

Virginia Administrative Code

Database updated through September 1, 2011

CHAPTER 206

REGULATION FOR SCRAPIE ERADICATION

2VAC5-206-10. Definitions.

"Accredited veterinarian" means a veterinarian approved by the United States Department of Agriculture in accordance with 9 CFR 160.1 (2002).

"Animal" means any sheep or goat.

"Breeding goat" means any sexually intact goat of any age that is not moving directly to slaughter, or through slaughter channels to slaughter.

"Consistent state" means a state listed in 9 CFR 79.1 that the USDA Administrator has determined in compliance with 9 CFR 79.6.

"Exposed animal" means (i) any animal that has been in the same flock at the same time as a scrapie-positive female animal, excluding limited contacts; (ii) any animal born in a flock after a scrapie-positive animal was born into that flock or lambed in that flock, if born before that flock completes the requirements of a flock plan; (iii) any animal that was commingled with a scrapie-positive female animal during or up to 30 days after she lambed, kidded, or aborted, or while a visible vaginal discharge was present, or that was commingled with any other scrapie-positive female animal for 24 hours or more, including during activities such as shows and sales or while in marketing channels; or (iv) any animal in a noncompliant flock.

"Exposed flock" means any flock in which a scrapie-positive animal was born or lambed. Any flock that currently contains a female high-risk, exposed, or suspect animal, or that once contained a female high-risk, exposed, or suspect animal that lambed in the flock and from which tissues were not submitted for official testing and

found negative. A flock that has completed a postexposure management and monitoring plan following the exposure will no longer be an exposed flock.

"Flock" means all animals, sheep, goats, or commingled sheep and goats, maintained on a single premises and all animals under common ownership or supervision on two or more premises with animal interchange between the premises. Changes in ownership of part or all of the flock do not change the identity of the flock or the regulatory requirements applicable to the flock.

"Flock of origin" means the flock in which an animal most recently resided in which it was either born, gave birth, or was used for breeding purposes. The determination of an animal's flock of origin may be based either on the physical presence of the animal in the flock, the presence of official identification on the animal traceable to the flock, the presence of other identification on the animal that is listed on the bill of sale, or other evidence, such as registry records. For all male animals it is the flock of birth.

"Flock plan" means a written flock-management agreement signed by (i) the owner of a flock, (ii) the accredited veterinarian (if one is employed by the owner), (iii) an APHIS representative, or (iv) the State Veterinarian, in which each participant agrees to undertake actions specified in the flock plan to control the spread of scrapie from, and eradicate scrapie in, an infected flock or source flock or to reduce the risk of the occurrence of scrapie in a flock that contains a high-risk or an exposed animal. As part of a flock plan, the flock owner must provide the facilities and personnel needed to carry out the requirements of the flock plan. The flock plan must include the requirements in 9 CFR 54.8.

"High-risk animal" means a sexually intact animal, excluding male sheep that have tested RR at codon 171 and AA at codon 136 using an official genotype test, that has not been redesignated as part of a USDA-approved pilot project that is:

1. The progeny of a scrapie-positive dam;

2. Born in the same flock during the same lambing season as progeny of a scrapie-positive dam, unless the progeny of the scrapie-positive dam are from separate contemporary lambing groups;
3. Born in the same flock during the same lambing season that a scrapie-positive animal was born, or during any subsequent lambing season, if born before that flock completes the requirements of a flock plan; or
4. An exposed female sheep that has not tested QR, HR, or RR at codon 171 using an official genotype test.

"Infected flock" means any flock in which a state or APHIS representative has determined that a scrapie-positive female animal has resided unless an epidemiologic investigation conducted by a State or APHIS representative shows that the animal did not lamb or abort in the flock. A flock will no longer be considered an infected flock after it has completed the requirements of a flock plan.

"Low-risk commercial goat" means a low-risk goat from a flock in which animals are moved to slaughter only directly or through slaughter channels or any animal raised only for meat or fiber production and not registered with a sheep or goat registry or used for exhibition.

"Low-risk goat" means a goat that is not a scrapie-positive, suspect, high-risk, or exposed animal; that has not been commingled with sheep; and that is from a state in which (i) scrapie has not been identified in a goat during the previous 10 years; (ii) scrapie has been identified in a goat during the previous 10 years, but the scrapie-positive goat was not born in the state, resided in the state for less than 72 months, and did not kid while in the state; or (iii) scrapie has been identified in a goat during the previous 10 years and the scrapie-positive goat was commingled with sheep but records allowed a complete epidemiologic investigation to be completed and all

resulting infected, source, and exposed goat flocks had completed flock plans and were in compliance with post-exposure monitoring and management plans.

