

CHAPTER 10. PSEUDORABIES DISEASE**GENERAL**

- Sec.
- 10.1. Definitions.
 - 10.2. [Reserved].
 - 10.3. [Reserved].
 - 10.4. Right of Department to test.
 - 10.5. Notification of suspected pseudorabies cases.
 - 10.6. Quarantine required.
 - 10.7. Permits and owner-shipper statements for movement of swine from quarantined herds.
 - 10.8. Quarantine release.
 - 10.9. Qualified pseudorabies negative herd.
 - 10.10. Pseudorabies vaccine.
 - 10.11. [Reserved].
 - 10.12. Quarantine, cleaning and disinfection of conveyances and animal facilities.
 - 10.13. Embryo and semen donors.

ERADICATION PROGRAM

- 10.21. Plan requirements.
- 10.22. Objectives of plan.
- 10.23. Monitoring the plan.
- 10.24. Progress report.
- 10.25. Consequences of noncompliance by herd owner.
- 10.26. Indemnity.
- 10.27. Advisory Committee.

Authority

The provisions of this Chapter 10 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), unless otherwise noted.

Source

The provisions of this Chapter 10 adopted March 19, 1982, effective May 19, 1982, 12 Pa.B. 979, unless otherwise noted.

Cross References

This chapter cited in 7 Pa. Code § 5.61 (relating to swine consigned).

§ 10.1. Definitions.

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

Advisory Committee—The State Pseudorabies Advisory Committee.

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.

Breeding swine—Sexually intact domestic swine 6 months of age or older, sexually intact feral swine of all ages, and sexually intact swine 5 months of age or younger selected for producing offspring.

Common ground—The ground, areas, building or equipment communally shared by any specific group of livestock.

Condemned—The status of a quarantined swine, swine product, conveyance or other quarantined article that has been determined by the Department as having been exposed to pseudorabies virus so that destruction of the swine, swine product, conveyance or other article is necessary to prevent the spread of pseudorabies.

Cooperative agreement—A document signed by the animal owner, attending veterinarian and Department regarding participation in a specific disease control program.

Department—The Department of Agriculture of the Commonwealth.

Eradication Program—The Pseudorabies Eradication State-Federal-Industry Program developed by USDA-APHIS and set forth in the Eradication Program standards.

Eradication Program standards—Those standards set forth in the USDA-APHIS publication bearing No. 91-55-018 and entitled “Pseudorabies Eradication State-Federal-Industry Program Standards, effective January 1, 1994,” or any applicable subsequent revision or codification thereof.

Farm of origin—A farm where the swine were born or the farm of most recent residence for at least 90 consecutive days immediately before movement.

Feeder swine—Domestic swine other than breeding swine.

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

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

Indemnity—Payment to the owner for a portion of the appraised value of condemned swine, swine products and other condemned articles that are slaughtered or destroyed by order of the Department to eradicate or prevent the spread of pseudorabies virus.

Licensed pseudorabies vaccine—A pseudorabies virus vaccine produced under license from the USDA-APHIS under the Virus, Serum and Toxin Act (21 U.S.C.A. §§ 151—159).

Official pseudorabies epidemiologist—A veterinarian employed by the Department or USDA-APHIS and designated by the Department and USDA-APHIS to investigate and diagnose suspected pseudorabies in animals. An official pseudorabies epidemiologist shall have special training in the diagnosis and epidemiology of pseudorabies, and shall otherwise meet the responsibilities of an “official pseudorabies epidemiologist,” as that term is defined in the Eradication Program standards.

Official pseudorabies herd-cleanup plan—A written plan to eliminate pseudorabies from a swine herd. The plan shall:

- (i) Be developed by an official pseudorabies epidemiologist in consultation with the herd owner and his veterinary practitioner, if applicable.
- (ii) Be mutually acceptable to those parties.
- (iii) Be approved by the Department.
- (iv) Otherwise be in conformance with the definition of “official pseudorabies herd-cleanup plan,” as that term is defined in the Eradication Program standards.

Owner-shipper statement—A statement signed by the owner or shipper of swine which states the following:

- (i) The number of swine to be moved.
- (ii) Official identification (complete eartag, tattoo or backtag number) of each swine.
- (iii) The points of origin and destination.
- (iv) The consignor and consignee.
- (v) Additional information required by 9 CFR Part 85 (relating to pseudorabies).

