



Mike Braun, Governor  
Kyle Shipman, DVM, State Veterinarian

## INDIANA STATE BOARD OF ANIMAL HEALTH

---

Office of the State Veterinarian  
Discovery Hall, Suite 100  
1202 East 38<sup>th</sup> Street  
Indianapolis, IN 46205-2898  
Phone: 317/544-2400

### INDIANA STATE BOARD OF ANIMAL HEALTH QUARTERLY MEETING

The Indiana State Board of Animal Health (BOAH) will hold its quarterly meeting at **9:30 a.m. on Tuesday, October 14, 2025**, at the Board of Animal Health office on the Indiana State Fairgrounds at Discovery Hall, Suite 100, 1202 E. 38<sup>th</sup> Street, Indianapolis, IN 46205. Electronic participation is available; see log-in details below the agenda.

#### MEETING AGENDA

Recognition of BOAH Employees for Years of Service

1. Call to Order and Establishment of Quorum
2. Approval of minutes of the previous quarterly meeting: July 22, 2025
3. Consideration for final vote: Readoption of rules expiring January 1, 2026 – LSA #24-625
4. Animal Disease Diagnostic Laboratory (ADDL) Report
  - a. ADDL fee changes – review for approval
5. Technical Services
  - a. Public Information report - Denise Derrer Spears
  - b. Chief of Staff report - Gary Haynes
6. Animal Programs Division Report - Kelli Werling, DVM
7. Avian Division Report - Maria Cooper, DVM
8. Meat and Poultry Division Report – Kerri Suhr, DVM
9. Dairy Inspection Division Report – Patrick Hash
10. Other Business:
  - a. State Veterinarian's Report - Kyle Shipman, DVM, Indiana State Veterinarian
  - b. Establish date for the January 2026 meeting.

Proposed dates for 2026 meetings:  
January 13; April 14; July 14; October 6

#### *Electronic Meeting Access Via MS Teams:*

- Join on your computer, mobile app or room device (control + click): [Join The Meeting Now](#)
- Meeting ID: 279 394 800 303
- Passcode: JL9rq7D8
- Call in (*audio only*) dial: [317-552-1674](#)
- Phone Conference ID: 480 842 015#

**Safeguarding Indiana's animals, food supply and citizens for more than 135 years.**

An equal opportunity employer and provider.

**Indiana State Board of Animal Health members:**

- All members are appointed by the Governor.
- Members serve until a successor is appointed after the end of their term.

Name	Position on the Board	Term
Ty Harweger	Poultry	3/31/2021 – 3/31/2025
Kraig Bowers	Sheep	3/31/2021 – 3/31/2025
Ashley Armstrong, DVM	General veterinary practice	3/31/2021 – 3/31/2025
Bill Doig, DVM	Equine	3/31/2022 – 3/31/2026
Tim Rice	Licensed entity	3/31/2022 – 3/31/2026
Virgil Bremer, Ph.D.	Beef	3/31/2023 – 3/31/2027
Dimple Hall, DVM	Small animal veterinary practice	3/31/2023 – 3/31/2027
Tracey Gillespie, DVM	General veterinary practice	3/31/2023 – 3/31/2027
Keith Beer	Dairy	3/31/2024 – 3/31/2028
Dave Hardin	Swine	3/31/2024 – 3/31/2028
Darryl Ragland, DVM	Purdue College of Veterinary Medicine	3/31/2024 – 3/31/2028

**Indiana State Board of Animal Health**  
**Meeting Minutes**  
**July 22, 2025**

**Quarterly Meeting**

The Indiana State Board of Animal Health (BOAH) held its regular quarterly meeting on Tuesday, July 22, 2025. The meeting was held at the Board of Animal Health office at Discovery Hall, Suite 100, 1202 E 38<sup>th</sup> Street, Indianapolis. Board members participated by attending in-person and electronically via Microsoft Teams video and audio conference. The meeting was available to the public online via the Microsoft Teams video and audio conference.

Chairperson Dr. William Doig called the meeting to order at 9:30 a.m. and conducted a roll call of board members.

**Members Participating:**

William Doig, DVM, Chairperson; attended in-person  
Mr. David Hardin; attended in-person  
Mr. Tim Rice; attended in-person  
Dimple Hall, DVM; attended in-person  
Virgil Bremer, PhD; attended in-person  
Tracey Gillespie, DVM; attended in-person  
Ashley Armstrong, DVM; attended in-person  
Mr. Ty Harweger; attended in-person  
Mr. Keith Beer; attended in-person  
Dr. Darryl Ragland; attended electronically

**Members Absent:** Mr. Kraig Bowers

**Vacant Positions:** None

**BOAH Staff Participating:**

Kyle Shipman, DVM, State Veterinarian  
Gary Haynes, Chief of Staff  
Brandi Hardin, Senior Director, Animal Programs Division  
Maria Cooper, DVM, Director, Avian Division  
Mike Kopp, DVM, Avian Division  
Kerri Suhr, DVM, Director, Meat and Poultry Division  
Denise Derrer Spears, Public Information Director  
Jared Hagenow, Assistant Public Information Officer  
Hudson Hile, BOAH Summer Intern

9:30 a.m. Chairperson Dr. Bill Doig proceeded with the posted agenda. (Exhibit 1)

**Recognition of BOAH employees for their years of service:**

State Veterinarian Dr. Kyle Shipman recognized the following BOAH employees for their years of service:

Nicholas Clevenger, 10 years

Nathan Campbell, 15 years

Gary Craun, 20 years

Patricia Price, 40 years

Chairman Dr. Doig recognized Dr. Kyle Shipman for 10 years of service.

**Second Order of Business - Approval of Minutes**

Dr. William Doig asked the Board to approve the minutes from the April 8, 2025 meeting. Tim Rice made a motion – MOTION – “I move to approve the minutes of the April 8, 2025 meeting.” Virgil Bremer seconded the motion. The Board approved the MOTION by a roll call VOTE of 10-0. (Exhibit 2)

**Third Order of Business – Public Hearing – Proposed Rule concerning dairy products – LSA #25-151. (Exhibit 3)**

BOAH General Counsel Sarah Simpson explained the proposed rule governing dairy products and notified the Board that no written comments on the proposed rule were submitted. There were no oral comments during the public hearing.

Chairperson Doig closed the public hearing.

**Fourth Order of Business – Consideration for Final Adoption – Proposed rule concerning dairy products – LSA #25-151.**

Ty Harweger made a motion – MOTION – “I move that the proposed final rules be approved” The motion was seconded by Mr. David Hardin. The Board approved the MOTION by a roll call VOTE of 10-0. (Exhibit 3).

**Fifth Order of Business – Public Hearing – Proposed Rule concerning meat and poultry products – LSA #25-165. (Exhibit 4)**

BOAH General Counsel Sarah Simpson explained the proposed rule governing meat and poultry products and notified the Board that one written comment on the proposed rule was submitted, copies provided to the Board members. There were no oral comments during the public hearing.

Chairperson Doig closed the public hearing.

**Sixth Order of Business – Consideration for Final Adoption – Proposed rule concerning meat and poultry products – LSA #25-165.**

Tim Rice made a motion – MOTION – “I move that the proposed final rules be approved” The motion was seconded by Dr. Tracey Gillespie. The Board approved the MOTION by a roll call VOTE of 10-0. (Exhibit 4).

**Seventh Order of Business – Public Hearing – Proposed Rule concerning animal health and animal care – LSA #25-279. (Exhibit 5)**

BOAH General Counsel Sarah Simpson explained the proposed rule governing animal health and animal care and notified the Board that no written comments on the proposed rule were submitted. There were no oral comments during the public hearing.

Chairperson Doig closed the public hearing.

**Eighth Order of Business – Consideration for Final Adoption – Proposed rule concerning animal health and animal care – LSA #25-279.**

Ty Harweger made a motion – MOTION – “I move that the proposed final rules be approved” The motion was seconded by Dr. Dimple Hall. The Board approved the MOTION by a roll call VOTE of 10-0. (Exhibit 5).

**Ninth Order of Business–Animal Disease Diagnostic Laboratory (ADDL) report (Exhibit 6)**

Kenitra Hendrix, DVM, PhD, DACVM, Director of the Purdue ADDL, presented an update on ADDL activity, including financial updates, recruiting and retention efforts, status of the laboratory information system replacement purchase, projects to replace the cooler and incinerator, and development of a facilities plan.

**Tenth Order of Business – Agency Reports – Technical Services**

- a. Public Information Report (Exhibit 7)  
Denise Derrer Spears discussed agency public information activity and projects, including the Center for Animal Policy’s veterinary workforce initiative.
- b. Chief of Staff Report. (Exhibit 8)  
Gary Haynes provided updates on BOAH’s work to respond to Governor Mike Braun’s executive orders, personnel recruiting, FY 2025 budget close, FY 2026 spend plan, federal cooperative agreements and the agency’s top-level key performance indicators.

### **Eleventh Order of Business – Highly Pathogenic Avian Influenza (HPAI) Report**

Brand Hardin discussed BOAH’s participation in USDA’s National Milk Testing Strategy to conduct surveillance for HPAI in dairy cattle.

Dr. Maria Cooper presented an update on the highly pathogenic avian influenza (HPAI) outbreak that began in February 2022 and spread across the United States. (Exhibit 9)

### **Twelfth Order of Business – Avian Division Report**

Dr. Maria Cooper updated the board on avian health issues. (Exhibit 9)

### **Thirteenth Order of Business – Animal Programs Division Report**

Brandi Hardin updated the Board on activity in the Animal Programs Division. (Exhibit 10)

Hudson Hile reported on BOAH summer intern activities. (Exhibit 10)

### **Fourteenth Order of Business – Food Safety**

a. Meat and Poultry Division (Exhibit 11)

Dr. Kerri Suhr reported on Meat and Poultry Inspection program activities.

b. Dairy Division (Exhibit 12)

Dr. Kyle Shipman updated the Board on Dairy Division activities.

### **Fifteenth Order of Business – Other Business**

a. State Veterinarian’s Report (Exhibit 13)

Dr. Kyle Shipman updated the Board on agency initiatives.

b. Date of Next Meeting

The Board set the date for the next regular meeting to be October 7, 2025 at 9:30 a.m.

Chairperson Dr. William Doig adjourned the meeting.

---

William Doig, D.V.M., Chairperson

---

Kyle Shipman, D.V.M.  
State Veterinarian  
Secretary

TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH

Legislative Notice for Rule Readoption

LSA Document #24-625

Under [IC 4-22-2.6-3](#), the Indiana State Board of Animal Health (BOAH) notifies the Legislative Council of its intent to readopt rules in anticipation of the rules expiring January 1, 2026.

STATUTORY AUTHORITY: [IC 15-17-3-21](#); [IC 15-17-5-5](#)

SUBJECT MATTER: Readopts BOAH rules concerning domestic animal disease control; scrapie; equine; dairy products; meat products; and poultry products.

OVERVIEW

Rules to be readopted without changes are as follows:

<a href="#">345 IAC 1-1.1</a>	Sale of Disease Treatments or Diagnostic Agents
<a href="#">345 IAC 1-1.5-2</a>	Certificates of veterinary inspection
<a href="#">345 IAC 1-3</a>	Moving Animals
<a href="#">345 IAC 2-6</a>	Cattle Brucellosis Control and Eradication
<a href="#">345 IAC 2-7</a>	Chronic Wasting Disease
<a href="#">345 IAC 2-8</a>	Johne's Disease (Mycobacterium Paratuberculosis)
<a href="#">345 IAC 2.5-3</a>	Tuberculosis Control in Bovine and Bison
<a href="#">345 IAC 2.5-4-4</a>	Accredited herd status for goat herds
<a href="#">345 IAC 3-4</a>	Swine Brucellosis Testing, Control, and Eradication; Validated Brucellosis-Free Herds
<a href="#">345 IAC 3-5.1</a>	Swine Pseudorabies Testing, Control and Eradication; Pseudorabies–Qualified Herds
<a href="#">345 IAC 6-1.1</a>	Equine Infectious Anemia (E.I.A.) Control

<a href="#">345 IAC 7-3.5</a>	Licensing and Bonding of Livestock Dealers and Markets
<a href="#">345 IAC 7-4.5</a>	Exhibitions
<a href="#">345 IAC 7-5</a>	Exhibition of Domestic Animals and Poultry
<a href="#">345 IAC 7-8</a>	Livestock Brands
<a href="#">345 IAC 8-2</a>	Production, Handling, Processing, Packaging, and Distribution of Milk and Milk Products
<a href="#">345 IAC 8-3</a>	Standards for Milk and Milk Products and Grade A Standards
<a href="#">345 IAC 8-5</a>	References
<a href="#">345 IAC 9-1-2</a>	Terms; number; gender
<a href="#">345 IAC 9-6</a>	Assignments and Authorities of Division Employees
<a href="#">345 IAC 9-8</a>	Sanitation
<a href="#">345 IAC 9-9.5</a>	Antemortem Inspection
<a href="#">345 IAC 9-10.5</a>	Postmortem Inspection
<a href="#">345 IAC 9-16</a>	Marking Products and Their Containers
<a href="#">345 IAC 9-17-5</a>	Modifications of approved label; permission of area supervisor
<a href="#">345 IAC 9-21.5</a>	Inspection of Rabbits and Rabbit Products
<a href="#">345 IAC 9-22</a>	Detention; Seizure and Condemnation; Criminal Offenses
<a href="#">345 IAC 10-2</a>	Administration; Application of Inspection and Other Requirements
<a href="#">345 IAC 10-7</a>	Facilities for Inspection; Overtime and Holiday Service, Billing Establishments
<a href="#">345 IAC 10-13</a>	Official Marks, Devices, and Certificates; Certification Procedures
<a href="#">345 IAC 10-14-20</a>	Modifications of approved label; permission of officer in charge
<a href="#">345 IAC 10-20</a>	Detention; Seizure and Condemnation; Criminal Offenses

Rules to be repealed are as follows:

*None*

*Posted: 12/19/2024 by Legislative Services Agency*



**Report for the Board of Animal Health Quarterly Meeting – October 2025**

- Budget Summary (FY 2025 compared to past four years)

	FY 2025	FY 2024	FY 2023	FY 2022	FY 2021
Appropriations - Total	\$5,000,000	\$5,000,000	\$3,711,561.00	\$3,711,561.00	\$3,451,751.73
Sales and Services - Total	\$4,674,878.85	\$3,769,892.10	\$2,772,162.73	\$2,473,751.15	\$2,427,290.91
Other	\$27,386.93	\$130,403.35	\$244,041.92	\$237,643.19	\$205,867.34
Revenue - Total	\$9,702,265.78	\$8,900,295.45	\$6,727,765.65	\$6,422,955.34	\$6,084,909.98
Salary, Wages, Fringes	\$5,779,317.47	\$5,395,970.30	\$4,797,527.53	\$4,372,496.16	\$3,985,004.47
Supplies & Services	\$2,613,268.17	\$2,355,953.85	\$2,072,816.06	\$1,935,641.29	\$1,647,932.05
Other	\$317,820.08	\$171,914.09	\$79,132.81	\$343,513.88	\$86,578.90
Expenses - Total	\$8,710,405.72	\$7,923,838.24	\$6,949,476.40	\$6,651,651.33	\$5,719,515.42
Deficit/Surplus	\$991,860.06*	\$976,457.21*	(\$221,710.75)	(\$228,695.99)	\$365,394.56

\*FY surplus largely due to unfilled positions and temporary revenue stream.

- Fee Changes – See next pages
- Updates:
  - The ADDL received Full AAVLD Accreditation following the May 2025 site visit
  - Reed Lab Facility Upgrades
    - Phase 1 (incinerator replacement) began May 2025 with an expected October 2025 completion date.
    - Phase 2 (walk-in cooler replacement): scheduled to begin October 2025 with a January 2026 completion date.
  - Hanover Research: July 2025 through June 2026
    - 3 projects: market analysis, estimated ROI, competitor benchmarking
  - LIMS Replacement: AgLab selected; implementation May 2025 – Spring 2026
- Positions:
  - Client Services Veterinarian – Dr. Daneshi started August 12, 2025
  - Faculty Pathologist Position – Dr. Sakashita will start October 20, 2025
  - Faculty Poultry Diagnostician – search in progress
  - Faculty Molecular Diagnostics Position – search in progress
  - Laboratory Technician, Bacteriology – search in progress
  - Laboratory Technician, Histology – search in progress

FEE CHANGES		
Molecular Diagnostics		
Test Name	New Fee	Old Fee
Bovine Adult Enteric PCR Panel (BCV, BVDV, Johne's, <i>C. perf</i> , <i>Salmonella</i> )	\$ 70.00	-
Bovine Leukosis Virus PCR	\$ 38.50	-
Epizootic Hemorrhagic Disease Virus (EHD) Typing	\$ 75.00	-
Ovine Herpesvirus 2 PCR (Malignant Catarrhal Fever (MCF))	\$ 38.50	-
<i>Anaplasma phagocytophilum</i> PCR	\$ 38.50	-
Equine Herpesvirus 5 (EHV5) PCR	\$ 38.50	-
<i>Rhodococcus equi</i> PCR	\$ 38.50	-
<i>Escherichia coli</i> ( <i>E. coli</i> ) Virulence Factor Panel PCR - Swine (STa, STb, LT, eae, F41, Stx2e, F18, 987P, K88, and K99)	\$ 54.00	\$ 44.00
Porcine Enteric Grower PCR Panel ( <i>Lawsonia</i> , <i>Salmonella</i> , SEC Triplex)	\$ 65.00	-
Porcine Enteric Piglet PCR Panel ( <i>Salmonella</i> , Rota A,B,C, <i>E. coli</i> porcine, <i>C. perf</i> , SEC Triplex)	\$ 140.00	-
Porcine Fibrin / Polyserositis PCR Panel (MHR, MHS, <i>S. suis</i> , GPS)	\$ 65.00	-
Porcine Neurologic PCR Panel (Teschovirus, Sapelovirus, Astrovirus-3, <i>S.suis</i> )	\$ 75.00	-
Porcine Astrovirus PCR	\$ 38.50	-
Porcine Sapelovirus PCR	\$ 38.50	-
Canine Reproductive Targeted NGS Panel	\$ 200.00	-
Canine Neurologic Targeted NGS Panel	\$ 200.00	-
Miniature American Shepherd Cataract - Dominant (1-3) PCR	\$ 70.00	-
Miniature American Shepherd Cataract - Dominant (4+) PCR	\$ 63.00	-
<i>Cytauxzoon felis</i> PCR	\$ 38.50	-
<i>Francisella tularensis</i> PCR	\$ 38.50	-
Batrachochytrium dendrobatidis PCR	\$ 38.50	-
Batrachochytrium salamandrivorans PCR	\$ 38.50	-
Batrachochytrium dendrobatidis and Batrachochytrium salamandrivorans Duplex PCR	\$ 50.00	-
Frog Virus 3 (FV3) PCR	\$ 33.00	-
Largemouth Bass Virus (LMBV) PCR	\$ 33.00	-
Ranavirus PCR	\$ 33.00	-
<i>Renibacterium salmoninarum</i> PCR (Bacterial Kidney Disease (BKD))	\$ 33.00	-

<b>Bacteriology</b>			
	<b>Test Name</b>	<b>New Fee</b>	<b>Old Fee</b>
	Aerobic Culture - Gnotobiotic	\$ 36.00	-
	MALDI-TOF ID	\$ 12.00	-
<b>Histology/Pathology</b>			
	<b>Test Name</b>	<b>New Fee</b>	<b>Old Fee</b>
	Bone Marrow	\$ 40.00	\$ 24.20
	Digital Imaging - Slide Scan - 20x (internal/PVM)	\$ 18.50	-
	Digital Imaging - Slide Scan - 20x (external)	\$ 29.00	-
	Digital Imaging - Slide Scan - 40x (internal/PVM)	\$ 22.50	-
	Digital Imaging - Slide Scan - 40x (external)	\$ 35.00	-
	Digital Imaging - Slide Scan - Z stack	\$ 60.00	-





Mike Braun, Governor  
Kyle Shipman, DVM, State Veterinarian

## INDIANA STATE BOARD OF ANIMAL HEALTH

---

Office of the State Veterinarian  
Discovery Hall, Suite 100  
1202 East 38<sup>th</sup> Street  
Indianapolis, IN 46205-2898  
Phone: 317/544-2400

### Media/Public Information Office Report

*22 September for 14 October 2025 Board Meeting*

Denise Derrer Spears, Public Information Director

#### Public Information:

- Launched a registration for veterinarians/clinics to enroll in the Vet Practice Finder portal that we hope to make live by January. To date, 188 practices have signed up to be part of this effort, which will be a free, public-facing search tool to match animal owners needing veterinary services with providers statewide. The state's Management Performance Hub is developing the portal.
- Met with ISDA staffers about providing content for the Indiana Ag Portal.
- Participated in the annual meeting of the Center for Agriculture, Science and Heritage board.
- Met with partner commodity organizations with an update about the Veterinary Workforce Initiative.
- Co-led a listening session at the PCVM conference about veterinary workforce issues with much discussion and ideas for recruiting and retaining employees.
- Joined quarterly conference call of Communication Officers of State Departments of Ag (COSDA).
- Participated in the MESO quarterly meeting.
- Continued to represent BOAH at regular meetings with agency updates to the Indiana Family of Farmers group, as well as the Indiana Environmental Health Association.
- Prepared content for partner newsletters, including: Hoosier Responder, IVMA, IDEFA, ICAW, IBCA, IDP. A new publication is the magazine for the Indianapolis Medical Society, with articles about rabies and HPAI.
- Reported weekly constituent contacts with the agency to the Governor's office.

