

250-RICR-40-05-1

TITLE 250 - DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

CHAPTER 40 - AGRICULTURE AND RESOURCE MARKETING

SUBCHAPTER 05 - ANIMAL HEALTH

PART 1 – Rules and Regulations Governing the Importation of Domestic Animals

1.1 Purpose

The purpose of these rules and regulations is to permit the importation into the State of Rhode Island of only those domestic animals which are disease free or which originate from sources that have qualified as disease free according to State or Federal Standards.

1.2 Authority

These rules and regulations are promulgated pursuant to R.I. Gen. Laws Chapter 42-17.1, Environmental Management, § 4-4-23 and Chapter 42-35, Administrative Procedures.

1.3 Administrative Findings

Animals harboring infectious diseases present a health threat to the domestic animals, native wildlife and human populations of Rhode Island. Many infectious, contagious diseases of animals are not readily detected through physical examination and anamnesis, but require the application of approved laboratory diagnostic procedures by professionally trained and supervised personnel. Therefore, only animals that have been tested and found to be disease free or originate from qualified disease free sources may be allowed entry into Rhode Island. It is necessary that any animal testing positive for certain diseases pursuant to such procedures may be denied entrance into Rhode Island.

1.4 Application

The terms and provisions of these rules and regulations shall be liberally construed to permit the Department to effectuate the purpose of state law, goals, and policies. These Regulations shall apply to any person importing domestic animals into the State of Rhode Island. The importation of wild animals is not addressed in this document.

1.5 Definitions

For the purpose of these regulations, the following terms shall have the following meanings:

- A. “Accredited veterinarian” means a veterinarian approved by the Administrator of the Animal Plant Health Inspection Service (APHIS) of the United States Department of Agriculture (USDA), to perform functions required by animal disease control and eradication programs.
- B. “Animal broker” means any third party who arranges, delivers, or otherwise facilitates transfer of ownership of animal(s), through adoption or fostering, from one-party to another, whether or not the party receives a fee for providing that service and whether or not the party takes physical possession of the animal(s) at any point.
- C. “Approved feeder pig market” means any facility as defined in the most current USDA APHIS State-Federal-Industry Program Standards for Pseudorabies.
- D. “Approved slaughter market” means any facility as defined in the most current USDA APHIS State-Federal-Industry Program Standards for Pseudorabies.
- E. “Breeding swine” means any sexually mature and sexually intact commercial swine.
- F. “Camelids” means those ruminant animals used as beasts of burden or source of wool, milk, or meat, including, but not limited to camels, llamas, and alpacas.
- G. “Carrier” means the operator of any airline, railroad, motor carrier, shipping line, or other enterprise, which is engaged in the business of transporting any animals for hire.
- H. “Class a, b, c” means those grades as delineated in the most current USDA APHIS Brucellosis Eradication Uniform Methods and Rules.
- I. “Commercial swine” means swine of any age that is raised for the production of meat including breeding swine whose progeny will be used for the production of meat. Research swine that can be demonstrated as being specific pathogen free are considered commercial swine for the purposes of these regulations.
- J. “Certificate of veterinary inspection” or “CVI” means an official document that is required for the lawful interstate movement of animals, unless exempted. This document must meet all of the provisions set forth in § 1.7 (B) of this Part.
- K. “Dairy cattle” means any individual animal, regardless of gender, of a breed of cattle that is primarily used for the production of milk, including but not limited to the following breeds and crosses: Holstein, Jersey, Ayrshire, Milking Shorthorn, Guernsey, and Brown Swiss.
- L. “Department” means the Rhode Island Department of Environmental Management or any employee thereof.

- M. “Domestic animal” means any animal, which through extremely long association with humans, have been bred to a degree that has resulted in genetic changes affecting the temperament, color, conformation, or other attributes of the species to an extent that makes them unique and distinguishable from wild individuals of their species. Such animals may include but are not limited to:
1. “Domestic dog” (*Canis familiaris*) excluding hybrids with wild canids
 2. “Domestic cat” (*Felis catus*) excluding hybrids with wild felines
 3. “Domestic equines” (*Equus caballus*, *Equus asinus*) including hybrids thereof
 4. “Domestic cattle” (*Bos taurus* and *Bos indicus*)
 5. “Domestic swine” (*Sus scrofa domestica*)
 6. “Domestic sheep” (*Ovis aries*)
 7. “Domestic goat” (*Capra hircus*)
 8. “Llama” (*Lama glama*)
 9. “Alpaca” (*Lama pacos*)
 10. “Dromedary” (*Camelus dromedarius*)
 11. “Domestic water buffalo” (*Bubalis bubalis*)
 12. “Domestic yak” (*Bos grunniens*)
 13. “Domestic hamster” derived from *Mesocricetus auratus* and *Phodopus sp.*
 14. “Mongolian gerbil” (*Meriones unguiculatus*)
 15. “Laboratory rat”, including breeds, varieties, and strains derived from the Norway rat (*Rattus norvegicus*)
 16. “Laboratory mouse”, including breeds, varieties, and strains derived from the house mouse (*Mus musculus*)
 17. “Guinea pig” (*Cavia porcellus*)
 18. “Domestic rabbit”, including breeds, varieties, and strains derived from the European rabbit (*Oryctolagus cuniculus*) but not including the European rabbit (*Ferae naturae*) and not including the so-called "San Juan" rabbit.
 19. “Domestic geese” derived from the greylag goose (*Anser anser*), including, but not restricted to, Emden goose, Gray African goose, Pilgrim

goose, Sebastopol goose, and Toulouse goose, derived from the swan goose (*Anser cygnoides*), including, but not restricted to, the African goose and the Chinese goose, derived from the Egyptian goose (*Alopochen aegyptiaca*).