Permit—A document issued by the Department or USDA-APHIS authorizing and establishing conditions under which a quarantined 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 exposed animal—An animal that has been in contact with a pseudorabies infected animal. The term does not include an animal, other than swine, that has not been in contact for 10-consecutive days with an animal with symptoms of pseudorabies.

Pseudorabies restricted animal market—A quarantined animal market designated by the Department to conduct sales of swine originating from premises under Pennsylvania pseudorabies quarantine.

Pseudorabies test—A test for the diagnosis of pseudorabies approved by the Department that is conducted in a laboratory approved by the Department or USDA-APHIS to perform pseudorabies tests.

Pseudorabies vaccine—A product containing pseudorabies virus antigens.

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

Quarantined feedlot—Premises where pseudorabies infected or exposed swine are fed and from which swine are moved by permit or owner shipper statement directly to a recognized slaughter establishment or directly through no more than one pseudorabies restricted animal market and then directly to a recognized slaughter establishment.

Quarantined herd—A herd in which pseudorabies infected or exposed swine are bred, reared or fed, and from which swine are moved only by permit directly to a recognized slaughter establishment or directly through no more than one pseudorabies restricted animal market and then directly to a recognized slaughter establishment.

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).

Secretary—The Secretary of the Department.

Stage I—The initial preparation stage of the Eradication Program, during which the basic procedures to control and eradicate pseudorabies are developed. This designation means that the Commonwealth has met the Stage I qualification standard set forth in the Eradication Program standards.

Stage II—The control stage of the Eradication Program, during which the Department participates on a cooperative basis with the Veterinary Services branch of USDA-APHIS to determine which herds are infected with pseudorabies and to begin herd-cleanup. This designation means that the Commonwealth, or a particular county thereof if so designated, has met the Stage II qualification standard set forth in the Eradication Program standards.

Stage III—The mandatory herd-cleanup stage of the Eradication Program, during which the cleanup of infected herds becomes mandatory and the Department, in consultation with the Advisory Committee, establishes time limits for developing and completing official pseudorabies herd-cleanup plans. This designation means that the Commonwealth, or a particular county thereof if so designated, has met the Stage III qualification standard set forth in the Eradication Program standards.

Stage IV—The surveillance stage of the Eradication Program, during which the Department monitors the Commonwealth, or any county thereof bearing this designation, to determine that cleanup programs have been effective, that any pseudorabies cases are attributable to importation of swine from out-of-State and that these outbreaks are contained. This designation means that the Commonwealth, or a particular county thereof if so designated, has met the Stage IV qualification standard set forth in the Eradication Program standards.

Stage V—The pseudorabies-free stage of the Eradication Program, during which the Commonwealth, or any county thereof bearing this designation, has

been free of pseudorabies for at least 12 months and continues surveillance for cases of that disease. This designation means that the Commonwealth, or a particular county thereof if so designated, has met the Stage V qualification standard set forth in the Eradication Program standards.

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

Authority

The provisions of this § 10.1 amended under sections 3 and 9 of the act of April 17, 1929 (P.L. 533, No. 236) (3 P.S. §§ 343 and 349); sections 4 and 6 of the act of March 28, 1929 (P.L. 110, No. 117) (3 P.S. §§ 374 and 376); section 40 of the act of July 22, 1913 (P.L. 928, No. 441) (3 P.S. § 430); and section 1702 of The Administrative Code of 1929 (71 P.S. § 442).

Source

The provisions of this § 10.1 adopted March 19, 1982, effective May 19, 1982, 12 Pa.B. 979; amended August 16, 1991, effective August 17, 1991, 21 Pa.B. 3688; amended May 10, 1996, effective May 11, 1996, 26 Pa.B. 2184. Immediately preceding text appears at serial pages (160955) to (160957).

§ 10.2. [Reserved].

Source

The provisions of this § 10.2 adopted March 19, 1982, effective May 19, 1982, 12 Pa.B. 979; reserved August 16, 1991, effective August 17, 1991, 21 Pa.B. 3688. Immediately preceding text appears at serial page (144262).

§ 10.3. [Reserved].

Source

The provisions of this § 10.3 adopted March 19, 1982, effective May 19, 1982, 12 Pa.B. 979; reserved August 16, 1991, effective August 17, 1991, 21 Pa.B. 3688. Immediately preceding text appears at serial page (144262).

§ 10.4. Right of Department to test.

