DEPARTMENT OF AGRICULTURE

Amendment and Compilation of Chapter 4-29
Hawaii Administrative Rules

October 20, 2015

SUMMARY

1. §4-29-2 is amended.

2. §§4-29-5 and 4-29-6 are amended.

3. §§4-29-7.1 to 4-29-8.2 are amended.

4. A new §4-29-8.3 is added.

5. §§4-29-10 to 4-29-11.1 are amended.

6. §4-29-13 is amended.

7. §4-29-17 is amended.

8. §§4-29-21 and 4-29-22 are amended.

9. §4-29-25 is repealed.

10. §4-29-26 is amended.

11. Chapter 29 is compiled.

TITLE 4

DEPARTMENT OF AGRICULTURE

SUBTITLE 3

DIVISION OF ANIMAL INDUSTRY

CHAPTER 29

DOGS, CATS, AND OTHER CARNIVORES

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Historical Note: Chapter 4-29 is based substantially upon chapter 4-18 [Eff 10/5/81; am 5/29/82; am 2/2/87; R 03/18/93], which 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

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10/31/74; am 8/21/74; 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 10 entitled "Importation of Dogs and Cats" [Eff 9/26/49; am 4/29/54; am 6/28/56; am 8/26/60; am 6/21/68; am 10/31/74; am 8/16/77; 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 112 entitled "Relating to the Breeding of Domestic Animals While in Quarantine" [Eff 12/18/69; 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

§4-29-1 Objective. The objective of this chapter is to prevent the introduction of rabies into the State. [Eff 03/18/93; am and comp 05/23/97; comp 07/10/00; comp 06/30/03; comp 02/12/04; comp 10/31/05, am and comp 09/28/09; comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §142-3)

§4-29-2 Definitions. As used in this chapter, unless the context requires otherwise:

"Airport Animal Quarantine Holding Facility" is a facility operated by the Hawaii Department of Agriculture at the airport designated for the handling and holding of animals being imported into the State or destined for transit more than twenty-four hours after their arrival.

"Animals," for the purpose of this chapter, means cats, dogs, and all animals in the order carnivora.

"Animal port" means the facility that is operated by the Hawaiian Humane Society and is located at the Honolulu International Airport in the Airport Operational Area, which is used to hold animals, including birds and other non-domestic animals, that are destined for transit out of the State within twenty-four hours of their arrival.

"Animal quarantine manager" or "manager" means the manager of the animal quarantine branch, division of animal industry.

"Animal quarantine station," also referred to as "quarantine station" or

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"station," means the state animal quarantine facility in Halawa Valley that is used to quarantine dogs, cats, and other carnivores under this chapter.

"Approved hospital" means any veterinary facility approved by the department to provide care for quarantined animals.

"Board" means the board of agriculture, State of Hawaii.

"Booster interval" means the licensed duration of immunity of a vaccine; and the recommended time period for re-administration of a vaccine, to increase or maintain immunity, listed on the manufacturer's label or product insert.

"Carnivorous" means subsisting or feeding on animal tissue.

"Carrier" means a person employed or engaged in the activity of carrying goods for others for hire, by land, sea, or air.

"Chairperson" means the chairperson of the board of agriculture, department of agriculture, State of Hawaii.

"Complete care" means a system relieving the State of all responsibility to care for an animal, whereby an owner assumes the entire responsibility to provide all feeding, cleaning, and monitoring of the health and well-being of an animal in quarantine.

"Contact" means any physical union or touching between animals, with or without aggression.

"Department" means the department of agriculture, State of Hawaii.

"Designated address" means an address at which the Class A service dog or exempted guide dog will reside while in the State during any portion of the thirty-day post-arrival period.

"Diplomat" means Diplomat in a Specialty Board recognized by the American Veterinary Medical Association.

"Disability" means, with respect to an individual: a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment; or being regarded as having such impairment.

"Division" means the division of animal industry, department of agriculture.

"Double door" means an entry vestibule having an outer door and an inner door arranged such that at least one door is always closed during the entry of visitors or employees.

"Effects" means crates used to transport carnivores, and collars, leashes, chains, bedding, dishes, toys, or other objects that may accompany any carnivore.

"Emergency" means any unanticipated, unexpected event which reasonably necessitates a user to travel to the State on an urgent basis, such that the user could not reasonably be expected to have the user's service dog or exempted guide dog meet all pre-entry requirements.

"Entry" means the release of a dog, cat, or other carnivore into the

community after completion of all quarantine and post-quarantine requirements set forth in this chapter.

"Exempted guide dog" means a guide dog that has graduated from an approved guide dog training program and that works as a team with its visually impaired user.

"Groomer" is one who brushes, bathes, cleans, or maintains the coat or integument of an animal within an animal quarantine station.

"Guest" means a person or persons allowed entry into the animal quarantine station to visit a quarantined animal only when accompanied by an owner, co-owner, or visitor.

"Guide dog" means any dog individually trained by a licensed guide dog trainer for guiding a blind person by means of a harness attached to the dog and a rigid handle grasped by the person.

"Handler" means a person employed or engaged in holding, taking up, moving, or otherwise affecting the movement of animals.

"HRS" means the Hawaii Revised Statutes.

"Inspector" means a veterinarian, livestock inspector, or any officer or employee of the department of agriculture, authorized and designated by the board of agriculture to enforce the provisions of this chapter.

"International Unit" or "I.U." means a standard measurement unit to express the results of an OIE serologic test approved to measure anti-rabies virus antibody.

"Microchip" means an implantable micro-electronic device that provides animal identification.

"Necessary medical treatment" means that which is directed immediately to the cure or amelioration of the disease or injury.

"Neighbor island" means the islands of Hawaii, Maui, Kauai, Lanai, and Molokai.

"Neighbor Island Inspection Permit" or "NIIP" means a permit issued by the division authorizing the transport, arrival and entry of an animal at a port or airport on a neighbor island and specifies the port or airport, date of arrival, and identity of the animal and owner.

"Office of International Epizooties -- rabies virus antibody test" or "OIE-RVA test" means any state-approved serologic test used to measure the levels of rabies antibodies in the serum of animals that has been validated and certified as a test method by the Office of International Epizooties.

"Order Carnivora" means any flesh-eating mammal under but not limited to the family Canidae, Ursidae, Procyonidae, Mustelidae, Felidae, Hyaenidae, and Viverridae.

"Original document" means a document which is not a facsimile or a photocopy and bears an original or carbon signature.

"Owner" or "co-owner" means the person or persons whose name appears on the shipmaster's declaration or a person designated in writing by the owner to act in the owner's behalf and having the same duties and responsibilities as the owner.

"Parking facility" means a lot, garage, building, or structure, or combination or portion thereof, in which motor vehicles are temporarily parked.

"Parking placard for persons with disabilities" means a distinguishing placard issued to a person with a disability by a county upon certification of disability pursuant to chapter 11-219, Hawaii Administrative Rules, or by a foreign jurisdiction and bearing the international symbol of accessibility.

"Parking space" means an area of space in a parking facility that is used for parking one motor vehicle at any time.

"Parking space designated for persons with disabilities" means any metered or unmetered parking space designated for the use of a person with a disability, as defined in this section, and which conforms with the Uniform Federal Accessibility Standards, 41 C.F.R. 101-19.6, Appendix A, 4.6.2 and 4.6.3. Such spaces shall be identified as reserved by a sign showing the international symbol of accessibility and stating that a parking placard for persons with disabilities, as defined in this section, is required.

"Potential human exposure" means the inflicting of any wound on a person in which the skin is punctured or damaged in any manner by the teeth of an animal.

"Quarantine" means confinement at an animal quarantine station for a designated period pursuant to this chapter, or for a period before export from the State as provided in this chapter.

"Rabies vaccine" means an inactivated rabies vaccine or live recombinant rabies vaccine licensed by the United States Department of Agriculture or equivalent foreign government agency when the vaccine is administered outside of the United States.

"Satellite quarantine station" means a facility, other than the animal quarantine station, which holds a valid permit issued under section 4-29-12 and at which animals subject to quarantine may be housed.

"Service dog" means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service dog must be directly related to the individual's disability. The work or tasks include but are not limited to: assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone,

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providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behavior. The crime deterrent effects of an animal's presence, such as dogs with "protection training" and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

"Shipmaster's declaration" means an official state form which shall be completed and submitted by a carrier and which provides information on animals transported and the name of the owner or co-owner, or both.

"Shipper" means a person who sends animals by any form of conveyance.

"State" means the State of Hawaii.

"State veterinarian" means the veterinary program administrator in the division of animal industry, department of agriculture.

"Trainer" means a person employed or engaged in training or utilizing the services of working animals.

"Transmissible disease" means any contagious, infectious, or communicable disease of any carnivore.

"User" means any person with a disability who, because of disability, relies upon the services of an exempted guide or service dog.

"United States" means the states of the union, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.

"Visitor" means the person or persons designated by the owner to visit a dog, cat, or other carnivore at the animal quarantine station, but not having the authority to act in the owner's behalf. [Eff 03/18/93; am and comp 05/23/97; am and comp 07/10/00; am and comp 06/30/03; am and comp 02/12/04; am and comp 10/31/05; am and comp 09/28/09; am and comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §142-3)

SUBCHAPTER 2

IMPORT REQUIREMENTS

§4-29-3 Regulatory jurisdiction. Importations of dogs, cats, and other carnivores from areas outside of the State of Hawaii, except as provided in these rules, are subject to this chapter. [Eff 03/18/93; comp 05/23/97; comp 07/10/00; comp 06/30/03; comp 02/12/04; comp 10/31/05; am and comp 09/28/09; comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§142-4, 142-5, 142-8, 142-11)

§4-29-4 Entry of dogs, cats, and other carnivores without inspection

prohibited. Dogs, cats, and other carnivores may be denied entry into the State unless all preshipment and quarantine requirements have been met. Landing or arrival of dogs, cats, and other carnivores for purposes of inspection shall not constitute entry into the State for any purpose whatsoever. No dogs, cats, or other carnivores shall be allowed to enter the State except after inspection, or after inspection and quarantine, by the department or agent designated by the department. Every carrier, owner, handler, or other person causing dogs, cats, or other carnivores to arrive in the State shall be required to present the animals to the department or agent designated by the department for inspection immediately upon arrival. No effects of dogs, cats, and other carnivores that accompany such animals shall be brought into the State unless inspected and passed by an inspector or agent designated by the department. [Eff 03/18/93; am and comp 05/23/97; comp 07/10/00; comp 06/30/03; comp 02/12/04; am and comp 10/31/05; am and comp 09/28/09; comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§142-4, 142-5, 142-8, 705-500)

§4-29-5 Arrival ports. (a) Dogs, cats, and other carnivores which are subject to quarantine pursuant to section 4-29-9 or inspection pursuant to section 4-29-22 shall be landed at a port or airport on the island of Oahu or a port or airport approved by the department that has facilities and an agent designated by the department to process dogs and cats for entry.

(b) Dogs, cats, and other carnivores to be quarantined at the quarantine station or to be inspected pursuant to section 4-29-22 who arrive at neighbor island ports or airports not approved by the department shall be shipped to Oahu at the owner's expense on the first available aircraft.

(c) To land a dog, cat, or other carnivore at a neighbor island port or airport approved by the department, the animal owner, shipper, or handler shall:

(1) Meet the requirements of sections 4-29-8, 4-29-8.1, and 4-29-8.2 for direct airport release for each animal except that all required documents shall be submitted to the department no less than thirty days before the arrival date;

(2) Submit a request for a Neighbor Island Inspection Permit to the department no less than thirty days before the arrival date;

(3) Contract with an agent approved by the department to inspect and release each animal upon arrival; and

(4) Possess a valid Neighbor Island Inspection Permit issued by the department for each animal.