20. "Domestic ducks" derived from the Mallard (*Anas platyrhynchos*), including, but not restricted to, Aylesbury duck, Blue Swedish duck, Buff duck, Cayuga duck, Crested White duck, English call duck, Indian runner duck, Pekin duck, and Roen duck, derived from the Muscovy duck (*Cairina moschata*).
 21. "Common coturnix" (*Coturnix* or *C. japonica*).
 22. "Domestic chicken" (*Gallus "domesticus"*) derived from the red junglefowl (*Gallus gallus*).
 23. "Peafowl" (blue peafowl) (*Pavo cristatus*).
 24. "Domestic guineafowl" derived from the helmet guineafowl (*Numida meleagris*). "Domestic Turkey" derived from the wild turkey (*Meleagris gallopavo*) and including breeds and varieties recognized by the American Poultry Association and the U.S. Department of Agriculture, but not including the wild turkey (*Ferae naturae*) and captive or captive-bred individuals thereof and not including the pen-raised or game-farm non-standard variety "Wild Turkey".
 25. "Common pigeon" (rock dove) derived from the blue rock pigeon (*Columba livia*). "Ratites" including but not limited to ostriches, emu, rheas, and kiwi.
- N. "Equidae" means those members of the family of animals including but not limited to horses, mules, and burros.
- O. "Feeder pigs" means any commercial pig weighing twenty (20) pounds to one-hundred (100) pounds inclusive.
- P. "Feeder pig monitored herd" means such animals as defined in the most current USDA APHIS State-Federal-Industry Program Standards for Pseudorabies.
- Q. "Finish swine" or "Commercial finish swine" means any commercial pig that is imported for the purpose of slaughter.
- R. "Game birds" means any bird hunted for food or sport, including but not limited to pheasant, grouse, quail, and chukars.
- S. "Immediate slaughter" or "Immediately slaughtered" means consignment to an approved slaughter market or direct shipment to a state or federally inspected

slaughter plant, with slaughter occurring within seventy-two (72) hours of such consignment or direct shipment.

- T. "Mexican origin cattle" means any cattle that were imported into the United States from Mexico at any time in their lives. This shall include cattle that were imported from Mexico into another state at any time prior to their importation into RI. Cattle that are branded with an "M" or "MX," or that have any other identification indicating that they were in Mexico will be sufficient evidence of Mexican origin.
- U. "NPIP" means the National Poultry Improvement Plan.
- V. "Non-commercial swine" means any animal of the genus and species *Sus scrofa* that is being kept for a primary purpose other than for conventional slaughter for meat. Such purposes may include, but are not limited to, swine that are kept as pets, companion animals, or game animals.
- W. "Official identification" means any state or federally required unique and permanent method of identification that specifically identifies individual animals, in compliance with all applicable state and federal animal identification laws and regulations. Forms of identification include but are not limited to ear tags, brands, bands, tattoos, microchips, and physical description of natural and or acquired markings unique to an individual animal. Physical description is only an acceptable means of identification for dogs, cats, and equines.
- X. "Owner shipper statement" means a document that can be used in lieu of a Certificate of Veterinary Inspection only for animals that are being moved interstate directly to an approved slaughter market or to a state or federally inspected slaughter plant.
- Y. "Person" or "importer" means any person, firm, association, organization, partnership, business trust, corporation, or company, including but not limited to educational and research institutions, zoological gardens, schools, pet stores, and laboratories.
- Z. "Poultry" means any fowl raised for eggs, meat, or ornamental purposes including, but not limited to, chickens, ducks, geese, and turkeys.
- AA. "Qualified pseudorabies negative herd" means such creatures as defined in the most current USDA APHIS State-Federal-Industry Program Standards for Pseudorabies.
- BB. "Ratites" means those fowl with a flat breast bone and small or non-existent wings, included but not limited to ostriches, emu, rheas and kiwi.
- CC. "Record" or "Records" means information that is kept in a paper or electronic format that is consistent with the information that is required to be kept for animals. The information must be kept in a format that is readily able to be

inspected by anyone authorized to conduct an inspection. All information must be kept in or translated into English prior to being presented to inspectors.

