



Eric J. Holcomb, Governor

## **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 **9:00 a.m. on Tuesday, January 7, 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 below for log-in details.

#### **MEETING AGENDA**

1. Interviews for the position of State Veterinarian:
  - a. 9:00 a.m. Renae Swiatkowski, DVM
  - b. 9:50 a.m. David Walton, DVM
  - c. 10:40 a.m. Kyle Shipman, DVM
  - d. 11:30 a.m. Kerri Suhr, DVM
  - e. 12:20 p.m. Iris Bolton, DVM
- 1:10 p.m. Break
- 1:40 p.m. Meeting Resumes
  2. Approval of the minutes of the previous quarterly meeting: October 8, 2024.
  3. Approval of the minutes of a special meeting: October 28, 2024
  4. Animal Disease Diagnostic Laboratory (ADDL) Report
    - a. ADDL fee changes – review for approval
  5. Consideration for Adoption – Civil penalty schedule rule – LSA# 24-377
  6. Division Reports
    - Technical Services
    - Animal Programs
    - Avian Division
    - Meat and Poultry
    - Dairy
  7. Appointment of the Indiana State Veterinarian. IC 15-17-4-1.
  8. Consideration for adoption: Resolution granting authority to the state veterinarian.
  9. Other Business:
    - a. Establish date for the April 2025 meeting.

Tentative dates for 2025 meetings: April 8; 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
- Or 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 125 years.**

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**Indiana State Board of Animal Health**  
**Meeting Minutes**  
**October 8, 2024**

**Quarterly Meeting**

The Indiana State Board of Animal Health (BOAH) held its regular quarterly meeting on Tuesday, October 8, 2024. 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 the 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 electronically  
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 in-person

Members Absent: Mr. Kraig Bowers, attended in-person

Vacant Position: None

BOAH Staff Participating:  
Bret D. Marsh, DVM, State Veterinarian  
Gary Haynes, Chief of Staff  
Denise Derrer Spears, Public Information Director  
Jared Hagenow, Assistant Public Information Officer  
Kelli Werling, DVM, Senior Director of Operations, Swine Health Director  
Mike Kopp, DVM, Director, Avian and Poultry Health  
Kerri Suhr, DVM, Meat and Poultry Division Director  
Patrick Hash, Dairy Division Director  
Melissa Justice, DVM, District 6 Field Veterinarian, Director of Small Animal Health

Chairperson Dr. Bill Doig proceeded with the posted agenda. (Exhibit 1)

### **Recognition of BOAH Employee's Years of Service**

Todd Lewis, 5 years  
Jamie Noble, 30 years  
Greg Overmeyer, 35 years

### **First Order of Business - Approval of Minutes**

Dr. William Doig asked the Board to approve the minutes from the July 16, 2024 meeting. David Hardin made a motion – MOTION – “I move to approve the minutes of the July 16, 2024 meeting.” Dr. Darryl Ragland seconded the motion. The Board approved the MOTION by a roll call VOTE of 10-0. Virgil Bremer did not vote. (Exhibit 2)

### **Second Order of Business–Animal Disease Diagnostic Laboratory (ADDL) report (Exhibit 3)**

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 purchase a digital pathology platform.

### **Third Order of Business – Technical Services**

- a. Public Information Report (Exhibit 4)  
Denise Derrer Spears reported on agency public information activity and projects, including a State of Indiana project to replace the email marketing management system.
- b. Chief of Staff Report. (Exhibit 5)  
Gary Haynes discussed the BOAH and ADDL biennial budget request submissions and federal cooperative agreement updates.
- c. General Assembly update  
Gary Haynes reported on summer study committee activity, a BOAH agency proposal to establish a grant program to provide student loan payment assistance to veterinarians and veterinary technicians, and issues that may result in legislation in the next session.

### **Fourth Order of Business – Animal Programs**

Animal Programs Division report – (Exhibit 6)

Dr. Kyle Shipman updated the Board on:

- Highly Pathogenic Avian Influenza (HPAI) in dairy cattle. Dr. Shipman discussed the latest national situation report, USDA's activities and BOAH's surveillance and response plans. Indiana has not diagnosed HPAI in cattle to date.
- Implementation of HB 1412 requiring registration of pet stores, rescues and animal control facilities.
- BOAH's work to develop the swine health improvement plan (SHIP) in Indiana.
- Equine disease updates.
- Tularemia in rabbits in Tippecanoe County.
- Traceability program activities.

### **Fifth Order of Business - Avian Health report (Exhibit 7):**

Mike Kopp, DVM updated the Board on on poultry health issues, including:

- The National. Poultry Improvement Plan biennial conference.
- Avian Metapneumovirus Subtypes A & B in turkeys.
- Mycoplasma gallisepticum in turkeys.
- Egg Drop Syndrome Virus.
- Highly Pathogenic Avian Influenza (HPAI) in poultry in the United States.

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

- a. Dr. Kerri Suhr reported on Meat and Poultry Inspection program activities. Dr. Suhr reported on increased activity at state inspected meat plants with new state-inspected plants opening and more expansion anticipated throughout 2024. Dr. Suhr reported that USDA will conduct an onsite audit of the Indiana program next year. (Exhibit 8)
- b. Patrick Hash reported on Dairy Division activity. (Exhibit 9). Mr. Hash reported on a U.S. FDA plan to collect samples form milk silos in processing plants and test for Highly Pathogenic Avian Influenza (HPAI). The BOAH Dairy Division may participate by collecting samples in Indiana plants.

### **Seventh Order of Business – Other Business**

- a. State Veterinarian’s report, Dr. Bret Marsh (Exhibit 10)  
Dr. Marsh thanked the Board members and expressed his appreciation for the BOAH team. Dr. Marsh presented his Quarterly Report to the Board and discussed items in the report.
- b. Date of Next Meeting  
The Board set the date for the next regular meeting to be January 7, 2025 at 9:30 a.m.

Chairperson Dr. William Doig adjourned the meeting at 11:30 a.m.

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William Doig, D.V.M., Chairperson

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

**Indiana State Board of Animal Health**  
**Meeting Minutes**  
**October 28, 2024**

**Executive Session**

An executive session under Ind. Code 5-14-1.5-6.1(b)(10) was called to order at 12:00 p.m. to consider prospective appointees to serve as interim state veterinarian. The Board certifies by approving these minutes that they did not discuss any other subject matter. The public was not invited to attend the session. State Veterinarian Bret Marsh, DVM and Chief of Staff Gary Haynes attended the meeting at the request of the Chairperson.

**Meeting**

The Indiana State Board of Animal Health (BOAH) held a meeting on Monday, October 28, 2024. 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 1:00 p.m. and conducted a roll call of the 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 electronically  
Virgil Bremer, PhD, attended in-person  
Tracey Gillespie, DVM attended in-person  
Ashley Armstrong, DVM attended electronically  
Mr. Ty Harweger, attended electronically  
Mr. Keith Beer, attended electronically  
Dr. Darryl Ragland, attended in-person

Members Absent: Mr. Kraig Bowers

Vacant Position: None

BOAH Staff Participating:  
Bret D. Marsh, DVM, State Veterinarian  
Gary Haynes, Chief of Staff

Chairperson Dr. Bill Doig proceeded with the posted agenda. (Exhibit 1)

## First Order of Business

Dr. William Doig announced this meeting was needed because Dr. Bret Marsh was retiring from the Board of Animal and will begin duties as the Dean of the College of Veterinary Medicine on November 4.

Dr. Doig remarked that he very much appreciated Dr. Marsh's service through the years and the countless hours he spent working with veterinarians, producers, consumers and the BOAH staff to address animal health issues in swine, cattle, poultry and other species. Through Dr. Marsh's efforts, the Indiana Board of Animal Health has become a leading organization, a place where others go for advice.

Dr. Doig stated the Board is confident that the agency staff Dr. Marsh assembled and trained well will continue to provide high quality service to the citizens of Indiana. Dr. Doig thanked Dr. Marsh for his service.

Dr. Doig congratulated Dr. Marsh on his new role as Dean at the Purdue College of Veterinary Medicine and remarked that he is confident that Purdue hired the right person to lead the College to the highest level.

Dr. Bret Marsh thanked the Board for the opportunity to serve the citizens of Indiana for 40 years, including serving as state veterinarian for the last 30 years. It has been a great honor, one that he could not have imagined when he began his career.

Dr. Marsh remarked that the Board of Animal Health agency has changed markedly over the years. The addition of the meat and poultry and dairy inspection programs in 1996 solidified BOAH's role as addressing issues with animals and animal products. The agency mission continued to change over the years to encompass more animal care issues, including assisting law enforcement agencies and regulating dog breeders. As production practices and industries changed, BOAH changed as well, for example because of growth in the poultry industry, BOAH recently created an avian division to address poultry issues.

Dr. Marsh recounted the creation of the Center for Animal Policy which collocated the BOAH and the Board of Veterinary Medicine which will enhance collaboration between the agencies and provide a platform to address issues going forward.

Dr. Marsh commented that there are always many moving parts and he could not have been successful alone. He thanked the exceptional people who have worked at BOAH and BOAH's many partners. He expressed his appreciation for the Board and encouraged everyone to keep the board structure in place because it is key to an agency that is grounded, informed and responsive to the agricultural community.

Dr. Marsh thanked the Board again for their support and allowing him to serve as state veterinarian.

Chief of Staff Gary Haynes reviewed:

1. The Board's delegation of authority policy last adopted in 2021 Exhibit 2.
2. The qualifications required to serve as state veterinarian Exhibit 4.
3. A proposed process to accept applications, interview and select the next state veterinarian. Exhibit 5.

## **Second Order of Business – Appointment of an Interim State Veterinarian**

Chairperson Doig stated the Board met in executive session under Ind. Code 5-14-1.5-6.1(b)(10) earlier in the day to consider prospective appointees to serve as interim state veterinarian. The Board determined that all the current employees who are veterinarians with at least 5 years of experience are candidates to serve as the interim state veterinarian.

Virgil Bremer made a motion – MOTION – “I move that the Board appoint Dr. Kyle Shipman to serve as interim state veterinarian.” The motion was seconded by Dr. Tracey Gillespie. The Board approved the MOTION by a roll call VOTE of 10-0.

Dr. Daryll Ragland made a motion – MOTION – “I move that the Board increase Dr. Kyle Shipman’s salary by 9% during his service as interim state veterinarian.” The motion was seconded by Dave Hardin. The Board approved the MOTION by a roll call VOTE of 10-0.

## **Third Order of Business – Resolution Granting Authority to the interim state veterinarian**

Chief of Staff Gary Haynes explained the proposed resolution granting authority to the interim state veterinarian. (Exhibit 3)

Dave Hardin made a motion – MOTION – “I move that the Board grant authority to the interim state veterinarian as described in the resolution”. The motion was seconded by Dr. Daryll Ragland. The Board approved the MOTION by a roll call VOTE of 10-0. (Exhibit 3).

## **Fourth Order of Business – State Veterinarian’s Report**

Dr. Marsh referred to his earlier comments during the meeting.

## **Fifth Order of Business – Other Business**

The Board set a date for an executive session meeting on December 9, 2024 at 9:30 a.m. under Ind. Code 5-14-1.5-6.1(b)(10) to consider applications for the position of state veterinarian and determine a list of finalists to interview.

The Board affirmed its prior action to set the date for the next regular meeting to be January 7, 2025 at 9:30 a.m.

Chairperson Dr. William Doig adjourned the meeting at 12:46 p.m.

