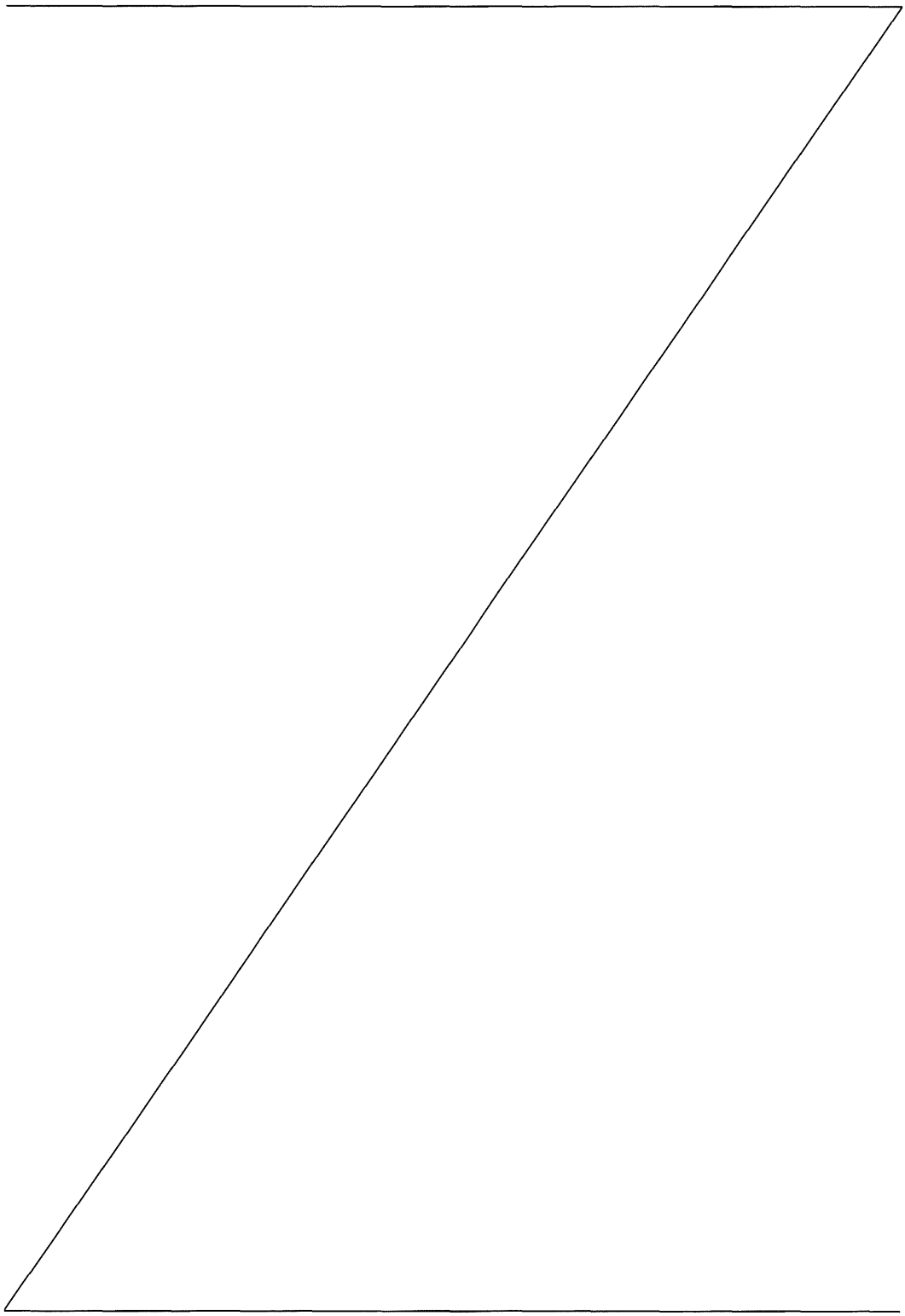


DEPARTMENT OF AGRICULTURE

Amendment and Compilation of Chapter  
4-16 Hawaii Administrative Rules  
November 30, 2021

SUMMARY

1. Chapter 4-16 title; is amended
2. §4-16-1 is amended
3. §§4-16-3 to 4-16-13 are amended
4. Subchapter 2 title is amended
5. §§4-16-14 to 4-16-20 are amended
6. §§4-16-22 to 4-16-23 are amended
7. Subchapter 4 title is amended
8. §§4-16-24 to 4-16-25 are amended
9. Chapter 4-16 is compiled.



TITLE 4

DEPARTMENT OF AGRICULTURE

SUBTITLE 3

DIVISION OF ANIMAL INDUSTRY

CHAPTER 16

CATTLE, BISON, WATER BUFFALO, CAMELIDS, SHEEP,  
AND GOATS

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Historical Note: This chapter is based substantially upon Regulation 1 entitled "Definition of Terms, Etc."

