

TITLE 4 DEPARTMENT OF AGRICULTURE
SUBTITLE 3 DIVISION OF ANIMAL INDUSTRY

CHAPTER 23

HORSES

Subchapter 1 General Provisions

- §4-23-1 Objective
- §4-23-2 Definitions

Subchapter 2 Import Requirements

- §4-23-3 Regulatory jurisdiction
- §4-23-4 Entry into State
- §4-23-5 Ports of entry
- §4-23-6 Carrier responsibility
- §4-23-7 Preshipment requirements
- §4-23-8 Post-shipment requirements
- §4-23-9 Relating to use of quarantine station facilities

Subchapter 3 Export Requirements

- §4-23-10 Regulatory jurisdiction

Subchapter 4 Control of Horse Diseases in the State

- §4-23-11 Quarantine-general
- §4-23-12 Equine infectious anemia control

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 5 entitled "Importation of Horses" [Eff. 9/26/49; am 9/29/55; am 11/27/57; am 8/15/68; am 10/31/74; am 2/26/76; am 8/21/80; R 10/5/81]; Regulation 105 entitled "Relating to Use of Facilities at the Animal Quarantine Station, Honolulu" [Eff. 9/26/49; am 6/26/70; am 2/18/72; am 7/30/73; am 2/26/76; am 8/16/77; am 7/17/80; 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 114 entitled "Equine Infectious Anemia Control" [Eff. 1/6/74; 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

§4-23-1 Objective. This chapter shall govern the procedures of the department of agriculture pertaining to the prevention and control of horse diseases in the State. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §§142-2 and 142-3)

§4-23-2 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;

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

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

"Division head" means the chief or senior officer of the division of animal industry;

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

"Equine encephalomyelitis" is sleeping sickness of horses;

"Equine infectious anemia (EIA)" is swamp fever;

"Horses" includes mules and asses;

"Inspector" means a veterinarian or livestock inspector of 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;

"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

§4-23-3 Regulatory jurisdiction. (a) Importations of horses from areas under the jurisdiction and control of the United States are subject to the rules of the department.

(b) Importations of horses from foreign countries, besides complying with department requirements, shall not violate federal regulations. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §§142-4, 142-5, 142-8 and 142-11)

§4-23-4 Entry into State. (a) No horses shall be allowed entry into the State unless all pre-entry requirements have been met.

(b) Landing or removal of horses from a carrier for purposes of inspection or quarantine shall not constitute entry into the State for any purpose whatsoever.

(c) No effects of horses shall be brought into the State unless authorized by an inspector of the department. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §§142-4 and 142-5)

§4-23-5 Ports of entry. Horses may be entered through any official port or airport in the State. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §142-4)

§4-23-6 Carrier responsibility. (a) Carriers transporting horses through any port in the State or landing

horses at any port within the State shall, on arrival, submit a shipmaster's declaration to the division providing the following information:

- (1) Name and address of owner, importer, consignor, consignee, and port of origin of the horses;
- (2) Number of horses on board, including those born en route; and
- (3) Number of horses which have died or have been injured en route, with the circumstances of the deaths or injuries.

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

(c) Horses in transit to ports 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)

§4-23-7 Preshipment requirements. Horses for entry shall be accompanied by a health certificate issued by an accredited veterinarian or a state or federal veterinary officer within seven days before shipment. The certificate shall give a description of each animal, including breed, sex, age, and identifying marks or scars, and shall certify that the horses described:

- (1) Are free from external parasites and symptoms of transmissible diseases and have not had recent exposure to these diseases;
- (2) Have originated in an area in which equine encephalomyelitis has not occurred in the six-month period immediately preceding the date of shipment;
- (3) Have been inoculated by an accredited veterinarian with one or more doses, as recommended by the manufacturer, of a USDA-approved equine encephalomyelitis vaccine to provide protection against the type or types of equine encephalomyelitis experienced in the area of origin. The date or dates of vaccination shall be stated on the certificate. The animals shall not be eligible for shipment until a minimum period of fifteen days has elapsed following completion of the vaccination procedure;
- (4) Have been tested and found negative to the Coggins or other USDA-approved test for equine infectious anemia at a state, federal, or private laboratory accredited by the USDA to conduct this test within ninety days before shipment. The results, date of test, and name of the laboratory shall be stated on the certificate; and
- (5) Have been completely sponged or sprayed, thoroughly wetting the mane and tail, under the supervision of a state, federal, or accredited veterinarian in the

state of origin with a one-half percent water solution of malathion wettable powder, or other USDA-approved pesticide, within seven days before shipment. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §§142-3 and 142-4)

- §4-23-8 Post-shipment requirements. (a) Horses for entry shall be inspected by the state veterinarian or an agent on arrival and treated for external parasites by the owner under the supervision of an inspector.
- (b) Any indication of transmissible disease at the time of inspection shall be sufficient reason to quarantine any or all of the animals in the shipment at premises approved by the state veterinarian.
- (c) All expenses in connection with the segregation, treatment, destruction, and disposal of the quarantined animals shall be borne by the owner, importer, or consignee.
- (d) All horses arriving in the State shall be held in isolation on the owner's premises until retested for equine infectious anemia by the Coggins or other USDA-approved test conducted at the veterinary laboratory of the division forty-five to sixty days following entry. Any positive reactor revealed by this test shall:
- (1) Within fifteen days following notification of the reaction, be freeze-branded on the left neck by the state veterinarian or an agent with a design consisting of "95A" followed by a number assigned to the particular reactor by the division; and
 - (2) Be automatically quarantined on premises indefinitely, except that it may be moved for slaughter under written permit issued by the state veterinarian. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-5 and 142-6)

- §4-23-9 Relating to the use of quarantine station facilities. (a) Owners of horses held at official or authorized quarantine stations shall:
- (1) Provide feed and care for stock;
 - (2) Clean pens during the quarantine period and immediately 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 owner fails to fulfill these requirements related to use of quarantine station facilities, the division 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

§4-23-10 Regulatory jurisdiction. (a) Shipments to other U. S. areas shall comply with entry requirements of the state of destination.

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

SUBCHAPTER 4

CONTROL OF HORSE DISEASES IN THE STATE

§4-23-11 Quarantine-general. (a) The division is authorized to place a quarantine on any animal, herd, premises, district, or island whenever such action is necessary to prevent the spread of a transmissible disease.

(b) No horses shall be removed from or 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 §§142-6 and 142-9)

§4-23-12 Equine infectious anemia control. (a) All horses on premises in which positive reactors to the Coggins or other USDA-approved test for equine infectious anemia are revealed shall be tested within sixty days following notification of such reactors.

(b) Laboratory testing shall be conducted at the division's veterinary laboratory.

(c) All positive reactors to the test for equine infectious anemia shall be subject to requirements of section 4-23-8(d). [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §142-3)