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William Doig, D.V.M., Chairperson

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

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

- **Budget Summary (FY 2025 year to date compared to FY 2024)**
  - Sales and Services: Up 12% from last year (\$169,722.27)
  - Salary, Wage and Fringe: Up 10% (\$232,543.42)
- **Updates:**
  - LIMS Replacement – in final vendor assessment phase
  - Digital Pathology
    - Slide scanner installed December 2024 in Reed Histopathology lab
    - Digital/IT workflow solutions under development/evaluation
    - Anticipate phased launch in 2025, starting with the Heeke lab
  - Reed Lab Facility Upgrades (incinerator and walk-in cooler replacement)
    - Scheduled to start March 2025 with a December 2025 completion date.
  - Reed Lab Facilities Assessment by Perkins&Will
    - Kicked off December 2024 with 2 days on site
    - Anticipated completion: end of April 2025
- Please refer to the 2024 Annual Letter (available late January 2025 on the ADDL's website) for caseload data and other interesting news
- **Positions:**
  - NEW Faculty Microbiologist Position (state funded) – filled
  - NEW Operations Analyst (state funded) – filled
  - NEW Faculty Poultry Research Position (Purdue funded) – negotiation in progress
  - NEW Client Services Veterinarian (state funded) – search in progress
  - Faculty Pathologist Position – search in progress
  - Faculty Poultry Diagnostician – search in progress



## **TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH**

### **Notice of First Public Comment Period**

LSA Document #24-377

## **CIVIL PENALTY SCHEDULE**

### **PURPOSE OF NOTICE**

The Indiana State Board of Animal Health (BOAH) is soliciting public comment on adding an article at 345 IAC 1.5 concerning its civil penalty schedule. BOAH seeks comment on the affected citations listed and any other provisions of Title 345 that may be affected by this rulemaking.

### **ADDITIONAL DOCUMENTS**

Regulatory Analysis: 20241023-IR-345240377RAA

Notice of Public Hearing: 20241023-IR-345240377PHA

**CITATIONS AFFECTED:** 345 IAC 1.5

**AUTHORITY:** IC 15-17-3-21; IC 15-17-5-5

### **OVERVIEW**

#### **Basic Purpose and Background**

The purpose of the proposed rule is to bring the agency into compliance with new requirements for fees, fines, or civil penalties that are not set as a specific amount in state law. Under IC 4-22-2-19.6, a rule must describe the fine as a specific dollar amount, under a formula by which the amount can be reasonably calculated, or as a range of potential dollar amounts, stating the factors the agency will use to set a specific dollar amount in an individual case with enough certainty that a review of an agency action under IC 4-21.5, or a comparable process, can evaluate whether the amount was reasonable.

BOAH presented its civil penalty schedule to the state budget committee on November 14, 2023. The next step in the process is to take that schedule, and the factors the agency considers when setting a fine or civil penalty, and including them in a rule that becomes effective before July 1, 2025. The proposed rule is subject to the board's civil penalty statute, which states that a person that violates IC 15-17 is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation.

The proposed rule will create a new article under Title 345 to establish a civil penalty schedule for violations of IC 15-17 (ANIMAL HEALTH AND ANIMAL PRODUCTS) and IC 15-21 (COMMERCIAL DOG BREEDER REGULATION), and rules adopted under these statutes. The proposed rule includes assessment factors the board considers when determining the amount of penalty that will be assessed within the ranges established in the schedule. The proposed rule also specifies the violations considered major violations for purposes of the state opportunity to correct law under IC 4-21.5-2.5.

The civil penalty schedule for animal health will apply to all livestock and poultry owners in Indiana. BOAH has 71,670 animal owners registered in the premises identification program. This program is required for any person that buys, sells, or exhibits livestock in the state. The program is voluntary for poultry and equine owners, but there is a high level of participation by these animal owners. 345 IAC 1-2.5. The BOAH Meat and Poultry Inspection (MPI) program has 83 official establishments and 55 custom-exempt establishments. However, it is important to note that all enforcement cases that were included in the five (5) year analysis presented to the budget committee were unlicensed individuals selling uninspected meat products. These individuals were not operating as an establishment in the MPI program.

For purposes of IC 4-22-2-28.1, small businesses affected by this rulemaking may contact the Small Business Regulatory Coordinator:

Sarah Ash Simpson  
General Counsel  
Indiana State Board of Animal Health  
1202 East 38th Street, Discovery Hall, Suite 100  
Indianapolis, IN 46205  
(317) 460-0960  
sasimpson@boah.in.gov

For purposes of IC 4-22-2-28.1, the Small Business Ombudsman designated by IC 5-28-17-6 is:

Matthew Jaworowski  
Small Business Ombudsman  
Indiana Economic Development Corporation  
One North Capitol, Suite 700  
Indianapolis, IN 46204  
(317) 650-0126  
majaworowski@iedc.in.gov

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in IC 5-28-17-6, specifically IC 5-28-17-6(9), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

### **REQUEST FOR PUBLIC COMMENT**

BOAH is soliciting public comment on the proposed rule. Comments may be submitted in one of the following ways:

(1) By mail or common carrier to the following address:

LSA Document #24-377 Civil Penalty Schedule  
Sarah Ash Simpson  
General Counsel  
Indiana State Board of Animal Health  
1202 East 38th Street, Discovery Hall, Suite 100  
Indianapolis, IN 46205

(2) By email to [sasimpson@boah.in.gov](mailto:sasimpson@boah.in.gov). PLEASE NOTE: Email comments will not be considered part of the official written comment period unless they are sent to the address indicated in this notice.

(3) Attend scheduled public hearing.

### **COMMENT PERIOD DEADLINE**

All comments must be postmarked or time stamped not later than November 22, 2024.

The rule, Regulatory Analysis, appendices referenced in the Regulatory Analysis, and materials incorporated by reference (if applicable) are on file at the Indiana State Board of Animal Health, 1202 East 38th Street, Discovery Hall, Suite 100, Indianapolis, Indiana and are available for public inspection. Copies of the rule, Regulatory Analysis, and appendices referenced in the Regulatory Analysis are available at the Indiana State Board of Animal Health office.

If BOAH does not receive substantive comments during the public comment period or public hearing, the rule may be adopted with text that is the same as or does not substantially differ from the text of the proposed rule published in this notice.

### **PROPOSED RULE**

SECTION 1. 345 IAC 1.5 IS ADDED TO READ AS FOLLOWS:

#### **ARTICLE 1.5. CIVIL PENALTY SCHEDULE**

##### **Rule 1. General Provisions**

##### **345 IAC 1.5-1-1 Purpose**

**Authority:** IC 15-17-3-21; IC 15-17-5-5; IC 15-17-5-17

**Affected:** IC 15-17; IC 15-21-7-1

**Sec. 1. The purpose of this article is to establish a civil penalty schedule for violations of:**

**(1) IC 15-17 (ANIMAL HEALTH AND ANIMAL PRODUCTS); and**

**(2) IC 15-21 (COMMERCIAL DOG BREEDER REGULATION);**

**and rules adopted under these statutes. This article establishes a schedule and assessment factors that furthers the fair and consistent assessment of civil penalties for violations of state animal health and animal product laws and rules. (Indiana State Board of Animal Health; 345 IAC 1.5-1-1)**

##### **Rule 2. Definitions**

**345 IAC 1.5-2-1 Applicability**

**Authority:** IC 15-17-3-21; IC 15-17-5-5; IC 15-17-5-17

**Affected:** IC 15-17; IC 15-21-7-1

**Sec. 1.** The definitions in this rule apply throughout this article. (*Indiana State Board of Animal Health; 345 IAC 1.5-2-1*)

**345 IAC 1.5-2-2 "Board" defined**

**Authority:** IC 15-17-3-21; IC 15-17-5-5; IC 15-17-5-17

**Affected:** IC 15-17; IC 15-21-7-1

**Sec. 2.** "Board" means the Indiana state board of animal health established at IC 15-17-3-1. (*Indiana State Board of Animal Health; 345 IAC 1.5-2-2*)

**345 IAC 1.5-2-3 "Legal citation" defined**

**Authority:** IC 15-17-3-21; IC 15-17-5-5; IC 15-17-5-17

**Affected:** IC 15-17; IC 15-21-7-1

**Sec. 3.** "Legal citation" means the Indiana Code or Indiana Administrative Code section or subsection cited on the schedule to describe the relevant portion of a board statute or rule that has been violated. (*Indiana State Board of Animal Health; 345 IAC 1.5-2-3*)

**345 IAC 1.5-2-4 "Schedule" defined**

**Authority:** IC 15-17-3-21; IC 15-17-5-5; IC 15-17-5-17

**Affected:** IC 4-22-2-19.6; IC 15-17; IC 15-21-7-1

**Sec. 4.** "Schedule" means the civil penalty schedule required by IC 4-22-2-19.6 and as specified in 345 IAC 1.5-3. (*Indiana State Board of Animal Health; 345 IAC 1.5-2-4*)

**Rule 3. Civil Penalty Schedule**

**345 IAC 1.5-3-1 Schedule**

**Authority:** IC 15-17-3-21; IC 15-17-5-5; IC 15-17-5-17

**Affected:** IC 4-21.5-2.5-2; IC 15-17; IC 15-18; IC 15-21-7-1

**Sec. 1.** The schedule of civil penalties for violations of IC 15-17, IC 15-21, and the rules adopted under these laws are as follows:

Legal Citation	General Description of Violation	Range of Penalties First Offense (per violation)	Range of Penalties Subsequent Offenses (per violation)
IC 15-17-12; 345 IAC 1-1.1	Sale of disease treatments or diagnostic agents	\$0 - \$500	\$0 - \$1,000
IC 15-17-15; IC 15-17-18; 345 IAC 1-1.5; 345 IAC 1-3	Moving animals subject to an order of quarantine in violation of the quarantine; interference with official identification or documentation; sale or transfer of diseased animals; transporting a reactor with other animals; transporting animals into Indiana in violation of state law. These violations are considered major violations under IC 4-21.5-2.5-2(1)(E).	\$0 - \$2,000	\$0 - \$5,000
IC 15-17-10; 345 IAC 1-6; 345 IAC 1-7	Reportable disease law and associated rules; acquisition and disposition of animals and	\$0 - \$500	\$0 - \$1,000

	objects		
IC 15-17-9; 345 IAC 3-4; 345 IAC 3-5.1	Failure to comply with the swine pseudorabies and brucellosis control laws	\$0 - \$1,000	\$0 - \$5,000
IC 15-17-7; IC 15-17-8; 345 IAC 2-6; 345 IAC 2.5-3; 345 IAC 2.5-4; 345 IAC 2.5-5	Failure to comply with the brucellosis or tuberculosis control laws	\$0 - \$1,000	\$0 - \$5,000
345 IAC 2-7	Failure to comply with the cervid chronic wasting disease rule	\$0 - \$500	\$0 - \$1,000
IC 15-17-11; 345 IAC 7-7	Violation of dead animal disposal law and related rules	\$0 - \$500	\$0 - \$1,500
IC 15-17-14; 345 IAC 7-3.5	Livestock dealer license offenses	\$0 - \$250	\$0 - \$1,000
IC 15-17-14.5; IC 15-17-14.7; 345 IAC 2-9	Failure to comply with the cervid hunting preserve law and associated rules	\$0 - \$500	\$0 - \$1,000
345 IAC 7-4.5; 345 IAC 7-5	Violation of livestock exhibition rules	\$0 - \$500	\$0 - \$1,000
345 IAC 6-1.1	Failure to comply with EIA control laws	\$0 - \$1,000	\$0 - \$5,000
IC 15-17-10-16; 345 IAC 1-2.1	Feeding garbage to swine	\$0 - \$300	\$0 - \$1,000
345 IAC 5	Violation of scrapie control laws	\$0 - \$500	\$0 - \$1,000
IC 15-17-5-17; 355 IAC 2-5-13(a)	Offering for sale uninspected meat or poultry. These violations are considered major violations under IC 4-21.5-2.5-2(1)(E).	\$0 - \$1,000	\$0 - \$1,000
IC 15-17-3-23; 345 IAC 14	Livestock and poultry standards of care	\$0 - \$500	\$0 - \$1,000
IC 15-17; IC 15-18	General penalty – a violation of any BOAH law or order	\$0 - \$500	\$0 - \$1,000
IC 15-21; 345 IAC 13	Commercial breeder and broker statute and associated rules	\$0 - \$500 for a knowing violation; \$0 - \$1,000 for an intentional violation; \$0 - \$5,000 for knowingly or intentionally violating an injunction	

*(Indiana State Board of Animal Health; 345 IAC 1.5-3-1)*

### **345 IAC 1.5-3-2 Penalty assessment**

**Authority:** IC 15-17-3-21; IC 15-17-5-5; IC 15-17-5-17

**Affected:** IC 4-21.5-2.5-2; IC 4-21.5-2.5-3; IC 15-17; IC 15-21-7-1

**Sec. 2. (a) Except for violations:**

(1) exempted under IC 4-21.5-2.5-2 or IC 4-21.5-2.5-3; or

(2) designated as major violations in this rule under IC 4-21.5-2.5-2(1)(E);

the board shall notify the alleged violator in writing that the agency believes a violation may exist and allow the alleged violator an opportunity to correct the violation before imposing a civil penalty.

