

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

Quarterly Meeting

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

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

Members Participating:

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

Members Absent: Mr. Kraig Bowers

Vacant Positions: None

BOAH Staff Participating:

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

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

Recognition of BOAH employees for their years of service:

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

Nicholas Clevenger, 10 years

Nathan Campbell, 15 years

Gary Craun, 20 years

Patricia Price, 40 years

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

Second Order of Business - Approval of Minutes

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

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

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

Chairperson Doig closed the public hearing.

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

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

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

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

Chairperson Doig closed the public hearing.

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

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

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

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

Chairperson Doig closed the public hearing.

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

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

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

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

Tenth Order of Business – Agency Reports – Technical Services

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

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

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

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

Twelfth Order of Business – Avian Division Report

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

Thirteenth Order of Business – Animal Programs Division Report

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

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

Fourteenth Order of Business – Food Safety

- a. Meat and Poultry Division (Exhibit 11)

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

- b. Dairy Division (Exhibit 12)

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

Fifteenth Order of Business – Other Business

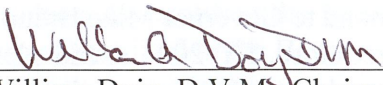
- a. State Veterinarian's Report (Exhibit 13)

Dr. Kyle Shipman updated the Board on agency initiatives.

- b. Date of Next Meeting

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

Chairperson Dr. William Doig adjourned the meeting.



William Doig, D.V.M., Chairperson



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



Mike Braun, Governor
Kyle Shipman, DVM, State Veterinarian

INDIANA STATE BOARD OF ANIMAL HEALTH

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Discovery Hall, Suite 100
1202 East 38th Street
Indianapolis, IN 46205-2898
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INDIANA STATE BOARD OF ANIMAL HEALTH
QUARTERLY MEETING

The Indiana State Board of Animal Health (BOAH) will hold its quarterly meeting at **9:30 a.m. on Tuesday, July 22, 2025**, at the Board of Animal Health office on the Indiana State Fairgrounds at Discovery Hall, Suite 100, 1202 E. 38th Street, Indianapolis, IN 46205. Electronic participation is available; see log-in details below the agenda.

MEETING AGENDA

Recognition of BOAH Employees for Years of Service

1. Call to Order and Establishment of Quorum
2. Approval of minutes of the previous quarterly meeting: April 8, 2025
3. 9:30 a.m. Public Hearing – Dairy products proposed rule – LSA #25-151
4. Consideration for Adoption – Dairy products proposed rule – LSA #25-151
5. 9:45 a.m. Public Hearing – Meat and poultry products proposed rule – LSA #25-165
6. Consideration for Adoption - Proposed rule governing meat and poultry products – LSA #25-165
7. 9:50 a.m. Public Hearing – Animal health and animal care proposed rules – LSA #25-279
8. Consideration for Adoption - Animal health and animal care proposed rules – LSA #25-279
9. Animal Disease Diagnostic Laboratory (ADDL) Report
 - a. ADDL fee changes – review for approval
10. Technical Services
 - a. Public Information report - Denise Derrer Spears
 - b. Chief of Staff report - Gary Haynes
11. Highly Pathogenic Avian Influenza (HPAI) update
 - a. Avian Division and Animal Programs Division
12. Avian Division Report - Maria Cooper, DVM
13. Animal Programs Division Report - Kelli Werling, DVM
14. Food Safety
 - a. Meat and Poultry Division – Kerri Suhr, DVM
 - b. Dairy Inspection Division – Patrick Hash
15. Other Business:
 - a. State Veterinarian's Report - Kyle Shipman, DVM, Indiana State Veterinarian
 - b. Establish date for the October 2025 meeting. Proposed date: October 7, 2025

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

An equal opportunity employer and provider.

Electronic Meeting Access Via MS Teams:

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

Indiana State Board of Animal Health members:

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

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

Exhibit 2

Indiana State Board of Animal Health Meeting Minutes April 8, 2025

Quarterly Meeting

The Indiana State Board of Animal Health (BOAH) held its regular quarterly meeting on Tuesday, April 8, 2025. The meeting was held at the Board of Animal Health office at Discovery Hall, Suite 100, 1202 E 38th 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 in-person
Tracey Gillespie, DVM; attended electronically
Ashley Armstrong, DVM; attended in-person
Mr. Ty Harweger; attended electronically
Mr. Keith Beer; attended electronically
Mr. Kraig Bowers; attended in-person

Members Absent: Dr. Darryl Ragland

Vacant Positions: None

BOAH Staff Participating:

Kyle Shipman, DVM, State Veterinarian
Gary Haynes, Chief of Staff
Kelli Werling, DVM, Director, Animal Programs Division
Maria Cooper, DVM, Director, Avian Division
Mike Kopp, DVM, Avian Division
Kerri Suhr, DVM, Director, Meat and Poultry Division
Patrick Hash, Director, Dairy Division
Denise Derrer Spears, Public Information Director
Jared Hagenow, Assistant Public Information Officer

9:30 a.m. Chairperson Dr. Bill Doig called the meeting to order and proceeded with the posted agenda. (Exhibit 1)

First Order of Business - Approval of Minutes

Dr. William Doig asked the Board to approve the minutes from the January 7, 2025 meeting. David Hardin made a motion – MOTION – “I move to approve the minutes of the January 7, 2025 meeting.” Virgil Bremer seconded the motion. The Board approved the MOTION by a roll call VOTE of 10-0. (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 the development of a facilities plan.

Third Order of Business – ADDL Fee Changes

Kenitra Hendrix, DVM, PhD, DACVM, Director of the Purdue ADDL, presented proposed changes to the ADDL fee schedule. (Exhibit 4)

Tim Rice made a motion – MOTION – “I move to approve the ADDL fee changes as presented.” Dr. Dimple Hall seconded the motion. The Board approved the MOTION by a roll call VOTE of 10-0.

Recognition of BOAH employees for their years of service:

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

Greg Miller 30 years
Gary Haynes 30 years
Vickie Lamb 25 years
Howard Oakes 10 years
Matt Siedling 10 years
Geoffrey Riddle 10 years

Fourth Order of Business – Agency Reports – Technical Services

a. Public Information Report (Exhibit 5)

Denise Derrer Spears discussed agency public information activity and projects, including a BOAH project to provide online resources and training for animal control officers and other officials.

b. Chief of Staff Report. (Exhibit 6)

Gary Haynes updated the board on personnel recruiting, federal cooperative agreements, the status of the agency’s biennial budget request, and BOAH’s integration into Governor Mike Braun’s administration.

c. General Assembly update

Gary Haynes reported that BOAH's agency proposal to clarify criminal background check process for the Board of Veterinary Medicine license applicants passed the General Assembly and is ready for signature by Governor Bruan (HB 1354). Mr. Haynes updated the Board on other animal and food-related bills still pending in the General Assembly session.

Fifth Order of Business – Highly Pathogenic Avian Influenza (HPAI) Report

Dr. Maria Cooper and Dr. Kelli Werling presented an update on the highly pathogenic avian influenza (HPAI) outbreak that began in February 2022 and continues across the United States. They discussed the impact to Indiana poultry producers, BOAH's response to the outbreak, genetic analysis of the virus found in Indiana, likely routes of introduction into Indiana premises, BOAH-led changes in policies directing response activities, HPAI in wildlife, HPAI in livestock and BOAH's plan for participation in USDA's National Milk Testing Strategy. (Exhibit 7)

Sixth Order of Business – Avian Division Report

Dr. Maria Cooper updated the board on Avian Metapneumovirus Subtypes A & B in turkeys, Mycoplasma gallisepticum in turkeys, and Egg Drop Syndrome Virus.

Chairperson Doig recessed the meeting for a thirty-minute break.
Chairperson Doig resumed the meeting.

Seventh Order of Business – Animal Programs Division Report

Dr. Kelli Werling updated the Board on activity in the Animal Programs Division. (Exhibit 8)

Eighth Order of Business – Food Safety

a. Meat and Poultry Division (Exhibit 9)

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

b. Dairy Division (Exhibit 10)

Patrick Hash reported on Dairy Division activities. He reported that the FDA completed a review of the Indiana dairy inspection program, found no deficiencies and issued a report that described Indiana's program is a "model participant" in the national program.

Ninth Order of Business – Other Business

- a. State Veterinarian's Report (Exhibit 11)
Dr. Kyle Shipman reported that 2025 is the 135th anniversary of the Board of Animal Health serving Indiana. He updated the Board on his participation in agency leader meetings in Governor' Braun's administration.
- b. Date of Next Meeting
The Board set the date for the next regular meeting to be July 22, 2025 at 9:30 a.m.

Chairperson Dr. William Doig adjourned the meeting.

William Doig, D.V.M., Chairperson

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

TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH

Final Rule LSA Document #25-151

DIGEST

DAIRY PRODUCTS INSPECTION; INCORPORATIONS BY REFERENCE

Amends 345 IAC 8-2-2.1 to update the incorporation by reference of parts of the Food and Drug Administration (FDA) Grade A Pasteurized Milk Ordinance (PMO) as construction, operation, and sanitation requirements for manufacturing grade milk plants. Amends 345 IAC 8-3-1 to update the incorporation by reference of the Food and Drug Administration (FDA) Grade A Pasteurized Milk Ordinance (PMO) and other FDA food safety regulations.

HISTORY

Notice of First Public Comment Period published March 26, 2025: [20250326-IR-345250151FNA](#)

Regulatory Analysis published March 26, 2025: [20250326-IR-345250151RAA](#)

Notice of Public Hearing published March 26, 2025: [20250326-IR-345250151PHA](#)

Change in Notice of Public Hearing published April 16, 2025: [20250416-IR-345250151CHA](#)

Date of Hearing: July 22, 2025

CITATIONS AFFECTED: 345 IAC 8-2-2.1; 345 IAC 8-3-1

SUMMARY/RESPONSE TO COMMENTS

The Indiana Board of Animal Health requested public comment from March 26, 2025, to April 25, 2025. The board received no comments in response to the Notice of First Comment Period.

FINAL RULE

SECTION 1. 345 IAC 8-2-2.1 IS AMENDED TO READ AS FOLLOWS:

345 IAC 8-2-2.1 Manufacturing grade milk plant; construction; operation; sanitation

Authority: IC 15-17-3-21

Affected: IC 15-17-2; IC 15-18-1-19

Sec. 2.1. (a) Except as provided in section 2.2 of this rule, a manufacturing grade milk plant shall meet the requirements in this section.