"Noncompliant flock" means (i) any source or infected flock whose owner declines to enter into a flock plan or postexposure management and monitoring plan (PEMMP) agreement within 60 days of being so designated or whose owner is not in compliance with either agreement; (ii) any exposed flock whose owner fails to make animals available for testing within 60 days of notification or as mutually agreed, or whose owner fails to submit required postmortem samples as directed in the PEMMP; (iii) any flock whose owner has misrepresented, or who employs a person who has misrepresented, the scrapie status of an animal or any other information on a certificate, permit, owner statement, or other official document within the last five years; or (iv) any flock whose owner or manager has moved, or who employs a person who has moved, an animal in violation of 9 CFR Part 79 within the last five years, as determined by the State Veterinarian or APHIS.

"Official USDA identification" means identification approved by the USDA/APHIS/VS for use in the scrapie eradication program.

"Postexposure management and monitoring plan (PEMMP)" means a written agreement signed by the owner of a flock, any accredited veterinarian employed by the owner, and a state or APHIS representative in which each participant agrees to undertake actions specified in the agreement to reduce the risk of the occurrence of scrapie and to monitor for the occurrence of scrapie in the flock for at least five years after the last high-risk or scrapie-positive animal is removed from the flock or after the last exposure of the flock to a scrapie-positive animal unless the monitoring time is otherwise specified by a state or APHIS representative. As part of a postexposure management and monitoring plan, the flock owner must provide the facilities and

personnel needed to carry out the required elements listed in the plan. This plan must include the requirements in 9 CFR 54.8.

"Premises identification number" (PIN) means a unique number used on official eartags and tattoos to identify the premises of origin of an animal and that is recorded in the Scrapie National Generic Database. The first two digits are the Postal Service abbreviation for states followed by an alphanumeric number that does not include I, O, or Q, or is the national premises identification number or other PIN approved by the State Veterinarian and USDA/APHIS/VS.

"Scrapie" means a nonfebrile, transmissible, insidious, degenerative disease that affects the central nervous system, and is a transmissible spongiform encephalopathy (TSE) found in sheep and goats.

"Scrapie Flock Certification Program" means a voluntary program, sponsored by the USDA/APHIS/VS, to reduce scrapie occurrence and spread; identify flocks that have been free of evidence of scrapie over a specified time period; and contribute to the eventual eradication of scrapie.

"Scrapie-positive" means an animal that has tested positive for scrapie by USDA-accepted testing methods by the National Veterinary Services Laboratories, or another laboratory designated by the State Veterinarian, to have the disease scrapie.

"Source flock" means a flock in which a state or APHIS representative has determined that at least one animal was born that tested positive for scrapie at an age of 72 months or less or in which a scrapie-positive animal has resided throughout its life.

"State Veterinarian" means the Virginia State Veterinarian or his representative employed by the Virginia Department of Agriculture and Consumer Services.

"Suspect animal" means an animal designated suspect that is: (i) a sheep or goat that exhibits any of the following clinical signs of scrapie and has been determined to be suspicious for scrapie by an accredited veterinarian or a state or APHIS representative:

weight loss despite retention of appetite; behavioral abnormalities; pruritus (itching); wool pulling; biting at legs or side; lip smacking; motor abnormalities such as incoordination, high stepping gait of forelimbs, bunny-hop movement of rear legs, or swaying of back end; increased sensitivity to noise and sudden movement; tremor; staring; head pressing; recumbency, or other signs of neurological disease; or chronic wasting; (ii) a sheep or goat that has tested positive for scrapie or for the protease-resistant protein associated with scrapie on an unofficial test or a screening test; or (iii) a sheep or goat whose official scrapie test yielded inconclusive or suggestive results (i.e., the NVSL report reads inconclusive or suggestive rather than not detected).

"USDA and USDA/APHIS/VS" means the United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services.

Statutory Authority

§§ 3.2-6001, 3.2-6002, and 3.2-6004 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 24, Issue 25, eff. October 3, 2008.

2VAC5-206-20. Identification of sheep and goats in commerce.