(b) A penalty may not exceed the maximum amount each day of the violation in IC 15-17-18-12. In addition to any penalties assessed, the board may seek costs and other expenses as authorized under IC 15-17-18-12.

(c) The board shall determine the amount of a civil penalty that will be assessed within the ranges set forth in section 1 of this rule by considering the following factors:

(1) Good faith efforts of the violator to comply, such as:

(A) prompt notification to the board;

(B) corrective actions taken in response to the noncompliance; and

(C) cooperation by the violator with the board during the investigation process.

(2) The violator's history of compliance.

(3) The degree of potential harm to the health, safety, or welfare of human or animal health. When determining the degree of potential harm, the board shall consider the scale of the violator's activities, including the:

(A) volume and composition of noncompliant products; or

(B) number of animals involved in the incidents of noncompliance.

- (4) The degree of deviation from a statutory or rule requirement.
- (5) Whether it was reasonable for the violator to:
  - (A) foresee and prevent a violation, including the degree of control the violator had over the events constituting the violation;
  - (B) take precautions against the events constituting the violation; and
  - (C) know the potential harm associated with the conduct.
- (6) Any economic benefits of the noncompliance to the violator, such as delayed or avoided costs because of the failure to comply.
- (7) Whether the acts constituting the violation resulted in other enforcement actions set forth in section 4 of this rule.

(d) After a penalty is assessed under this section and other applicable laws or rules, the board may enter into a payment or other settlement agreement with a violator when the board determines that:

- (1) a delayed or an installment payment schedule;
- (2) a reduced penalty assessment; or
- (3) corrective actions with an associated reduction in an assessed amount;

are appropriate terms to resolve the noncompliance. When negotiating the terms of a payment or other settlement agreement, the board shall balance the ability of a violator to pay with the need to protect the public health, safety, and welfare. (*Indiana State Board of Animal Health; 345 IAC 1.5-3-2*)

#### **345 IAC 1.5-3-3 Notification of legal recourse**

Authority: IC 15-17-3-21; IC 15-17-5-5; IC 15-17-5-17

Affected: IC 4-21.5; IC 15-17; IC 15-21-7-1

Sec. 3. (a) The board shall notify, in the manner required under IC 4-21.5, each person on whom a civil penalty may be imposed of the opportunity to appeal a proposed action by filing with the board in writing a request to have a hearing within fifteen (15) days after notice of the action.

(b) Waiver of a hearing may be made in writing or by failure to request in writing a hearing, as provided in IC 15-17-17, within fifteen (15) days after receiving the notice. (*Indiana State Board of Animal Health; 345 IAC 1.5-3-3*)

#### **345 IAC 1.5-3-4 Imposition of civil penalties**

Authority: IC 15-17-3-21; IC 15-17-5-5; IC 15-17-5-17

Affected: IC 4-21.5; IC 15-17; IC 15-21-7-1

Sec. 4. (a) Nothing in this article requires the board to impose a civil penalty for a violation.

(b) The board may initiate any of the following as an alternate enforcement action, or in addition to, a civil penalty:

- (1) An administrative compliance order under the procedures set forth at IC 4-21.5.
- (2) An injunction proceeding.
- (3) A license, permit, registration, or certification:
  - (A) denial;
  - (B) modification;
  - (C) suspension; or
  - (D) revocation.
- (4) Referral for criminal prosecution.
- (5) Referral to another enforcement agency.

(*Indiana State Board of Animal Health; 345 IAC 1.5-3-4*)

**Regulatory Analysis**  
LSA Document #24-377**I. Description of Rule**

**a. History and Background of the Rule** – The genesis for this rulemaking was the passage of House Enrolled Act 1623 in the 2023 legislative session (*P.L. 249*). This law includes new requirements for fees, fines or civil penalties that are not set as a specific amount in state law. [IC 4-22-2-19.6](#). A rule must describe the fine as a specific dollar amount, under a formula by which the amount can be reasonably calculated, or as a range of potential dollar amounts, stating the factors that the agency will use to set a specific dollar amount in an individual case with sufficient certainty that a review of an agency action under [IC 4-21.5](#) or comparable process can evaluate whether the amount was reasonable.

The BOAH presented its civil penalty schedule to the state budget committee on November 14, 2023. The next step in the process is to take that schedule, and the factors that the agency considers when setting a fine or civil penalty and including them in a rule that becomes effective before July 1, 2025. The last time that the board reviewed and approved the agency's civil penalty schedule was July 14, 2000. The proposed rule is subject to the board's civil penalty statute, which states that a person who violates [IC 15-17](#) is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation.

**b. Scope of the Rule** – The proposed rule will create a new Article under Title 345 to establish a civil penalty schedule for violations of [IC 15-17](#) Animal Health and Animal Products and [IC 15-21](#) Commercial Dog Breeder Regulation and rules adopted under these statutes. The rule also includes assessment factors that the board considers when determining the amount of penalty that will be assessed within the ranges established in the schedule. The proposed rule also expressly provides what violations constitute major violations for purposes of the state opportunity to correct law. [IC 4-21.5-2.5](#).

**c. Statement of Need** – The proposed rule furthers the policy of fair and consistent assessment of civil penalties for violations of state animal health and animal product laws and rules. It is a longstanding policy of the board to have a schedule of civil penalties in place for the benefit of regulated entities and other stakeholders. However, there are two additional components of the proposed rule that will also further this policy. First, it sets forth the factors that agency personnel consider when determining a specific penalty amount within the schedule and ranges approved by the board. BOAH personnel currently consider factors such as the violator's history of compliance or the degree of potential harm to human or animal health when assessing a civil penalty. However, it is important to have these considerations in rule so the process is clear to the regulated community and other stakeholders.

The rule also further consistency in the assessment of civil penalties by expressly designating which violations are considered major violations under the opportunity to correct statute. It is BOAH's policy to provide a written notice of violation(s) and corrective action(s) in response to violation(s) whenever it is possible. However, it is important that the agency put individuals on notice of what category of violations are considered major violations of animal health and animal products laws where the standard enforcement procedures may not apply.

**d. Statutory Authority for the Proposed Rule** – The BOAH is authorized to adopt rules that are reasonable and necessary to discharge the duties imposed on the board by [IC 15-17](#). The BOAH's civil penalty statute states that a person who violates [IC 15-17](#) is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation. The amount of the civil penalties that are included in the schedule for violations of [IC 15-21](#) Commercial Dog Breeder Regulation are specifically established in statute. [IC 15-21-7-1](#).

**e. Fees, Fines, and Civil Penalties** – The rule incorporates the civil penalty schedule that was last reviewed and voted upon by the board on July 14, 2000. The 11-member board is comprised of the industries that the agency regulates, so it provides an opportunity for the regulated community to consider whether the ranges are appropriate given the type of violation. The board may only approve a schedule that complies with the statutory cap in the BOAH civil penalty law. The BOAH presented this civil penalty schedule and assessment factors to the State Budget Committee on November 14, 2023 for their review and consideration.

**II. Fiscal Impact Analysis**

**a. Anticipated Effective Date of the Rule** – The rule would have its public hearing at the January 2025 board meeting. If the board approves the final rule on this date, the anticipated effective date would be April 1, 2025.

**b. Estimated Fiscal Impact on State and Local Government** – The agency does not estimate a significant impact to state revenues. For the 5-year period between September 1, 2018 – September 1, 2023 the total amount of civil penalties assessed by the agency were as follows:

**Animal Health \$10,300**

- Commercial Dog Breeder and Broker (CBB) Program - \$300
- Other Animal Health - \$10,000

**Meat and Poultry Inspection \$ 8,000**

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**Total 5-Year Revenue \$18,300**

This historical data is the best indicator of anticipated future revenues to the state under the civil penalty schedule. The agency has no data which would indicate that there will be an increase in the number of enforcement cases where a civil penalty is assessed. There is no impact to local government.

**c. Sources of Expenditures or Revenues Affected by the Rule** – All civil penalties assessed under this rule would be deposited into the state general fund. However, effective July 1, 2024, any civil penalties collected for violations of [IC 15-21](#) would be deposited into the Commercial Breeder and Broker (CBB) dedicated fund. *HEA 1412; 123rd General Assembly (2024)*.

### III. Impacted Parties

The civil penalty schedule for animal health will apply to all livestock and poultry owners in Indiana. BOAH has 71,670 registered in the premises identification program. This program is required for any person that buys, sells, or exhibits livestock in the state. The program is voluntary for poultry and equine owners, but there is a high level of participation by these animal owners. [345 IAC 1-2.5](#).

With regard to the sales of uninspected meat and poultry products, BOAH has 83 official establishments and 55 custom-exempt establishments. However, it is important to note that all the enforcement cases that were included in the 5-year analysis presented to the State Budget Committee were unlicensed individuals selling uninspected meat products. These individuals were not operating as an establishment in the BOAH Meat and Poultry Inspection (MPI) program.

### IV. Changes in Proposed Rule

This rule is taking the BOAH civil penalty schedule, which was last reviewed and approved by the board on July 14, 2000, and placing it into state rule. The proposed rule will incorporate an existing agency standard that is contained in a non-rule document. Some of the ranges are not governed by the \$25,000 general statutory cap because there is another statute that establishes the amount for a specific animal health violation. The schedule references that statute when applicable.

Several of the violations listed in the schedule are also violations of federal animal health or food safety laws. In addition, the agency has cooperative agreements with the United State Department of Agriculture – Animal and Plant Health Inspection Service (USDA-APHIS) and United States Department of Agriculture – Food Safety Inspection Service (USDA-FSIS) which require the agency to have many of the listed rules in place as a condition of a federal program status and/or receipt of federal funding. The agency is periodically audited by the USDA-FSIS and civil penalty assessments are a component of the compliance portion of the audit.

### V. Benefit Analysis

**a. Estimate of Primary and Direct Benefits of the Rule** – The proposed rule ensures the consistent assessment of civil penalties for violations of state animal health and animal product laws and rules. This positively impacts business competitiveness by providing a solid legal basis for enforcement action against individuals who are operating illegally in the state. For example, the schedule and associated factors ensure consistent assessments against individuals selling uninspected meat products or moving animals in violation of state animal health laws.

The rule also impacts consumer protection by expressly designating which violations are considered major violations under the opportunity to correct statute. It is BOAH's policy to provide a written Notice of Violation

(NOV) and corrective action(s) in response to violation(s) whenever it is possible. However, it is important that the agency put individuals on notice of what category of violations are considered major violations of animal health and animal products laws where the standard enforcement procedures may not apply. This rule ensures that, when an animal or meat product presents an immediate risk to animal or public health, the agency can take swift action to address a significant risk of a disease or illness outbreak.

**b. Estimate of Secondary or Indirect Benefits of the Rule** - An indirect benefit of the rule is reduced staff time for agency personnel when determining a civil penalty amount. BOAH personnel currently consider factors such as the violator's history of compliance or the degree of potential harm to human or animal health when assessing a civil penalty. However, it is important to have these considerations in rule so there is a consistent process for agency personnel. It may also reduce administrative costs to the state if a fine is appealed by a violator because the process used by the agency to determine the amount is established in rule.

**c. Estimate of Any Cost Savings to Regulated Industries** – Because the purpose of this rule is to formalize the civil penalty process for rule violations, it does not involve cost savings to regulated industries.