(d) Dogs, cats, and other carnivores arriving or landing at neighbor island ports or airports without a valid Neighbor Island Inspection Permit issued by the department shall be transported out of the State or quarantined and

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transported to the Honolulu International Airport at the carrier's expense on the first available aircraft.

(e) Dogs, cats, and other carnivores aboard transiting private and commercial vessels are subject to section 4-29-7. [Eff 03/18/93; am and comp 05/23/97; am and comp 07/10/00; comp 06/30/03; am and comp 02/12/04; am and comp 10/31/05; am and comp 09/28/09; am and comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-4, 142-5)

§4-29-6 Carrier responsibility. The local manager, agent, handler, crew, or captain of any carrier arriving in the State with dogs, cats, or other carnivores on board shall:

(1) Immediately upon arrival furnish the inspector or agent designated by the department a shipmaster's declaration listing the number of dogs, cats, and other carnivores carried on board; the names and addresses of the owners, importers, consignors, and consignees, if any; and the port of origin. In addition, all deaths and injuries of animals occurring en route shall be described on this form as required by the division of animal industry;

(2) Immediately upon arrival, deliver dogs, cats, and other carnivores destined for entry to the inspector at the Honolulu International Airport or an agent or facility designated by the department at an approved port or, if arriving by boat, confine the animals on board that vessel in secure, escape-proof crates for arrival inspection or quarantine, and shall maintain custody of the animals at all times;

(3) Confine dogs, cats, and other carnivores not destined for entry on shipboard, at the airline cargo office, or at the animal port, in secure crates or cages within a locked, escape-proof room or compartment; provided that:

(A) No other dogs, cats, or other carnivores shall be allowed on board except for shipment to a port outside the State of Hawaii. When the animals are placed on board the carrier for shipment to a port outside the State, they shall be confined and shall not thereafter be removed from the carrier except as directed by an inspector;

(B) In the event of delivery to the animal quarantine station, the time spent on board or in an airline cargo office or the animal port shall not be credited against the quarantine period; and

(4) Section 4-29-5 shall apply with respect to neighbor island ports and airports. [Eff 03/18/93; am and comp 05/23/97; comp 07/10/00; comp 06/30/03; comp 02/12/04; am and comp 10/31/05; am and

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comp 09/28/09; am and comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-4, 142-8)

§4-29-7 Transiting private and commercial vessel responsibility. (a) Dogs, cats, and other carnivores aboard a transiting private or commercial vessel in Hawaiian waters may be permitted by an inspector to remain on board no longer than forty-eight hours after the vessel is first anchored, moored, or docked in the Hawaiian Islands except that animals subject to quarantine may be allowed to remain on board for up to ten days when the requirements of section 4-29-7.1 are met. For purposes of this subchapter, a transiting vessel is any vessel in Hawaiian waters whose owner, captain, or other person in charge intends that the vessel will remain in Hawaiian waters less than ten calendar days, and Hawaiian waters are those waters over which the State of Hawaii has jurisdiction.

(b) The owner, captain, or other person in charge of a transiting private or commercial vessel subject to this section with dogs, cats, or other carnivores on board remaining in Hawaiian waters less than forty-eight hours after the vessel is first anchored, moored, or docked in the Hawaiian Islands shall submit a signed statement witnessed by an inspector and attached to the shipmaster's declaration attesting that the animals in question shall be securely confined on board the vessel at all times during the period the vessel remains in Hawaiian waters, and that no other dogs, cats, or other carnivores will be allowed aboard the vessel during the time it is in Hawaii.

(c) Computation of the forty-eight hour period shall begin at the time the vessel first docks, anchors, or moors in the islands regardless of the number of ports to be visited.

(d) If the vessel is still in Hawaiian waters or at a port within the State after forty-eight hours, all dogs, cats, and other carnivores on board shall be transported to the animal quarantine station.

(e) If the forty-eight hour period expires while the vessel is at sea moving from one port to another, the state veterinarian shall be notified immediately upon arrival at the next port of call and arrangements shall be made by the owner, captain, or other person in charge of the vessel to transport the animal to the animal quarantine station.

(f) The state veterinarian may impound any dog, cat, or other carnivore permitted to remain on board a vessel under this section, and may order the animal quarantined for failure to comply with any requirement of this section. The time elapsed between arrival of the vessel and the impoundment shall not be credited against the period of quarantine.

(1) Animals impounded on neighbor islands shall be transported by air to the port at the Honolulu International Airport and, from there, to

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the animal quarantine station.

(2) The owner, captain, or other person in charge of the vessel shall be responsible for all airline fees and all costs connected with investigation, impoundment, and ground transportation.

(g) To retrieve an impounded animal for departure from the State, the owner, captain, or other person in charge of the vessel shall submit a letter to the animal quarantine manager describing all animals held in quarantine at the quarantine station that he or she wishes to retrieve for departure and give the day and time of departure from the State. The letter shall be received forty-eight hours in advance of the requested release time. The animals described in the letter shall be delivered directly to the vessel by an inspector. All arrangements shall be approved by the manager and a fee shall be charged for the delivery of the animals to the vessel as provided in section 4-29-17.

(1) Delivery shall be scheduled during the hours of 10:00 a.m. to 4:00 p.m., except for good cause.

(2) Any delivery made between 4:00 p.m. and 10:00 a.m. shall incur overtime fees and fringe benefit expenses at the state rates in addition to the delivery fee. [Eff 03/18/93; am and comp 05/23/97; am and comp 07/10/00; comp 06/30/03; am and comp 02/12/04; comp 10/31/05; am and comp 09/28/09; comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-4, 142-8)

§4-29-7.1 Requirements for dogs, cats, and other carnivores to remain on board a transiting private or commercial vessel for up to ten days. (a) Dogs, cats, and other carnivores aboard a transiting private or commercial vessel in Hawaiian waters may be permitted by an inspector to remain on board no longer than ten days after the vessel is first anchored, moored, or docked in the Hawaiian Islands, provided the transiting private or commercial vessel has a professional security agent or security service on board, or provides a special duty police officer at the docking location twenty-four hours a day to ensure that animals subject to quarantine remain on board the vessel.

(b) The owner, captain, or other person in charge of a transiting private or commercial vessel with dogs, cats, or other carnivores on board remaining in Hawaiian waters less than ten days after the vessel is first anchored, moored, or docked in the Hawaiian Islands shall submit a signed statement witnessed by an inspector and attached to the shipmaster's declaration attesting that the animals in question shall be securely confined within a locked, escape-proof room or compartment on board the vessel at all times during the period the vessel remains in port and that no other dogs, cats, or other carnivores will be allowed aboard the vessel during the time it is in Hawaii.

(c) Computation of the ten-day period shall begin at the time the vessel first docks, anchors, or moors in the Hawaiian Islands regardless of the number of ports to be visited. The day of arrival shall be counted as one of the ten days, regardless of the hour of arrival, and the tenth day shall expire at midnight on the tenth calendar day after arrival.

(d) If the vessel is still in Hawaiian waters or at a port within the State after ten days, all dogs, cats, or other carnivores on board shall be transported to or from the animal quarantine station pursuant to section 4-29-7 (e), (f), and (g). [Eff and comp 07/10/00; am and comp 06/30/03; am and comp 02/12/04; comp 10/31/05; am and comp 09/28/09; am and comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-4, 142-8)

§4-29-8 Preshipment requirements. No dogs, cats, or other carnivores shall be granted entry into the State unless the following requirements are met:

(1) Health certificates. Dogs, cats, and other carnivores shall be accompanied by an original, valid health certificate issued by a veterinarian not more than fourteen days before arrival. The health certificate shall:

(A) Give a complete description of the animal including age, markings, identification numbers, sex, and breed;

(B) Declare that the animal was treated to kill all ticks by a product containing fipronil or other tick control product with similar residual activity except when a veterinarian provides a written statement that such treatment may be detrimental to the animal's health;

(C) List the name of the treatment used and date of the treatment;

(D) State that the animal was found to be free of external and intestinal parasites within fourteen days of arrival;

(E) Certify all requirements in paragraphs (2) to (5);

(F) Declare that the animal described has been inspected and appears to be free of any infectious or contagious diseases and, to the best of the issuing veterinarian's knowledge, exposure thereto;

(G) Contain a certification by the issuing veterinarian that the animal described has met all preshipment requirements;

(H) Contain an electronic microchip number for five-day or less quarantine qualification;

(I) Contain an original signature and legible name, address, and telephone number for the certifying veterinarian; and

(J) Be written in English;

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(2) Rabies vaccination and general requirements. All dogs and cats ninety days of age or older at the time of arrival shall be vaccinated against rabies with an approved inactivated or live recombinant rabies vaccine as described in this section or in sections 4-29-8.1 and 4-29-8.2. All dogs and cats shall:
   (A) Be vaccinated with an inactivated or live recombinant rabies vaccine that has been licensed by the United States Department of Agriculture or equivalent foreign government agency when the vaccine is administered outside the United States; and
   (B) Have the product name, lot or serial number, and expiration date of the vaccine used listed on the health certificate;

(3) Other dog vaccinations. Dogs ninety days of age or older at the time of arrival shall be vaccinated not less than ten days and not more than the manufacturer's recommended booster interval prior to arrival against:
   (A) Canine distemper virus;
   (B) Canine infectious hepatitis virus or canine adenovirus-2;
   (C) Canine parvovirus;
   (D) Canine parainfluenza virus; and
   (E) Bordetella bronchiseptica (kennel cough);

(4) Other cat vaccinations. Cats ninety days of age or older at the time of arrival shall be vaccinated not less than ten days and not more than the manufacturer's recommended booster interval prior to arrival against:
   (A) Feline panleukopenia virus (feline viral enteritis);
   (B) Feline viral rhinotracheitis (feline herpesvirus-1);
   (C) Feline calicivirus; and
   (D) Chlamydia psittaci (pneumonitis);

(5) No pregnant dog or cat beyond forty-five days gestation shall be accepted into the quarantine station;

(6) Dogs, cats, and other carnivores residing in the State, and traveling outside the State, shall comply with all entry requirements set forth in this chapter prior to and upon re-entry into the State with the exception of animals subject to section 4-29-15.1;

(7) Other carnivores. Species of the order carnivora other than dogs and cats must meet and comply with entry requirements of other departments or agencies. Hybrids between dogs and cats and other species must meet and comply with entry requirements of other departments or agencies;

(8) Carrier responsibility. All carriers that transport any dogs, cats, or other carnivores into the State shall ensure that all preshipment

requirements are met before arrival. The captain of the transport carrier, whether commercial, private, or military, or the transport carrier's owner, manager, supervisor, or person in charge, shall ensure that all preshipment requirements have been met for incoming dogs, cats, and other carnivores; and

(9) Failure to comply. The owner, consignee, handler, or carrier shall pay all expenses including private veterinary examinations, vaccinations, hospitalization, testing, medication, treatment, transportation, and returned shipments to shipper or consignor for animals failing to meet preshipment requirements. [Eff 03/18/93; am and comp 05/23/97; am 07/12/99; am and comp 07/10/00; am and comp 06/30/03; am and comp 02/12/04; am and comp 10/31/05; am and comp 09/28/09; am and comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-4.5)

§4-29-8.1 Other requirements. (a) To qualify for a quarantine of five days or less, quarantine animals shall:

(1) Prior to arrival, have a minimum of two vaccinations with an inactivated or live recombinant rabies vaccine licensed by the United States Department of Agriculture or equivalent foreign government agency when the vaccine is administered outside the United States.

