

CHAPTER 11. JOHNE'S DISEASE

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Authority

The provisions of this Chapter 11 issued 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 sections 5 and 9 of the act of April 17, 1929 (P. L. 533, No. 236) (3 P. S. §§ 345 and 349), unless otherwise noted.

Subchapter A. GENERAL PROVISIONS

Sec.	
11.1.	Definitions.
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§ 11.1. 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 USDA-APHIS and the Department in the state in which the veterinarian is licensed to perform official duties on behalf of USDA-APHIS or the Department in the state where he 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).

Bureau—The Bureau of Animal Industry of the Department.

Department—The Department of Agriculture of the Commonwealth.

Johne's Disease (Paratuberculosis)—A chronic infectious disease of cattle and goats caused by a rod-shaped, acid fast organism, *Mycobacterium paratuberculosis* and characterized by chronic recurrent diarrhea and emaciation. Johne's disease is a dangerous transmissible reportable disease.

Official Johne's test—A test, approved by USDA-APHIS and performed by an official laboratory according to procedures established by the USDA-National Veterinary Services Laboratory, for the diagnosis of *Mycobacterium paratuberculosis* infection.

Official laboratory—A laboratory designated by a state or Federal agency, subject to review by USDA-APHIS, to perform official tests for the diagnosis of diseases of animals.

Official vaccination—An approved killed *M. paratuberculosis* vaccine administered subcutaneously in the brisket of calves under 35 days of age by an approved veterinarian.

Reactors—Cattle and goats that are positive to an official Johne's test.

Suspects—Animals showing symptoms of Johne's disease.

Authority

The provisions of this § 11.1 amended under section 20 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 § 11.1 amended November 7, 1975, effective November 8, 1975, 5 Pa.B. 2926; amended February 9, 1979, effective February 10, 1979, 9 Pa.B. 497; amended March 23, 1990, effective March 24, 1990, 20 Pa.B. 1702. Immediately preceding text appears at serial pages (122969) to (122970).

§ 11.2. Authorization and application of official test.

(a) The collection of fecal samples shall be conducted by an accredited veterinarian and the bacterial culturing performed by a laboratory approved by the Department and the United States Department of Agriculture.

(b) The histopathological examination of tissues shall be done at an approved laboratory.

Authority

The provisions of this § 11.2 amended under section 20 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 § 11.2 amended November 7, 1975, effective November 8, 1975, 5 Pa.B. 2926; amended February 9, 1979, effective February 10, 1979, 9 Pa.B. 497; amended March 23, 1990, effective March 24, 1990, 20 Pa.B. 1702. Immediately preceding text appears at serial page (122970).

§ 11.3. Reports of official tests conducted.

The approved laboratory shall report to the Bureau, in writing, the results of official tests.

Source

The provisions of this § 11.3 amended November 7, 1975, effective November 8, 1975, 5 Pa.B. 2926; amended February 9, 1979, effective February 10, 1979, 9 Pa.B. 497. Immediately preceding text appears at serial page (1427).

§ 11.4. Identification of cattle and goats.

Cattle and goats under test shall be identified with an official ear tag or breed registration tattoo. Registered animals shall be identified on the test report with registered names and numbers in addition to ear tags or breed registration tattoo.

Source

The provisions of this § 11.4 amended November 7, 1975, effective November 8, 1975, 5 Pa.B. 2926; amended February 9, 1979, effective February 10, 1979, 9 Pa.B. 497. Immediately preceding text appears at serial page (1427).

§ 11.5. Cattle or goats to be tested.

Cattle or goats 1 year of age or older are eligible for fecal culture test.

Source

The provisions of this § 11.5 amended November 7, 1975, effective November 8, 1975, 5 Pa.B. 2926; amended February 9, 1979, effective February 10, 1979, 9 Pa.B. 497. Immediately preceding text appears at serial page (1427).

§ 11.6. Injury disclaimer.

The Department or a cooperating Federal agency, their agents or representatives may not be responsible for unfavorable results or injuries to animals that might be caused by handling or testing.

Source

The provisions of this § 11.6 adopted November 7, 1975, effective November 8, 1975, 5 Pa.B. 2926.

§ 11.7. Right of the Commonwealth to test.

The Commonwealth reserves the right to test an animal for Johne's disease. It shall be unlawful for a person to impede, hinder or interfere or to refuse to confine so as to allow testing without undue burden on the person testing or to present his domestic animals for testing by officers or agents of the Department in the performance of duties imposed by this title after reasonable notice of the proposed testing has been given.

Source

The provisions of this § 11.7 adopted November 7, 1975, effective November 8, 1975, 5 Pa.B. 2926; amended February 9, 1979, effective February 10, 1979, 9 Pa.B. 497. Immediately preceding text appears at serial page (24341).

§ 11.8. Memorandum of understanding.

A memorandum of understanding outlining the responsibilities of the herd owner and the Bureau shall be signed by both parties before an active Johne's disease control program is initiated.