[Eff. 9/26/49; am 9/29/55; am 7/25/57; am **6/26/58**; am 8/15/68; am 5/19/72; am 10/31/74; am 8/16/77; am 8/21/80; R 10/5/81]; Regulation 2 entitled "Permits for Importation" [Eff. 9/26/49; am 9/29/55; am 7/24/70; am 10/31/74; am 8/21/80; R 10/5/81]; Regulation 3 entitled "Inspection and Quarantine" [Eff. 9/26/49; am 10/31/74; am 8/21/80; R 10/5/81]; Regulation 4 entitled "Landings and Entry into Territory" [Eff. 9/26/49; am 4/29/54; am 8/15/68; am 6/26/70; am 10/31/74; am 8/21/80; R 10/5/81]; Regulation 6 entitled "Importation of Cattle" [Eff. 9/26/49; am 8/26/54; am 10/28/54; am 9/29/55; am 8/15/68; am 7/30/73; am 10/31/74; 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; 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 107 entitled "Official Vaccination of Calves with Brucella Vaccine, Identification of Vaccinates and Record of Vaccination" [Eff. 11/10/55; am 10/31/74; am 8/21/80; R 10/5/81]; Regulation 108 entitled "Anaplasmosis Control and Eradication" [Eff. 10/24/55; am 9/29/55; am 10/31/74; am 8/21/80; R 10/5/81]; Regulation 109 entitled "Brucellosis Control and Eradication" [Eff. 8/31/57; am 6/26/58; am 10/31/74; am 8/21/80;

R 10/5/81]; Regulation 110 entitled "Tuberculosis Control **and Eradication**" [Eff. 7/31/58; 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

§4-16-1 Objective. ~~[This chapter shall govern the procedures of the department of agriculture pertaining to the prevention, control, and eradication of cattle, sheep, and goat diseases in the State.]~~ The objective of this chapter is to prevent the introduction of pests and diseases of cattle, sheep, goats, bison, water buffalo, and camelids into the State, and to control diseases of these species found in the state. [Eff. ] (Auth: HRS §142-2) (Imp: HRS §142-3) [Eff. 10/5/81]; [am and comp ] (Auth: HRS §142-2)(Imp: HRS §142-3)

§4-16-2 Construction of rules. This chapter shall be construed to effectuate the purposes of chapter 142, Hawaii Revised Statutes. [Eff. 10/5/81; comp ] (Auth: HRS §142-2)(Imp: HRS §142-3)

§4-16-3 Subchapters. (a) Each subchapter sets forth special rules applicable to the type of proceeding described in the caption. (b) This subchapter sets forth general rules applicable to proceedings governing cattle, bison, water buffalo, camelids, sheep, and goats. [Eff. 10/5/81]; am and comp ] (Auth: HRS §142-2) (Imp: HRS §142-3)

§4-16-4 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, feral animals, domestic animals, aquaculture animals [~~aquatic animals~~], poultry, birds, and hatching eggs[+].

"APHIS" means Animal and Plant Health Inspection Service of the United States Department of Agriculture.

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

"Approved pesticide" means a chemical agent approved for use against external parasites[+].

"Board" means the state board of agriculture; [~~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,] any person or company engaged in the activity of transporting animals, by land, sea, or air including any ship, vessel, airplane, or other conveyance used to transport animals; or its master, commanding officer, owner, local manager, broker or agent.

"Certificate of veterinary inspection" or "CVI" means an official state or federal certificate issued by an accredited veterinarian or state or federal veterinary officer providing all information and test results required for animals to enter Hawaii, to move interstate and certifying that the animals being transported are free of symptoms of transmissible disease.

"Chairperson" means the chairperson of the state board of agriculture. [~~the chairperson of the board of agriculture, department of agriculture, State of Hawaii~~][+].

"Contact" means any physical union or touching between animals.

"Department" means the [~~department of agriculture, State of Hawaii~~], state department of agriculture.

~~["Health certificate" means an official document issued by an accredited veterinarian 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;]~~

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

"Division head" means the ~~[chief or senior officer]~~ administrator of the division of animal industry[+].

"Domestic animals" includes horses, mules, asses, cattle, sheep, goats, swine, dogs, cats, poultry, rabbits, llamas and alpacas, ~~[and other animals]~~ including camelid, 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[+].

"Entry" means the release of animals into the State after completion of all requirements set forth in this chapter.

"Hold order" means an order issued by the state veterinarian restricting the movement of all animals, effects, and implements at a premise undergoing a disease investigation, for a maximum period of ninety days for each hold order issued.

"Health certificate" means an official document in English, issued by an accredited veterinarian 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, also known as "Certificate of Veterinary Inspection".

"Inspector" means [a veterinarian or livestock inspector in the division of animal industry or United States Department of Agriculture;] a veterinarian, livestock inspector, or any officer or employee of the department of agriculture or USDA, authorized or designated by the state veterinarian to enforce the provisions of this chapter.

"Official vaccinate" means a female bovine animal that has been vaccinated with an approved

brucellosis vaccine and identified with the required tattoo and official identification [~~or "V" brand,~~].

"Polymerase Chain Reaction" or "PCR" means a laboratory test to detect genetic material from a specific organism, such as a virus and protozoa.

"Premise" means ["Premises" means a piece of real property, including any structure on it,] "a 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 areas specified by the division, the designation given such premises or areas,] the secure isolation and confinement of animals on a premise or premises, or in an area designated by the state veterinarian. No animal may be removed from or added to these premises or areas except as permitted by the state veterinarian.