(b) The board incorporates by reference as a rule of the board the following parts of the Grade A Pasteurized Milk Ordinance, United States Department of Health and Human Services, Public Health Service, Food and Drug Administration (~~2019~~ (2023 revision), referred to as the PMO for regulation of the production, transportation, processing, handling, sampling, examination, grading, labeling, and sale of all manufacturing grade milk products in the state:

- (1) Section 1. Definitions.
- (2) Section 4. Labeling. However, requirements in this Section that specifically apply to the labeling of Grade A milk products are not incorporated.
- (3) Item 1p. Floors – Construction.
- (4) Item 2p. Walls and Ceilings – Construction.
- (5) Item 3p. Doors and Windows.
- (6) Item 4p. Lighting and Ventilation.
- (7) Item 5p. Separate Rooms.
- (8) Item 6p. Toilet-Sewage Disposal Facilities.
- (9) Item 7p. Water Supply.
- (10) Item 8p. Handwashing Facilities.
- (11) Item 9p. Milk Plant Cleanliness.
- (12) Item 10p. Sanitary Piping.
- (13) Item 11p. Construction and Repair of Containers and Equipment. However, requirements in the Section that

specifically apply to the containers and equipment for Grade A milk products are not incorporated.

- (14) Item 12p. Cleaning and Sanitizing of Containers and Equipment.
- (15) Item 13p. Storage of Cleaned Containers and Equipment.
- (16) Item 14p. Storage of Single-Service Articles, Utensils, and Materials.
- (17) Item 15p. Protection from Contamination.
- (18) Item 16p. Pasteurization, including the procedures for the following:
 - (A) Batch pasteurization.
 - (B) High-temperature-short-time (HTST) continuous flow pasteurization.
 - (C) Pasteurizers employing regenerative heating.
 - (D) Pasteurization records, equipment tests, and examinations.

However, this Item does not apply to raw milk cheeses.

- (19) Item 17p. Cooling of Milk and/or Milk Products. However, this Item does not apply to the following products:
 - (A) Ice cream.
 - (B) Raw milk cheeses during the sixty (60) day aging process.
 - (C) Manufacturing grade raw milk received for processing and governed by the temperature and storage requirements set forth at IC 15-18-1-19.
- (20) Item 18p. Bottling, Packaging and Container Filling must occur:
 - (A) at the place of pasteurization in a sanitary manner; and
 - (B) in accordance with the standards for mechanical equipment set forth in this Item.

However, if the plant does not use approved mechanical equipment, ~~then~~ the requirements in clause (B) do not apply.

- (21) Item 19p. Capping, Container Closure, and Sealing and Dry Milk Product Storage must occur:
 - (A) at the place of pasteurization in a sanitary manner; and
 - (B) in accordance with the standards for mechanical equipment set forth in this Item.

However, if the plant does not use approved mechanical equipment, ~~then~~ the requirements of clause (B) do not apply.

- (22) Item 20p. Personnel – Cleanliness and Practices.
- (23) Item 21p. Vehicles.
- (24) Item 22p. Surroundings.
- (25) Appendix D. Standards for Water Sources.
- (26) Appendix F. Cleaning and Sanitization.
- (27) Appendix G. Chemical and Bacteriological Tests.
- (28) Appendix H. Pasteurization Equipment and Procedures and Other Equipment.
- (29) Appendix I. Pasteurization Equipment and Controls – Tests.
- (30) Appendix L. Applicable Regulations, Standards of Identity for Milk and Milk Products.
- (31) Appendix N. Drug Residue Testing and Farm Surveillance.
- (32) Appendix R. Determination of Time/Temperature Control for Safety Milk and/or Milk Products.
- (33) Appendix S. Aseptic Processing and Packaging Program and Retort Processed after Packaging Program.

(c) A manufacturing grade milk plant ~~must~~ **shall** follow, and the board incorporates by reference, the following Subparts of 21 CFR 117 as a rule of the board:

- (1) Subpart A – General Provisions. However, the following provisions are not incorporated:
 - (A) 21 CFR 117.5(b) through 21 CFR 117.5(j).
 - (B) 21 CFR 117.8.
- (2) Subpart B – Good Manufacturing Practices.
- (3) Subpart C – Hazard Analysis and Risk Based Preventive Controls.
- (4) Subpart D – Modified Requirements, except 21 CFR 117.201 is not incorporated.
- (5) Subpart F – Requirements Applying to Records that must be Established and Maintained. However, the following provisions are not incorporated:
 - (A) 21 CFR 117.320.
 - (B) 21 CFR 117.325.
- (6) Subpart G – Supply Chain Program.

(d) Milk received for pasteurization, processing, or packaging by a manufacturing grade milk plant must be obtained from one (1) of the following sources:

- (1) A dairy farm within the state that holds a valid Grade A or manufacturing grade permit issued under this article.
- (2) A dairy farm outside the state that holds a valid Grade A or manufacturing grade permit in the state of origin.
- (3) ~~Any~~ ~~Other source~~ ~~sources~~ of milk ~~that has been~~ approved by the state veterinarian based ~~upon~~ ~~on~~ a finding that the

source meets the standards of this article.

(e) Where matters incorporated by reference in this section conflict with provisions of this article, IC 15-17-2, or IC 15-18-1, the ~~express~~ provisions of this article and the Indiana Code ~~shall~~ control.

(f) Frozen desserts in the manufacturer's unbroken package ~~shall~~ **must** have a bacterial plate count of not more than thirty thousand (30,000) per gram and a coliform count of not more than ten (10) per gram. The bacterial plate count ~~shall be~~ **is** considered satisfactory when the results of not more than two (2) of the last four (4) consecutive samples taken on separate days exceed thirty thousand (30,000) per gram. The coliform count ~~shall be~~ **is** considered satisfactory when the results of not more than one (1) of four (4) consecutive samples taken ~~upon~~ **on** separate days exceed ten (10) per gram. (*Indiana State Board of Animal Health; 345 IAC 8-2-2.1; filed Dec 7, 2016, 9:26 a.m.: 20170104-IR-345160222FRA; filed Jun 13, 2018, 2:27 p.m.: 20180711-IR-345170566FRA, eff Sep 17, 2018; filed Feb 23, 2021, 1:10 p.m.: 20210324-IR-345200476FRA*)

SECTION 2. 345 IAC 8-3-1 IS AMENDED TO READ AS FOLLOWS:

345 IAC 8-3-1 Incorporation by reference; standards

Authority: IC 15-17-3-19; IC 15-17-3-21; IC 15-18-1-14

Affected: IC 15-17-2; IC 15-18-1

Sec. 1. (a) The board incorporates by reference as a rule of the board the Grade A Pasteurized Milk Ordinance, United States Department of Health and Human Services, Public Health Service, Food and Drug Administration (~~2019~~ **(2023** revision), referred to as the PMO for regulation of the production, transportation, processing, handling, sampling, examination, grading, labeling, and sale of all Grade A milk and milk products in the state. Except where specifically excluded, the board intends to incorporate all parts of the PMO to include all ~~of~~ the administrative procedures and ~~the~~ appendixes. However, the following parts of the PMO are not incorporated by reference as a rule of the board:

- (1) Section 16 on penalties.
- (2) Section 17 on repeal and date of effect.
- (3) Appendix P.

The board intends to incorporate the footnoted language in the PMO regarding cottage cheese that will apply to any person producing Grade A cottage cheese and Grade A dry curd cottage cheese. However, a person may produce cottage cheese and dry curd cottage cheese as a manufacturing grade milk product (not Grade A) by complying with the manufacturing grade milk products requirements under this article. References in the PMO to the regulatory agency ~~shall mean and~~ refer to the board.

(b) The board will ~~utilize~~ **use** the latest edition of the following documents when interpreting and implementing the provisions of the PMO, this article, and IC 15-18:

- (1) The following National Conference on Interstate Milk Shipments model documents:
 - (A) Procedures Governing the Cooperative State-Public Health Service / Food and Drug Administration Program of the National Conference on Interstate Shipments.
 - (B) Methods of Making Sanitation Ratings of Milk Shippers.
 - (C) Evaluation of Milk Laboratories.
- (2) The following sets of documents issued by the United States Food and Drug Administration, Milk Safety Branch:
 - (A) Memoranda of Interpretation (M-a series documents).
 - (B) Memoranda of Milk Ordinance Equipment Compliance (M-b series documents).
 - (C) Memoranda of Information (M-I series documents).

(c) The board adopts by reference the general provisions relating to food standards set forth by the United States Food and Drug Administration in 21 CFR 130.8, 21 CFR 130.9, 21 CFR 130.10, and 21 CFR 130.11, in effect ~~on~~ April 1, ~~2020~~ **2024**.

(d) The board adopts by reference the definitions and standards of identity for milk and milk products set forth by the United States Food and Drug Administration in 21 CFR 131.3 et seq., titled "Part 131—Milk and Cream", in effect ~~on~~ April 1, ~~2020~~ **2024**. Milk and milk products must conform to these standards.

(e) The board adopts by reference the definitions and standards of identity for cheeses and related cheese products set forth by the United States Food and Drug Administration in 21 CFR 133.3 et seq., titled "Part 133—Cheeses and Related Cheese Products", in effect ~~on~~ April 1, ~~2020~~ **2024**. Cheese and cheese products must conform to these standards.

(f) The board adopts by reference the definitions and standards of identity for frozen desserts set forth by the United

States Food and Drug Administration in 21 CFR 135.3 et seq., titled "Part 135-Frozen Desserts", in effect ~~on~~ April 1, ~~2020~~ **2024**. Frozen desserts must conform to these standards.

(g) The board adopts by reference the current good manufacturing practices for manufacturing, packing, or holding human food set forth by the United States Food and Drug Administration in 21 CFR 113, in effect ~~on~~ April 1, ~~2020~~ **2024**. The criteria and definitions in 21 CFR 113 and this rule ~~shall~~ apply in determining whether a food is adulterated under IC 15-18-1, ~~in that because~~ the food has been manufactured under ~~such~~ **those** conditions, that it is:

- (1) unfit for human food; or
- (2) the food has been prepared, packed, or held under unsanitary conditions ~~under which~~ **where** the product may:
 - ~~(1)~~ **(A)** become contaminated with filth; or
 - ~~(2)~~ **(B)** have been made injurious to health.

(h) The board adopts by reference as a rule of the board the food labeling requirements set forth by the United States Food and Drug Administration in 21 CFR 101, but not including Subpart C, in effect ~~on~~ April 1, ~~2020~~ **2024**.

(i) The board incorporates by reference into this rule the definitions set forth in IC 15-17-2 and the matters set forth in IC 15-18-1.

(j) Where the matters incorporated by reference in this section conflict with provisions of this article, IC 15-17-2, or IC 15-18-1, the ~~express~~ provisions of this article and the Indiana Code ~~shall~~ control.

