

TITLE 4 DEPARTMENT OF AGRICULTURE
SUBTITLE 3 DIVISION OF ANIMAL INDUSTRY

CHAPTER 17

SWINE

Subchapter 1 General Provisions

- §4-17-1 Objective
- §4-17-2 Definitions

Subchapter 2 Import Requirements

- §4-17-3 Regulatory jurisdiction
- §4-17-4 Entry into State
- §4-17-5 Ports of entry
- §4-17-6 Carrier responsibility
- §4-17-7 Preshipment requirements
- §4-17-8 Post-shipment requirements
- §4-17-9 Relating to use of quarantine station facilities

Subchapter 3 Export Requirements

- §4-17-10 Regulatory jurisdiction

Subchapter 4 Control of Swine Diseases in the State

- §4-17-11 Quarantine-general
- §4-17-12 Quarantine-feedlot
- §4-17-13 Quarantine-slaughterhouse
- §4-17-14 Swine brucellosis surveillance, control and eradication
- §4-17-15 Hog cholera and African swine fever surveillance and control

Subchapter 5 Garbage

- §4-17-16 Feeding
- §4-17-17 Permit
- §4-17-18 Cooking facilities
- §4-17-19 Containers
- §4-17-20 Processing
- §4-17-21 Access to herds
- §4-17-22 Foreign garbage

Subchapter 6 Penalty

- §4-17-23 Penalty

Historical Note: This chapter is based substantially upon Regulation 1 entitled "Definition of Terms, Etc." [Eff. 9/26/49; am 9/29/55; am 7/25/57; am 6/26/58; am 8/15/68; am 5/19/72; am 10/31/74; am 8/16/77; am 8/21/80; R 10/5/81]; Regulation 2 entitled "Permits for Importation" [Eff. 9/26/49; am 9/29/55; am 7/24/70; am 10/31/74; am 8/21/80; R 10/5/81]; Regulation 3 entitled "Inspection and Quarantine" [Eff. 9/26/49; am 10/31/74; am 8/21/80; R 10/5/81]; Regulation 4 entitled "Landings and Entry into Territory" [Eff. 9/26/49; am 4/29/54; am 8/15/68; am 6/26/70; am 10/31/74; am 8/21/80; R 10/5/81]; Regulation 9 entitled "Importation of Swine" [Eff. 9/26/49; am 9/29/55; am 6/28/56; am 7/25/57; am 7/24/70; 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 106 entitled "Quarantine of Premises, Animals and Effects" [Eff. 9/26/49; am 10/31/74; am 8/21/80; R 10/5/81]; Regulation 111 entitled "Swine Brucellosis Control and Eradication" [Eff. 7/24/67; am 10/31/74; am 8/21/80; R 10/5/81]; Regulation 113 entitled "Hog Cholera Control and Eradication; Collection and Processing of Swill; Appraisal of Swine; Indemnity" [Eff. 2/22/71; am 10/31/74; am 8/21/80; R 10/5/81]; Regulation 107 entitled "Penalty" [Eff. 9/26/49; am and ren Regulation 200 9/29/55; am 7/25/57; am 6/26/58; am 10/31/74; am 8/21/80; R 10/5/81]

SUBCHAPTER 1

GENERAL PROVISIONS

§4-17-1 Objective. The objective of this chapter is prevention and control of swine diseases in the State. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §142-3)

§4-17-2 Definitions. As used in this chapter, unless context otherwise requires:

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

"Animals" includes wild animals, domestic animals, poultry and other birds, and hatching eggs;

"Animal products" means any edible or inedible substance derived in whole or in part from animals;

"Approved disinfectant" means a germicidal agent approved for use in a specific state-federal animal disease control and eradication program;

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

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

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

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

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

"Domestic animals" includes horses, mules, asses, cattle, sheep, goats, swine, dogs, cats, poultry, and other animals maintained in the domestic state; includes poultry and hatching eggs;

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

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

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

"Licensed veterinarian" means a veterinarian having a current, valid license to practice veterinary medicine in the State of Hawaii;

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

"Provisional quarantine" means temporary or conditional quarantine;

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

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

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

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

"Uniform Methods and Rules" means recommended minimum standards adopted by USDA for the achievement of goals in state-federal animal disease control and eradication programs;

"USDA" means United States Department of Agriculture; and

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

SUBCHAPTER 2

IMPORT REQUIREMENTS

§4-17-3 Regulatory jurisdiction. (a) Importations of swine from areas under the jurisdiction and control of the United States are subject to the rules of the department.