"Shipmaster's declaration" [means an official state form which shall be completed and submitted by a carrier providing information on animals and birds transported,] means an official state form that shall be completed and submitted by a carrier and provides information on animals transported including the name of the importer.

"State veterinarian" means [a qualified veterinarian in the division of animal industry, department of agriculture, designated by the board of agriculture,] the veterinary program administrator of animal industry division , department of agriculture.

"Transmissible disease" means any contagious, infectious, or communicable disease of animals[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] a biological agent [suspension] composed of live, attenuated, genetically modified, or killed microorganisms such as bacteria and viruses ,or their DNA or RNA used for the prevention or treatment of [infectious] diseases. [Eff. 10/5/81];

am and comp

] (Auth: HRS §142-2)



(Imp: HRS §142-3)

§4-16-5 Quarantine-general. (a) The department is authorized to place a quarantine on any animal, herd, population of animals, premises, district, or island whenever in its opinion such action is necessary to prevent the spread of a transmissible disease.

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

(c) This quarantine shall remain in effect until rescinded by the chairperson or ~~[his]~~ authorized representative. [Eff. 10/5/81]; am and comp ](Auth: HRS §142-2)

(Imp: HRS §§142-6 and 142-9)

§4-16-6 Quarantine area-feedlot. (a) All commercial feed yards which receive and feed animals from more than one herd are hereby declared quarantine zones.

(b) No animals shall be moved from these quarantine areas except to a licensed slaughterhouse or another commercial feedlot.

(c) Newborn animals ~~[are exempt and]~~ may be moved to other premises only when under permit from the division. [Eff. 10/5/81];

am and comp ](Auth: HRS §142-2)

(Imp: HRS §142-3)

§4-16-7 Quarantine area-slaughterhouse.(a) All pens on slaughterhouse premises are hereby declared quarantine zones.

(b) Animals taken to these pens shall remain there until slaughtered, except that they may be removed ~~[for slaughter at another slaughterhouse]~~ only when under permit issued by the division.

[Eff. 10/5/81]; am and comp ]

(Auth: HRS §142-2)Imp: HRS §142-3)

§4-16-8 Regulatory jurisdiction on importations.

Importations of cattle, bison, water buffalo, camelids, sheep, and goats from areas under the jurisdiction and control of the United States are subject to the rules of the department. Importations of

cattle, bison, water buffalo, camelids, sheep, and goats from foreign countries, besides complying with department requirements, shall not violate any federal regulations. [Eff. 10/5/81]; am and comp ]  
(Auth: HRS §142-2) (Imp: HRS §§142-4, 142-5, and 142-8)

§4-16-9 Entry status on imports. ~~[No cattle, sheep, or goats shall be allowed entry into the State unless accompanied by a health certificate and all entry requirements have been met.]~~ No cattle, bison, camelids, water buffalo, sheep, or goats shall be transported to the State or allowed entry into the State unless accompanied by a valid import permit issued by the division before arrival, a valid certificate of veterinary inspection and all pre-entry and entry requirements have been met. Bison and water buffalo in addition to being issued a pre-arrival import permit by the division shall also be required to obtain a permit to possess issued by the Hawaii Board of Agriculture through the department's Plant Quarantine Branch prior to importation. Landing or removal of animals from a carrier for purposes of inspection or quarantine shall not constitute entry into the State for any purpose whatsoever. No effects of animals, likewise, shall be brought into the State unless so authorized by an inspector of the division of animal industry or USDA. [Eff. 10/5/81]; am and comp ] (Auth: HRS §142-2)  
(Imp: HRS §§142-4 and 142-5)

§4-16-10 Ports of entry. (a) Cattle, bison, and water buffalo shall [be entered] enter through a port or airport [in Hilo or Honolulu] on the islands of Oahu, Hawaii [and] or Maui where permanent state livestock quarantine facilities are provided. ~~[They may, however, be entered]~~ Cattle, bison, and water buffalo may also enter through other ports in the State if adequate temporary quarantine facilities are made available by the importer and approved in writing by the [department] division.

(b) ~~[Sheep and goats may be entered]~~ Sheep, goats, and camelids shall enter through any official port or airport in the State with prior approval from the division. [Eff. 10/5/81]; am and comp ] (Auth: HRS §142-2) Imp: HRS §§142-3, 142-4, and 142-5)

§4-16-11 Carrier responsibility [on importations].

(a) Carriers transporting cattle, bison, water buffalo, camelids sheep, or goats through or from any port or airport in the State or landing these animals at any port or airport within the State shall, immediately 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 animals on board, including those born en route; and
- (3) Number of animals 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 cattle, bison, water buffalo, camelids sheep, or goats for entry into the State at the pier or airport until movement is authorized by an inspector. Cattle, sheep, or goats in transit to ports beyond Hawaii shall not be off-loaded for any purpose unless authorized by the state veterinarian or designated agent.

(c) Carriers shall ensure that cattle, bison, water buffalo, camelids, sheep, and goats are provided adequate ventilation. Animals shall not be stowed during transportation or staged prior or subsequent to transportation in a manner that prevents natural ventilation unless ventilation with large industrial type fans is provided.