(A) If an animal has not been previously vaccinated for rabies, the age at primary vaccination shall be in accordance with the manufacturer's specifications on the product label or package insert;

(B) The second vaccination shall be administered not less than thirty days following the first vaccination, and the second vaccination or subsequent vaccination shall be administered not less than ninety days and not more than the vaccine's licensed booster interval listed on the manufacturer's label prior to arrival; [and]

(C) For an animal with three or more rabies vaccinations, the most recent vaccine may be administered less than ninety days prior to arrival provided the vaccination is administered before the end of the booster interval of the previous vaccination and the vaccination requirements to qualify for a quarantine of five days or less pursuant to subsection §4-29-8.1(a)(1)(B) are met; and

(D) For the two most recent vaccinations, the product name, booster interval, and date of vaccination shall be listed on the health

certificate;

(2) Be identified by an implanted microchip and microchip number of a brand of implanted microchip approved by the division. For the purposes of this chapter, a microchip shall be obtained from a private source except that a microchip may be obtained from the division for dogs and cats originating outside the United States. The brand of microchip from a private source shall be pre-approved for use by the division and have a unique numeric or alpha numeric numbering system. The microchip number shall be included on the health certificate accompanying the animal and on the laboratory results of the preshipment OIE rabies virus antibody (OIE-RVA) test. It shall be the owner's responsibility to have the microchip implanted by the manufacturer's prescribed method prior to submission of the preshipment OIE-RVA test. A microchip may be obtained from the division for dogs and cats originating outside the United States by submitting a properly completed Microchip Request Form (AQS-73). Prepayment is required for the microchip obtained from the State including shipping and handling and shall be by credit card, money order, cashier's check, or bank draft; and

(3) Be tested by the OIE-RVA test by a testing laboratory approved by the board not less than one hundred twenty days and not more than thirty-six months prior to arrival to qualify for five-day or less quarantine.

(A) The serum shall contain at least 0.50 I.U. per milliliter of rabies antibodies;

(B) The testing laboratory shall report the test results directly to the division; and

(C) Identification of the OIE- RVA test blood sample shall include the number of the implanted microchip, the name of the owner, and description of the animal, which shall include breed, sex, color, markings, and any visible physical characteristics. Test results shall not be considered valid unless all information listed in this subparagraph is present on the laboratory report.

(b) Arrival before qualification date. Animals that arrive one hundred twenty days or less before their qualification date for entry shall be placed in quarantine for the remaining period to meet pre-arrival requirements for five-day or less quarantine qualification. The pre-arrival waiting period begins when the most recent pre-arrival blood sample giving a test result of 0.50 I.U. or greater is received by an approved testing laboratory.

(c) Reduction of one-hundred-twenty-day waiting period based on

multiple OIE-RVA tests. Animals that arrive less than one hundred twenty days after an OIE-RVA test may qualify for five-day or less quarantine when the following requirements are met:

(1) An animal had two or more OIE-RVA tests with test results of 0.50 I.U. or greater;

(2) The most recent OIE-RVA test was done within thirty-six months of a previous OIE-RVA test with a test result of 0.50 I.U. or greater, and within thirty-six months of arrival;

(3) The previous OIE-RVA test was done not less than one hundred twenty days prior to arrival; and

(4) The OIE-RVA tests used for qualification meet the requirements of subsections §4-29-8.1(a)(3)(A) to (C).

(d) Early release from five-day quarantine. Animals may be released before the completion of five days quarantine when all required documents for five-day quarantine qualification are received and verified by the department. To qualify for direct release from the Airport Animal Quarantine Holding Facility at the Honolulu International Airport or port approved by the department, the following requirements shall be met:

(1) Vaccination documents required for qualification for five-day quarantine containing an original signature and legible name, address, and telephone number for the certifying veterinarian are submitted to the department at least ten days before the animal's arrival in Hawaii;

(2) A written notice of the port, date, and time of arrival and including the number of the implanted electronic microchip, name of the owner and name of the pet shall be submitted to the department at least ten days prior to arrival for Oahu arrivals and section 4-29-5 shall apply for arrivals at a neighbor island;

(3) A valid health certificate according to section 4-29-8(1) is submitted before entry or upon entry; and

(4) Fees are paid in full.

(e) Direct release of dogs and cats from the Airport Animal Quarantine Holding Facility shall occur only during regular inspection hours and may be suspended when required by airport security advisories.

(f) Failure to comply. Dogs and cats shall be subject to one hundred twenty days quarantine if preshipment requirements of this section are not met. Extension of five-day quarantine shall occur if required documents are not submitted prior to a scheduled release date. The animal shall remain confined at a quarantine station or approved veterinary hospital until compliance or for one hundred twenty days. [Eff and comp 05/23/97; am 07/12/99; am and comp 07/10/00; am and comp 06/30/03; am and comp 02/12/04; am and comp 10/31/05;

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am and comp 09/28/09; am and comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-4.5)

§4-29-8.2 Movement of dogs and cats originating in Hawaii. (a) Dogs and cats moving from Hawaii to other destinations are subject to the requirements of this chapter. To qualify for five days or less quarantine upon return to Hawaii, dogs and cats originating in Hawaii shall:

(1) Be accompanied by an original, valid health certificate issued by a veterinarian not more than fourteen days before arrival according to section 4-29-8(1);

(2) Prior to departure have a minimum of two vaccinations with an inactivated or live recombinant rabies vaccine licensed by the United States Department of Agriculture or equivalent foreign government agency when the vaccine is administered outside the United States.

(A) If an animal has not been previously vaccinated for rabies, the age at primary vaccination shall be in accordance with the manufacturer's specifications on the product label or package insert;

(B) The second vaccination shall be administered not less than thirty days following the first vaccination, and the second vaccination or subsequent vaccination shall be administered not less than fourteen days before departure and not more than the vaccine's licensed duration listed on the manufacturer's label prior to arrival;

(C) In instances where an animal has had three or more rabies vaccinations, the most recent vaccine may be administered less than fourteen days prior to departure from Hawaii providing it is administered before the end of the booster interval of a previous vaccine and two other vaccinations meet the requirement of subsection §4-29-8.2(a)(2)(B); and

(D) For the two most recent vaccinations, the product name, booster interval and date of vaccination shall be listed on the health certificate;

(3) Be identified by an implanted microchip and microchip number according to section 4-29-8.1(a)(2);

(4) Be tested by the OIE-RVA test by a laboratory approved by the board not less than fourteen days before departure and not more than thirty-six months prior to arrival to qualify for five-day or less quarantine.

(A) The serum shall contain at least 0.50 I.U. per milliliter of rabies

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antibodies;

(B) The testing laboratory shall report the test results directly to the division; and

(C) Identification of the OIE-RVA test blood sample shall include the number of the implanted microchip, the name of the owner, and description of the animal, which shall include breed, sex, color, markings, and any visible physical characteristics. Test results shall not be considered valid unless all information listed in this subparagraph is present on the laboratory report; and

(5) Early release from five days quarantine or direct release from the Honolulu International Airport or port approved by the department shall be in accordance with section 4-29-8.1(d), except that the health certificate issued in Hawaii used for a resident animal's initial departure shall be provided prior to or upon return to Hawaii to verify residency. The health certificate shall provide the animal's Hawaii address and departure date.

(b) Animals that depart Hawaii less than fourteen days after a successful OIE-RVA test may qualify for the five-day or less quarantine in instances when: the animal has had two or more rabies OIE-RVA tests; the most recent OIE-RVA test performed by a testing laboratory approved by the board is done less than thirty-six months after the prior OIE-RVA test; and the OIE-RVA test meets the requirement of subsections 4-29-8.2(a)(4) (A) through (C).

(c) Second or subsequent entries. The most recent rabies vaccination shall be valid for entry for the vaccine's booster interval listed on the manufacturer's label, and the most recent OIE-RVA test having a result of 0.50 I.U. or greater shall be valid for entry for thirty-six months. If the most recent rabies vaccination or OIE-RVA test result becomes invalid for entry when a dog or cat is outside of the State of Hawaii, the requirements of section 4-29-8.1 shall be met for entry and this section shall not apply. To qualify for direct airport release from the Airport Animal Quarantine Holding Facility or port approved by the department with second or subsequent entries the following requirements shall be met:

(1) A written notification of the port, date, and time of arrival and including the number of the implanted electronic microchip, name of the owner and name of the pet shall be submitted to the department at least ten days prior to arrival for Oahu arrivals and section 4-29-5 shall apply for arrival at a neighbor island;

(2) A valid health certificate according to section 4-29-8(1) is submitted before entry or upon entry;

(3) Fees are paid in full; and

(4) Provisions of section 4-29-5 for neighbor island release.

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(d) Failure to comply. Dogs and cats shall be subject to quarantine of up to one hundred twenty days if entry requirements of this section are not met. For five days or less quarantine, extension of quarantine shall occur if required documents are not submitted prior to a scheduled release date. [Eff 02/12/04; am and comp 10/31/05; am and comp 09/28/09; am and comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-4.5)

§4-29-8.3 Movement of dogs and cats requiring urgent diagnostic, medical or surgical procedures not available in Hawaii. (a) Upon the recommendation of a Hawaii licensed veterinarian, a dog or cat may be transported out of state for the purpose of receiving specialized veterinary diagnostic, medical, or surgical procedures performed by a Diplomat in a Specialty Board recognized by the American Veterinary Medical Association and may be allowed to return to Hawaii without quarantine providing the following requirements are met:

(1) The Hawaii licensed veterinarian referring the dog or cat for a procedure shall submit a written request to the Animal Quarantine Manager prior to the animal's departure from Hawaii. The information contained in the request shall include:
   (A) Identification of the animal, including its age, sex, breed, physical description, and microchip number;
   (B) Owner information, including name, address, email address, and telephone number;
   (C) Tentative diagnosis;
   (D) Medical justification for the out-of state referral; and
   (E) Information regarding the out-of-state treating veterinary facility, including its name, address, e-mail address, and telephone number and the name, address, e-mail address, and telephone number of the Diplomat who will perform the specialized procedure;
(2) The attending veterinarian performing the specialized procedure is a Diplomat in a Specialty Board recognized by the American Veterinary Medical Association in the area of veterinary medicine related to the specialized procedure that will be performed on the dog or cat;
(3) Prior to the dog or cat's return to Hawaii the treating veterinarian shall provide a written report to the Animal Quarantine Manager containing a complete description of the treatment administered, the date and time of the animal's admission and discharge, and a statement concerning whether the dog or cat had any physical contact with any other animal at the treating veterinary facility; and

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(4) The dog or cat shall be:

(A) Implanted with an electronic microchip and microchip number according to section 4-29-8.1(a)(2);

(B) Vaccinated with an inactivated or live recombinant rabies vaccine that has been licensed by the United States Department of Agriculture and have the product name, lot or serial number, and expiration date of the vaccine used listed along with the microchip number, on the health certificate used for departure from Hawaii;

(C) Transported directly to, and from, the referral veterinary university hospital or veterinary specialty practice from the closest available airport in an approved transport carrier;

(D) Confined within the veterinary hospital for the entire treatment and recovery period and immediately returned to Hawaii following hospital discharge;

(E) Examined or treated by a Diplomat certified to perform the needed diagnostic, medical or surgical procedure not available in Hawaii;

(F) Accompanied by an original, valid health certificate as specified in section 4-29-8;

(G) Prevented from having contact with any other animal from the time it departs the State until after it is inspected and released upon return to Hawaii;

(H) Treated with an ectoparasiticide according to section 4-29-8(1)(B); and

(I) Accompanied by an owner affidavit attesting that the animal did not have contact with any other animal from the time of Hawaii departure until return.

(b) Failure to comply. Dogs and cats shall be subject to quarantine of up to one hundred twenty days if the requirements of this section are not met. [Eff and comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-4.5)

SUBCHAPTER 3

QUARANTINE

§4-29-9 Post-shipment requirements and quarantine. (a) Dogs, cats, and other carnivores originating from the United States or any area not designated by the board as exempt pursuant to section 4-29-10 shall, upon arrival, be confined in the quarantine station or in a satellite quarantine station for a period of not more

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than one hundred twenty days to prevent the introduction of rabies. The first quarantine day shall be the day following the date of animal arrival into the State.

