

901:1-17-02 **Definitions.**

(A) The following terms and their definitions are incorporated from 9 CFR part 77.5 (2014):

- (1) "Accreditation preparatory state or zone";
- (2) "Accredited free state or zone";
- (3) "Accredited herd";
- (4) "Modified accredited advanced free state or zone";
- (5) "Modified accredited free state or zone"; and
- (6) "Non-accredited state or zone".

(B) The following terms and their definitions are incorporated from 9 CFR part 78.1 (2014):

- (1) "Class A State";
- (2) "Class B State";
- (3) "Class C State";
- (4) "Brucellosis free state";
- (5) "Certified Brucellosis free herd";
- (6) "Validated brucellosis free herd"; and,
- (7) "Validated Brucellosis free state".

~~(A)~~(C) "Accredited laboratory" means a laboratory meeting the accreditation standards established for fish health diagnostic laboratories by a state government, the United States Federal government or, the Canadian government's department of fisheries and oceans.

~~(B)~~(D) "Animal" means any animal that is a bird, reptile, amphibian, fish, or mammal other than humans; and when specified in a rule, includes germplasm of the foregoing animals.

~~(C)~~(E) "Approved veterinarian" means any licensed and accredited veterinarian approved by the Ohio department of agriculture, or an employee of the Ohio department of agriculture, or the United States department of agriculture, animal and plant health inspection service, veterinary services.

~~(D)~~(F) "Certificate of veterinary inspection" means a legible record, certified, completed, and issued by a licensed, accredited veterinarian, or by a veterinarian employed by either the state of origin or the United States department of agriculture, and shall contain all of the following:

- (1) The complete name and address of the consignor and the consignee, (including final destination if different from consignee's address);
- (2) An accurate description with official identification of the animal listed, as required;
- (3) The date and results of any required or known test conducted;
- (4) A complete description (including dates of administration) of any vaccinations and treatments, as required by the rules of this chapter;
- (5) Designation of the purpose for which the animal is being imported (i.e., breeding, feeding, exhibition, sale, etc.); and
- (6) The animal health and test status records which meet the legal requirements of the state of destination, including any other tests of record.

~~(E)~~(G) "Certified fish health inspector" means an individual who has successfully completed the course of study on fish diseases sponsored by the American fisheries society and is currently certified by the American fisheries society to issue fish health inspection reports.

~~(F)~~(H) "Consignee letter of consent" means a letter signed by the Ohio recipient of an animal which acknowledges the presence of a disease condition and affirms his continued intent to import the animal.

~~(G)~~(I) "Department of agriculture" and "department" means the Ohio department of agriculture.

~~(H)~~(J) "Domestic animal" includes livestock; other animals that through long association with humans have been bred to a degree resulting in genetic changes affecting the temperament, color, conformation, or other attributes of the species to an extent that makes them different from nondomestic animals of their kind, and other animals as defined by rule by the director.

~~(K)~~(L) "Facility" means an establishment where fish are raised, held, or released.

~~(L)~~(M) "Feral swine" means any swine that has lived any part of its life free roaming.

~~(K)~~(M) "Fish" means a cold-blooded vertebrate animal living in water, having permanent gills for breathing, and fins.

~~(L)~~(N) "Fish health inspection and testing report" means a document listing inspections done and diagnostic work performed on fish and stating the results of the inspections and diagnostic work.

~~(M)~~(O) "Lot" means:

- (1) A group of fish of the same species that originate from either the same brood stock, or the same egg source, during the same year and are raised on the same water source; or
- (2) A group of fish of the same species over twelve months of age from the same water source.

~~(N)~~(P) "Nondomestic animal" means any animal that is not domestic, including at least nonindigenous animals and animals usually not in captivity.

~~(O)~~(Q) "Official identification" means a device or method assigned to livestock being moved as required by the rules of this chapter.;

- ~~(1) Official eartag bearing the U.S. shield and be sufficiently tamper resistant;~~
- ~~(2) Animal identification number (fifteen digit number);~~
- ~~(3) Group or lot number;~~
- ~~(4) Premises number that either contains a unique animal identification number or is used in conjunction with the producer's livestock production numbering system to provide a unique identification number;~~
- ~~(5) Official identification device or method including, but not limited to, microchip; or~~
- ~~(6) Ear notch or tattoo if the animal is registered with a breed association.~~

(R) "Owner/Shipper statement" means a statement signed by the owner or shipper of

livestock being moved which includes the information as required by the rules of this chapter, as applicable.