- DD. "Remote sale" means the retail purchase of any animal without first having the opportunity to physically observe or handle the animal, as commonly occurs in internet sales or phone order sales of animals.
- EE. "Recognized slaughter establishment" means any facility as defined in the most current USDA APHIS State-Federal-Industry Program Standards for Pseudorabies.
- FF. "Stage I, II, III, IV, V" means those grades as delineated in the most current USDA APHIS State-Federal-Industry Program Standards for Pseudorabies.
- GG. "Sub-registrant" as used in § 1.8 of this Part shall mean any unregistered entity that is performing an activity that is regulated under § 1.8 of this Part and is doing so by, or on behalf of, a registered entity.

1.6 General Requirements and General Exemptions

- A. No person shall import, or cause to be imported into the state, any domestic animal, including but not limited to goats, cattle, swine, sheep, equines, camelids, dogs, cats, poultry, or ratites unless such animal(s) is accompanied by a Certificate of Veterinary Inspection and Import Permit pursuant to Chapter 4-5 of the R.I. Gen. Laws, or an Owner Shipper Statement as these regulations require.
- B. No person shall import, or cause to be imported into the state, any animal(s) or bird(s) which originates from any state or region that is under any state or federal quarantine that has been issued due to the presence or suspected presence of a contagious disease unless approved, in writing, by the Rhode Island State Veterinarian.
- C. No person shall import, or cause to be imported into the state, any animal(s) or bird(s) that is affected with, or has been exposed to any contagious disease unless approved, in writing, by the Rhode Island State Veterinarian.
- D. Any person required to keep records pursuant to these regulations and who receives a records request from any agent duly authorized in this document to request records, must produce those records within 24 hours of the request being made. Such request may be made by phone, facsimile, email, text message, or other generally used means of communications.
- E. Import permits are required for the importation of cattle pursuant to Chapter 4-5 of the R.I. Gen. Laws. Import Permits are valid for ten (10) days from the date of issuance. The completed, signed Import Permit must be submitted to the Rhode Island State Veterinarian along with a copy of all required testing results and a valid Certificate of Veterinary Inspection within forty-eight (48) hours of the arrival of the animal(s) into the state.

- F. Official identification of each animal as required by state and federal animal identification laws and regulations to include, but not be limited to, any required permanent and unique identification such as official ear tags, brands, bands, registration tattoos when accompanied by breed registration papers, microchips, or other forms of identification as accepted by the Department.
- G. Exemptions from permits and specific requirements for individual species may be provided for the purpose of fair, show, and exhibition as deemed appropriate by the Rhode Island State Veterinarian. The Rhode Island State Veterinarian will make a compilation of the Rules and Regulations Governing the Importation of Animals, as they pertain to fair, show, and exhibition, available annually. Current fair, show, and exhibition rules will be posted at <http://www.dem.ri.gov/pubs/regs/regs/agric/fairshow.pdf> .
- H. Exemptions from individual animal identification and the requirement for a Certificate of Veterinary Inspection will be made for hatching eggs and day old chicks shipped from NPIP enrolled flocks that are certified pullorum free.
- I. Exemptions from certain pre-importation testing requirements may be made on a case-by-case basis. Anyone seeking relief from pre-importation testing requirements must receive prior written approval from the Rhode Island State Veterinarian. The Rhode Island State Veterinarian reserves the right to require in lieu of pre-importation testing requirements any post importation testing, quarantine, and/or examinations that he/she feels is as protective as the pre-importation testing. The cost of such testing, quarantine, and examination is the financial responsibility of the entity that owns/receives the animals that were imported. Any damages that result from the failure to properly test or quarantine said animals are the financial liability of the entity that owns/receives the animals.

1.7 Certificates of Veterinary Inspection and Owner Shipper Statements

- A. No person shall import, or cause to be imported, any domestic animal unless such animal is accompanied by an official Certificate of Veterinary Inspection issued no earlier than thirty (30) days prior to the importation of said animal. The Certificate of Veterinary inspection must be signed by a veterinarian who is licensed and federally accredited in the state of origin. The animals for which the Certificate of Veterinary Inspection is issued must bear a form of identification that is compliant with all applicable state and federal laws and regulations. One copy of the Certificate of Veterinary Inspection must be reviewed by the state animal health official in the state of origin.
- B. The Certificate of Veterinary Inspection shall:
 - 1. Be on official forms of the state of origin or on suitable forms available through USDA/APHIS.