The Department reserves the right to blood test an animal for pseudorabies at any time. It is unlawful for a person to interfere or to refuse to present his animals for testing by an officer or agents of the Department in the performance of duties after reasonable notice of the proposed testing has been given.

Authority

The provisions of this § 10.4 amended under section 40 of the act of July 22, 1913 (P.L. 928, No. 441) (3 P.S. § 430); and section 1702 of The Administrative Code of 1929 (71 P.S. § 442).

Source

The provisions of this § 10.4 adopted March 19, 1982, effective May 19, 1982, 12 Pa.B. 979; amended August 16, 1991, effective August 17, 1991, 21 Pa.B. 3688. Immediately preceding text appears at serial page (144262).

§ 10.5. Notification of suspected pseudorabies cases.

A veterinarian suspecting or diagnosing pseudorabies in an animal shall immediately report the case by telephone or other expeditious means to the Department.

Authority

The provisions of this § 10.5 amended under section 40 of the act of July 22, 1913 (P. L. 928, No. 441) (3 P. S. § 430); and section 1702 of The Administrative Code of 1929 (71 P. S. § 442).

Source

The provisions of this § 10.5 adopted March 19, 1982, effective May 19, 1982, 12 Pa.B. 979; amended August 16, 1991, effective August 17, 1991, 21 Pa.B. 3688. Immediately preceding text appears at serial page (144263).

§ 10.6. Quarantine required.

(a) Animals exposed to a pseudorabies test positive animal or animal with symptoms of pseudorabies shall be immediately placed under quarantine.

(b) Swine not in compliance with importation requirements and swine on the premises shall be placed under quarantine.

(c) Swine transported intrastate not meeting pseudorabies test requirements in § 3.172(c) and (d) (relating to health requirements) and swine on the premises shall be quarantined.

Authority

The provisions of this § 10.6 amended under section 40 of the act of July 22, 1913 (P. L. 928, No. 441) (3 P. S. § 430); and section 1702 of The Administrative Code of 1929 (71 P. S. § 442).

Source

The provisions of this § 10.6 adopted March 9, 1982, effective May 19, 1982, 12 Pa.B. 979; amended August 16, 1991, effective August 17, 1991, 21 Pa.B. 3688. Immediately preceding text appears at serial page (144263).

Cross References

This section cited in 7 Pa. Code § 10.8 (relating to quarantine release).

§ 10.7. Permits and owner-shipper statements for movement of swine from quarantined herds.

A permit is required to move quarantined swine from a quarantined premise. A person who has a permit to move quarantined swine shall file an owner-shipper statement with the Department within 3 days of movement.

Authority

The provisions of this § 10.7 amended under section 40 of the act of July 22, 1913 (P. L. 928, No. 441) (3 P. S. § 430); and section 1702 of The Administrative Code of 1929 (71 P. S. § 442).

Source

The provisions of this § 10.7 adopted March 9, 1982, effective May 19, 1982, 12 Pa.B. 979; amended August 16, 1991, effective August 17, 1991, 21 Pa.B. 3688. Immediately preceding text appears at serial page (144263).

§ 10.8. Quarantine release.

(a) Swine quarantined for noncompliance with importation health requirements shall be released from quarantine only when all importation requirements are met.

(b) Swine quarantined in accordance with § 10.6(c) (relating to quarantine required) may be released from quarantine when the swine are determined by the Department to be pseudorabies test negative.

(c) A quarantine imposed upon a pseudorabies infected swine herd may be released when one of the following conditions is met:

(1) The swine have been removed from the premises, the premises is thoroughly cleaned and disinfected with USDA-APHIS approved disinfection procedures in accordance with 9 CFR 85.12 and 85.13 (relating to cleaning and disinfecting means of conveyance; and cleaning and disinfecting livestock markets and other facilities) and swine have not been on the premises for 30 days or more.

(2) Swine positive to an official test for pseudorabies have been removed from the premises and exposed swine which remain in the herd are negative to two official pseudorabies tests. The first test may not be less than 30 days after the last positive swine has been removed from the premises and the second test not less than 60 days after the first test.

(3) Swine positive to an official test for pseudorabies have been removed from the premises and three successive random sample tests of the breeding herd and three successive random sample tests of other swine on the premises that are at least 4 months of age are negative for pseudorabies. The first test shall be done at least 30 days after removal of all positive swine; the second test shall be done at least 90 days after the first test and the third test shall be done at least 90 days after the second test. The number of swine composing a random sample for quarantine removal under this section is:

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

A random sample shall include all age groups including boars.