(k) Incorporated documents are available for public inspection at the **Indiana State Board of Animal Health**. Copies of incorporated documents and interpreting and implementing documents may be obtained from the Food and Drug Administration, Milk Safety Branch website <https://www.fda.gov/food>, the U.S. Government Publishing Office website <https://www.gpo.gov/>, or by sending a written request to the board <https://www.in.gov/boah/contact-boah/>. (*Indiana State Board of Animal Health; 345 IAC 8-3-1; emergency rule filed Jan 27, 1994, 5:00 p.m.: 17 IR 1223, eff Feb 1, 1994; filed Apr 17, 1998, 9:00 a.m.: 21 IR 3354; errata filed Aug 13, 1998, 1:16 p.m.: 22 IR 126; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Sep 27, 2002, 2:40 p.m.: 26 IR 340; filed Jul 18, 2005, 1:00 p.m.: 28 IR 3564; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; filed Dec 18, 2007, 3:45 p.m.: 20080116-IR-345070296FRA; filed Aug 11, 2008, 3:37 p.m.: 20080910-IR-345080125FRA; errata filed Oct 3, 2008, 3:30 p.m.: 20081022-IR-345080767ACA; filed Dec 10, 2010, 10:42 a.m.: 20110105-IR-345100123FRA; filed Sep 11, 2012, 2:35 p.m.: 20121010-IR-345120107FRA; filed Dec 4, 2014, 1:59 p.m.: 20141224-IR-345140199FRA; filed Dec 7, 2016, 9:26 a.m.: 20170104-IR-345160222FRA; filed Jun 13, 2018, 2:27 p.m.: 20180711-IR-345170566FRA, eff Sep 17, 2018; filed Feb 23, 2021, 1:10 p.m.: 20210324-IR-345200476FRA*) **NOTE: Transferred from the Indiana State Department of Health (410 IAC 8-14-8.1) to the Indiana State Board of Animal Health (345 IAC 8-3-1) by P.L.137-1996, SECTION 76, effective July 1, 1996.**

TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH

Regulatory Analysis

LSA Document #25-151

I. Description of Rule

a. History and Background of the Rule –The proposed rule is necessary to comply with a state mandate. State law requires the BOAH to adopt rules that are the same as, or at least as effective in protecting health, as the federal standards for Grade A milk adopted by the National Conference on Interstate Milk Shipments (NCIMS) in accordance with their Memorandum of Understanding (MOU) with the FDA. [IC 15-18-1-14](#). The PMO is the document that is accepted by the FDA as the federal standards for the interstate shipment of milk.

To comply with this statutory mandate, the agency must ensure that the most recent revision of the PMO is being referenced in the state dairy products rule. The NCIMS met in April 2023 to vote on a series of proposals to amend the PMO. As a voting member of the NCIMS, the BOAH periodically updates the dairy products rule to ensure that Indiana's standards are consistent with federal law. The last time that [345 IAC 8](#) rule was updated was in 2020 (LSA 20-476).

The proposed rule is also necessary to comply with a federal mandate. As a member of the NCIMS entity, each state has agreed to enforce the sanitation standards set forth in the PMO. The FDA audits state program implementation by conducting check ratings. The check rating process involves the FDA inspecting all farms and plants in Indiana every six years. If BOAH does not update the incorporation by reference, Indiana would not be able to enforce the most current federal requirements to ship milk in interstate commerce. Therefore, Indiana would be in violation of its agreement with FDA.

b. Scope of the Rule – The BOAH is requesting approval to amend its rules governing dairy products inspection ([345 IAC 8](#)). The primary purpose of the changes is to conform BOAH rules to the 2023 revision of the Grade A Pasteurized Milk Ordinance (PMO). BOAH is proposing to update the current incorporation by reference of the 2019 PMO to the 2023 revision. BOAH is also proposing to update the current incorporation by reference of certain Food and Drug Administration (FDA) food standards from April 1, 2020 to April 1, 2024. The proposed rule will also update the incorporation by reference of parts of the PMO as construction, operation, and sanitation requirements for manufacturing grade milk plants.

c. Statement of Need – If the BOAH does not comply with the MOU, it would have negative economic consequences for the dairy industry. Indiana's 678 Grade A farms, 25 Grade A plants, 15 single service plants, 4 wash stations, and 1 aseptic plant rely on the board to adopt and enforce the most current version of the PMO. These are dairy farms and plants that are engaged in the production and processing of Grade A milk for use in products such as fluid milk and yogurt.

If the board does not incorporate the most recent version of the federal standards, it could jeopardize their ability to ship their products in interstate commerce. This could occur due to a plant or farm failing their milk rating survey, which occurs every two years. A failed survey could result in a plant or a Bulk Tank Unit (BTU), which is comprised of several farms, being delisted from the interstate shippers list. A delisting prohibits a plant or BTU from shipping their milk across state lines. Alternatively, this could occur due to Indiana ultimately failing the FDA check rating process, which would jeopardize the ability for all plants and farms to access out of state markets for their products.

d. Statutory Authority for the Proposed Rule – State law requires the BOAH to adopt rules that are the same as, or at least as effective in protecting health, as the federal standards for Grade A milk adopted by the National Conference on Interstate Milk Shipments (NCIMS) in accordance with their Memorandum of Understanding (MOU) with the FDA. The board may adopt rules to implement the requirements of the state milk and milk products law. [IC 15-18-1-8](#); [IC 15-18-1-14](#).

e. Fees, Fines, and Civil Penalties – The proposed does not add or increases any fees, fines, or civil penalties that would need to satisfy the additional requirements in [IC 4-22-2-19.6](#)

II. Fiscal Impact Analysis

a. Anticipated Effective Date of the Rule – The agency will hold the public hearing at the April 8, 2025 board meeting. If the board approves the rule at this meeting, the estimated effective date of the rule would be July 1, 2025.

b. Estimated Fiscal Impact on State and Local Government – BOAH currently inspects 678 Grade A dairy farms, 539 tanker trucks, 25 Grade A dairy plants, and 45 Grade B dairy plants. State law requires a dairy farm to be inspected at least once every six months, and a dairy plant to be inspected at least once every 6 months. There have been no changes in the federal regulations being incorporated that expand the scope of these inspections. Therefore, the proposed rule does not have a fiscal impact to the state beyond the current costs of administering the state dairy inspection program.

c. Sources of Expenditures or Revenues Affected by the Rule – The expenses for the dairy inspection program are paid from the total operating expenses line item for the BOAH. The dairy program does not have permit fees. All civil penalties are calculated based on a formula set forth in statute and deposited into the dairy drug residue abatement fund. [IC 15-18-1-17](#). There are no changes in the proposed rule that impact current dairy inspection program expenditures and revenues.

III. Impacted Parties – BOAH currently inspects 678 Grade A farms, 25 Grade A plants, 539 tanker trucks, 15 single service plants, 4 wash stations, and 1 aseptic plant. BOAH also inspects 45 Grade B plants, which are facilities producing dairy products such as ice cream and cheese. In 2018, Indiana produced 4.15 billion pounds of milk. The state is 14th in the nation for milk production and second in the country for ice cream production.¹ According to 2018 data from the International Dairy Foods Association, more than 19,000 jobs in Indiana are directly tied to the state's dairy industry, contributing 3.2 percent to the state's GDP.²

BOAH has worked to involve regulated entities in the development of the rule. For example, proposed rule changes of the BOAH are presented at the BOAH dairy industry meeting and the annual Indiana Milk Quality Conference. Prior to the publication of a Notice of First Comment Period, BOAH sends out emails to interested stakeholders so they are aware of upcoming rulemaking matters before the board. The BOAH posts the board agenda in a prominent location on the website so the rule information can be found on this page in addition to the rulemaking docket. The BOAH also sends out an issues newsletter to stakeholders on a quarterly basis. The affected industry includes small businesses under the definition at [IC 4-22-2.1-4](#).

IV. Changes in Proposed Rule

A major change in the 2023 revision of the PMO is the incorporation of several parts of M-I 06-5, *Current Information Addressing Item 15r-Drug and Chemical Control of the Grade "A" Pasteurized Milk Ordinance*, into the PMO. This is part of a larger effort by the FDA to phase out the use of M-Is and incorporate much of the guidance within these documents into federal regulations. This will solidify BOAH and the FDA's ability to take regulatory action for failure to comply with requirements currently contained in M-I documents. It is important to note that this does not change compliance costs for Grade A farms because they are already operating in compliance with the standards set forth in the M-Is.

Another significant change in the 2023 revision is a modification to the Methods of Making Sanitation Ratings (MMSR) for Grade A dairy farms. This change will eliminate the automatic deduction of 5 points when an inspection takes place outside of milking times and reassigns these points to other inspection categories. This is an important change for smaller farms where milking may not be occurring as frequently as larger operations.

A significant change for Grade A dairy plants is the modification of regulatory action if an FDA audit results in a finding of noncompliance with Appendix T, *Preventive Controls for Human Food Requirements for Grade "A" Milk and Milk Products*. The 2019 PMO requires a reinspection by the BOAH within 60 days, and immediate removal from the Interstate Milk Shippers (IMS) list if the BOAH reinspection also results in a finding of noncompliance. Alternatively, the 2023 PMO will allow a written corrective action plan to be developed and implemented that is acceptable to BOAH and FDA versus an immediate plant delisting.

V. Benefit Analysis

a. Estimate of Primary and Direct Benefits of the Rule – For manufacturing grade dairy products, there is more variation in state production standards. Indiana's approach of supplementing the federal Food Safety Modernization Act (FSMA) standards with certain sections of the PMO for manufacturing grade plants aligns Indiana with other large dairy states. In addition, this is a favored approach versus each state creating their own manufacturing grade standards. BOAH began this transition in 2016 when the state's manufacturing grade standards were repealed and the FSMA standards were phased in (LSA #16-22). BOAH's rule references appropriate sections of the PMO, which are nationally recognized as the standards that integrate the FSMA standards for the processing of milk products

b. Estimate of Secondary or Indirect Benefits of the Rule – The alignment of Indiana's milk plant rule with national standards eases the regulatory compliance burden for processors, which attracts new plants and expansion of existing plants. This provides a secondary benefit of increased marketing options for Indiana dairy farmers. It also benefits consumer protection by ensuring that plants are required to comply with the most recent federal food safety regulations.

c. Estimate of Any Cost Savings to Regulated Industries – The above-described changes to the PMO ease the regulatory burden for Grade A plants and farms. The change to the MMSR for dairy farms will ensure that they are not automatically receiving a point deduction simply because their inspection is not occurring during a milking time. Changing the regulatory action for an Appendix T violation is significant for plants because an immediate delisting completely prevents them from shipping their products for a period of time. This would present a significant economic hardship to plants when they likely have product that can safely be shipped while the Appendix T corrective actions are occurring.

VI. Cost Analysis

Although requirements that are imposed by another source of law should be excluded from the cost-benefit analysis, the BOAH has provided an estimated compliance cost for regulated entities as follows:

a. Estimate of Compliance Costs for Regulated Entities – As described above, the major changes in the 2023 PMO are focused on changing the regulatory actions in response to violations of certain standards versus changing the standards themselves. Therefore, there are not increases in compliance costs for regulated entities. As also mentioned above, Grade A plants are already operating in compliant with the M-Is issued by the FDA, so the incorporation of some M-I information into the PMO does not change their current operations.

b. Estimate of Administrative Expenses Imposed by the Rules – The proposed rule does not increase any legal, consulting, reporting, accounting or other administrative expenses, including any additional time to understand the requirements and comply with them through new processes or procedures.

c. The fees, fines, and civil penalties analysis required by [IC 4-22-2-19.6](#) – The proposed rule does not add or increases a fee, fine, or civil penalty.

d. If the implementation costs of the proposed rule are expected to exceed the threshold set in [IC 4-22-2-22.7\(c\)\(6\)](#) – The agency has determined that the combined implementation and compliance costs of the proposed rule is less than one million dollars (\$1,000,000) for businesses, units, and individuals over any two (2) year period.

