

The proposed Readoptions will be published in the NC Register on 3/1/19.

The comment period ends 4/30/19. Written comments may be submitted during the open comment period to Tina Hlabse, Secretary, NC Board of Agriculture, 1001 Mail Service Center, 27699-1001, or tina.hlabse@ncagr.gov.

Any person may request a public hearing on the proposed rules by submitting a request in writing no later than 3/16/19 to Tina Hlabse, Secretary, NC Board of Agriculture, 1001 Mail Service Center, Raleigh, NC 27699-1001.

The proposed rules are being readopted after being classified as “necessary with substantive public interest” during the rules review process. 3 of the rules are being readopted without any substantive changes to what is currently in the code. The rules being adopted without changes deal with the importation requirements of cervids, which was just amended in 2018, the style and location of brads and the protection of confidential information. Rule 52B .0207 is being amended to update the definition of feral swine to reduce confusion and to clarify regulations that restricts transporting of the animals in order to prevent infectious disease.

02 NCAC 52B .0207 is proposed for readoption with substantive changes as follows:

02 NCAC 52B .0207 IMPORTATION REQUIREMENTS: SWINE

(a) All swine imported into the state, except by ~~special permit~~ an interstate commercial swine movement agreement or for immediate slaughter, shall be accompanied by ~~a health certificate~~ an interstate certificate of veterinary inspection issued by a state, federal, or accredited veterinarian stating that they are free from any signs of an infectious or communicable disease and are not known to have been exposed to same. The health certificate shall contain the ear tag or tattoo number of each animal. The health certificate must show the pseudorabies status of both the herd and state or area of origin. Swine imported for feeding or breeding purposes shall be moved in clean and disinfected trucks or other conveyances. "Accredited veterinarian" means a veterinarian accredited pursuant to Title 9, Part 161 of the Code of Federal Regulations.

(b) Breeding swine and all other swine being shipped to a breeding swine premise shall originate from a "Validated Brucellosis-Free" herd or a "Validated Brucellosis-Free" State and shall originate from a "Qualified Pseudorabies-Negative" herd, Qualified-Negative Gene-Altered Vaccinated Herd (QNV) or Pseudorabies Stage IV or V (Free) State. Breeding swine and all other swine being shipped to a breeding swine premise originating from Stage II, II/III or III areas or states must also be isolated and test negative to a statistical 95/5 sample test using a pseudorabies

serological test approved pursuant to Title 9, Part 85.1 of the Code of Federal Regulations between 30 and 60 days after arrival and before being added to the herd.

(c) All feeder swine imported into the state from a Pseudorabies Stage II, II/III, or III state or area shall be accompanied by a permit for entry issued by the State Veterinarian within 30 days prior to entry. The permit number and the date of issuance shall be shown on the health certificate. The feeder swine in the shipment must have been vaccinated for pseudorabies using a USDA-licensed pseudorabies vaccine with gI deletion and must have tested negative on a statistical (95/2) test within 30 days prior to shipment, and they shall be isolated and quarantined until slaughtered. In addition, the swine must be tested on statistical (95/2) test between 30 and 45 days after arrival. The swine must originate from a Qualified Negative herd or a pseudorabies monitored herd that has tested negative on a statistical (95/10) test within 30 days prior to shipment. Feeder swine from a pseudorabies-free state or area may be imported in accordance with Paragraph (a) of this Rule.

(d) Healthy swine for feeding purposes may move directly from a farm of origin in a contiguous state on which they have been located for not less than 30 days to a livestock market or stockyard in North Carolina that has been state-federal approved for handling feeder swine, without the health certificate required herein, provided such swine are accompanied by proof of the pseudorabies status of the herd of origin. Such swine shall be inspected by a state or federal inspector or approved accredited veterinarian prior to sale at the market.

(e) Healthy swine may be shipped into the state for immediate slaughter without a health certificate provided they go directly to a slaughtering establishment under State or Federal inspection, or to a state-federal approved livestock market or stockyard for sale to a slaughtering establishment under State or Federal inspection for immediate slaughter only.

(f) Swine from a pseudorabies-quarantined herd or swine which have been in contact with pseudorabies-quarantined swine may be imported into the state for immediate slaughter only under the following conditions:

- (1) the swine must be accompanied by a shipping permit (Veterinary Services Form 1-27) issued by a veterinarian accredited pursuant to 9 CFR 161, or a state or federal animal health employee, consigning the swine only to a slaughtering establishment under state or federal inspection;
- (2) the vehicle transporting the swine must be sealed after loading with an official USDA or state of origin seal. The seal number must be recorded on the VS Form 1-27. The seal can be broken or removed only by an NCDA&CS or a USDA employee or other individual authorized by the State Veterinarian; and
- (3) the vehicle used to transport the swine must be cleaned and disinfected immediately after unloading the swine and prior to using the vehicle to transport other livestock.

(g) ~~Sporting swine: Feral Swine:~~

~~(1) For purposes of this Rule:~~

~~(A) "Sporting swine" means any domestic or feral swine intended for hunting purposes and includes the progeny of these swine whether or not the progeny are intended for hunting purposes; and~~

~~(B) "Feral swine" means any swine that have lived any part of its life free roaming.~~

- (2) ~~No person shall import sporting swine into North Carolina unless:~~
- (A) ~~The swine have not been fed garbage within their lifetime; and the herd of origin is validated brucellosis free and qualified pseudorabies negative; and~~
 - (B) ~~The swine have not been members of a herd of swine known to be infected with brucellosis or pseudorabies within the previous 12 months; and~~
 - (C) ~~The individual animals six months of age or over have a negative brucellosis and pseudorabies test within 30 days of movement; and~~
 - (D) ~~The swine have not been a part of a feral swine population or been exposed to swine captured from a feral swine population within the previous 12 months; and~~
 - (E) ~~The swine are accompanied by a health certificate or certificate of veterinary inspection identifying each animal by ear tag, breed, age, sex, the state of origin, and certifying that the swine meet the import requirements of North Carolina.~~
- (1) As used in this section, "feral swine" means any untamed or undomesticated hog, boar, or pig; swine whose reversion from the domesticated state to the wild state is apparent; or an otherwise freely roaming swine having no visible tags, marking, or characteristics indicating that such swine is from a domestic herd. Feral swine includes members of the species *Sus scrofa* Linnaeus, including, but not limited to, swine commonly known as old world swine, Russian wild boar, European wild boar, Eurasian wild boar, and razorbacks. Feral swine does not include members of the species *Sus domestica* which are involved in domestic hog production.
- (2) No person shall import or transport live feral swine in this state.
- (3) To prevent the spread of contagious animal disease, no person shall release any hog, boar, pig, or swine to live as a feral swine in North Carolina.

Note: Violation of this Rule is a Class 2 misdemeanor under G.S. 106-307.6.

History Note: Authority G.S. 106-307.5; 106-316.1; 106-317; 106-318;
Eff. April 1, 1984;
Amended Eff. February 1, 1996; May 1, 1992; June 1, 1989; January 1, 1989;
Temporary Amendment Eff. April 3, 2000; February 21, 2000; April 30, 1999;
Amended Eff. April 1, 2001; July 1, 2000.

02 NCAC 52B .0213 Importation Requirements: Cervidae is proposed for readoption without substantive changes.

02 NCAC 52E Style and Location of Brand is proposed for readoption without substantive changes.

02 NCAC 52G .0303 Protection of Confidential Information is proposed for readoption without substantive changes.