



## Proposed Regulation Agency Background Document

<b>Agency name</b>	Board of Agriculture and Consumer Services
<b>Virginia Administrative Code (VAC) citation</b>	2 VAC 5 -141
<b>Regulation title</b>	Health Requirements Governing The Admission Of Agricultural Animals, Companion Animals, And Other Animals Or Birds Into Virginia
<b>Action title</b>	Repeals the existing Chapter 140 and replaces it with a new regulation governing animal entry requirements that is consistent with other state and national animal health trends and priorities.
<b>Date this document prepared</b>	April 1, 2010

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 36 (2006) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Brief summary

*In a short paragraph, please summarize all substantive provisions of new regulations or changes to existing regulations that are being proposed in this regulatory action.*

This regulatory action proposes to repeal the current regulations (2 VAC 5-140) concerning the requirements for entry of agricultural, companion, and other animals into Virginia; and replace it with a regulatory framework (2 VAC 5-141) that is consistent with the current status of interstate animal disease control and eradication programs and traceability requirements. Substantive changes include animal identification requirements for certain classes of imported animals, strengthened tuberculosis testing requirements for cattle, alignment of sheep and goat entry requirements with current scrapie control programs, and provision for free movement of agricultural animals from neighboring states to facilitate marketing. The current regulation has not been amended since 1989.

### Acronyms and Definitions

*Please define all acronyms used in the Agency Background Document. Also, please define any technical terms that are used in the document that are not also defined in the "Definition" section of the regulations.*

CVI – means Certificate of Veterinary Inspection, an official health certificate endorsed by a state or foreign government required for certain interstate and international movements of animals and animal products.

South American Camelid – means a llama, alpaca, or related wild camelid species originating from South America.

USDA – means the United States Department of Agriculture

## Legal basis

*Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., the agency, board or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.*

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Section 3.2-5902 of the Code of Virginia authorizes the Board of Agriculture and Consumer Services to adopt regulations as may be necessary to establish the health of certain pet animals imported into Virginia.

Section 3.2-6001 of the Code of Virginia authorizes the Board of Agriculture and Consumer Services to adopt regulations in coordination with other states and the USDA to protect the livestock and poultry of Virginia.

Section 3.2-6002 of the Code of Virginia authorizes the Board of Agriculture and Consumer Services to adopt regulations as may be necessary to prevent, control or eradicate infectious or contagious diseases in livestock and poultry in Virginia.

## Purpose

*Please explain the need for the new or amended regulation by (1) detailing the specific reasons why this regulatory action is essential to protect the health, safety, or welfare of citizens, and (2) discussing the goals of the proposal, the environmental benefits, and the problems the proposal is intended to solve.*

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The current regulations concerning the importation of animals into Virginia are outmoded. In the two decades since their enactment, significant changes have occurred concerning the priorities and methodology of state, federal and international animal disease and marketing programs. Primary among these changes have been those impacting the control of bovine tuberculosis, and those pertaining to animal disease traceability of agricultural animals in interstate trade. The proposed regulation will make Virginia current with federal and other state animal movement requirements and ensure that Virginia animal producers and owners are not placed at a disadvantage in interstate trade as well as protect the continuing viability of agricultural and companion animal industries. Since Virginia is a net exporter of agricultural animals, the Virginia animal entry requirements should minimize the risk of disease introduction and allow rapid response and control should such occur, while at the same time allowing for unimpeded commerce.

The proposed regulation also rectifies other identified deficiencies in the current regulation. Definitions are strengthened to fully encompass the scope of animals imported into the state, in order to ensure that

all animal species are properly accounted for and subject to reasonable and appropriate requirements. Exemptions to entry requirements for companion animals granted by the Code of Virginia are accounted for in the proposed regulation, removing existing inconsistencies. Outdated testing requirements for goats and camelids are removed in order to facilitate the development of these industries. Significant concessions have been granted to ensure the viability of Virginia's livestock marketing system. These changes will have a significant impact on the practicality of application of this regulation.