(4) An official pseudorabies epidemiologist has reviewed the herd history and determined the herd is free of pseudorabies and the swine herd meets quarantine release requirements in 9 CFR Part 85 (relating to pseudorabies).

(d) Animals, other than swine not exposed to an animal with symptoms of pseudorabies or a test positive animal for 10 days may be released from quarantine.

Authority

The provisions of this § 10.8 amended under sections 3 and 9 of the act of April 17, 1929 (P. L. 533, No. 236) (3 P. S. §§ 343 and 349); sections 4 and 6 of the act of March 28, 1929 (P. L. 110, No. 117) (3 P. S. §§ 374 and 376); section 40 of the act of July 22, 1913 (P. L. 928, No. 441) (3 P. S. § 430); and section 1702 of The Administrative Code of 1929 (71 P. S. § 442).

Source

The provisions of this § 10.8 adopted March 9, 1982, effective May 19, 1982, 12 Pa.B. 979; amended August 16, 1991, effective August 17, 1991, 21 Pa.B. 3688; amended May 10, 1996, effective May 11, 1996, 26 Pa.B. 2184. Immediately preceding text appears at serial pages (160959) to (160960).

§ 10.9. Qualified pseudorabies negative herd.

Qualified pseudorabies negative herd status can be obtained and maintained by complying with the requirements as defined in 9 CFR Part 85 (relating to pseudorabies).

Authority

The provisions of this § 10.9 amended under section 40 of the act of July 22, 1913 (P. L. 928, No. 441) (3 P. S. § 430); and section 1702 of The Administrative Code of 1929 (71 P. S. § 442).

Source

The provisions of this § 10.9 adopted March 9, 1982, effective May 19, 1982, 12 Pa.B. 979; amended August 16, 1991, effective August 17, 1991, 21 Pa.B. 3688. Immediately preceding text appears at serial page (144265).

§ 10.10. Pseudorabies vaccine.

(a) The use, importation, sale or possession of pseudorabies vaccine is prohibited except upon the specific written approval of the Department.

(b) Pseudorabies vaccinated swine having pseudorabies antibodies that cannot be distinguished from antibodies produced by pseudorabies virus are not permitted entry into this Commonwealth except by specific written approval of the Department.

(c) Pseudorabies vaccinated swine in this Commonwealth with antibodies that cannot be distinguished from antibodies produced by pseudorabies virus shall be immediately quarantined and permitted to be moved only to a recognized slaughter establishment or pseudorabies restricted animal market or to a premise quarantined for pseudorabies or in case of imported swine be returned to the state of origin.

(d) Permission to use licensed pseudorabies vaccine to achieve control of the disease in infected herds and to prevent infection in noninfected herds located in

high pseudorabies risk areas may be granted by the Department if a cooperative agreement for use of pseudorabies vaccine is established between the Department, the swine herd owner and a Pennsylvania licensed veterinarian.

Authority

The provisions of this § 10.10 amended under section 40 of the act of July 22, 1913 (P.L. 928, No. 441) (3 P.S. § 430); and section 1702 of The Administrative Code of 1929 (71 P.S. § 442).

Source

The provisions of this § 10.10 adopted March 9, 1982, effective May 19, 1982, 12 Pa.B. 979; amended August 16, 1991, effective August 17, 1991, 21 Pa.B. 3688. Immediately preceding text appears at serial page (144265).

§ 10.11. [Reserved].

Source

The provisions of this § 10.11 adopted March 9, 1982, effective May 19, 1982, 12 Pa.B. 979; reserved August 16, 1991, effective August 17, 1991, 21 Pa.B. 3688. Immediately preceding text appears at serial page (144265).

§ 10.12. Quarantine, cleaning and disinfection of conveyances and animal facilities.

Conveyances and animal market and related facilities, except those swine facilities at recognized slaughter establishments, used in movement or housing of pseudorabies infected or exposed animal shall be quarantined and will be released from quarantine only after being cleaned and disinfected in accordance with the USDA-APHIS approved disinfection procedures in 9 CFR 85.12 and 85.13 (relating to cleaning and disinfecting means of conveyance; and cleaning and disinfecting livestock markets and other facilities).

Authority

The provisions of this § 10.12 amended under section 40 of the act of July 22, 1913 (P.L. 928, No. 441) (3 P.S. § 430); and section 1702 of The Administrative Code of 1929 (71 P.S. § 442).