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

§4-17-4 Entry into State. No swine shall be allowed entry into the State unless all pre-entry requirements have been met. Landing or removal of swine from a carrier for purposes of inspection or quarantine shall not constitute entry into the State for any purpose whatsoever. No effects of these swine, likewise, shall be brought into the State unless so authorized by an inspector of the department. [Eff. 10/5/81]
(Auth: HRS §142-2) (Imp: HRS §§142-4 and 142-5)

§4-17-5 Ports of entry. Swine may be entered through any official port or airport in the State. [Eff. 10/5/81]
(Auth: HRS §142-2) (Imp: HRS §§142-3, 142-4 and 142-5)

§4-17-6 Carrier responsibility. (a) Carriers transporting swine through any port in the State of Hawaii or landing swine at any port within the State of Hawaii shall, on arrival, submit a shipmaster's declaration to the department providing the following information:

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

(b) Carriers shall be responsible for securely confining swine for entry at the pier or airport until movement is authorized by an inspector. Swine in transit to ports beyond Hawaii shall not be off-loaded for any purpose unless authorized by the state veterinarian or an agent.

(c) Carriers shall not off-load and dispose of manure except under the supervision of an inspector.

[Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §§142-3, 142-4, 142-5 and 142-8)

§4-17-7 Preshipment requirements. (a) A permit to import shall be obtained in advance of shipment from the division. The permit shall be issued subject to the following:

- (1) Swine imported for slaughter shall be consigned to the licensed quarantined slaughterhouse designated on the entry permit;
- (2) Feeder swine shall be consigned to the farm designated on the permit and shall be held in isolation quarantine until slaughtered;
- (3) Swine imported for breeding purposes shall be consigned to the farm of destination designated on the entry permit and shall be held in quarantine for a period of thirty days, after which they shall be subjected to an additional fifteen days of pen exposure quarantine with a comparable number of healthy swine raised on the farm of destination; and
- (4) The quarantines required under paragraphs (1), (2), and (3) above shall be under the supervision of the state veterinarian.

(b) The swine shall be accompanied by an official health certificate issued within seven days before shipment by an accredited veterinarian, or a state or federal veterinary officer in the state of origin, certifying that the swine:

- (1) Are progeny of and originate in a herd and area not under quarantine for hog cholera or any other swine disease;
- (2) Have originated in a herd in which there have been no cases of pseudorabies during the twelve-month period preceding shipment; and, for breeding and feeder swine, also have been tested and found negative to the serum neutralization test for pseudorabies conducted by a state, federal, or other USDA-approved laboratory within thirty days before shipment. They shall be retested thirty days after arrival.
- (3) Are free from external parasites and symptoms of transmissible diseases and have not had recent exposure to these diseases;
- (4) Have not been fed raw garbage; and
- (5) Are identified by a slap brand or eartag and the identification is recorded or described on the health certificate.

[Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §142-4)

§4-17-8 Post-shipment requirements. (a) Upon arrival, the swine shall be inspected by the state veterinarian or his agent before entry into the State. Any indication of transmissible diseases at the time of inspection shall be sufficient reason to quarantine any or all of the swine in the shipment at premises approved by the state veterinarian.

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

§4-17-9 Relating to the use of quarantine station facilities. Owners of swine held at an official or authorized quarantine station for any reason shall provide feed and care for stock and shall clean pens after removal of the animals. Also, owners shall promptly remove any dead swine from the quarantine station when directed to do so by the state veterinarian. If, for any reason, the owners fail to fulfill these requirements, the division will assume these responsibilities and all costs involved shall be charged to the owner. [Eff. 10/5/81]
(Auth: HRS §142-2) (Imp: HRS §§142-3 and 142-6)

SUBCHAPTER 3

EXPORT REQUIREMENTS

§4-17-10 Regulatory jurisdiction. (a) Shipments to other U. S. areas shall comply with entry requirements of the state of destination.

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

SUBCHAPTER 4

CONTROL OF SWINE DISEASES IN THE STATE

§4-17-11 Quarantine-general. The department is authorized to place a quarantine on any swine, herd, premises, district, or island whenever in its opinion such action is necessary to prevent the spread of a severe transmissible disease. No swine shall be removed from or added to such herds, premises, or area except by permit from the department. This quarantine shall remain in effect until rescinded by the department. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §§142-6 and 142-9)

§4-17-12 Quarantine-feedlot. All swine feed yards which receive and feed swine from more than one herd are hereby declared quarantine zones. No swine shall be moved from these quarantine zones except to a licensed slaughterhouse. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §142-6)

§4-17-13 Quarantine-slaughterhouse. All swine pens on slaughterhouse premises are hereby declared quarantine zones. Swine taken to these pens shall remain there until slaughtered, except that they may be removed for slaughter at another slaughterhouse under permit issued by the department. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §142-6)

§4-17-14 Swine brucellosis surveillance, control and eradication. (a) Blood samples shall be collected at slaughter from all female swine six months of age and older and be forwarded to the veterinary laboratory of the department for brucellosis testing.