## VI. Cost Analysis

**a. Estimate of Compliance Costs for Regulated Entities** – The proposed rule does not increase compliance costs for individuals that are following state animal health and food safety laws. The addition of the schedule ranges and assessment factors does not require individuals or businesses to change their behavior or procedures to comply, and it does not require them to take any additional actions. The rule decreases business profitability by increasing costs only if an individual is operating in violation of state laws and rules. It is also important to note that, in most enforcement cases, individuals are provided with an NOV and an opportunity to correct a violation(s) before a civil penalty would be imposed.

**b. Estimate of Administrative Expenses Imposed by the Rules** – The rule does not increase administrative expenses for the agency. The BOAH is already responsible for assessing civil penalties for violations of state animal health and food safety laws. The proposed rule does not change the administrative costs of this function. Such costs include personnel time to investigate allegations of noncompliance and legal services for the preparation of enforcement documents.

**c. The fees, fines, and civil penalties analysis required by [IC 4-22-2-19.6](#)** – The civil penalty schedule ensures that the agency has a solid legal foundation to take enforcement action against individuals who are engaging in illegal activities involving animals or animal products which present a safety risk to the health of Indiana's human or animal populations. It provides clarity for stakeholders regarding how the agency decides upon the specific dollar amount, which includes considerations such as the need for deterrence of future violations.

## VII. Sources of Information

**a. Independent Verifications or Studies** – BOAH regularly interacts with animal owners and licensees which provides an opportunity to determine demand, growth trends, and noncompliance concerns in all sectors of the regulated community. This feedback did not result in an agency determination that there would be an increase or decrease in the estimated volume of civil penalty assessments.

**b. Sources Relied Upon in Determining and Calculating Costs and Benefits** – The agency used the most recent agency data, such as the current number of registered premises and licensees, to help determine the costs and benefits. The most significant area of growth is the MPI program, with 32 new facilities/new ownership in 2023. These include 19 new facilities, 11 new owners, and 2 facilities that have reopened. However, the cases where fines have been assessed are illegal products being produced and marketed outside of regulated channels.

## VIII. Regulatory Analysis

There are no increased compliance costs for regulated entities because of the proposed rule. The proposed rule positively impacts business competitiveness and consumer protection. An aggregation of the costs and benefits has resulted in a determination that the benefits of the proposed rule are likely to exceed the costs.

## IX. Contact Information of Staff to Answer Substantive Questions

Sarah A. Simpson, JD



General Counsel  
Indiana State Board of Animal Health (BOAH)  
1202 E 38<sup>th</sup> Street, Discovery Hall - Suite 100  
Indianapolis, IN 46205  
sasimpson@boah.in.gov  
317-544-2410

*Notice of First Public Comment Period with Proposed Rule:* [20241023-IR-345240377FNA](#)

*Notice of Determination Received:* September 4, 2024

*Posted:* 10/23/2024 by Legislative Services Agency

An [html](#) version of this document.



Eric J. Holcomb, Governor

## INDIANA STATE BOARD OF ANIMAL HEALTH

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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

*19 December 2024 for the 7 January 2025 Board Meeting*

Denise Derrer Spears, Public Information Director

#### Public Information:

- Made the shift to Sales Force Marketing Cloud for agency mass outgoing email management before the end of November. Subscribers to BOAH's many email lists have been migrated to the new system. Sent an email to all subscribers to check their preferences.
- Coordinated plans with the Farm Journal Foundation representative to launch their veterinary workforce initiative program. FJF has developed a program for analyzing the state of the workforce, then developing strategies to address the findings. Their first step is to contact partner organizations around the state (such as commodity groups/stakeholders) to gain their support and input. A link to information about the FJF project is on the IN-CAP site: [www.in.gov/animalpolicy](http://www.in.gov/animalpolicy)
- Presented information about BOAH's survey of Category II USDA-accredited veterinarians to the bovine practitioners' group, as well as provided information to staff to address the equine practitioners' and the Indiana swine practitioners' groups. The survey is still open and live, and we are actively seeking input from veterinarians who see large-animal clients. In January, I'll update the accumulated data. Meanwhile, I've been working with the Indiana Management Performance Hub (MPH) to translate the information into a useable dashboard. Our long-term goal is to develop a find-a-vet search tool to assist Hoosiers in identifying nearby veterinarians accepting clients. This is still in very early development discussions.
- Spoke to the VM441 class at PCVM about media and communications.
- Hosted a booth at the Indiana Farm Bureau Convention: Lot of questions about meat inspection and new cattle tag standards from USDA.
- Joined quarterly conference call of Communication Officers of State Departments of Ag (COSDA).
- 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.
- Attended the National FFA Convention Kickoff Luncheon.
- Spoke to local health department new hires about BOAH at the IDOH's annual orientation.
- Prepared content for partner newsletters, including: IVMA, IDEFA, ICAW, IBCA, IDP, and INPork.

#### Animal Health & Care:

- Attended the BOAH Poultry Health Advisory Council meeting.
- Developed an FAQ sheet about USDA's new standards for official identification for cattle and bison.
- Hosted a booth at the Midwest Pork Conference in Noblesville.
- Hosted a booth at the Hoosier Beef Congress at the State Fairgrounds.
- Produced a video about preventing drug residues in exhibition livestock for Indiana 4-H, featuring Dr. Debbie Boyd. Thanks to Jared for his hard work and quick turnaround.

#### Disaster Preparedness:

- Attended the Livestock & Poultry Carcass Management Demonstration.
- Hosted a Q4 lunch-and-learn webinar on carcass disposal options in Indiana. Attendance in our quarterly offerings continues to grow. This one had 110 attendees out of 158 who pre-registered. The recording is posted to BOAH's Indiana Veterinarians YouTube channel

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([www.youtube.com/@indianaveterinariansinboah7062](http://www.youtube.com/@indianaveterinariansinboah7062)), along with an online quiz to make the continuing education credit available to others who could not attend the live event.

- Participated in the *Awakening the Wabash* tabletop exercise in the Joint Information Center with IDHS.
- Completed the online *Animal Issues in Disaster* (AID) course with online quizzes. Our next step is to roll out this course and promote it to target groups under the new format, which culminates with a 2-hour in-person workshop to develop a local plan for animals.
- Attended Metropolitan Emergency Services Organization meeting.
- Hosted a booth and presented at the Hendricks County Personal Preparedness Workshop.

**Food Safety:**

- Attended the BOAH Dairy Advisory Panel meeting.

**Website & Social Media Fun Facts:**

- BOAH's latest YouTube video—the carcass disposal recording from the lunch-and-learn—garnered 128 views in its first three weeks online.
- During Q3, BOAH's Indiana Veterinarians YouTube channel hosted 275 views of videos, totaling almost 23 hours of viewing time. During that same time period, BOAH's general interest YouTube channel ([www.youtube.com/@indianaboah3587](http://www.youtube.com/@indianaboah3587)) hosted 652 views for a total of 53.7 hours of watch-time.



Eric J. Holcomb, Governor  
Bret D. Marsh, DVM, State Veterinarian

## INDIANA STATE BOARD OF ANIMAL HEALTH

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Office of the State Veterinarian  
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Indianapolis, IN 46205-2898  
Phone: 317/544-2400

### Chief of Staff Report January 7, 2025

#### Quarterly Highlights

- **Personnel:**
  - Managed recruiting process for the state veterinarian position.
  - BOAH is recruiting two positions, an animal health specialist and meat inspector.
  - BOAH will have two summer interns in 2025, selection process is underway.
  - 2024 performance review process is underway.
- **Governor-elect Braun Transition**
  - Governor-elect Braun's transition team announced an operating structure for state agencies under the new administration. The Board of Animal Health will report to the Secretary of Business Affairs in the Office of the Governor.
  - Met with members of the Braun transition team to answer questions about the Board of Animal Health.
  - Provided written responses to questions from the Braun transition team about the Board of Animal Health.
- **Finance:**
  - The Governor's recommended budget will be released in January 2025. No additional information on BOAH's budget request package for the State of Indiana FY2026 – 2027 biennial budget process.
- **Cooperative Agreements**
  - USDA is providing partial allocations for the FFY2025 cooperative agreement funding for meat and poultry inspection, base and cooperative interstate shipment projects because of the federal continuing resolutions until Congress passes a budget.
  - Federal funding for the meat and poultry projects ending 9-30-2024 was \$315,242 less than 50% of expenses.
  - Preparing applications for two new cooperative agreements to fund Indiana's surveillance programs for HPAI in raw milk as a part of USDA's national milk testing strategy.
- **Policy:**
  - Contributed to BOAH's HPAI incident command group discussions.
  - Continued discussing potential animal-related bills in the 2025 General Assembly session.
  - Continued work with the Board of Veterinary Medicine on policy questions and initiatives.
  - Contributed to discussions on the development of draft rules for the Board's consideration in 2025.

- **Technology**

- Continued work with the Indiana Office of Technology and a vendor to implement BOAH's new animal health database, AgEnterprise. Implementation expected to be complete in the first quarter of 2025.
- Continued to monitor training for BOAH employees regarding technology security.



Eric J. Holcomb, Governor

## INDIANA STATE BOARD OF ANIMAL HEALTH

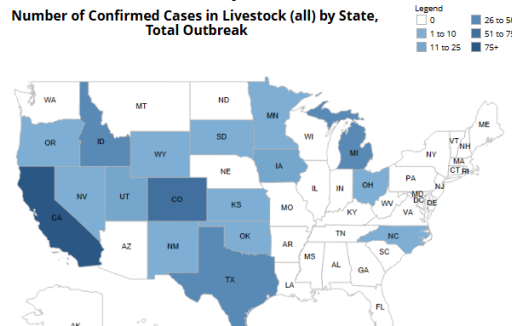
Office of the State Veterinarian  
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1202 East 38<sup>th</sup> Street  
Indianapolis, IN 46205-2898  
Phone: 317/544-2400

### Animal Programs Division Board Report 4<sup>th</sup> Quarter, 2024

#### Quarterly Highlights

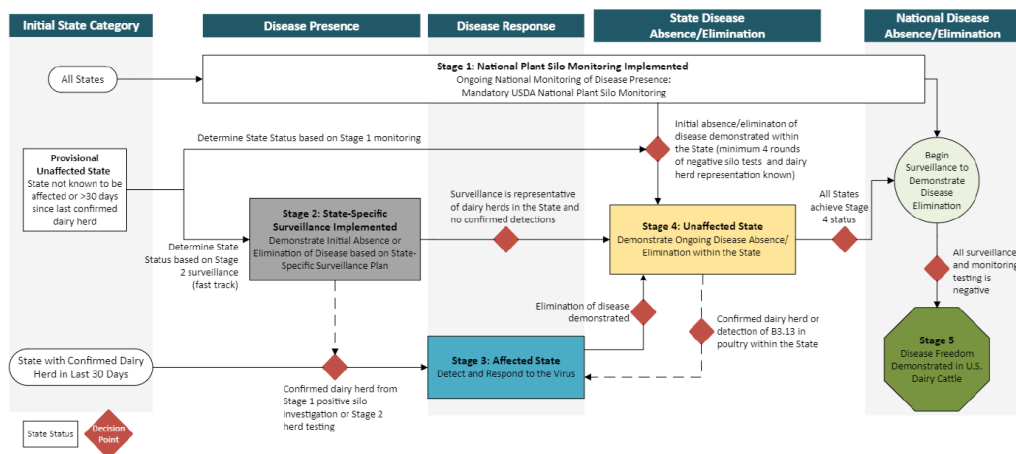
- As of December 18, 2024, there have been over 865 confirmed cases of H5N1 influenza in dairy cattle in 16 states and two confirmed cases of H5N1 influenza in pigs in Oregon. Over the past 30 days alone, there have been over 315 newly confirmed cases in three states.