Source

The provisions of this § 10.12 adopted March 9, 1982, effective May 19, 1982, 12 Pa.B. 979; amended August 16, 1991, effective August 17, 1991, 21 Pa.B. 3688. Immediately preceding text appears at serial page (144265).

§ 10.13. Embryo and semen donors.

Embryo and semen donors shall be pseudorabies test negative within 30 days of donation or be a member of a qualified pseudorabies negative herd.

Source

The provisions of this § 10.13 adopted March 9, 1982, effective May 19, 1982, 12 Pa.B. 979.

ERADICATION PROGRAM**Authority**

The provisions of these §§ 10.21—10.27 issued under section 1702 of The Administrative Code of 1929 (71 P. S. § 442); sections 3 and 9 of the act of April 17, 1929 (P. L. 533, No. 236) (3 P. S. §§ 343 and 349); and sections 4 and 6 of the act of March 28, 1929 (P. L. 110, No. 117) (3 P. S. §§ 374 and 376), unless otherwise noted.

Source

The provisions of these §§ 10.21—10.27 adopted May 10, 1996, effective May 11, 1996, 26 Pa.B. 2184, unless otherwise noted.

§ 10.21. Plan requirements.

(a) *Development and implementation.* The Department will provide the owner of a pseudorabies swine herd with written notice of the time period within which an official pseudorabies herd-cleanup shall be developed and put into effect. This notice shall set forth the identity, address and telephone number of the official pseudorabies epidemiologist who shall consult with the herd owner in the development of the official herd-cleanup plan. The period within which the official pseudorabies herd-cleanup plan shall be developed and put into effect may be no longer than 60 days from the date upon which the owner receives the written notice. The herd owner shall promptly submit a proposed herd-cleanup plan to the Department.

(b) *Subject matter.* The Department may require that an official pseudorabies herd-cleanup plan address any activity relevant to the detection, containment or eradication of pseudorabies within the infected swine herd, as well as the surveillance and testing of the herd once it appears to be pseudorabies-free, regardless of whether the area of the Commonwealth within which the herd is located has been designated Stage I, Stage II, Stage III, Stage IV or Stage V.

(c) *Review, approval and modification.*

(1) An official pseudorabies herd-cleanup plan shall be approved by the Department prior to being put into effect.

(2) The Department will conduct its review of a proposed herd-cleanup plan within 15 days of receiving it, and will mail the Department's written approval, disapproval or request for additional information to the herd owner within that 15-day period.

(3) A written request by the Department for additional information shall toll the running of the 15-day period described in paragraph (2).

(4) Subsection (a) notwithstanding, if the Department fails to meet the 15-day deadline described in paragraphs (2) and (3), the development and implementation period described in subsection (a) will be extended by the number of days by which the Department exceeded its 15-day deadline.

(5) The Department may require that an official pseudorabies herd-cleanup plan be modified, and will provide the affected herd owner with advance notice of any required modifications in the manner set forth in this section.

Cross References

This section cited in 7 Pa. Code § 10.25 (relating to consequences of noncompliance by herd owner).

§ 10.22. Objectives of plan.

(a) *General objective.* The general objective of an official pseudorabies herd-cleanup plan shall be to qualify all quarantined animals, premises and articles for release from quarantine.

(b) *Specific objectives.*

(1) The objective of an official pseudorabies herd-cleanup plan for a herd that is in an area of the Commonwealth designated Stage II shall be to prevent the further spread of pseudorabies within the herd and to take surveillance, sanitation and other measures toward eliminating pseudorabies from the herd.

(2) The objective of an official pseudorabies herd-cleanup plan for a herd that is in an area of this Commonwealth designated Stage III shall be to eliminate pseudorabies virus within the herd no later than 36 months after the Department approves the plan.

(3) The objective of an official pseudorabies herd-cleanup plan for a herd that is in an area of the Commonwealth designated Stage IV or Stage V shall be to eliminate pseudorabies virus in the herd no later than 6 months after the Department approves the plan.

Cross Reference

This section cited in 7 Pa. Code § 10.26 (relating to indemnity).

§ 10.23. Monitoring the plan.

The Department will monitor the progress of an official pseudorabies herd-cleanup plan. This monitoring will be conducted at the Department's expense.

§ 10.24. Progress report.