## Substance

*Please briefly identify and explain new substantive provisions (for new regulations), substantive changes to existing sections or both where appropriate. (More detail about all provisions or changes is requested in the "Detail of changes" section.)*

The proposed new regulation contains substantive changes to the existing regulation. These apply to the definitions used in the regulation, required components of CVIs, animal identification requirements, and the entry requirements for specific classes of animals. They are as follows:

- Definitions – Scientific nomenclature has been used to define specific classes of animals, in order to ensure that all species of interest are captured under the defined word.
- CVIs – The required components of CVIs have been updated to reflect current animal disease traceability requirements.
- Animal Identification – The proposed regulation creates an animal identification requirement for certain classes of agricultural animals. Required identification for imported animals will enhance the ability for such animals to be traced, which is of crucial importance to mitigating any potential disease risk they may place to Virginia animal populations.
- Avian – The proposed regulations will now be applicable to all classes of birds entering Virginia, and the State Veterinarian's proclamation concerning avian influenza will be linked to them. This will give maximum flexibility in ensuring that imported birds do not pose a threat to Virginia's economically significant poultry industry. Testing requirements have been brought into line with current needs.
- Cattle – The proposed regulation requires tuberculosis testing of certain classes of cattle, regardless of their origin. This change is in keeping with the requirements of many other states, and reflects the current concern regarding a resurgence of bovine tuberculosis. Virginia is a net exporter of cattle; it is critical that it remains considered free of tuberculosis for cattle.
- Companion Animal – The proposed regulation takes into account the exemptions granted to the entry of certain companion animals by the Code of Virginia. The current regulation creates an apparent inadvertent inconsistency with the Code in this regard.
- Goat and Sheep – The proposed regulation brings goat and sheep entry requirements consistent with 2 VAC 5-206, concerning the control of scrapie. It also removes testing requirements for certain classes of goats to better reflect the risk posed to Virginia animal populations.
- Horses – The proposed regulation accounts for the adoption of equine interstate event permits in lieu of CVIs by Virginia and other signatory states.
- Other Ruminants – The proposed regulation ties the importation requirements of other ruminants to the health status of cattle in the state of origin. This will allow for additional testing requirements for other ruminants to be applicable as necessary, and otherwise not create trade barriers. This will have significant impact on the importation of camelids into Virginia, by greatly reducing the testing requirements such animals currently bear under most circumstances.
- Swine – The proposed regulations modernize Virginia's swine entry requirements in response to industry and federal changes.
- Primates – The proposed regulation imposes an identification requirement for the importation of primates under certain conditions.

**Issues**

*Please identify the issues associated with the proposed regulatory action, including:*

- 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions;*
- 2) the primary advantages and disadvantages to the agency or the Commonwealth; and*
- 3) other pertinent matters of interest to the regulated community, government officials, and the public.*

*If the regulatory action poses no disadvantages to the public or the Commonwealth, please so indicate.*

The predominant issues associated with the proposed regulation apply to the identification of agricultural animals and the strengthening of tuberculosis testing requirements for cattle and other dairy animals. In regard to agricultural animal disease traceability, the strengthened CVI and identification requirements are directly linked to the dissolution of the National Animal Identification System by the USDA without easing of international country of origin labeling requirements. It is the stated intent of the federal government that state governments take on more responsibility for traceability of animal movements. The proposed regulation is designed to offer significant flexibility to select an appropriate traceability system for importers of animals, while at the same time ensuring a framework is in place to ensure that Virginia will remain able to export animals to other markets; easing of importation identification requirements may in turn place significant hurdles to those exporting animals.

The proposed regulation strengthens the tuberculosis testing requirements for cattle entering Virginia, in response to concern regarding the resurgence of bovine tuberculosis in recent years. Under the current regulation, cattle are exempt from testing if they originate from a state or region considered free of tuberculosis by the USDA whereas other animals of lower risk, such as goats and South American camelids, are subject to testing regardless of origin. The proposed regulation in fact reverses this situation, mandating testing for all cattle (as well as goats and sheep used for dairying purposes) over 12 months of age. All other ruminants (including camelids and non-dairying goats and sheep) are not subject to testing requirements if they originate from an area considered free of tuberculosis for cattle. These proposed regulations better serve to protect Virginia’s cattle industry from the threat of introduction of tuberculosis, while at the same time not presenting onerous requirements to other animal industries. Sufficient exemptions for cattle exist in the proposed regulation to protect the cattle slaughter and marketing industries from adverse impact.