#### Animal Health & Care:

- Continued to update the IN Animal Care Resource Center & Animal Investigations Academy SharePoint site with more content, as well as enroll users. Current user list is 90 individuals.
- Participated in the HPAI response after-action meeting.
- Coordinated presentations of USDA accreditation modules by BOAH staff at the Purdue Veterinary Conference.
- Issued advisory on EEE diagnosis in LaGrange County; responded to media questions.

#### Disaster Preparedness:

- Coordinated BOAH's Q3 lunch-and-learn webinar on foreign animal disease threats. The video is posted to BOAH's YouTube channel.
- Met with the new communications director for Indiana Department of Homeland Security to discuss the Joint Information Center operations and training for the state.

#### Food Safety:

- Participated in a webinar by the Center for Food Integrity about Growing a Healthier America efforts to address the science behind food safety.
- Attended the Food for Health Summit, sponsored by the American Dairy Association of Indiana in partnership with the Purdue Center for Community Health, Environment and Learning (HEAL).
- Spoke to Leadership Hendricks County class about food safety.

**Safeguarding Indiana's animals, food supply and citizens for more than 125 years.**

An equal opportunity employer and provider.





Mike Braun, Governor  
Kyle Shipman, DVM, State Veterinarian

## INDIANA STATE BOARD OF ANIMAL HEALTH

---

Office of the State Veterinarian  
Discovery Hall, Suite 100  
1202 East 38<sup>th</sup> Street  
Indianapolis, IN 46205-2898  
Phone: 317/544-2400

Chief of Staff Report  
Gary L. Haynes  
October 14, 2025

### Quarterly Highlights

- **Personnel:**

- Sarah Simpson left BOAH to be the Senior Director, Policy and Industry Affairs for the Indiana Corn Growers Association and the Indiana Soybean Association Membership and Policy Committee. A search for the next general counsel is underway. Gary Haynes is serving as acting general counsel and legislative liaison in the interim.
- Filled a meat and poultry compliance officer position.
- Recruiting meat inspector, meat rating officer (EIAO), and dairy plant inspector positions.

- **Governor Braun Executive Orders**

- Continued work related to Governor Braun's executive orders, including Executive Order 15-17: Reducing regulations and regulatory sunset.
  - Review rules scheduled for readoption, prepare a report outlining the continued need for the rules, comparing the rule requirements to five other states' requirements, and assessments that cover eleven other subjects.
  - Prepared a rulemaking plan for CY2025 and CY2026, including outlining regulatory reduction plans.

- **Finance:**

- Closed state fiscal year 2025. BOAH met budget goals for fiscal year 2025.
- The FFY 2025 meat and poultry projects ended September 30, 2025.  
USDA allocated increased funding for Indiana's program in an amount sufficient to eliminate prior year shortfalls in federal funding for the meat inspection program.

- The State Budget Agency released a FY 2026 capital spending plan for state agencies, including the Animal Disease Diagnostic Laboratory (ADDL). Allocations for the ADDL: Preventative Maintenance
  - FY 2026 \$375,000
  - FY 2027 \$375,000

#### Repair and Rehabilitation R&R

- FY 2026 \$686,677
- FY 2027 \$0

The amount allocated to ADDL is less than requested. Therefore, BOAH is working with the ADDL on a revised capital project plan to present to the State Budget Committee early next year.

- **Cooperative Agreements**

- USDA awarded BOAH a cooperative agreement to continue chronic wasting disease prevention efforts through genetic testing of farmed white-tailed deer. The new agreement includes captive elk in the program for the first time.

- **Policy:**

- Responded to request for information from legislators on constituent inquiries and potential legislation for the 2026 General Assembly session.
- Continued work with the Board of Veterinary Medicine on policy questions and initiatives and rulemaking projects.
- Participating in Indiana State Department of Agriculture's projects:
  - Create a "one stop shop" ag portal for farmers and consumers. HB 1149; and
  - Report to Governor Braun on making Indiana healthy again by increasing Hoosier access to local foods. EO 25-58.

- **Technology**

- Continued work with the Indiana Office of Technology and a vendor to implement BOAH's new animal health database, AgEnterprise. Expect implementation to be completed in the fourth quarter of 2025.
- Assessing BOAH vendor compliance with Executive Order





Mike Braun, Governor  
Kyle Shipman, DVM, State Veterinarian

## INDIANA STATE BOARD OF ANIMAL HEALTH

---

Office of the State Veterinarian  
Discovery Hall, Suite 100  
1202 East 38<sup>th</sup> Street  
Indianapolis, IN 46205-2898  
Phone: 317/544-2400

### Animal Programs Division Board Report 3<sup>rd</sup> Quarter, 2025

#### Quarterly Highlights

- BOAH welcomed its new District 8 field veterinarian, Dr. Kristi Kantz, this quarter. Dr. Kantz hails from Harrison County and previously worked in the private sector as a small animal veterinarian. Welcome, Dr. Kantz!
- Dr. Cheryl Miller will be retiring on December 31, 2025. She currently serves as BOAH's District 5 field veterinarian. Applications for the District 5 position are anticipated to open in October 2025.
- In July, Indiana began monthly maintenance testing as part of Stage 4 of the National Milk Testing Strategy (NMTS). To date, all Indiana milk samples have tested negative for H5N1. BOAH will continue to participate in maintenance stage testing until all US states test negative and the nation is declared free of HPAI in dairy cattle.
- In August, BOAH conducted an internal HPAI after action review. All responders involved in the 2025 response gathered and were given a forum to discuss specifics related to managing HPAI-infected flocks. BOAH also discussed the expectations for case managers, reviewed documents and policies associated with an incident, and discussed all the necessary logistics to lead to positive outcomes. The meeting was an undeniable success and is another example of why Indiana continues to lead among its peers.
- In September, several BOAH team members presented at Purdue's Veterinary Fall Conference on topics like honeybee medicine, New World screwworm, swine health, bovine trichomoniasis, bovine tuberculosis, veterinary workforce solutions, avian influenza in pets, and H5N1 avian influenza in hobby and commercial poultry flocks. BOAH also participated in the College of Veterinary Medicine's career fair as part of the conference, recruiting for both student interns and upcoming veterinary positions.

#### Programmatic Updates

##### **Animal Care and Welfare**

- BOAH received 125 animal welfare-related complaints or inquiries, leading to 61 animal care investigations this quarter. The complete Animal Programs Investigations Report is included at the end of this report.

**Safeguarding Indiana's animals, food supply and citizens for more than 135 years.**

An equal opportunity employer and provider.

- The Animal Care Resource Center and the Animal Investigations Academy (AIA) curriculum is available, allowing asynchronous delivery of training for animal welfare investigators and local law enforcement. If interested in obtaining access, please contact Denise Derrer Spears.
- Welfare cases involving state designees included:
  - Allen County: five criminal charges filed for animal neglect or abuse. Animals involved were companion animals, and all were determined to be at immediate risk and surrendered.
  - Vanderburgh County: thirteen criminal charges filed for neglect. Animals involved were companion animals and equine, and all were determined to be at immediate risk and were removed or surrendered.

## Cattle

- The number of Indiana cattle herds enrolled in each of the following programs includes:
  - Tuberculosis: 4
  - Brucellosis: 4
  - Johne's: 3
- On June 2, 2025, BOAH received a Tuberculosis trace in northern Indiana. Thanks to the help of the BOAH team, the producer, and USDA, this case has been completed and closed during this quarter.
- In the total national HPAI H5N1 outbreak in cattle, there have been 1,080 confirmed cases in 18 States.
  - In quarter three, the BOAH office processed over 900 AI Matrix surveillance test charts, which included tests from the National Milk Testing Strategy (NMTS) and over 400 Owner Shipper Statements under the federal order.
- BOAH is utilizing USDA-sponsored resources to provide free official electronic 840 identification tags for cattle. These tags are available directly to livestock markets and veterinarians for redistribution to their clients and can be requested online from the BOAH website through October.

## Cervids

- The annual USDA Cervid Herd Certification Report was completed last quarter. This report gives federal animal health partners a look into Indiana's CWD program to better understand the state's cervid herd.
- BOAH has been awarded \$313,000 for genomic estimated breeding value (GEBV) testing in white-tailed deer. This funding will be available in quarter 4 for producers to test their white-tailed deer to make informed breeding decisions based on animals' genetic susceptibility to CWD.
- The intrastate movement tuberculosis (TB) testing requirement for cervids was repealed this quarter. An animal health advisory was emailed to inform stakeholders about the changes to the in-state TB testing requirement, GEBV funding, and a reminder about CWD sampling requirements.

- Five white-tailed deer from three different herds tested positive for TB on the initial whole herd test using the cervid Dual Path Platform, DPP. Three of the deer were cleared after re-testing at least 30 days later, one deer was positive on the second DPP test and was sent to necropsy with no indications of TB found, and the final identified deer is undergoing the 30-day waiting period to be retested in hopes of being cleared.
- CWD Program Numbers:
  - Total active cervid herds: 261 (190 Certified, 47 Registered, 24 Registered-Pet)
  - New cervid herds: 3
  - Hunting Preserves: 17
  - Enforcement Actions: 8 (1 first notice of violation letter, 7 missed sample warning letters)

### **Commercial Dog Breeder & Broker Program**

- Program Numbers:
  - Active Dog Breeders: 191
  - Active Dog Brokers: 8
  - Animal Control Centers: 20
  - Animal Rescue Operations: 102
  - Animal Shelters: 44
  - Humane Societies: 33
  - Retail Pet Stores: 23
  - Other: 12
- The required records inspections of registered retail pet stores that are selling dogs went into effect on July 1, 2025. This quarter, BOAH developed a strategy for completion of these inspections and created a state inspection form. The plan is to perform an initial inspection of all registered retail pet stores by January 2026, with follow-up evaluations completed every 2 years, with half of retail pet stores being evaluated each year.

### **Companion Animal/Rabies**

- In 2025, nine bats have tested positive for rabies in Hamilton, Henry, Marion, Lawrence, Marshall, Monroe, and Tippecanoe Counties. All exposed individuals have been contacted, and recommendations were made for the care of the exposed individuals and animals.

### **Compliance**

- Six compliance cases were investigated this quarter involving alleged noncompliance with rules related to carcass disposal (1), commercial dog breeder/broker compliance (1), dairy compliance (2), traceability/interstate movement (1), and animals running at large (1). Case outcomes this quarter included: corrective action taken (2), unfounded complaint (3), and pending action (1). The full Animal Programs Investigations report is included at the end of this report.

### **Drug Residue Prevention & Biologics**

- One new beta lactam milk residue was investigated this quarter in Dekalb County. The investigation into this case is scheduled to take place in late September to determine the cause of the residue.
- Fifty-three autogenous vaccine requests and two experimental vaccine requests were received from private veterinarians this quarter.

## **Emergency Preparedness & Training**

- In Quarter 3, BOAH hosted a Lunch and Learn webinar in which Dr. Shipman spoke about emerging Foreign Animal Disease threats to Indiana.
- This past quarter, BOAH completed training and certified five cervid producers and seven hunting preserves to collect chronic wasting disease (CWD) samples for continued surveillance in Indiana.

## **Equine**

- In June, an individual imported 32 horses into Indiana without negative Equine Infectious Anemia tests (EIA/Coggins) and Certificates of Veterinary Inspection. Most of the horses had been sold and dispersed across Indiana and two other states. Those states were contacted and the individual provided BOAH with a list of contact information for the buyers. The Indiana buyers were contacted, and the horses were placed under quarantine until negative EIA testing. This group of horses were all young and feral, making obtaining samples difficult on the typical 30-day deadline. BOAH is awaiting results for three remaining horses.
- Indiana's first West Nile Virus (WNV) positive horse was reported in early August, and at the time of reporting, there have been 19 confirmed positive cases. One farm had an additional suspected case that was not tested. Last year, there were 14 total confirmed cases for the season, which ran through early October. Each of this year's cases have been unvaccinated and located in Allen, Adams, Jay, and Dekalb counties. Nine horses have been euthanized, one horse died, seven were still alive at the time the veterinarian was contacted, and the status of two horses was unknown.
- BOAH and the Indiana Department of Health (IDOH) have a collaborative program for surveillance of Eastern equine encephalitis (EEE) that allows reimbursement for testing costs on eligible equids. To be eligible for reimbursement, the patient must be unvaccinated or overdue for vaccination, have a compatible clinical presentation, and reside in one of the following northern Indiana counties: Lake, Porter, LaPorte, St. Joseph, Marshall, Kosciusko, Elkhart, LaGrange, Noble, Steuben, DeKalb, Allen, or Adams. At the time of reporting, there has been one positive case of EEE detected in LaGrange County.

## **Foreign Animal Disease Investigations**

- BOAH conducted six foreign animal disease investigations this quarter. These cases ruled out rabbit hemorrhagic disease virus in a pet rabbit, and FMD and other vesicular diseases in three show pigs, one commercial market hog, and one Holstein calf.

## **Licensing**

- Through the livestock markets and dealers licensing program, there are 138 active individual livestock dealers, 52 active livestock market facilities, and 13 packer/packer buying station facilities in Indiana. There were 14 market & dealer inspections conducted this quarter.
- BOAH's animal disposal program consists of 12 collection services, 11 disposal plants, and three exotic feeding operations, making up a total of 26 active disposal plant operations in Indiana.
- A total of 522 livestock brands is currently registered in Indiana.

## One Health

- Since its first diagnosis in September 2022, there have been six confirmed cases of *Theileria orientalis ikeda* and five confirmed cases of *Theileria orientalis chitose* in Southwestern, Southcentral, and Southeastern Indiana cattle. Of the six *ikeda* cases, one was also positive for *Anaplasma marginale*, and of the five *chitose* cases, four were also positive for *Anaplasma marginale*. The Asian longhorned tick (ALHT) is the tick vector most often associated with theileriosis. ALHT has now been identified in six Indiana counties (Switzerland, Ohio, Dearborn, Dubois, Spencer, and Hendricks).

## Sheep & Goats

- Indiana has achieved its surveillance minimums for scrapie, which is determined by the USDA. As of the end of September, Indiana has completed the goat minimum (415 goats tested out of 126 required) and sheep minimums (370 sheep tested out of 312 required). There have not been any scrapie positive detections in the U.S. since January of 2021.

## Swine

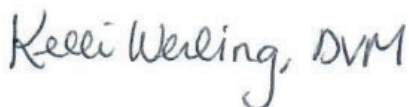
- BOAH continues to participate in an industry-led taskforce focusing on drafting an H5N1 response plan for swine. The plan has been disseminated through industry and state regulatory officials and is currently under review by federal regulatory officials.
- This quarter, Indiana continued enrollment and certification in the U.S. Swine Health Improvement Plan (U.S. SHIP) for Indiana's swine producers, packers, and live animal operators. BOAH also participated in the 2025 U.S. SHIP House of Delegates meeting in September. Ten voting delegates representing Indiana's swine industry attended the meeting. Representatives from BOAH and the Indiana Pork Producers Association presented in three breakout sessions, covering topics from state agency and pork association collaboration, traceability, and U.S. SHIP governance. At the meeting, delegates chose to explore adding certifications for endemic swine diseases to the U.S. SHIP framework, including *Mycoplasma hyopneumoniae*, PEDv, pseudorabies, and brucellosis. The current enrollment by site classification in Indiana represents approximately 80% of breeding herds and 64% of growing pig herds. Nationally, U.S. SHIP continues to progress through the rulemaking process on its way to codification.
- Indiana currently has 76 active Commuter Herd Agreements (30 export; 46 import) with thirteen states. 404,148 swine were exported across 259 commuter herd movements this quarter. 789,830 swine across 591 commuter herd movements were imported this quarter. Four amendments were completed, two new agreements were established, six agreements were cancelled, and nineteen renewals were completed this quarter.
- Ninety individuals are actively rostered as Certified Swine Sample Collectors in Indiana. Forty-one renewals were completed this quarter.
- In August, BOAH volunteered at IN Pork's student skill-a-thons held during the Indiana State Fair. Staff engaged with youth participants, supporting hands-on learning and showcasing BOAH's commitment to agricultural education. The event provided a valuable opportunity to connect with the next generation of livestock professionals in a fun and interactive setting.
- USDA is offering no-cost swine RFID tags to sows and exhibition swine in fall 2025. In July 2025, APHIS awarded a contract to supply up to \$20 million in tags to sow and exhibition swine industry segments, over the next 5 years. Modeled after the no-cost RFID cattle tag program, this

effort will supply no-cost RFID tags to swine producers to boost national swine disease traceability, which is vital to supporting the safety and marketability of the U.S. swine herd. Unique to this program is a direct-from-manufacturer to swine premises distribution model.

