested would not be enforceable or reasonable. The department believes that non tested and non vaccinated cattle are the highest risk of animals imported into Washington state. Current regulations are in place for livestock that are purchased through a market for slaughter-only (non tested and non vaccinated) and must be consigned to a federally inspected slaughter plant or a restricted holding facility and must reach the declared point of destination within twelve hours. With a few exceptions, all animals entering Washington state are required to have a certificate of veterinary inspection prior to entry, greatly reducing the risk to our resident animals.

The WCA is in support.

Response: WSDA appreciates the support of the rule.

CPoW goes along with it.

Response: WSDA appreciates the support of the rule.

Washington Cattle Feeders is in support.

Response: WSDA appreciates the support of the rule.

We're in support, but #2 needs to have a timeline and there needs to be an after-hours phone number included.

Response: WSDA appreciates the support of the rule. The proposed rule requires that the department be notified within twenty-four hours if the physical address destination has changed. The phone number listed in the proposed rule is the direct animal health phone line. The animal health phone line is staffed between the hours of 8:00 am to 5:00 pm Monday through Friday, Pacific time. The animal health phone line is available for producers to report changes after regular business hours. This animal health phone line also provides emergency contact numbers as well as a toll free phone number for producers to obtain entry permits.

The Washington State Dairy Federation is in support.

Response: WSDA appreciates the support of the rule.

In support.

Response: WSDA appreciates the support of the rule.

In support if restricted to commercial shipments of large livestock. My concern is for the safety of Washington citizens and possible unintended consequences when doing transactions via Craigslist, Freecycle, newspaper ads, or dealing with anyone not known and trusted. If the exact destination address is required, this would mean the WA resident is required to give their home address to the person they are getting the animal from. This could be particularly uncomfortable and dangerous in cases such as a private party doing a rescue. Concern with the impact on the showing community: the cost of a veterinary exam and health certificate exceeds the value of many small animals and poultry. Concern with the impact on buying and selling animals when the purchaser is not known in advance. I hope WSDA will make rules that accomplish the purpose while avoiding unintended consequences that could deter people from showing, buying and selling animals, or could place WA residents in danger.

WSDA appreciates the comments for this rule. WSDA recognizes the concerns and the disclosure of the unintended consequences as a result of the proposed rule. The situation pointed out here could be resolved by meeting in a public place as described and the animal taken to a nearby veterinary clinic where the health documentation could be verified and that could be stated as the origin of the Certificate of Veterinary Inspection. This would protect the privacy of the individual and meet the requirements of the proposed rule. WSDA appreciates the concerns of small producers in participating in shows and livestock exhibitions and the expense incurred in health documentation; however, this is not the intent of this proposed rule. Providing a physical address will aid the department in finding and tracing animals that may be infected or exposed in the event of an adverse animal health event and help prevent diversion in route.