Other changes in the proposed regulation should be of benefit to the affected industries, by way of facilitating trade, eliminating outdated or unnecessary testing requirements, or achieving parity with the requirements of neighboring states.

**Requirements more restrictive than federal**

*Please identify and describe any requirement of the proposal, which are more restrictive than applicable federal requirements. Include a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements or no requirements that exceed applicable federal requirements, include a statement to that effect.*

Federal regulations concerning the interstate movement of animals are designed to ensure the marketability of animals and animal products internationally. These regulations are not in and of themselves sufficient to fully protect the animal health status of an individual state. The proposed regulation, in keeping with those of many other states, is designed to provide comprehensive coverage of all animal species of interest. Therefore, the proposed regulation does include animal species, and testing requirements that are in addition to those imposed by federal regulation. These additional

requirements are intended to safeguard Virginia animal industries and ensure their free and ready access to interstate and international markets.

**Localities particularly affected**

*Please identify any locality particularly affected by the proposed regulation. Locality particularly affected means any locality which bears any identified disproportionate material impact which would not be experienced by other localities.*

The proposed regulation should have no impact on localities.

**Public participation**

*Please include a statement that in addition to any other comments on the proposal, the agency is seeking comments on the costs and benefits of the proposal and the impacts of the regulated community.*

In addition to any other comments, the agency is seeking comments on the costs and benefits of the proposal and the potential impacts of this regulatory proposal. Also, the agency is seeking information on impacts on small businesses as defined in § 2.2-4007.1 of the Code of Virginia. Information may include 1) projected reporting, recordkeeping and other administrative costs, 2) probable effect of the regulation on affected small businesses, and 3) description of less intrusive or costly alternative methods of achieving the purpose of the regulation.

Anyone wishing to submit written comments may do so via the Regulatory Town Hall website, [www.townhall.virginia.gov](http://www.townhall.virginia.gov), or by mail, email or fax to **Dan Kovich, DVM, Staff Veterinarian for Animal Care and Health Policy, Division of Animal and Food Industry Services, P.O. Box 1163, Richmond, VA 23218, telephone (804) 786-2483, FAX (804) 371-2380, or email [dan.kovich@vdacs.virginia.gov](mailto:dan.kovich@vdacs.virginia.gov)**. Written comments must include the name and address of the commenter. In order to be considered comments must be received by the last date of the public comment period.

A public hearing will be held and notice of the public hearing may appear on the Virginia Regulatory Town Hall website ([www.townhall.virginia.gov](http://www.townhall.virginia.gov)) and the Commonwealth Calendar. Both oral and written comments may be submitted at that time.

**Economic impact**

*Please identify the anticipated economic impact of the proposed new regulations or amendments to the existing regulation. When describing a particular economic impact, please specify which new requirement or change in requirement creates the anticipated economic impact.*

<b>Projected cost to the state to implement and enforce the proposed regulation, including (a) fund source, and (b) a delineation of one-time versus on-going expenditures.</b>	There are no costs to the state to implement the proposed regulation.
<b>Projected cost of the new regulations or changes to existing regulations on localities.</b>	There are no costs to localities.
<b>Description of the individuals, businesses or other entities likely to be affected by the new</b>	The proposed regulation will not have a significant impact on individuals or businesses dealing in