### Traceability

- Ninety-one rejected export CVIs were returned to Indiana veterinarians this quarter. The top three causes for rejection of these CVIs were: 1.) missing statement, 2.) missing ID/no official ID/incomplete ID, and 3.) no permit number.
- BOAH continues to train Indiana veterinarians on the VET-CVI application. This application has replaced the Indiana eCVI, fillable PDF, which is no longer accepted as of Jan. 1, 2025. BOAH has been providing training materials to veterinarians interested in getting trained. Currently over 805 veterinarians in Indiana have been trained, which spans over 389 veterinary clinics.
- BOAH continues User Acceptance Testing (UAT) for the new animal health database, AgEnterprise. The UAT process requires users to enter the database and test its functionality to ensure it is performing to our standard and providing at least the same functionality as USAHERDS. This process will be ongoing, and updates will be made to the application prior to rolling the application into production by the end of the year.
- Movement documents were processed this quarter from the following sources:
  - Commuter Herd: 954
  - Paper CVI & eCVI: 1,299
  - VET-CVI: 3,511
  - VetSentry: 46
  - GVL & VSPS: 8,292
- A total of 1,403,331 animals were imported into Indiana in Quarter 3, spanning over 4,100 movements across all species. A total of 660,973 animals were exported out of Indiana, covering approximately 10,100 movements across all species.
- BOAH issued a total of 44 swine import permits and 144 cattle import permits this quarter.

Respectfully Submitted,



Director, Animal Programs Division

INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 3, 2025					
Incident Name County	Species Involved	Primary Investigator	Requesting Agency	Reason for Request	Case Classification
15P713C7-04C Wayne	Canine	Justice	Law Enforcement	Abandonment	Animal Care
15PW192R-04C Wayne	Feline	Justice	Law Enforcement	Abuse	Animal Care
15PN0RAM-093 Orange	Canine	Renshaw	Law Enforcement	Abuse	Animal Care
15Q319NX-093 Vanderburgh	Canine	Renshaw	Law Enforcement	Abuse	Animal Care
15ND1GLG-04C Randolph	Canine	Justice	Humane Organization	Aggression	Animal Care
15PV1G2J-0CJ Parke	Canine	Solomon	Law Enforcement	Aggression	Animal Care
15QE1B99-02N Huntington	Canine	Chavis	Humane Organization	Aggression	Animal Care
15Q81837-016 Morgan	Canine	Miller	Animal Control	Aggression	Animal Care
15Q91DVK-016 Morgan	Canine	Miller	Animal Control	Aggression	Animal Care
15N412RA-02N Noble	Equine	Chavis	Private Citizen	Neglect	Animal Care
15PK117G-093 Vanderburgh	Canine	Renshaw	Law Enforcement	Neglect	Animal Care



INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 3, 2025						
Incident Name County	Species Involved	Primary Investigator	Requesting Agency	Reason for Request	Case Classification	
15NS1KJF-01Z St. Joseph	Ovine	Strasser	Humane Organization	Neglect	Animal Care	
15PL16M6-093 Vanderburgh	Canine	Renshaw	Law Enforcement	Neglect	Animal Care	
15PL17DE-093 Vanderburgh	Canine	Renshaw	Law Enforcement	Neglect	Animal Care	
15N2182A-0AL Scott	Bovine	Macy	Animal Control	Neglect	Animal Care	
15N61J3E-02N Steuben	Equine	Chavis	Private Citizen	Neglect	Animal Care	
15N00WSB-0CJ Parke	Canine	Solomon	Law Enforcement	Neglect	Animal Care	
15NB0VLX-0BJ Lagrange	Avian, Caprine	Lamb	Private Citizen	Neglect	Animal Care	
15NK14CK-0AL Franklin	Canine, Cervid, Equine	Macy	Private Citizen	Neglect	Animal Care	
15PX16ZV-01Z Lake	Canine, Caprine, Equine, Feline, Lagomorph	Strasser	Animal Control	Neglect	Animal Care	
15NL0ZC1-02N Noble	Canine	Chavis	Law Enforcement	Neglect	Animal Care	
15P8145K-02N Steuben	Bovine	Chavis	Private Citizen	Neglect	Animal Care	



INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 3, 2025						
Incident Name County	Species Involved	Primary Investigator	Requesting Agency	Reason for Request	Case Classification	
15NK142N-0AL Jackson	Caprine	Macy	Private Citizen	Neglect	Animal Care	
15NS0V36-0CJ Parke	Equine	Solomon	Private Citizen	Neglect	Animal Care	
15PH1633-01Y Lagrange	Equine	Lamb	Private Citizen	Neglect	Animal Care	
15P21NVL-0AL Harrison	Canine	Macy	Animal Control	Neglect	Animal Care	
15P81C82-04C Madison	Canine	Justice	Humane Organization	Neglect	Animal Care	
15P21661-0CJ Vermillion	Caprine	Solomon	Private Citizen	Neglect	Animal Care	
15P81DZY-04C Blackford	Canine	Justice	Humane Organization	Neglect	Animal Care	
15P81DG8-04C Blackford	Avian, Canine, Lagomorphs	Justice	Humane Organization	Neglect	Animal Care	
15P713A2-02N Whitley	Equine	Chavis	Private Citizen	Neglect	Animal Care	
15NZ156A-0B4 Tippecanoe	Canine	Boyd	Animal Control	Neglect	Animal Care	
15QA1MJD-01Z Jasper	Canine	Strasser	Animal Control	Neglect	Animal Care	

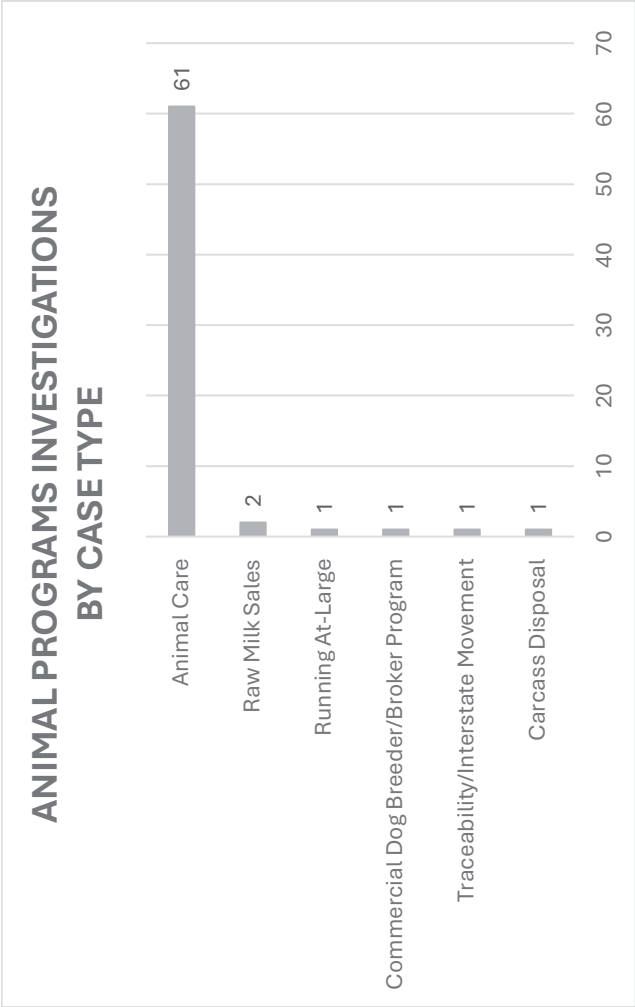
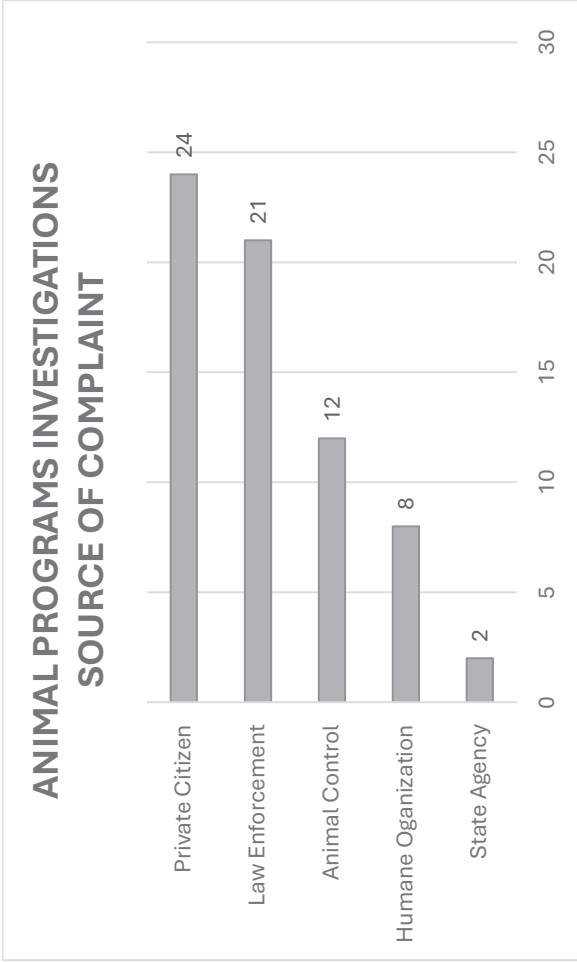
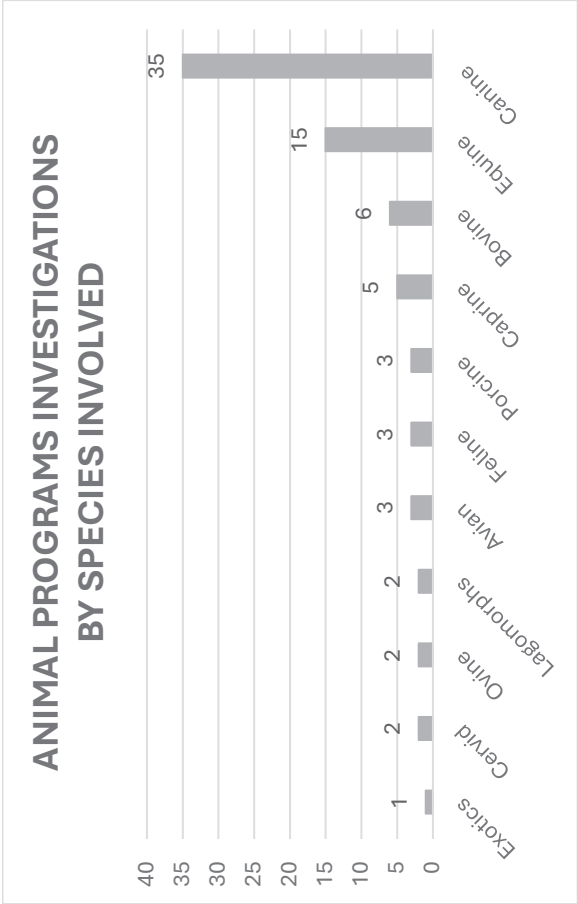
INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 3, 2025						
Incident Name County	Species Involved	Primary Investigator	Requesting Agency	Reason for Request	Case Classification	
15NY1364-0CJ Parke	Canine	Solomon	Law Enforcement	Neglect	Animal Care	
15PW0ZJJ-0AL Harrison	Canine	Macy	Animal Control	Neglect	Animal Care	
15P21BB5-0B4 Tippecanoe	Canine	Boyd	Animal Control	Neglect	Animal Care	
15P1197Z-093 Knox	Canine	Renshaw	Animal Control	Neglect	Animal Care	
15P21LBT-016 Rush	Canine	Miller	Humane Organization	Neglect	Animal Care	
15P31HJE-016 Hendricks	Canine	Miller	Animal Control	Neglect	Animal Care	
15Q814HM-0CJ Putnam	Porcine	Solomon	Private Citizen	Neglect	Animal Care	
15PE1A7P-02N Noble	Canine	Chavis	Law Enforcement	Neglect	Animal Care	
15PK127B-093 Vanderburgh	Canine	Renshaw	Law Enforcement	Neglect	Animal Care	
15QE1ACN-02N Miami	Ovine	Chavis	Private Citizen	Neglect	Animal Care	
15PM1DQ2-04C Grant	Equine	Justice	Private Citizen	Neglect	Animal Care	

INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 3, 2025						
Incident Name County	Species Involved	Primary Investigator	Requesting Agency	Reason for Request	Case Classification	
15PG0ZS7-01Y Marshall	Porcine	Lamb	State Agency	Neglect	Animal Care	
15PM1E0E-04C Grant	Equine	Justice	Private Citizen	Neglect	Animal Care	
15Q21ADN-0CJ Parke	Equine	Solomon	State Agency	Neglect	Animal Care	
15Q10PS7-093 Spencer	Porcine	Renshaw	Law Enforcement	Neglect	Animal Care	
15QG18Z6-02N Huntington	Bovine	Chavis	Private Citizen	Neglect	Animal Care	
15QA1DT3-04C Grant	Equine	Justice	Private Citizen	Neglect	Animal Care	
15Q31BDZ-0B4 Tippecanoe	Canine	Boyd	Animal Control	Neglect	Animal Care	
15Q71DTA-02N Steuben	Equine	Chavis	Private Citizen	Neglect	Animal Care	
15PL183Y-093 Vanderburgh	Canine, Exotics	Renshaw	Law Enforcement	Neglect/Abandonment	Animal Care	
15N5154U-0CJ Parke	Canine	Solomon	Law Enforcement	Neglect/Abandonment	Animal Care	
15P80T54-04C Wayne	Feline	Justice	Law Enforcement	Neglect/Abandonment	Animal Care	

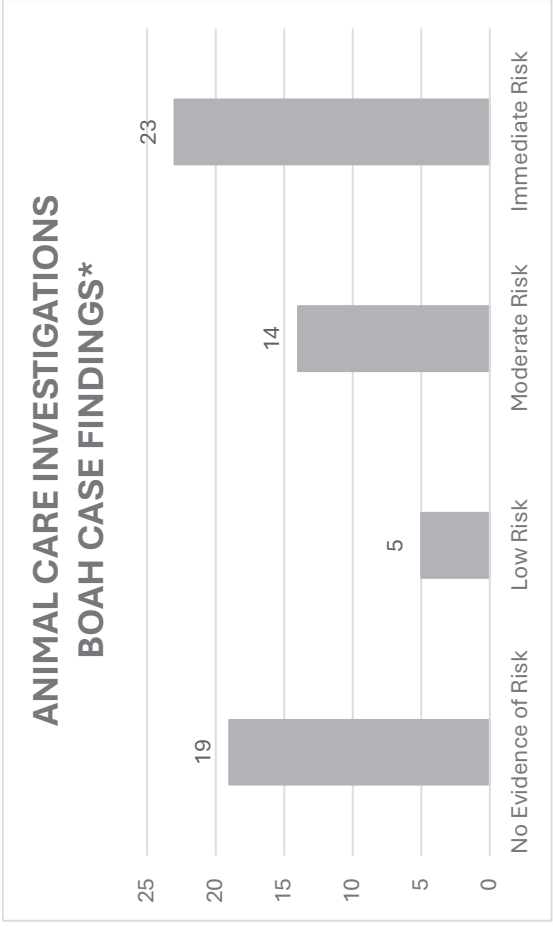
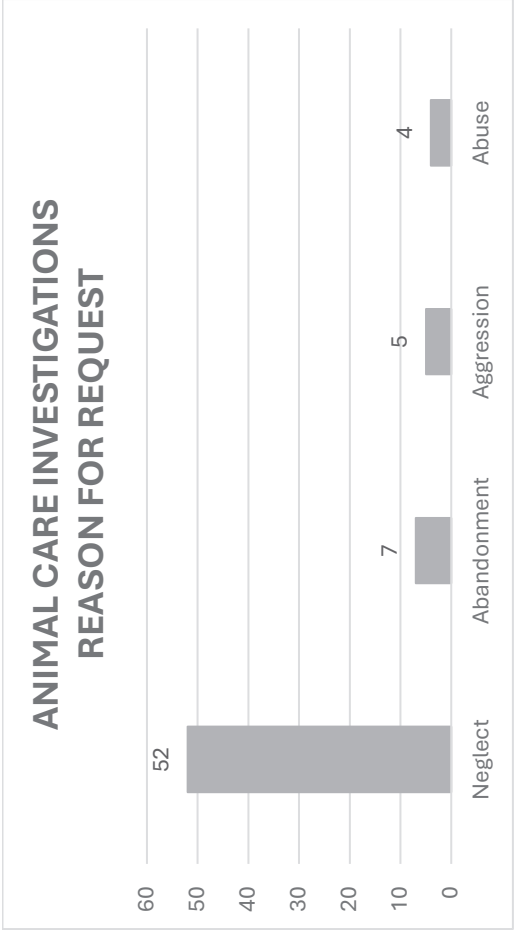
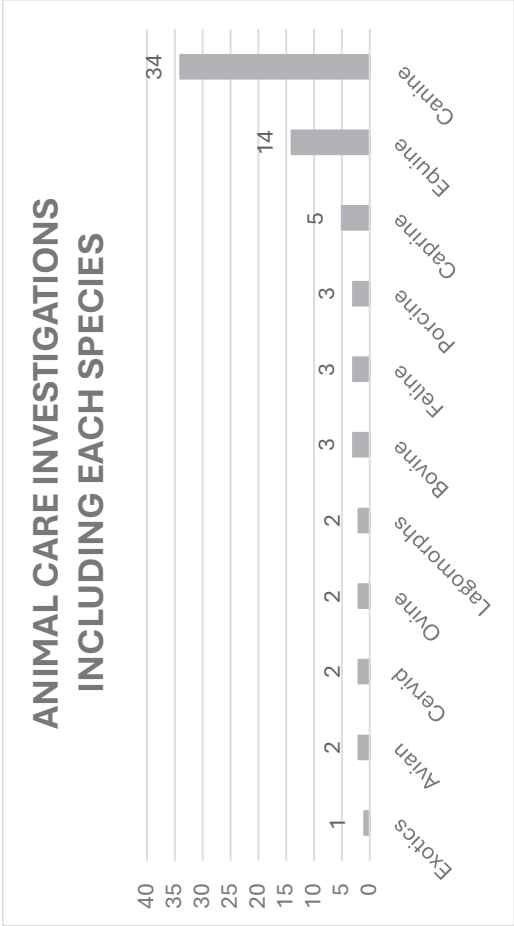
INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 3, 2025					
Incident Name County	Species Involved	Primary Investigator	Requesting Agency	Reason for Request	Case Classification
15NL14UJ-0CJ Owen	Caprine, Equine	Solomon	Law Enforcement	Neglect/Abandonment	Animal Care
15P81CPC-04C Madison	Canine	Justice	Humane Organization	Neglect/Abandonment	Animal Care
15PL191D-093 Vanderburgh	Feline	Renshaw	Law Enforcement	Neglect/Abandonment	Animal Care
15PU0WDN-0CJ Brown	Canine	Solomon	Law Enforcement	Neglect/Abuse	Animal Care
15NC1037-0CJ Vigo	Bovine, Cervid	Solomon	Private Citizen	Neglect/Carcass Disposal	Animal Care
15P813X8-0CJ Sullivan	Equine	Solomon	Private Citizen	Neglect/Carcass Disposal	Animal Care
15QE1505-0CR Hamilton	Bovine	Bloom	Private Citizen	Improper Carcass Disposal	Carcass Disposal
15Q9164E-0CR Allen	Canine	Bloom	Law Enforcement	Registration Requirement	Commercial Dog Breeder
15NK1AWS-01Y Hancock	Bovine	Price	Private Citizen	Raw Milk Sales	Dairy
15Q71D7V-0BJ Elkhart	Bovine	Paul	Private Citizen	Raw Milk Sales	Dairy
15PA160H-0BJ Elkhart	Avian	Paul	Private Citizen	Animals Running at Large	Running at Large

INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 3, 2025					
Incident Name County	Species Involved	Primary Investigator	Requesting Agency	Reason for Request	Case Classification
15MB12EV-01Y Jennings	Equine	Price	Private Citizen	No CVIs/No EIA Tests	Traceability/Interstate Movement

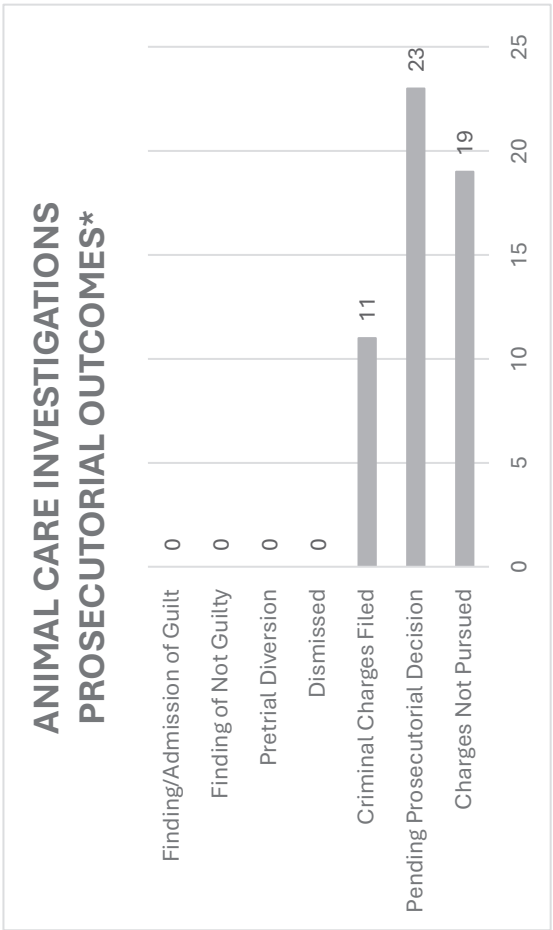
ANIMAL PROGRAMS INVESTIGATIONS



ANIMAL CARE INVESTIGATIONS



\*Organized by severity of risk



\*Organized by severity of prosecutorial outcome







Mike Braun, Governor  
Kyle Shipman, DVM, State Veterinarian

## INDIANA STATE BOARD OF ANIMAL HEALTH

---

Office of the State Veterinarian  
Discovery Hall, Suite 100  
1202 East 38<sup>th</sup> Street  
Indianapolis, IN 46205-2898  
Phone: 317/544-2400

### Avian Health Division Board Report 3<sup>rd</sup> Quarter, 2025

#### Quarterly Highlights

- The BOAH team celebrated the release of the final quarantine from our series of 2025 Highly Pathogenic Avian Influenza (HPAI) cases on September 4 with our Porter County small flock completing its 120-day fallow period. This officially closed the Indiana outbreak...for now!
- As is often a seasonal trend, the national HPAI cases in domestic poultry plummeted this summer with just three cases in June, one case in July, and three in August. It was a brief but welcome reprieve for most. Unfortunately, cases have already started to pick up again at a rate of about one case per day in September. These cases have been diagnosed in Georgia, Maryland, Michigan, Minnesota, Montana, North Dakota, and South Dakota.
- Given a couple of months to breathe and catch up, the BOAH team took a day and gathered at our central office in August to talk through ideas and changes to internal HPAI operations to respond even more efficiently and effectively to future outbreaks. Action items were identified and assigned for follow-up in rapid succession. Changes and solutions are in progress.

#### Avian Health Updates

- Voluntary biosecurity assessments through USDA continue on Indiana farms, including one category focused on wildlife risk mitigation and another on general biosecurity improvements. Indiana ranks 4<sup>th</sup> nationally in the number of biosecurity assessments conducted, with 169 total. USDA is covering up to 75% of costs for the highest-risk biosecurity improvements. We saw our first farm in the state receive USDA approval and funding to install showers in the operation. The farm is a mid-sized commercial layer operation in Jay County.
- Indiana continues to see new cases of Avian Metapneumovirus (aMPV) across the state and affecting all poultry species. BOAH has approved the use of several of the imported, modified-live and killed vaccine products. Early feedback provided to the avian division from Indiana producers on the overall efficacy and outcomes of vaccine implementation has been somewhat mixed to this point.
- Three laboratory-diagnosed cases of Egg Drop Syndrome Virus (EDSV) were reported in Indiana this quarter which were the first reported since late 2024. The cases were all in commercial brown-egg laying hens in LaGrange County under the ownership and care of three different egg companies/producers. All were vaccinated, but application of vaccine was thought to be imperfect in at least two cases. Production losses are mild to moderate.

**Safeguarding Indiana's animals, food supply and citizens for more than 135 years.**

An equal opportunity employer and provider.

- At the end of June, one backyard laying hen in Delaware County reacted to a pullorum-typhoid test administered by an authorized testing agent in anticipation of exhibition at a local show. The flock was quarantined and follow-up confirmation testing conducted by BOAH in July was also positive on two additional test types ran at separate national reference laboratories. The pet hen was euthanized in August, and cultures were negative for salmonella, effectively clearing the remaining flock. Indiana has been Pullorum-Typhoid Clean since December of 1981, and reactors are infrequent.
- Indiana's first wild bird case of H5 influenza was diagnosed in Greene County in a blue-winged teal in mid-September. While not unexpected, this diagnosis and others in neighboring states confirm that the disease is currently active in the Mississippi flyway.

### **NPIP Updates**

- NPIP inspections were postponed for the first several months of 2025 due to both biosecurity concerns and staff availability related to the HPAI outbreak. BOAH and ISPA resumed these visits late in the second quarter and continued at an aggressive pace over the summer. This quarter, we made NPIP site visits and inspections at 1 hatchery, 5 laboratories, 2 slaughter plants, and 13 egg processing plants, and completed biosecurity audits and farm inspections for 8 participating poultry companies;
- In the third quarter, we processed 2,952 requests for movement of 77,115,131 hatching eggs, chicks, poults, ducklings, and other poultry.
- After wrapping up fiscal year certification renewals for backyard flock participants, Indiana has had a net gain of approximately 20 of these small flocks over the past year, totaling 112 enrolled. Additionally, 92 dealer participants, largely farm supply stores, have maintained their certification.
- Drs. Cooper and Kopp and Chelsie Leatherman attended the National Poultry Improvement Plan (NPIP) Official State Agency and General Conference Committee (GCC) meetings in Minneapolis in July which are held for participating states to discuss program implementation and changes to program standards and provisions, to hear updates on program diseases from national experts, discuss other timely poultry disease challenges, and for the GCC to consider interim changes including new diagnostic test kit approvals. At the end of the meeting, the GCC members expressed their frustration and made an urgent and passionate plea to the USDA for their help in expediting the approval and publishing process of proposed program changes voted on at the 2022 and 2024 biennial meetings.

### **Partnerships & Outreach**

- The BOAH team participated in the inaugural Indiana Poultry Intern Day hosted by ISPA, which included 27 interns from several of Indiana's poultry companies. ISPA, BOAH, DNR, ISDA, IDEM, USDA-VS, and Purdue Animal Sciences all partook in the day's activities, providing interns with information about the Indiana industry and government's role in their success. Students gave oral presentations on their summer projects and enjoyed lunch at the

Indiana Soybean Alliance and Corn Marketing Council offices. Next, Senator Jean Leising welcomed us into the senate chambers at the statehouse where we discussed the legislative process. The day wrapped up at the Indiana State Fairgrounds to explore the Poultry Experience exhibit.

- The BOAH-curated emergency preparedness track at the Purdue Veterinary Conference included 2 HPAI lectures. Dr. Cooper spoke about HPAI in commercial and backyard poultry flocks, and Dr. Justice gave a presentation about the disease in pets, livestock, and alternative species.
- Dr. Cooper delivered a lecture about the US HPAI epidemic and Indiana's comprehensive approach to response, and provided discussion board prompts for Purdue's Forestry and Natural Resources 598 "One Health in the Anthropocene" course.

A handwritten signature in black ink that reads "Maria E Cooper DVM". The signature is written in a cursive, flowing style.

Maria Cooper, DVM  
Director, Avian Health Division  
Indiana State Board of Animal Health



## REPORT TO THE BOARD, October 2025

### Quarterly Highlights

- The FSIS Financial audit started on September 15, 2025. It is expected to be completed within the next 4 months
- Our onsite audit with the audit branch of FSIS-USDA occurs every three years. We submitted all paperwork towards the completion of our onsite audit on September 26, 2025.
- The Division is compiling records and information for the FSIS self-assessment due on November 1, 2025. This is a records audit of all plants that is required every year to demonstrate the Indiana program is at least “equal to” the federal program.
- Facility changes: One inspected facility from inspection to custom exempt (Connersville Meat Packing) and one custom exempt facility to an official inspected facility (First Capital Meat Processing). One facility left the program to process retail only products (Claus')
- Currently there are 29 Indiana facilities in the cooperative interstate shipment (CIS) program. One processing plant was accepted into the CIS program this quarter. (Rowdy Rooster Artesian Meats)
- Dr. Suhr spoke to multiple county health departments at the West Central Indiana Environmental Health Association (IEHA) meeting on August 21 in Sullivan, IN about the meat inspection program and how we work with public health agencies.
- The EIAOs held the first training course on Noncompliance writing in the central office in August. More will be scheduled in the next two months.

### Fast Facts:

- Facilities by type:

Red meat harvest and processing	53
Poultry harvest and processing	3
Meat harvest, no further insp. processing	2
<u>Processing only facilities</u>	<u>27</u>
Official establishments	<b>85</b>
+	
Limited Permit Retail HRI	3
<u>Custom exempt establishments</u>	<u>53</u>
<b>Total program facilities</b>	<b>141</b>

- **The program currently has one open inspector position - in the west central area. There is also one EIAO (auditor) and one compliance officer position open.**
- **BOAH MPI continues to take advantage of USDA/FSIS virtual training courses. Three employees completed the Ready to Eat FSIS course in August.**

### Looking ahead

- The financial audit and Self-Assessment should be finished within approximately the next 30 -90 days.
- Dr. Swiatkowski will be meeting weekly with small groups of inspectors for training.
- 2 new facilities are estimated to join the State MPI program in the next few months.
- Dr. Swiatkowski is planning to attend the ASMID (Association of State Meat Inspection Directors) meeting in Denver during the USAHA conference in November, 2025. Dr Suhr will be joining virtually.
- Trainings for the inspectors by the EIAOs will continue on a quarterly basis.

### Partnerships and Outreach

- FSIS Chicago District Office CIS bi-weekly teleconference between BOAH MPI and Ohio MPI – sharing CIS related information.
- MPI weekly teleconference with field staff.
- MPI, IMPPA and ISDA are holding monthly meetings to help support new and existing plants that we actively participate in.

Respectfully submitted,

*Keri Z. Suhr, DVM*



Mike Braun, Governor  
Kyle Shipman, DVM, State Veterinarian

## INDIANA STATE BOARD OF ANIMAL HEALTH

---

Office of the State Veterinarian  
Discovery Hall, Suite 100  
1202 East 38<sup>th</sup> Street  
Indianapolis, IN 46205-2898  
Phone: 317/544-2400

### Dairy Division

#### Highlights

- Indiana had 22 state surveys in the third quarter of 2025. Surveys had an average sanitation score of 92 and enforcement score of 96 (score of 90 or higher to pass). Sanitation is the score given to the producer and enforcement is the score provided to BOAH. Indiana also had 12 Federal Check-ratings in the third quarter of 2025. The sanitation score average was 89 (score of 81 or higher for no action) and the enforcement score was an average of 95.

#### Fast Facts

- 660 total Grade A Farms
- 207 Organic Farms
- 14 Goat Farms
- Haulers 502
- 23 Grade A Dairy Plants
- 15 On Farm Processors
- 5 Truck Wash / 2 Transfer Stations
- 34 farms with a total of 177 AMI's
- 12 Direct Load Farms
- 16 Manufactured Grade Farms
- Milk Trucks 496
- 30 Manufactured Grade Plants
- 18 Single Service Manufactures
- 9 Distributor

#### Looking Ahead

- BOAH will be sending several employees to the Easter Regional Milk Seminar October 20-23 in Nashville Tennessee. This seminar is a joint effort between state and FDA for the training of Lab Evaluation Officers, Rating Officers, and Division Leadership on new and upcoming trends and regulatory concerns.

#### Partnerships and Outreach

- The Dairy Division Amy Pettijohn. To the Kentucky Milk Quality Conference. This conference is attended by several regulators in our region. The agenda covered regional topics that will allow us to have more uniformity on interpretations across the region.
- Amy Pettijohn was asked to join the board for Indiana Milk Quality Conference to replace Matt Hauschild, whose term was ending. Keeping this presence on the board allows BOAH to have a seat at the table when planning topics for this annual conference. Being able to suggest topics for the agenda allows BOAH to get information to producers and processor across multiple platforms.
- The Dairy Division sent Nathan Campbell and Amy Pettijohn to National Association of Dairy Regulatory Officials 2025 meeting held in Burlington, Vermont July 14-17. NADRO works to address concerns of the Dairy Industry and to make recommendations to the relevant Federal Agencies and National Organizations to promote regulatory uniformity across the industry.

Respectfully Submitted,

**Safeguarding Indiana's animals, food supply and citizens for more than 135 years.**

An equal opportunity employer and provider.







Mike Braun, Governor  
Kyle Shipman, DVM, State Veterinarian

## INDIANA STATE BOARD OF ANIMAL HEALTH

---

Office of the State Veterinarian  
Discovery Hall, Suite 100  
1202 East 38<sup>th</sup> Street  
Indianapolis, IN 46205-2898  
Phone: 317/544-2400

### State Veterinarian's Report 3<sup>rd</sup> Quarter, 2025

#### Quarterly Highlights

- **New World Screwworm** - On September 21, 2025, new world screwworm (NWS) was confirmed in Nuevo León, approximately 70 miles south of the U.S. border, representing the northernmost detection of this pest. The detection in an 8-month-old bovine recently moved from an area with active transmission highlights animal movement as a primary pathway for dissemination and increases the likelihood that enhanced movement controls, biosecurity, and targeted surveillance will be needed to mitigate introduction risk. U.S. ports remain closed to imports of cattle, bison, and horses from Mexico.

Since July, USDA alongside Mexico, has been actively monitoring nearly 8,000 traps across Texas, Arizona, and New Mexico. To date, more than 13,000 passive surveillance samples have been submitted, with no NWS flies detected. Federal authorities have activated a multi-pronged response emphasizing early detection, rapid containment, and population suppression using sterile-insect technique (SIT), supported by accelerated construction of domestic sterile-fly production and dispersal capacity, emergency regulatory authorizations for veterinary therapeutics, and increased staffing for trapping and movement control in Mexico.

The Indiana State Board of Animal Health (BOAH) is actively engaged in national preparedness and response discussions and continues to coordinate with state partners as this incident continues to evolve.

- **H5N1 Dairy Surveillance** – On June 13, the United States Department of Agriculture (USDA) formally advanced the State of Indiana to Stage 4 "Unaffected" status within the National Milk Testing Strategy (NMTS) framework. Under Stage 4, BOAH continues to demonstrate the absence of H5N1 in our Indiana dairy herd. BOAH's Animal Programs Division, in coordination with the Dairy Division, have completed three rounds of milk-tanker testing, surveilling on average more than 240 tankers per month.
- **Center for Animal Policy** - Based on feedback from the Farm Journal Foundation workforce study, the Center is partnering with stakeholders to move forward on key initiatives. This quarter our team has continued to engage with constituents to further understand the disparities of veterinary care across Indiana. The Indiana State Department of Agriculture and BOAH met with

**Safeguarding Indiana's animals, food supply and citizens for more than 135 years.**

An equal opportunity employer and provider.

representatives from the Agribusiness Council of Indiana, Indiana Farm Bureau, Indiana State Poultry Association, Indiana Beef Cattle Association, Indiana Dairy Producers, Indiana Pork Producers Association, and American Dairy Association of Indiana to better understand the veterinary needs of Indiana's rural communities.

Additionally, BOAH collaborated with Purdue's College of Veterinary Medicine to brief members of the Indiana General Assembly on the agency's veterinary workforce initiative during their annual Rural Caucus meeting at the Indiana State Fair. This collaboration was continued during Purdue's Veterinary Conference where BOAH was able to further engage with veterinary stakeholders and obtain detailed input on workforce challenges.

- **Board of Veterinary Medicine (VetBoard)** – On September 20, 2025, myself, along with the Board of Veterinary Medicine's Board Director Britney McMahon attended the annual meeting of the American Association of Veterinary State Boards (AAVSB). The AAVSB is the national body of state regulators charged with guiding legislation for the veterinary profession in 63 jurisdictions, including all of the United States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, and the ten Canadian provinces. Resolutions carefully considered by the Delegate Assembly addressed three issues: potential expansion of AAVSB membership to additional international jurisdictions, consideration of the Veterinary Professional Associate/mid-level practitioner, and the criteria for establishing the Veterinarian-Client-Patient Relationship.

During their regular October 23, 2025 meeting, members of the VetBoard will be considering a proposal to amend the administrative rules governing fees, fines, civil penalties, and continuing education (CE) requirements for veterinarians and registered veterinary ([\*LSA #25-432\*](#)). Those who wish to express their opinions or provide input may do so by sending an email to: [VetBoard@VetBoard.IN.gov](mailto:VetBoard@VetBoard.IN.gov) by October 3, 2025.

### **Partnerships & Outreach**

- American Association of Veterinary State Boards Annual Meeting
- Dairy Farm and Processing Facility On-Site Inspections
- Indiana Council for Animal Welfare Southern Indiana Kennel Tour
- Indiana Deer and Elk Farmers Association Annual Meeting
- Indiana Pork Producers Ham Breakfast
- Indiana Rural Caucus at the Indiana State Fair
- Indiana State Department of Agriculture's State Fair Ag Partner Meetings
- Indiana State Fair Harvest Dinner
- Indiana State Poultry Association's Poultry Intern Day
- Knox County Farm Bureau Annual Meeting
- Lawrence County Farm Bureau Annual Meeting
- National Poultry Improvement Plan On-Site Inspection and Biosecurity Review
- Swine Health Improvement Plan House of Delegates Meeting
- Tri-National Agricultural Accord ASF Tabletop Exercise

TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH

Legislative Notice for Rule Readoption

LSA Document #24-625

Under [IC 4-22-2.6-3](#), the Indiana State Board of Animal Health (BOAH) notifies the Legislative Council of its intent to readopt rules in anticipation of the rules expiring January 1, 2026.