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

(e) Ocean carriers for the intrastate movement of livestock shall ensure that the Interisland Livestock Shipping Standards by species, attached as Exhibit A are followed. Load densities shall not deviate by greater than 10% of the maximum load densities listed in interisland space requirements by species listed.

(f) It shall be the responsibility of the

carrier, owner, or stock tender of livestock being transported interstate and intrastate to (1) provide provisions for the livestock during transport and not allow livestock to go without feed or water for a period exceeding 24 hours at any time during transport. ( [Eff. 10/5/81]am and comp ]  
(Auth: HRS §142-2) (Imp: HRS §§142-3, 142-4, 142-5 and 142-8)

§4-16-12 Use of quarantine station facilities.

(a) Owners of cattle, bison, water buffalo, camelids, sheep, or goats held at an official or authorized quarantine [~~station~~] facility for any reason shall:

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

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

§4-16-13 Regulatory jurisdiction on exports.

(a) Shipments to other U.S. areas shall comply with entry requirements of the state of destination.

(b) Shipments outside the U.S. [~~come~~] are under federal jurisdiction.

(c) Hawaii certificates of veterinary inspection, issued by accredited veterinarians for the interstate movement of livestock, shall be submitted to the division for review within seven (7) days of being issued.[Eff. 10/5/81];am and comp ]  
(Auth: HRS §142-2) (Imp: HRS §142-3)

## SUBCHAPTER 2

CATTLE, BISON, WATER BUFFALO

§4-16-14 Scope. (a) This subchapter governs special rules pertaining to importation of cattle, bison, or water buffalo into the State.

(b) Applicable general provision rules in subchapter 1 should be read in conjunction with this [chapter] subchapter.

(c) In any conflict between a special rule in this subchapter and a general provision rule in subchapter 1, the special rule shall govern. [Eff. 10/5/81]; am comp ] (Auth: HRS §142-2) (Imp: HRS §142-3)

§4-16-15 Preshipment entry requirements. (a) ~~[Cattle for entry shall be accompanied by a health certificate issued by an accredited veterinarian, or a state or federal veterinary officer, within seven days before shipment. The health certificate shall give a description of each animal, including age, sex, breed, and either a national uniform eartag number, individual tattoo, or brand number, and shall certify that the animals described:]~~ Cattle, bison, and water buffalo for entry shall possess a valid import permit issued by the division prior to importation.

(b) Cattle, bison, and water buffalo for entry shall possess a certificate of veterinary inspection issued by an accredited veterinarian, or a state or federal veterinary officer, within ten days before shipping to the state. The certificate of veterinary inspection shall contain a description of each animal, including age, sex, breed, and either an official eartag number, or official identification and shall certify that the animals described:

- (1) Are free from external parasites and symptoms of transmissible diseases and have not had recent exposure to these diseases;
- (2) Have originated in a herd that is not under quarantine for any reason; ~~[for tuberculosis]~~

~~and have been found negative to an intradermal tuberculin test conducted by a state, federal, or accredited veterinarian within thirty days before shipment;]~~

~~(3) [Have originated in a herd that is not under quarantine for brucellosis and have been tested by a state, federal, or accredited veterinarian and found to be negative to an official test for brucellosis performed in a USDA-approved laboratory within thirty days before shipment;]~~ Are negative to an intradermal tuberculin test conducted by a state, federal, or accredited veterinarian within thirty days before shipment; ~~[Have originated in a herd that is not under quarantine for brucellosis and]~~

~~[+3+]~~ (4) Have been tested by a state, federal, or accredited veterinarian and found to be negative to an official test for brucellosis performed in a USDA-approved laboratory within thirty days before shipment;

~~[+4+]~~ (5) Have been tested by a state, federal, or accredited veterinarian and found to be free of anaplasmosis by a ~~[complement-fixation]~~, ELISA test performed in a state or federal approved laboratory within thirty days before shipment; ~~[ and]~~

(6) All non-virgin bulls and all bulls 18 months of age and older shall be tested negative to a PCR test for trichomoniasis within thirty days before shipment. Pooled samples from up to five bulls may be tested at diagnostic laboratories that approve pooled PCR testing. Tested bulls shall remain separate from female cattle over 6 months of age Prior to ten days before testing and until arrival in Hawaii; and

~~[+5+]~~ (7) Have been dipped or completely sprayed under the supervision of a state, federal, or accredited veterinarian with ~~[a one-half of one percent water solution of malathion within seven days before shipment, or one-half of one percent emulsion concentrate of~~

~~Ciodrin within forty-eight hours before shipment, or any other~~ an EPA ~~[USDA-approved]~~ approved pesticide to kill ticks on cattle within seven days before shipping to Hawaii.

