

## 2-40-801. Definitions.

As used in this subchapter:

(1)“Accredited veterinarian” means a veterinarian licensed by the Veterinary Medical Examining Board and approved by the Animal and Plant Health Inspection Service of the United States Department of Agriculture (USDA, APHIS) to perform functions required for state or cooperative state and federal animal disease control and eradication programs;

(2)“Adjacent herds” means a group or groups of equidae sharing common pasture or having other direct contact with an affected herd or reactor animal and herds containing previous purchases from or exchanges with an affected herd. Herds separated by a distance of less than four hundred forty (440) yards are considered adjacent herds;

(3)“Affected herd” means a herd of equidae that contains or has contained one or more animals infected with equine infectious anemia and that has not passed the required tests necessary for release from quarantine;

(4)“Approved laboratory” means a laboratory which is approved by the United States Department of Agriculture and the State Veterinarian to conduct an official test for equine infectious anemia;

(5)“Approved market” means a stockyard, livestock market, or other premises, approved by the commission where equidae are congregated for sale;

(6)“Authorized agent” means a person who has been authorized by the Arkansas Livestock and Poultry Commission to act on its behalf in making investigations and inspections and performing other services or acts which have been defined by this subchapter;

(7)“Certificate of veterinary inspection” means an official document issued by an accredited veterinarian at the point of origin of a shipment of equidae. It shall include:

(A)The name, breed, registration number if any, implanted electronic identification transponder number if any, tattoo if any, brand if any, sex, age, color, and markings sufficient to positively identify each equidae listed on the form;

(B)A record of a physical examination of each animal verifying freedom from visible evidence of any contagious, infectious, or communicable diseases and the results of an official test for equine infectious anemia, including the name of the approved laboratory, the case number, and the date of the most recent test results; and

(C)The equidae temperature reading;

(8)“Certified equine infectious anemia verifier” or “certified EIA verifier” means any certificate holder having completed the prescribed training course co-sponsored by the Arkansas Livestock and Poultry Commission, the University of Arkansas Cooperative Extension Service, and the Arkansas Horse Council, Inc.;

(9)“Commission” means the Arkansas Livestock and Poultry Commission;

(10)“Concentration point” means the gathering of one (1) or more equidae, for any purpose, at a single location, facility, or area whereby equidae will be within four hundred forty (440) yards from each other;

(11)“Designated epidemiologist” means an experienced licensed epidemiologist who has been designated by the State Veterinarian to perform those functions necessary for the classification of equidae, based on the evaluation of test results and consideration of the animal and herd history as well as other epidemiologic factors including, but not limited to, weather conditions, number of vectors in the area, and concentration of animals;

(12)“Epidemiologist investigation” means the process used by the designated epidemiologist to classify equidae;

(13)“Equidae” means a family of perissodactyl ungulate mammals containing a single genus equus, which includes horses, asses, jacks, jennies, hennies, mules, donkeys, burros, ponies, and zebras;

(14)“Equine activity” means:

(A)Equine shows, fairs, competitions, performances, or parades that involve any or all breeds of equines and any of the equine disciplines, including, but not limited to, dressage, hunter and jumper horse shows, grand prix jumping, three-day events, combined training, rodeos, pulling, cutting, polo, steeplechasing, endurance trail riding and western games, and hunting;

(B)Equine training and teaching activities;

(C)Boarding equines;

(D)Riding, inspecting, or evaluating an equine belonging to another, whether or not the owner has received some monetary consideration or other thing of value for the use of the equine or is permitting a prospective purchaser of equine to ride, inspect, or evaluate the equine; and

(E)Rides, hunts, or other equine activities of any type, no matter how informal or impromptu;

(15)“Equine infectious anemia”, “EIA”, or “EIAV” means the communicable infectious disease which affects equidae and is caused by the virus of equine infectious anemia;

(16)“Exposed equidae” means equidae that have been in contact with, associated with, adjacent to, or within four hundred forty (440) yards of animals known to be equine infectious anemia reactors;

(17)“Herd” means one (1) or more equidae of single or multiple ownership maintained on common ground or one (1) or more equidae under single or multiple ownership that are geographically separated but that can have an interchange or movement without regard to health status;

(18)(A)“Livestock dealer” means any person engaged in the business of buying or selling livestock including equidae in commerce on a commission basis, or any person registered and bonded under the provisions of the federal Packers and Stockyards Act, as amended, who buys or sells equidae.

(B)The term “livestock dealer” does not include a farmer or rancher who buys or sells livestock or equidae in the ordinary course of his or her farming or ranching operation;

(19)“Neighboring herd” means one (1) or more equidae residing within four hundred forty (440) yards of another premise containing equidae and which other premise is owned, leased, or caretaken by different individuals, partnerships, or corporations. Temporary additions of equidae, regardless of length of time, are considered part of neighboring herds;

(20)“Negative current equine infectious anemia test” or “negative current EIA test” means a negative response to an official equine infectious anemia test conducted by an approved laboratory within the past twelve (12) months;

(21)“Official equine infectious anemia test” or “official EIA test” means the agar gel immunodiffusion (AGID) test, also known as the “Coggins” test, the competitive enzyme-linked immunosorbent assay (CELISA) test, the synthetic antigen enzyme linked immunosorbent assay (SA-ELISA) test and any other United States Department of Agriculture licensed tests approved by the commission;

(22)“Participant” means any person, whether amateur or professional, who engages in an equine activity, whether or not a fee is paid to participate in the equine activity;

(23)(A)“Permit” or “permit for movement” means an official document issued by the commission, a representative of Office of Veterinary Services of the Animal and Plant Health Inspection Service of the United States Department of Agriculture, or an accredited veterinarian authorizing the movement of a reactor or exposed equidae to a quarantined holding facility, an approved slaughter facility, or approved quarantined premise.

(B)The permit shall list the name, breed, registration number if any, tattoo if any, implanted electronic identification transponder number if any, brand if any, sex, age, color, and markings sufficient to positively identify each equidae listed on the form. The owner's name and address, origin and

destination locations, and purpose of the movement shall also be recorded;

(24)“Quarantine” means a written notice or order issued by the commission showing the boundaries of the area or premise affected, the equidae restricted, and the restrictions, if any;

(25)“Quarantined holding facility” means a quarantined premise approved by the commission to handle reactors or exposed equidae;

(26)“Reactor” means any equidae which reacts positively to an official equine infectious anemia test;

(27)“Regulatory veterinarian” means a veterinarian employed by or acting as an agent for the commission; and

(28)“Research facility” means any facility that meets or exceeds the standards and requirements set forth by the Animal and Plant Health Inspection Service of the United States Department of Agriculture and the commission for equine infectious anemia research.

1. 1; 2001, No. 540, § History.Acts 1997, No. 1306, §