**STATUTORY AUTHORITY:** [IC 15-17-3-21](#); [IC 15-17-5-5](#)

**SUBJECT MATTER:** Readopts BOAH rules concerning domestic animal disease control; scrapie; equine; dairy products; meat products; and poultry products.

OVERVIEW

Rules to be readopted without changes are as follows:

<a href="#">345 IAC 1-1.1</a>	Sale of Disease Treatments or Diagnostic Agents
<a href="#">345 IAC 1-1.5-2</a>	Certificates of veterinary inspection
<a href="#">345 IAC 1-3</a>	Moving Animals
<a href="#">345 IAC 2-6</a>	Cattle Brucellosis Control and Eradication
<a href="#">345 IAC 2-7</a>	Chronic Wasting Disease
<a href="#">345 IAC 2-8</a>	Johne's Disease (Mycobacterium Paratuberculosis)
<a href="#">345 IAC 2.5-3</a>	Tuberculosis Control in Bovine and Bison
<a href="#">345 IAC 2.5-4-4</a>	Accredited herd status for goat herds
<a href="#">345 IAC 3-4</a>	Swine Brucellosis Testing, Control, and Eradication; Validated Brucellosis-Free Herds
<a href="#">345 IAC 3-5.1</a>	Swine Pseudorabies Testing, Control and Eradication; Pseudorabies–Qualified Herds
<a href="#">345 IAC 6-1.1</a>	Equine Infectious Anemia (E.I.A.) Control

<a href="#">345 IAC 7-3.5</a>	Licensing and Bonding of Livestock Dealers and Markets
<a href="#">345 IAC 7-4.5</a>	Exhibitions
<a href="#">345 IAC 7-5</a>	Exhibition of Domestic Animals and Poultry
<a href="#">345 IAC 7-8</a>	Livestock Brands
<a href="#">345 IAC 8-2</a>	Production, Handling, Processing, Packaging, and Distribution of Milk and Milk Products
<a href="#">345 IAC 8-3</a>	Standards for Milk and Milk Products and Grade A Standards
<a href="#">345 IAC 8-5</a>	References
<a href="#">345 IAC 9-1-2</a>	Terms; number; gender
<a href="#">345 IAC 9-6</a>	Assignments and Authorities of Division Employees
<a href="#">345 IAC 9-8</a>	Sanitation
<a href="#">345 IAC 9-9.5</a>	Antemortem Inspection
<a href="#">345 IAC 9-10.5</a>	Postmortem Inspection
<a href="#">345 IAC 9-16</a>	Marking Products and Their Containers
<a href="#">345 IAC 9-17-5</a>	Modifications of approved label; permission of area supervisor
<a href="#">345 IAC 9-21.5</a>	Inspection of Rabbits and Rabbit Products
<a href="#">345 IAC 9-22</a>	Detention; Seizure and Condemnation; Criminal Offenses
<a href="#">345 IAC 10-2</a>	Administration; Application of Inspection and Other Requirements
<a href="#">345 IAC 10-7</a>	Facilities for Inspection; Overtime and Holiday Service, Billing Establishments
<a href="#">345 IAC 10-13</a>	Official Marks, Devices, and Certificates; Certification Procedures
<a href="#">345 IAC 10-14-20</a>	Modifications of approved label; permission of officer in charge
<a href="#">345 IAC 10-20</a>	Detention; Seizure and Condemnation; Criminal Offenses

Rules to be repealed are as follows:

*None*

*Posted: 12/19/2024 by Legislative Services Agency*

**TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH****Rule Readoption Review**

LSA Document #24-625

**IC 4-22-2.6-4 and EO 25-17**[345 IAC 1-1.1](#) Sale of Disease Treatment or Diagnostic Agent**I. Subject Matter Statement**

The oversight of the use of biological products in animals remains carried out by the agency. State law requires the BOAH to control the manufacture, sale, storage, distribution, handling, and use of serums, vaccines, and other biologics and veterinary drugs to be used in the prevention, detection, control, and eradication of disease and pests of animals. [IC 15-17-13-3](#)(10).

**II. Continued Need for the Rule**

Under the Biological Products law, a person may not use or sell any substance for the prevention or treatment of a contagious or infectious disease that contains living germs in a virulent or attenuated state or may at any time cause an outbreak of a contagious or infectious disease unless the person has submitted a notice to the state veterinarian describing the substance. The state veterinarian may forbid the use of a substance that in the state veterinarian's judgment jeopardizes the health of domestic animals or causes the masking of a diagnosis of a contagious or infectious disease. A person may not manufacture or sell within Indiana a biological product for use on an animal unless it is produced at an establishment that is licensed by the United States Department of Agriculture (USDA) or located in Indiana and approved by and issued permits by the board. Only vaccines produced at establishments licensed under the federal Virus-Serum-Toxin Act (21 U.S.C. 151 through 21 U.S.C. 158) or in Indiana and approved by the board may be administered to animals. [IC 15-17-12](#).

This rule is necessary to carry out the above-described requirements. Specifically, it makes it unlawful for any person to sell any Tuberculin or Brucella antigen used as a diagnostic agent for domestic animals except to the state or federal regulatory agency which is directly responsible for the control of livestock diseases. It also makes it unlawful for any firm to receive any Tuberculin or Brucella antigen into Indiana from any other state for the purpose of sale or use in the state of Indiana, except as permitted by the rule. It makes it unlawful for any person to sell within the state any Brucella Abortus Vaccine, Rabies Vaccine or Pseudorabies Vaccine for use in domestic animals except to an accredited, licensed veterinarian, or a registered distributor. A distributor of Brucella Abortus

Vaccine, Rabies Vaccine or Pseudorabies Vaccine, must be registered with the office of the state veterinarian and must have received prior written approval before receiving or selling any of the vaccines listed in this section. Sales of these vaccines by a registered distributor must be made only to a licensed, accredited veterinarian.

### **III. Analysis of fees, fines and civil penalties under [IC 4-22-2-19.6](#)**

A violation of [345 IAC 1-1.1](#) is governed by [IC 15-17-18-12](#), which states that a person who violates this article, a rule adopted under this article, or a determination or order of the board or an agency made under this article is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation, plus payment to the board for the costs incurred by the board as a direct consequence of prosecution for the violation. The BOAH civil penalty schedule specifies how a penalty is calculated for a violation of animal health laws and rules. Currently, a first offense is a range of \$0-\$500 and a subsequent offense is \$0-\$1,000. BOAH recently incorporated this schedule into a civil penalty rule, which also establishes the factors that the agency will consider when determining a specific amount within this range.

### **IV. Cost-benefit, Economic Impact, Fiscal Impact, or Regulatory Burden Statements**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under [IC 4-22-2-28](#) and [IC 4-22-2.1-5](#). The most recent analysis can be found at LSA #19-168(F). This review resulted in a finding that there has not been any change in circumstances that affect the analysis and necessitates a change in the analysis.

### **V. Alternative methods of achieving the Purpose of the Rule**

This biological products rule does not impose requirements beyond the role of states as set forth in the federal Virus-Serum-Toxin Act (21 U.S.C. 151). Therefore, BOAH has determined that this approach minimizes the economic impact on small businesses or other regulated entities.

### **VI. Complaints and Comments**

The agency has not received complaints regarding this rule. The BOAH has a record of working collaboratively with the USDA-APHIS Center for Veterinary Biologics (CVB) with regard to these duties.

### **VII. Difficulties Encountered**

The BOAH has not encountered difficulties in administering the rule or small businesses or other regulated parties in complying with the rule.

### **VIII. Changes in Technology, Economic Conditions, or Other Factors**

This rule was last reviewed in 2019. Since that time, there have not been changes in technology, federal law, or economic conditions that necessitate any changes to the rule.

## **IX. Other State or Federal Requirements**

APHIS regulates veterinary biologics (vaccines, bacterins, antisera, diagnostic kits, and other products of biological origin) to ensure that the veterinary biologics available for the diagnosis, prevention, and treatment of animal diseases are pure, safe, potent, and effective. For example, under the Federal Virus-Serum-Toxin Act, BOAH issues the following categories of approvals:

- Approvals for a veterinary practitioner to order the production of autogenous vaccines for use in animals, which includes a demonstration as to why a commercially available product cannot be used;
- Approvals for animal health companies to ship biologics into the state without a full license, such as under a conditional license or a restricted license;
- Approvals for experimental trials, which may include field studies, to occur in the state on unlicensed biologics for safety and efficacy. A study protocol must be submitted for review.

It is important to note that the agency has occasionally had to investigate and take enforcement action to cease sales of rabies vaccines that have been shipped to animal owners in violation of state law. BOAH has not encountered any difficulties in administering this rule. As stated above, the USDA-APHIS has a process for approval of biologics. The state law aligns with this law by requiring certain state approvals that are consistent with the federal Virus-Serum-Toxin Act and regulations.

In Illinois, Idaho, Kentucky, Michigan, North Dakota, and Ohio, the requirements for distribution of *Brucella abortus*, rabies, and pseudorabies vaccines align with Indiana:

- *Rabies vaccine* distribution is restricted to licensed veterinarians, and it must be licensed by the USDA.
- *Brucellosis vaccines* can only be sold to and administered by licensed veterinarians or those in the employ of the USDA's Animal and Plant Health Inspection Service.
- *Pseudorabies vaccine* distribution also has restrictions, requiring the vaccine to be licensed by the USDA and used only by licensed veterinarians.
- The distribution of *other serums, vaccines, bacterins, and biological products for animals* are regulated by state laws, which prohibits the importation or sale of products unless they are approved by USDA-APHIS and, under some circumstances, also the State Departments of Agriculture. For example, several states have

additional state approval and label requirements for the shipment of virulent blood or living virus or bacteria (Brucella abortus vaccine) for use in animals.

A review of other state requirements has resulted in a finding that BOAH does not have requirements governing the distribution of vaccines and biologics that are more restrictive than other states.

## **X. Previous Amendments**

This rule was originally filed in 1983. Since this time, there have been no changes to the federal Virus-Serum-Toxin Act (21 U.S.C. 151 through 21 U.S.C. 158) that have necessitated amendments to the substantive content of the rule.

## **XI. Integration into Indiana Code**

The state biological products law prohibits the sale, offer for sale, or distribution within Indiana of a biological product for use on an animal unless the biological product is produced at an establishment that is either licensed by the USDA, or located in Indiana and approved by and issued permits by the board. Only vaccines produced at establishments licensed under the federal Virus-Serum-Toxin Act, or in Indiana and approved by the board, may be administered to animals in Indiana.

The BOAH rule provides further details of how to comply with this law. For example, it clarifies that biological products must only be received by a licensed veterinarian or distributor that is registered with the BOAH. It is important to have the biological products rule to provide further detail for the distributor registration requirements and for any entities that are seeking to engage in activities that need a BOAH permit under the federal Virus-Serum Toxin Act. The rule prescribes requirements to be met under normal circumstances. In an emergency or substantial change of circumstances, such as a surge in disease detections or a need for widespread testing or vaccination, the Board may need to change how products are distributed and used. Currently the Board of Animal Health has the authority to do this by rule and could accomplish such a change quickly during an emergency meeting of the Board. If the provisions were in statute, changes could only be made during a legislative session. If it is determined that these provisions should be integrated into Indiana Code, it is still necessary to readopt [345 IAC 1-1.1](#) to prevent the expiration of these requirements prior to their enactment.

[345 IAC 1-1.5-2](#) Certificates of veterinary inspection

[345 IAC 1-3](#) Moving Animals

## **I. Subject Matter Statement**



The establishment of animal documentation and testing requirements for the interstate and intrastate movement of domestic animals remains carried out by the agency. The BOAH has the duty to control or prohibit, by permit or other means, the movement and transportation into, out of, or within Indiana of animals and objects in order to prevent, detect, control, or eradicate diseases and pests of animals. The BOAH is also responsible for developing requirements for the identification of animals to facilitate the prevention of disease. [IC 15-17-3-13](#).

## **II. Continued Need for the Rule**

The CVI and animal movement rules are necessary to implement a federal mandate. The state must ensure that its identification and documentation requirements for movement of livestock and poultry into the state align with the federal rule at 9 CFR Part 86. Indiana's livestock and poultry producers rely on the BOAH to ensure that all identification and documentation requirements align with federal standards. If the requirements are inconsistent with these standards, it may jeopardize their ability to move their animals in commerce interstate or internationally.

BOAH's traceability program is subject to periodic tests by USDA-APHIS to ensure that the staff can quickly trace an animal's movements in order to demonstrate the state's ability to contain a disease of concern to animal or human health. If the appropriate intrastate identification and documentation requirements are not in place, it compromises the ability to successfully complete a trace investigation in accordance with federal standards. It is also important that these requirements are in state law so enforcement action may be taken by the state in the absence of, or in addition to, federal action if it is deemed necessary to protect animal or public health. BOAH does not impose any requirements with regard to animals moving into the state that are more stringent than 9 CFR 86.

## **III. Analysis of fees, fines, and civil penalties under [IC 4-22-2-19.6](#)**

A violation of [345 IAC 1-1.5-2](#) and [345 IAC 1-3](#) is governed by [IC 15-17-18-12](#), which states that a person who violates this article, a rule adopted under this article, or a determination or order of the board or an agency made under this article is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation, plus payment to the board for the costs incurred by the board as a direct consequence of prosecution for the violation.

The BOAH civil penalty schedule specifies how a penalty is calculated for a violation of animal health laws and rules. Currently, a first offense is a range of \$0-\$2000 and a subsequent offense is \$0-\$5,000. BOAH recently incorporated this schedule into a civil penalty rule, which also establishes the factors that the agency will consider

when determining a specific amount within this range. These violations are considered major violations under [IC 4-21.5-2.5-2\(1\)\(E\)](#).

#### **IV. Cost-Benefit, Economic Impact, Fiscal Impact, or Regulatory Burden Statements**

The animal movement rule was amended in 2014 to align with 9 CFR 86. LSA #14-57. It was amended in 2021 to repeal the requirement for a pre-entry permit for bison, cattle, and swine moving into Indiana if an electronic CVI has been filed with the board prior to the date of movement. 21-268(F). The CVI rule was also amended to authorize the state veterinarian to only allow CVIs to be submitted that are compatible with state information management systems. However, there are a broad range of such forms available for use by veterinarians preparing the CVIs.

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under [IC 4-22-2-28](#) and [IC 4-22-2.1-5](#). This review resulted in a finding that there have not been any changes in circumstances that affect the analysis and necessitate a change in the analysis

#### **V. Alternative methods of Achieving the Purpose of the Rule**

BOAH does not impose any requirements with regard to animals moving into the state that are more stringent than 9 CFR 86. Both of these rules align with federal law in order to minimize the economic impact on animal owners.

#### **VI. Complaints and Comments**

The agency has not received complaints regarding this rule. When BOAH is investigating a case where a person has moved animals into the state without a CVI or other test, BOAH typically consults with USDA-APHIS to determine their intended response prior to taking enforcement action.

#### **VII. Difficulties Encountered**

The BOAH has not encountered difficulties in administering the rule. The interstate movement requirements are aligned with federal law. The intrastate requirements for cattle, sheep, and poultry are recordkeeping requirements, which require official identification and a minimal amount of information related to the transaction that is typically maintained for other business purposes. These requirements have been in place since 2014 and BOAH has not received any concerns from animal owners regarding this rule. It only requires that maintenance of this information in their records and that they are able to provide it to BOAH in the event of an animal disease investigation.

#### **VIII. Changes in Technology, Economic Conditions, or Other Factors**

This rule was last reviewed in 2014 and 2021. Since that time, there have not been changes in technology, federal law, or economic conditions that necessitate any changes to the rule.

## **IX. Other State or Federal Requirements**

The interstate movement requirement for all animals covered in [345 IAC 1-3](#) are what is required by federal law and no more stringent than Idaho, Illinois, Kentucky, Ohio, Michigan, or South Dakota. Some states have more stringent requirements for intrastate movement of covered animals than Indiana's official identification and recordkeeping requirement. BOAH's intrastate movement requirement for cervids requires the farm to be in compliance with the BOAH chronic wasting disease (CWD) rule, and if they are not required to be in that program, the animal must be officially identified. A review of other states has found that these requirements for the intrastate movement of captive cervids is not more stringent than other states. BOAH currently has a proposed rule that repeals the intrastate tuberculosis testing requirement for captive cervids.

## **X. Previous Amendments**

The last time the substantive content of the rule was amended was in 2014 and 2021.

## **XI. Integration into Indiana Code**

The interstate and intrastate movement requirements are continually being updated to align with federal regulation or any disease outbreaks where Indiana has determined it is necessary to take additional measures to protect the Indiana livestock industry or other animal populations. Therefore, it is the position of the BOAH that these requirements should remain in rule to adapt to changing circumstances and effectively carry out its duty to protect animal and human health.

### [345 IAC 2-6](#) Cattle Brucellosis Control and Eradication

#### **I. Subject Matter Statement**

The control of cattle brucellosis remains carried out by the BOAH. State law requires the BOAH to develop, adopt, and implement programs and procedures for establishing and maintaining accredited, certified, or validated animals, herds or areas, including the establishment and maintenance of certified or validated brucellosis free herds, animals, and areas. [IC 15-17-3-13](#)(2).

#### **II. Continued Need for the Rule**

Brucellosis is a contagious disease caused by bacteria of the genus *Brucella*, which affects both animals and humans. The federal brucellosis regulations, contained in 9 CFR Part 78, provide a system for classifying states according to the rate of *Brucella abortus* (*B. abortus*) infection present and the general effectiveness of a

brucellosis control and eradication program. The classifications are Class Free, Class A, Class B, and Class

C. Restrictions on moving cattle interstate become less stringent when a state achieves Class Free status, which is the current status of all states.

If BOAH's brucellosis control rules do not align with the federal brucellosis regulations, it could jeopardize the state's Class Free status. A modification of the state's status would have negative consequences regarding economic development. Indiana's cattle farmers rely on the board to adopt and enforce standards that align with the national brucellosis program. If the Board's brucellosis rule does not align with the federal regulations, it would make these animal owners vulnerable to additional costly movement restrictions being imposed at the federal level.

This rule aligns with the *2003 USDA Uniform Methods and Rules for Brucellosis Eradication*, which is critical to ensuring the maintenance of Indiana's Class Free status. All "test eligible cattle" must have a negative brucellosis test within the 30 days immediately prior to entering Indiana, unless they originate from a brucellosis-free state or herd. There are additional requirements for dairy and breeding cattle or bison.