(c) Official laboratory test charts for all required pre-entry testing shall be attached to the certificate of veterinary inspection. [Eff. 10/5/81];  
 am and comp ] (Auth: HRS §142-2)  
 (Imp: §§142-3 and 142-4)

#### §4-16-16 Post-shipment entry requirements.

(a) Cattle for entry shall be transported to and held in the quarantine station or a quarantine site approved by the division to be inspected and tested for ~~[tuberculosis, brucellosis, anaplasmosis, and]~~ any ~~[other]~~ transmissible disease that the state veterinarian may require. While in quarantine, ~~[they]~~ animals shall be sprayed or dipped with ~~[a USDA-approved]~~ an EPA approved pesticide approved by the state veterinarian. The cattle, bison, and water buffalo may be refused entry or quarantined for any deficiency in the ~~{health certificate covering}~~ certificate of veterinary inspection for the shipment or signs of disease.

(4) Cattle, bison, and water buffalo found to be negative to ~~[the testing procedures]~~ test requirements, ~~[are]~~ free of external parasites, and show no ~~[symptoms]~~ signs of transmissible diseases may be released from the quarantine station or approved quarantine site under ~~[provisional]~~ quarantine at premises approved by the state veterinarian, during which time they shall be retested for [anaplasmosis.] tuberculosis, brucellosis, anaplasmosis and other diseases required by the state veterinarian sixty to ninety days after arriving in the State. The owner, importer, or consignee shall furnish the inspector with information on where each animal in the shipment will be held.

(5) All expenses in connection with the examination, testing, treating, or destruction and disposal of cattle while in

- quarantine, shall be borne by the owner, importer, or consignee.
- (6) No indemnity shall be paid for reactors found on entry testing. [Eff. 10/5/81]; am and comp ] (Auth: HRS §142-2) (Imp: HRS §142-4)

§4-16-17 Anaplasmosis surveillance, control and eradication. (a) [Blood] Upon direction of the state veterinarian, blood samples shall be collected at slaughter from all cattle [three] two years of age and older and shall be forwarded to the veterinary laboratory of the division for anaplasmosis testing.

(b) When reactors are found in tests conducted under subsection (a), the entire herd shall be quarantined and retested for anaplasmosis. The herd shall remain under quarantine and be retested at sixty[-] to ninety-day intervals until two consecutive negative tests have been obtained.

(c) All testing of cattle in compliance with requirements shall be done in a safe manner. Cattle shall be stanchioned or otherwise securely restrained to the satisfaction of the veterinarian conducting the test.

(d) All positive reactors to the anaplasmosis test shall be ~~[branded on the left jaw with the letter "A" and]~~ identified with a reactor tag affixed to the left ear by the state veterinarian or ~~[his deputy.]~~ designee. All reactors shall be slaughtered under permit issued by the state veterinarian within thirty days after official notification in writing of the reaction. The owner shall give advance notice to the state veterinarian of the time and place of slaughter of the reactors.

(e) All cattle slaughtered as identified positive reactors to the anaplasmosis test shall be appraised prior to slaughter and the owner ~~[shall be]~~ indemnified in accordance with the provisions of section 142-22, Hawaii Revised Statutes.

(f) No indemnity shall be paid ~~[unless]~~ when the owner ~~[has complied]~~ does not comply with all rules and instructions issued by the division pertaining to the control and eradication of anaplasmosis. [Eff. 10/5/81]; am and comp ] (Auth: HRS



§142-2)(Imp: HRS §§142-3, 142-6, 142-9 and 142-22)

§4-16-18 Brucellosis surveillance, control, and eradication. (a) ~~[Blood]~~ Upon direction of the state veterinarian, blood samples shall be collected at slaughter from all cattle ~~[three]~~ two years age and older and forwarded to the veterinary laboratory of the department for brucellosis testing.

(b) ~~[Samples]~~ Upon direction of the state veterinarian, samples of milk produced in licensed dairies shall be collected and forwarded to the veterinary laboratory for brucellosis testing as often as deemed necessary by the state or federal veterinarian to maintain surveillance of brucella infection within the herd.

(c) Whenever laboratory test results indicate infection, the herd of origin shall be quarantined and tested within thirty days following official notification of the infection.

(d) When reactors are found in tests conducted under subsection (a), the entire herd shall be quarantined and ~~[be tested for brucellosis. The herd shall remain under quarantine and be retested, as]~~ subject to the conditions required in the current USDA APHIS Uniform Methods and Rules for the Eradication of Brucellosis, until eligible for release from quarantine.

(e) All testing of cattle in compliance with requirements of this section shall be done in a safe manner. Cattle shall be stanchioned or otherwise securely restrained to the satisfaction of the veterinarian conducting the test.

(f) All reactors to the brucellosis test shall be ~~[branded on the left jaw with the letter "B" and]~~ identified with a reactor tag affixed to the left ear by the state veterinarian or ~~[his deputy]~~ designee. All reactors shall be slaughtered under direction of the state veterinarian within fifteen days after official notification in writing of the reaction. The owner shall give advance notice to the state veterinarian of the time and place of slaughter of the reactors.

(g) All cattle slaughtered as ~~[branded,]~~ identified reactors to the brucellosis test shall be appraised prior to slaughter and the owner shall be

indemnified in accordance with the provisions of Title 9 of the code of Federal Regulations [~~section 142-23, Hawaii Revised Statutes.~~]

(h) No indemnity shall be paid unless the owner has complied with all rules and instructions issued by the division pertaining to the control and eradication of brucellosis.