(b) Prior to entry into the State, dogs, cats, and other carnivores may be treated with an approved external parasite insecticide at the discretion of the state veterinarian except when a veterinarian provides a written statement that the use of such an insecticide may be detrimental to the animal's health.

(c) Failure to meet all preshipment and post-shipment requirements may result in refused entry or one hundred twenty days quarantine. [Eff 03/18/93; am and comp 05/23/97; comp 07/10/00; am and comp 06/30/03; am and comp 02/12/04; comp 10/31/05; am and comp 09/28/09; comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §142-6)

§4-29-10 Exemption from quarantine. (a) The following areas are designated as exempt for the purposes of this section: the British Isles, Guam, Australia, and New Zealand. In order to qualify for or retain exempt status, an area shall:

(1) Remain free of terrestrial rabies; and

(2) Maintain stringent entry and quarantine requirements to prevent the introduction of rabies that are equal to or more stringent than Hawaii's.

(b) An exempt area shall be removed from the list by the board if it is shown that the area has not remained free of terrestrial rabies or has not maintained the entry and quarantine requirements pursuant to subsection (a)(1) and (2).

(c) All dogs, cats, and other carnivores originating from the countries listed in subsection (a) shall be exempt from all quarantine requirements upon arrival, provided:

(1) The animals are transported in the same aircraft from port of origin to the Honolulu International Airport or a port approved by the department on a neighbor island, or none of the animals consigned to Hawaii or ports beyond Hawaii are off-loaded en route to Hawaii from the country of origin, except that off-loading may be permitted to transfer the animal to another aircraft under the following conditions only:

(A) The off-loading, transfer, and placement on the next aircraft must be directly supervised by the officer in charge of either aircraft;

(B) The officer in charge shall certify in writing that the animal in transit did not come into physical contact with any other animal;

(C) The officer in charge shall be identified on the certification by

name, position, title, airline name, business address, and phone number; and

(D) The certification shall state the exact date, time, aircraft, and flight number for both the arriving and departing aircraft;

(2) The animals destined for Hawaii are accompanied by the following documents:

(A) A health certificate, issued by a veterinarian holding a current appointment as an officer of the government of the country of origin certifying that each animal described was examined and found free of external parasites and symptoms of transmissible disease not more than fourteen days before shipment;

(B) An affidavit executed by the owner or consignor of the animal certifying that the animal was not outside the country of origin during the six-month period immediately preceding the date of shipment except that animals may travel to exempt areas listed in this section or to Hawaii during this six-month period. The affidavit shall include the name of the airline, flight number, and scheduled date of departure of the aircraft aboard which the animal is to be transported to Hawaii; and

(C) An affidavit executed by the captain of the aircraft or the senior station official of the airlines based in Hawaii attesting that the animal transported to Hawaii from the exempt area was:

(i) Transported from the country of origin in one aircraft, except as provided in this paragraph; and

(ii) Not off-loaded at any intermediate point for any purpose except as provided by this paragraph;

(3) The animals are shipped in containers that are sealed by an official government numeric or alphanumeric seal in such a manner that removal of the animals will break the seal.

(4) All animals on the vessel shall be inspected by the station veterinarian or inspector at the time of arrival and shall be subject to treatment for external parasites as provided in section 4-29-9. Any indication of a transmissible disease in any of the animals in the shipment at the time of inspection shall be sufficient reason to quarantine all of the animals at the quarantine station; and

(5) All dogs, cats, and other carnivores transported into the State by military aircraft shall be governed by this section.

Failure to comply with this section shall subject the animal in question to quarantine for a period not exceeding one hundred twenty days. [Eff 03/18/93; am and comp 05/23/97; comp 07/10/00; am and comp 06/30/03; comp 02/12/04; comp 10/31/05; am and comp 09/28/09; am and comp FEB 12 2016]

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(Auth: HRS §142-2) (Imp: HRS §142-2)

SUBCHAPTER 4

ANIMAL QUARANTINE STATIONS

§4-29-11 The state animal quarantine station. (a) Animal quarantine manager responsibilities and authority.

(1) Animals, once placed in quarantine, shall be under the custody and supervision of the manager and shall not be separated, moved, interfered with in any way, nor removed from the quarantine station or its related facilities such as the airport holding facility and animal port, transporting vehicles, or veterinary hospitals except with the manager's permission;

(2) The manager may deny admission to the quarantine station to any person who: violates this chapter or chapter 142, HRS; disrupts or impedes the activities of the department's employees or of animal owners, visitors, co-owners, or groomers; or behaves in any manner detrimental to the operation of the station or to the animals confined there;

(3) The state veterinarian and the manager shall have exclusive authority to:

(A) Release an animal from quarantine when in compliance with provisions of this chapter, or for export prior to the end of the quarantine period;

(B) Allow transport of an animal from the quarantine station to a satellite quarantine station or approved private veterinary hospital for five days quarantine after all requirements for five days quarantine qualification are met; and

(C) Extend the quarantine by ten days for a quarantined animal that bites another animal, or that bites a human being, within ten days before scheduled release, or when clinical signs of neurological disease exist.

(b) Owner responsibilities.

(1) Owners shall provide emergency contact telephone numbers and addresses where the owner or another responsible person can be located during emergencies. Post office box addresses shall not be used for this purpose;

(2) Owners may designate co-owners or visitors in writing by appearing in person at the quarantine station office or by submitting a

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document with a notarized acknowledgement identifying authorized co-owners or visitors. Such designations shall remain in force during the duration of quarantine unless revoked. Individuals not designated in accordance with this section shall be refused entry into the station. Revocation of a registered name of a co-owner shall be only by the person who originally designated the co-owner, by similar means as the original designation, or by the person designated;

(3) Owners or co-owners may elect to assume complete care of their animals after payment of all fees, and five days of quarantine are completed. The complete care owner shall sign an agreement with the State indicating that the owner accepts full responsibility for the feeding, sanitation, medicating, health, and grooming of animals as well as for the sanitation of the animal's kennel;

(4) Any person who fails to comply with the requirements of this section may be denied access to the station, at the sole discretion of the manager.

(c) Visiting.

(1) The board shall set the visiting and grooming hours of the quarantine station;

(2) Owners wishing to visit or remove animals from the station shall, upon request, present identification acceptable to the manager, such as a picture or signature identification, prior to admittance, or upon removal of animals from the quarantine station. The manager may deny admission to any person who fails to present acceptable identification upon request, until such time as the person is able to present acceptable identification;

(3) Owners shall be permitted no more than three guests, other than members of the owner's immediate family. While visiting, each owner is responsible for all guests' compliance with these rules;

(4) While on the premises owners, co-owners, visitors, and guests shall go directly to their pet's kennel. Other than their own, owners, co-owners, visitors, and guests shall not touch or feed any animal confined to the quarantine station;

(5) Minors may be admitted to the station premises only in the company of an adult who shall be responsible for the minor's behavior and safety; exceptions may be made for good cause by the manager;

(6) Persons allowed in the station shall not interfere in any way with the operation of the station and shall not disturb the animals confined there.

(d) Animal health and grooming.

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(1) The health and grooming of quarantined animals are the responsibility of the owner and co-owner;
(2) Expenses incurred at any private veterinary hospital are the responsibility of the owner and co-owner;
(3) Station veterinarians shall have the authority to medicate and treat animals to prevent the spread of infectious or contagious diseases, parasites, or to provide comfort to affected animals;
(4) Appointments for pet grooming at grooming stations are limited to two appointments during the morning per pet per week; exceptions may be made for good cause by the manager or station veterinarian;
(5) Grooming appointments shall be scheduled a minimum of twenty-four hours in advance;
(6) Groomers may have access to animals during the morning hours designated by the board to groom those animals with whose owners they have an agreement for care;
(7) Quarantine station employees shall apply or administer only medications prescribed by a licensed veterinarian;
(8) Owners and co-owners may apply and administer medications to their own animals upon written notification to the station veterinarian;
(9) All disinfectants, pesticides, and other chemicals, together with a description of their intended use, shall be approved by the manager or station veterinarian prior to application by any owner or co-owner;
(10) Except in emergencies, owners or co-owners are allowed in the veterinary dispensary only during posted hours;
(11) Walking animals outside of kennels, except by appointment to pet grooming stations, is not allowed; for good cause exceptions may be made by the manager or station veterinarian. Permission to walk, either once or twice a day, is restricted to dogs with medical conditions documented in writing by a private veterinarian, after consultation with a station veterinarian;
(12) The cadaver of any quarantined dog, cat, or other carnivore which dies at the quarantine station or an approved hospital shall be examined by necropsy and be incinerated under the supervision of the State.

(e) Complete care. Complete care owners and co-owners may have access to animals at the quarantine station during morning grooming hours for the purpose of providing care to their own animals. Access to the station may be denied, at any time and without hearing, for failure to comply with any provision of these rules. The State assumes no liability for the actions or omissions of the

complete care owners, co-owners, and groomers and is not responsible for monitoring their activities except as described in this section. Complete care owners and co-owners shall:

(1) Provide daily complete care during grooming hours, designated by the board, each morning, releasing the State from any responsibility for the care of the animal;
(2) Maintain sanitary conditions in kennels by removing waste daily during morning grooming hours and during afternoon visiting hours, and dispose of the waste in accordance with the quarantine station procedures;
(3) Provide daily care to animals that is at least equivalent to the daily care provided by the quarantine station employees;
(4) Provide at least twenty-four hours prior notice to the quarantine station office if they are unable to provide care for their animals for any period of time. In case of emergencies, notice shall be provided as soon as possible;
(5) Provide their own equipment, utensils, and materials to feed their animals and clean and disinfect kennels, except that food shall be furnished by the station unless owners elect to furnish it;
(6) Provide their own cat litter, except that twenty-five pounds of cat litter each month shall be furnished by the station;
(7) Provide flea and tick control for animals and kennels;
(8) Immediately report all sick and injured animals to the station veterinarian;
(9) Remove trash, waste, food, and fecal material from the kennels and dispose of it in accordance with posted quarantine station procedures;
(10) Thoroughly clean and disinfect each vacated kennel immediately upon release of the animal;
(11) Follow medical and dietary instructions given by a station veterinarian unless the animal is under the care of a licensed veterinarian who has directed otherwise in writing;
(12) Wear covered footwear of either rubber or plastic which shall be disinfected after attending to animals in which any parasites or infections have been diagnosed. In the situation of multiple pets, such animals are to be cared for last to reduce the risk of contamination;
(13) Not leave dogs tied to the outside of the kennel;
(14) Not exercise any dog or cat outside of a kennel without written permission from the manager or station veterinarian;
(15) Not move animals to different kennels without authorization from

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the manager; and

(16) Not in any manner disrupt or interfere with the duties of station employees or any other person within the quarantine station.

(f) General quarantine station rules.