<p><b><i>regulations or changes to existing regulations.</i></b></p>	<p>avian, companion animal, horse, primate, or swine importations. The proposed regulation will clarify the entry requirements for such animals, but does not place more stringent requirements than the current regulation. The identification requirements for swine and horses are already industry standard.</p> <p>The proposed regulation will have a net positive impact on individuals and businesses importing goats and South American camelids.</p> <p>The proposed regulation will affect individuals and businesses importing sheep and certain classes of cattle, as well as livestock markets that deal in agricultural animals entering from states adjacent to Virginia.</p>
<p><b>Agency’s best estimate of the number of such entities that will be affected. Please include an estimate of the number of small businesses affected.</b> Small business means a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.</p>	<p>There are approximately 26,000 farms with cattle in Virginia. Not all such farms import cattle.</p> <p>There are approximately 2,100 farms with sheep in Virginia. Not all such farms import sheep.</p> <p>Farms keeping goats and South American camelids are not currently quantified on an annual basis. Per the 2007 USDA Census of Agriculture, the agency estimates there are approximately 4,000 farms with goats and approximately 300 farms with a commercial interest in South American camelids in Virginia. Not all such farms import animals.</p> <p>There are approximately 25 livestock markets in Virginia.</p>
<p><b>All projected costs of the <i>new regulations or changes to existing regulations</i> for affected individuals, businesses, or other entities. Please be specific and do include all costs. Be sure to include the projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses. Specify any costs related to the development of real estate for commercial or residential purposes that are a consequence of the proposed regulatory changes or new regulations.</b></p>	<p>The direct costs of the proposed regulation will likely be borne by agricultural producers outside of Virginia. The costs associated with procuring a CVI and any associated testing are generally covered by the farm of origin. These costs may or may not be passed on to the individual or business in Virginia importing the animal directly or via increased purchase price of the animal.</p> <p>8,715 head of cattle were imported into Virginia in 2009. Under the proposed regulation, any such cattle 12 months of age or older will need to be tested for tuberculosis. The cost of such testing will vary considerably as to the number of animals tested at a given time. If half of imported cattle require tuberculosis testing at an average test cost of \$10.00, approximately \$43,500.00 of additional cost may be borne by those importing cattle into Virginia. Identification costs for cattle vary according to the system used and in some cases may be provided by the USDA at no cost. Should any such costs be passed on to Virginia producers, at a projected maximum cost of \$1.00 per</p>

	<p>identification device approximately \$8,715.00 of additional cost may be incurred. Temporal costs of compliance will be borne by individuals and businesses outside Virginia.</p> <p>417 sheep were imported into Virginia in 2009. Per 2 VAC 5-206, such sheep already require identification. Sheep imported into Virginia for dairying purposes will require tuberculosis testing under the proposed regulation. The sheep dairying industry is nascent and negligible compared to the production of sheep for meat and wool. The agency projects the cost of this requirement to be negligible.</p> <p>Importations of goats and South American camelids are not currently enumerated. However, the agency projects that such animals make up the majority of the 7,747 miscellaneous livestock imported into Virginia in 2009. Currently, all goats imported for breeding and dairying purposes must be tuberculosis tested. Under the proposed regulation, tuberculosis testing will generally only be required for goats 12 months of age or older imported for dairying purposes. Given the growth of the meat goat industry, a considerable number of imported goats currently subject to testing will be exempt. This will more than offset any additional costs associated with identifying any imported goats not already subject to 2 VAC 5-206. All South American Camelids imported into Virginia currently require tuberculosis, brucellosis, and bluetongue testing. The proposed regulation eliminates this requirement. This will reduce the potential costs of importing these animals substantially.</p> <p>Livestock markets may take advantage of an exemption whereby livestock from adjacent states may enter Virginia for sale at a market without a CVI and associated testing. This exemption is intended to prevent such requirements from adversely affecting such businesses located near Virginia's borders. These markets will bear an increased administrative burden of maintaining a log of such animals imported without CVIs and associated testing.</p>
<p><b>Beneficial impact the regulation is designed to produce.</b></p>	<p>The proposed regulation is intended to streamline and clarify the requirements for importing animals generally, and to ensure that Virginia's agricultural industry is protected from the introduction of tuberculosis.</p> <p>Virginia exported 316,875 cattle in 2009 (opposed</p>

	<p>to the 8,715 imported). The increased identification and tuberculosis testing requirements for cattle under the proposed regulation are designed to safeguard Virginia's cattle industry by ensuring that export markets are available for Virginia cattle. Introduction of tuberculosis into Virginia could require that all exported cattle be tested for tuberculosis. Again assuming an average cost of \$10.00 per head for such testing, this could result in a cost of \$3,168,750.00 that would be directly borne by Virginia cattle producers on an annual basis if tuberculosis became endemic to the Virginia cattle herd. Such a situation would also have a similar effect on other ruminant animal industries, such as those producing sheep, goats, or camelids for export.</p>
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**Alternatives**

*Please describe any viable alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in §2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulation.*

Alternatives to the proposal include the following:

Maintaining the regulation in its current form. This alternative is not acceptable, given the significant changes that have occurred in animal production industries, animal marketing programs, and animal disease control programs over the past two decades. Failure to bring Virginia's animal entry requirements current and in line with those of other states will compromise Virginia's animal agriculture sector.