~~[(i) Following removal of reactor animals, the premises shall be disinfected with an approved disinfectant under the supervision of the state veterinarian or his agent.] [Eff. 10/5/81];~~

am and comp ] (Auth: HRS §142-2)  
(Imp: HRS §§142-3, 142-6, 142-9, and 142-23)

§4-16-19 Control of Vaccination for Brucellosis

a) ~~[A permit]~~ Approval from the division is required for ~~[vaccinating cattle with any]~~ sale and distribution of [live] brucellosis vaccine.

(b) Each animal vaccinated ~~[under permit issued by the division]~~ shall be permanently identified as [a vaccinee required by the USDA APHIS Uniform Methods and Rules for the Eradication of Brucellosis] ~~[by one of the two following methods:~~

(1) ~~A tattoo, which shall be applied in the right ear, shall include the "U.S. Registered Shield and V. The Shield and V shall be preceded by a number indicating the quarter of the year in which the vaccination is made and followed by the last number of the year of vaccination; or~~

(2) ~~A "V" brand shall be applied to the right jaw with the open end facing either up, forward, down, or toward the back, depending on the year in which the vaccination is conducted. In 1979, the "V" should be placed with the open end facing up and, in succeeding years, should proceed clockwise. The fifth year repeats the first year.~~

(c) ~~It shall be unlawful for any person other than the permittee to so tattoo or brand cattle.~~

(d) ~~Herds in which vaccination for brucellosis is permitted under subsection (a) shall be quarantined, and no animals shall be moved from the premises, except on permit issued by the division~~

~~[(e)]~~ (c) The division is authorized to rescind  
~~[permits]~~ approval issued under subsection (a)  
 whenever in its judgment such action is warranted.  
 [Eff. 10/5/81]; am and comp ](Auth:  
 HRS §142-2)(Imp: HRS §§142-3 and 142-6)

§4-16-20 Tuberculosis control and eradication.

(a) All herds of cattle in which reactors to the tuberculin test have been found and all herds from which tuberculous animals have been found at slaughter shall be designated as infected herds and shall be quarantined.

(b) All herds of cattle that have been in contact with herds in which tuberculin test reactors or tuberculous animals have been found shall be designated as exposed herds and shall be quarantined.

(c) Owners of herds quarantined under subsection (a) and (b) shall, within thirty days after official notification in writing, implement a program to lift the quarantine through either complete herd depopulation via slaughter or through testing procedures, as prescribed by the state veterinarian.

(d) All testing of cattle for tuberculosis shall be done in a safe manner. Cattle shall be stanchioned or otherwise securely restrained to the satisfaction of the veterinarian conducting the test. The owner of the cattle shall provide all facilities necessary for the safe restraint of the cattle for testing.

(e) All positive reactors to the tuberculosis test shall be ~~[branded on the left jaw with the letter "T" and]~~ identified with an official ~~[state]~~ reactor tag affixed to the left ear by the state veterinarian or ~~[his agent]~~ designee. All reactors shall be slaughtered within fifteen days after official notification in writing of the reaction. The owner shall give advance notice to the state veterinarian of the time and place of slaughter of the reactors. A Permit for the Movement of Restricted Animals (VS FORM 1-27) shall be issued prior to movement by the State or Federal Veterinarian.

(f) All cattle identified as positive reactors to the tuberculosis test shall be appraised prior to slaughter and the owner shall be indemnified in accordance with the provisions of 9

CFR § 50.3 [~~section 142-19, Hawaii Revised Statutes~~].

(g) No indemnity shall be paid unless the owner has complied with all rules and instructions issued by the division pertaining to the control and eradication of tuberculosis.

(h) Following removal of reactors or depopulation of the herd, the premises shall be cleaned and disinfected within fifteen days, as prescribed in the USDA APHIS Uniform Methods and Rules.[Eff. 10/5/81]; am and comp ]  
(Auth: HRS §142-2)(Imp: HRS §§142-3, 142-6, 142-9, 142-17, 142-18, 142-19, 142-20 and 142-21)

§4-16-20.1 Trichomoniasis control and eradication.

(a) All herds of cattle in which reactors to the PCR trichomoniasis test have been found shall be designated as infected herds and shall be quarantined.

(b) All herds of cattle that have been in contact, comingled, or had fence contact with infected herds shall be designated as exposed herds and placed under a hold order until all bulls twelve months and older have been tested negative for Trichomoniasis and any positive bulls are removed under permit from the division for slaughter.

(c) Within sixty days after official notification in writing, owners of herds quarantined or placed on hold orders under subsections (a) and (b) shall test their entire bull battery or slaughter all bulls under permit issued by the State Veterinarian.

(d) All testing of bulls for trichomoniasis shall be done after bulls have been isolated for ten days from female cattle and shall be tested by veterinarians accredited at the II level in Hawaii that have undergone training for trichomoniasis testing of bulls. The owner of the bulls for testing shall be responsible for gathering the bulls and providing all facilities necessary for the safe restraint of the bulls for testing.

(e) All positive reactors to the PCR trichomoniasis test shall be reported by the accredited veterinarian to the state veterinarian within seventy-two hours of receiving test results.