### **III. Analysis of fees, fines and civil penalties under [IC 4-22-2-19.6](#)**

A violation of [345 IAC 2-6](#) is governed by [IC 15-17-18-12](#), which states that a person who violates this article, a rule adopted under this article, or a determination or order of the board or an agency made under this article, is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation, plus payment to the board for the costs incurred by the board as a direct consequence of prosecution for the violation. The BOAH civil penalty schedule specifies how a penalty is calculated for a violation of animal health laws and rules. Currently, failure to comply with the brucellosis control laws a range of \$0-\$1,000 and a subsequent offense is \$0-\$5,000. BOAH has incorporated this schedule into a civil penalty rule, which establishes the factors that the agency will consider when determining a specific amount within this range.

### **IV. Cost-Benefit, Economic Impact, Fiscal Impact, or Regulatory Burden Statements**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under [IC 4-22-2-28](#) and [IC 4-22-2.1-5](#). This review resulted in a finding that there have not been any changes in circumstances that affect the analysis and necessitate a change in the analysis

### **V. Alternative methods of achieving the Purpose of the Rule**

BOAH does not impose any requirements in this rule that are more restrictive than federal law. 9 CFR 78.

Therefore, the BOAH has found that there is not an alternative method that would be less costly or less intrusive or

otherwise minimize the economic impact of the proposed rule on small businesses or other regulated entities.

## **VI. Complaints and Comments**

The agency has not received complaints regarding this rule. BOAH works under a cooperative agreement with the USDA-APHIS and ensures that cattle in Indiana are moved in a manner consistent with the federal regulations.

## **VII. Difficulties Encountered**

The BOAH has not encountered difficulties in administering the rule. Because all states are currently free states, the only cattle that are required to originate from a brucellosis-free herd or be individually tested are the dairy and breeding cattle.

## **VIII. Changes in Technology, Economic Conditions, or Other Factors**

This rule was last reviewed in 2019. Since that time, there have not been changes in technology, federal law, or economic conditions that necessitate any changes to the rule.

## **IX. Other State or Federal Requirements**

All of the surrounding states (IL, KY, MI, OH) and Idaho and South Dakota, have a brucellosis rule that aligns with 9 CFR 78. All states must have a rule in place that is at least as stringent as the federal regulations in order to ship animals in interstate commerce.

## **X. Previous Amendments**

In 2016, BOAH made changes to several sections within [345 IAC 2-6](#) to align definitions and conform brucellosis requirements for cattle and bison entering Indiana to the federal regulations. It changed the age of cattle to be included in a herd blood test for purposes of establishing and maintaining a certified brucellosis-free herd and authorized the state veterinarian to approve alternate brucellosis milk testing protocols to certify and maintain a dairy herd as brucellosis-free (LSA #15-150).

## **XI. Integration into Indiana Code**

It is the position of the BOAH that the cattle brucellosis requirements should remain in rule versus being integrated into the Indiana Code. When the USDA-APHIS amends the federal regulations and associated program standards, the placement of the standards within the IAC allows the BOAH to promptly bring the state into compliance with federal law.

[345 IAC 2-7](#) Chronic Wasting Disease

## **I. Subject Matter Statement**

The prevention of CWD in captive cervids remains carried out by the agency. BOAH is responsible under state law to develop, adopt, and implement programs and procedures for establishing and maintaining certified disease monitored animals, herds, flocks, or areas. [IC 15-17-3-13\(2\)](#).

## **II. Continued Need for the Rule**

The state Chronic Wasting Disease rule ([345 IAC 2-7](#)) requires the enrollment of captive cervids in the CWD Registered Herd program that are designated by the board to be susceptible to CWD. In addition, the state administers a CWD Certified Herd program that aligns with requirements for the USDA-Animal and Plant Health Inspection Service (APHIS) National CWD Herd Certification Program (HCP). Indiana participates in this cooperative program with APHIS for Indiana cervid owners who wish to move animals interstate to be able to obtain a status authorizing such movement. The CWD programs include standards such as official identification, recordkeeping, fencing, and sampling requirements for captive cervids.

Indiana's deer and elk farming industry had a total economic impact of \$49.3 million dollars in 2010. Since the study was conducted, Indiana has seen an increase in hunting preserves which are the major demand driver for the breeding industry. This study found that over 95 percent of hunting preserve clients are from out of state, bringing dollars into Indiana.<sup>1</sup> According to the most recent survey, resident and nonresident wildlife hunters spend approximately \$222 million dollars in the state and support \$436 million dollars in sporting industry salaries and wages annually.<sup>2</sup>

If the BOAH does not retain its CWD rule, it would have negative consequences with regard to economic development. As discussed above, the economic impact of the deer and elk farming is significant for our state's rural communities. Because the introduction of CWD into the state will inevitably have an adverse effect on the economic viability of both the captive and wild deer industries, it is critical that the state retain this rule to minimize the risk of transmission by animal movement.

## **III. Analysis of fees, fines, and civil penalties under [IC 4-22-2-19.6](#)**

A violation of [345 IAC 2-7](#) is governed by [IC 15-17-18-12](#), which states that a person who violates this article, a rule adopted under this article, or a determination or order of the board or an agency made under this article is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation, plus payment to the board for the costs incurred by the board as a direct consequence of prosecution for the violation. The BOAH civil penalty schedule specifies how a penalty is calculated for a violation of the CWD rule. Currently, a first offense is a range of \$0-\$500 and a subsequent offense is \$0-\$1,000. BOAH has incorporated this schedule

into a civil penalty rule, which also establishes the factors that the agency will consider when determining a specific amount within this range.

#### **IV. Cost-Benefit, Economic Impact, Fiscal Impact, or Regulatory Burden Statements**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under [IC 4-22-2-28](#) and [IC 4-22-2.1-5](#). This review resulted in a finding that there has not been any change in circumstances that affects the analysis and necessitates a change in the analysis.

#### **V. Alternative methods of achieving the Purpose of the Rule**

There are requirements for CWD Registered Herds that are not required under the federal HCP. For example, the state does not allow cervids to come into Indiana from states that have had CWD in their captive or wild populations in the past 5 years. In addition, the BOAH requires the state's hunting preserves to sample harvested CWD susceptible deer. Indiana is one of 35 states with a CWD diagnosis. In April 2024, CWD was detected in a wild Indiana deer. It is the position of the BOAH that these requirements ensure that the state is prepared to take prompt action to mitigate any possible introduction into the captive deer populations.

#### **VI. Complaints and Comments**

The agency has not received complaints regarding this rule. The requirements for CWD registered herds have been in place since 2001.

#### **VII. Difficulties Encountered**

The BOAH has not encountered difficulties in administering the rule. When a farmed cervid owner is having compliance difficulties, BOAH provides guidance to assist them in getting their sample collection, identification, and recordkeeping on track prior to taking enforcement action.

#### **VIII. Changes in Technology, Economic Conditions, or Other Factors**

This rule was last reviewed in 2018. Since that time, there have not been changes in technology, federal law, or economic conditions that necessitate any changes to the rule.

#### **IX. Other State or Federal Requirements**

All surrounding states have state requirements for CWD-susceptible cervids beyond the federal HCP program. In Illinois, any owner of CWD-susceptible species that will be selling these animals intra or interstate is required to be enrolled in the Certified Monitored CWD Herd Program. In Kentucky, all herds are quarterly inspected by a Kentucky Department of Agriculture inspector, as well as a yearly visit by a representative from the Kentucky Department of Fish and Wildlife. All captive whitetail deer are required to be licensed or registered with the Ohio

Department of Agriculture. In Michigan, the Michigan Department of Natural Resources (DNR) and the Michigan Department of Agriculture and Rural Development (MDARD) jointly regulate farmed cervids. This includes registering facilities and performing inspections of those operations.

Idaho and South Dakota also have state requirements related to CWD. The Idaho State Department of Agriculture (ISDA) regulates and enforces standards for Idaho's domestic cervidae industry. ISDA's role is to ensure cervid health through testing provisions, import surveillance, inventory verification and facility inspections. South Dakota has implemented regulations that are more stringent than the USDA's CWD HCP guidelines. For example, there is mandatory CWD testing in specific zones and regulations governing the transportation and disposal of cervid carcasses in CWD endemic areas. A review of these states has resulted in a finding that Indiana does not have rules that are more restrictive than the states that are required to be evaluated under EO 25-17.

## **X. Previous Amendments**

The rule was amended in 2019 to include reindeer as a cervid susceptible to chronic wasting disease (CWD) and therefore subject to the program's requirements. It also included hunting preserves in the section of the CWD rule that sets forth the enforcement actions that the agency is authorized to take in the event a herd owner violates provisions related to sample collection.

## **XI. Integration into Indiana Code**

The national status of CWD in the wild and captive populations, and the federal regulations governing the disease, is continually evolving. As noted above, the rule has been amended within the last six years. Therefore, it is the position of the BOAH that the CWD rule should not be integrated into the Indiana Code so the agency can rapidly make amendments to align with the federal HCP program standards.

---

<sup>1</sup>*Economic Impact of the Deer and Elk Farming Industry in Indiana*, Dr. John Lee, PhD, Agricultural Economist, Alicia English, PhD candidate, Agricultural Economist, November 2011.

<sup>2</sup>*National Survey of Fishing, Hunting, and Wildlife-Associated Recreation*, U.S. Fish and Wildlife Service and U.S. Census Bureau; Sportsman's Economic Impact Report, Congressional Sportsmen's Foundation, 2011 data.

[345 IAC 2-8](#) Johne's Disease (Mycobacterium Paratuberculosis)

## **I. Subject Matter Statement**

The prevention of Johne's disease remains carried out by the agency. BOAH is responsible under state law to develop, adopt, and implement programs and procedures for establishing and maintaining certified disease



monitored animals, herds, flocks, or areas. [IC 15-17-3-13](#)(2).

## **II. Continued Need for the Rule**

Johne's is a contagious bacterial infection primarily of the lower small intestine. Also known as paratuberculosis, Johne's most often infects dairy and beef cattle, sheep and goats. Johne's spreads primarily through ingestion of feed or water contaminated by manure from infected animals. Clinical signs of Johne's include weight loss, diarrhea, and lower milk production. However, visible signs of Johne's may not appear for 10 years or more. The best detector of Johne's is a fecal culture test. Blood tests, while less accurate than culture, are faster and less expensive. Johne's disease is most accurately diagnosed by examining the lower small intestine and associated lymph nodes in a dead animal. A killed vaccine is available for use only in cattle herds under a special agreement of the State Veterinarian, producer, and herd veterinarian. The vaccine will not prevent an animal from becoming infected. It will reduce the outward signs and prolong an animal's useful life. Because Johne's-infected animals cannot be treated, they should be sold to slaughter as soon as possible.

This rule sets forth the requirements to move an animal that tests positive for Johne's disease into or within Indiana. This rule is critical to ensuring that standards are in place to prevent further spread of this disease due to a high-risk movement of a positive animal. The rule also provides for cattle owners to participate in a voluntary Johne's program for cattle producers to test their herds for Johne's disease at no cost.

## **III. Analysis of fees, fines, and civil penalties under [IC 4-22-2-19.6](#)**

A violation of [345 IAC 2-9](#) is governed by [IC 15-17-18-12](#), which states that a person who violates this article, a rule adopted under this article, or a determination or order of the board or an agency made under this article, is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation, plus payment to the board for the costs incurred by the board as a direct consequence of prosecution for the violation. The BOAH civil penalty schedule specifies how a penalty is calculated for a violation of animal health laws and rules. Currently, a first offense is a range of \$0-\$500 and a subsequent offense is \$0-\$1,000.

## **IV. Cost-Benefit, Economic Impact, Fiscal Impact, or Regulatory Burden Statements**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under [IC 4-22-2-28](#) and [IC 4-22-2.1-5](#). This review resulted in a finding that there has not been any change in circumstances that affects the analysis and necessitate a change in the analysis

## **V. Alternative methods of achieving the Purpose of the Rule**

This rule provides a voluntary option for cattle producers to protect the health of their herd and potentially provide enhanced marketing opportunities. It is the position of the BOAH that this is the best method to minimize the economic impact to cattle owners.

## **VI. Complaints and Comments**

The agency has not received complaints regarding this rule. The condemnation, depopulation, indemnity, and disposal process typically occurs in cooperation with the United States Department of Agriculture – Animal and Plant Health Inspection Service (USDA-APHIS). There is typically an agreement between the USDA-APHIS and an animal owner which sets forth the conditions under which these activities must be conducted for the owner to receive federal indemnity. BOAH is a key partner to the USDA-APHIS in this effort and assists the animal owner with performing all these activities in a manner consistent with the agreement. It is critical that the state have these provisions in place when there is a high consequence disease and the state may need to respond unilaterally.

## **VII. Difficulties Encountered**

Indiana has 3 cattle herds enrolled in the voluntary Johne's disease control program. Sections of the rule governing official tests and restrictions on moving Johne's positive animals apply to all cattle herds. The BOAH has not encountered difficulties in administering the rule.

## **VIII. Changes in Technology, Economic Conditions, or Other Factors**

This rule was last amended in 2025 (LSA #25-279). This rule amends [345 IAC 2-8-1](#) to align the individuals authorized to collect samples for Johne's disease in cattle with the applicable USDA standards.

## **IX. Other State or Federal Requirements**

USDA-VS has stated its goal is to curtail the spread of *M. avium* subsp. *paratuberculosis* to noninfected herds and to reduce the disease prevalence in herds currently infected. To accomplish this goal, VS has developed a cooperative Federal–State–Industry program that provides producer assistance by performing risk assessments for *M. avium* subsp. *paratuberculosis* transmission and developing herd-management plans to mitigate those risks. Johne's Certified Veterinarians must provide Johne's risk assessments and develop herd management plans and collect and submit samples according to the program requirements. BOAH assists with this voluntary program and this rule aligns with federal laws or regulations. 9 CFR 80. All surrounding states, and Idaho and South Dakota, offer the voluntary Johne's program to cattle owners.

## **X. Previous Amendments**

LSA #25-279 amends the BOAH *Johne's Disease* rule to align the individuals authorized to collect samples for Johne's disease in cattle with the applicable USDA standards.

## **XI. Integration into Indiana Code**

As noted above, this rule has been amended within the last six years. The BOAH's preferred approach is to maintain program standards for 9 CFR 80 in rule to ensure the flexibility to promptly incorporate any changes to the federal regulations that may occur.

[345 IAC 2.5-3](#) Tuberculosis Control in Bovine and Bison

[345 IAC 2.5-4-4](#) Accredited herd status for goat herds

### **I. Subject Matter Statement**

Tuberculosis control in animals is a subject matter that remains carried out by the agency. BOAH is responsible under state law for the establishment and maintenance of accredited tuberculosis free herds, animals, and areas. BOAH also has the duty to control or prohibit the movement and transportation into, out of, or within Indiana of animals and objects to prevent, detect, control, or eradicate diseases and pests of animals. [IC 15-17-3-13](#); [IC 15-17-7](#).

### **II. Continued Need for the Rule**

Bovine tuberculosis is a disease that affects mammals, including cattle, deer, goats, dogs, and humans. *Mycobacterium bovis* (*M. bovis*) is the bacteria that causes the disease. USDA-APHIS and state animal health agencies collaborate with U.S. livestock producers to administer the National Tuberculosis Eradication Program, which has nearly eradicated tuberculosis from the US livestock population. The BOAH has a cooperative agreement with the USDA-APHIS to administer the national bovine tuberculosis (TB) eradication program, which focuses on reducing and eliminating the disease in cattle. This program includes surveillance, testing, and, if necessary, removal of infected animals to prevent the spread of *M. bovis*. The goal is to protect livestock, wildlife, and public health.

BOAH testing requirements for TB in cattle and goats follows the federal regulations 9 CFR 77; *Bovine Tuberculosis Eradication Uniform Methods and Rules, January 2005*. Cattle and goats are not currently required to be tested prior to entry into Indiana because almost all of the US is accredited free states. There are some exceptions, such as the modified accredited status for Michigan and the modified accredited advanced status for Texas. However, no animal that has tested positive for tuberculosis, or originates from a herd that is quarantined for tuberculosis, may enter Indiana.

### **III. Analysis of fees, fines, and civil penalties under [IC 4-22-2-19.6](#)**

A violation of [345 IAC 2.5](#) is governed by [IC 15-17-18-12](#), which states that a person who violates this article, a rule adopted under this article, or a determination or order of the board or an agency made under this article, is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation, plus payment to the board for the costs incurred by the board as a direct consequence of prosecution for the violation. The BOAH civil penalty schedule specifies how a penalty is calculated for a violation of animal health laws and rules. Currently, a first offense is a range of \$0-\$1,000 and a subsequent offense is \$0-\$5,000. BOAH's civil penalty rule establishes the factors that the agency will consider when determining a specific amount within this range.

### **IV. Revised Regulatory Analysis**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under [IC 4-22-2-28](#) and [IC 4-22-2.1-5](#). This review resulted in a finding that there has not been any change in circumstances that affects the analysis and necessitate a change in the analysis.

### **V. Alternative methods of achieving the Purpose of the Rule**

BOAH's tuberculosis rule is no more stringent than federal law. Therefore, it is the position of the BOAH that the rule provides authority for the BOAH to take actions in the event of a positive animal or outbreak in a manner that is not costly or intrusive on livestock owners.

### **VI. Complaints and Comments**

The agency has not received complaints regarding this rule. The rule allows for cattle and goat owners to have accredited-free herds on a voluntary basis, which some owners choose to do for marketing opportunities.

### **VII. Difficulties Encountered**

The BOAH has not encountered difficulties in administering the rule. Bovine tuberculosis (bTB) was most recently detected in 2016 in cattle and wild deer in Franklin County. This discovery prompted increased testing and surveillance efforts in the area pursuant to this rule, which protected the stated TB-free status.

### **VIII. Changes in Technology, Economic Conditions, or Other Factors**

This rule was last reviewed in 2018. Since that time, there have not been changes in technology, federal law, or economic conditions that necessitate any changes to the rule.

### **IX. Other State or Federal Requirements**

All surrounding states, and Idaho and South Dakota, have import and disease control requirements for bTB that align with federal law and are not less restrictive than Indiana's rules. The is necessary for cattle owners to be able

to import and export cattle domestically and internationally without any additional restrictions being placed upon those movements. Michigan has 4 counties that are in a Modified Accredited Zone (MAZ) and therefore has additional requirements. Cattle moving from the MAZ area have additional testing requirements.

## **X. Previous Amendments**

This rule was last amended in 2019 (LSA 18-280) to better align with federal law. The definition of "test eligible cattle" was amended for purposes of moving animals to remove sexually intact female cattle of dairy breeds and dairy cross breeds that are six months of age or older from accredited-free and modified accredited advanced states or zones and removed the requirement that cattle under two months of age must originate from a herd that had a negative tuberculosis herd test of all animals 12 months of age and older within the past year when moving from modified accredited states or zones. It removed the requirement for a person to test sexually intact female cattle of dairy breeds, including dairy cross breeds, that are six months of age or older that originate from an accredited-free state or zone or a modified accredited advanced state or zone prior to movement into the state. It also extended the validity of the accredited herd status for both cattle and goat herds from 365 days to 730 days from the date it is earned.