Removing all requirements pertaining to animal importation. This alternative is not acceptable given the considerable economic value of animal industries to the state, as well as the value the public places on their companion animals. Were Virginia to eliminate all animal entry requirements, the loss of parity with all other states would in effect make Virginia the prime market for all animals barred entry to other states for health or other reasons, severely compromising Virginia's agriculture industries and companion animal population.

The agency believes that the proposed regulation is the least burdensome approach to updating Virginia's animal entry requirements.

**Regulatory flexibility analysis**

*Please describe the agency's analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) the establishment of less stringent compliance or reporting requirements; 2) the establishment of less stringent schedules or deadlines for compliance or reporting requirements; 3) the consolidation or simplification of compliance or reporting requirements; 4) the establishment of performance standards for*



*small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the proposed regulation.*

There are no alternative regulatory methods. The provision of a CVI and associated disease testing requirements, if any, are the accepted standard for animal movement both interstate and internationally. The proposed regulation contains provisions to mitigate the impact of increased tuberculosis testing requirements for cattle and other dairying animals when possible, in order to mitigate its effects on small businesses such as independent animal slaughter facilities and livestock markets.

**Public comment**

*Please summarize all comments received during public comment period following the publication of the NOIRA, and provide the agency response.*

<b>Commenter</b>	<b>Comment</b>	<b>Agency response</b>
Cooperative Milk Producers	The Cooperative Milk Producers indicated opposition to removing a requirement to vaccinate cattle originating from states not considered free of brucellosis by the USDA.	The agency feels that the brucellosis testing and permit requirements for cattle entering Virginia from a state not considered free of brucellosis for cattle by the USDA will protect Virginia from introduction of this disease.
Virginia Agribusiness Council	The Virginia Agribusiness Council indicated support for revising the current regulation, in order to enhance protection of Virginia's animal industries from the introduction of disease. The Council suggested the formation of a working group to address this issue, and suggested easing the testing requirements for the importation of camelids.	The agency appreciates the support of the Virginia Agribusiness Council in revising this regulation. Though a working group was not formed to address this issue, the Office of the State Veterinarian has and will continue to reach out to animal industry organizations for comment on the proposed revisions. The agency feels that the concern of the Virginia Agribusiness Council regarding camelids has been satisfactorily addressed in the proposed regulation.
Virginia Independent Consumers and Farmers Association	The Virginia Independent Consumers and Farmers Association indicated that they would oppose the proposed regulation if it required compliance with the National Animal Identification System.	The National Animal Identification System has been eliminated. The agency feels that the USDA may impose traceability requirements on states, and that compliance with such will be necessary for Virginia agricultural products to enter interstate commerce with minimal testing, permitting, and quarantine requirements.
Virginia State Dairy Goat Association	The Virginia State Dairy Goat Association requested that the brucellosis and tuberculosis testing requirements for dairy goats be no more stringent than those for dairy cattle.	The agency feels that the proposed regulation has created testing requirements for these diseases that have parity between cattle and dairy goats.

**Family impact**

*Please assess the impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights*

*of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one’s spouse, and one’s children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

The agency estimates that overall the proposed regulatory action will have a neutral impact on family and family stability across the state. The agency recognizes that lack of adequate animal disease control can have a devastating impact on a farm family that depends on the Commonwealth’s protection of its animals in maintaining profitability and economic stability. To the extent that the proposed regulatory changes will provide greater protection for agricultural enterprises, they will provide greater financial stability for hundreds of families who depend on agricultural animals for income.