(f) All bulls that test positive shall remain under quarantine and remain isolated from all cattle until slaughtered within 30 days of testing positive under permit issued by the state veterinarian.

(g) All bulls tested for trichomoniasis shall be identified at the time of testing with an official 840 USDA identification tag. The tag number shall correspond to the bull's test sample and listed on the test submission and result forms.

(h) Samples for trichomoniasis PCR testing shall be tested at an ISO/IES 17025 or AAVDL approved laboratory and may be pooled in accordance with the diagnostic laboratory's testing protocol.

(i) Herds placed under quarantine for trichomoniasis shall be tested annually and remain quarantined until passing a complete negative test of the herd's bull battery one year after removal of the last infected bull from the herd.

[Eff. ];(Auth: HRS §142-2)

§4-16-20.2 Diseases and investigation. (a) The State Veterinarian is authorized to investigate the disease status of cattle in the State showing clinical signs of disease or poor health.

(a) When an investigation by the State Veterinarian determines that a regulated or reportable disease or disease of high economic consequence is suspected or diagnosed, the State Veterinarian is authorized to take actions as provided in HRS §142-6.

(b) When no infectious disease is suspected or diagnosed and adverse physical state is determined to involve animal husbandry related causes, the division may advise the owner or refer the owner to university extension agents or private veterinarians for assistance. In the event that the owner refuses to take recommended corrective actions, the State Veterinarian may refer the case to the humane agencies for the county.

[Eff.  
§142-2)

];(Auth: HRS

### SUBCHAPTER 3

#### SHEEP

§4-16-21 Scope. (a) This subchapter governs special rules pertaining to importation of sheep into the State.

(b) Applicable general provision rules in sections 4-16-1 through 13 should be read in conjunction with this subchapter.

(c) In any conflict between a special rule in this subchapter and a general provision rule in sections 4-16-1 through 13, the special rule shall govern.[Eff. 10/5/81]; comp ](Auth: HRS §142-2)  
(Imp: HRS §142-3)

§4-16-22 Preshipment entry requirements. Sheep for entry shall be accompanied by a ~~[health]~~ certificate of veterinary inspection issued by an accredited veterinarian or a state or federal veterinary officer in the state of origin, within seven days before shipment.

The ~~[health]~~ certificate of veterinary inspection shall give a description of each animal, including age, sex, breed, and official USDA eartag number, and shall certify that the animals described:

- (1) Are free from external parasites and symptoms of transmissible diseases and have not had recent exposure to these diseases;
- (2) Have originated in a ~~[state or area officially declared to be free of scabies for the twelve-month period preceding date of shipment]~~ herd that is not under quarantine for Scrapie ; and
- (3) Have been dipped or completely sprayed under the supervision of a state, federal, or accredited veterinarian with

- (4) a pesticide approved for killing ticks on sheep [~~one-half of one percent water solution of malathion, or other USDA-approved pesticide,~~] within seven days before shipment.
- (5) Is officially identified with an USDA-APHIS approved method for identification of sheep  
 [Eff. 10/5/81]; am and comp ];(Auth: HRS §142-2)(Auth: HRS §142-2) (Imp: HRS §§142-3 and 142-4)

#### §4-16-23 Post-shipment entry requirements.

(a) Imported sheep shall be inspected by a state veterinarian or an agent before being granted entry into the State. Any indication of transmissible disease at the time of inspection shall be sufficient reason to quarantine any or all of the sheep in the shipment at premises approved by the state veterinarian. ~~[They]~~ Animals shall not be released [~~and be~~] or permitted entry into the State until the state veterinarian is satisfied that they are free of symptoms of transmissible diseases and external parasites.

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

### SUBCHAPTER 4

#### GOATS and CAMELIDS

§4-16-24 Scope. (a) This subchapter governs special rules pertaining to importation of goats and camelids into the State.

(b) Applicable general provision rules in sections 4-16-1 through 13 should be read in conjunction with this subchapter.

(c) In any conflict between a special rule in this subchapter and a general provision rule in sections 4-16-1 through 13, the special rule shall govern. [Eff. 10/5/81]; am and comp ] (Auth:

HRS §142-2)

(Imp: HRS §142-3)

§4-16-25 Preshipment entry requirements. (a) Goats and camelids for entry shall be accompanied by a [health] certificate of veterinary inspection issued by an accredited veterinarian or a state or federal veterinary officer within seven days before shipment. The [health] certificate of veterinary inspection shall give a description of each animal, including age, sex, breed, and official USDA eartag number, and shall certify that the animals described:

- (1) Are free from external parasites and symptoms of transmissible diseases and have not had recent exposure to these diseases;
- (2) Have originated in a herd that is not under quarantine for scrapie or tuberculosis and have been found negative to an intradermal tuberculin test by a state, federal, or accredited veterinarian within thirty days before shipment; and
- (3) ~~[Have originated in a herd that is not under quarantine for brucellosis and have been tested by a state, federal, or accredited veterinarian and found to be negative to a USDA-approved test for brucellosis performed in an official laboratory within thirty days before shipment; and]~~ Have been ~~[dipped or completely sprayed]~~ treated under the supervision of a state, federal, or accredited veterinarian with ~~[a one-half of one percent water solution of malathion, or other]~~ [APHIS-]an approved pesticide for killing ticks on goats or camelids, within seven days before shipment.