2. State that all animals listed on the form have been inspected and found free of signs of contagious, infectious, or communicable disease.
 3. Contain the date of the veterinary inspection as well as the dates of all required tests and the results of those tests.
 4. Describe the animal(s) by species, breed, age, and sex, and record all official identification ,i.e., ear tag, registration tattoo, leg band, microchip, physical description (for dogs, cats, and equines only) or any other form of identification that may be approved by the Department.
 5. Contain the data for all required tests and vaccinations, including the date, result(s) of test(s), and the name and address of the laboratory that performed the test(s). All tests reported for import purposes must be USDA officially recognized tests approved by the Department and the tests must be conducted at a state or federally approved laboratory.
 6. Have complete name and address, both mailing and physical address, of the consignor and consignee. Postal Boxes or PO Boxes without a physical address are not acceptable.
 7. Contain the signature of the inspecting federally accredited veterinarian.
 8. Contain an import permit number for all shipments of animals that require an import permit.
- C. Certificates of Veterinary Inspection may be disapproved by the Rhode Island State Veterinarian if they are incomplete or otherwise do not satisfy the requirements delineated in § 1.7 (B) of this Part. Importation of such animals may result in a violation as delineated under § 1.20 of this Part.
- D. Owner Shipper Statements may be used in lieu of a Certificate of Veterinary Inspection only for animals that are shipped for immediate slaughter. Animals imported on an Owner Shipper Statement must either: not be commingled with other animals; or, if commingled, those animals that they were commingled with must also be slaughtered at a state or federally inspected slaughter plant within seventy-two (72) hours of commingling.
- E. Owner Shipper Statements must contain the following information (Owner Shipper Statements can be downloaded at the following URL <http://www.dem.ri.gov/programs/bnatres/agricult/pdf/ownrship.pdf>)
1. The date of movement.
 2. The street address from which the animals are moved (Postal [P.O.] Boxes are not acceptable).

3. The street address of the destination (Postal [P.O.] Boxes are not acceptable).
 4. The business type of the destination such as “livestock market,” “slaughter plant,” etc.
 5. Name and address including both mailing address and physical address if different, of the consignor or shipper.
 6. List of the quantity of each species on the shipment.
 7. Signature of the owner and/or shipper if different than the owner of the animals.
 8. Record of all official identification in compliance with all State and Federal identification requirements.
- F. Owner Shipper Statements shall be retained by the approved slaughter market or the state or federally inspected slaughter plant that received the animal for a period of ten (10) years from the day of the receipt of the animal. These documents are to be provided within 24 hours of the request of state or federal animal health officials.
- G. Any party that is in possession of an animal that was imported on an Owner Shipper Statement, but that does not cause that animal to be immediately slaughtered, is subject to penalty as defined in § 1.20 of this Part.

1.8 Importation of Dogs and Cats for the Purpose of Rescue, Shelter, Foster Care, Adoption, Brokering, or Remote Sale

- A. Any entities that import a dog or cat for rescue, adoption, foster care, brokering, and/or remote sales must register with the Department via the submittal of an application form provided by the Department. The application can be found at the RI DEM Division of Agriculture / Animal Health website.
- B. No entity may import any dog or cat for rescue, adoption, foster care, brokering, or remote sales until the entity is in possession of a valid registration certificate issued by the Department.
- C. No entity may transport any dog or cat for rescue, adoption, foster care, brokering, or remote sales into the state for that purpose until the carrier has registered with the Department as a carrier and is in possession of a valid registration certificate issued by the Department. The application can be found at the RI DEM Division of Agriculture / Animal Health website.
- D. General Requirements of all entities and carriers:

1. Must register with the Department and hold a valid certificate of registration issued by the Department.
 2. Must keep complete records on forms issued by the Department.
 3. Must make records available to inspectors from the Department.
 4. Must identify a point of contact who resides within the State of Rhode Island who will be responsible for producing all records that the Department may lawfully request. A copy of all records must be kept by the designated point of contact.
 5. Must notify the Department of all expected shipments of dogs or cats being imported into the state as to the time and location of the arrival of the shipments. Notification must be received by the Department no less than 24 hours prior to arrival of the shipment. Notification may be in the form of email, phone call, voice mail, or written letter. The Department reserves the right to inspect any or all shipments to verify compliance with importation regulations and to verify the health of the animals being imported. It is the responsibility of the entity to notify the Department of the shipment.
 6. All animals being imported must be accompanied by a valid Certificate of Veterinary Inspection (CVI) and be currently vaccinated against rabies if age eligible.
- E. Requirements of Category A entities: Those entities that import dogs or cats for rescue, adoption, foster care, brokering, or remote sales will be classified as Category A entities if they meet all of the General Requirements enumerated in § 1.8 (D) of this Part, in addition to the following:
1. The entity has a detailed pre-import animal processing plan that has been reviewed and approved by the Department.
 - a. The pre-import processing plan must reference, in detail, the housing conditions, any isolation procedures, any vaccination procedures, any health screenings, and any disease testing/treatment/or preventative measures that have been or will be taken prior to the animal(s) being transported into Rhode Island.
 - b. The Department will review the plan and will approve it if the plan is determined to be acceptable.
 2. All dogs or cats being imported must be accompanied by a CVI that was issued within 10 days of the importation.
 3. The animals are brought into the state via a USDA licensed carrier. The USDA licensed carrier may be classified as a “carrier,” “contract carrier,”

or “intermediate handler” as defined under the Animal Welfare Act and the USDA licensed transporter must be registered with the Department.