(1) Any person parking in a space designated and marked as a parking space for persons with disabilities shall prominently display a parking placard for persons with disabilities either on the dashboard or visor, so that it is visible through the front windshield. The placard shall not be used by anyone other than the person with a disability to whom it has been issued, unless it is being used in connection with the transportation of a person with a disability;

(2) Reservation of parking spaces is prohibited unless authorized by the manager;

(3) Parking of motor vehicles shall be within marked stalls within the designated parking lot;

(4) The consumption of alcoholic beverages on quarantine station grounds is prohibited;

(5) No animals other than animals being quarantined shall be admitted to the quarantine station premises without approval from the manager;

(6) Articles such as shade cloths, tarps, signs, and similar items must be approved by the manager before they are used within the station. They shall be removed from kennels immediately upon the animal's release unless other arrangements have been made in advance;

(7) Articles for use within kennels such as beds, rubber mats, chairs and chaise lounges, toys, hanging toys, and similar items must be approved by the manager or a designated representative. No item which may, in the judgment of the manager, interfere with proper sanitation or cause a safety hazard shall be placed in kennels;

(8) No advanced reservations of kennels will be accepted;

(9) No person shall advertise on the quarantine station or animal industry grounds, including parking lots, unless written approval is obtained from the state veterinarian or manager;

(10) Any owner, co-owner, visitor, or groomer bitten by a quarantined animal shall immediately report the bite to the manager, giving a complete description of the biting incident and the name and address of the person bitten;

(11) No animal shall remain on the quarantine station premises past its release date except by written permission of the manager. The owner of any animal that remains at the station beyond its release date shall be assessed a daily fee of $17.80 that includes a penalty

fee of $3.50 per day. [Eff 03/18/93; am and comp 05/23/97; am and comp 07/10/00; am and comp 06/30/03; am and comp 02/12/04; comp 10/31/05; am and comp 09/28/09; am and comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §142-3)

§4-29-11.1 Animals abandoned in quarantine. An animal shall be considered abandoned if there is no response within thirty days to a certified letter mailed after the animal's release date to the last known address of its owner, or if any animal remains in the quarantine station more than ninety days after the date of scheduled release. The disposition of the abandoned animal shall be at the discretion of the animal quarantine manager and may include placement by adoption or euthanasia. [Eff 02/12/04; comp 10/31/05; comp 09/28/09; am and comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §142-3)

§4-29-12 Satellite animal quarantine stations. (a) No facility may house an animal subject to quarantine imposed by this chapter unless it holds a valid satellite animal quarantine permit issued by the board of agriculture. If the permit is granted, it shall be subject to the condition that the permittee comply with all requirements of this chapter.

(b) To qualify for and hold a permit, a satellite quarantine station shall demonstrate that it meets the following requirements:

(1) Each satellite quarantine station shall have written regulations and standard operating procedures equivalent to those of the animal quarantine station relating to the daily care and movement of animals confined to that facility. All new regulations and procedures shall be approved by the state veterinarian before they are implemented;

(2) Employees of the satellite quarantine station shall immediately report all violations of the station's regulations and procedures, escapes, and unauthorized removal of animals, to the state veterinarian;

(3) Each satellite quarantine station shall conduct adequate training sessions for its employees in the recognition of symptoms associated with rabies;

(4) In the event of escape or unauthorized removal of animals from a satellite quarantine station, the satellite quarantine station owner or operator shall be responsible for costs incurred in the investigation and recovery of the animals;

(5) The satellite quarantine station shall be subject to inspection by an inspector twenty-four hours a day;

(6) Only animals subject to quarantine shall be allowed on the premises, except that for satellite stations with mixed uses, only animals subject to quarantine shall be allowed into the quarantine section;
(7) Animal care personnel shall observe animals for signs of illness, injury, and abnormal behavior periodically throughout the day;
(8) Each satellite quarantine station shall provide a level of care at least equal to that of the animal quarantine station;
(9) Each satellite quarantine station shall contract with a veterinarian who shall provide veterinary services to the quarantined animals and who shall:
    (A) Be licensed to practice veterinary medicine in the State of Hawaii;
    (B) Receive direct supervision from the deputy state veterinarian in that district;
    (C) Immediately take steps to preserve the carcasses of animals which have died in quarantine at the satellite station or at an approved hospital, and immediately forward the carcasses to the state veterinary laboratory for post-mortem examination;
    (D) Conduct a complete physical examination on each animal upon entry and maintain a complete and current medical record of each animal during the quarantine;
    (E) Be responsible for staff training in the proper care of animals confined to quarantine and in recognition of the symptoms associated with rabies;
    (F) Complete and submit all necessary reports to the state veterinarian; and
    (G) Attend, at personal expense, all quarantine related workshops and seminars as directed by the state veterinarian; and
(10) The satellite quarantine station must have:
    (A) A perimeter fence not less than eight feet in height, with a wire mesh size of two inches by two inches or less and wire of no less than nine gauge (dog-proof fencing);
    (B) Double door entrances and exits to the quarantine station grounds;
    (C) An employee monitoring the entrance and exit of individuals and animals during the posted visiting hours of the particular facility;
    (D) An employee on premises during the hours the station is closed to prevent unauthorized removal of quarantined animals or the premises shall have a professionally installed, functional, and certified intruder alert system;

(E) Dog kennels secured and completely enclosed with a material that is capable of preventing escape, is capable of preventing all contact between animals, and is constructed of mesh no larger than two inches by two inches;

(F) Cat kennels secured using a double door system and completely enclosed with a material that is capable of preventing escape and is constructed of mesh no larger than one inch by one inch. Each kennel must also be designed to prevent any contact with animals in adjacent kennels as well as feral animals which may enter the facility;

(G) Approved vector and rodent control programs; and

(H) A fully enclosed area for loading and unloading quarantined animals to prevent animal escape.

(c) The state veterinarian and the animal quarantine manager shall have exclusive authority to:

(1) Release an animal from completed quarantine at a satellite quarantine station when in compliance with provisions of this chapter, or for export prior to the end of the quarantine period;

(2) Extend the quarantine by ten days for a quarantined animal that bites another animal, or that bites a human being within ten days before scheduled release, or when clinical signs of neurological disease exist; and

(3) Allow transport of an animal from the animal quarantine station to a satellite quarantine station after electronic microchip identification of the animal is verified. Animals not having an electronic microchip that are to be transported to a satellite quarantine station shall have an electronic microchip implanted at the owner's expense.

(d) Quarantined animals at a satellite quarantine station shall not be removed from the facility for any reason without the prior approval of the state veterinarian except under the following conditions:

(1) Medical emergencies, an animal may be removed to an approved veterinary hospital on the condition that the office of the state veterinarian be notified of such movement as soon as practical; or

(2) Animals may be transported to an approved veterinary hospital for non-emergency medical care on the condition that the office of the state veterinarian be notified of such movements within twenty-four hours of the transport.

(e) Termination. A satellite quarantine station may voluntarily cease to operate only by submitting a letter stating that intention to the state veterinarian at least fourteen days before termination of operations. The chairperson may suspend or revoke an operator's permit at any time without a hearing when there

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is imminent peril to animal or public health, safety, or welfare. Otherwise, a notice of intent to suspend or revoke an operator's permit shall be issued by the chairperson for failure to comply with this chapter. An operator whose permit is suspended or revoked may request a hearing under section 91-9, HRS, and according to section 4-29-15(b)(9). In the event of voluntary termination or of suspension or revocation of the permit, all quarantined animals shall remain confined at the satellite quarantine station until removed by state personnel to another quarantine station, and all expenses of removal and transport shall be borne by the satellite quarantine station owner or operator, or both. [Eff 03/18/93; am and comp 05/23/97; am and comp 07/10/00; am and comp 06/30/03; am and comp 02/12/04; am and comp 10/31/05; am and comp 09/28/09; comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §142-2)

§4-29-13 Removal from animal quarantine stations. (a) Dogs, cats, or other carnivores may be removed from the animal quarantine station or a satellite quarantine station prior to the expiration of their quarantine period only under the following circumstances:

(1) Release from the quarantine station for export from the State, upon payment in full of all accrued fees;

(2) Release to a hospital holding a valid permit under subsection (b), provided that the animal is identified with an electronic microchip, implanted at the owner's expense. Electronic microchip implantation may be waived by the quarantine manager when emergency hospitalization is required;

(3) Temporary release under a performance permit granted under subsection (c); or

(4) Temporary release under a skills maintenance training permit granted according to section 4-29-15(b).

(b) Approval of private veterinary hospitals to care for quarantine animals.

(1) A veterinary hospital may qualify for and retain a permit to hospitalize animals under quarantine only if it meets the following requirements:

(A) The entrance for quarantined animals shall be separate from that used for other animals;

(B) Hospitals shall be equipped with runs or cages, or both, which have latches or closures which cannot be opened by the confined animal, and shall keep the animal in such a kennel or cage at all times except when taken out for purposes of medical or surgical treatment, for diagnostic procedures, or for

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transportation back to the animal quarantine station or satellite quarantine station;

(C) Dogs may also be allowed out of their kennels or cages for exercise in runs, provided the runs shall be completely enclosed with an escape-proof material with mesh no larger than two inches by two inches and shall be equipped with latches or closures which cannot be opened by the confined animal;

(D) Dogs and cats shall not be taken outside the hospital building except in areas completely enclosed with an escape-proof material contiguous with the hospital building;

(E) Each kennel and run shall be designed to prevent all physical contact with animals in adjacent kennels or runs;

(F) To prevent unauthorized removal of quarantined animals, a hospital employee shall be on the premises twenty-four hours a day or the premise shall have a professionally installed, functional, and certified intruder alert system;

(G) Each hospital shall conduct annual training sessions for its employees in the recognition of symptoms associated with rabies. The training program must be approved by the state veterinarian, and a record of the date, time, and persons attending the training session shall be submitted, at the end of June of each year, to the state veterinarian;

(H) Employees shall immediately take steps to preserve the carcasses of quarantined animals which have died and shall immediately notify the animal quarantine manager, who shall arrange the removal of the carcass by an inspector to the state veterinary laboratory for post-mortem examination;

(I) In the event of escape or unauthorized removal of quarantined animals, the hospital shall notify the animal quarantine manager immediately and shall be responsible for costs incurred by the State in the investigation and in the recovery of the animals;

(J) The hospital shall allow unannounced inspection by an inspector twenty-four hours a day, seven days a week. An inspector may conduct an unannounced inspection to verify that a hospital employee is present. The inspector shall be allowed immediate entry into the hospital to verify the presence of any quarantined animal by visual or electronic means;

(K) The hospital staff on islands other than Oahu shall provide

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transportation of a quarantine animal between a neighbor island airport and the approved veterinary hospital destination;

(L) No hospital shall release or allow release, at any time, of any quarantined animal in its custody without the written permission of the animal quarantine manager;

(M) Requests for direct hospital release shall be submitted in writing a minimum of two weeks prior to the scheduled release date. The hour of release shall be at the discretion of the animal quarantine manager;

(N) Trained hospital staff shall observe and evaluate every quarantined animal under the hospital's care for signs of rabies on a daily basis;

(O) Immediately upon completion of treatment, surgery, or examination, the veterinarian in charge shall notify the animal quarantine station or satellite animal quarantine station that quarantined animals, together with a legibly completed "Report of Hospitalization/Satellite Quarantine," dated 11/97, which is made a part of this chapter and a copy of which is attached at the end of this chapter, are ready for return;

(P) The veterinarian in charge shall promptly notify the state veterinarian of any births, including sex and number of offspring, to any quarantined animal in the hospital's custody and shall ensure that the requirements of section 4-29-16 are met; and

(Q) The veterinarian in charge of an approved hospital on an island other than Oahu shall scan all newly arriving quarantine animals for an electronic microchip and notify the animal quarantine manager within twenty-four hours of the animal's arrival;

(2) A permit for private hospitals to care for quarantined animals shall be obtained from the board of agriculture. The board may delegate its authority to issue such permits to the chairperson. Applicants shall request such a permit in writing from the animal quarantine manager, stating the name and address of the hospital. The request shall be signed by the owner or chief executive officer of the private hospital. Following an inspection of the hospital premises, the animal quarantine manager shall recommend to the board that the permit be issued or denied. In the event that an application is denied, the provisions of chapter 4-1, subchapter 4, shall apply. The veterinarian in charge of the hospital shall promptly notify the state veterinarian of any change of ownership of the hospital. Permits are

non-transferable and are void with the change of ownership of the hospital;

(3) A hospital's failure to comply with these rules may result in revocation of its permit to hospitalize animals under quarantine, as well as subjecting the permittee to the other penalties provided in this chapter and in chapter 142, HRS. A hospital whose permit is subject to revocation may request a hearing as provided in section 91-9, HRS. Requests for a hearing shall be received by the chairperson within ten calendar days after receipt of the written notice of intent to revoke the permit. Pending such a hearing and a final decision, the hospital may not treat or hospitalize additional quarantined animals not already confined to the hospital. If no request for a hearing is received within ten days, the revocation shall become final on the eleventh day and no quarantined animals may remain on the premises.

