

2015 -- H 5943

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LC001731
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY - TUBERCULOSIS CONTROL

Introduced By: Representatives Azzinaro, Carnevale, Craven, Kennedy, and Serpa

Date Introduced: March 19, 2015

Referred To: House Environment and Natural Resources

(Environmental Management)

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 4-5-7, 4-5-8, 4-5-10, 4-5-11, 4-5-12 and 4-5-13 of the General
2 Laws in Chapter 4-5 entitled "Tuberculosis Control" are hereby repealed.

3 ~~4-5-7. Application for permission to import. --- All persons, firms, corporations, or~~
4 ~~associations intending to ship, transport, import, or to drive any bovine animals into the state,~~
5 ~~shall make written application to the director of environmental management for permission to~~
6 ~~ship, transport, import, or drive bovine animals into this state, and in that application shall state~~
7 ~~the breed, sex, age, and general marking on each animal and with the application shall forward to~~
8 ~~the director:~~

9 ~~(1) A chart signed by a veterinarian approved by the United States department of~~
10 ~~agriculture showing that the animals described are from officially tuberculosis free accredited~~
11 ~~herds or are from herds officially under state and federal supervision for the eradication of bovine~~
12 ~~tuberculosis. All herds from which those animals originate shall have passed a negative~~
13 ~~intradermic tuberculin test at least three (3) months prior to date of shipment; except that in the~~
14 ~~case of all animals originating in accredited herds, those herds shall have passed a negative~~
15 ~~intradermic tuberculin test within one year from date of shipment; and~~

16 ~~(2) A certificate of a veterinarian approved as provided in subsection (1), that upon a~~
17 ~~negative intradermic tuberculin test and a physical examination, those animals have been found to~~
18 ~~be free from tuberculosis or other contagious or communicable disease, and are from a herd~~
19 ~~officially under state and federal supervision for the eradication of bovine tuberculosis, which at~~

1 ~~its last tuberculin test revealed no reactors.~~

2 ~~**4-5-8. Issuance of permit to import.** -- Upon the receipt of an application pursuant to §~~
3 ~~4-5-7, chart and certificate, the director of environmental management shall issue a permit to the~~
4 ~~owner or importer of those animals to ship, import, transport, or drive the animals described in~~
5 ~~the application into this state. All animals which are being shipped, transported, imported, or~~
6 ~~driven into the state shall at all times be accompanied with this permit.~~

7 ~~**4-5-10. Penalty for importation without permit.** -- Any person, firm, corporation, or~~
8 ~~association shipping, transporting, importing, or driving any bovine animals into this state~~
9 ~~without first obtaining an import permit or who fails to have any bovine animal which is being~~
10 ~~shipped, transported, imported, or driven into the state accompanied at all times with that permit~~
11 ~~shall be fined not more than five hundred dollars (\$500), or be imprisoned for not more than one~~
12 ~~year, or both.~~

13 ~~**4-5-11. Prosecution of violations.** -- Complaints for the violation of the provisions of §§~~
14 ~~4-5-7—4-5-10 shall be made by the director of the department of environmental management,~~
15 ~~and the director is exempt from giving surety for costs on any complaint made.~~

16 ~~**4-5-12. Notice of arrival of imported animals.** -- The person, firm, corporation, or~~
17 ~~association importing any animal in pursuance of the permit shall immediately on the arrival of~~
18 ~~that animal in the state send written notice of that arrival to the director of environmental~~
19 ~~management, and any person, firm, corporation, or association who fails to notify the director is~~
20 ~~guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars~~
21 ~~(\$500) or be imprisoned for not more than one year, or both.~~

22 ~~**4-5-13. Examination and certification of imported cattle.** -- Upon the receipt of the~~
23 ~~notification pursuant to § 4-5-12, the director of environmental management, or the director's~~
24 ~~duly authorized representative, shall proceed within seventy two (72) hours to the place~~
25 ~~designated, and make a physical examination of the cattle; and if upon that examination the cattle~~
26 ~~are deemed free from tuberculosis, it shall be certified by the director upon a permit, and a~~
27 ~~duplicate permit shall be given to the owner of the cattle, and the cattle released for the use and~~
28 ~~benefit of the owner.~~

29 SECTION 2. Section 4-5-14 of the General Laws in Chapter 4-5 entitled "Tuberculosis
30 Control" is hereby amended to read as follows:

31 ~~**4-5-14. Quarantine of imported cattle -- Intradermic test.** -- If after the ~~examination~~~~
32 ~~pursuant to § 4-5-13 importation of cattle by any person, firm, corporation, or association, the~~
33 ~~director of environmental management is of the opinion that any of the cattle ~~examined are~~~~
34 ~~afflicted imported are at risk to be infected with tuberculosis, or if he or she has reason to~~

1 question the accuracy or reliability of the test charts under which the cattle were imported into
2 this state, or if for any other reason he or she believes any of the cattle ~~examined~~ so imported may
3 be affected with tuberculosis, the director, if in his or her judgment that action appears advisable,
4 shall place the cattle in quarantine at their destination or at some other suitable place to be
5 designated by the director, and the cattle shall be held in quarantine for a period of not more than
6 ninety (90) days or until released by order of the director within that period. While those cattle are
7 held in quarantine, the director shall cause them to be tested for tuberculosis with tuberculin by
8 the intradermic test.

9 SECTION 3. This act shall take effect upon passage and shall apply to incidents
10 occurring on or after the effective date.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would repeal several provisions of the general laws pertaining to tuberculosis in
2 animals, and empowers the director of environmental management the right to quarantine cattle if
3 the cattle are at risk of being infected.

4 This act would take effect upon passage and would apply to incidents on or after the
5 effective date.

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