

**ARTICLE 48.1-11
SHEEP**

Chapter
48.1-11-01 Sheep

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48.1-11-01-01. Definitions.

Definitions contained in title 9, Code of Federal Regulations, part 79.1 are adopted by the board and apply to this chapter, unless otherwise defined or ordered by the board.

History: Effective July 1, 2016.

General Authority: NDCC 36-01-08

Law Implemented: NDCC 36-01-08, 36-01-12, 9 CFR 79.1, 9 CFR 161

48.1-11-01-02. Importation requirements - Certificate of veterinary inspection - Identification - Exemptions.

1. Sheep imported into the state must be accompanied by an official certificate of veterinary inspection and an importation permit number except:
 - a. Sheep originating directly from a producer's premises, not diverted en route, and consigned to an auction market approved by the board.
 - b. Sheep consigned to a state or federally inspected slaughtering establishment.
 - c. Sheep granted an exception by the board, if in the opinion of the state veterinarian the animals are free of contagious or infectious diseases.
 - d. Sheep leaving the state for exhibition or competition with a valid certificate of veterinary inspection may return to the state with the same certificate of veterinary inspection if the animal has not been out of the state for more than thirty days.
 - e. Other sheep as otherwise provided for by these rules.
2. Certificate of veterinary inspection for sheep must include an importation permit number issued by the state veterinarian before entering the state.
3. The state veterinarian may deny a request for an importation permit number if the state veterinarian has information that sheep:
 - a. Have not met the disease testing, vaccination, and identification requirements set forth in North Dakota Century Code title 36 or this title, or as otherwise required by the state veterinarian;
 - b. Have not met any pre-entry quarantine conditions imposed by law;

- c. Have been exposed to, may have been exposed to, is infected with, or may be infected with any contagious or infectious disease;
 - d. Are from or may originate from an area or premises under quarantine or other form of official or regulatory action relating to contagious or infectious disease; or
 - e. May be a threat to the health and well-being of the human or animal population of the state, or both.
4. Sheep entering the state must be officially identified by an official scrapie tag or by another method approved by the state veterinarian.
 5. Sheep from foreign countries must be permanently officially identified with a method prescribed by the state veterinarian and an electronic identification compatible with the federal animal identification plan.
 6. The state veterinarian may require additional disease testing, treatment, vaccination, or identification if the state veterinarian has reason to believe that other health risks are present.
 7. Sheep infected, or recently exposed to any contagious or infectious disease, may not be imported into the state.

History: Effective July 1, 2016.

General Authority: NDCC 36-01-08

Law Implemented: NDCC 36-01-08, 36-01-12, 36-14-04.1

48.1-11-01-03. Importation disease testing requirements.

1. Brucella ovis.
 - a. Breeding rams six months of age or older imported into the state must have tested negative for brucella ovis within thirty days prior to entry;
 - b. The flock of origin must have a negative brucella ovis status. To qualify a flock as a negative brucella ovis status flock, two negative tests for brucella ovis must have been administered, forty-five to sixty days apart, during the same year, to all rams one year of age or older, and thereafter a yearly negative test must have been administered to all rams in the flock one year of age or older;
 - c. The state veterinarian may authorize the importation of registered breeding sheep and exempt them from the initial import requirements of this subsection. Registered breeding sheep imported by this authorization must be held under quarantine and isolated from other sheep until they have met the requirements of this subsection;
 - d. Animals testing positive on a post-entry test must be euthanized and no indemnity is paid to the owner or the animals may be immediately returned to the state of origin; or
 - e. All tests for brucella ovis administered pursuant to this section must be tests officially recognized or otherwise approved by the state veterinarian.
2. Scrapie.
 - a. Sheep imported into the state must be determined to not be genetically susceptible as verified by two blood tests drawn under the supervision of an accredited veterinarian; or
 - b. The certificate of veterinary inspection must contain a written statement, signed by the owner of the sheep, stating that:

"To the best of my knowledge, the sheep listed on this certificate originate from a flock that has not been diagnosed as a scrapie-infected, source, or exposed flock in the past sixty months."

History: Effective July 1, 2016.

General Authority: NDCC 36-01-08

Law Implemented: NDCC 36-01-08, 36-01-12, 36-14-04.1

48.1-11-01-04. Disease control.

1. Anthrax.
 - a. Sheep susceptible to anthrax located on farms where anthrax has been diagnosed shall be vaccinated. Animals must be quarantined for thirty days after the death of the last animal or thirty days following vaccination, whichever occurs last.
 - b. Sale of hides removed from animals infected with anthrax is prohibited.
2. Brucella ovis.
 - a. Flocks may be tested to obtain brucella ovis negative flock status.
 - b. To qualify a flock as a negative brucella ovis status flock, two negative tests for brucella ovis must have been administered, forty-five to sixty days apart, during the same year, to all rams one year of age or older, and thereafter a yearly negative test must have been administered to all rams in the flock one year of age or older.
3. Scrapie.
 - a. Identification.
 - (1) The owner of a flock or the owner's agent officially shall identify all animals upon change of ownership to the flock of birth or the flock of origin, if the flock of birth cannot be determined. Sheep are required to be officially identified except:
 - (a) Slaughter sheep (sheep in slaughter channels) less than eighteen months of age. If a sexually intact sheep is sold at an unrestricted sale (any sale that is not a slaughter or feeding for slaughter sale), it must be identified.
 - (b) Wether sheep less than eighteen months of age.
 - (c) Animals shipped directly to an approved slaughter facility or an approved auction market, when all the animals in a section of a truck are from the same premises of origin and are accompanied by an owner's statement.
 - (d) Animals moved for grazing or similar management reasons whenever the animals are moved from a premises owned or leased by the owner of the animals to another premises owned or leased by the owner of the animals.
 - (2) An animal that is required to be individually identified or that originates from any area where, in the determination of the board, scrapie may exist may not be sold, transported, received for transportation, or offered for sale or transportation in intrastate commerce unless each animal is identified in accordance with this section.
 - (3) A person may not remove or tamper with any means of identification required to be on animals pursuant to this section while the animals are in intrastate commerce,

and, at the time of slaughter, animal identification must be maintained throughout postmortem inspection.