Number of Confirmed Cases in Livestock (all) by State, Total Outbreak



On December 6, 2024, USDA issued a federal order outlining a National Milk Testing Strategy for highly pathogenic avian influenza (HPAI) in raw milk intended for pasteurization from Grade A dairies. The testing program is designed to determine the presence and national prevalence of H5N1 influenza of Grade A dairy farms across the United States. BOAH intends to participate in the program with an anticipated start date in January 2025. During the process of routine quality sampling, surveillance samples of raw milk shipped for processing will be collected monthly for testing under the federal order. At this stage of the program, BOAH will not be visiting individual farms to collect samples. BOAH will contact farms associated with non-negative samples for follow-up testing to verify status.

Overview of the National Milk Testing Strategy: State Statuses and Progression toward HPAI H5 Elimination in U.S. Dairy Cattle



In quarter four, BOAH processed over 37 AI Matrix Surveillance test charts and 225 Owner Shipper Statements moving under the April 2024 federal order.

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- Again this year, BOAH employees donated toys to the Toys for Tots campaign for the holiday season. Last year, over 78,560 toys were distributed to 65,000 children by the Indianapolis Toys for Tots chapter.
- Several members of the Animal Programs Division served as judges for the Veterinary Sciences Career Development Event at the National FFA Convention in Indianapolis in October.
- BOAH was well represented at the United States Animal Health Association (USAHA) Annual Meeting in Nashville, Tennessee in October.
- This quarter, APHIS sent out a pest alert for New World screwworm (NWS). NWS are fly larvae that infest living tissue of warm-blooded animals causing infection. Over the last two years, NWS has spread throughout Panama and into Costa Rica, Nicaragua, Honduras, and Guatemala. On November 22, 2024, the Chief Veterinary Officer of Mexico notified APHIS of a positive detection in southern Mexico near the Guatemalan border. Eradicating NWS is only possible through sterile insect technique, causing the population of screwworm flies to decrease until it eventually dies out. Producers and veterinarians are encouraged to stay vigilant for NWS detection.

## **Programmatic Updates**

### **Animal Care and Welfare**

- BOAH received 119 animal welfare-related complaints or inquiries leading to 40 animal care investigations this quarter. The complete Animal Programs Investigations Report is included at the end of this report.
- Beginning this quarter, BOAH established a standardized risk-based approach to evaluate an animal's risk of endangerment to their life and health (previously "not in jeopardy," "jeopardy," and "immediate jeopardy"). The new standardized risk assessment levels are "no evidence of risk," "low risk," "moderate risk," or "immediate risk" and are defined as:
  - **No Evidence of Risk:** The animal(s) evaluated has/have no evidence of endangerment to their life and health.
  - **Low Risk:** The animal(s) evaluated is/are experiencing a low risk of endangerment to their life and health. A lapse in care is present, which needs improvement and should be addressed but does not pose a significant negative impact on the welfare of the animal.
  - **Moderate Risk:** The animal(s) evaluated is/are experiencing a moderate risk of endangerment to their life and health. Timely correction of identified problems and/or monitoring of the situation is required to alleviate significant negative impact(s) on the welfare of the animal(s).
  - **Immediate Risk:** The animal(s) evaluated is/are experiencing an immediate risk of endangerment to their life and health. These negative welfare outcomes are consistent with the animal(s) experiencing circumstances creating an urgent situation. These findings justify the consideration of immediate intervention to protect the safety and well-being of the animal(s).
- The animal welfare addendum committee continues to review and update the animal welfare report template used by BOAH field veterinarians to document animal welfare investigations and developed a user guide for the report template to help standardize utilization of the template across investigators.

- BOAH continues to develop the course curriculum for the Animal Investigations Academy (AIA) and Animal Care Resource Center delivery platform with a goal of release in early 2025. This will allow an asynchronous delivery of training for animal welfare investigators across the state.

### Aquaculture

- In December, Dr. Strasser participated as a panelist in a webinar exploring the opportunities, challenges, and resources that regulatory agencies can provide aquatic veterinarians, which closed out the series of Aquaculture Veterinary Workforce Focus Group meetings. The next step for this group will be creating practical training for midwestern veterinarians interested in working with aquaculture producers.

### Cattle

- The number of Indiana cattle herds enrolled in each of the following program includes:
  - Tuberculosis: 4
  - Brucellosis: 5
  - Johne's: 3
- On November 5, 2024, an update to the Federal Animal Disease Traceability (ADT) rule took place that now requires all cattle and bison to be officially identified with both visually and electronically readable 840 tags. This rule change also calls special attention to identification requirements in any beef-on-dairy crosses. According to the rule, they must be officially identified and must provide each identification number on the CVI. Official ID placed prior to November 5, 2024, is grandfathered in; however, any new official identification placed must be visually and electronically readable.
- In April 2024, a dairy herd in Northern Indiana started to notice an increase in abortions and early embryonic loss in their cows. Abortions and infertility continued to occur within the herd and the veterinarian decided to test the bulls for *Tritrichomonas foetus* (Trich) in May. The samples were sent to the Wisconsin Diagnostic Laboratory and three out of the five bulls tested positive for Trich on PCR. BOAH was not notified of the positive findings at that time. In June, almost all bulls on the main farm were sent to slaughter; however, some of the younger bulls were kept back to breed cows. In September, the private veterinarian tested nine bulls for Trich and three of the nine tested positive by PCR at the Indiana Animal Disease Diagnostic Laboratory (ADDL). The positive test results were reported to BOAH at this time. Dr. Lamb met with the owner in October to establish a herd plan. This plan is to be followed for six months or until all bulls test negative. At this point, bulls are continuing to test positive for Trich on this farm and BOAH continues to work closely with the private veterinarian to remain informed and adjust plans as needed.

### Cervids

- This quarter, BOAH sent authorization letters to 60 producers who applied for the 2024 USDA Farmed Cervid Cooperative Agreement for genomic testing of white-tailed deer, totaling a distribution of nearly \$150,000.
- Three Chronic Wasting Disease (CWD) sample collector trainings took place this quarter. At these trainings, individuals or veterinarians are trained to collect CWD samples to meet CWD program sampling requirements.



- Dr. Chavis attended and presented at the 2024 USDA CWD stakeholder meeting in December. USDA provided national program updates and answered questions from the cervid industry on topics of interest.
- CWD Program Numbers:
  - Total active cervid herds: 280 (197 - Certified, 59 - Registered, 24 - Registered-Pet)
  - New cervid herds: 2
  - Out of business herds: 2
  - Hunting Preserves: 15
  - Enforcement Actions: 3 (2 first notice of violation letters for missed samples and 1 suspension letter for failure to meet identification requirements)

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

- Current registrants in each of the following programs includes:
  - Active Dog Breeders: 197
  - Active Dog Brokers: 6
  - Animal Control Centers: 24
  - Animal Rescue Operations: 98
  - Animal Shelters: 32
  - Humane Societies: 32
  - Retail Pet Stores: 21
  - Other (boarding facilities, daycares, etc.): 6

### **Companion Animal/Rabies**

- In 2024, eleven bats tested positive for rabies in the following counties: Putnam, Noble, Monroe, Porter, Steuben, Lawrence, Decatur, Monroe, Wayne, Elkhart, and Vanderburgh.
- There have been no rabies-positive skunks identified in the fourth quarter of 2024. A total of four skunks tested positive for rabies in 2024 (one in Clark County and three in Washington County). The last positive skunk was diagnosed in April 2024.
- During the fourth quarter, BOAH worked with a facility after a neurologic bat potentially exposed several unvaccinated livestock to rabies. The bat was unavailable for testing, so post-exposure decisions were made as if the bat was positive for rabies. Recommendations were made to vaccinate all the potentially exposed livestock according to the Texas post-exposure protocol. This protocol recommends vaccination of exposed animals with a commercially available rabies vaccine immediately following exposure and at 3- and 8-weeks post-exposure. All potentially exposed animals will be quarantined to their home farms for a period of six months. This includes five premises in Indiana, one premises in Ohio, one premises in Michigan, and one premises in Illinois. BOAH worked with animal health officials in those states to facilitate the transfer of the animals and subsequent quarantines.

### **Compliance**

- Nine compliance cases were investigated this quarter involving alleged noncompliance with rules related to carcass disposal (4), falsification of official documents (2), livestock dealing (1), and traceability/interstate movement (2). Case outcomes this quarter included: corrective action taken (3), unfounded complaint/no action taken (1), and pending action (5). The full Animal Programs Investigations report is included at the end of this report.

- There were three pending compliance cases from the Quarter 3 report. Updates for these cases include:
  - Issued a Notice of Violation Order and accompanying fines for:
    - Falsification of official documents - \$3,000
    - Filing of certificates of veterinary inspection - \$500
    - Filing of incomplete official documents - \$1,000
    - Maintenance of animal health records - \$500
  - Conducted enforcement meeting with Indiana state veterinarian with instructions to obtain a bond and livestock dealer license.
  - Conducted enforcement meeting with BOAH veterinarian and provided educational materials on swine interstate movement and tagging.

### **Drug Residue Prevention**

- There were two new drug residues completed in November this quarter. These residues occurred in Elkhart and Dubois Counties and investigations determined that the likely cause was dry cows entering the milking string.
- At the request of the Indiana State 4-H office, Dr. Boyd developed a video on drug residue prevention to be included in the Youth for the Quality Care of Animals (YQCA) educational materials.
- Two new dairy farms were visited in October. At this visit, they were provided with the BOAH Farm Drug Use and Treatment Records book along with information on preventing drug residues in meat and milk.

### **Emergency Preparedness & Training**

- Dr. Werling, Dr. Boyd, and Emily Bloom attended the Mortality Management and Composting training offered through the University of Maine that was held at Purdue University. They are now considered Junior Composting Subject Matter Experts.
- Brandi Hardin attended the National Alliance of State Animal and Agricultural Emergency Programs (NASAAEP) Summit in Maryland. At this summit, she served as the Indiana voting delegate, attended seminars to boost preparedness actions for our state, and collaborated with many other agencies and groups which assist Indiana in emergency response.
- One BOAH veterinarian completed Foreign Animal Disease Diagnostician (FADD) training this quarter and received their FADD certification.
- Dr. Macy attended the Wabash Valley Earthquake Tabletop Exercise, a discussion-based exercise to evaluate the state's ability to respond to a simulated Wabash Valley earthquake disaster.
- The Animal Programs Division conducted a traceability lab for first year veterinary students at Purdue. This lab covered topics including official identification and application, brucellosis vaccination and tattooing, certificates of veterinary inspection (CVIs), and premises identification.
- Several BOAH veterinarians attended the USDA-led virtual case manager training in December in preparation for an HPAI incursion.

## Equine

- In 2024, fourteen cases of West Nile virus were confirmed positive with the majority occurring in unvaccinated horses in northern Indiana counties. This coincides with ten positive human cases this year, illustrating the importance of equines as sentinels for arboviral diseases.
- The newly approved contagious equine metritis (CEM) quarantine facility in Dearborn County imported two mares in October. Dr. Solomon guided the facility through the USDA's testing and treatment protocols, and the mares were released from quarantine in early November.
- Dr. Solomon attended the Indiana Association of Equine Practitioners (IAEP) business meeting in November. Members were encouraged to participate in the Center for Animal Policy's survey of Category II USDA accredited veterinarians. Equine practitioners were also encouraged to verify their clinic and contact information on both the IAEP and AAEP (American Association of Equine Practitioners) online "Find a Vet" search feature.

## Foreign Animal Disease Investigations

- In addition to sick bird calls, BOAH conducted two foreign animal disease investigations this quarter ruling out:
  - FMD and other vesicular diseases in a commercial swine operation
  - New World screwworm in a beef cattle herd

## Licensing

- Through the livestock markets and dealers licensing program, there are 136 active individual livestock dealers, 50 active livestock market facilities, and 11 packer/packer buying station facilities in Indiana. Thirty-seven livestock market and dealer inspections were conducted this quarter. One new dealer joined the program in Quarter 4.
- BOAH's animal disposal program consists of 13 collection services, 11 disposal plants, and 3 exotic feeding operations.
- A total of 503 livestock brands are actively registered in Indiana.