VII. Sources of Information

FDA Milk and Milk Products Branch; *IMS-a-53 Actions of the 2023 National Conference on Interstate Milk Shipments*, March 27, 2024: Proposal: 107 (ncims.org)

VIII. Regulatory Analysis

BOAH did not consider alternative approaches to updating the incorporation by reference of parts of the PMO for manufacturing grade plants because there is a strong preference in the industry for consistency across states. Aligning Indiana's manufacturing grade plant standards with other states will ease the regulatory burden on companies that need to move their products across the US and internationally. The BOAH has determined that the benefits of the proposed rule, which include the ability of farms and plants to ship dairy products in interstate commerce, exceed the compliance costs for regulated entities.

IX. Contact Information of Staff to Answer Substantive Questions

Sarah Ash Simpson, General Counsel

sasimpso@boah.in.gov

317-460-0960

¹ United States Department of Agriculture, National Agricultural Statistics Service, 2018 State Agriculture Overview https://www.nass.usda.gov/Quick_Stats/Ag_Overview/stateOverview.php?state=INDIANA

² American Dairy Association Indiana, Inc. <https://winnersdrinkmilk.com/>

Notice of First Public Comment Period with Proposed Rule: [20250326-IR-345250151FNA](#)

Notice of Determination Received: September 27, 2024

Posted: 03/26/2025 by Legislative Services Agency

TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH

Final Rule LSA Document #25-165

DIGEST

MEAT AND POULTRY PRODUCTS INSPECTION

Adds 345 IAC 9-2-4 to clarify requirements for establishments to manufacture pet food or similar uninspected, inedible products. Amends 345 IAC 9-2.1-1 to change the incorporation by reference from January 1, 2022, to January 1, 2024 and incorporate amendments thereto contained in the federal regulations for voluntary labeling of meat products with US origin claims at 89 FR 19470, 19494 (March 18, 2024). Amends 345 IAC 9-17-4 and 345 IAC 10-14-18 to incorporate the federal regulations for voluntary labeling of meat products with U.S. origin claims at 89 FR 19470, 19495 (March 18, 2024). Amends 345 IAC 9-21.5-2 to change the incorporation by reference from January 1, 2022, to January 1, 2024. Adds 345 IAC 10-2-8 to clarify requirements for establishments to manufacture pet food or similar uninspected, inedible products. Amends 345 IAC 10-2.1-1 to change the incorporation by reference from January 1, 2022, to January 1, 2024 and incorporate the amendments thereto in the federal regulations for voluntary labeling of poultry products with U.S. origin claims at 89 FR 19470, 19495 (March 18, 2024).

HISTORY

Notice of First Public Comment Period published April 23, 2025: [20250423-IR-345250165FNA](#)

Regulatory Analysis published April 23, 2025: [20250423-IR-345250165RAA](#)

Notice of Public Hearing published April 23, 2025: [20250423-IR-345250165PHA](#)

Date of Hearing: July 22, 2025

CITATIONS AFFECTED: 345 IAC 9-2-4; 345 IAC 9-2.1-1; 345 IAC 9-17-4; 345 IAC 9-21.5-2; 345 IAC 10-2-8; 345 IAC 10-2.1-1; 345 IAC 10-14-18

SUMMARY/RESPONSE TO COMMENTS

The Indiana Board of Animal Health requested public comment from April 23, 2025, to May 23, 2025. The board received no comments in response to the Notice of First Comment Period.

FINAL RULE

SECTION 1. 345 IAC 9-2-4 IS ADDED TO READ AS FOLLOWS:

345 IAC 9-2-4 Manufacture and handling of uninspected, inedible products

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

Affected: IC 4-21.5-3; IC 15-17-2; IC 15-17-17

Sec. 4. (a) An establishment may manufacture pet food or similar uninspected, inedible products in areas where edible products also are produced. Manufacturing uninspected, inedible products shall not:

- (1) cause edible products to be adulterated as defined in IC 15-17-2;**
- (2) create insanitary conditions in the official establishment that constitute a noncompliance with 9 CFR 416; or**
- (3) prevent or interfere with an inspection or other program tasks performed by board personnel.**

(b) Pet food and similar uninspected, inedible products must be distinguished from edible products to avoid being distributed as human food as follows:

(1) The products must be labeled or otherwise identified under the requirements of 9 CFR 325.11(d).

(2) The products must be:

(A) properly identified as animal food, with the name of the product conspicuously stated on the label as "Animal Food", "Pet Food", or "(name of species) Food", or stated that it is, or contains, livestock-source material and is for animals (e.g., "Beef Stew for Dogs"), under the conditions set forth in 9 CFR 325.11(d)(3);

(B) not represented as human food; and

(C) denatured under the requirements of 9 CFR 325.13(a)(2) to be readily distinguishable from a human food product. The denaturant must be a food coloring approved by the United States Department of Agriculture and Food and Drug Administration for use in pet food.

(c) An establishment must have a standard operating procedure (SOP) approved by the division with procedures in place to define how the establishment will handle, store, and process products intended for pet food or treats. The SOP must ensure that:

- (1) inedible product must remain separate and distinct from edible product at all times as required by 9 CFR 416.2(b)(4);**
- (2) if custom exempt product is used to produce pet food or treats, all offal or other materials must either be:**
 - (A) returned to the owner; or**
 - (B) denatured as set forth in this section, with a denaturant approved for use in pet food.**

(d) If an establishment is selling inedible product to be used for pet food, the outside container must be marked conspicuously with the words "Inedible – Not Intended for Human Food" as required by 9 CFR 325.11(e)(3). (Indiana State Board of Animal Health; 345 IAC 9-2-4)

SECTION 2. 345 IAC 9-2.1-1 IS AMENDED TO READ AS FOLLOWS:

345 IAC 9-2.1-1 Incorporation by reference

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

Affected: IC 4-21.5-3; IC 15-17-2; IC 15-17-17

Sec. 1. (a) The board adopts as its rule and incorporates by reference the following federal regulations ~~in effect on~~ **effective** January 1, ~~2022~~ **2024**:

- (1) 9 CFR 301, except the definitions in IC 15-17-2 and 345 IAC 9-1-3, ~~shall control~~ **controls** over conflicting definitions in 9 CFR.
 - (2) 9 CFR 303 through 9 CFR 311, except the following are not incorporated:
 - (A) 9 CFR 303.1(c), 9 CFR 303.1(g), and 9 CFR 303.2.
 - (B) 9 CFR 306.1.
 - (C) 9 CFR 307.4, 9 CFR 307.5, and 9 CFR 307.6.
 - (D) 9 CFR 308.
 - (3) 9 CFR 313 through 9 CFR 320, **and the amendments to these references in 89 FR 19470 through 89 FR 19496 (effective May 17, 2024)**, except 9 CFR 317.4 and 9 CFR 317.5.
 - (4) 9 CFR 325.
 - (5) 9 CFR 416 through 9 CFR 441.
 - (6) 9 CFR 500, except the following:
 - (A) References to the Uniform Rules of Practice, 7 CFR Subtitle A, Part 1, Subpart H ~~shall~~ mean IC 15-17-17 and IC 4-21.5-3.
 - (B) References to adulterated or misbranded product ~~shall~~ refer to products adulterated or misbranded as defined in IC 15-17-2.
- (b) When interpreting this article, including all matters incorporated by reference, the following ~~shall~~ **apply**:
- (1) A reference to any subpart of 9 CFR 302 refers to the corresponding section of 345 IAC 9-2.
 - (2) A reference to:
 - (A) 9 CFR 307.4 ~~shall refer~~ **refers** to 345 IAC 9-7-4;
 - (B) 9 CFR 307.5 ~~shall refer~~ **refers** to 345 IAC 9-7-6; and
 - (C) 9 CFR 307.6 ~~shall refer~~ **refers** to 345 IAC 9-7-6.
 - (3) A reference to any subpart of 9 CFR 312 refers to the corresponding section of 345 IAC 9-12.
 - (4) A reference to:
 - (A) 9 CFR 316.16 ~~shall refer~~ **refers** to 345 IAC 9-16-16; and
 - (B) 9 CFR 317.16 ~~shall refer~~ **refers** to 345 IAC 9-17-16.
 - (5) A reference to:
 - (A) 9 CFR 321.1 ~~shall refer~~ **refers** to 345 IAC 9-20; and
 - (B) 9 CFR 321.2 ~~shall refer~~ **refers** to 345 IAC 9-20.
 - (6) A reference to any subpart of 9 CFR 329 ~~shall refer~~ **refers** to the corresponding section in 345 IAC 9-22.

(c) Where the provisions of this article conflict with matters incorporated by reference, the express provisions of this article shall control.

(d) The board ~~will utilize~~ **shall use** the latest edition of the following documents issued by the United States Department of Agriculture (USDA) when interpreting and implementing the provisions of this article and IC 15-17:

- (1) Food Safety and Inspection Service Regulatory Directives.
- (2) Food Safety and Inspection Service Notices.

(e) Copies of incorporated documents, and interpreting and implementing documents, may be obtained from the ~~United States Department of Agriculture~~ **USDA** Food Safety and Inspection Service website, the U.S. Government Publishing Office website, or by sending a written request to the board. (*Indiana State Board of Animal Health; 345 IAC 9-2.1-1; filed Dec 10, 1997, 11:30 a.m.: 21 IR 1301; filed Sep 10, 1999, 9:14 a.m.: 23 IR 14; filed Oct 30, 2000, 2:06 p.m.: 24 IR 678; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Dec 19, 2002, 12:43 p.m.: 26 IR 1540; filed Jul 14, 2004, 9:25 a.m.: 27 IR 3982; filed Jan 5, 2006, 8:00 a.m.: 29 IR 1552; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; filed Aug 11, 2008, 3:39 p.m.: 20080910-IR-345080126FRA; errata filed Oct 3, 2008, 3:30 p.m.: 20081022-IR-345080767ACA; filed Nov 24, 2010, 3:20 p.m.: 20101222-IR-345100122FRA; filed Sep 18, 2012, 2:21 p.m.: 20121017-IR-345120108FRA; filed Mar 25, 2014, 10:18 a.m.: 20140423-IR-345130230FRA; filed Dec 14, 2016, 11:58 a.m.: 20170111-IR-345160220FRA; filed Aug 24, 2018, 11:17 a.m.: 20180919-IR-345180123FRA; filed Jun 8, 2021, 11:01 a.m.: 20210707-IR-345200557FRA; filed Mar 3, 2023, 9:44 a.m.: 20230329-IR-345220259FRA*)

SECTION 3. 345 IAC 9-17-4 IS AMENDED TO READ AS FOLLOWS:

345 IAC 9-17-4 Submission of labels for approval

Authority: IC 15-17

Affected: IC 15-17-5

Sec. 4. (a) ~~Notwithstanding any provision of~~ **Except as otherwise provided in** this rule, labels for products to be shipped interstate by an establishment that is a selected establishment under 9 CFR Part 332 ~~shall~~ **must** comply with the requirements for participation in the interstate shipment program, such as label approval under 9 CFR Part 317. Except as provided in subsection ~~(d)~~ **(f)**, no label ~~shall may~~ be used on any product until it has been approved in its final form by the board. For the convenience of the establishment, sketches or proofs of new labels may be submitted in triplicate through the officer in charge to the division for approval and the preparation of finished labels deferred until ~~such an~~ approval is obtained. ~~All~~ Finished labels ~~shall must~~ be submitted in triplicate through the officer in charge to the division for approval.

