

# **RULES AND REGULATIONS**

**2 VAC 5-170-10 through 2 VAC 5-170-100**

(Previously VR 115-02-15)

Governing the

## **REGISTRATION OF POULTRY DEALERS**

Virginia Department of Agriculture  
and Consumer Services

**DIVISION OF ANIMAL INDUSTRY SERVICES**

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**RULES AND REGULATIONS**

**Governing the  
Registration of Poultry Dealers**  
(Previously VR 115-02-15)

Promulgated Pursuant to  
Sections 3.1-726, 3.1-735 and 3.1-736  
of the  
Code of Virginia of 1950

Adopted December 23, 1987  
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**REGULATIONS 2 VAC 5-170-10 through 2 VAC 5-170-100**

**Governing the  
REGISTRATION  
OF  
POULTRY DEALERS**

Pursuant to the authority in Sections 3.1-726, 3.1-735 and 3.1-736 of the Code of Virginia (1950) as amended, the Board of Agriculture and Consumer Services hereby adopts the following Rules and Regulations Governing the Registration of Poultry Dealers.

**2 VAC 5-170-10. Definitions.**

The following words and terms, when used in these regulations, shall have the following meaning, unless the context clearly indicates otherwise:

*“Agent”* means any person, firm, association, partnership, or corporation buying, receiving, soliciting, or negotiating the sale of poultry for or on behalf of any poultry dealer.

*“Approved disinfectant”* means any chemical approved by the United States Department of Agriculture as a disinfectant when used according to direction for the purpose specified.

*“Biosecurity”* means a regimen of cleaning poultry-related equipment and the disinfection of such equipment with an approved disinfectant to prevent the spread of avian influenza and other infectious and contagious poultry diseases.

*“Dealer”* or *“poultry dealer”* means any person who engages in the business of buying and selling, exchanging, or bartering eggs or live poultry in the Commonwealth of Virginia for his own account or that of another person.

*“Poultry”* means all domestic birds, including but not limited to chickens, ducks, and turkeys, as well as all native and exotic wild birds, including those wild birds indigenous to the Commonwealth.

**2 VAC 5-170-20. Exceptions.**

Nothing in this regulation shall apply to:

1. Any entity, including persons, companies, or hatcheries, that sell fertile eggs or poultry which it has produced or has contracted to raise or sell;
2. Eggs sold to grocery stores for table use or to other vendors handling table eggs; and
3. Bird fanciers buying, selling, or trading birds or fertile eggs strictly as a hobby.

**2 VAC 5-170-30. Dealer Registration.**

Every poultry dealer and every agent of every poultry dealer doing business in Virginia shall be registered with the State Veterinarian; application for registration shall be made on forms provided by the State Veterinarian. Initial registration shall be made no later than January

8, 1988; each poultry dealer shall renew his registration no later than January 8 of each even-numbered year thereafter. Registration cards will be issued to all poultry dealers and their agents. Dealers and their agents shall have the cards in their possession while engaged in the business of dealing in poultry.

**2 VAC 5-170-40. Records Requirements.**

All registered poultry dealers and their agents shall maintain a record of all poultry that they purchase or sell.

**2 VAC 5-170-50. Contents of Records.**

The records required by Section 2 VAC 5-170-40 of this regulation shall include the following information, which shall be recorded daily for each transaction of that day:

1. The date of the transaction;
2. The kind of poultry in each lot purchased or sold, with the number of each kind specified;
3. The name and address of the seller, and in addition, if different, the name and address of the producer;
4. The name and address of the purchaser, and in addition, if different, the name and address of the ultimate purchaser;
5. The date and result of any test conducted on each lot of poultry or a copy of an official test record; and
6. The kind of birds (e.g., layers, market turkeys, turkey breeders, broilers, broiler breeders, ducks, geese, guinea hens).

**2 VAC 5-170-60. Maintenance of Records.**

The records required in Sections 2 VAC 5-170-40 and 2 VAC 5-170-50 of these regulations shall be kept in the possession of the poultry dealer or his agent for a period of two years after the date of each transaction.

**2 VAC 5-170-70. Inspection of Records.**

Every poultry dealer or his agent shall, during all reasonable hours, permit the State Veterinarian or his representative to have access to and to copy any and all records maintained pursuant to these regulations.

**2 VAC 5-170-80. Biosecurity.**

1. Every poultry dealer and his agents and employees shall institute biosecurity measures in all business dealings (including live haul and egg pick-up) involving visits to farms.
2. Every poultry dealer and his agents and employees shall assure that coops, cages, vehicles, and loading equipment carried onto premises where poultry is raised, be cleaned and disinfected daily with an approved disinfectant. In

addition, every poultry dealer and his agents and employees shall wear freshly laundered outer garments daily. Boots shall be disinfected prior to entering any premises where poultry is raised.

3. During an outbreak of avian influenza or other infectious or contagious poultry disease, other reasonable biosecurity measures may be instituted, as prescribed by the State Veterinarian, which may include more rigorous and more frequent cleaning and disinfection.

#### **2 VAC 5-170-90. Out-of-State Poultry.**

Poultry dealers importing poultry into Virginia shall comply with the health requirements governing the admission of poultry into Virginia, 2 VAC 5-140-90 of regulation "Health Requirements Governing the Admission of Livestock, Poultry, Companion Animals, and Other Animals or Birds Into Virginia," as well as the requirements of these present regulations. The dealer shall deliver a copy of the official health certificate to the final purchaser.

#### **2 VAC 5-170-100. Denial, Suspension or Cancellation of Registration.**

The State Veterinarian may, after due notice and opportunity for hearing to the individual or firm involved, deny an application for registration, or suspend or cancel the registration as a poultry dealer of any poultry dealer or his agent when the State Veterinarian has determined any of the following:

1. That the poultry dealer or his agent has violated state or federal statutes or regulations governing the interstate or intrastate movement, shipment, or transportation of poultry;
2. That the poultry dealer or his agent has made false or misleading statements in his application for registration;
3. That the poultry dealer or his agent has sold poultry that he knew or should have known was sick or exposed to infectious or contagious disease;
4. That the poultry dealer or his agent has knowingly made false or misleading entries in the records required by these regulations; or
5. That the poultry dealer or his agent has failed to comply with any provision of these regulations.