## One Health

- BOAH's assistance was requested by the Indiana Department of Health (IDOH) and the Centers for Disease Control and Prevention (CDC) as part of a human Salmonella Paratyphi B Var. L(+) Tartrate+ multi-state outbreak. Affected individuals reported owning snakes for over one year before illness onset and feeding a variety of feeder rodents to their snakes. A single feeder rodent supplier headquartered in Indiana was associated with traceback to four cases in this investigation. BOAH continues to jointly lead this investigation, conducting multiple virtual meetings and interviews, and is still considering an on-site tour of the facility to assess its biosecurity practices even further.
- A researcher at the CDC identified a rare *Rickettsial* sp. in Gulf Coast ticks collected in Lawrence County, Indiana. This finding was unique to ticks in Lawrence County and therefore garnished significant interest. Spotted fever rickettsioses (spotted fevers) are a group of diseases caused by closely related bacteria, spotted fever group *Rickettsia*. These bacteria are spread to people through the bite of infected mites and ticks. Blood from animals native to Lawrence County was collected to assess the prevalence of the respective bacteria and BOAH coordinated weekly blood collection from dogs housed at a local humane society to facilitate more

research. Stored samples at the facility will be periodically collected by BOAH or IDOH and shipped to the CDC for analysis.

### **Sheep & Goats**

- One caprine flock is enrolled in Indiana's accredited tuberculosis free and certified brucellosis free programs.
- Indiana has completed the annual scrapie and tuberculosis reports for FY2024. They have been submitted and approved by the USDA.

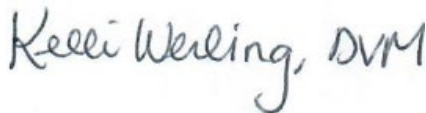
### **Swine**

- One non-negative swine brucellosis investigation was performed in the fourth quarter.
  - In November, BOAH was notified of a non-negative swine brucellosis slaughter surveillance sample collected in Kentucky. The herd veterinarian was contacted and found that the non-negative pig was sold to Tennessee in 2022. Indiana USDA Veterinary Services was contacted, and the trace was transferred to Tennessee. No further investigation or diagnostic testing was warranted.
- BOAH is participating in an industry-led taskforce focusing on drafting an H5N1 response plan for swine. The plan is currently being disseminated through industry and state regulatory officials and accepting comment and feedback.
- As of December 2024, the following premises have completed each action item of the Securing Indiana's Pork Supply Plan: premises validation – 1,188; biosecurity assessment and training – 632; certified swine sample collector training – 100 (individuals rostered); SPS meeting with BOAH – 703; electronic movement permit training – 582; completed all items – 332.
- The current Indiana U.S. Swine Health Improvement Plan (SHIP) enrollment by site classification represents approximately 80% of breeding herds and 54% of growing pig herds in Indiana. Indiana enrollment by site classification includes boar studs – 1; breeding herds – 37; farrow-to-feeder/finish – 1; growing pig herds – 383; small holdings – 27; non-commercial – 3; packers – 2; live animal market operations – 0. Of the sites enrolled in Indiana, 92% hold U.S. SHIP certification. Dr. Werling will be leading the effort to establish a subgroup of state animal health officials to discuss traceability fields and movement data to further the traceability project.
- Indiana currently has 74 active Commuter Herd Agreements (30 Export; 44 Import) with approximately thirteen states. Six renewals were performed this quarter.
- This quarter, BOAH presented at the National Pork Board's Swine Mortality Management Workshop organized by the Indiana Pork Producers Association on the acceptable methods of carcass disposal in Indiana and biosecurity considerations for disease response.
- Dr. Werling provided updates to the American Association of Swine Veterinarians (AASV) group and presented a national update on swine health at the Midwest Pork Conference in December.
- Ninety-six individuals have completed training and are rostered as Certified Swine Sample Collectors in Indiana.

## Traceability

- Forty-eight rejected export CVIs were returned to Indiana veterinarians this quarter. The top three causes for rejection of these export CVIs were: 1.) Incomplete origin/destination information, 2.) Testing requirements not met, and 3.) No permit number.
- BOAH continues to participate in discussions about the USAHERDS/AgEnterprise database upgrade which is estimated to be operational at the beginning of 2025. BOAH and the Indiana Office of Technology are currently working on final steps of installing the database on Indiana's servers. It is anticipated that BOAH employees will be trained on use of the new application in the first weeks of January.
- BOAH continues to train Indiana veterinarians on the VET-CVI application which will replace the Indiana eCVI (fillable PDF). Indiana will stop accepting the eCVI for exports and intrastate movements after January 1, 2025. To help with the transition, the BOAH team hosts monthly training sessions on the VET-CVI platform to ensure Indiana veterinarians are comfortable with the transition. To date, 688 veterinarians across 279 veterinary clinics have been trained to use VET-CVI. This quarter, BOAH received 3,638 CVI's from the VET-CVI application.
- Movement documents were processed this quarter from the following sources:
  - Commuter Herd: 386
  - Paper CVI & eCVI: 876
  - VET-CVI: 3,638
  - GVL & VSPS: 9,197

Respectfully Submitted,



Kelli Werling, DVM  
Animal Programs Division Director (Acting)

INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 4, 2024					
Incident Name County	Species Involved	Primary Investigator	Requesting Agency	Reason for Request	Case Classification
15EE17H8-01Z Newton	Equine	Strasser	Animal Control	Neglect	Animal Care
15EZ19PF-01Z Newton	Equine	Strasser	Private Citizen	Neglect	Animal Care
15EL19EJ-01Z Newton	Equine	Strasser	Animal Control	Neglect	Animal Care
15DS1BVB-02N Huntington	Canine, Feline	Chavis	Humane Organization	Neglect/Abandonment	Animal Care
15F01GL4-01Z LaPorte	Equine	Strasser	Animal Control	Neglect	Animal Care
15E70Z2M-01Y Huntington	Bovine	Chavis	Private Citizen	Neglect	Animal Care
15DX1JED-016 Decatur	Bovine	Miller	Animal Control	Neglect	Animal Care
15ED1C8Q-04C Madison	Canine	Justice	Humane Organization	Neglect	Animal Care

**INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 4, 2024**

<b>Incident Name County</b>	<b>Species Involved</b>	<b>Primary Investigator</b>	<b>Requesting Agency</b>	<b>Reason for Request</b>	<b>Case Classification</b>
15FE0X1W-04C Switzerland	Equine	Justice	Animal Control	Neglect	Animal Care
15DX108P-093 Knox	Canine	Renshaw	Law Enforcement	Neglect	Animal Care
15E61C79-0CJ Parke	Camelid, Equine	Solomon	Private Citizen	Neglect	Animal Care
15ES1D7T-0B4 Tippecanoe	Bovine	Boyd	Private Citizen	Neglect	Animal Care
15ED1CKL-04C Madison	Canine	Justice	Law Enforcement	Neglect	Animal Care
15EL114K-01Z Jasper	Canine	Strasser	Animal Control	Neglect	Animal Care
15E515S9-01Y Allen	Porcine	Chavis	Commodity Organization	Neglect	Animal Care
15ED1BJF-04C Madison	Canine	Justice	Humane Organization	Neglect	Animal Care
15ED1BWX-04C Madison	Canine	Justice	Humane Organization	Neglect	Animal Care

**INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 4, 2024**

<b>Incident Name County</b>	<b>Species Involved</b>	<b>Primary Investigator</b>	<b>Requesting Agency</b>	<b>Reason for Request</b>	<b>Case Classification</b>
15ED1CXS-04C Madison	Canine	Justice	Law Enforcement	Neglect/Aggressiveness	Animal Care
15E717XW-0CJ Parke	Equine	Solomon	Law Enforcement	Neglect	Animal Care
15E51VY6-016 Brown	Canine, Caprine	Miller	Animal Control	Neglect	Animal Care
15ER17HP-0CJ Vigo	Equine	Solomon	Private Citizen	Neglect	Animal Care
15ER0ZLV-0CJ Wayne	Canine	Solomon	Law Enforcement	Neglect	Animal Care
15EY141K-02N Wabash	Equine	Chavis	Private Citizen	Neglect	Animal Care
15EQ1B6R-093 Knox	Canine	Renshaw	Law Enforcement	Aggressiveness	Animal Care
15ET21SG-016 Ripley	Equine	Miller	Law Enforcement	Neglect	Animal Care
15FE0XM2-04C Madison	Canine	Justice	Humane Organization	Neglect	Animal Care



**INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 4, 2024**

<b>Incident Name County</b>	<b>Species Involved</b>	<b>Primary Investigator</b>	<b>Requesting Agency</b>	<b>Reason for Request</b>	<b>Case Classification</b>
15FC1210-04C Wayne	Canine	Justice	Law Enforcement	Neglect	Animal Care
15FD1AG5-04C Franklin	Canine	Justice	Law Enforcement	Neglect	Animal Care
15FF16Z7-04C Randolph	Canine	Justice	Law Enforcement	Neglect	Animal Care
15EZ105Q-0CJ Clay	Equine	Solomon	Private Citizen	Neglect	Animal Care
15FP176K-01X Brown	Canine, Feline	Lovejoy	Animal Control	Neglect	Animal Care
15F51HQG-02N Wabash	Avian	Chavis	Private Citizen	Neglect	Animal Care
15FJ11JL-04C Madison	Canine	Justice	Humane Organization	Neglect	Animal Care
15FD1B0P-0B4 Tippecanoe	Canine	Boyd	Animal Control	Abandonment	Animal Care
15FJ125X-04C Madison	Canine	Justice	Humane Organization	Neglect	Animal Care

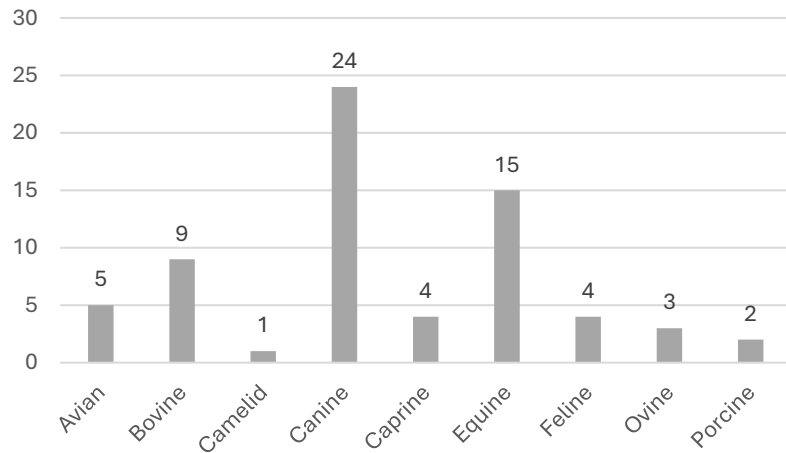
**INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 4, 2024**

<b>Incident Name County</b>	<b>Species Involved</b>	<b>Primary Investigator</b>	<b>Requesting Agency</b>	<b>Reason for Request</b>	<b>Case Classification</b>
15FS1GNX-02N Huntington	Canine	Chavis	Humane Organization	Neglect	Animal Care
15FN15T9-02N Huntington	Canine	Chavis	Humane Organization	Neglect	Animal Care
15FS122S-0CJ Parke	Equine	Solomon	Law Enforcement	Neglect	Animal Care
15FZ12TJ-02N Whitley	Equine	Chavis	Law Enforcement	Neglect	Animal Care
15G01DWZ-0AL Wayne	Canine	Macy	Animal Control	Neglect/Abandonment	Animal Care
15G41CT2-0CR Allen	Avian, Bovine, Caprine, Ovine	Bloom	Law Enforcement	Improper Carcass Disposal	Carcass Disposal
15FS0PEP-0BJ St. Joseph	Avian, Bovine	Paul	State Agency	Improper Carcass Disposal	Carcass Disposal
15GC1VTN-01Y Knox	Avian	Gunn	Private Citizen	Improper Carcass Disposal	Carcass Disposal
15GC1VE8-01Y Allen	Avian, Bovine, Caprine, Ovine	Bloom	Law Enforcement	Improper Carcass Disposal	Carcass Disposal

