

TITLE 4 DEPARTMENT OF AGRICULTURE
SUBTITLE 3 DIVISION OF ANIMAL INDUSTRY
CHAPTER 20
NON-DOMESTIC ANIMALS

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Historical Note: This chapter is based substantially upon Regulation 1 entitled "Definition of Terms, Etc." [Eff. 9/26/49; am 9/29/55; am 7/25/57; am 6/26/58; am 8/15/68; am 5/19/72; am 10/31/74; am 8/16/77; am 8/21/80; R 10/5/81]; Regulation 2 entitled "Permits for Importation" [Eff. 9/26/49; am 9/29/55; am 7/24/70; am 10/31/74; am 8/21/80; R 10/5/81]; Regulation 3 entitled "Inspection and Quarantine" [Eff. 9/26/49; am 10/31/74; am 8/21/80; R 10/5/81]; Regulation 4 entitled "Landings and Entry into Territory" [Eff. 9/26/49; am 4/29/54; am 8/15/68; am 6/26/70; am 10/31/74; am 8/21/80; R 10/5/81]; Regulation 12 entitled "Importation of Menagerie and Zoological Animals" [Eff. 9/26/49; am 7/24/70; am 10/31/74; am 8/21/80; R 10/5/81]; Regulation 106 entitled "Quarantine of Premises, Animals and Effects" [Eff. 9/26/49; am 10/31/74; am 8/21/80; R 10/5/81]; Regulation 107 entitled "Penalty" [Eff. 9/26/49; am and ren Regulation 200 9/29/55; am 7/25/57; am 6/26/58; am 10/31/74; am 8/21/80; R 10/5/81]

SUBCHAPTER 1

GENERAL PROVISIONS

§4-20-1 Objective. This chapter shall govern the procedures of the department of agriculture pertaining to non-domestic animals. The objective of this chapter is prevention of animal diseases. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §§142-2 and 142-3)

§4-20-2 Definitions. As used in this chapter, unless context otherwise requires:

"Accredited veterinarian" means a veterinarian certified by federal and state animal health authorities to participate in cooperative disease control activities, including execution of health certificates for the interstate and international movement of animals;

"Board" means board of agriculture, State of Hawaii;

"Carrier" means any ship, vessel, airplane, or other conveyance to transport animals; or its master, commanding officer, owner, local manager, or agent;

"Chief plant inspector" means branch chief of the plant quarantine branch, plant industry division;

"Department" means department of agriculture, State of Hawaii;

"Division" means division of animal industry, department of agriculture;

"Effects" includes ropes, halters, harnesses, buckets, stalls, crates, pens, stables, feed, feed bags, and other equipment used to handle, confine, maintain, or transport animals;

"Inspector" means a veterinarian or livestock inspector in the division of animal industry or USDA;

"Interstate health certificate" means an official document issued by an accredited veterinarian or a state or federal veterinary officer certifying that the animals being shipped are free from external parasites and symptoms of transmissible disease and providing all other information and test results required for acceptance by the state of destination;

"Non-domestic animals" includes all animals other than those normally maintained in the domestic state or in association with humans;

"Premises" means a piece of property, including any structure on it;

"Quarantine" means the isolation of an animal or animals on premises or in areas specified by the division; the designation given such premises or areas. No animals may be removed from or be added to such premises or areas except as permitted by the division;

"Shipmaster's declaration" means an official state form which must be completed and submitted by a carrier providing information on animals and birds transported;

"State veterinarian" means a qualified veterinarian in the division of animal industry, department of agriculture, designated by the board of agriculture;

"Transmissible disease" means any contagious, infectious, or communicable disease of animals;

"USDA" means United States Department of Agriculture; and

"Vaccine" means a suspension of live, attenuated or killed microorganisms such as bacteria and viruses used for the prevention or treatment of infectious diseases. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §142-3)

SUBCHAPTER 2

IMPORT REQUIREMENTS

§4-20-3 Regulatory jurisdiction. (a) Importations of non-domestic animals from areas under U.S. jurisdiction are subject to the rules of the department.