Source

The provisions of this § 11.8 adopted February 9, 1979, effective February 10, 1979, 9 Pa.B. 497.

Subchapter B. [Reserved]**§ 11.11. [Reserved].****Source**

The provisions of this § 11.11 adopted November 7, 1975, effective November 8, 1975, 5 Pa.B. 2926; amended January 28, 1978, effective January 29, 1978, 8 Pa.B. 246; amended February 9, 1979, effective February 10, 1979, 9 Pa.B. 497; reserved August 17, 2007, effective August 18, 2007, 37 Pa.B. 4518. Immediately preceding text appears at serial page (276652).

§ 11.12. [Reserved].**Source**

The provisions of this § 11.12 adopted November 7, 1975, effective November 8, 1975, 5 Pa.B. 2926; amended February 9, 1979, effective February 10, 1979, 9 Pa.B. 497; reserved August 17, 2007, effective August 18, 2007, 37 Pa.B. 4518. Immediately preceding text appears at serial page (276652).

§ 11.13. [Reserved].**Source**

The provisions of this § 11.13 adopted November 7, 1975, effective November 8, 1975, 5 Pa.B. 2926; amended February 9, 1979, effective February 10, 1979, 9 Pa.B. 497; reserved August 17, 2007, effective August 18, 2007, 37 Pa.B. 4518. Immediately preceding text appears at serial page (276653).

§ 11.14. [Reserved].**Source**

The provisions of this § 11.14 adopted November 7, 1975, effective November 8, 1975, 5 Pa.B. 2926; amended February 9, 1979, effective February 10, 1979, 9 Pa.B. 497; reserved August 17, 2007, effective August 18, 2007, 37 Pa.B. 4518. Immediately preceding text appears at serial page (276653).

§ 11.15. [Reserved].**Source**

The provisions of this § 11.15 adopted November 7, 1975, effective November 8, 1975, 5 Pa.B. 2926; amended February 9, 1979, effective February 10, 1979, 9 Pa.B. 497; reserved August 17, 2007, effective August 18, 2007, 37 Pa.B. 4518. Immediately preceding text appears at serial page (276653).

§ 11.16. [Reserved].**Source**

The provisions of this § 11.16 adopted November 7, 1975, effective November 8, 1975, 5 Pa.B. 2926; amended February 9, 1979, effective February 10, 1979, 9 Pa.B. 497; reserved August 17, 2007, effective August 18, 2007, 37 Pa.B. 4518. Immediately preceding text appears at serial pages (276653) to (276654).

§ 11.17. [Reserved].**Source**

The provisions of this § 11.17 adopted February 9, 1979, effective February 10, 1979, 9 Pa.B. 497; reserved August 17, 2007, effective August 18, 2007, 37 Pa.B. 4518. Immediately preceding text appears at serial page (276654).

§ 11.18. [Reserved].**Source**

The provisions of this § 11.18 adopted February 9, 1979, effective February 10, 1979, 9 Pa.B. 497; reserved August 17, 2007, effective August 18, 2007, 37 Pa.B. 4518. Immediately preceding text appears at serial page (276654).

Subchapter C. [Reserved]**§ 11.21. [Reserved].****Source**

The provisions of this § 11.21 adopted November 7, 1975, effective November 8, 1975, 5 Pa.B. 2926; amended February 9, 1979, effective February 10, 1979, 9 Pa.B. 497; reserved August 17, 2007, effective August 18, 2007, 37 Pa.B. 4518. Immediately preceding text appears at serial page (276654).

§ 11.22. [Reserved].**Source**

The provisions of this § 11.22 adopted November 7, 1975, effective November 8, 1975, 5 Pa.B. 2926; amended February 9, 1979, effective February 10, 1979, 9 Pa.B. 497; reserved August 17, 2007, effective August 18, 2007, 37 Pa.B. 4518. Immediately preceding text appears at serial page (276655).

Subchapter D. HEALTH CERTIFICATES

- Sec.
11.31. Interstate health certificates.
11.32. [Reserved].

§ 11.31. Interstate health certificates.

A health certificate may be issued for the interstate transportation of a Commonwealth animal originating from a Johne's disease infected herd only with permission of the chief livestock health official of the state or county of destination.

Authority

The provisions of this § 11.31 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 § 11.31 adopted November 7, 1975, effective November 8, 1975, 5 Pa.B. 2926; amended February 9, 1979, effective February 10, 1979, 9 Pa.B. 497; amended March 23, 1990, effective March 24, 1990, 20 Pa.B. 1702. Immediately preceding text appears at serial page (122975).

§ 11.32. [Reserved].**Source**

The provisions of this § 11.32 adopted November 7, 1975, effective November 8, 1975, 5 Pa.B. 2926; amended February 9, 1979, effective February 10, 1979, 9 Pa.B. 497; deleted March 23, 1990, effective March 24, 1990, 20 Pa.B. 1702. Immediately preceding text appears at serial page (122975).

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