

DEPARTMENT OF AGRICULTURE

General Quarantine Order; Cervid Movement Restrictions Within Core Captive Management Zone

I. Recitals – The following recitals set forth and describe the dangerous transmissible disease for which this “General Quarantine Order; Cervid Movement Restrictions Within Core Captive Management Zone” (hereinafter “CCMZ General Quarantine Order”) is instituted, specifies the species of domestic animals affected by and subject to this CCMZ General Quarantine Order and provides the authority under which this CCMZ General Quarantine Order is established.

(a) Chronic Wasting Disease (CWD) is considered an infectious, progressive and fatal disease of susceptible species of the genera *Alces*, *Cervus*, *Odocoileus* and *Rangifer* including elk, white-tailed deer, moose, mule deer, black-tailed deer, sika deer, red deer, reindeer and hybrids thereof.

(b) There is no known treatment for CWD infection; no successful vaccine against this disease and no reliable live individual animal test for this disease. Research regarding live animal testing and genetic resistance to CWD in individual animals is ongoing. As this is understood, it will be evaluated as an option in the future.

(c) CWD is believed to be transmissible from infected to uninfected cervids by ingestion of infected or contaminated materials occurring through shared environment or close contact.

(d) CWD has been designated a "dangerous transmissible disease" of animals by order of the Secretary of Agriculture under the provisions of the Domestic Animal Law (Law) (3 Pa.C.S. §§ 2301—2389), at 3 Pa.C.S. § 2321(d).

(e) The Department of Agriculture (Department) has broad authority under the Law to regulate the keeping, transport and handling of domestic animals to exclude, contain or eliminate dangerous transmissible diseases, such as CWD.

(f) The Department also has broad authority under the Law to prohibit the importation of domestic animals, conveyances, containers, goods, products or materials to keep dangerous transmissible diseases, such as CWD, from entering this Commonwealth.

(g) CWD may negatively impact this Commonwealth's free-ranging and domestic (farmed or captive) cervid populations. CWD is of concern to the captive/farmed cervid industry, in that presence of CWD infection in a herd has resulted in the destruction of the entire herd and severely limited the market for product within and outside this Commonwealth.

(h) In 2012, two captive white-tailed deer in the Commonwealth were confirmed to be infected with CWD. Farmed white-tailed deer have been confirmed in Adams, Bedford, Blair, Cambria, Clearfield, Franklin, Fulton, Jefferson, Lancaster, and Perry counties on a total of 24 premises. Also, the 2012 Pennsylvania Game Commission’s hunter harvest program testing detected CWD in free-ranging deer. Since then, free ranging white-tailed deer have been

identified in Bedford, Blair, Cambria, Clearfield, Franklin, Fulton, Huntingdon, Indiana, Jefferson, Juniata, Perry, Snyder, Somerset, and Westmoreland counties. CWD has also been detected in cervids in the nearby states of Maryland, New York, Ohio, Virginia, and West Virginia. To date, the Centers for Disease Control and Prevention has reported CWD in free-ranging deer, elk and moose in 24 states in the continental United States.

II. General Provisions With the foregoing recitals incorporated into this CCMZ General Quarantine Order by reference, the Department hereby establishes a General Quarantine under authority of the Domestic Animal Law, at 3 Pa.C.S. § 2329(d). The terms of this CCMZ General Quarantine Order are as follows:

(a) *Repeal, effect and continuance of previous Quarantine Orders.* This CCMZ General Quarantine Order does not repeal or replace any previous Quarantine Order. The provisions of the *General Quarantine Order; Chronic Wasting Disease Program Requirements for Herd Certification Program and Herd Monitoring Program*, published at 44 PaB, 2249, No. 15, April 12, 2014 (hereinafter “2014 General Quarantine Order”), remain in full force and effect and continue to be applicable in the counties covered by this CCMZ General Quarantine Order. To the extent any provisions of this CCMZ General Quarantine Order are more stringent than or conflict with the 2014 General Quarantine Order, the provisions of this CCMZ General Quarantine Order shall take precedence and apply within the Core Captive Management Zone (CCMZ).

(b) *Core Captive Management Zone (CCMZ).* This CCMZ General Quarantine Order is applicable to the CCMZ established by the following counties in the Commonwealth of Pennsylvania; Bedford, Blair, and Fulton.

(c) *Persons subject to this Order.* Any person with a CWD susceptible species of the genera *Alces*, *Cervus*, *Odocoileus* and *Rangifer* including elk, white-tailed deer, moose, mule deer, black-tailed deer, sika deer, red deer, reindeer and hybrids thereof are subject to this CCMZ General Quarantine Order and shall follow all of the requirements established in this CCMZ General Quarantine Order, including movement of live and dead animals as set forth in this CCMZ General Quarantine Order.