(b) Goats have originated in a herd that is not under quarantine for Scrapie [Eff. 10/5/81]

am and comp

](Auth: HRS §142-

2)(Imp: HRS §§142-3 and 142-4)

§4-16-26 Post-shipment entry requirements.

(a) Imported goats shall be inspected by the state veterinarian before being granted entry into the State. Any indication of transmissible disease at the



time of inspection shall be sufficient reason to quarantine any or all of the goats in the shipment at premises approved by the state veterinarian. They shall not be released and be permitted entry into the State until the state veterinarian is satisfied that they are free from symptoms of transmissible diseases and external parasites.

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

## EXHIBIT A

## Requirements - Interisland Livestock Shipping Standards | Cattle

SHIPPING METHOD	Trailers, 20' containers, 40' containers, shipping pens. Must be 4-sided, structurally sound and without protruding objects that could injure animals. Must have four-sided forklift pockets to ensure container cannot shift or tip off the forklift during lifting.
LEAK PROOF	All shipping trailers/containers shall be watertight up to a level of 2" and non-slip flooring is required.
SIDES	Sides shall be solid up to the level of the animals' backs or window guards should be indented to prevent discharge.
WINDOWS	Escape proof. Must contain entire animal. Tall enough to be above the backs of the animals or with 6" indented bars to prevent fecal discharge and allow proper airflow* *Window openings should be at least 7% of the area of the side panel surface to ensure proper ventilation
ROOF	Must have a solid roof to protect from the sun, rain, and contain the animal entirely.
WATER	Not required for trips < 24hrs; must have some form of watering system in case of transit delay. Please bring your own water when possible.
FEED	Not required for trips < 24hrs.
SPACE	*See table.
TRAILERS DELIVERING LIVESTOCK	All livestock trailers entering into the harbor must be constructed to contain animal fecal matter and urine.
TRANSFER AREA & STAGING AREA	In secured DOT designated area only. Water should be available nearby.
TRANSFER PROCESS (TRAILER TO CONTAINER)	Trailer with slide or inward opening gate abut flush to container with slide or inward opening gates.
OR TRANSFER PROCESS (DOT CHUTE)	Secure chute gates to trailer and container, if DOT chute is available.
SPILLAGE	All spillages must be cleaned up and removed from harbor. To comply with EPA, no water should be used to clean, the shipper must bring shovel, broom, etc., to clean the area. All shipping containers that remain in the harbor must be cleaned out and material hauled away. A fine/fee will be imposed if spillage is not cleaned.

## Interisland Transportation Space Requirements\* | CATTLE

AVG. BODY WEIGHT (lbs)	AREA PER ANIMAL (ft <sup>2</sup> )	HEIGHT (ALL SPECIES)	20' CONTAINER (max number to load)	40' CONTAINER (max number to load)	40'X2 DOUBLE DECKER (max number to load)
400	7	Stand comfortably, ensure head clearance	23	46	70
500	8		20	40	61
600	9		18	36	54
800	11		15	29	Over height limit
1,000	14		11	23	Over height limit
1,200	15.5		10	21	Over height limit
1,500	19		8	17	Over height limit

## EXHIBIT A

Required Interisland Livestock Shipping Standards   SHEEP & GOATS	
SHIPPING METHOD	Trailers, 20' containers, 40' containers, shipping pens. Must be structurally sound and without protruding objects that could injure animals. Must have four-sided forklift pockets to ensure container cannot shift or tip off the forklift during lifting.
LEAK PROOF	All shipping trailers/containers shall be watertight up to a level of 2" minimum absorptive bedding and non-slip flooring is required.
SIDES	Sides shall be solid up to the level of the animals' backs.
WINDOWS	Escape proof. Must contain entire animal. Tall enough to be above the backs of the animals or with 3" indented bars to prevent fecal discharge.
ROOF	Must have a solid roof to protect from the sun, rain, and contain the animal entirely.
WATER	Not required for trips < 24hrs; must have some form of watering system in case of transit delay. Please bring your own water when possible.
FEED	Not required for trips < 24hrs.
SPACE	*See table.
TRAILERS DELIVERING LIVESTOCK	All livestock trailers entering into the harbor must be constructed to contain animal's fecal matter and urine. and contain bedding material.
TRANSFER AREA & STAGING AREA	In DOT designated area only. Water should be available nearby.
TRANSFER PROCESS (TRAILER TO CONTAINER)	Trailer with slide or inward opening gate abut flush to container with slide or inward opening gates
OR TRANSFER PROCESS (DOT CHUTE)	Secure chute gates to trailer and container, if DOT chute is available. Block space between trailer back gate floor and ground.
SPILLAGE	All spillages must be cleaned up and removed from harbor. To comply with EPA, no water should be used to clean, the shipper must bring shovel, broom, etc. to clean the area. All shipping containers that remain in the harbor must be cleaned out and material hauled away. A fine/fee will be imposed if spillage is not cleaned.