4. Entities that are seeking a Category A registration, but that are not intending on using a USDA licensed transporter as in § 1.8 (E)(3) of this Part are required to submit the following:
 - a. A detailed transportation plan to include make and model of the vehicle being used for conveyance,
 - b. Features of the vehicle that will ensure adequate climate control in the animal compartment, and
 - c. Sanitation protocols for the conveyance.
 - d. The Department will review the plan defined in § 1.8 (E)(4)(a) through (c) of this Part, and if approved will issue a Category A registration.
 - e. Entities that are seeking a Category A registration but that are not intending on using a USDA licensed transporter as in § 1.8 (E)(3) of this Part are required to keep all records as defined in § 1.8 (H)(2) of this Part.
 5. Animals imported by a Category A entity are not required to undergo any further isolation or health verification before being offered for adoption, placed into foster care, or otherwise transferred.
- F. Requirements of Category B entities: Those entities that import animals for rescue, adoption, foster care, brokering, and remote sales will be classified as a Category B entity if they meet the General Requirements enumerated in § 1.8 (D) of this Part but fail to meet all of the requirements of § 1.8 (E) of this Part.
1. All animals imported by Category B entities must be held at an isolation facility approved by the Department for five consecutive days commencing immediately upon entry into the state. All animals imported by Category B entities must be brought directly to the isolation facility without commingling with any animals that are not destined for isolation.
 2. Upon completion of the five day isolation, all animals imported by Category B entities must be examined by a licensed veterinarian for the presence of infectious diseases or other conditions that may render the animal unsuitable for adoption, foster, or sale. A copy of the results of all examinations must be kept as part of the animal’s adoption records and must be available for inspection under § 1.8 (I) of this Part.
 3. Any animal that is determined to be suitable for adoption, foster, or sale may be transferred upon completion of this examination.

4. Any animal that is determined to be unsuitable for adoption, foster, or sale must be held in isolation until a veterinarian is able to determine that the animal is suitable.

G. Changes in classification:

1. Category A entities may be downgraded to Category B if after an investigation it is demonstrated that procedures approved by the Department or any of the provisions of §§ 1.8 (D) and 1.8 (E) of this Part are not being adhered to or that in spite of adherence to procedures thought to be protective, animals are being imported by the entity that are found to be afflicted with infectious diseases.
2. Category B entities may be upgraded to Category A if, after a certificate of registration was granted, that entity is now able to meet the requirements of § 1.8 (E) of this Part, thus allowing classification as a Category A entity.
3. Certificates of registration for Category A and/or Category B entities may be revoked pursuant to the provisions of R.I. Gen. Laws § 4-19-8.

H. Record Keeping:

1. Access to records: All entities, carriers, and sub-registrants are required to maintain and provide any records requested by the Department upon the request of the Department.
2. Transport/Carrier
 - a. The carrier must have a valid CVI for every animal in transport and if transporting animals for a Category A entity, all CVIs must be issued no greater than 10 days prior to arrival into Rhode Island.
 - b. The carrier must keep a complete manifest to include the following: Name of all entities supplying animals on this shipment, name of all entities that received animals on the shipment, the physical and mailing addresses of all entities supplying and receiving animals, the telephone numbers of all entities supplying and receiving animals on the transport, the identification of all animals on the shipment, all locations where animals are put onto the conveyance and the ID of those animals, all locations where animals are removed from the conveyance and the ID of those animals. The Department will supply all forms for carrier record keeping and the carrier must complete all forms in full and present those forms to the Department upon request.
3. Category A and B entities must provide and maintain records of:

- a. The name, mailing address, physical address, and phone number of the registered entity and all sub-registrants acting as foster homes.
 - b. Animal ID to include clear digital photos of the animal taken from the left and right sides and from the front in a manner that will demonstrate all unique markings and identifying features, or, microchip number, and the animal's name, approximate age, gender, predominate color, and predominate breed.
 - c. The source of the animal and the contact information of the source, where known, including the name, physical address, mailing address, and phone number.
 - d. The disposition of the animal by adoption to include the adopter's name, mailing address, physical address, and phone number.
 - e. The disposition of the animal by foster care, the name, physical address, mailing address, and phone number of the foster home.
 - f. For Category A entities, the name, address, phone number and state registration number of the carrier (unless exempt under conditions of § 1.8 (E)(4) of this Part).
 - g. The Department will supply forms to be fully completed by the entity. The entity must make all forms available for review at the request of the Department.
 - h. All records are required to be maintained for a period of three years after the importation of the animal.
- I. Inspections: All entities, carriers, and sub-registrants are subject to inspection by the Department, at reasonable times, for enforcement and verification of the provisions of these regulations.

1.9 Dogs and Cats

- A. Identification and Certificate of Veterinary Inspection are required for the importation of all dogs and cats that are imported into the State of Rhode Island.
- B. Rabies: All dogs and cats three (3) months of age or older imported into Rhode Island must be accompanied by proof of rabies vaccination. Pursuant to 250-RICR-40-05-2, Rules and Regulations Governing the Prevention, Control, and Suppression of Rabies within the State of Rhode Island, the only acceptable proof of rabies vaccination is a valid rabies vaccination certificate. The rabies vaccination must have been administered by a licensed veterinarian. Adult animals six (6) months of age or older that have received only an initial or first time documented vaccination must have been vaccinated at least thirty (30) days

prior to entry into the state. Puppies and kittens three (3) to six (6) months of age that have received initial rabies vaccination are eligible for immediate entry into the State without waiting thirty (30) days.