(b) Labels for products containing U.S. origin claims must comply with the following requirements:

(1) The claims "Product of USA" and "Made in the USA" may be approved for use on labels after a finding by the division that the product meets the standards for:

(A) single ingredient products set forth in 9 CFR 412.3(a); or

(B) multi-ingredient products set forth in 9 CFR 412.3(b)(1).

(2) Claims other than "Product of USA" and "Made in the USA" may be used to designate a qualified U.S. origin claim related to a component of a single or multi-ingredient product's preparation and processing after a finding by the division that the claim:

(A) meets the standards set forth in 9 CFR 412.3(c); and

(B) is not misbranded.

(3) Claims that designate the state or locality origin of single or multi-ingredient products may be used after a finding by the division that the claim meets the standards set forth in 9 CFR 412.3(d).

(4) Display of the U.S. or state flag, may be used after a finding by the division that the claim meets the standards set forth in 9 CFR 412.3(e).

(c) Establishments choosing to use labels that designate products with U.S. origin claims shall maintain records to support the claim. The division may request access to these records to verify compliance with:

(1) 9 CFR 412.2(f) for a claim of "Product of USA" or "Made in the USA"; or

(2) 9 CFR 412.2(g) for a qualified U.S. origin claim.

~~(b) (d) In case of~~ **If labels are** lithographed labels, paper take-offs ~~in lieu~~ **instead** of sections of the metal containers

~~shall must~~ be submitted for approval. ~~Such~~ The paper take-offs ~~shall must~~ be in the form of a negative, but ~~shall be~~ a complete reproduction of the label as it will appear on the package, including any color scheme involved. ~~In case of~~ For fiber containers, printed layers, such as the kraft paper sheet, ~~shall must~~ be submitted for approval ~~in lieu instead~~ of the complete container.

~~(e) (e)~~ Inserts, tags, liners, pasters, and like devices containing printed or graphic matter and for use on, or to be placed ~~within in~~, containers and coverings of ~~product shall~~ **products must** be submitted for approval in the same manner as provided for labels in subsection (a), ~~except that but~~ officers in charge may permit ~~use of such~~ **using those** devices that **do not** contain ~~no~~ **reference** references to product ~~and nor~~ bear ~~no~~ misleading ~~feature~~ **features**.

~~(d) (f)~~ Stencils, labels, box dies, and brands may be used on shipping containers and ~~on such~~ immediate containers, **such as** tierces, barrels, drums, boxes, crates, and ~~large-size~~ **large-sized** fiberboard containers, provided the markings are as follows:

- (1) Applicable to the product.
- (2) Not false or deceptive.
- (3) Used with the approval of the officer in charge.

The inspection legend for use in combination with ~~such~~ **these** markings ~~shall must~~ be approved by the board. (*Indiana State Board of Animal Health; Reg HMP-1R, CH A, PT 18, Sec 19-4; filed Feb 11, 1972, 2:00 p.m.: Rules and Regs. 1973, p. 313; filed Aug 13, 1973, 9:20 a.m.: Rules and Regs. 1974, p. 238; filed Jan 8, 1982, 10:42 a.m.: 5 IR 362; filed Dec 10, 1997, 11:30 a.m.: 21 IR 1307; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA; filed Mar 25, 2014, 10:18 a.m.: 20140423-IR-345130230FRA; readopted filed Jul 14, 2020, 1:42 p.m.: 20200812-IR-345200230RFA*) NOTE: Transferred from the Indiana State Department of Health (410 IAC 9-17-4) to the Indiana State Board of Animal Health (345 IAC 9-17-4) by P.L.137-1996, SECTION 76, effective July 1, 1996.

SECTION 4. 345 IAC 9-21.5-2 IS AMENDED TO READ AS FOLLOWS:

345 IAC 9-21.5-2 General provisions and incorporation by reference

Authority: IC 15-17-3

Affected: IC 15-17-5; IC 15-17-17

Sec. 2. (a) The board adopts as its rule and incorporates by reference the regulations in 9 CFR Part 354 for the voluntary inspection of rabbits ~~in effect on~~ **effective** January 1, ~~2022~~ **2024**.

(b) The following revisions, exclusions, and limitations apply to the regulations adopted by reference in subsection (a):

(1) The term "department" ~~shall mean and refer~~ **refers** to the board.

(2) 9 CFR 354.45(b) is not incorporated by reference. The state veterinarian shall follow the notice provisions in IC 15-17-17 when suspending or denying services under this rule.

(3) 9 CFR 354.100 through 9 CFR 354.110 are not incorporated. The state veterinarian shall follow the procedures in IC 15-17-5 and other state laws when assessing and collecting fees and charges.

(4) The marks, devices, and certificates in 345 IAC 9-12 ~~shall be~~ **are** the official marks, devices, and certificates for ~~the~~ purposes of the inspection program authorized in section 1 of this rule. The state veterinarian may authorize, after consultation with the United States Department of Agriculture, use of the marks described in 9 CFR 354.63 and 9 CFR 354.65.

(5) 9 CFR Part 416 and 9 CFR Part 417 apply to establishments participating in the inspection program established under section 1 of this rule.

(*Indiana State Board of Animal Health; 345 IAC 9-21.5-2; filed Jan 5, 2006, 8:00 a.m.: 29 IR 1554; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; errata filed Oct 3, 2008, 3:30 p.m.: 20081022-IR-345080767ACA; filed Nov 24, 2010, 3:20 p.m.: 20101222-IR-345100122FRA; filed Sep 18, 2012, 2:21 p.m.: 20121017-IR-345120108FRA; filed Dec 14, 2016, 11:58 a.m.: 20170111-IR-345160220FRA; filed Aug 24, 2018, 11:17 a.m.: 20180919-IR-345180123FRA; filed Jun 8, 2021, 11:01 a.m.: 20210707-IR-345200557FRA; filed Mar 3, 2023, 9:44 a.m.: 20230329-IR-345220259FRA*)

SECTION 5. 345 IAC 10-2-8 IS ADDED TO READ AS FOLLOWS:

345 IAC 10-2-8 Manufacture and handling of uninspected, inedible products

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

Affected: IC 4-21.5-3; IC 15-17-2; IC 15-17-17

Sec. 8. (a) An establishment may manufacture pet food or similar uninspected, inedible products in areas where edible products also are produced. Manufacturing uninspected, inedible products may not:

- (1) cause edible products to be adulterated as defined in IC 15-17-2;**
- (2) create insanitary conditions in the official establishment that constitute a noncompliance with 9 CFR 381.65 or 9 CFR 416; or**
- (3) prevent or interfere with inspection or other program tasks performed by board personnel.**

(b) Pet food and similar uninspected, inedible products must be distinguished from edible products to avoid being distributed as human food as follows:

- (1) The products must be labeled or otherwise identified under the requirements of 9 CFR 381.193.**
- (2) The products must be:**
 - (A) properly identified as animal food, with the name of the product conspicuously stated on the label as "Animal Food", "Pet Food", or "(name of species) Food", or the product's name may be stated on the label to indicate that it is, or contains, poultry carcass-source material and is for animals (e.g., "Chicken for Pets" or "Turkey Dinner for Cats"), under the conditions set forth in 9 CFR 381.193(b)(3);**
 - (B) not represented as human food; and**
 - (C) denatured as set forth in 9 CFR 381.95 to be readily distinguishable from a human food product. The denaturant must be a food coloring that is approved by the United States Department of Agriculture and Food Drug and Administration for use in pet food.**

(c) An establishment must have a standard operating procedure (SOP) approved by the division with procedures in place to define how the establishment will handle, store, and process products intended for pet food or treats. The SOP must ensure that:

- (1) inedible product must remain separate and distinct from edible product as required by 9 CFR 416.2(b)(4);**
- (2) if custom exempt product is used to produce pet food or treats, all offal or other materials must either be:**
 - (A) returned to the owner; or**
 - (B) denatured as set forth in this section, with a denaturant approved for use in pet food.**

(d) If an establishment is selling inedible product to be used for pet food, the outside container must be marked conspicuously with the words "Not fit for human food" as required by 9 CFR 381.193(a). (*Indiana State Board of Animal Health; 345 IAC 10-2-8*)

SECTION 6. 345 IAC 10-2.1-1 IS AMENDED TO READ AS FOLLOWS:

345 IAC 10-2.1-1 Incorporation by reference; poultry products inspection

Authority: IC 15-17-3

Affected: IC 4-21.5-3; IC 15-17-2; IC 15-17-5-12; IC 15-17-17

Sec. 1. (a) The board adopts as its rule and incorporates by reference the following federal regulations ~~in effect on~~ effective January 1, 2022 2024:

- (1) 9 CFR Part 362, with the following amendments and additions:**
 - (A) 9 CFR 362.4(a)(2), 9 CFR 362.4(b)(2), 9 CFR 362.4(c), 9 CFR 362.4(d), and 9 CFR 362.5 are not incorporated.**
 - (B) Fees for voluntary inspection service ~~shall be~~ are charged in accordance with as set forth in IC 15-17-5-12.**
 - (C) The state veterinarian may refuse to provide or withdraw voluntary inspection service for administrative reasons, including nonavailability of personnel and failure to pay for service.**
- (2) 9 CFR 381.1, except the definitions in IC 15-17 and 345 IAC 10-1-1, ~~shall control~~ controls over conflicting definitions in 9 CFR.**
- (3) 9 CFR 381.10, with the following amendments and additions:**
 - (A) 9 CFR 381.10(d)(2)(i) ~~shall be~~ is amended by deleting the word "unless" and the remaining part of the sentence that follows that word.**
 - (B) A person operating a facility engaged in exempt operations described in 9 CFR 381.10(a)(4) through 9 CFR 381.10(a)(7) and 9 CFR 381.10(b) through 9 CFR 381.10(c) shall comply with the registration and record keeping requirements in 9 CFR 381.175 through 9 CFR 381.182.**