**Detail of changes**

*Please detail all changes that are being proposed and the consequences of the proposed changes. If the proposed regulation is a new chapter, describe the intent of the language and the expected impact if implemented in each section. Please detail the difference between the requirements of the new provisions and the current practice or if applicable, the requirements of other existing regulations in place.*

*If the proposed regulation is intended to replace an emergency regulation, please list separately (1) all provisions of the new regulation or changes to existing regulations between the pre-emergency regulation and the proposed regulation, and (2) only changes made since the publication of the emergency regulation.*

For changes to existing regulations, use this chart:

<b>Current section number</b>	<b>Proposed new section number, if applicable</b>	<b>Current requirement</b>	<b>Proposed change, rationale, and consequences</b>
2 VAC 5-140-10	2 VAC 5-141-10	Definitions	Definitions have been redrawn to ensure that all classes of animals imported into Virginia and subject to the legal authority for this regulation are included. Scientific nomenclature has been used to ensure that all subject animal species are incorporated under the appropriate definition. Definitions have been updated and added as necessary to reflect current animal industry and animal disease control terminology.
2 VAC 5-140-20	2 VAC 5-141-20	Official health certificates	The official health certificate has been renamed the certificate of veterinary inspection as per current industry usage. The required components of the certificate of veterinary inspection and associated disease testing have been updated to ensure accuracy and allow enhanced traceability of imported animals.
2 VAC 5-140-30	2 VAC 5-141-40	Entry by permit only	Provision has been made whereby animals intended for bona fide research by a

			recognized institution that would otherwise be barred entry by the body of the regulation may enter Virginia under a permit issued by the State Veterinarian.
2 VAC 5-140-40	2 VAC 5-141-50	Common carriers, trucks	No substantive changes have been made.
2 VAC 5-140-50	2 VAC 5-141-70	Cattle entry requirements	Identification of imported cattle is mandated. The USDA utilizes several categorization levels for states in which cattle identified with tuberculosis or brucellosis are found. Under the current regulation, there are different entry requirements for the various categorizations. The proposed regulation eliminates these varying requirements, and in stead places uniform, stringent requirements on all cattle imported from states where tuberculosis and brucellosis are present. All cattle twelve months of age and older entering Virginia will be required to be tuberculosis tested. Exemptions to these requirements are granted to cattle subject to official testing protocols, entering for slaughter or exhibition, or entering from an adjacent state for marketing purposes.
2 VAC 5-140-60	2 VAC 5-141-90	Sheep entry requirements	Sheep and goat entry requirements have been combined to reflect their joint subjectivity to scrapie control programs, and tuberculosis and brucellosis risk. Identification of imported sheep is mandated. All sheep 12 months of age and older imported into Virginia for dairying purposes will require tuberculosis testing. All sheep entering Virginia from a state not considered free of tuberculosis or brucellosis for cattle will require testing for such. Exemptions are allowed as appropriate. Requirements regarding scabies are removed, and requirements regarding scrapie added.
2 VAC 5-140-70	2 VAC 5-141-120	Swine entry requirements	Identification of imported swine is mandated. Swine entry requirements have been updated to reflect the current distinction made by the USDA and the swine industry between commercial and non-commercial swine. Pseudorabies and brucellosis testing requirements for entry are based upon this distinction in order to reflect the risk of exposure to feral swine, among which these disease are prevalent. Provisions are made for the entry of swine for feeding and slaughter purposes.
2 VAC 5-140-80	2 VAC 5-141-100	Horse entry requirements	Equine infectious anemia testing requirements are clarified and an exemption is granted to foals 6 months of