1.10 Cattle

- A. Official Identification and Certificate of Veterinary Inspection required except where noted under § 1.6 of this Part.
- B. Rabies: All cattle three months of age or older imported into Rhode Island for exhibition, show, competition, or public display purposes must be accompanied by proof of rabies vaccination not more than one (1) year, nor less than thirty (30) days prior to entry into Rhode Island. Calves that are between three (3) and six (6) months of age may enter Rhode Island immediately after receiving primary immunization without being required to wait thirty (30) days after vaccine administration. The rabies vaccination must be administered by a licensed veterinarian and pursuant to 250-RICR-40-05-2, Rules and Regulations Governing the Prevention, Control, and Suppression of Rabies within the State of Rhode Island. The only acceptable proof of rabies vaccination is a valid rabies vaccination certificate.
- C. Tuberculosis: All dairy cattle, Mexican origin beef cattle, and exhibition cattle must test negative pursuant to a USDA officially recognized tuberculosis test within sixty (60) days immediately prior to entry into Rhode Island. Negative tuberculosis tests are not required for domestic origin beef cattle. Negative tuberculosis tests are not required for dairy cattle, Mexican origin beef cattle or exhibition cattle that are identified as a member of a herd that has been certified tuberculosis free and that herd originating in a tuberculosis accredited free state. Such tuberculosis free certification must have been performed within 12 months prior to entry into Rhode Island by a veterinarian licensed and accredited in the state of origin of the animals and the certification test must include all test eligible animals within the herd. The animals to be imported must have been included in the herd test.

1.11 Swine

- A. Official identification and Certificate of Veterinary Inspection is required for all swine except where noted under § 1.6 of this Part.
- B. Brucellosis:
 - 1. Commercial Swine to be eligible for importation into Rhode Island must either:
 - a. Originate from a brucellosis validated free herd, or;

- b. Originate from a non-quarantined herd in a validated swine brucellosis free state, or;
 - c. If over four (4) months of age, test negative to a USDA officially recognized brucellosis test no more than thirty (30) days immediately prior to entry into Rhode Island.
 - 2. Non-commercial swine to be eligible for importation into Rhode Island must either:
 - a. Originate from a brucellosis validated free herd, or;
 - b. If over four (4) months of age, test negative to a USDA officially recognized brucellosis test no more than thirty (30) days immediately prior to entry into Rhode Island.
- C. Pseudorabies:
 - 1. Commercial finish swine must qualify for importation pursuant to any one of or more of the following:
 - a. Infected or exposed commercial finish swine may only be shipped into Rhode Island under a permit issued by the Rhode Island State Veterinarian. The permit will allow entry directly to a recognized slaughter establishment or an approved slaughter market.
 - b. Commercial finish swine being imported from a state or area that is classified with a program status Stage III or higher are allowed entry without prior permit as long as they are shipped immediately to a recognized slaughter establishment or approved slaughter market.
 - 2. Commercial breeding swine must qualify for importation pursuant to any one of or more of the following:
 - a. Direct shipment without individual animal testing from a Stage IV or Stage V state or area, or;
 - b. Direct shipment without individual animal testing from a qualified pseudorabies negative herd in any state or area, or;
 - c. If the animals are unable to qualify pursuant to either § 1.11 (C)(2)(a) or § 1.11 (C)(2)(b) of this Part, individual animals must test negative to an official pseudorabies serological test no more than thirty (30) days prior to shipment with quarantine, isolation, and re-testing, at owner's expense, at destination. The testing is to be conducted between thirty (30) and sixty (60) days following importation, while under quarantine. Quarantine and isolation are

to be maintained until the result of this testing is reported to the Rhode Island State Veterinarian and the Rhode Island State Veterinarian authorizes release of the quarantine.

3. Commercial feeder pigs must qualify for importation pursuant to anyone of or more of the following:
 - a. Direct shipment without individual animal testing from a farm of origin or a market in a Stage IV or Stage V state or area, or;
 - b. Direct shipment without individual animal testing from a qualified pseudorabies negative herd, or;
 - c. Entry without individual animal testing is allowed into Rhode Island from feeder pig monitored herds originating in Stage II or Stage III states or areas only if the swine originate from an approved feeder pig market or direct from a qualified negative(QN) herd or a feeder pig monitored herd;
 - d. Vaccination is not permitted except by permit from the Rhode Island State Veterinarian.
4. Non-commercial swine: individual animals must test negative to an official pseudorabies test no more than thirty (30) days prior to shipment.

