

### § 3.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

*Accredited veterinarian*—A licensed veterinarian jointly accredited by APHIS-USDA and the Department in the state the veterinarian is licensed to perform official duties on behalf of APHIS-USDA or the Department in the state the veterinarian is licensed to practice veterinary medicine. See accreditation standards established by 9 CFR Parts 160 and 161 (relating to definition of terms; and requirements and standards for accredited veterinarians and suspension or revocation of such accreditation).

*Animal*—An equine or bovine animal, sheep, goat, pig, dog or cat and any wild animal under domestication and embryo, ova and semen.

*Animal market*—A place approved by the Department other than the farm of origin where animals are offered for sale, barter or trade, on a public, private or commercial basis.

*Backtag*—An identification device that can be attached with an adhesive to the back or head of an animal and contains a unique alpha-numeric symbol including the designated code of the state of origin and approved by the state of origin, USDA-APHIS or the Department.

*Brand*—An identifying mark that is burned into the hide of a live animal by a hot iron or extreme cold temperature.

*Breeding swine*—A sexually intact swine over 6 months of age or older or a sexually intact swine 5 months of age or younger selected for producing offspring.

*Brucellosis*—A disease primarily affecting cattle, swine, sheep and goats caused by *Brucella abortus*, *Brucella melitensis* or *Brucella suis* that is characterized by abortion, orchitis and infertility. The term is also known as Bang's Disease and has been declared by the Department as a dangerous transmissible disease.

*Dangerous transmissible disease*—A disease proclaimed by the Department under the authority of the act of April 17, 1929 (P. L. 533, No. 236) (3 P. S. § § 341—351), known as the Diseased Animal Quarantine Law, to be of a dangerous transmissible nature.

*Dealer herd*—The group of animals owned or managed by a livestock dealer assembled for the purpose of resale.

*Department*—The Department of Agriculture of the Commonwealth.

*Director*—The Director of the Bureau of Animal Industry, who is the chief livestock health official of the Commonwealth.

*Earnotch*—The place on the edge of an ear of an animal where a small piece of the ear has been removed for identification purposes.

*Eartag*—A metal or plastic identification device that can be attached to an ear of an animal and contains a unique alpha-numeric symbol including the designated code of the state of origin and approved by the state of origin, USDA-APHIS or the Department.

*Exhibition*—A show or display of animals.

Feeder swine—A swine other than breeding swine.

Garbage—Putrescible animal and vegetable waste resulting from the handling, preparation, cooking or consumption of foods. The term includes animal carcasses and parts thereof.

Hazardous substance—A substance, including chemicals, toxins and biologicals, which threatens the health of domestic animals or humans.

Herd—A group of livestock maintained on common ground for any purpose; or two or more groups of livestock between which members are interchanged regardless of separation.

Herd of origin—The place of birth or the place of most recent residence for 90 days or more.

Interstate health certificate—A legible official document, made on a form issued by the chief livestock health official of the state of origin or the United States Department of Agriculture, prepared by an accredited veterinarian of the state of origin certifying the health of the animal described therein, and validated by the chief livestock health official of the state of origin.

Intrastate movement—The transportation or movement of an animal within this Commonwealth except the transportation or movement of an animal to contiguous property owned, leased or rented by the owner of the animal.

Official test—A test approved by the Department using criteria generally accepted by the scientific community or a test approved by the USDA-APHIS and published in 9 CFR Chapter 1 (relating to animal and plant health inspection service, Department of Agriculture) for the diagnosis of a specific disease.

Pennsylvania health certificate—A legible official document, made on a form (AAI-13) provided by the Department, prepared by an accredited Pennsylvania veterinarian or a representative of the Department certifying the health of animals described therein according to the health requirements established by this chapter.

Pennsylvania State Veterinarian—The Director of the Bureau of Animal Health and Diagnostic Services of the Department.

Permit—A document issued by the Department or USDA-APHIS authorizing and establishing conditions under which a quarantined or diseased animal may be moved interstate or intrastate.

Pseudorabies—A contagious, infectious and communicable disease of animals caused by Herpesvirus suis, also known as Aujeszky's disease, mad itch or infectious bulbar paralysis, that has been declared by the Department to be a dangerous transmissible disease.

Pseudorabies free county—A county of this Commonwealth that meets the following conditions:

(i) Cull sows and boars 1 year of age or older originating in the county are subject to pseudorabies slaughter surveillance in accordance with the Pseudorabies UM&R.