(c) Special purpose permits for performing animals.

(1) Special purpose permits for performing animals may be obtained from the chairperson of the board of agriculture and shall be obtained at least fourteen days in advance of importation. Written requests shall be submitted to the animal quarantine manager. The request shall include the breed, name, age, sex, and color of the animals for which the permit is requested; the owner's name, local address, and telephone number, and a list of the dates on which the vaccinations required by section 4-29-8 were administered; and proposed travel and performing itineraries. If any changes are to be made in either itinerary, the owner or handler shall notify the quarantine station, in writing, no less than twenty-four hours in advance;

(2) Under a special purpose permit for performing animals, performing dogs and cats shall be allowed to leave an animal quarantine station or an approved hospital for the purpose of performing under the following circumstances only:

(A) The animals shall be brought into the State solely for the purpose of performing;

(B) Animals may leave a quarantine station or approved hospital only at the times and to go to the locations listed on the permit;

(C) The animals shall be accompanied by a special duty police officer whenever they are off a quarantine station, or approved hospital grounds. The special duty police officer shall maintain communication with the animal's trainers or handlers, and surveillance over the animals, at all times, and shall transport

or accompany the animals to and from the performance location;

(D) A permit may be issued for performances on a neighbor island provided that the animals are housed at a satellite quarantine station or approved hospital when not performing or in transit, and provided that a special duty police officer transports or accompanies the animals and provides continuous communication with the animals' trainers or handlers, and surveillance of the animals, when the animals are off the premises of a satellite quarantine station or an approved hospital;

(E) The performance animals shall not come into physical contact with non-quarantined dogs, cats, or other carnivores, or cause a potential human exposure, at any time. Performance animals that come into physical contact with non-quarantined animals or cause a potential human exposure shall not be permitted to perform and shall be subject immediately to a minimum ten-day rabies observation period at the animal quarantine station. In the event that the animal's handler loses control of the animal and the animal is not visible to an inspector or special duty police officer for any length of time, the animal will be presumed to have come into contact with another non-quarantined dog, cat, or other carnivore or to have caused a potential human exposure, and the provisions of this subparagraph shall apply; and

(F) All costs incurred for supervision, surveillance, quarantine, transportation, and care of performing animals, including the wages, overtime, and fringe benefits of the inspectors or special duty police officers who accompany the animals, shall be paid by the owner or the owner's agent. The owner or the owner's agent shall also agree in writing, before the animal enters the State, to assume all liability in connection with, and to defend and indemnify the State or any county of the State against all charges, claims, suits, and costs resulting from the importation, performances, surveillance, quarantine, escape, recapture, and handling of the performing animals;

(3) Performing carnivores other than dogs and cats are subject to the provisions of chapter 4-20, in addition to those of this chapter. Performing carnivores other than dogs and cats may be housed outside of the animal quarantine station or a satellite quarantine station at a location approved by the state veterinarian. Such a

location shall be at the location of the performances and shall be secured by barriers to prevent public access. Animals shall be confined to cages when not performing. A special duty police officer shall be present at the location for the duration of the permit.

(d) Trained guard, scout, detector, or police dogs in quarantine shall remain within the perimeter of the quarantine station property at all times. Training will be limited to facilities of the division of animal industry in Halawa. For the purposes of training, the perimeter of the quarantine station property shall be considered the fence along Halawa Valley Street on the north and west and the quarantine station perimeter fence on the south and east.

(1) In the event of an incident which requires the temporary removal of a dog from the quarantine station to safeguard the health and safety of persons or the safety of property, the dog may be removed under the supervision of the commanding officer of that law enforcement unit for the purpose of employing its skills during that incident. The dog shall be returned to the quarantine station immediately after the incident is over. Approval for such temporary removal shall only be granted by the state veterinarian directly to the commanding officer of that law enforcement unit. Any physical contact with animals or potential human exposure shall be reported immediately to the state veterinarian, and the dog shall be confined at the quarantine station for a minimum of ten days for observation;

(2) Military working dogs and law enforcement dogs owned by the federal government shall either be quarantined at the quarantine station pursuant to this chapter or shall be housed at a federal facility operated in conformance with standards at least equivalent to those at the quarantine station. In the event of an incident which requires the temporary removal of a dog from the quarantine station or a satellite quarantine station, the dog may be removed under the supervision of the commanding officer of that law enforcement unit for the purpose of employing its skills during that incident. [Eff 03/18/93; am and comp 05/23/97; am and comp 07/10/00; am and comp 06/30/03; am and comp 02/12/04; am and comp 10/31/05; am and comp 09/28/09; am and comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §142-3)

§4-29-13.1 REPEALED. [R 7/10/00]

§4-29-14 Requirements for breeding of animals in quarantine. (a) The

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collection of semen from a quarantined or non-quarantined male animal or the artificial insemination of a quarantined or non-quarantined female animal may be permitted provided:

(1) The owner or co-owner of the quarantined animal shall apply in writing to the animal quarantine manager or satellite quarantine station operator for permission to do so a minimum of five days in advance of the first artificial insemination period, stating where the semen collection or artificial insemination is to be performed;

(2) The semen collection or artificial insemination is performed by a licensed veterinarian at a hospital which has been approved under section 4-29-13(b);

(3) There is no physical contact between donor and recipient animals at any time. The owner, co-owner, or veterinarian in charge shall report any physical contact or attempt at natural breeding to the animal quarantine manager who shall initiate an investigation. Violation of this provision may result in penalties as provided in section 142-12, HRS, and quarantine of the animals involved for a minimum period of ten days for observation; and

(4) Any female animal quarantined for one hundred twenty days shall have completed sixty days of quarantine before insemination is allowed.

(b) After the breeding, quarantined animals shall be returned to the quarantine station or satellite quarantine station prior to export, or to complete the quarantine period.

(c) No breeding of quarantined animals shall be allowed to occur at the quarantine station or at any satellite quarantine station. [Eff 03/18/93; am and comp 05/23/97; am and comp 07/10/00; am and comp 06/30/03; am and comp 02/12/04; am and comp 10/31/05; am and comp 09/28/09; comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§142-7,142-12)

§4-29-15 Users of guide or service dogs. (a) Any user who seeks to import a guide or service dog into the State may be housed at the quarantine station apartment during the dog's quarantine period.

(1) The use of an apartment is subject to availability. Requests for housing must be submitted in writing, in advance to the manager. Requests shall include proof of completion of training from a recognized training or related program pursuant to subchapter 6 as well as the dates and reason for the occupancy. Assignment of housing will be on a first come, first served basis and is subject to approval of the manager or the state veterinarian.

(A) No fee shall be charged for the use of an apartment, but the user is responsible for any telephone installation and charges;

(B) A user may use the apartment only while the user's dog is in quarantine at the quarantine station. Each user shall vacate the apartment on the day the user's dog is released from quarantine or five days before the scheduled arrival of another user whose reservation was made before that of the current user, whichever happens first, or upon a previously agreed-to date;

(C) A user may use an apartment only as long as all of the provisions of this section governing the use of an apartment are complied with;

(D) Upon vacating an apartment, the user shall leave the apartment in the condition in which it was found and shall be responsible for the costs of any required repairs, except for normal wear and tear;

(2) A user housed at the station:

(A) Shall comply with this chapter;

(B) Shall ensure that all persons visiting the user and persons residing with the user comply with this chapter (however, station visiting hours shall not apply to people visiting the user at the apartment);

(C) Shall ensure that persons visiting do not allow non-quarantined animals onto the station grounds;

(D) Shall provide to the station office the names of persons who will reside with or visit the user at the time of each person's first visit; and

(E) Shall keep all gates locked during times that the quarantine facility is not open to the public;(3) The department assumes no responsibility for the personal care and welfare of the user housed at the quarantine station.

(b) Skills maintenance training of guide or service dogs during the quarantine period shall be allowed under the following conditions:

(1) Guide or service dogs in quarantine shall remain within the perimeter of the quarantine station property at all times unless being transported to or from a veterinary hospital holding a permit under section 4-29-13(b) or a satellite quarantine station established under section 4-29-12, or unless the animal is allowed to leave the grounds under the terms of a valid off-station skills maintenance training permit. Guide and service dogs shall be allowed to train within the perimeter of the quarantine station property. For the purposes of on-station skills maintenance training, the perimeter of the

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quarantine station property shall be considered the fence along Halawa Valley Street on the north and west and the quarantine station perimeter fence on the south and east;

(2) A dog may be allowed to train off the quarantine station property under the terms of a valid off-station skills maintenance training permit. Off-station skills maintenance training under a permit shall not exceed four hours per day, three days per week for a total of twelve hours per week, and shall occur only during normal quarantine station operating hours. An off-station skills maintenance training permit shall be obtained from the chairperson of the board in advance. Application shall be made by a request in writing which shall include the name of the requestor; the breed, name, age, sex, and color of the dog; along with a schedule of times and locations for the skills maintenance training;

(3) When training off station grounds, the dog shall be accompanied at all times by a person of the user's choice to monitor and ensure that the dog does not come in contact with other animals or cause a potential human exposure. The person of the user's choice shall assist the user and maintain surveillance over the dog at all times and shall transport or accompany the dog to and from the training location;

(4) The training animals shall not come into physical contact with non-quarantined dogs, cats, or other carnivores, or cause a potential human exposure, at any time while training off-station. Training animals that come into physical contact with non-quarantined animals or cause a potential human exposure shall be subject to a minimum ten-day rabies observation period in confinement at the quarantine station during which time no training either on or off the station grounds shall be allowed;

(5) The user shall agree in writing to assume all liability in connection with, and to defend and indemnify the State against, all charges or liability resulting from the escape, recapture, and handling of the animal while off station grounds under a skills maintenance training permit;

(6) The off-station skills maintenance training permit shall be in force for the remainder of the animal's quarantine period unless it is suspended or revoked, or the animal is subject to a minimum of ten days rabies observation period;

(7) All off-station skills maintenance training permits shall include the following conditions:

(A) The user shall control the guide or service dog by leash or

handle at all times;

(B) The user shall not remove a guide or service dog from the quarantine station for training purposes unless accompanied by a person of the user's choice; and

(C) The dog shall be allowed off station grounds for training only during the hours and at the locations specified on the off-station skills maintenance training permit. By accepting a permit, the user agrees to abide by and be bound by its conditions;

(8) An off-station skills maintenance training permit shall be suspended for a period of ten days if the dog comes into physical contact with another animal or causes a potential human exposure. In the event that the user has lost control of the dog and the dog is not visible to the person without a disability for any length of time, the dog will be presumed to have come into physical contact with another animal or to have caused a potential human exposure, and the permit shall be automatically suspended for a minimum of ten days. During the minimum ten-day suspension the dog shall remain confined at the animal quarantine station for observation; and

(9) A second suspension of a dog's off-station skills maintenance training permit shall result in automatic revocation of the permit. A user whose permit has been revoked may request a hearing under section 91-9, HRS. A written request for a hearing must be received by the chairperson within ten days after the revocation.