- (4) Sheep that are scrapie-suspect, scrapie-positive, scrapie-exposed, and high-risk animals, including all low-risk exposed animals, genetically susceptible exposed animals, genetically less susceptible exposed animals, and genetically resistant exposed sheep must be identified as prescribed by the state veterinarian in consultation with USDA-APHIS-VS.
 - (a) Tag application on these classes of sheep must be by, or under the supervision of, a USDA-APHIS-VS or the board or an accredited veterinarian.
 - (b) All forms of identification on these classes of goats, must be recorded on an official USDA-APHIS-VS form or equivalent and forwarded to the designated scrapie epidemiologist, the state veterinarian, and USDA-APHIS-VS.

b. Reporting and investigation.

- (1) Upon request by the board, the owner of a flock or the owner's agent shall have an accredited veterinarian collect and submit tissues from animals reported in accordance with section 48.1-11-01-04 to a laboratory designated by an USDA-APHIS-VS or the board.
- (2) Investigation. The board, an accredited veterinarian approved to conduct scrapie program activities, or an authorized USDA-APHIS-VS representative shall:
 - (a) Investigate animals reported as scrapie-suspect animals within seven days of notification.
 - (b) Designate a flock's status, within fifteen days of notification that the flock contains a scrapie-positive animal, based on an investigation by state or federal animal health authorities.
 - (c) Restrict the movement of newly designated scrapie-infected and source flocks within seven days after they are designated.
 - (d) Modify infected and source flock movement restrictions only after completion of a flock plan, and after agreement by the owner to comply with a sixty-month post-exposure management and monitoring plan.
 - (e) Conduct an epidemiological investigation of source and infected flocks, that includes the designation of high-risk and exposed animals, and that identifies animals to be traced.
 - (f) Conduct tracebacks of scrapie-positive animals and traceouts of high-risk and exposed animals and report any out-of-state traces to the appropriate state within forty-five days of receipt of notification of a scrapie-positive animal.
 - (g) Conduct tracebacks based on slaughter sampling within fifteen days of receipt of notification of a scrapie-positive animal at slaughter.

c. Disposition of flocks.

- (1) Infected flock. In the event a flock is determined to be a scrapie-infected flock, the flock must be quarantined. The owner has the option of:
 - (a) Depopulating the flock; or

- (b) Signing an agreement with the state-federal scrapie program administrators and agreeing to comply with requirements of title 9, Code of Federal Regulations, part 79.2, until the time the flock is no longer an infected flock.
- (2) Source flock. If a flock is determined to be a scrapie-source flock, the flock must be quarantined. The owner has the option of:
 - (a) Depopulating the flock;
 - (b) Signing an agreement with the state-federal scrapie program administrators agreeing to comply with the requirements of title 9, Code of Federal Regulations, part 79.2, until the flock is no longer a source flock; or
 - (c) Implementing a flock plan that meets board approval.
- (3) Exposed flock. Upon designation by the board as an exposed flock, the flock must be quarantined until the owner implements a flock plan that meets the state veterinarian's approval. In the event a flock is determined to be a scrapie-exposed flock, the owner has the option of:
 - (a) Depopulating the flock; or
 - (b) Signing an agreement with the state-federal scrapie program administrators agreeing to comply with requirements of title 9, Code of Federal Regulations, part 79.2, until the time the flock is no longer an exposed flock.
- d. Owner reporting requirements. The owner of a flock or the owner's agent shall immediately report to the board, USDA-APHIS-VS representative, or an accredited veterinarian any suspect animal. Such animal must not be removed from the flock without written permission by the state veterinarian.
- e. Flock records disclosure.
 - (1) The owner of a flock or the owner's agent shall allow breed associations and registries, auction markets, and packers to disclose records to the board, to be used in an epidemiological investigation of source flocks, infected flocks, and exposed animals.
 - (2) The owner of a flock enrolled in the voluntary scrapie flock certification program described in title 9, Code of Federal Regulations, part 54, or the owner's agent, selling or otherwise disposing of breeding stock shall make animals in the flock and records required to be kept under paragraph (a)(2)(iv) of title 9, Code of Federal Regulations, part 79.2, available for inspection by USDA-APHIS-VS representatives or the board, given reasonable prior notice.

History: Effective July 1, 2016.

General Authority: NDCC 36-01-08

Law Implemented: NDCC 36-01-12; 9 CFR 54, 9 CFR 79.2

48.1-11-01-05. Removal or damaging of official identification or marks.

Official identification or marks may not be removed or tampered with without approval by the state veterinarian.

History: Effective July 1, 2016.

General Authority: NDCC 36-01-08

Law Implemented: NDCC 36-01-08