

NOTICES

DEPARTMENT OF AGRICULTURE

General Quarantine Order; Influenza A Viruses in Ruminants

Exhibition of Dairy Cattle

Recitals:

The following recitals set forth and describe the dangerous transmissible disease for which this Quarantine Order is instituted, specify the species of domestic animals affected by and subject to this Quarantine Order, and provides the authority under which this Quarantine Order is established.

A. Influenza A viruses have the potential to mutate and transfer into different host species.

B. The Highly Pathogenic Avian Influenza (HPAI) Eurasian lineage goose/Guangdong H5 clade 2.3.4.4 virus has been confirmed in wild birds and in poultry flocks across the United States in 2024.

C. HPAI has caused substantial loss in the past to the Pennsylvania poultry industry and has caused widespread losses to the poultry industry in states in which poultry have been infected.

D. Certain influenza A viruses, including H5 and H7 viruses, can cause severe disease in poultry and other avian species and have also been identified as a cause of clinical disease in other animals, including dairy cattle and juvenile goats. In March 2024, an H5 influenza A virus was identified as a cause of a multistate outbreak of disease in dairy cattle. Clinical signs in dairy cattle include a decrease in feed consumption, with a simultaneous decrease in rumination and rumen motility; respiratory signs including clear nasal discharge; and subsequent acute drop in milk production. Additional clinical signs may include abnormal tacky or loose feces, lethargy, dehydration, and fever. Severely affected cattle may have thicker, concentrated, colostrum-like milk or produce no milk at all. The ability of the H5 influenza A virus to be transmitted between poultry and cattle poses a threat to both the poultry and the cattle industries in Pennsylvania by threatening the safety or quality of the food supply and the economic wellbeing of the domestic animal and allied industries. In addition, H5 and H7 influenza A viruses in ruminants may pose a risk to public health due to their zoonotic potential.

E. Section 2321(a) of the Domestic Animal Law (relating to specific dangerous transmissible diseases) (3 Pa.C.S. § 2321(a)) establishes specific transmissible diseases as dangerous transmissible diseases within the meaning of the Domestic Animal Law.

F. Section 2321(d) of the Domestic Animal Law (relating to designation of additional dangerous transmissible disease through temporary order) provides, "Upon the determination that a transmissible disease not listed in subsection (a) and not designated a dangerous transmissible disease through regulation under subsection (b) presents a danger to public health, to domestic animal health, to the safety or quality of the food supply or to the economic wellbeing of the domestic animal industries, the department shall issue a temporary order proclaiming that transmissible disease to be a dangerous transmissible disease within the meaning of this chapter. . ." (3 Pa.C.S. § 2321(d)).

G. The Department amended a previous Temporary Order Designating Dangerous Transmissible Diseases published in the *Pennsylvania Bulletin* on December 2, 2023 (53 Pa.B. 7373) to include "Influenza A Viruses in Ruminants" as a dangerous transmissible disease. The amended Temporary Order was published in the April 20, 2024, edition of the *Pennsylvania Bulletin* (54 Pa.B. 2098) and such designation was effective immediately upon publication of that edition.

H. Section 2329(a) of the Domestic Animal Law (relating to power to establish and enforce), authorizes the Department to establish a Quarantine Order "Whenever a dangerous transmissible disease. . .exists anywhere within or outside of this Commonwealth, or whenever it is deemed advisable to test or treat any domestic animal upon the reasonable suspicion that it has contracted or been exposed to a dangerous transmissible disease. . .or whenever the testing or treatment of a domestic animal indicates that the domestic animal has been exposed to a dangerous transmissible disease. . .so as to render future accurate testing for recent exposure of that domestic animal to that dangerous transmissible disease. . .impractical or impossible, the department shall have the power to establish and enforce quarantines of any such infected, exposed, contaminated, suspected or susceptible domestic animal. In addition to the aforescribed domestic animals, a quarantine may apply to any goods, products, facilities, containers, vehicles or materials that may carry dangerous transmissible disease. . .and may be applied on or in or against any premises, area or locality as defined in this chapter." (3 Pa.C.S. § 2329(a)).

I. Section 2329 (related to quarantine) of the Domestic Animal Law (3 Pa.C.S. § 2329) establishes three different types of quarantine orders—Interstate and International (3 Pa.C.S. § 2329(c)), General (3 Pa.C.S. § 2329(d)) and Special (3 Pa.C.S. § 2329(e))—the Department may impose.