(A) The revocation shall remain in effect pending the final decision and order;

(B) The hearing may be held before the chairperson, a hearing officer, or the board;

(C) The provisions of subchapter 5 of chapter 4-1, shall apply except that:

(i) If the hearing is held before the chairperson, the chairperson shall have all the powers and duties of the board and the hearing officer in connection with the hearing, including the power to issue the final agency decision; or

(ii) If the hearing is held before a hearing officer, the hearing officer's recommended decision must be filed within ten calendar days of the close of the hearing, and exceptions must be filed within ten calendar days of the recommended decision. The board shall take final action at the time of its next regularly scheduled meeting after

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the filing of the recommended decision (if no exceptions are filed) or after the filing of exceptions, provided that the person whose permit has been revoked shall have at least seven calendar days' notice of the meeting. [Eff 03/18/93; am and comp 05/23/97; am and comp 07/10/00; am and comp 06/30/03; am and comp 02/12/04; comp 10/31/05; am and comp 09/28/09; comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-5.5, 142-6)

§4-29-15.1 Movement of guide and service dogs by special permit. (a) Guide and service dogs shall be allowed to depart Hawaii and return, to permit their users to obtain necessary medical treatment that is unavailable in the State, under the following circumstances:

(1) A special permit is issued by the chairperson;
(2) Travel shall be only to the contiguous forty-eight states or Alaska;
(3) Absence from the State shall be no longer than one hundred eighty days as measured from the date of departure;
(4) A notarized statement is submitted by the primary physician of the user stating the nature of, and necessity for, the treatment, the unavailability of such treatment in the State, and the name and address of the physician or referral center providing the treatment; and
(5) A valid health certificate shall be obtained pursuant to section 4-29-8 and all preshipment and post-arrival conditions set forth in sections 4-29-8 and 4-29-8.1 shall be met.

(b) Release from quarantine.

(1) Owners of guide and service dogs shall be subject to fees pursuant to section 4-29-17;
(2) Failure to meet preshipment and post-arrival requirements shall result in one hundred twenty days quarantine. [Eff and comp 05/23/97; am and comp 07/10/00; comp 06/30/03; am and comp 02/12/04; am and comp 10/31/05; am and comp 09/28/09; comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-4.5, 142-6, 142-11)

§4-29-16 Disposition of newborns. (a) Pregnant dogs or cats, greater than forty-five days gestation, are not permitted at the quarantine station and shall be quarantined at an approved hospital for the duration of quarantine. Violation

of this provision shall result in penalties as provided in section 4-29-18(c). Should whelping of dogs or cats occur during quarantine, the humane care and treatment of offspring born to quarantined animals shall be the responsibility of the owner or co-owner.

(b) Animals born in quarantine may be released, provided:

(1) They are weaned at a minimum of four weeks of age; and

(2) There are no symptoms of neurological disease in their mothers during this period.

(c) Each animal born to an animal quarantined at the quarantine station shall be charged a daily fee and any other applicable fee established in section 4-29-17. Newborns may be released with written medical justification prior to weaning upon approval of the state veterinarian. After separation of newborns from the mother, female dogs and cats that gave birth shall remain in quarantine for observation for a minimum of ten days. [Eff 03/18/93; am and comp 05/23/97; am and comp 07/10/00; am and comp 06/30/03; am and comp 02/12/04; comp 10/31/05; comp 09/28/09; comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-6)

§4-29-17 Fees at the animal quarantine station. The fees for each dog, cat, and other carnivore shall include a registration fee, a health record fee, a fixed fee based on confinement period, and a daily fee for animals: transiting to another destination; born in quarantine; remaining in quarantine after their release date; and arriving in quarantine before their qualification date for five-day or less quarantine. The following fees are established for implements, services, medications, and vaccines provided by the department:

(1) Registration fee -- $30;

(2) Health record fee -- $15;

(3) One hundred twenty-day quarantine -- $1035;

(4) Five-day or less quarantine -- $179;

(5) Direct airport release -- $135;

(6) Process and issue one NIIP -- $145, Re-issue one NIIP -- $35;

(7) Reentry fee with direct airport release -- $78, applies to the second or successive entries of a dog or cat during the time period that the most recent rabies vaccination or OIE-RVA test used for five days or less quarantine qualification is valid.

(8) Reentry fee with five-day or less confinement -- $110, applies to second or successive entries of a dog or cat during the time period that the most recent rabies vaccination or OIE-RVA test used for five days or less quarantine qualification is valid;

(9) Daily fee for animals: transiting to another destination; born in

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quarantine; arriving in quarantine before their eligibility date, or remaining in quarantine after their release date -- $14.30, except that animals remaining in quarantine after their release date shall also be subject to an additional fee according to section 4-19-18;

(10) Microchip, including shipping and handling -- $27;

(11) Bathing prescribed by the station veterinarian -- $14 for each bath provided by station personnel;

(12) Grooming prescribed by the station veterinarian -- $18 for each grooming session provided by station personnel;

(13) Vaccination -- $6 for administration of each vaccination, and $5 for each vaccine not provided by the animal owner;

(14) Microchip and implantation -- $18;

(15) Ground transportation between an approved hospital on Oahu and the animal quarantine station -- $4 for each round trip;

(16) Dipping, spraying, dusting, or sponging to control external parasites detected on animals upon entry into quarantine -- $12 for each treatment;

(17) Worming -- $12 for each single worming treatment except for whipworms (Trichuris). Whipworms -- $20 for each three-day treatment;

(18) Giardia -- $10 for each course of treatment;

(19) Health certificate issued by quarantine station veterinarians -- $25;

(20) Duplicates of receipts -- $4;

(21) Copies of records -- 25 cents for each page copied;

(22) General veterinary services performed for medical problems requiring treatment on an emergency basis and elective procedures done at the discretion of the station veterinarian will be charged at -- $40 per hour, $10 minimum charge;

(23) Ground transportation for any quarantined animal not subject to paragraphs 15 and 24, such as to and from harbors -- $20, one way;

(24) Airline fees, ground transportation fees, and all personnel costs entailed in transport of animals to satellite quarantine stations and approved hospitals on islands other than Oahu will be borne by the owner;

(25) Fecal testing for internal parasites at owner's request -- $8 per test;

(26) Heartworm testing at owner's request -- $8 per test;

(27) Service charge assessed for any check, draft, certificate of deposit, or other negotiable instrument that is dishonored for any reason -- $15;

(28) Each offspring born to animals at the animal quarantine station -- adult daily rate;

(29) Refunds of $15 or less shall not be processed except after written

request by the owner to the animal quarantine manager. The written request shall be made within one year of release;

(30) A fee reimbursement of $8 per day for one hundred twenty-day quarantine shall apply to animals quarantined at a private veterinary hospital or satellite quarantine facility; and

(31) A fee increase of $10 shall be implemented on October 1 of each year when expenditures exceed revenue during the most recent fiscal year. The fee increase shall apply to one hundred twenty-day quarantine and five-day or less quarantine.

[Eff 03/18/93; am and comp 05/23/97; am 07/12/99; am and comp 07/10/00; am 05/07/01; am and comp 06/30/03; am and comp 02/12/04; am and comp 10/31/05; am and comp 09/28/09; am and comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§40-35.5, 142-3)

§4-29-17.1 Maximum time period for permit approvals, disapprovals, or automatic approvals. (a) Pursuant to the requirements of chapter 91, HRS, the department shall establish the following maximum time periods for the processing of a permit request after acceptance of a completed permit application:

(1) For satellite quarantine stations, the request for a permit shall be scheduled on the agenda of the board within sixty days of the division's receipt of a complete application;

(2) For private hospitals to care for quarantine animals, the animal quarantine manager shall recommend to the chairperson that the permit be issued or denied within thirty days of the division's receipt of a completed application; and

(3) For performing dogs and cats, the animal quarantine manager shall recommend to the chairperson that the permit be issued or denied within fourteen days of the division's receipt of a completed application.

(b) Notwithstanding the requirements of subsection (a), the maximum period of time shall be extended indefinitely in the event of a national disaster, state emergency, or union strike, which prevents the department from fulfilling application or review requirements in a timely manner.

(c) Except as provided in subsection (b), an application request for the issuance of a permit shall be given automatic approval if action is not taken by the department within the established maximum period of time as specified in subsection (a). If a permit application is automatically approved pursuant to this subsection, the department shall issue the permit within a reasonable period of time after being informed of or discovering the automatic approval.

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(d) This section shall apply only to application requests for business or development-related permits required by law to be obtained prior to the formation, operation, or expansion of a commercial or industrial enterprise. [Eff and comp 07/10/00; comp 06/30/03; comp 02/12/04; comp 10/31/05; am and comp 09/28/09; comp FEB 12 2016] (Auth: HRS §§91-13.5, 142-2) (Imp: HRS §§91-13.5, 142-3)

SUBCHAPTER 5

PENALTY

§4-29-18 Penalty. (a) Any person, including a carrier or handler, who violates any provision of this chapter shall be subject to penalties provided in this chapter and in section 142-12, HRS.

(b) In addition, except as otherwise provided, when this chapter provides that a person shall be denied access to the animal quarantine station for a violation of these rules, the person may not be admitted to the animal quarantine station for a period ranging from two weeks following the violation up to an indefinite period. The length of the period shall be determined by the animal quarantine manager, in the manager's sole discretion, and shall be based on the nature and seriousness of the violation, including any threat entailed to the station security or operations; the health or welfare of animals at the station, and the public health and welfare; and any history of past violations. A kennel assigned to a person who violates this chapter may be secured by lock and access allowed only under supervision of quarantine station personnel.

(c) Dogs and cats arriving in quarantine past forty-five days gestation will be assessed a fee of $7.50 for each day in quarantine in addition to the confinement period fee.

(d) Dogs and cats remaining in quarantine after an animal's release date will be assessed a fee of $3.50 for each additional day in addition to the daily quarantine fee. [Eff 03/18/93; am and comp 05/23/97; am 07/12/99; comp 07/10/00; am and comp 06/30/03; am and comp 02/12/04; comp 10/31/05; am and comp 09/28/09; comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§142-12, 142-29)

SUBCHAPTER 6

ENTRY FOR SERVICE DOGS AND EXEMPTED GUIDE DOGS

§4-29-19 REPEALED. [R 7/10/00]

§4-29-20 Applicability of this subchapter. The purpose of this subchapter is to allow enhanced freedom of movement during the post-arrival period for the users of certain service dogs and exempted guide dogs under specified conditions. Except as specifically provided in this subchapter, all of the requirements, penalties, and fees set forth in this chapter shall apply to service dogs and exempted guide dogs that enter the State as Class A or B service dogs or exempted guide dogs. [Eff 06/06/98; am and comp 07/10/00; comp 06/30/03; am and comp 02/12/04; am and comp 10/31/05; am and comp 09/28/09; comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-4.5, 142-6, 142-11)

§4-29-21 Criteria and conditions for service dogs and exempted guide dogs. (a) A Class A service dog or exempted guide dog shall be defined as a service dog or exempted guide dog which presents prior to or at the time of arrival into the State with documentation that it meets all of the following requirements:

(1) The service dog or exempted guide dog has an original, valid health certificate issued by a veterinarian not more than thirty days before arrival. The health certificate shall
   (A) Give a complete description of the animal including age, markings, microchip number, sex, and breed;
   (B) Declare that the animal described has been inspected and appears to be free of any infectious or contagious diseases and, to the best of the issuing veterinarian's knowledge, exposure thereto; and
   (C) Contain an original signature and legible name, address, and telephone number for the certifying veterinarian;

(2) The user of a service dog or exempted guide dog shall provide a signed statement or health certificate issued by a licensed veterinarian:
   (A) Attesting that the animal was treated, within fourteen days of arrival, with a EPA or USDA approved insecticide to kill all ticks by a product containing fipronil or other tick control product with similar residual activity unless the veterinarian provides a written statement that the use of such an insecticide may be detrimental to the animal's health;
   (B) Listing the name of the product used and the date of treatment; and

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(C) Stating that the animal was found free of external parasites within fourteen days of arrival;

(3) The service dog or exempted guide dog has been submitted, prior to arrival into the State, to an OIE-RVA serological test after the age of twelve months. The OIE-RVA test taken most recently prior to arrival must show results of at least 0.5 I.U. per milliliter of rabies antibodies provided that:

(A) The most recent OIE-RVA test must have occurred not more than thirty-six months prior to arrival into the State; and

(B) The OIE-RVA test results must come from a laboratory approved by the board and must bear the dog's microchip number. The department shall maintain a list of approved laboratories;

(4) The service dog or exempted guide dog presents with veterinary documentation that the dog is currently vaccinated with a rabies vaccine, pursuant to the manufacturer's instructions. Documentation of vaccination history may be by veterinary records, rabies vaccinations certification, or health certificate, and shall include product name, lot or serial number, and expiration date; and

(5) The service dog or exempted guide dog is implanted with an electronic microchip.