The owner of a pseudorabies infected swine herd that is subject to an official pseudorabies herd-cleanup plan shall cooperate with the Department in the preparation by the Department of periodic progress reports. This cooperation includes making herd records available for inspection and presenting herd animals for physical inspection and testing by the Department or its authorized representatives during daylight hours or at some mutually-agreeable time.

§ 10.25. Consequences of noncompliance by herd owner.

If an owner of a pseudorabies infected swine herd has received the written notice described in § 10.21 (relating to plan requirements), yet fails to develop and put into effect an official pseudorabies herd-cleanup plan within the time period in that written notice, the Department may order mandatory depopulation of the herd, and may revoke or deny permits to move quarantined animals. The determination that an owner has failed to develop and put into effect an official pseudorabies herd-cleanup plan shall be made by the Department, which will consult with the Advisory Committee in accordance with § 10.27(f) (relating to Advisory Committee), in making this determination.

Cross References

This section cited in 7 Pa. Code § 10.27 (relating to Advisory Committee).

§ 10.26. Indemnity.

(a) The Department may offer indemnity if funds for indemnity are available, and may require the depopulation of a herd if it determines that one or more of the following apply:

(1) The herd owner has made a concerted effort to implement an official pseudorabies herd-cleanup plan, but has been unable to eliminate the pseudorabies virus from the herd within the applicable objective time in § 10.22(b) (relating to objectives of plan).

(2) Failure to depopulate the herd would unreasonably impede the progress or jeopardize the pseudorabies status of the Commonwealth under the Eradication Program.

(b) An indemnity payment need not equal and may not exceed the appraised value of the animal or article condemned by the Department.

§ 10.27. Advisory Committee.

(a) *Establishment.* The Secretary will appoint an Advisory Committee.

(b) *Duties.* It is the responsibility of the Advisory Committee to do the following:

(1) Inform and educate all segments of the Commonwealth's swine industry regarding pseudorabies eradication activities.

(2) Review the Eradication Program and make recommendations to the Department and to USDA-APHIS officials.

(3) Consult with the Department, as appropriate, on the subjects of Eradication Program budgeting, regulations, the use of vaccine and the Commonwealth's progress through the various stages of the Eradication Program.

(4) Maintain a liaison with other states and the National Pseudorabies Eradication Program through the National Pork Producers Council, the United States Animal Health Association, the Livestock Conservation Institute and USDA-APHIS.

(5) Perform the duties of a “State pseudorabies committee,” as that term is defined in the Eradication Program standards.

(c) *Membership.* The Secretary or a designee will be a member of the Advisory Committee. The Secretary will consider nominations for the Advisory Committee and will appoint the following:

(1) At least two but no more than four USDA-APHIS personnel from among nominees submitted by USDA- APHIS.

(2) At least six but no more than eight representatives of the Commonwealth’s swine industry from among nominees submitted by persons engaged in the Commonwealth’s swine industry or groups representing that industry.

(3) Two representatives of the Pennsylvania State University Extension Service.

(4) At least one but not more than two veterinary practitioners from among nominees submitted by the Pennsylvania Veterinary Medical Association.

(d) *Terms.* Appointed members of the Advisory Committee shall serve 2-year terms, and may be appointed to successive terms.

(e) *Chairperson; meetings.* At its first meeting of each calendar year, the Advisory Committee shall elect a chairperson, who shall serve in that capacity until the first meeting of the following calendar year or until his membership on the Advisory Committee ends, whichever occurs first. The Secretary or the chairperson may call meetings of the Advisory Committee, when appropriate.

(f) *Consultation.*

(1) If practicable, the Secretary will call and conduct a meeting of the Advisory Committee to consult that body on matters relating to the discharge of the Advisory Committee’s duties under § 10.25 (relating to consequences of noncompliance by herd owner) and subsection (b).

(2) The presence of a majority of the Advisory Committee members shall constitute a quorum of the Advisory Committee. The majority vote of a quorum shall be considered the advice of the Advisory Committee.

(3) If the Department, in its discretion, determines a need for immediate action without first consulting the Advisory Committee, it will take action and, within 30 days thereof, the Secretary will call a meeting of the Advisory Committee or inform and poll that body regarding the action taken.

(g) *Disbanding the Advisory Committee.* The Secretary may disband the Advisory Committee if the Eradication Program standards no longer require such a body as a condition of participation in the Eradication Program.

Cross References

This section cited in 7 Pa. Code § 10.25 (relating to consequences of noncompliance by herd owner).

[Next page is 11-1.]

10-14

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