Each animal is required to be officially identified as to its flock of origin and for any animal born after January 1, 2002, to its flock of birth if not the same as its flock of origin, prior to change of ownership or exhibition.

No person shall apply an official USDA tag or premises identification number or brand or official registry tattoo to an animal that did not originate on the premises to which the number has been officially assigned. No person may remove or tamper with any means of identification required to be on sheep or goats.

Any sheep or goat that is bartered, leased, traded, loaned, sold, exhibited, or otherwise moved from one management to another shall be deemed to have undergone

a change of ownership for the purpose of this regulation. The buyer, seller, and any dealer or market operator shall keep a record of all changes of ownership for a minimum of five years. Any sheep or goat that loses its identification, that was applied at its flock of origin for exhibition or change of ownership, shall be identified by the person in control or possession of the animal prior to its commingling with any other animals. The buyer, seller, and any dealer or market operator shall be equally responsible for maintaining the required record, which shall be made available on request by the State Veterinarian or his designee.

Any out-of-state sheep or goats that are offered for sale in an approved Virginia livestock market that have not previously been identified must be (i) identified with an official USDA tag on arrival and prior to commingling with any other sheep or goats with all information recorded as required for change of ownership or meet the importation requirements; or (ii) returned to the state of origin.

Animals required to be officially identified include:

1. All breeding sheep and goats that are not in slaughter channels except low-risk commercial goats.
2. All sexually intact animals for exhibition.
3. All sheep over 18 months of age, including wethers, and those in slaughter channels unless moving as a group described below.
4. All 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.
5. All suspect and test-positive animals.
6. Animals from noncompliant flocks.
7. Breeding goats, except low-risk commercial goats.

8. All scrapie positive, suspect, high-risk, or animals of any age and of any sexually intact exposed animal of more than one year of age or, any sexually intact exposed animal of less than one year of age upon change of ownership (except for exposed animals moving in slaughter channels at less than one year of age).

Animals not required to be officially identified include:

1. Slaughter sheep (sheep in slaughter channels) under 18 months (Note: 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.).
2. Slaughter goats (goats in slaughter channels).
3. Low-risk commercial goats.
4. Castrated goats that are not suspect, high risk, exposed to scrapie, or test positive.
5. Animals shipped directly to an approved slaughter facility if the animals were kept as a group on the same premises on which they were born or used for breeding purposes and were not commingled with animals from another premises at any time, including throughout the feeding, marketing, and slaughter process. The shipment must be accompanied by an owner statement that includes the owner's name, signature, address, and phone number, date the animals left the flock of origin, the premises identification number assigned to the premises, the number of animals, the premises portion of the premises identification if premises identification is used, and a statement that the animals were either born or were used for breeding purposes on the premises to which the premises identification is assigned.
6. Wethers for exhibition and wethers under 18 months of age.

7. 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 premise owned or leased by the owner of the animals.

Registered sheep and goats identified with official tattoos and carry the registration papers in the name of the current owner with them to a registered sheep or goat sale or exhibition or that transfer the registration by private treaty would not be required to apply tags for exhibition or sale of a registered goat sale animal. The purchaser at such sale must carry the registration papers and a completed application for registration in the name of the new owner when leaving the sale. Alternatively, legible official tattoo numbers assigned to the flock in the National Scrapie Database may be used in conjunction with an individual number unique within the flock.

Any goat or sheep undergoing a change of ownership (including exhibition and/or importation into the state) not having an official identification shall be quarantined until the requirements of this regulation are met.

In order to simplify identification requirements, livestock markets or sale/show managers may require that all animals be identified with official USDA tags.

Statutory Authority

§§ 3.2-6001, 3.2-6002 and 3.2-6004 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 24, Issue 25, eff. October 3, 2008.

2VAC5-206-30. Importation of sheep and goats into Virginia.

No sheep or goat may be imported into Virginia that does not originate from a consistent state, unless originating from a flock enrolled in the complete monitored or export monitored category of the USDA Scrapie Flock Certification Program (SFCP). All sheep or goats imported into the Commonwealth of Virginia must be identified by official

USDA tag, legible official registry tattoo if accompanied by a registration certificate, or other approved device that contains a premises identification issued by the state of origin in combination with a unique animal number. No sheep or goat that is infected with scrapie, is showing clinical signs of scrapie, or that is a high-risk animal may be moved into Virginia except by permit when authorized by the State Veterinarian for destruction, research or in the case of high-risk animals immediate slaughter.