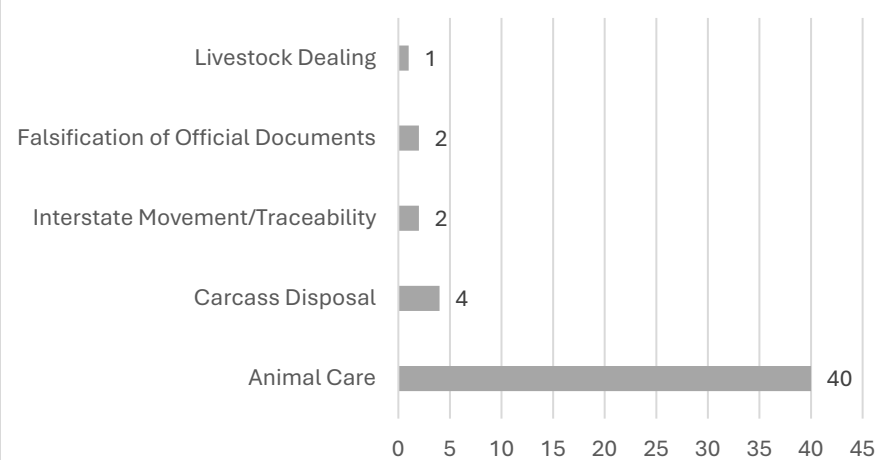
INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 4, 2024					
Incident Name County	Species Involved	Primary Investigator	Requesting Agency	Reason for Request	Case Classification
15G41NV5-01Y Parke	Bovine, Caprine, Equine, Ovine, Porcine	Gunn	Private Citizen	No Livestock Dealer License	Livestock Dealing
15FE0SJX-093 Vanderburgh	Canine, Feline	Renshaw	Private Citizen	Falsified Rabies Certificate	Falsification of Official Document
15G41WX8-01Y Vanderburgh	Canine, Feline	Price	Private Citizen	Falsified Rabies Certificate	Falsification of Official Document
15EE0Z0Q-01Y Decatur	Bovine	Price/Sieldling	State Agency	No Certificate of Veterinary Inspection	Traceability/Interstate Movement
15EB13DT-01Y Greene	Equine	Price	Private Citizen	Testing Requirements Not Met	Traceability/Interstate Movement

## ANIMAL PROGRAMS INVESTIGATIONS SUMMARY

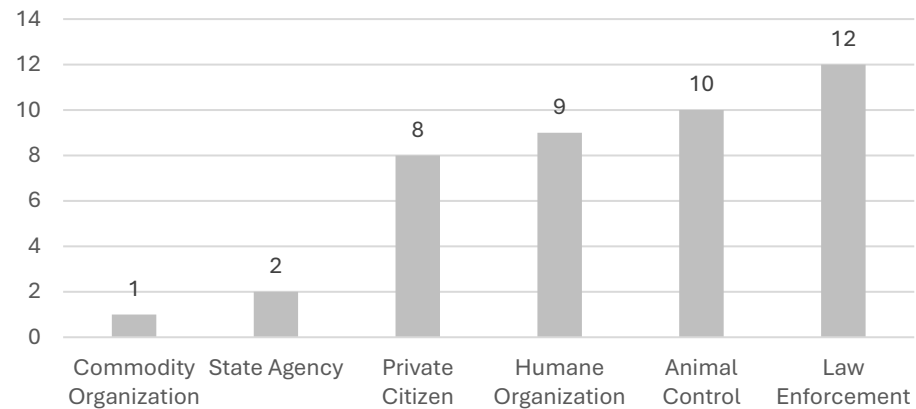
### ANIMAL PROGRAMS INVESTIGATIONS BY SPECIES INVESTIGATED



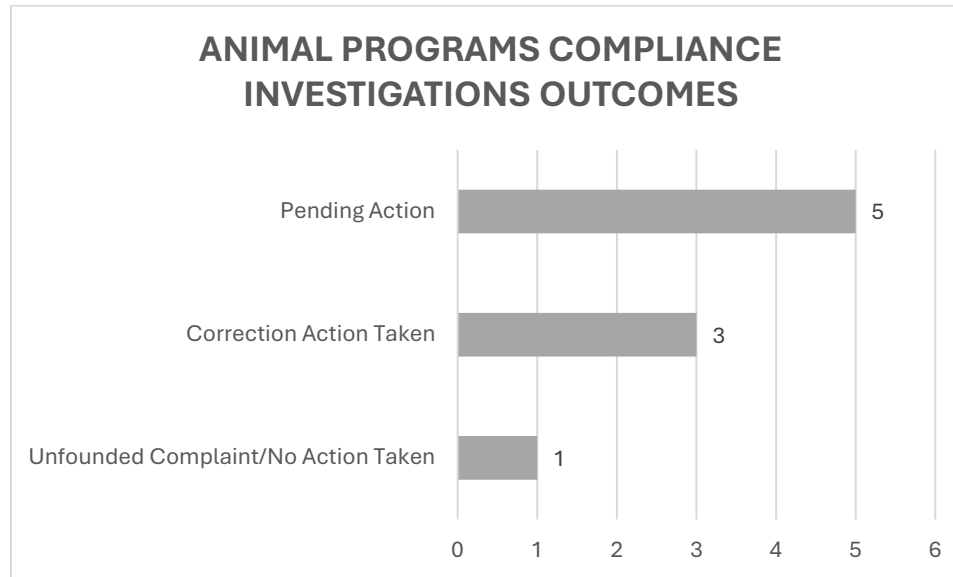
### ANIMAL PROGRAMS INVESTIGATIONS BY CASE TYPE



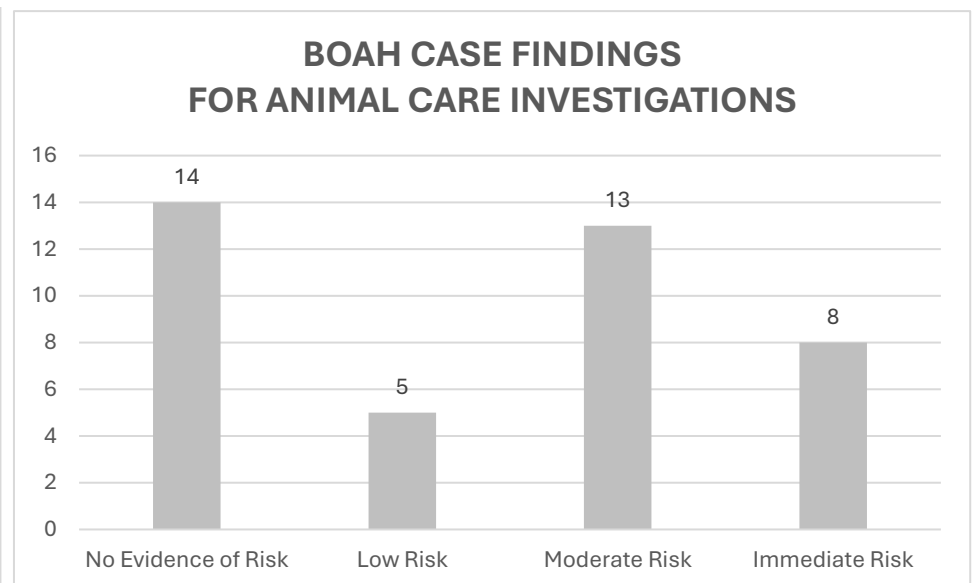
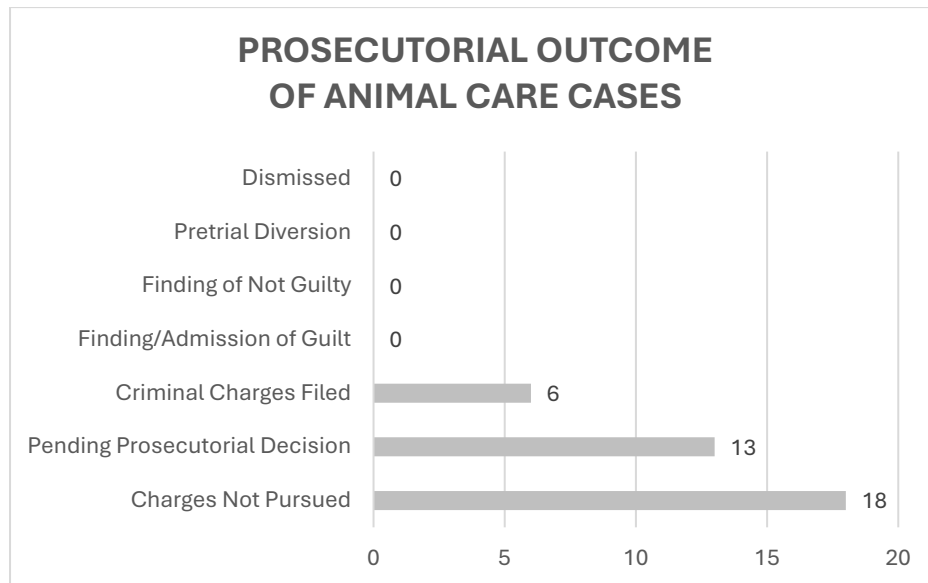
### SOURCE OF COMPLAINT FOR ANIMAL PROGRAMS INVESTIGATIONS



## COMPLIANCE INVESTIGATIONS SUMMARY



## ANIMAL CARE INVESTIGATIONS SUMMARY





## INDIANA STATE BOARD OF ANIMAL HEALTH

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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 4<sup>th</sup> Quarter, 2024

#### Quarterly Highlights

- Across the country, Highly Pathogenic Avian Influenza (HPAI) diagnoses in poultry trended steadily upward this quarter. As of December 19, HPAI was diagnosed in more than 150 domestic poultry flocks in 25 states this quarter, bringing the total for this outbreak to 1,321 cases across all 50 states affecting over 124 million birds. Indiana's last case of HPAI was diagnosed in a backyard flock in Allen County in late February 2024. With seasonal migration in full swing, HPAI has been identified in wild waterfowl in a handful of Indiana counties since November; these samples were collected through mortality event surveillance and hunter harvest sampling conducted by Indiana DNR and USDA's Wildlife Services.
- The Avian Health Division was represented at the 128<sup>th</sup> annual meeting of the United States Animal Health Association in Nashville, TN in October. Numerous committee agendas had poultry-focused content. The Committee on Poultry and Other Avian Species passed four resolutions relative to topics including USDA's response to H5N1 influenza in cattle, a live avian metapneumovirus vaccine being imported, increased funding for USDA's National Animal Disease Center, and an audit of USDA's staffing for conducting import/export activities and negotiating zoning, regionalization, and compartments for transboundary diseases.

#### Avian Health Updates

- Indiana continues to see new cases of Avian Metapneumovirus (aMPV) Subtypes A & B. The state has experienced 451 PCR-confirmed cases on farms that house over 11.8 million birds across 33 counties since March. USDA's Center for Veterinary Biologics (CVB) has approved the import of two inactivated aMPV vaccines and the production of a couple experimental killed products domestically. CVB has reported to us that they are evaluating five foreign produced, modified live vaccines which many states and industry groups have been requesting for months. We are anticipating the first possible approval for import and use of a foreign modified live vaccine from CVB in early January.
- The outbreak of *Mycoplasma gallisepticum* (MG) in commercial turkey flocks continues, but has slowed, and is still limited to a very small geographic region in Daviess County. Quarantines have been released from 9 out of the 10 farms involved. The state/industry response has allowed Indiana to maintain its MG free status for turkeys.
- One mild case of egg drop syndrome virus was diagnosed in Indiana this quarter, occurring in a flock of vaccinated, white egg layers. BOAH has learned of outbreaks affecting two new states which has resulted in an increased demand for the imported vaccines that have been key to containing the virus in our state. We are quite concerned about the future availability of product for our Indiana farms, in both the near and long term.