J. Section 2329(d) of the Domestic Animal Law provides specific authority to establish and enforce a general quarantine order ". . .against any area or locality within this Commonwealth for any of the reasons set forth in subsection (a) to prevent a dangerous transmissible disease. . .from being carried into, within, from or out of the area or locality that is subject to the quarantine. A general quarantine order may include any domestic animals, conveyances, containers, goods, products or materials that may carry dangerous transmissible disease. . .and may include any area or locality, including all buildings, structures, premises and equipment located therein." (3 Pa.C.S.A. § 2329(d)).

Order:

With the foregoing recitals incorporated into this General Quarantine Order by reference, the Department hereby establishes a General Quarantine Order (Quarantine Order) related to exhibition requirements for dairy cattle. This General Quarantine Order is established under authority of the Domestic Animal Law, at 3 Pa.C.S. § 2329(d). The terms of this Quarantine Order are as follows:

1. *Definitions*

Accredited Veterinarian (category II). A licensed veterinarian approved by the USDA Administrator in accordance with the provisions of 9 CFR (Code of Federal Regulations) Requirements and Standards for Accredited Veterinarians and Suspension or Revocation of Such Accreditation § 161 to perform functions specified in 9 CFR for category II animals (food and fiber animal species; horses; birds; farm-raised aquatic animals; all other livestock species; and zoo animals that can transmit exotic animal diseases to livestock).

Animal Exhibition. Any temporary spectacle, display, event, exhibition, or act featuring performing animals including, but not limited to, circuses, pony rides, animal exhibits, weight pull events, and petting zoos. This definition shall exclude permanent zoologic exhibits and Pennsylvania Game Commission menagerie permit holders.

Animal exhibition grounds. The premises on which an animal exhibition is conducted.

Dairy cattle. Cattle belonging to breeds raised for milk production purposes, or crosses thereof, included in the Genus *Bos*.

Lactating cattle: Dairy cattle that are actively producing milk, including those in early, mid, and late phases of the production cycle.

NAHLN laboratory. A state or federal laboratory that is part of the United States Department of Agriculture (USDA) National Animal Health Laboratory Network and is approved by the USDA National Veterinary Service Laboratory (NVSL) to perform regulatory testing for avian influenza in bovine tissues or specimens.

Non-lactating cattle. Dairy cattle that are not currently producing milk. This includes heifers, male cattle, calves, and dry cows.

Venue or Fair. The term shall mean any Fair, show, exhibition, or other such venue within the Commonwealth of Pennsylvania which is sponsored by or receives funding from the Pennsylvania Department of Agriculture or receives funding pursuant to the Pennsylvania Agricultural Fair Act (act of July 8, 1986, P.L. 437, No. 92)(3 P.S. §§ 1501- 1510).

Veterinarian-Client-Patient Relationship. A veterinarian-client-patient relationship (VCPR) is defined by the American Veterinary Medical Association as the basis for interaction among veterinarians, their clients, and their patients and is critical to the health of an animal. A VCPR means that all of the following are required:

(a) The veterinarian has assumed the responsibility for making clinical judgments regarding the health of the patient and the client has agreed to follow the veterinarian's instructions.

(b) The veterinarian has sufficient knowledge of the patient to initiate at least a general or preliminary diagnosis of the medical condition of the patient. This means that the veterinarian is personally acquainted with the keeping and care of the patient by virtue of a timely examination of the patient by the veterinarian, or medically appropriate and timely visits by the veterinarian to the operation where the patient is managed.

(c) The veterinarian is readily available for follow-up evaluation or has arranged for the following: veterinary emergency coverage, and continuing care and treatment.

(d) The veterinarian provides oversight of treatment, compliance, and outcome.

(e) Patient records are maintained.

2. *Quarantine Area.* The area covered by this General Quarantine Order is the entire Commonwealth of Pennsylvania.

3. *Prohibitions and requirements for exhibition of dairy cattle.* The prohibitions and requirements as described in section 3.a. and 3.b. will be in effect if a case of influenza A in dairy cattle has been confirmed in the Commonwealth of Pennsylvania and until Pennsylvania has been declared free of influenza A in dairy cattle by the State Animal Health Official.

(a) Prohibition of exhibition of dairy cattle.