## **XI. Integration into Indiana Code**

The rule was amended six years ago. Because the status of the disease in the US is constantly changing, it is crucial that the BOAH retains the ability to quickly change import or testing requirements for tuberculosis. If Indiana experiences an outbreak, the livestock industry relies on BOAH to be able to take swift action to contain the spread and mitigate any negative economic impact to the state.

BOAH will be conducting an in-depth review of all tuberculosis rules to determine if portions of the rules can be significantly modified or repealed as a part of the agency's effort to comply with the EO 25-17 goal of reducing regulations by 25% by January 1, 2029. Integration of the rules into the Indian code prior to this review would inhibit the agency's ability to modify or repeal rule provisions.

[345 IAC 3-4](#) Swine Brucellosis Testing, Control, and Eradication; Validated Brucellosis-Free Herds

[345 IAC 3-5.1](#) Swine Pseudorabies Testing, Control and Eradication; Pseudorabies-Qualified Herd

## **I. Subject Matter Statement**

Brucellosis and pseudorabies control in swine is a subject matter that remains carried out by the agency. BOAH is responsible under state law for the establishment and maintenance of certified or validated brucellosis free herds.

BOAH is also authorized in state law to establish test requirements for swine brucellosis. [IC 15-17-3-13](#); [IC 15-17-9](#).

## II. Continued Need for the Rule

Swine brucellosis is an infectious disease of swine caused by *Brucella suis* (*B. suis*) biovars 1 or 3. Swine exposed to *B. suis* develop a bacteremia (bacterial infection in the blood). Infection can then localize in various tissues. The disease typically causes chronic inflammatory lesions in the reproductive organs which can cause abortions, infertility, and low milk production. It may also localize in joints, leading to lameness. It's important to note that swine brucellosis is potentially a zoonotic disease (people can contract it). People in direct contact with potentially infected swine should take precautions as directed by public health experts. Commercial swine in all 50 states, Puerto Rico, and the U.S. Virgin Islands are free from swine brucellosis. However, feral swine remain a reservoir in the U.S.

This rule provides for the Brucellosis testing of breeding swine imported into the state, with a series of exceptions such as movements from a brucellosis-free area. Currently, all US states are classified as brucellosis-free. This rule also provides for the establishment of validated Brucellosis-free herds and establishes procedures to be used in the control and eradication of swine Brucellosis.

Pseudorabies (PRV) is a highly contagious infectious disease of swine caused by a herpes virus. As the only primary hosts, swine can contract the disease, recover, and remain carriers. Carrier animals with PRV do not shed the virus on a continual or daily basis. Once the acute infection is over, the virus becomes dormant within the body. The carrier animal may never again shed the virus or may shed virus when the animal is stressed.

This rule contains certain disease diagnosis reporting requirements for veterinarians. It also contains testing requirements that apply in certain conditions, with exceptions such as movements from areas that maintain State IV or V in the federal eradication program. Currently, no pseudorabies testing is required for animals originating from anywhere within the US. The rule also states that no animal that has tested positive for pseudorabies may enter Indiana; no animal that originates from a herd that is quarantined for pseudorabies may enter Indiana; and no animal that has been vaccinated for pseudorabies may enter Indiana. The rule also contains procedures for handling infected herds and high-risk herds. Finally, it contains testing requirements for meeting a voluntary qualified pseudorabies-negative (QN) designation.

## III. Analysis of fees, fines, and civil penalties under [IC 4-22-2-19.6](#)

A violation of [345 IAC 3-4](#) or [345 IAC 3-5.1](#) is governed by [IC 15-17-18-12](#), which states that a person who violates this article, a rule adopted under this article, or a determination or order of the board or an agency made under this article, is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation, plus payment to the board for the costs incurred by the board as a direct consequence of prosecution for the violation.

The BOAH civil penalty schedule specifies how a penalty is calculated for a violation of the swine brucellosis and pseudorabies rules. Currently, a first offense is a range of \$0-\$1,000 and a subsequent offense is \$0-\$5,000. BOAH is currently working to incorporate this schedule into a civil penalty rule, which also establishes the factors that the agency will consider when determining a specific amount within this range.

#### **IV. Cost-Benefit, Economic Impact, Fiscal Impact, or Regulatory Burden Statements**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under [IC 4-22-2-28](#) and [IC 4-22-2.1-5](#). This review resulted in a finding that there has not been any change in circumstances that affects the analysis and necessitates a change in the analysis.

#### **V. Alternative methods of achieving the Purpose of the Rule**

This rule aligns with the *Uniform Methods and Rules for Swine Brucellosis Control and Eradication*, which are minimum methods and rules developed by USDA-APHIS and 9 CFR 78. The swine pseudorabies rule similarly aligns with 9 CFR 85. It is the position of the BOAH that the rule provides authority for the BOAH to take actions in the event of a positive animal or outbreak in a manner that is not costly or intrusive on the regulated industry.

#### **VI. Complaints and Comments**

The agency has not received complaints regarding this rule. Given the current free status in commercial swine herds across the US, these rules do not have a present daily impact on swine producers. However, having these rules in place is critical for preparedness and international trade purposes.

#### **VII. Difficulties Encountered**

The BOAH has not encountered difficulties in administering the rule. As described above, these diseases in swine have largely been controlled across the US. However, it is critical to keep these rules in place in the event of a positive animal or outbreak that could have a negative economic impact on Indiana's swine industry.

#### **VIII. Changes in Technology, Economic Conditions, or Other Factors**

This rule was last reviewed in 2019. Since that time, there have not been changes in technology, federal law, or economic conditions that necessitate any changes to the rule.

## **IX. Other State or Federal Requirements**

All surrounding states, and Idaho and South Dakota, have swine brucellosis and pseudorabies control laws. These law and rules similarly align with the federal standards and are not less restrictive than Indiana's rules.

## **X. Previous Amendments**

The swine brucellosis and pseudorabies rules were last amended in 2014 to relocate disease-specific interstate movement requirements that were previously located in a different article.

## **XI. Integration into Indiana Code**

In light of the state's free status, it does not seem necessary to incorporate this rule into the Indiana Code. The state swine brucellosis law provides the general authority of the BOAH to have testing requirements. [IC 15-17-9](#). The swine brucellosis rule provides necessary detail for the BOAH to carry out this duty. It is the position of the BOAH that the state's rules governing high consequence diseases should be as consistent as possible with federal law. Retaining the testing standard for this disease in rule aligns with the federal structure, which is to publish these standards in the CFR.

### [345 IAC 6-1.1](#) Equine Infectious Anemia (E.I.A.) Control

#### **I. Subject Matter Statement**

EIA control is a subject matter covered by the rule that remains carried out by the agency. The BOAH is responsible for controlling and prescribing the means, methods, and procedures for the vaccination or other treatment of animals and objects and the conduct of tests for diseases and pests of animals. [IC 15-175-13](#)(11).

#### **II. Continued Need for the Rule**

Equine infectious anemia is an incurable, infectious, and often fatal disease. Horses, ponies, donkeys, asses and other equine family members are vulnerable to infection by the disease-causing virus. An estimated 30 percent to 50 percent of infected animals die within two to four weeks after the onset of clinical signs of EIA.

EIA is spread through blood-to-blood contact, not close proximity. The virus can be transmitted from an infected animal to "clean" equine by unsterilized or contaminated needles, blood transfusions, medical instruments, or biting flies. EIA has no known cure or vaccine. Infected horses produce antibodies, which cannot rid the body of the disease. The virus can hide and "drift" into various forms, making complete recovery impossible and hampering efforts to create a vaccine.

This rule requires that equine must be tested for EIA (sometimes called a "Coggins test") within 12 months immediately prior to an animal entering Indiana. Animals that test positive for EIA may not enter Indiana. The



ELISA and AGID tests for EIA are accepted.

The following equine are exempt from the EIA test requirement:

- Suckling foals that are accompanied by their dam, when the dam has tested negative for EIA within the last twelve months.
- Animals moved directly to a licensed livestock market, if the market facility collects a sample and submits it for EIA testing immediately upon arrival at the market.
- Animals consigned for immediate slaughter.

The rule also contains procedures for the handling of EIA positive animals and those that have been exposed to EIA. It is critical that the BOAH have this rule in place to mitigate the risk of introduction of positive animals into Indiana's equine population.

### **III. Analysis of fees, fines, and civil penalties under [IC 4-22-2-19.6](#)**

A violation of the EIA control law is governed by [IC 15-17-18-12](#), which states that a person who violates this article, a rule adopted under this article, or a determination or order of the board or an agency made under this article, is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation, plus payment to the board for the costs incurred by the board as a direct consequence of prosecution for the violation.

The BOAH civil penalty schedule specifies how a penalty is calculated for a violation of the EIA control rule. Currently, a first offense is a range of \$0-\$1,000 and a subsequent offense is \$0-\$5,000. BOAH is currently working to incorporate this schedule into a civil penalty rule, which also establishes the factors that the agency will consider when determining a specific amount within this range.

### **IV. Cost-Benefit, Economic Impact, Fiscal Impact, or Regulatory Burden Statements**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under [IC 4-22-2-28](#) and [IC 4-22-2.1-5](#). This review resulted in a finding that there has not been any change in circumstances that affects the analysis and necessitates a change in the analysis.

### **V. Alternative methods of achieving the Purpose of the Rule**

EIA is found in nearly all countries worldwide, including the US. The US requires the test for import and most states require an EIA test to cross state lines. It is a reportable animal disease in all states. Therefore, it remains one of the most serious diseases of concern to horses in the US. This rule aligns with the federal standards contained in the *EIA Uniform Methods and Rules (January 10, 2007)*.

## **VI. Complaints and Comments**

The agency has not received complaints regarding this rule. EIA testing requirements exist across the US and there is a recognition by the equine industry that this test is critical to protecting the US horse population.

## **VII. Difficulties Encountered**

The BOAH has not encountered difficulties in administering the rule. Indiana's import requirement aligns with the vast majority of other states regarding the requirement for an EIA test.

## **VIII. Changes in Technology, Economic Conditions, or Other Factors**

The BOAH recently amended its equine import rule to ease the burden on horse owners moving animals to a livestock market (*LSA #23-340*; [345 IAC 1-3-26.5](#)). It allows an equine to move into Indiana directly to an approved livestock market without a CVI. However, to qualify for this exception, the equine must be accompanied by an official EIA test chart. Alternatively, the animal may be tested upon arrival at the market in accordance with BOAH's EIA rule. [345 IAC 6-1.1](#). This rule update occurred in 2023 and better aligns the Animal Movement rule with the EIA rule.

## **IX. Other State or Federal Requirements**

This rule aligns with the USDA's *Equine Infectious Anemia: Uniform Methods and Rules* (UM&R), which contains minimum standards for detecting, controlling, and preventing equine infectious anemia (EIA). Therefore, it does not conflict with federal law. All US states require an EIA test performed within the 12 months prior to entry.

## **X. Previous Amendments**

A review of all equine import rules occurred in 2023 to ensure that the Animal Movement rule and EIA rule together were no more stringent than federal law.

## **XI. Integration into Indiana Code**

It is the position of the BOAH that the EIA test requirement should remain in rule. This aligns with other states that were evaluated and provides the BOAH flexibility to keep the testing standards consistent with USDA-APHIS requirements for international imports. BOAH is committed to working on an in-depth review of rules for several diseases, which includes EIA. Until that review is complete, requirements for EIA control should not be placed in Indiana Code until a final determination is made regarding what requirements are no longer necessary.

[345 IAC 7-3.5-2](#) Definitions

[345 IAC 7-3.5-3](#) Individual and market facility dealer license and exceptions

[345 IAC 7-3.5-5](#) Classification; fees

[345 IAC 7-3.5-5.5](#) Annual report; license termination

[345 IAC 7-3.5-6](#) Agents

[345 IAC 7-3.5-8](#) Bond requirements

[345 IAC 7-3.5-8.5](#) Claims

[345 IAC 7-3.5-9](#) Dealer and market facility records

[345 IAC 7-3.5-9.1](#) Dealer and market facility poultry record keeping requirements

[345 IAC 7-3.5-9.5](#) Records and facilities inspection; falsification, retention

[345 IAC 7-3.5-11](#) Scales

[345 IAC 7-3.5-13](#) Sale of animals at a market facility

[345 IAC 7-3.5-14](#) Animals not intended for slaughter; inspection and identification

[345 IAC 7-3.5-15](#) Facilities for handling livestock; minimum construction standards

[345 IAC 7-3.5-16](#) Care and handling; nonambulatory livestock

[345 IAC 7-3.5-17](#) Sale of diseased animal restricted

[345 IAC 7-3.5-18](#) Waste disposal

[345 IAC 7-3.5-19](#) Sanitation requirements

[345 IAC 7-3.5-20](#) Brucellosis testing service laboratories

## **I. Subject Matter Statement**

The licensing and bonding of livestock dealers and markets remains carried out by the agency. This rule carries out the duties set forth in the Indiana Livestock Dealers law. [IC 15-17-14](#). Specifically, it requires any person engaged in the business of buying, selling or negotiating the transfer of livestock to maintain a bond and file an annual report of the licensee's livestock dealing, with certain exceptions.

## **II. Continued Need for the Rule**

The purpose of the bond requirement is to provide protection to individuals selling animals to livestock dealers and markets that they will be paid in the event of default. However, there are other components of the rule that provide animal health protections to the state, such as the records and market facility operating requirements. Without these requirements, the integrity of the state's animal traceability system would be compromised, which could have severe economic consequences on the animal agriculture industry.

## **III. Analysis of fees, fines, and civil penalties under [IC 4-22-2-19.6](#)**

A violation of [345 IAC 7-3.5](#) is governed by [IC 15-17-18-12](#), which states that a person who violates this article, a rule adopted under this article, or a determination or order of the board or an agency made under this article, is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation, plus payment to the board for the costs incurred by the board as a direct consequence of prosecution for the violation. The BOAH civil penalty schedule specifies how a penalty is calculated for a violation of animal health laws and rules. Currently, a first offense is a range of \$0-\$250 and a subsequent offense is \$0-\$1,000. BOAH's civil penalty rule establishes the factors that the agency will consider when determining a specific amount within this range.

#### **IV. Cost-Benefit, Economic Impact, Fiscal Impact, or Regulatory Burden Statements**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under [IC 4-22-2-28](#) and [IC 4-22-2.1-5](#). This review resulted in a finding that there has not been any change in circumstances that affects the analysis and necessitates a change in the analysis.

#### **V. Alternative methods of achieving the Purpose of the Rule**

To buy and sell animals across state lines, you must be a USDA-regulated livestock dealer. This requires a dealer to register with the Packers and Stockyards Division (PSD) of the Agricultural Marketing Service (AMS), maintain a bond, and file an annual business report. The BOAH has minimized the economic impact of the rule on Indiana dealers by accepting their USDA bond and annual report to comply with [IC 15-17-14](#).

#### **VI. Complaints and Comments**

The agency has not received complaints regarding this rule. When there is a complaint related to an unlicensed dealer, BOAH works collaboratively with the UDPA on the investigation and appropriate enforcement action.

#### **VII. Difficulties Encountered**

The BOAH has not encountered difficulties in administering the rule. BOAH receives support from the Office of the Attorney General in enforcement of administrative Orders and the collection of civil penalties assessed for violations of the livestock dealer law.

#### **VIII. Changes in Technology, Economic Conditions, or Other Factors**

In 2025, BOAH amended the Animal Identification rule to align with the livestock dealer rule (LSA #25-279). It requires that records of official identification applied to animals by licensed livestock markets, or dealers be kept in a readily accessible record system and sets forth standards for the board to access the records. This will clarify and align with the records requirement at [345 IAC 7-3.5-9](#).

#### **IX. Other State or Federal Requirements**

In addition to the USDA-PSD regulations, all of the surrounding states require a livestock dealer license. Idaho and South Dakota also require a license, surety bond, and the maintenance of records.

## **X. Previous Amendments**

This rule was amended in 2014 to align with changes in federal regulations. LSA #14-57. This rule amended certain definitions, required market facilities to submit periodic reports for certain animals received from out of state, aligned the record keeping requirements for livestock market facilities and animals not intended for slaughter with 9 CFR 71. It was also amended in 2015 to require licensed livestock dealers and market facilities to maintain certain records related to purchases and sales of poultry. LSA #15-161.

## **XI. Integration into Indiana Code**

The BOAH is responsible for adopting rules to implement the livestock dealer law, including procedures for issuing, suspending, revoking, and updating licenses. State law also establishes that the BOAH is to have rules in place for requiring annual or other regular reports from licensees to determine the required amount of bond coverage or the current status of agents or other personnel acting under the license. [IC 15-17-14-4](#).

BOAH is allowing three sections of [345 IAC 7-3.5](#) to expire because it has been determined that they are no longer needed. It is the position of the BOAH that the specific requirements for livestock dealers remain in the Indiana Administrative Code. This is consistent with USDA-PSA, which contains the requirements to administer 7 USC 181-229(c) in 9 CFR 201.

[345 IAC 7-4.5-1](#) Definitions and general provisions

[345 IAC 7-4.5-3](#) Record keeping

[345 IAC 7-5-1](#) Definitions

[345 IAC 7-5-2.1](#) Exhibition limitations

[345 IAC 7-5-2.3](#) Requirements imposed by the exhibition

[345 IAC 7-5-2.5](#) Animal health documentation

[345 IAC 7-5-7](#) Determination of eligibility of animal

[345 IAC 7-5-9](#) Identification and description

[345 IAC 7-5-14](#) Brucellosis test for swine; exceptions

[345 IAC 7-5-22](#) Vaccinations and tests required for dogs and cats

## **I. Subject Matter Statement**

It is a duty of the BOAH to control or prohibit the movement and transportation into, out of, or within Indiana animals in order to prevent, detect, control, or eradicate diseases and pests of animals. [IC 15-17-3-13](#). The establishment of requirements for poultry and livestock exhibitions remains a responsibility of the agency.

## **II. Continued Need for the Rule**

This rule defines “exhibition” to mean a fair, show, or competition of limited duration that congregates animals from multiple sources on a premises. It sets forth recordkeeping requirements for a person holding an exhibition of livestock or poultry. It prohibits certain animals from being exhibited in the state and grants the state veterinarian the authority to determine the eligibility of an animal under the rule. It also clarifies that a person moving animals to an exhibition must ensure that it is accompanied by animal health documentation that verifies compliance with BOAH animal movement requirements for that species.

Because exhibitions inherently involve a congregation and subsequent dispersion of animals, they present a significant risk of spreading a high consequence animal disease. Therefore, it is critical that the BOAH have standards in place to mitigate the risk of disease transmission and provide traceability in case of a disease event.

## **III. Analysis of fees, fines, and civil penalties under [IC 4-22-2-19.6](#)**

A violation of [345 IAC 7-4.5](#) and [345 IAC 7-5](#) is governed by [IC 15-17-18-12](#), which states that a person who violates this article, a rule adopted under this article, or a determination or order of the board or an agency made under this article, is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation, plus payment to the board for the costs incurred by the board as a direct consequence of prosecution for the violation.