## **NPIP Updates**

- This quarter, BOAH conducted NPIP site visits and inspections at 5 hatcheries, 4 laboratories, 3 slaughter plants, and 1 egg processing plant; completed biosecurity audits and farm inspections for 6 participating poultry companies; and processed 3,106 requests for movement of 109,607,685 hatching eggs, chicks, poults, ducklings, and other poultry. All NPIP inspections and audits are up to date for all Indiana participants.

## **Partnerships & Outreach**

- BOAH hosted a Poultry Health Advisory Council meeting in October to report on several issues facing the poultry industry such as avian metapneumovirus and egg drop syndrome virus, and to seek critical feedback from industry stakeholders on such issues as vaccine use policies. We also took the opportunity to provide reminders relative to HPAI preparedness and response
- This quarter, the Avian Health Division participated in, and provided reports for, meetings of the Indiana State Egg Board, the Turkey Market Development Council, the Indiana State Poultry Association, the Tri-State Poultry Veterinarian's meeting, and meetings of the national aMPV working group. Dr. Cooper also spoke about biosecurity and HPAI response at a poultry company grower meeting and attended the Governor's Presentation recognizing the work and generosity of Indiana's poultry producers. Dr. Cooper and Chelsie Leatherman attended the Indiana Carcass Management School demonstration day hosted by ISPA, Indiana Pork, and BOAH.

## **Looking Ahead**

- BOAH realistically anticipates that we could enter wartime again in the fight against HPAI in the near future, if not already by the time of the board meeting in January. As always, the whole BOAH team will work diligently in an attempt to contain and eradicate the disease from our flock while maintaining critical day-to-day duties and services to the very best of our abilities. It is always a very challenging time, full of personal sacrifices among our team.
- Pending wartime, Dr. Cooper and Chelsie Leatherman will be attending the International Production and Processing Expo in Atlanta, GA in January where they will attend an NPIP stakeholders meeting, the Association of Veterinarians in Egg Production's winter meeting, and learn about the latest technologies and innovations in poultry health, husbandry, and egg and meat processing. Leatherman and Cooper will also attend the Live Bird Marketing System working group meeting in San Antonio, TX in February.



Maria Cooper, DVM  
Avian Health Division Director

## REPORT TO THE BOARD, January, 2025

### Quarterly and Year End Highlights

- We had no new plants join the program this quarter. We had 2 plants join the Cooperative Interstate Shipment program. ( Gibson County Meats and Roundbelly Pizza) We had 0 inspected facilities close.
- In 2024, we had 9 new plants/owners total. (6 new facilities and 3 new owners) 2023 had 32 new facilities/owners. (19 new facilities, 11 new owners and 2 reopened plants)
- 7 plants have increased their inspection in the past year. (Custom Exempt to Inspected or Inspected to CIS) ( we had 12 in 2023)
- We currently have 26 CIS plants. 2 are expected to be accepted in the next few weeks.
- Dan Doles, EIAO, held a HACCP training session on December 4, 2024, for 10 inspectors.
- Dr. Suhr and Dr Swiatkowski attended the ASMID (Association of State Meat Inspection Directors) meeting in October during the annual USAHA (United States Animal Health Association) meeting in Nashville, TN. We met with Paul Kiecker, former Administrator, FSIS. USDA funding of state programs was discussed along with regulatory updates and other issues. Dr Swiatkowski was elected Treasurer of the ASMID group.



### Fast Facts:

• Facilities by type:	
Red meat harvest and processing	54
Poultry harvest and processing	2
Meat harvest, no further insp. processing	2
<u>Processing only facilities</u>	<u>29</u>
Official establishments	<b>87</b>
+	
Limited Permit Retail HRI	3
<u>Custom exempt establishments</u>	<u>52</u>
<b>Total program facilities</b>	<b>142</b>

- We currently have one open inspector position in the Northeast area.
- This past year we added an area in the Northeast part of the state. We added a supervisor position and an inspector position. Our staff consists of 41 inspectors, 7



## Meat & Poultry Inspection Division



Supervisors, 2 EIAOs, 1 Compliance Officer, 1 EIAO/Compliance officer, 4 Central Office staff = 56 employees

- BOAH MPI continues to take advantage of USDA/FSIS virtual training courses. We had 2 employees complete the Further Processing and Labeling course in October and one completed Inspection Methods.

### Looking ahead

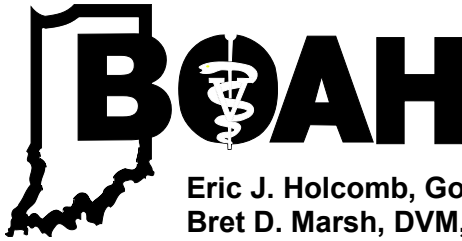
- Our federal onsite audit is scheduled for June 2 through the 13<sup>th</sup>. We will have 2 auditors but do not have a list of facilities they will visit yet. We should find out at least 2 weeks before the audit which facilities are chosen.
- Dr. Swiatkowski will continue meeting weekly with small groups of inspectors for training.
- 2 new facilities are estimated to join the State MPI program in the next few months.
- Dr. Suhr and Dr. Swiatkowski are planning to attend the Indiana Meat Packers and Processors (IMPPA) annual meeting in March, 2025
- Trainings for the inspectors by the EIAOs will continue on a quarterly basis.

### Partnerships and Outreach

- FSIS Chicago District Office CIS weekly teleconference between BOAH MPI and Ohio MPI – sharing pandemic and 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*



Eric J. Holcomb, Governor  
Bret D. Marsh, DVM, State Veterinarian

## INDIANA STATE BOARD OF ANIMAL HEALTH

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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

#### 2024 Highlights

- Indiana had 17 Federal Check Ratings (score of 81 or higher to pass) and 72 State Surveys (score of 90 or higher to pass).
- For Check Ratings, the average sanitation score was 88.2 and the BOAH enforcement score average was 96.2
- For State surveys, the average sanitation score was 91.0 and the BOAH enforcement score was 92.9

#### Fast Facts

- 678 total Grade A Farms
- 207 Organic Farms
- 13 Goat Farms
- Haulers 495
- 24 Grade A Dairy Plants
- 15 On Farm Processors
- 124 Bulk Milk Route (Truck) Owners
- 5 Truck Wash / 2 Transfer Stations
- 33 farms with a total of 177 AMI's
- 12 Direct Load Farms
- 14 Manufactured Grade Farms
- Milk Trucks 520
- 27 Manufactured Grade Plants
- 17 Single Service Manufactures
- 9 Distributor

#### Looking Ahead

- The Dairy Division will be sending a group of staff to Minneapolis Minnesota, April 11-16, 2025, for the 39<sup>th</sup> National Conference on Interstate Milk Shipments.
- BOAH will be launching the HPAI Milk Testing Strategy early in 2025. This will be a combined effort between divisions.

#### 2024 Partnerships and Outreach

- The Dairy Division was awarded \$27,619.13 during the calendar year of 2024 in the FDA and AFDO Cooperative Training grant. This funded sending 9 staff members to FDA and University courses, 5 staff members to 2 national conferences, and 17 staff members to a multi-day training course covering farm and plant sanitation and construction.
- The Dairy Division was awarded \$25,389.95 during the calendar year of 2024 in the FDA and AFDO Cooperative Equipment grant. This grant funded the purchase of sample collection and testing equipment, pasteurization testing equipment, and inspection tools.
- The Dairy Division was awarded \$19,936 during the calendar year of 2024 in the FDA grant for Preparation and Response to HPAI in Dairy Cattle Program. This grant will fund personal protection equipment and biosecurity supplies for personnel during a disease event.

Respectfully Submitted,

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

An equal opportunity employer and provider.

**RESOLUTION OF AUTHORITY**  
**By the**  
**INDIANA STATE BOARD OF ANIMAL HEALTH**  
**Granting Authority to the**  
**INDIANA STATE VETERINARIAN**

The Indiana State Board of Animal Health (the “Board”) delegates authority to the Indiana State Veterinarian under Ind. Code § 15-17-3-14 and Ind. Code § 15-17-4-5 as follows:

1. The state veterinarian is appointed under Ind. Code § 15-17-4 to be the chief administrative officer of the Indiana State Board of Animal Health. The state veterinarian is hereby authorized and empowered to act on behalf of the Board as its duly authorized agent in all matters in which the Board may lawfully act. The state veterinarian may exercise all powers, duties, and functions of the Board except those powers, duties, and functions that are expressly reserved to the Board by law under Ind. Code § 15-17-3-14.

The following are examples and clarifications of the powers and duties delegated to the state veterinarian and are not intended to be a limitation on the general delegation herein; the state veterinarian has the authority to act as follows:

- A. Issue orders as an aid to enforcement of the Board’s powers under Ind. Code § 15-17-3-13(25).
- B. Impose quarantines and other movement restrictions under Ind. Code § 15-17-3-13(1) and Ind. Code § 15-17-3-13(4).
- C. Enter into cooperative agreements on behalf of the Board under Ind. Code § 15-17-3-13(15).
- D. Represent the Board on boards, committees, commissions, working groups, task forces, and other multi-organizational groups.
- E. Organize and convene committees, task forces and other groups to advise the Board and to otherwise advance the duties of the Board.
- F. In addition to any other officer of the Board so empowered, to sign on behalf of the Board all contracts, pleadings, notices, orders, subpoenas, correspondence, licenses and permits, cooperative agreements, settlement agreements, and other documents.
- G. Organize the personnel and functions of the Board under Ind. Code § 15-17-4-6 and appoint or hire, promote, discipline, and dismiss employees under Ind. Code § 15-17-4 and the state personnel laws as may be necessary to carry out the powers and duties of the state veterinarian and the Board.
- H. Except as explicitly prohibited by law, delegate any power or duty of the state veterinarian or Board to Board personnel. Including, without limitation, the duty of the state veterinarian to serve other state boards, committees, commissions, working groups, task forces, and other multi-organizational groups.
- I. Initiate legal action under Ind. Code § 15-17-3-13(22) and respond to legal action including

obtaining, referring to, or consulting with legal counsel and negotiating and settling suits and controversies involving the Board.

- J. Issue subpoenas as allowed under the law.
- K. Condemn animals and objects under Ind. Code § 15-17-10-8.
- L. Pursuant to Ind. Code § 15-17-10, make a determination that an animal disease presents a health hazard to the citizens or animals of the state. The state veterinarian shall notify the Board as soon as reasonably practical if such action is taken.
- M. Pursuant to Ind. Code § 15-17-10-5, recommend to the Governor that a proclamation be issued restricting the movement of animals into and within Indiana. The state veterinarian shall notify the Board as soon as reasonably practical if such action is taken.
- N. Determine if a disease or pest of animals presents a health hazard to the citizens or animals of the state and issue emergency orders under Ind. Code § 15-17-10-9 governing animals and objects to address the hazard.
- O. Adopt emergency rules under Ind. Code § 4-22-2-37.1 as authorized under Ind. Code § 15-17 and Ind. Code § 15-18-1. The state veterinarian shall notify the Board chairperson of the state veterinarian's action to adopt an emergency rule as soon as possible after initiating the action.
- P. Carry out the Board's duties within the Center for Animal Policy established under IC 15-17.5.

2. The state veterinarian shall respond to inquiries from the Board concerning actions taken by the state veterinarian for the Board and the state veterinarian must endeavor to keep the Board informed of actions taken for the Board through periodic updates as needed.

3. This resolution of authority granting power to the state veterinarian shall remain in effect until the Board acts to renew, amend or cancel it, or until the Board appoints a different state veterinarian, subject at all times to review and alteration by the Board.

**WHEREFORE**, the Indiana State Board of Animal Health delegates the authority outlined and referred to herein to the state veterinarian by a vote of \_\_\_\_ to \_\_\_\_, taken on January 7, 2025 at the regularly scheduled quarterly meeting of the Indiana State Board of Animal Health.

Indiana State Board of Animal Health

By: \_\_\_\_\_  
William Doig, D.V.M., Chairperson