(d) *Movement restrictions and conditions.* Premises located within the CCMZ and having CWD susceptible species of Cervidae shall be subject to the following movement restrictions and requirements.

1. **Movement restriction.** No CWD susceptible species of Cervidae may be moved from premises located within the counties subject to this CCMZ General Quarantine Order to an area or premises within Pennsylvania that is outside of the CCMZ.

2. **Live CWD susceptible animal movement conditions.** Premises located within the CCMZ may move and receive CWD susceptible species of Cervidae, under the following rules and conditions:

i. Between premises located within the CCMZ established by this CCMZ General Quarantine Order.

ii. From premises located outside of the CCMZ to inside the CCMZ.

iii. From premises located outside the Commonwealth of Pennsylvania into the CCMZ so long as they meet all of the following requirements:

A. Are fully certified herds meeting all standards and requirements of the 2014 General Quarantine Order and the *Interstate/International Quarantine Order; Chronic Wasting Disease Importation Requirements for Farmed or Captive Chronic Wasting Disease -Susceptible Cervids* published at 44 PaB, 2267, No. 15, April 12, 2014 or any subsequent CWD import Quarantine Order replacing or amending the document.

B. The source premises is greater than 15 miles away from any Chronic Wasting Disease detected or positive animal in either the free ranging or captive animal populations.

C. Are fully certified herds meeting all standards and requirements of 9 Code of Federal Regulations 55 “Control of Chronic Wasting Disease” and 81 “Chronic Wasting Disease in Deer, Elk, and Moose.”

iv. From premises located within the CCMZ to another state, so long as they comply with all standards, rules and requirements of the destination state and 9 Code of Federal Regulation 81 “Chronic Wasting Disease in Deer, Elk, and Moose.”

v. From premises located within the CCMZ to the following designated premises located within the Commonwealth of Pennsylvania but, outside the CCMZ under the conditions hereunder established:

A. Premises that are Fully Certified under the Department’s 2014 General Quarantine Order, or any subsequent CWD Program General Quarantine Order replacing or amending the 2014 General Quarantine Order may ship Cervidae under the following conditions:

aa. Under a written permit issued by the Department of Agriculture.

bb. The Fully Certified Premises is in good standing and is in compliance with all of the requirements of the 2014 General Quarantine Order or any subsequent Order replacing or amending it.

cc. The premises to which the Cervidae will be shipped is in good standing and is in compliance with all of the requirements of the 2014 General Quarantine Order or any subsequent Order replacing or amending it.

dd. The Fully Certified Premises requesting a written permit to ship outside of the CCMZ perform rectal anal mucosal associated lymphoid tissue

(RAMALT) testing within three years prior to proposed live CWD susceptible animals' movement. The RAMALT testing must meet the following conditions:

dd1. The RAMALT collection must be performed by trained Category II USDA accredited veterinarians.

dd2. At least 90% of the herd over 9 months of age be tested and have negative or not detected results from National Veterinary Services Laboratory. If 90% herd testing is not achieved, additional RAMALT testing of the untested animals must occur until the 90% is achieved.

dd3. RAMALT testing is only approved for whitetail deer herds. Participants with any other CWD susceptible species in the herd will not be able to participate.

dd4. All costs associated with collection, testing and potential loss of animals is at the participant's expense.

dd5. Positive RAMALT tests will result in a herd quarantine and be designated a CWD positive herd

B. A veterinary facility for the purposes of medical care under a licensed veterinarian. The Department shall be notified, within 72 hours of such movement, and ownership of the animal(s) shipped shall be maintained by the herd owner.

C. An animal diagnostic laboratory. The Department shall be notified, within 72 hours of such movement, and ownership of the animal(s) shipped shall be maintained by the herd owner.

D. Directly to a slaughter establishment, under a Department issued written permit. Ownership of the animal(s) shipped shall be maintained by the herd owner until released under the terms of the permit issued.

3. Movement between participants in the CCMZ. Movement between all cervid farms within the CCMZ shall comply with and meet testing, recordkeeping, identification and all other requirements of the 2014 General Quarantine Order or any subsequent CWD Program General Quarantine Order replacing or amending the 2014 General Quarantine Order.