Except as stated below, all sheep and goats imported into Virginia must be accompanied by a Certificate of Veterinary Inspection (CVI).

No CVI is required for animals going directly to slaughter or to a terminal (feedlot).

Animals entering Virginia from a state contiguous with Virginia without change in ownership or management and as a part of normal operating procedures may do so without a CVI.

The CVI for all sheep or goats imported into Virginia shall contain official USDA identification numbers for each animal.

Statutory Authority

§§ 3.2-6001, 3.2-6002 and 3.2-6004 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 24, Issue 25, eff. October 3, 2008.

2VAC5-206-40. Exhibition of sheep and goats.

No sheep or goat may be imported into Virginia that does not originate from a consistent state, unless enrolled in the USDA Scrapie Flock Certification Program (SFCP). All sheep or goats imported into the Commonwealth of Virginia must be officially identified except for those exempted in this regulation. No test-positive, high-risk, suspect, or exposed animal or any offspring of such an animal may be moved into Virginia.

Statutory Authority

§§ 3.2-6001, 3.2-6002 and 3.2-6004 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 24, Issue 25, eff. October 3, 2008.

2VAC5-206-50. Scrapie management.

All known cases of scrapie and any sheep or goat known to originate from a scrapie-infected or source flock or to have had contact with scrapie-infected animals, unless determined not to be a high-risk animal and released for movement by the state of origin, or any sheep or goat showing clinical signs of scrapie not known to be caused by some other disease or injury shall be isolated from all other nonaffected animals and reported by an accredited veterinarian to the State Veterinarian within 24 hours of the isolation.

Upon notification of known cases of scrapie and all suspected cases of scrapie, or that a flock received a high-risk animal, was the flock of birth of a positive animal, or was the flock in which a scrapie positive female animal resided, the flock shall be quarantined, investigated, all animals in the flock individually identified, and a risk analysis conducted. A diagnostic plan shall be developed and reviewed by the State Veterinarian utilizing approved live diagnostic tests and submission of appropriate samples to an approved laboratory for scrapie testing upon the death or destruction of any animals in a flock quarantined for scrapie. All flocks shall remain under quarantine until a determination of the status of the flock is made. Animals that are not needed for testing to determine the status of the flock and that are not high-risk, suspect, or positive animals may be released based on a risk assessment or as provided in a flock plan. All flocks under quarantine shall be examined at least yearly, or more frequently as determined by the State Veterinarian, and an inventory of all animals in the flock recorded with all deaths, sales to slaughter, as allowed by the State Veterinarian and

destruction accounted for. Upon confirmation of the existence of scrapie in a flock, a thorough epidemiological report of all source flocks and contacts with other animals shall be documented and a risk analysis conducted. Subsequently flocks that are identified as source or as infected flocks and all flocks that received high-risk animals shall be quarantined, investigated, all animals in flock individually identified, and testing conducted if needed to determine the status of the flock. Trace information for scrapie positive and high-risk animals to flocks outside Virginia will be reported to the affected state as well as APHIS.

Test positive or suspect animals shall be moved only with the approval of the State Veterinarian, for transportation to a USDA-approved research facility or for the purpose of destruction.

All known scrapie-infected and source flocks and high-risk animals shall be quarantined with movements of animals only (i) to slaughter, (ii) to feedlots under permit and quarantine for later movement to slaughter, (iii) for destruction, or (iv) to a USDA-approved research facility. Animals destroyed as a result of this section will be disposed of in a manner approved by the State Veterinarian.

Infected and source flocks may be released from quarantine after completion of a USDA flock plan or in a USDA-approved pilot project flock plan that includes the owners agreement to comply with a five-year postexposure monitoring and management plan. The State Veterinarian may release any suspected case of scrapie from quarantine when other causes of the symptoms are confirmed and scrapie has not been diagnosed.

Any flock under quarantine that has not had a test positive confirmation for scrapie diagnosis within five years that has followed the USDA-approved flock plan shall be released from quarantine. The State Veterinarian may release any flock from quarantine based on epidemiological or diagnostic factors.

Statutory Authority

§§ 3.2-6001, 3.2-6002 and 3.2-6004 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 24, Issue 25, eff. October 3, 2008.