- (4) 9 CFR 381.11 through 9 CFR 381.95, except the following: ~~are not incorporated:~~
- (A) 9 CFR 381.36.
 - (B) 9 CFR 381.37.
 - (C) 9 CFR 381.38.
 - (D) 9 CFR 381.39.
- (5) 9 CFR 381.115 through 9 CFR 381.182, **and the amendments to these references in 89 FR 19470 through 89 FR 19496 (effective May 17, 2024)**, except the following are not incorporated:
- (A) 9 CFR 381.132.
 - (B) 9 CFR 381.133.
- (6) 9 CFR 381.189 through 9 CFR 381.194.
- (7) 9 CFR 381.300 through 9 CFR 381.500.
- (8) 9 CFR 416 through 9 CFR 441.
- (9) 9 CFR 500, except the following:
- (A) References to Uniform Rules of Practice, 7 CFR Subtitle A, Part 1, Subpart H ~~shall~~ mean IC 15-17-17 and IC 4-21.5-3.
 - (B) References to adulterated or misbranded product ~~shall~~ refer to products adulterated or misbranded as defined in IC 15-17-2.
- (b) When interpreting this article, including all matters incorporated by reference, the following ~~shall~~ apply:
- (1) References to 9 CFR 381.3 through 9 CFR 381.7 refer to the corresponding section in 345 IAC 10-2.
 - (2) References to:
 - (A) 9 CFR 381.36 refer to 345 IAC 10-7-1;
 - (B) 9 CFR 381.37 refer to 345 IAC 10-7-2 and 345 IAC 10-7-3; and
 - (C) 9 CFR 381.38 and 9 CFR 381.39 refer to 345 IAC 10-7-3.
 - (3) References to:
 - (A) 9 CFR 381.96 refer to 345 IAC 10-13-1;
 - (B) 9 CFR 381.98 refer to 345 IAC 10-13-2;
 - (C) 9 CFR 381.99 refer to 345 IAC 10-13-3;
 - (D) 9 CFR 381.100 refer to 345 IAC 10-13-4;
 - (E) 9 CFR 381.101 refer to 345 IAC 10-13-5;
 - (F) 9 CFR 381.103 refer to 345 IAC 10-13-6;
 - (G) 9 CFR 381.110 refer to 345 IAC 10-13-7; and
 - (H) 9 CFR 381.111 refer to 345 IAC 10-13-8.
 - (4) References to 9 CFR 381.131 refer to 345 IAC 10-14-18 and 345 IAC 10-14-20.
 - (5) References to:
 - (A) 9 CFR 381.185 refer to 345 IAC 10-18-1; and
 - (B) 9 CFR 381.186 refer to 345 IAC 10-18-2.
 - (6) References to 9 CFR 381.210 through 9 CFR 381.218 refer to the corresponding section of 345 IAC 10-20.

(c) Where the provisions of this article conflict with matters incorporated by reference, the express provisions of this article shall control. (*Indiana State Board of Animal Health; 345 IAC 10-2.1-1; filed Dec 10, 1997, 11:30 a.m.: 21 IR 1319; errata filed Mar 9, 1998, 9:30 a.m.: 21 IR 2393; filed Sep 10, 1999, 9:14 a.m.: 23 IR 16; filed Oct 30, 2000, 2:06 p.m.: 24 IR 685; errata filed Apr 9, 2001, 12:52 p.m.: 24 IR 2470; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Dec 19, 2002, 12:43 p.m.: 26 IR 1541; filed Dec 16, 2004, 1:30 p.m.: 28 IR 1474; filed Jan 5, 2006, 8:00 a.m.: 29 IR 1554; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; filed Aug 11, 2008, 3:39 p.m.: 20080910-IR-345080126FRA; errata filed Oct 3, 2008, 3:30 p.m.: 20081022-IR-345080767ACA; filed Nov 24, 2010, 3:20 p.m.: 20101222-IR-345100122FRA; filed Sep 18, 2012, 2:21 p.m.: 20121017-IR-345120108FRA; filed Mar 25, 2014, 10:18 a.m.: 20140423-IR-345130230FRA; filed Dec 14, 2016, 11:58 a.m.: 20170111-IR-345160220FRA; filed Aug 24, 2018, 11:17 a.m.: 20180919-IR-345180123FRA; filed Jun 8, 2021, 11:01 a.m.: 20210707-IR-345200557FRA; filed Mar 3, 2023, 9:44 a.m.: 20230329-IR-345220259FRA*)

SECTION 7. 345 IAC 10-14-18 IS AMENDED TO READ AS FOLLOWS:

345 IAC 10-14-18 Approval required for manufacture of label bearing official mark

Authority: IC 15-17

Affected: IC 15-17-5

Sec. 18. (a) ~~Notwithstanding any provision of~~ **Except as otherwise provided in** this rule, labels for products to be shipped interstate by an establishment that is a selected establishment under 9 CFR Part 381, Subpart Z ~~shall~~ **must** comply with the requirements for participation in the interstate shipment program, such as label approval under 9 CFR Part 381, Subpart N. Except as provided in subsection (d), no label ~~shall~~ **may** be used on any product until it has been approved in its final form by the board. For the convenience of the establishment, sketches or proofs of new labels may be submitted in triplicate through the officer in charge to the division for approval and the preparation of finished labels deferred until ~~such an~~ approval is obtained. ~~All~~ Finished labels ~~shall~~ **must** be submitted in triplicate through the officer in charge to the division for approval.

(b) Labels for products containing U.S. origin claims must comply with the following requirements:

(1) The claims "Product of USA" and "Made in the USA" may be approved for use on labels after a finding by the division that the claim meets the standards for:

(A) single ingredient products set forth in 9 CFR 412.3(a); or

(B) multi-ingredient products set forth in 9 CFR 412.3(b)(1).

(2) Claims other than "Product of USA" and "Made in the USA" may be used to designate a qualified U.S. origin claim related to a component of a single or multi-ingredient product's preparation and processing after a finding by the division that the claim:

(A) meets the standards set forth in 9 CFR 412.3(c); and

(B) is not misbranded.

(3) Claims that designate the state or locality origin of single or multi-ingredient products may be used after a finding by the board that the claim and product both meet the standards set forth in 9 CFR 412.3(d).

(4) Display of the U.S. or state flag, may be used after a finding that the claim meets the standards set forth in 9 CFR 412.3(e).

(c) Establishments choosing to use labels that designate products with U.S. origin claims shall maintain records to support the claim. The division may request access to these records to verify compliance with:

(1) 9 CFR 412.2(f) for a claim of "Product of USA" or "Made in the USA"; or

(2) 9 CFR 412.2(g) for a qualified U.S. origin claim.

~~(b) (c)~~ ~~In case of~~ **For** lithographed labels, paper take-offs, ~~in lieu~~ **instead** of sections of the metal containers, ~~shall~~ **must** be submitted for approval. The paper take-offs ~~shall~~ **must** be in the form of a negative, but ~~shall be~~ a complete reproduction of the label as it will appear on the package, including any color scheme involved. ~~In case of~~ **For** fiber containers, printed layers, such as the kraft paper sheet, ~~shall~~ **must** be submitted for approval ~~in lieu~~ **instead** of the complete container.

~~(e) (d)~~ Inserts, tags, liners, pasters, and like devices containing printed or graphic matter and for use on, or to be placed ~~within in~~, containers and coverings of ~~product shall~~ **products must** be submitted for approval in the same manner as provided for labels in subsection (a), ~~except that~~ **but** officers in charge may permit use of ~~such~~ **using those** devices that **do not** contain ~~no~~ **reference** ~~references~~ to product and **nor** bear ~~no~~ misleading ~~feature~~ **features**.

~~(d) (e)~~ Stencils, labels, box dies, and brands may be used on shipping containers and ~~on such~~ immediate containers, **such** as tierces, barrels, drums, boxes, crates, and ~~large size~~ **large-sized** fiberboard containers, provided the markings are:

(1) applicable to the product;

(2) not false or deceptive; and

(3) used with the approval of the officer in charge.

The inspection legend for use in combination with ~~such~~ **these** markings ~~shall~~ **must** be approved by the board. (*Indiana State Board of Animal Health; Reg HMP 1R,CH B, Subpt N, Sec 1.132; filed Aug 13, 1973, 9:30 a.m.: Rules and Regs. 1974, p. 325; filed Dec 10, 1997, 11:30 a.m.: 21 IR 1323; errata filed Mar 9, 1998, 9:30 a.m.: 21 IR 2393; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; filed Sep 18, 2012, 2:21 p.m.: 20121017-IR-345120108FRA; readopted filed Jul 16, 2018, 9:00 a.m.: 20180815-IR-345180196RFA; readopted filed Jul 17, 2024, 3:19 p.m.: 20240814-IR-345230759RFA*) NOTE: Transferred from the Indiana State Department of Health (410 IAC 10-14-18) to the Indiana State Board of Animal Health (345 IAC 10-14-18) by P.L.137-1996, SECTION 76, effective July 1, 1996.

TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH**Regulatory Analysis**

LSA Document #25-165

I. Description of Rule

a. History and Background of the Rule – The Board of Animal Health (BOAH) proposes to amend its rules governing meat and poultry products inspection (345 IAC Article 9; 345 IAC Article 10). The primary purpose of the changes is to conform BOAH's rules to the United States Department of Agriculture - Food Safety Inspection Service (USDA-FSIS) regulatory requirements under the Federal Meat Inspection Act and Poultry Products Inspection Act (9 CFR Parts 300 – 500).

State law requires the BOAH to enforce requirements with respect to intrastate operations that are at least equal to those imposed and enforced under the federal Meat Inspection Act (21 U.S.C. 601 et seq.) and the federal Poultry Products Inspection Act (21 U.S.C. 451 et seq.). See [IC 15-17-5-1](#)(4). In order to comply with this statutory mandate, BOAH must periodically update the meat and poultry rules to ensure they are at least equal to 9 CFR Subchapter E, which contains the requirements for federally inspected facilities. This is largely accomplished by updating the incorporation by reference of the pertinent federal regulations every two years, which is what is being proposed in this request. BOAH is proposing to update the incorporation by reference at [345 IAC 9-2.1-1](#) and [345 IAC 10-2.1-1](#) from January 1, 2022 to January 1, 2024. The rule also updates the incorporation by reference of the federal regulations for the voluntary inspection of rabbits. This rule was last updated in 2022 (LSA #22-259).

b. Scope of the Rule – In addition to updating the date of incorporation by reference for the federal MPI regulations to January 1, 2024, the proposed rule will incorporate subsequent amendments to the regulations for voluntary labeling of meat products with US origin claims at 89 FR 19470, 19494 (March 18, 2024). It also amends [345 IAC 9-17-4](#) and [345 IAC 10-14-18](#), which are the sections of the MPI that govern label approval to incorporate these new federal requirements for US origin claims. The rule adds new sections to the meat and poultry rules that clarify the requirements for establishments to manufacture pet food in areas where edible products are produced. It also describes requirements for this product to enter commerce from a meat processing establishment.

c. Statement of Need – In addition to the state statutory mandate discussed above, this proposed rule is necessary to implement a federal mandate. State law authorizes the BOAH to cooperate with USDA-FSIS to effectuate the purpose of the Meat and Poultry Inspection Law, to accept federal assistance for that purpose, and spend public funds appropriate for the administration of the law to pay not more than fifty percent (50%) of the total cost of the cooperative program ([IC 15-17-5-5](#)(11)). Pursuant to this authority, the BOAH has entered into a state-federal cooperative agreement with USDA-FSIS to receive 50% of the annual operating costs of the Meat and Poultry Inspection (MPI) program. BOAH's program is subject to regular audits by USDA-FSIS to ensure that the state standards are at least equal to federal requirements.