1.12 Sheep

- A. Official identification and Certificate of Veterinary Inspection are required except where noted under § 1.6 of this Part. Certificates of Veterinary Inspection must contain a "Scrapie Statement" by an accredited veterinarian stating that to the best of his/her knowledge the sheep listed on the certificate do not have symptoms of Scrapie, have no known exposure to Scrapie infected animals, and, are not the progeny of Scrapie infected animals.
- B. Scrapie: No sheep affected with Scrapie or originating from a flock quarantined or epidemiologically linked to a flock quarantined for Scrapie shall be imported into Rhode Island.
- C. Psoroptic Scabies: No sheep affected or exposed to psoroptic scabies shall be imported into Rhode Island.
- D. Rabies: All sheep three (3) months of age or older imported into Rhode Island for exhibition, show, competition, or public display purposes must be accompanied by proof of rabies vaccination not more than one (1) year, nor less than thirty (30) days prior to entry into Rhode Island. Lambs that are between three (3) and six (6) months of age may enter Rhode Island immediately after receiving primary immunization without being required to wait thirty (30) days after vaccine administration. The rabies vaccination must be administered by a licensed

veterinarian and pursuant to 250-RICR-40-05-2, Rules and Regulations Governing the Prevention, Control, and Suppression of Rabies within the State of Rhode Island. The only acceptable proof of rabies vaccination is a valid rabies vaccination certificate.

1.13 Goats

- A. Official Identification and Certificate of Veterinary Inspection required except where noted under § 1.6 of this Part, Certificates of Veterinary Inspection must contain a “Scrapie Statement” by the accredited veterinarian stating that to the best of his/her knowledge the goats listed on the certificate do not have symptoms of Scrapie, have no known exposure to Scrapie infected animals, and, are not the progeny of Scrapie infected animals.
- B. Tuberculosis: All goats must be individually tested and found negative for tuberculosis by a USDA officially recognized test no more than sixty (60) days prior to entry into Rhode Island.
- C. Brucellosis: All goats must be individually tested and found negative to a USDA officially recognized Brucellosis test no more than thirty (30) days immediately prior to entry into Rhode Island. Exception: unweaned kids are not required to be individually tested for Brucellosis if they are accompanied by their dam and the dam has been tested and found negative pursuant to a USDA officially recognized Brucellosis test no more than thirty (30) days immediately prior to entry into Rhode Island.
- D. Scrapie: No goat affected with Scrapie or originating from a herd quarantined or epidemiologically linked to a herd quarantined for Scrapie shall be imported into Rhode Island.

1.14 Poultry, Ratites, and Game Birds

- A. Official Identification and Certificate of Veterinary Inspection, or other federally recognized certification of disease free status are required, except where noted under § 1.6 of this Part.
- B. Salmonella Pullorum: All poultry, ratites, and game birds five (5) months of age or more, and hatching eggs imported for the purposes of breeding or egg production, must originate from a flock designated “Pullorum Free” under the supervision of the poultry disease control officials of the state of origin, or, individually tested and found to be negative for the disease pursuant to an agglutination test, or other recognized test, for Salmonella Pullorum no more than thirty (30) days prior to entry into the state. All poultry less than five (5) months of age and all hatching eggs imported into the state must originate from a flock designated as “Pullorum Free” under the supervision of the poultry disease control officials in the state of origin.

- C. Avian Influenza: All poultry, ratites, and game birds of any age, that originates in any zone under control for avian influenza must be tested and found to be negative for avian influenza, or originate from an avian influenza tested negative flock. All hatching eggs that originate in any zone under control for avian influenza must be derived from parent flocks that have been tested and found to be negative for avian influenza. Testing for Avian Influenza must be performed no more than ten (10) days prior to entry into the state. The method of testing must be consistent with current approved serological and/or viral screening methods as approved by the Rhode Island State Veterinarian. Avian Influenza testing may be required at any time as prescribed by R.I. Gen. Laws, Chapter 4-4, under authority of the Director of the Department of Environmental Management.

1.15 *Equidae*

- A. Official identification and Certificate of Veterinary Inspection are required except where noted under § 1.6 of this Part.
- B. Equine Infectious Anemia: All *Equidae* imported must be accompanied by proof on an official negative serological test for Equine Infectious Anemia or (EIA) conducted no more than twelve (12) months prior to entry into the state. All Certificates of Veterinary Inspection must include the following: the date and result of EIA testing; the name of the testing laboratory, and; the laboratory accession number. Exception: no test is required for foals under six (6) months of age when the foal is accompanied by its dam and the dam is accompanied by proof of a negative official EIA test conducted no more than twelve (12) months prior to entry into the state.
- C. Rabies: All *Equidae* three (3) months of age or older imported into Rhode Island for exhibition, show, competition, or public display purposes must be accompanied by proof of rabies vaccination not more than one (1) year, nor less than thirty (30) days prior to entry into Rhode Island. Foals that are between three (3) and six (6) months of age may enter Rhode Island immediately after receiving primary immunization without being required to wait thirty (30) days after vaccine administration. The rabies vaccination must be administered by a licensed veterinarian and pursuant to 250-RICR-40-05-2, Rules and Regulations Governing the Prevention, Control, and Suppression of Rabies within the State of Rhode Island. The only acceptable proof of rabies vaccination is a valid rabies vaccination certificate.

1.16 Camelids

- A. Official identification and Certificate of Veterinary Inspection are required except where noted under § 1.6 of this Part.