4. Dead CWD susceptible animal parts, semen and embryos. Premises located within the CCMZ may move dead CWD susceptible animal parts, semen and embryos under the following rules and conditions:

i. Only the following parts of dead CWD susceptible species may leave the CCMZ; antlers, clean skull caps, capes and deboned meat. All other parts of CWD susceptible species shall remain within the CCMZ and shall be disposed of in the CCMZ in accordance with all regulations.

ii. No semen or embryos from CWD susceptible species may leave the CCMZ unless they meet the following standards:

- A. Originate from CWD not detected animals, as determined by immunohistochemistry or another Department approved test, or
- B. Are from CWD animals in compliance with the requirements of Section II(d)2.v.A.dd. of this CCMZ General Quarantine Order, or
- C. Originate from an animal that is shown through definitive evidence provided by the owner to the Department, including but not limited to, up to date and complete movement and inventory records with no gaps or periods of non-compliance and proper and complete official identification, to have been located outside of the CCMZ, for the past 60 consecutive months prior to semen collection.

5. For premises that are located within the CCMZ and under an Order of Special Quarantine related to CWD; the following movement restrictions shall apply.

i. *Cervidae operations with a CWD Positive Herd Rate less than 5% shall comply with the following restrictions and requirements:*

A. Male CWD susceptible animals may be added only under written permit issued by the Department. The Department may determine, and set forth in the permit, if there are any restrictions on the number of Cervidae that may be added. Source herds may be from out of state if the requirements are met, within Pennsylvania but outside of the CCMZ, within Pennsylvania and within the CCMZ, or from any premises that is under an Order of Special Quarantine.

B. Female CWD susceptible animals may be added only under written permit issued by the Department and only up to and including the number of female animals over 9 months of age that died or were harvested in the previous anniversary period. Source herds may be from out of state if the requirements are met, within Pennsylvania but outside of the CCMZ, within Pennsylvania and within the CCMZ, or from any premises that is under an Order of Special Quarantine.

C. Live cervids or cervid parts that are not high risk may be moved off of the premises via written permit issued by the Department.

ii. *Cervidae premises determined to have had a CWD Positive Herd Rate equal to or more than 5% at any time shall comply with one of the following sets of restrictions or requirements until expiration or revocation of the Order of Special Quarantine, regardless of CWD Positive Herd Rate:*

A. A herd that contains only male animals. Male CWD susceptible animals may be added only under a written permit issued by the Department. The Department may determine, and set forth in the permit, if there are any restrictions on the number or species of Cervidae that may be added. Source herds may be from out of state if the requirements are met, within Pennsylvania but outside of the CCMZ, within Pennsylvania and within the CCMZ, or from any premises that is under an Order of

Special Quarantine. Low risk deer parts may be removed only under written permit from the Department.

B. A herd of known numbers of male and female animals. The participant may choose one of the following two options:

aa. Within 12 months of exceeding the CWD Positive Herd Rate equal to or more than 5%, all female CWD susceptible animals in the premises shall be harvested, depopulated or removed so only male animals remain and may add males only under a written permit issued by the Department. The Department may determine, and set forth in the permit, if there are any additional restrictions on the number of Cervidae that may be added. Source herds may be from out of state if the requirements are met, within Pennsylvania but outside of the CCMZ, within Pennsylvania and within the CCMZ, or from any premises that is under an Order of Special Quarantine. Low risk deer parts may be removed only under written permit from the Department.

bb. Within 12 months of exceeding the CWD Positive Herd Rate equal to or more than 5%, all males shall be segregated by at least 30 feet from females. Strictly no breeding, naturally or artificially, shall occur without written permit from the Department. Male CWD susceptible animals may not be added to the premises until all females have been fenced separately at least 30 feet from the males. For herds opting to retain females, the total number of male and female animals on the affected premises may not exceed the total number of animals listed on herd inventory at the time of the CWD Positive Herd Rate was determined to be equal to or more than 5%. The segregated pens shall be listed on a single inventory that encompasses all quarantined animals on the premises. The segregated pens are not allowed to be enrolled separately in the CWD program and shall not be designated as a separate premises on the same establishment. The Department may determine, and set forth in the written permit, if there are any additional restrictions on the number of Cervidae that may be added. Source herds may be from out of state if the requirements are met, within Pennsylvania but outside of the CCMZ, within Pennsylvania and within the CCMZ, or from any premises that is under an Order of Special Quarantine. Low risk deer parts may be removed only under written permit from the Department.