The BOAH civil penalty schedule specifies how a penalty is calculated for a violation of animal health laws and rules. Currently, a first offense is a range of \$0-\$500 and a subsequent offense is \$0-\$1,000. BOAH’s civil penalty rule establishes the factors that the agency will consider when determining a specific amount within this range.

## **IV. Cost-Benefit, Economic Impact, Fiscal Impact, or Regulatory Burden Statements**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under [IC 4-22-2-28](#) and [IC 4-22-2.1-5](#). This review resulted in a finding that there has not been any change in circumstances that affects the analysis and necessitates a change in the analysis.

## **V. Alternative methods of achieving the Purpose of the Rule**

The rule does not duplicate or conflict with federal law. There are federal regulations governing the interstate movement of domestic animals are at 9 CFR 86. However, each state has its own animal movement laws that

reference the federal regulations. This rule aligns with the federal law and recognizes documentation issued in other states provided that certain requirements are met.

## **VI. Complaints and Comments**

The agency has not received complaints regarding this rule. Nothing in this rule prohibits an exhibition organizer from imposing animal health requirements in addition to those prescribed by the board. Requirements added by an exhibition organizer may not contradict requirements imposed by the board.

## **VII. Difficulties Encountered**

The BOAH has not encountered difficulties in administering the rule. This rule provides support to the county and state fairs when there is concern about an animal that is exhibiting signs consistent with a contagious disease. It authorizes the state veterinarian to make the final determination as to an animal's eligibility for exhibition and order its removal from the exhibition grounds.

## **VIII. Changes in Technology, Economic Conditions, or Other Factors**

This rule was last reviewed in 2019. Since that time, there have not been changes in technology, federal law, or economic conditions that necessitate any changes to the rule.

## **IX. Other State or Federal Requirements**

All US states have requirements for livestock exhibitions to ensure animal health and biosecurity. These requirements typically include identification, veterinary inspections, and testing for certain diseases. Indiana is less stringent than other states that were evaluated because BOAH does not impose any additional requirements for animals beyond what is required for any interstate or intrastate movement of that species. Any additional requirements, such as a CVI or other test, is at the discretion of the exhibition organizer.

## **X. Previous Amendments**

This rule was last amended in 2015 to require a person holding an exhibition of poultry to register the event with the board and maintain certain records. LSA #15-161.

## **XI. Integration into Indiana Code**

BOAH is charged with establishing rules governing the sale, exhibit or display of animals at a fair or livestock show.

[IC 15-17-15-9.](#)

BOAH is allowing five sections of this rule to expire because it has been determined that they are no longer necessary.

When Indiana experienced an outbreak of Highly Pathogenic Avian Influenza (HPAI) in 2015, the agency took immediate action to amend the state's exhibition rules to protect the poultry industry. First, it passed an emergency rule to temporarily prohibit the exhibition of poultry and implemented a recordkeeping requirement for the intrastate sale of poultry. Second, the intrastate recordkeeping requirement was placed in the permanent rule. It was crucial that the agency was able to put these requirements in effect immediately as a measure to contain spread of the virus. During the 2015 response, BOAH was able to lift the control area for all farms in Dubois County located within a 6.2-mile radius of the infected sites within 38 days. The USDA-BOAH cooperative agreement and other federal standards require changes to occur in a timely manner. If the exhibition standards are placed in the Indiana Code, it could take an entire year to make changes versus an emergency rule that can be voted upon by the board and put into effect within a few hours.

### [345 IAC 7-8](#) Livestock Brands

#### **I. Subject Matter Statement**

The state livestock brand law states that a person owning livestock within Indiana may adopt a brand for the person's exclusive use in Indiana. A person may not brand any livestock with a brand that is of legal record with BOAH unless that brand has been certified by the board for that person's exclusive use. The BOAH is required to record and publish all livestock brands. The board, in cooperation with law enforcement officials in Indiana and other states, is required to develop a uniform procedure for notifying livestock markets and livestock slaughtering establishments of reported livestock thefts. [IC 15-19-6-15](#).

#### **II. Continued Need for the Rule**

This rule sets forth the process for livestock owners to record their unique brand with the state. It sets forth the standards for the appearance and location of the brand on the animals. Livestock branding is a technique for marking livestock to identify the owner. In addition, a brand can sometimes be used for traceability purposes to locate a herd of origin if official eartags have not been effective. Because of the value that livestock brands provide to animal owners in supporting their business needs, it is critical that BOAH continue to provide this service.

#### **III. Analysis of fees, fines, and civil penalties under [IC 4-22-2-19.6](#)**

A violation of [345 IAC 7-8](#) is governed by [IC 15-17-18-12](#), which states that a person who violates this article, a rule adopted under this article, or a determination or order of the board or an agency made under this article is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation, plus payment to the board for the costs incurred by the board as a direct consequence of prosecution for the violation.



The BOAH civil penalty schedule specifies how a penalty is calculated for a violation of the livestock brand rule. Currently, a first offense is a range of \$0-\$500 and a subsequent offense is \$0-\$1,000. BOAH's civil penalty rule establishes the factors that the agency will consider when determining a specific amount within this range.

#### **IV. Cost-Benefit, Economic Impact, Fiscal Impact, or Regulatory Burden Statements**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under [IC 4-22-2-28](#) and [IC 4-22-2.1-5](#). This review resulted in a finding that there has not been any change in circumstances that affects the analysis and necessitates a change in the analysis.

#### **V. Alternative methods of achieving the Purpose of the Rule**

Livestock brand laws are supported by the US cattle industry because they protect the unauthorized use of a farm's unique brand and also are a deterrent to theft. Branding has a long history in the cattle industry, and many ranchers view it as a cultural and traditional practice. Therefore, BOAH considers the brand registration to provide benefits to Indiana's cattle farmers and provide a low-cost method to protect their investment in their unique brand.

#### **VI. Complaints and Comments**

The agency has not received complaints regarding this rule.

#### **VII. Difficulties Encountered**

The BOAH has not encountered difficulties in administering the rule.

#### **VIII. Changes in Technology, Economic Conditions, or Other Factors**

This rule was last reviewed in 2019. Since that time, there have not been changes in technology, federal law, or economic conditions that necessitate any changes to the rule.

#### **IX. Other State or Federal Requirements**

USDA does have branding requirements that pertain to international movements and recognizes specific brands for purposes of official animal identification and vaccination. However, brand registration for marketing and theft deterrent purposes is primarily left to state oversight. All states that are required to be evaluated under EO 25-17 have a livestock brand law with similar requirements to Indiana that are set forth in rule.

#### **X. Previous Amendments**

The livestock brand rule has not been amended since 1993.

#### **XI. Integration into Indiana Code**

The livestock brand law authorizes the board to adopt rules to implement its requirements. [IC 15-19-6-7](#). It is the position of the BOAH that the details in implementing [IC 15-19-6](#), such as restrictions and guidelines in creating new brands, are appropriate to remain in rule. This structure aligns with other states that were evaluated. If it is determined that these should be integrated into the Indiana Code, this rule should be readopted to avoid any lapse in the requirements while this occurs.

[345 IAC 8-2](#) Production, Handling, Processing, Packaging, and Distribution of Milk and Milk Products

[345 IAC 8-3](#) Standards for Milk and Milk Products and Grade A Standards

## **I. Subject Matter Statement**

The BOAH has general supervision of the production, manufacture, processing, and distribution of products derived from animals. [IC 15-17-3-11](#). To carry out this purpose, the state dairy products law requires a person that operates a milk plant, operates a receiving station or transfer station, acts as a milk distributor, acts as a bulk milk hauler/sampler, operates a milk tank truck, operates a dairy farm, operates a milk tank truck cleaning facility, or operates a business that manufactures containers for milk or milk products, to possess a permit from the BOAH. [IC 15-18-1-3](#).

## **II. Continued Need for the Rule**

These rules are necessary to comply with the BOAH's agreement with the National Conference of Interstate Milk Shipments (NCIMS). BOAH is a voting member of the NCIMS. Each member state has agreed to enforce the sanitation standards set forth in the Pasteurized Milk Ordinance (PMO). The FDA audits state program implementation by conducting check ratings. The check rating process involves the FDA inspecting all farms and plants in Indiana every six years. If BOAH's dairy rule does not contain Grade A milk plant and drug residue standards that are consistent with the PMO, Indiana would not be able to enforce the most current federal requirements to ship milk in interstate commerce. Therefore, Indiana would be in violation of its agreement with FDA.

These rules are also necessary to comply with a state mandate. State law requires the board to adopt rules that are the same as, or at least as effective in protecting health, as the federal standards for Grade A milk adopted by the NCIMS in accordance with their Memorandum of Understanding (MOU) with the FDA. [IC 15-18-1-14](#). The PMO is the document that is accepted by the FDA as the federal standards for the interstate shipment of milk.

Therefore, to comply with this statutory mandate, the agency must have Grade A plant and drug residue standards in the state dairy products rule that align with the most recent version of the PMO.

**III. Analysis of fees, fines, and civil penalties under [IC 4-22-2-19.6](#)**

The calculations for drug residue civil penalties under the dairy products law are set forth in statute. [IC 15-18-1-17](#). Because the amount of the fine is calculated as a formula set forth in statute, it complies with [IC 4-22-2-19.6](#). All other enforcement actions, such as the issuance of administrative or court Orders, are authorized in other sections of the dairy products law. [IC 15-18-1-1](#); 15-18-1-4.

**IV. Cost-Benefit, Economic Impact, Fiscal Impact, or Regulatory Burden Statements**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under [IC 4-22-2-28](#) and [IC 4-22-2.1-5](#). This review resulted in a finding that there has not been any change in circumstances that affects the analysis and necessitates a change in the analysis.

**V. Alternative Methods of Achieving the Purpose of the Rule**

The state dairy products law and rule play a critical role in consumer protection by ensuring that food products are being produced in a sanitary manner. BOAH provides compliance assistance to farmstead processors to minimize the economic impact of the rules on small businesses.

**VI. Complaints and Comments**

The agency has not received complaints regarding this rule. BOAH has 678 permitted dairy farms, 520 tanker trucks, 15 farmstead processors, and 49 processing plants. If the BOAH does not readopt these sections, it would have negative economic consequences for the dairy industry. Indiana's farms and plants rely on the board to enforce the PMO. If the board does not require compliance with federal standards, it could jeopardize their ability to ship their product in interstate commerce. This could occur due to a plant failing their milk rating survey, which occurs every two years. A failed survey could result in a plant being delisted from the interstate shippers list. A delisting prohibits a plant from shipping their milk across state lines. Alternatively, this could occur due to Indiana ultimately failing the FDA check rating process, which would jeopardize the ability for all plants and farms to access out-of-state markets for their products.

**VII. Difficulties Encountered**

As mentioned above, the BOAH has taken the approach of aligning the dairy products rule with the FDA definitions. This is the preferred approach for the farms and plants who must comply with the rule, and the agency has not encountered difficulties in administering the rule.

**VIII. Changes in Technology, Economic Conditions or Other Factors**

BOAH has begun a rulemaking to incorporate the most recent version of the PMO (LSA #25-151). This rule will impact two sections within [345 IAC 8-2](#) and [345 IAC 8-3](#).

## **IX. Other State or Federal Requirements**

All US states have dairy products laws. These state laws align with the PMO and FDA standards to allow farms and processors to move fluid milk and processed products across the US. The main difference between states is whether they all in-state sales of raw milk. Raw milk sales are legal to some extent in 39 out of 50 states, with the specific regulations varying significantly by state. Indiana law prohibits the sale of unpasteurized milk for human consumption.

## **X. Previous Amendments**

BOAH has begun a rulemaking to incorporate the most recent version of the PMO (LSA #25-151). The dairy rule is updated every two years to remain current with the PMO and other applicable FDA food safety regulations. The proposed rule amends [345 IAC 8-2-2.1](#) to update the incorporation by reference of parts of the Food and Drug Administration (FDA) Grade A Pasteurized Milk Ordinance (PMO) as construction, operation, and sanitation requirements for manufacturing grade milk plants. It also updates the incorporation by reference of the Food and Drug Administration (FDA) Grade A Pasteurized Milk Ordinance (PMO) and other FDA food safety regulations.

## **XI. Integration into Indiana Code**

It is the position of the BOAH that the dairy products rules remain in state law. It is in the process of being amended and is updated every two years. It is important to keep the rule in the IAC so the BOAH has the ability to ensure consistency with the FDA standards.

[345 IAC 9-8-10.5](#) Product protection

[345 IAC 9-9.5-1](#) Antemortem inspection of exotic livestock

[345 IAC 9-10.5](#) Postmortem Inspection

[345 IAC 9-16-16](#) Custom products; marking "not for sale"

[345 IAC 9-17-5](#) Modifications of approved label; permission of area supervisor

[345 IAC 9-21.5](#) Inspection of Rabbits and Rabbit Products

[345 IAC 9-22](#) Detention; Seizure and Condemnation; Criminal Offenses

[345 IAC 10-2](#) Administration; Application of Inspection and Other Requirements

[345 IAC 10-7](#) Facilities for Inspection; Overtime and Holiday Service, Billing Establishments

[345 IAC 10-13-1](#) Official inspection legend

[345 IAC 10-13-2](#) Official seal

[345 IAC 10-13-3](#) Official tags

[345 IAC 10-13-4](#) Official detention form

[345 IAC 10-13-5](#) Official Indiana condemned tag

[345 IAC 10-13-6](#) Official poultry condemnation certificates; requests

[345 IAC 10-13-7](#) Changes to certificates; copies

[345 IAC 10-14-20](#) Modifications of approved label; permission of officer in charge

[345 IAC 10-20-1](#) Applicability

[345 IAC 10-20-2](#) Tagging poultry

[345 IAC 10-20-3](#) Notification of detention to owner

[345 IAC 10-20-4](#) Notification of detention to federal authorities

[345 IAC 10-20-5](#) Movement of article or poultry; termination of detention

## **I. Subject Matter Statement**

State law requires the BOAH to enforce requirements with respect to intrastate operations that are at least equal to those imposed and enforced under the federal Meat Inspection Act (21 U.S.C. 601 et seq.) and the federal Poultry Products Inspection Act (21 U.S.C. 451 et seq.). [IC 15-17-5-1](#)(4). To comply with this statutory mandate, BOAH must ensure that the Meat and Poultry Inspection (MPI) rules are in place that are at least equal to 9 CFR Subchapter E, which contains the requirements for federally inspected facilities.

## **II. Continued Need for the Rule**

State law further authorizes the BOAH to cooperate with USDA-FSIS to effectuate the purpose of the Meat and Poultry Inspection Law, to accept federal assistance for that purpose, and to spend public funds appropriate for the administration of the law to pay not more than fifty percent (50%) of the total cost of the cooperative program ([IC 15-17-5-5](#)(11)). Pursuant to this power, the BOAH has entered into a state-federal cooperative agreement with USDA-FSIS to receive up to 60% of the annual operating costs of the Meat and Poultry Inspection (MPI) program. BOAH's MPI program is subject to regular audits by USDA-FSIS to ensure that the state standards are at least equal to federal requirements. If BOAH does not maintain rules consistent with the federal regulations, it would jeopardize the funding the agency receives under the state-federal agreement. If the BOAH does not remain in compliance with the state-federal agreement by keeping the inspection rules in place, it would have negative consequences for the regulated community. Indiana relies on the federal funding to support an adequate number of

inspectors for the state's 83 official plants and 55 custom exempt plants. If BOAH cannot fund an adequate number of inspectors, the official plants will not be able to operate at full capacity because an inspector must be on site continually during the slaughtering process and inspect the processing area once per day. These sections establish the inspection requirements for meat products and include critical food safety provisions in areas such as product labeling and plant recall procedures.

### **III. Analysis of fees, fines, and civil penalties under [IC 4-22-2-19.6](#)**

BOAH is authorized to adopt a schedule of civil penalties that may be levied for violations of the MPI Act. [IC 15-17-5-17](#). The penalty may not exceed one thousand dollars (\$1,000) per violation for each day of the violation.

BOAH's current civil penalty schedule authorized a fine up to \$1,000 for a first or subsequent offense. BOAH's civil penalty rule includes the factors that the agency will consider when determining a specific amount within this range.

### **IV. Cost-Benefit, Economic Impact, Fiscal Impact, or Regulatory Burden Statements**

The agency has reexamined the previous cost benefit, economic impact, and fiscal impact statements prepared for the rule under [IC 4-22-2-28](#) and [IC 4-22-2.1-5](#). This review resulted in a finding that there has not been any change in circumstances that affect the analysis and necessitates a change in the analysis.

### **V. Alternative Methods of Achieving the Purpose of the Rule**

As mentioned above, the BOAH has taken the approach of aligning the MPI article with federal law. This is the preferred approach of the meat processing industry and the agency has not encountered difficulties in administering the rule.

### **VI. Complaints and Comments**

The agency has not received complaints regarding this rule. There had been significant growth in Indiana's meat processing sector. In 2024, BOAH inspected 18.7 million pounds of meat and there are 25 Cooperative Interstate Shipment (CIS) facilities that can ship product interstate.

### **VII. Difficulties Encountered**

BOAH has not encountered difficulties in administering this rule. BOAH receives support from the Officer of the Attorney General in enforcing administrative Orders and the collection of civil penalties for violations of [345 IAC 9](#) and [345 IAC 10](#).

### **VIII. Changes in Technology, Economic Conditions or Other Factors**

This rules in this analysis were last reviewed in 2019 and 2021. Since that time, there have not been changes in technology, federal law, or economic conditions that necessitate any changes to the rule.

## **IX. Other State or Federal Requirements**

Not all states have their own meat and poultry inspection programs. While 27 states have such programs, others rely on the USDA-FSIS for meat and poultry inspection. Idaho, Michigan, and Kentucky do not have a MPI program. Indiana agriculture organizations and the Indiana Meat Packers and Processors Association (IMPPA) have had longstanding support for a state program to support the economic growth of Indiana's livestock and meat processing industry. All states that have an MPI program do not have standards less restrictive than Indiana because it would be prohibited by USDA-FSIS.

## **X. Previous Amendments**

BOAH has initiated a rulemaking to make updates throughout [345 IAC 9](#) and [345 IAC 10](#). Regarding the rules in this analysis, it amends the section governing the inspection of rabbits to change the incorporation by reference from January 1, 2022, to January 1, 2024. [345 IAC 9-21.5-2](#) It adds a new section to [345 IAC 10-2](#) to clarify requirements for establishments to manufacture pet food or similar uninspected, inedible products. LSA# 25-165.

## **XI. Integration into Indiana Code**

It is the position of the BOAH that the meat and poultry products rules should remain in the IAC.. This is important so the BOAH can ensure consistency with the USDA-FSIS regulations.

## **XII. Contact Information of Staff to Answer Substantive Questions**

Gary Haynes

Chief of Staff

(317) 544-2400

ghaynes@boah.in.gov

*Notice of Public Comment Period for Rule Readoption: [20250910-IR-345240625RNA](#)*

*Notice of Determination Received: August 27, 2025*

*Posted: 09/10/2025 by Legislative Services Agency*