(ii) There are no known pseudorabies infected swine herds in the county.

Pseudorabies monitored swine herd—A swine breeding herd that has been sampled and tested negative for pseudorabies field strain virus by an official test for pseudorabies during the past 12 months at the following rate:

<u>No. of swine in herd</u>	<u>No. of swine to be tested</u>
<u>1—10</u>	<u>all</u>
<u>11—35</u>	<u>10</u>
<u>36 or more</u>	<u>30% or 30, whichever is less</u>

Tested swine will be selected at random from all age groups, including herd boars. All groups are to be proportionately represented for testing.

Pseudorabies UM&R—Uniform Methods and Rules for the eradication of Pseudorabies as promulgated by the USDA-APHIS in 9 CFR Part 85 (relating to pseudorabies).

Qualified pseudorabies negative herd—A swine herd enrolled and in compliance with the qualified pseudorabies negative swine herd plan as defined in 9 CFR 85.

Random sample test for pseudorabies—A sampling procedure using an official serological test for pseudorabies which provides a 95% probability of detecting infection in a herd in which 10% of the swine are sero-positive for pseudorabies. Each segregated group of swine on each individual premises is considered a separate herd and sampled as follows:

<u>No. of swine in herd</u>	<u>No. of swine to be tested</u>
<u>Less than 100</u>	<u>25</u>
<u>100—200</u>	<u>27</u>
<u>200—299</u>	<u>28</u>
<u>1000</u>	<u>29</u>

Recognized slaughter establishment—A slaughter establishment operated under the Federal Meat Inspection Act (21 U.S.C.A. § § 601—623, 641—645, 661, 671—680 and 691) or a State inspected slaughter establishment.

Secretary—The Secretary of the Department.

Segregated—Separated or isolated from others or from a main body or group of animals.

Slaughter market—An animal market approved by the Department for the sale of slaughter animals in accordance with Chapter 5 (relating to animal markets) and the act of June 22, 1931 (P. L. 650, No. 225) (3 P. S. § § 431—439), known as the Farm Animal Dealer or Broker License Law.

Surveillance index—The percentage of a population of sows and boars sampled multiplied by the percentage of positive swine traced to the farm of origin multiplied by 10<sup>-4</sup>.

Tattoo—A mark or figure assigned by a National swine breed association, the state of origin, USDA-APHIS or the Department that is indelibly fixed upon the body of an animal by insertion of pigment in or under the skin.

Transportation—Shipped, trailed, driven, boated or otherwise moved.

USDA-APHIS—The United States Department of Agriculture, Animal and Plant Health Inspection Services, Veterinary Services.

Validated brucellosis-free state—A state in which USDA-APHIS has declared that swine are free of brucellosis.

Validated brucellosis-free swine herd—A herd of swine in which the sows and boars maintained for breeding purposes are negative to official tests according to 9 CFR 78.1 (relating to definitions).

Wild animal—A mammal or bird other than a domestic animal as defined by section 1 of the act of July 22, 1913 (P. L. 928, No. 441) (3 P. S. § 331).

#### **Authority**

The provisions of this § 3.1 issued under act of March 28, 1929 (P. L. 110, No. 117) (3 P. S. § 371); and act of April 17, 1929 (P. L. 533, No. 236) (3 P. S. § 342); amended under section 40 of the act of

July 22, 1913 (P. L. 928, No. 441) (3 P. S. § 430); section 1702 of The Administrative Code of 1929 (71 P. S. § 442); and the Domestic Animal Law, 3 Pa.C.S. § § 2302, 2305, 2321, 2323, 2325, 2327, 2329 and 2382.

### **Source**

The provisions of this § 3.1 amended April 11, 1975, effective April 12, 1975, 5 Pa.B. 895; amended March 19, 1982, effective May 19, 1982, 12 Pa.B. 979; amended March 9, 1984, effective March 10, 1984, 14 Pa.B. 829; amended March 23, 1990, effective March 24, 1990, 20 Pa.B. 1702; amended August 16, 1991, effective August 17, 1991, 21 Pa.B. 3688; amended April 11, 1997, effective April 12, 1997, 27 Pa.B. 1791; amended December 1, 2000, effective December 2, 2000, 30 Pa.B. 6187. Immediately preceding text appears at serial pages (228020) to (228023).

### **Cross References**

This section cited in 7 Pa. Code § 3a.3 (relating to importation of camelids and cervids).

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