C. A herd of unknown gender composition. Within 12 months of exceeding the CWD Positive Herd Rate equal to or more than 5%, if the gender composition cannot be determined, all CWD susceptible animals, or at a minimum all female animals, in the herd shall be harvested, depopulated or otherwise removed from the herd on the premises. Only after harvesting, depopulation or removal of all cervids, or at a minimum all female animals, existing on the premises may male CWD susceptible animals be added to the premises. Such additions may be done only under a written permit issued by the Department after initial removal of animals has been verified and approved by the Department. Once the segregation of all female from male animals has been completed,

the premises shall be subject and adhere to the standards and requirements set forth in subsection B.bb. above. The Department may determine, and set forth in the written permit, if there are any restrictions on the number or species of Cervidae that may be added. Source herds may be from out of state if the requirements are met, within Pennsylvania but outside of the CCMZ, within Pennsylvania and within the CCMZ, or from any premises that is under an Order of Special Quarantine. Low risk deer parts may be removed only under written permit from the Department.

iii. All premises shall have their anniversary date changed to March 1 per the requirements of the Department's 2014 General Quarantine Order or any subsequent CWD Program General Quarantine Order replacing or amending that Quarantine Order.

(e) *Continued Compliance.* All cervid operations and program participants within the CCMZ and therefore subject to this CCMZ General Quarantine Order shall continue to comply with and be subject to the standards and rules established in the Department's 2014 *General Quarantine Order* or any subsequent CWD Program General Quarantine Order replacing or amending that Quarantine Order.

(f) *Moratorium.* No new premises or businesses with CWD susceptible species may be established within the CCMZ established by this CCMZ General Quarantine Order or any addendum hereto. Pre-existing establishments with CWD susceptible species will be grandfathered at the time of publication of this CCMZ General Quarantine Order, as long as such establishments continuously maintain an active business inventory. Grandfathered establishments may, only by written permit, add additional premises containing CWD-susceptible species on the pre-existing establishment.

(g) *Definitions.*

Chronic Wasting Disease (CWD). A dangerous transmissible disease identified as transmissible spongiform encephalopathy of cervids. Clinical signs include but are not limited to the following: loss of body condition, behavioral changes, excessive salivation, increased drinking or urination, depression and eventual death.

CWD Positive Herd Rate. The rate that CWD is identified in a herd. For the purposes of this document, the calculation is a percentage of the number of animals CWD detected in the last anniversary period divided by the total number of CWD susceptible animals over 9 months of age as of the end of the anniversary period. If the inventory has no animals at the end of the anniversary period, the number of CWD susceptible animals over 9 months of age over the anniversary period is utilized. This calculation is performed each anniversary period.

$$\text{CWD Positive Herd Rate} = \frac{\text{Number of CWD detected animals times 100}}{\text{Number of CWD susceptible animals over 9 months of age as of the end of the anniversary period.}}$$

OR, if no CWD susceptible animals at the end of the anniversary period;

$$\text{CWD Positive Herd Rate} = \frac{\text{Number of CWD detected animals times 100}}{\text{Number of CWD susceptible animals over 9 months of age over the anniversary period.}}$$

CWD susceptible species. Species of the genera *Alces*, *Cervus*, *Odocoileus* and *Rangifer* including elk, white-tailed deer, moose, mule deer, black-tailed deer, sika deer, red deer, reindeer and hybrids thereof.

Establishment. All of the land on which the cervids are kept, bred, harbored, housed, fenced, sheltered, transferred, sold, exchanged or maintained, including all premises identification numbers associated with that establishment. The term shall encompass the place of business or operation and all of the land, property, housing facilities or any combination thereof.

III. Violations and Penalties.

Violations/Penalties. Any person violating the requirements of this CCMZ General Quarantine Order may be subject to imposition of such criminal and civil penalties and remedies as allowed under the Domestic Animal Law (3 Pa.C.S.A. §§ 2380.8, 2383, 2385 and 2386).

IV. Actions of the Department.

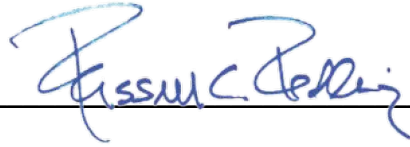
No Restriction on Further Action by the Department. This CCMZ General Quarantine Order shall not be construed as limiting the Department's authority to establish additional quarantine or testing requirements on imported cervids or to limit the Department's authority under the Domestic Animal Law or any other statutes or regulations administered by the Department.

V. Contact information.

Contact information. Questions regarding this CCMZ General Quarantine Order should be directed to the Commonwealth of Pennsylvania, Department of Agriculture, Bureau of Animal Health, 2301 North Cameron Street, Harrisburg, PA 17110 or by telephone at 717-772-2852, or email at RA-ahds@pa.gov.

VI. Effective Date.

Effective Date. This CCMZ General Quarantine Order in its entirety shall become effective immediately upon publication and shall remain in effect unless rescinded or modified by subsequent order or addendum.



RUSSELL C. REDDING,
Secretary