If BOAH does not update the incorporation by reference, it would jeopardize the funding the agency receives under the state-federal agreement. This would have a negative impact on the regulated community because Indiana relies on the federal funding to support an adequate number of inspectors for the state's official and custom exempt plants. If BOAH cannot fund an adequate number of inspectors, the official plants will not be able to operate at full capacity because an inspector must be on site continually during the slaughtering process and inspect the processing area once per day. BOAH personnel inspected 18.7 million pounds of meat in calendar year 2024.

d. Statutory Authority for the Proposed Rule – The state Meat and Poultry Inspection (MPI) Act authorizes the BOAH to require by rules the following:

- Antemortem inspection and postmortem inspection of livestock and poultry slaughtered for distribution as human food.
- Inspection of meat and poultry products processed or prepared for distribution at all establishments in Indiana.
- The marking and labeling of meat and poultry products to prevent a product from being misbranded, and that such labeling and containers to be used for the products when sold or transported in commerce.
- Adopt rules concerning sanitation for all establishments, including custom slaughterers or processors, engaged in the slaughtering of livestock or poultry or preparing meat food products or poultry products capable of use as human food.
- Require by rules that persons engaged in the business of slaughtering, processing, transporting, or storing of MPI regulated products keep records that fully and correctly disclose all transactions involving these products and access to the places of business, an opportunity at all reasonable times to examine the facilities, inventory, and records.
- Adopt provisions of federal regulations with changes the board considers appropriate to make the regulations applicable to operations and transactions subject to the MPI Act.
- Adopt other rules the board considers necessary for the efficient execution of the MPI Act.

[IC 15-17-5-4](#); [IC 15-17-5-5](#).

e. Fees, Fines, and Civil Penalties – The proposed does not add or increases any fees, fines, or civil penalties that would need to satisfy the additional requirements in [IC 4-22-2-19.6](#).

II. Fiscal Impact Analysis

a. Anticipated Effective Date of the Rule – The agency will hold the public hearing at the July 15, 2025 board meeting. If the board approves the rule at this meeting, the estimated effective date of the rule would be October 1, 2025.

b. Estimated Fiscal Impact on State and Local Government – BOAH currently inspects 83 official slaughter and processing facilities and 55 custom exemption facilities. An inspector must be on site at an official plant continually during the slaughtering process and inspect the processing area once per day. A custom exempt plant undergoes a routine inspection twice per year. There have been no changes in the federal regulations being incorporated that

expand the scope of these inspections. Therefore, the proposed rule does not have a fiscal impact to the state beyond the current costs of administering the state Meat and Poultry Inspection (MPI) program.

c. Sources of Expenditures or Revenues Affected by the Rule – The MPI program is a separate line item in the BOAH budget. As discussed, there are federal matching funds from the USDA-FSIS which fund up to 60 percent of program expenses depending on the type of MPI inspection service being performed. Any civil penalties collected go to the state general fund. There are no changes in the proposed rule that impact current MPI expenditures and revenues.

III. Impacted Parties – BOAH currently provides inspection service to 83 official meat and poultry slaughter and processing plants. In addition, BOAH oversees the operation of 55 custom exempt establishments, which are facilities that are in the business of slaughtering animals for the producer's use in their household. BOAH has worked to involve these regulated entities in the development of the rule. For example, prior to the first reading of a rule, BOAH sends out emails to interested stakeholders so they are aware of upcoming rulemaking matters before the board. The BOAH posts the board agenda in a prominent location on the website so the rule information can be found on this page in addition to the rulemaking docket. The BOAH also sends out an issues newsletter to stakeholders on a quarterly basis. The affected industry includes small businesses under the definition at [IC 4-22-2.1-4](#).

IV. Changes in Proposed Rule

Below are the changes to incorporated federal regulations which impact BOAH-MPI establishments and have occurred since the last date of incorporation (January 1, 2022):

Rescission of Dual Labeling Requirements for Certain Packages of Meat and Poultry (87 FR 50553, August 17, 2022) – This final rule removes provisions that require packages of meat or poultry products that contain at least 1 pound, but less than 4 pounds, to express the net weight or net contents in two different units of measurement on the product label.

Condemnation of Poultry Carcasses Affected with any form of Avian Leukosis Complex (88 FR 55909, August 17, 2023) – This final rule rescinds a regulation that requires condemnation of all poultry carcasses affected with any of the forms of avian leukosis. Any organ or other carcass part affected with tumors may be trimmed and the carcass may be inspected and passed. Because of the low incidence rate of this disease, this change is not expected to present significant costs savings to MPI plants.

Voluntary Labeling of FSIS-Regulated Products with U.S.-origin Claims (89 FR 19470, March 18, 2024) – This rule will replace the current USDA-FSIS "Product of USA" policy which was found to be misleading to consumers. For example, the policy allowed plants to affix a "Product of USA" or similar claim if cattle were born, raised, slaughtered and processed in another country if the meat was merely further processed in the United States. The final rule creates the following categories and associated requirements:

- The claims "Product of USA" and "Made in the USA" may be used if the products are derived from animals born, raised, slaughtered, and processed in the United States;

- Claims other than "Product of USA" or "Made in the USA" may be used to designate the US-origin *component* if the claim includes a description of the preparation and processing steps that occurred in the US upon which the claim is being made.
- State or locality-origin claims may also be used, but they must meet the above criteria with regard to the US state or locality origin.

Plants must maintain records to support the US-origin claims and the regulation provides further details on the types of records that meet this requirement.

The first two rules are rescinding requirements in the federal regulations. The third requirement adds new requirements on plants that voluntarily wish to use US-origin claims, but these new requirements are being imposed by federal law.

V. Benefit Analysis

a. Estimate of Primary and Direct Benefits of the Rule – The rescission of dual labeling requirement will provide flexibility for plants to decide which unit of measurement they wish to use for net weight on their labels. This was determined by FSIS to increase compliance options for small meat processors without negatively impacting consumer protection given the various options available for the conversion of weight measurements with minimal inconvenience or cost to consumers. In addition, companies that already have labels with the two measurements are not required to update their labels to a single net weight or content statement.

The rescission of the requirement to condemn all poultry carcasses affected with any of the forms of avian leukosis could potentially benefit the one BOAH-MPI plant which is engaged in poultry slaughter. The cost savings would depend on how many carcasses parts affected with tumors could be trimmed, inspected and passed versus the entire carcass being condemned. However, because of the low incidence rate of this disease, the direct benefit is considered negligible.

b. Estimate of Secondary or Indirect Benefits of the Rule – In addition to the above-described benefits to the plants, the alignment of the Indiana MPI rules with federal law provides a secondary benefit to the state's livestock and poultry farmers. The increasing demand for locally produced meat products has resulted in continually increasing requests for MPI inspection service. Specifically, in 2023 there were 19 new facilities opened, 11 new owners of existing facilities, and 2 facilities that were re-opened. The proposed rule ensures that federal funds continue to be available so inspectors can be present at the plants to assist them in accommodating the farmers' slaughter and processing needs. The ability of the plants to keep pace with increasing demand is critical because animals must be slaughtered and processed under inspection in order for the meat to be sold to end consumers, retailers, and restaurants (with limited exceptions). It also benefits consumer protection by ensuring that plants are required to comply with the most recent federal food safety regulations.

It is also important to emphasize the consumer benefit that the US-origin rulemaking provides. According to the USDA-FSIS study, 84 percent of consumers surveyed believed that the "Product of USA" or similar claim meant that product was derived from an animal that was born, raised, slaughtered and processed in the United States. The

proposed rule will align the claim with consumers' understanding of that claim in the marketplace. It will also potentially provide Indiana livestock farmers and processing with product premium opportunities in response to clearer standards governing what a "Product of USA", "Made in Indiana", or similar claim means in the marketplace.

c. Estimate of Any Cost Savings to Regulated Industries – The cost savings to the plants from the rescission of certain dual labeling and avian leukosis standards result from a change in existing federal regulations. The change in the requirements for US-Origin claims on products is the most significant change in the proposed rule and does provide cost savings for regulated entities.

The addition of the sections that authorize the manufacture of pet food in areas where edible products are produced will present both cost savings and additional source of revenue for establishments. There are approximately 3-5 official establishments that are currently using BOAH inspected products to make pet food. This change will provide flexibility in operating hours for these establishments, and lower state program operating costs, because product going for use in pet food will no longer need to be inspected. In addition, this change will allow approximately 8-10 custom exempt establishments that have expressed interest in making pet food or sourced meat products to pursue this business opportunity.

VI. Cost Analysis

Although requirements that are imposed by another source of law should be excluded from the cost-benefit analysis, and the US-origin labeling requirements are being imposed by federal law, the BOAH has provided an estimated compliance cost for regulated entities as follows:

a. Estimate of Compliance Costs for Regulated Entities – State agencies are to exclude parties already in compliance from the cost-benefit analysis. BOAH is not aware of any plants that are already using U.S.-origin claims that would be required to make changes to comply with the new standards.

b. Estimate of Administrative Expenses Imposed by the Rules – Two of the changes in the federal regulations being incorporated are rescinding requirements. The third change imposes new requirements on plants that voluntarily wish to use US-origin claims. Specifically, federal law will require these plants to maintain certain records to support the US-origin claims. Because the use of these claims is voluntary and it is also federally mandated, the rule is not imposing administrative expense beyond what is required under federal law.

c. The fees, fines, and civil penalties analysis required by [IC 4-22-2-19.6](#) – The proposed rule does not add or increases a fee, fine, or civil penalty.

d. If the implementation costs of the proposed rule are expected to exceed the threshold set in [IC 4-22-2-22.7\(c\)\(6\)](#) – The agency has determined that the combined implementation and compliance costs of the proposed rule is less than one million dollars (\$1,000,000) for businesses, units, and individuals over any two (2) year period.

VII. Sources of Information

BOAH used the cost benefit analysis conducted by the USDA-FSIS to compare the compliance costs for plants choosing to use a US-origin claim, which consisted of the following:

- Costs associated with a one-time relabeling products that will no longer meet the requirements for using their US-origin claim, which nationally was calculated at \$1.3 million (estimated cost of \$2,945 per label).
- Annual recordkeeping costs for plants to maintain records for their US-origin claim, which was calculated as a cumulative \$1.1M. (annual cost per business of approximately \$688).
- To assess the marketability of potential label changes, the USDA estimated a cumulative market testing cost of approximately \$0.8 million (estimated \$8,035 for a cost per business of a focus group test).

As mentioned above, BOAH is not aware of any plants in Indiana that are currently using US-origin claims that would be required to make changes to their labels. The annual recordkeeping costs that were calculated by the USDA-FSIS were not included in the state cost-benefit analysis because they are federally mandated and the US-origin label is not required for MPI regulated products. The USDA calculated a total industry cost of \$3.2M. The expected benefit of the rule was not quantified, but the analysis does conclude that the Marginal Willingness to Pay (MWTP) indicates that "Product of USA" claims are noticeable and important to consumers.