- B. Tuberculosis: All camelids must be individually tested and found to be negative for tuberculosis by a USDA officially recognized test no more than sixty (60) days prior to entry into Rhode Island.
- C. Brucellosis: All camelids must be individually tested and found to be negative pursuant to a USDA officially recognized Brucellosis test no more than thirty (30) days immediately prior to entry into Rhode Island. Exception: unweaned crias are not required to be individually tested for Brucellosis if they are accompanied by their dam and the dam has been tested and found to be negative pursuant to a USDA officially recognized Brucellosis test no more than thirty (30) days immediately prior to entry into Rhode Island.

1.17 Miscellaneous Species: Domestic species not specifically addressed above

- A. Official Identification and Certificate of Veterinary Inspection are required except where noted under § 1.6 of this Part.
- B. Contact the Rhode Island State Veterinarian for additional requirements. (401) 222-2781 by phone, (401) 222-6047 by fax, or postal at RIDEM/Division of Agriculture, 235 Promenade Street, Providence, RI 02908.

1.18 Emergency Restrictions for Emerging Disease Risks

- A. Pursuant to R.I. Gen. Laws § 4-4-19, Orders prohibiting importation of animals; The Director has broad powers to prohibit the importation of any animal into the state.
- B. Pursuant to Chapter 42-35 of the R.I. Gen. Laws, the Department may issue emergency regulations as deemed necessary that restrict the importation of animals by imposing safeguards that will protect the health, safety and welfare of the citizens of the state, their livestock, and pets.

1.19 Record Keeping for Auctions, Sales, and Dealers

- A. All auctions, sales, and dealers must keep records and make those records available upon the request of an authorized inspector from the Department or from the USDA.
- B. All records must be kept on the premises of the auction or sale, or at the address of the licensed dealer, or if not kept at the premises, must be able to be accessed remotely from that premises.
- C. All records are to be maintained for a period of not less than five years from the date of the auction or sale.
- D. Records are to include the following:

1. Source information for the animal: date the animal was brought to the auction, sale, or purchased by dealer; name of owner or seller; mailing and physical address of owner or seller; phone number of owner or seller; species of animal(s) sold or consigned by owner or seller; breed of animal(s) sold or consigned by owner or seller; age of animal(s) sold or consigned by owner or seller; sex of animal(s) sold or consigned by seller; any non-official identification that was applied to the animal(s) sold or consigned by the seller; and, any official identification numbers that were applied to the animal(s) sold or consigned by the seller.
2. Buyer information to include the following: date of purchase; name of buyer; mailing and physical address of buyer; phone number of buyer; number of animal(s) purchased by buyer; species of animal(s) purchased by buyer; age of animal(s) purchased by buyer; sex of animal(s) purchased by buyer; location where the animals that were purchased will be kept or held; any non-official identification that was applied to the sold animal; and any official identification numbers that were applied to the sold animal.
3. For animals that are sold to Rhode Island based entities, the following must also be kept: a log book, signed by the Rhode Island based buyer/importer, acknowledging that the premises where the animals are to be kept is subject to inspection by inspectors from the Department or USDA for the purpose of ensuring compliance with these regulations.

1.20 Violations

The Director of the Department of Environmental Management may make all necessary regulations for the prevention, treatment, cure and extirpation of such disease; and every person who shall fail to comply with any regulation so made shall be fined not exceeding three hundred dollars (\$300) or be imprisoned not exceeding one (1) year. Each and every occurrence and/or day during which the violation or failure to comply is repeated shall constitute a separate and distinct violation. Every person who shall fail to comply with any regulation so made shall be responsible for all costs and fees associated with any quarantine, examination and testing required by the State Veterinarians Office, and subject to forfeiture of the imported animals. Every person who fails to comply with any order of quarantine or ordered examination or testing shall be in violation. Each and every condition of quarantine and/or day during which there is a failure to comply with said order shall constitute a separate and distinct violation.

1.21 Administrative Appeals

- A. Denial of a license or certificate of registration: Persons denied the issuance or renewal of a license or certificate of registration or the reissuance of a license or certificate of registration to operate an animal care facility may request an appeal as provided by R.I. Gen. Laws Chapter 42-17.7 and pursuant to DEM's "Administrative Rules of Practice and Procedure for the Administrative

Adjudication Division for Environmental Matters,” by presenting a written request for a hearing within thirty (30) days of the applicant’s receipt of the denial. The written request must be presented to the clerk of the Administrative Adjudication Division, One Capitol Hill, Fourth Floor, Providence, RI 02908.

- B. Enforcement Action: Any person adversely affected by a decision of the Director for an enforcement action pursuant to these regulations may file and appeal in accordance with R.I. Gen. Laws Chapter 42-17.7 and DEM’s Administrative Rules of Practice and Procedure for the Administrative Adjudication Division for Environmental Matters by presenting a written request for a hearing within twenty (20) days of the applicant’s receipt of the notice of the enforcement action. The written request must be presented to the clerk of the Administrative Adjudication Division, One Capitol Hill, Fourth Floor, Providence, RI 02908.

1.22 Severability

If any provision of these Rules and Regulations, or the application thereof to any person or circumstances, is held invalid by a court of competent jurisdiction, the validity of the remainder of the Rules and Regulations shall not be affected.