(b) Importations of non-domestic animals from foreign countries, besides complying with requirements of all state agencies mentioned in subsection (a), shall not violate any federal regulations. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §§142-4, 142-5, 142-8 and 142-11)

§4-20-4 Entry into State. No non-domestic animals shall be allowed entry into the State unless all pre-entry requirements have been met. Landing or removal of non-domestic animals from a carrier for purposes of inspection or quarantine shall not constitute entry into the State for any purpose whatsoever. No effects of non-domestic animals, likewise, shall be brought into the State unless so authorized by an inspector of the department. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §§142-4 and 142-5)

§4-20-5 Ports of entry. (a) Non-domestic animals subject to testing requirements shall be entered through Hilo or Honolulu, where livestock testing and quarantine facilities are provided.

(b) Non-domestic animals subject to rabies quarantine shall be entered through Honolulu, where the State's only rabies quarantine station is located; however, animals of this category may, on approval of the board, be quarantined under supervision of the division at an official state, county, or municipal zoo.

(c) Non-domestic animals subject to inspection only may be entered through any port or airport in the State. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-4, 142-5)

§142-6 Carrier responsibility. (a) Carriers transporting non-domestic animals through any port in the State or landing these animals at any port within the State shall, on arrival, submit a shipmaster's declaration to the department providing the following information:

- (1) Name and address of owner, importer, consignor, consignee, and port of origin of the animals;
- (2) Number of non-domestic animals on board; and
- (3) Number of non-domestic animals which have died en route, with the circumstances of the deaths.

(b) Carriers shall be responsible for securely confining animals for entry at the pier or airport until movement is authorized by an inspector.

(c) Animals in transit to port beyond Hawaii shall not be off-loaded for any purpose unless authorized by the state veterinarian or an agent.

(d) Carriers shall not off-load and dispose of manure except under the supervision of an inspector. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-4, 142-5 and 142-8)

§4-20-7 Preshipment requirements. (a) A permit issued by the board shall be required for importing non-domestic animals. Application for the permit shall be made in writing to the chief plant inspector in advance of importation and shall be subject to conditions imposed by the division of animal industry to prevent the introduction of transmissible diseases.

(b) Non-domestic animals for entry shall be accompanied by an interstate health certificate issued by an accredited veterinarian, or a state or federal veterinary officer in the state of origin, within seven days before shipment. The certificate shall give a description and identification of each animal and shall certify that:

- (1) The animals described are free from external parasites and symptoms of transmissible diseases and that they have not had recent exposure to these diseases; and
- (2) That all preshipment requirements prescribed have been complied with. [Eff. 10/5/81] (Auth: HRS §142-2)

(Imp: HRS §§142-3 and 142-4)

§4-20-8 Post-shipment requirements. (a) Non-domestic animals for entry shall be subject to inspection by the state veterinarian or any agent. Any indication of transmissible disease or failure to comply with all preshipment requirements shall be sufficient reason to refuse entry or quarantine the animals at premises approved by the state veterinarian.

(b) Non-domestic animals subject to any special follow-up testing requirements imposed shall be held under premises quarantine until completion and clearance from such testing.

(c) All expenses in connection with the segregation and treatment or destruction and disposal of the quarantined animals shall be borne by the owner, importer, or consignee. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §§142-3 and 142-4)

§4-20-9 Relating to use of quarantine station facilities.

(a) Owners of non-domestic animals held at an official or authorized quarantine station for any reason shall:

- (1) Provide feed and care for stock;
- (2) Clean pens after removal of the animals; and
- (3) Promptly remove any dead animals from the quarantine station grounds when directed to do so by the state veterinarian.

(b) If, for any reason, the owners fail to fulfill the requirements in subsection (a), the quarantine station shall assume these responsibilities, and all costs involved shall be charged to the owner. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §§142-3 and 142-6)

SUBCHAPTER 3

EXPORT REQUIREMENTS

§4-20-10 Regulatory jurisdiction. (a) Shipments to other U.S. areas shall comply with entry requirements of the state of destination.

(b) Shipments outside the U.S. come under federal jurisdiction. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §142-3)

SUBCHAPTER 4

CONTROL OF ANIMAL DISEASES IN THE STATE

§4-20-11 Quarantine-general. (a) The division is authorized to place a quarantine on any non-domestic animal, premises, district, or island, whenever in its opinion such action is necessary to prevent the spread of a transmissible disease.

(b) No animals shall be removed from or be added to such herds, premises, or areas except by permit from the division.

(c) The quarantine shall remain in effect until rescinded by the division. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-6 and 142-9)