~~(P)~~(S) "Permit" means a document issued by the chief, division of animal health, which:

- (1) Authorizes actions which require, by rule, prior permission from the chief, division of animal health.
- (2) May waive or modify requirements established by rule when compliance with the rule requirements works a hardship and waiver or modification of the rule requirements is consistent with the purpose of and does not compromise the effectiveness of the rule requirements being waived or modified.
- (3) May require as a condition for waiver or modification of requirements established by rule:
 - (a) Restrictions regarding movement, handling, quarantine, destination ~~or~~and purpose for which the animal may be imported; and
 - (b) Additional inspections, identification, pre and post-entry tests, vaccinations, treatments, ~~or~~and other procedures;
- (4) May require a letter of consent from the consignee of an animal.

~~(Q)~~(T) "Poultry" means any domesticated fowl kept in confinement, except for doves and pigeons, that are bred for the primary purpose of producing eggs or meat for human consumption. ~~"Poultry"~~The term includes chickens, turkeys, waterfowl and game birds.

~~(R)~~(U) "Premises identification" means a nationally unique number assigned by a State, Tribal, and/or Federal animal health authority to a premise that is, in the judgment of the State, Tribal, and/or Federal animal health authority, a geographically distinct location from other premises. ~~number consisting of the state postal abbreviation or code followed by a unique alphanumeric number or name assigned by a state or federal animal health official or area veterinarian in charge and is epidemiologically distinct from other premises, or a permanent brand or ear notch pattern registered with an official brand registry until the national animal identification system for premises identification is in place.~~

(V) "Pseudorabies status stage V state" means a state that has been declared pseudorabies free as outlined in the United State department of agriculture, animal and plant health inspection service, "Pseudorabies Eradication Program Standards" as effective on November 1, 2003. A copy of these standards may be found at

www.aphis.usda.gov.

~~(S)~~(W) "Sale assembly" means any public assembly of animals, except rabbits, chickens, turkeys, waterfowl, and gamebirds with a final disposition of slaughter, that are brought together for the purpose of exchanging ownership.

~~(X)~~ "Slaughter channels" means a system of movement wherein an animal, not for the purposes of breeding, is sold, transferred, or moved either:

(1) For feeding for the express purpose of improving that animal's condition for final movement to slaughter;

(2) To a USDA approved livestock market as defined under Chapter 943. of the Revised Code for final movement to slaughter;

(3) To a slaughter facility;

(4) To an individual for custom slaughter; or

(5) To a livestock dealer licensed under Chapter 943. of the Revised Code.

~~(T)~~(Y) "Sporting swine" means any domestic or feral swine intended for hunting purposes and includes the progeny of these swine whether or not the progeny are intended for hunting purposes.

~~(U)~~ "Stage II feedlot" means any feedlot that receives feeder swine from a no status, stage I status or stage II state status and has greater than one per cent of the swine herds in the state either quarantined for or infected with pseudorabies.

~~(Z)~~ "Tagging site" means locations authorized by APHIS, State, or Tribal animal health officials where livestock may be officially identified on behalf of their owner or the person in possession, care, or control of the animals when they are brought to the site.

~~(V)~~(AA) "Tuberculosis accredited free herd", as referenced in rule 901:1-17-06 of the Administrative Code, is one that has passed at least two consecutive annual negative official tests for tuberculosis in accordance with the "Uniform Methods and Rules - Bovine Tuberculosis Eradication," (a copy of which can be found at <http://www.aphis.usda.gov/>) and has no other evidence of bovine tuberculosis.

~~(W)~~(BB) "Water source" means a body of water with controlled access in which fish are hatched, spawned, or raised.

Effective:

Five Year Review (FYR) Dates: 08/13/2015

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 941.03
Rule Amplifies: 941.10
Prior Effective Dates: 12/18/76, 2/16/96, 6/15/98, 3/19/99, 8/15/01, 7/1/04,
4/11/2005, 5/19/2011, 12/01/2011