(b) Class B service dogs and exempted guide dogs. A service dog or exempted guide dog that is unable to meet one or more of the Class A pre-arrival requirements, but nevertheless must travel to the State with its user for an emergency, shall be designated as a Class B service dog or exempted guide dog. A Class B service dog or exempted guide dog shall be housed at the animal quarantine station for the entirety of the one hundred twenty days post-arrival period, but may leave the station at any time with its user and, in the case of an exempted guide dog, a sighted person only for purposes related to the emergency that necessitated travel to the State. [The user of a Class B service dog or exempted guide dog may stay in the quarantine station apartments for the length of the dog's quarantine stay, provided all requirements in section 4-29-15(a) are met and provided space is available.] Class B service dogs and exempted guide dogs must be current on all vaccinations described in section 4-29-8(2) and (3), except that documentation of vaccination may be by veterinary records, rabies vaccination certification, or health certificate. Class B service dogs and exempted guide dogs must also comply with the requirements of section 4-29-22(a) and submit an OIE-RVA serological test with a test result of at least 0.5 I.U. per milliliter of anti-rabies virus antibody.

(c) The department shall maintain a list of approved service dog and guide dog training programs. [Eff 06/06/98; am and comp 07/10/00; am and

comp 06/30/03; am and comp 02/12/04; am and comp 10/31/05; am and comp 09/28/09; am and comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-6, 142-11, 142-12)

§4-29-22 Arrival requirements for service dogs and exempted guide dogs. (a) All Class A service dogs and exempted guide dogs, and Class B service dogs and exempted guide dogs, upon entering the State, shall be inspected by a veterinarian or authorized state agent provided and paid for by the State at the point of arrival at the airport quarantine facility located at the Honolulu International Airport. The veterinarian or authorized state agent will conduct a physical examination of the animal to determine that the animal is free of external parasites and symptoms of infectious disease. If the service dog or exempted guide dog does not pass this physical examination, the department shall immediately deliver the dog for treatment to a private veterinarian at the user's expense or to the animal quarantine station in Halawa Valley at the State's expense. A Class A service dog or exempted guide dog may be released at a port approved by the department that has facilities and an agent designated by the department to process animals for entry.

(b) If the user of a service dog or exempted guide dog provides the department with at least seven days notice prior to arrival, the department shall issue a "Notice of Airport Terminal Inspection" to the user allowing the post-arrival inspection to be done within the Honolulu International Airport terminal. Upon arrival, an inspector shall meet the user or a designated airplane and escort the user to the place of inspection. The "Notice of Airport Terminal Inspection" shall only be issued and valid for flights arriving at the Honolulu International Airport between 8:00 a.m. and 4:00 p.m. Should the user fail to meet the requirements of this section, the post-arrival inspection shall occur at the Airport Animal Quarantine Holding Facility.

(c) All service dogs and exempted guide dogs that meet the requirements of Class A service dogs and guide dogs shall immediately be released to their designated address following examination and verification that pre-arrival requirements have been met. Except for the provisions of section 4-29-23(b), and except for a dog that exhibits signs of neurological disease and must be kept for observation for at least ten days, nothing in this subchapter shall preclude any service dog or exempted guide dog from leaving the State before the completion of the quarantine period.

(d) Service dogs and exempted guide dogs traveling only to an area designated as exempt according to section 4-29-10(a) shall meet the import requirements of the exempt area and be allowed to re-enter the State provided that the animal is accompanied by the following documents:

(1) A health certificate, issued by a veterinarian holding a current

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appointment as an officer of the government of the country of origin certifying that the animal described was examined and found free of external parasites and symptoms of transmissible disease not more than thirty days before shipment;

(2) A statement issued not more than fourteen days before entry, by a veterinarian holding a current appointment as an officer of the government of the country of origin certifying that the animal described in the statement was treated within fourteen days of arrival with an approved insecticide to kill all ticks by a product containing fipronil or other tick control product with similar residual activity, and that the animal was examined and found free of external parasites;

(3) An affidavit executed by the owner or consignor of the animal certifying that the animal was not outside the exempt country of origin during the travel period away from Hawaii. The affidavit shall include the name of the airline, flight number, and scheduled date of departure of the aircraft aboard which the animal is to be transported to Hawaii; and

(4) An affidavit executed by the captain of the aircraft or the senior station official of the airlines based in Hawaii attesting that the animal transported to Hawaii from the exempt area, except as provided in section 4-29-10(c)(2), was transported from the country of origin in one aircraft and not off-loaded at any intermediate point for any purpose.

(e) Service dogs and exempted guide dogs shall be inspected by an inspector or an agent approved by the department at the time of arrival and shall be subject to treatment for external parasites as provided in section 4-29-9. Any indication of a transmissible disease at the time of inspection shall be sufficient reason to quarantine the animal at the quarantine station. Failure to comply with this section shall subject the animal to quarantine for a period not exceeding one hundred twenty days. [Eff 06/06/98; am and comp 07/10/00; am and comp 06/30/03; am and comp 02/12/04; am and comp 10/31/05; am and comp 09/28/09; am and comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-6, 142-11, 142-12)

§4-29-23 Designated address. (a) The service dog or exempted guide dog user shall provide the department not less than twenty-four hours prior to arrival in the State with a designated address in the State where his or her Class A service dog or guide dog will be residing.

(b) A service dog or exempted guide dog that is residing at a designated address in the State may work with its user at any time provided that the dog

remains either confined or under the direct control of the user at all times and avoids all contact with any other animal except other approved service dogs or exempted guide dogs. If the service dog or exempted guide dog is not either confined or under the control of its user at any time, the service dog or exempted guide dog may immediately be confined to the animal quarantine station for a period of up to thirty days post-arrival; however, the service dog or exempted guide dog may leave the State after spending at least ten days in quarantine.

(c) Should the user fail to provide the designated address at least twenty-four hours prior to arrival, the service dog or guide dog shall be subject to removal to the animal quarantine station until a designated address is provided. [Eff 06/06/98; am and comp 07/10/00; comp 06/30/03; am and comp 02/12/04; am and comp 10/31/05; am and comp 09/28/09; comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-6, 142-11, 142-12)

§4-29-24 Thirty-day to forty-day post-arrival requirement. All Class A service dogs and exempted guide dogs entering the State and remaining in the State for thirty consecutive days or more after arrival shall be required to provide notice about the general health status of the service dog or exempted guide dog to the animal quarantine manager in writing, or by facsimile at (808) 483-7161, or by telephone at (808) 837-8092 between thirty days and forty days following arrival into the State. The thirty-day to forty-day post-arrival requirement shall not apply if the service dog or exempted guide dog has traveled to the State within six months of a trip in which the service dog or guide dog met Class A requirements and continues to be current in its vaccinations. If any Class A service dog or exempted guide dog fails to meet any of the applicable requirements in this subchapter, the dog may be denied future entry into the State as a service dog or exempted guide dog. [Eff 06/06/98; am and comp 07/10/00; am and comp 06/30/03; comp 02/12/04; comp 10/31/05; comp 09/28/09; comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-6, 142-11, 142-12)

§4-29-25 REPEALED. [R]

§4-29-26 Documentation of need for a service dog. The department may ask the user of the dog if the animal is required because of a disability and what work or task the animal has been trained to perform. [Eff and comp 07/10/00; comp 06/30/03; am and comp 02/12/04; comp 10/31/05; am and comp 09/28/09; am and comp FEB 12 2016] (Auth: HRS §142-2) (Imp: HRS §142-3)

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Department of Agriculture
STATE OF HAWAII

Animal Industry Division
Inspection and Compliance
Telephone: (808) 837-8092
FAX: (808) 837-8094

Notice of Airport Terminal Inspection

(Honolulu International Airport Only)

Form No.: _____

Date of Request for Notice: _____

This notice is to inform airline agents that the guide or service dog listed below is eligible for inspection within the terminal of the Honolulu International Airport on arrival. An inspector will meet the user or a designated airplane and escort the user to the place of inspection upon arrival. This Notice of Airport Terminal Inspection is valid only for flights arriving at the Honolulu International Airport between 8:00 am and 4:00 pm. Should the flight arrive late or the user fail to meet the arrival time requirements, the post-arrival inspection shall occur at the Airport Animal Quarantine Holding Facility.

1. Owner Name: _____

2. Dog Name _____ Microchip Number: _____

3. Date of Arrival: _____ Time of Arrival: _____

4. Airline: _____ Flight No.:_____

5. User Contact Number: _____

Issued by: _____ Date: _____
Animal Industry Division

Airline Agents: A Shipmaster's Declaration must be submitted to an inspector for all dogs subject to airport terminal inspection. Please do not release the dog until an inspector meets the user or a designated airplane.

AQS-79
(12/03)

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AQS-3
(REV 11/97)

STATE OF HAWAII
DEPARTMENT OF AGRICULTURE
ANIMAL QUARANTINE STATION

WEIGHT OUT: _____
WEIGHT IN: _____

KENNEL No: _____
Date of Entry: _____

PERMIT TO TEMPORARILY REMOVE ANIMAL TO _____ HOSPITAL.

BRIEF MEDICAL HISTORY: _____

_____

Approved by: _____
Station Veterinarian

REPORT OF HOSPITALIZATION/SATELLITE QUARANTINE

OWNER: _____ ENTRY NO: _____

ANIMAL: _____

DATE DELIVERED: _____ DATE RETURNED: _____

DELIVERED BY: _____ (Attendant) RETURNED BY: _____ (Attendant)

RECEIVED AT THE HOSPITAL/SATELLITE QUARANTINE BY: _____

Diagnosis and method of treatment: _____

_____

_____

_____

_____

Recommended Follow-up Treatment: _____

_____

_____

_____

_____

_____
Animal Hospital Veterinarian

FOR ASO USE:

No. of Days: _____ Rate $ _____

Transportation charge: _____

No. of days credited: _____ Amount credited: _____

Total amount charged/credited to your account: _____

Date: _____

NOTE: Please remit check, cashier's check or money order in the self-addressed stamped envelope.

Transient: ❑ Yes ❑ No

WHITE COPY - Owner
CANARY COPY - Administration
PINK COPY - Hospital
GOLDENROD COPY - Animal Quarantine

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Amendments to and compilation of chapter 29, title 4, Hawaii Administrative Rules, on the Summary Page dated October 20, 2015, were adopted on October 20, 2015 following public hearings held on Kauai, Oahu, Maui, Kona and Hilo respectively on August 10, 11, 12, 13 and 14, 2015, after public notice was given respectively in the Garden Island, Honolulu Star-Advertiser, The Maui News, West Hawaii Today, and the Hawaii Tribune Herald on July 10, 2015.

These amendments shall take effect ten days after filing with the Office of the Lieutenant Governor.

Phyllis Mionabrdeuro Gusin
for SCOTT E. ENRIGHT
Chairperson, Board of Agriculture

David Y. Ige
DAVID Y. IGE
Governor, State of Hawaii

Date: 2-1-2016

Filed

APPROVED AS TO FORM:

Deputy Attorney General

'16 FEB -2 A10:02

LIEUTENANT GOVERNOR'S OFFICE

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