(1). Dairy cattle from a premises on which dairy animals are showing clinical signs of infection with influenza A virus are prohibited from entering an exhibition. Clinical signs may include a decrease in feed consumption with a simultaneous decrease in rumination and rumen motility; respiratory signs including clear nasal discharge; and subsequent acute drop in milk production. Additional clinical signs

may include abnormal tacky or loose feces, lethargy, dehydration, and fever. Severely affected cattle may have thicker, concentrated, colostrum-like milk or produce no milk at all. Animals showing clinical signs compatible with infection must be cleared by the State Animal Health Official.

(2) Dairy cattle which have been on a premises where influenza A virus has been confirmed in dairy cattle are prohibited from entering an exhibition until that premises has been declared free of disease by the State Animal Health Official.

(3) Dairy cattle which have been on a premises where influenza A virus has been confirmed in domestic birds are prohibited from entering an exhibition until that premises has been declared free of disease by the State Animal Health Official.

(4) Dairy cattle which have been on a premises which is located within a three-kilometer area of a premises where influenza A virus has been confirmed in domestic birds are prohibited from entering an exhibition until the State Animal Health Official has declared that area as free of disease, based on epidemiological investigation and surveillance testing.

(b) *Testing requirements.*

(1) The dairy cattle shall have been part of a biosecure assembled group for a period of at least 30 days prior to the date of sample collection in accordance with subsection (2) below. New dairy cattle may not have been added to the herd or group within the 30-day period preceding the date of sample collection, or after the date of sample collection and before movement.

(2) Individual dairy cattle 18 months of age and older shall be tested within the seven days prior to the date of arrival on the animal exhibition grounds.

i. Lactating dairy animals—A milk specimen shall be collected from each lactating dairy cow for testing in accordance with the provisions of this section. Milk specimens shall be collected in a manner that is in accordance with National Veterinary Service Laboratory (NVSL) guidance issued to the testing National Animal Health Laboratory Network (NAHLN) laboratory.

ii. Non-lactating dairy animals—Nasal swabs shall be collected from each non-lactating dairy cow for testing in accordance with the provisions of this section. Nasal swabs shall be collected in a manner that is in accordance with NVSL guidance issued to the testing NAHLN laboratory.

(3) Milk specimens and nasal swabs, as required in subsection (2) of this section, shall be collected and submitted by or under the supervision of an accredited veterinarian (category II). The accredited veterinarian collecting or supervising the collection of the diagnostic specimens shall have a veterinarian-client-patient relationship (VCPR) with the owner or caretaker of the animal.

(4) Each specimen or sample collected and submitted under subsection (2) of this section shall be tested for Influenza A virus using polymerase chain reaction (PCR) testing and protocols approved by NVSL.

(5) Testing of all specimens or samples collected and submitted under this Quarantine Order shall be performed at a NAHLN laboratory. The individual specimens shall not be pooled by the accredited veterinarian (category II) or any person other than at the NAHLN laboratory testing the samples.

(6) All dairy cattle arriving at an animal exhibition shall have been tested in accordance with the standards set forth in this Quarantine Order and shall have a negative or not-detected test result. The laboratory test report, or a copy thereof, shall accompany each dairy cow to the animal exhibition and shall be made available to the holder or staff of the animal exhibition and any Department employee.

4. *Exemptions.*

Dairy cattle less than 18 months of age are not required to be tested for influenza A virus prior to exhibition.

5. *Violations and Penalties.*

An animal which fails to meet the requirements of this Quarantine Order shall either be removed from the exhibition grounds or subject to quarantine on the exhibition grounds and testing to meet exhibition requirements.

Any person violating the requirements of this Order shall be subject to enforcement and penalties as are allowed under the provisions of the Domestic Animal Law (3 Pa.C.S.A. § 2301 et seq.), which include revocation of license, criminal prosecution, civil penalties of up to \$10,000 per violation, injunctive relief, or any combination of those penalties.

6. *No Restriction on Further Action by the Department.*

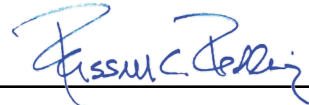
This Quarantine Order shall not be construed as limiting the Department's authority to establish additional quarantine or testing requirements on imported cattle or to limit the Department's authority under the Domestic Animal Law or any other statutes or regulations administered by the Department.

7. *Contact information.*

Questions regarding this Quarantine Order may 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.

8. *Effective Date.*

This Quarantine Order in its entirety shall become effective immediately upon signature of the Secretary of the Pennsylvania Department of Agriculture and shall remain in effect unless rescinded or modified by a subsequent Order.



Russell C. Redding , Secretary

5.29.2024

Date