			age or younger accompanied by their dams. Contagious equine metritis testing requirements are clarified. Superfluous language relating to general authority of the State Veterinarian is removed.
2 VAC 5-140-90	Eliminated	Poultry entry requirements	The current regulations only contain entry requirements for poultry and psittacine birds. These sections have been eliminated, and subsumed as appropriate into avian entry requirements that cover all bird species.
2 VAC 5-140-100	2 VAC 5-141-90	Goat entry requirements	Sheep and goat entry requirements have been combined to reflect their joint subjectivity to scrapie control programs, and tuberculosis and brucellosis risk. Identification of imported goats is mandated. All goats 12 months of age and older imported into Virginia for dairying purposes will require tuberculosis testing. Goats imported for meat production, or breeding for such, will not require testing generally. All goats entering Virginia from a state not considered free of tuberculosis or brucellosis for cattle will require testing for such. Exemptions are allowed as appropriate. Requirements regarding scrapie have been added.
2 VAC 5-140-110	Eliminated	Dog entry requirements	Dog entry requirements have been subsumed into a new body of requirements pertaining to all companion animals.
2 VAC 5-140-120	2 VAC 5-141-130	Monkey entry requirements	Monkeys have been redefined as primates, to reflect the full scope of the subject genera. Identification requirements have been added. The requirements have been made consistent with the Code of Virginia.
2 VAC 5-140-130	Eliminated	Psittacine bird entry requirements	The current regulations only contain entry requirements for poultry and psittacine birds. These sections have been eliminated, and subsumed as appropriate into avian entry requirements that cover all bird species.
2 VAC 5-140-140	Eliminated	Llama entry requirements	General testing requirements for llamas and other South American camelids have been eliminated. They have been incorporated into a new body of requirements for all other ruminants, to reflect their risk status for tuberculosis and brucellosis.

For new chapters, use this chart:

Section number	Proposed requirements	Other regulations and law that apply	Intent and likely impact of proposed requirements
2 VAC 5-141-30	Defines the accepted methods of identification for cattle, goats, horses, sheep and swine.	Federal requirements pertaining to identification of animals in interstate commerce have yet to be determined after the demise of the National Animal Identification System. The agency anticipates that the federal government will mandate state implement identification programs for interstate movement of agricultural animals.	The intent of these requirements is to delineate the acceptable forms of identification for the listed species. The requirements were drawn to allow a multitude of identification systems to be selected from to minimize inconvenience to the subject industry.
2 VAC 5-141-60	Avian entry requirement. Under the current regulation, requirements were only set for poultry and psittacine birds. These requirements now apply to all bird species. The requirements are tied to the State Veterinarian's proclamation concerning avian influenza, thereby allowing for avian influenza testing requirements to be updated as necessary. Poultry entry requirements are streamlined and updated as necessary. The approval process for shipping of psittacine birds is eliminated.	The requirements are linked to the State Veterinarian's Avian Influenza (H5 and N7) Proclamation. These requirements complement federal regulations which apply to the interstate movement of birds.	The current regulation only sets requirements for poultry and psittacine birds. This has created a situation where all other classes of birds are either immune from any avian testing requirements, or have to be construed to fall under the umbrella of poultry or psittacine birds. The proposed regulation covers all avian species, and is tied to the current version of the State Veterinarian's Avian Influenza (H5 and N7) Proclamation. This will allow for avian testing requirements to be set in accordance with the current avian influenza risk level, crucial to protecting Virginia's economically vital poultry industry.
2 VAC 5-141-80	Companion animal entry requirements. Requirements for entry of all classes of companion animals are made consistent with the Code of Virginia. Rabies vaccination is mandated for importation of all dogs and cats over 4 months of age.	Companion animal entry requirements have been made consistent with Section 3.2-5902 of the Code of Virginia. Federal requirements apply to the interstate movement of certain classes of companion animals.	The intent of these requirements is to eliminate an apparent inconsistency of the current regulation with the Code of Virginia.
2 VAC 5-141-110	Other ruminant entry requirements. Requires other ruminants imported from states or regions not considered free from tuberculosis or brucellosis for cattle to be tested fro	Section 29.1-525.1 of the Code of Virginia bars the keeping of deer in enclosures with certain exemptions. This regulation contains a statement indicating it is	The current regulation imposes mandatory tuberculosis, brucellosis, and bluetongue testing for all South American camelids imported into Virginia, but does not require any testing of other, exotic ruminant species

	such. No testing requirements generally apply to these animals.	not to be construed to override this provision of law. Federal requirements apply to the interstate movement of certain classes of other ruminants.	including deer (of equal or higher risk of infection) entering Virginia. The proposed regulation ensures that all other ruminants are subject to appropriate testing requirements, based on the disease status of cattle in the state of origin.
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