(b) Whenever the laboratory results in tests conducted under subsection (a) above indicate herd infection, all animals of breeding age in the herd of origin of the test reactor shall be tested for brucellosis by the state veterinarian or his agent.

(c) The owner of the swine to be tested, or his agent in charge of the swine, shall cooperate with the veterinarian conducting the test and shall assist in confining and restraining the swine to be tested in a manner satisfactory to the veterinarian.

(d) Herds which are determined to be infected with brucellosis shall be quarantined, and no swine shall be added to or be removed from the herds except on written permit issued by the state veterinarian.

(e) The owner of an infected herd shall, within thirty days after notice from the state veterinarian, select and implement a plan approved by the department for the control and eradication of swine brucellosis.

(f) Quarantine restriction shall be lifted after the herd has either been depopulated and the premises cleaned and disinfected or has passed two consecutive negative tests for brucellosis at least ninety days apart.

(g) Herds in validated counties shall be tested as required in the Uniform Methods and Rules to maintain validation of the county.

(h) Herds in non-validated counties shall be tested as required in the Uniform Methods and Rules to maintain individual herd validation. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §142-3)

§4-17-15 Hog cholera and African swine fever surveillance and control. (a) Any case of disease in swine suggestive of hog cholera and African swine fever shall be reported without delay by the owner or his agent to a state or federal veterinarian. The herd shall be quarantined immediately and a complete inventory of swine on the premises shall be recorded by the receiving veterinarian.

(b) The herd shall be appraised and depopulated. Appraisal shall be as follows:

- (1) The swine shall be appraised at their actual value for meat, feeding, or breeding purposes, whichever is applicable;

- (2) For grade animals, only females shall be eligible for appraisal based on breeding value;
 - (3) Appraisal shall be made by a department or federal representative, or jointly, and shall be based on the number of live animals inventoried at the time the disease was officially reported;
 - (4) The record of appraisal shall be signed by the appraiser(s) and by the owner certifying his acceptance of the appraisal;
 - (5) Swine may be appraised in groups if they are of the same type. Appraisal may be on a per head basis if each animal in the group has the same value per pound;
 - (6) Swine presented for appraisal as registered purebred, hybrid, or inbred swine shall be accompanied by certificates of registered breeding; otherwise, such swine will be appraised as grades; and
 - (7) State indemnity shall not exceed the maximum amount authorized under the Uniform Methods and Rules of USDA.
- (c) The premises, vehicles, and equipment on the farm shall be cleaned and disinfected under the supervision of the state veterinarian. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §§142-3 and 142-23.1)

SUBCHAPTER 5

GARBAGE

§4-17-16 Feeding. The feeding of uncooked garbage to swine is prohibited. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §142-3)

§4-17-17 Permit. A permit shall be obtained from the division for processing garbage for feeding to swine. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §142-3)

§4-17-18 Cooking facilities. Garbage cooking facilities shall be adequately fenced to prevent entry by animals. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §142-3)

§4-17-19 Containers. The containers used for collecting and transporting garbage to be fed to swine shall be of metal construction and be leak-proof and spill-proof. These containers shall be thoroughly cleaned after each use and shall be used for no other purpose. [Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §142-3)

§4-17-20 Processing. Collected garbage shall be processed as soon as practicable in closed cookers in such a manner that all parts of the garbage shall:

- (1) Be heated to a temperature of not less than two hundred degrees Fahrenheit for a minimum period of two hours; or
- (2) Be heated to a temperature of not less than two hundred twelve degrees Fahrenheit for at least thirty minutes.

[Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §142-3)

§4-17-21 Access to herds. Owners of swine shall permit access by inspectors for the purpose of inspecting the animals and premises. [Eff. 10/5/81] (Auth: HRS §142-2)

(Imp: HRS §§142-3, 142-29 and 142-30)

§4-17-22 Foreign garbage. No garbage from any carrier arriving in the State of Hawaii, whether from the mainland United States or a foreign country, shall be landed in the State for any purpose without prior written approval from the department. [Eff. 10/5/81] (Auth: HRS §142-2)

(Imp: HRS §142-3)

§4-17-23 Penalty. Any person violating any of the provisions of sections 4-17-16 through 4-17-22 shall be subject to the provisions of section 142-12, Hawaii Revised Statutes.

[Eff. 10/5/81] (Auth: HRS §142-2) (Imp: HRS §142-12)