VIII. Regulatory Analysis

The BOAH has determined that the benefits of the proposed rule, which include the continuance of federal matching funds and the improved consumer understanding of state or locality-based label claims, exceed the compliance costs for those plants that choose to use these claims on their products.

IX. Contact Information of Staff to Answer Substantive Questions

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General Counsel
sasimpso@boah.in.gov
317-460-0960

Notice of First Public Comment Period with Proposed Rule: [20250423-IR-345250165FNA](#)

Notice of Determination Received: March 25, 2025

Posted: 04/23/2025 by Legislative Services Agency



Indiana Meat Packers & Processors Association, Inc.

July 15, 2025

Indiana State Board of Animal Health (BOAH)
1202 East 38th Street
Discovery Hall
Suite 100
Indianapolis, IN 46205

RE: LSA Document #25-165

The Indiana Meat Packers & Processors Association (IMPPA) represents regional meat and poultry establishments located in Indiana. Our members include Retail Exempt, Custom Exempt, State Inspection, Cooperative Inter-State Shipment (CIS) Inspection & Federal Inspection establishments.

IMPPA supports Final Rule LSA Document #25-165 that updates 345 IAC 9-2.1-1 and 345 IAC 10-2.1-1 by incorporation by reference of the pertinent federal regulations codified from January 1, 2022, through January 1, 2024. Additionally, LSA Document #25-165 incorporates amendments to the regulations for:

- Rescission of Dual Labeling Requirements for Certain Packages of Meat and Poultry (elimination of dual net weight or net content requirements on packages that contain 1 to 4 pounds).
- Condemnation of Poultry Affected with any form of Avian Leukosis Complex (rescinds condemnation of all poultry carcasses with any form of avian leukosis).
- Voluntary Labeling of FSIS-Regulated Products with U.S.-origin Claims (requirements for the voluntary labeling of a product with "Product of USA" and "Made in the USA").
- Addition of Section 4 of 345 IAC 9-2-4 (meat products) and Section 8 of 345 IAC 10-2-8 (poultry products) Manufacture and handling of uninspected, inedible product. (revises regulations on the handling and preparation of pet food).

The final rule maintains BOAH's eligibility to maintain the Cooperative Interstate Shipment Program with United States Department of Agriculture, Food Safety Inspection Service. The Cooperative Interstate Shipment Program provide the opportunity BOAH inspected establishment to ship their products throughout the United States. Twenty-seven (27) Indiana qualified establishments participate in the valuable program.

The proposed rule also maintains federal funding for BOAH's Meat and Poultry Inspection (MPI) service. If BOAH cannot fund an adequate number of inspectors, the official plants will not be able to operate at full capacity because an inspector must be on site continually during the slaughtering process and inspect the processing area once per day. This would significantly affect Indiana's 87 Official, 3 Limited Permit Retail HRI, and 52 Custom Exempt establishments.

The increasing demand for locally produced meat products has resulted in continually increasing requests for MPI inspection service. The final rule ensures that federal funds continue to be available so inspectors can be present at the plants to assist them in accommodating the farmers' slaughter and processing needs. The ability of Indiana's establishments to keep pace with increasing demand is critical because animals must be

slaughtered and processed under inspection in order for the meat to be sold to end consumers, retailers, and restaurants (with limited exceptions). It also benefits consumer protection by ensuring that plants are being required to comply with the most recent federal food safety regulations.

IMPPA encourages the adoption of LSA Document #25-165.

Cordially,

A handwritten signature in black ink that reads "Jennifer Hardin". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Jennifer Hardin

Executive Secretary, Indiana Meat Packers & Processors Assoc., Inc.

A handwritten signature in blue ink that reads "Robert Culler". The signature is cursive and written in a darker shade of blue.

Robert Culler

Technical Advisor, Indiana Meat Packers & Processors Assoc., Inc.

TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH**Final Rule**
LSA Document #25-279**ANIMAL PROGRAM RULE****DIGEST**

Amends 345 IAC 1-1.5-2 to align the requirements for a certificate of veterinary inspection with the federal regulations at 9 CFR 86.1. Amends 345 IAC 1-2.6-3 to require that official eartags for cattle and bison to be readable both visually and electronically. Amends 345 IAC 1-2.6-10 to require that a person who distributes official identification devices to enter the records into an approved database. Amends 345 IAC 1-2.6-10 to require that records of official identification applied to animals by accredited veterinarians, licensed livestock markets, or licensed livestock dealers be kept in a readily accessible record system and sets forth standards for the board to access the records. Amends 345 IAC 1-3-1.5 to align certain definitions with the recent changes to the federal regulations at 9 CFR 86.1. Amends 345 IAC 1-3-7.5 to align the requirements for cattle and bison entering Indiana with recent changes to the federal regulations at 9 CFR 86.4 and 9 CFR 86.5. Amends 345 IAC 1-3-7.6 to add requirements for cattle to move intrastate from a slaughter establishment in a manner that is consistent with 9 CFR 86.4. Amends 345 IAC 1-3-10 to clarify how cattle and bison may be moved from a slaughter establishment in a manner that remains within slaughter channels. Amends 345 IAC 1-6-3 to require a laboratory to report a positive diagnosis of highly pathogenic avian influenza for all species. Amends 345 IAC 2-7-4 to allow an 840 microchip as official ID for reindeer in the United States Department of Agriculture (USDA) chronic wasting diseases herd certification program. Amends 345 IAC 2-8-1 to align the individuals authorized to collect samples for John's disease in cattle with the applicable USDA standards. Repeals 345 IAC 2.5-5-3 to remove the tuberculosis testing requirement for intrastate movement of cervids. Amends 345 IAC 4-4-1 to update the incorporation by reference of the USDA National Poultry Improvement Plan (NPIP) regulations. Amends 345 IAC 5-4-2 to clarify that the identification requirement for wethers moving to an exhibition also applies to animals moving into the state. Amends 345 IAC 13-1 to align with new requirements set forth in House Enrolled Act 1412 (2024). Effective 30 days after filing with the Publisher.

HISTORY

Notice of First Public Comment Period published June 4, 2025: [20250604-IR-345250279FNA](#)

Regulatory Analysis published June 4, 2025: [20250604-IR-345250279RAA](#)

Notice of Public Hearing published June 4, 2025: [20250604-IR-345250279PHA](#)

Date of Hearing: July 22, 2025

CITATIONS AFFECTED: 345 IAC 1-1.5-2; 345 IAC 1-2.6-3; 345 IAC 1-2.6-10; 345 IAC 1-3-1.5; 345 IAC 1-3-7.5; 345 IAC 1-3-7.6; 345 IAC 1-3-10; 345 IAC 1-6-3; 345 IAC 2-7-4; 345 IAC 2-8-1; 345 IAC 2.5-5-3; 345 IAC 4-4-1; 345 IAC 5-4-2; 345 IAC 13-1-2; 345 IAC 13-1-3; 345 IAC 13-1-4

SUMMARY/RESPONSE TO COMMENTS

The Indiana Board of Animal Health requested public comment from June 4, 2025, to July 4, 2025. The board received no comments in response to the Notice of First Comment Period.

FINAL RULE

SECTION 1. 345 IAC 1-1.5-2 IS AMENDED TO READ AS FOLLOWS:

345 IAC 1-1.5-2 Certificates of veterinary inspection

Authority: IC 15-17-3-21

Affected: IC 15-17-10-13

Sec. 2. (a) The following qualify as official certificates of veterinary inspection for purposes of IC 15-17 and this title:

(1) A printed or **an** electronic form that meets the following requirements:

(A) The form meets the requirements of IC 15-17 and this rule.

(B) The form is approved by the state veterinarian. When approving printed and electronic forms, the state veterinarian may deny a request for approval of a form that does not:

(i) contain required information; or

(ii) meet security or compatibility standards for state electronic information management systems.

The state veterinarian shall publish a list of approved forms.

- (C) The form is issued and signed by a veterinarian who holds the following qualifications:
 - (i) The veterinarian is accredited by the United States Department of Agriculture (**USDA**) under 9 CFR, Subchapter J.
 - (ii) The veterinarian is licensed to practice veterinary medicine in the state.
- (2) A printed or ~~an~~ electronic form ~~that is~~ approved by the principal animal health official of another state if the following requirements are met:
 - (A) The state veterinarian determines that the form meets the requirements for a CVI in IC 15-17 and this title.
 - (B) The form is issued and signed by a veterinarian who holds the following qualifications:
 - (i) The veterinarian is accredited by the ~~United States Department of Agriculture~~ **USDA** under 9 CFR, Subchapter J.
 - (ii) The veterinarian is licensed to practice veterinary medicine in the state of origin.
- (3) A printed or ~~an~~ electronic form ~~that is~~ approved by the ~~United States Department of Agriculture~~ **USDA** if the following requirements are met:
 - (A) The state veterinarian determines that the form meets the requirements for a CVI in IC 15-17 and this title.
 - (B) The form is issued and signed by a veterinarian who holds the following qualifications:
 - (i) The veterinarian is accredited by the ~~United States Department of Agriculture~~ **USDA** under 9 CFR, Subchapter J.
 - (ii) The veterinarian is licensed to practice veterinary medicine in the state of origin.
- (4) A printed or ~~an~~ electronic form ~~that is~~ approved by the principal animal health official of another country if the following requirements are met:
 - (A) The state veterinarian determines that the form meets the requirements for a CVI in IC 15-17 and this title.
 - (B) The form is recognized by the ~~United States Department of Agriculture~~ **USDA**.
 - (C) The form is issued and signed by a veterinarian ~~that is~~ recognized by **the** **USDA** as authorized to prepare official animal health documents for moving animals into the United States.

(b) A CVI that meets the requirements of this rule must be used whenever a CVI is required by IC 15-17 or this title. However, if a statute or rule requires a specific form for a CVI, the more specific requirement ~~shall control~~ **controls** over the general requirements in this rule.

(c) Official certificates of veterinary inspection must include the following information:

- (1) The species of animals covered by the CVI.
- (2) The number of animals covered by the CVI.
- (3) The purpose for which the animals are to be moved.
- (4) The address at which the animals were loaded for movement.
- (5) The address to which the animals are destined.
- (6) The names of the consignor and ~~the~~ consignee and their addresses, if different from the address at which the animals were loaded or ~~the address~~ to which the animals are destined.

(d) Unless a rule adopted by the board provides an exception, the CVI must list the official identification number of each animal or group of animals moved that is required to be officially identified. Listing of identification numbers may be accomplished ~~according to~~ **under** the requirements in subsection (f). If animals moving under a GIN also have individual official identification, only the GIN must be listed on the CVI. If an animal is identified with an official identification number that adheres to the AIN system, the AIN number is the only form of identification that must be recorded.

(e) A CVI may not be issued for an animal that is not officially identified if official identification is required. If ~~the animals are an animal~~ **an animal is** not required to be officially identified under a rule adopted by the board, the CVI must state the exemption that applies. If ~~the animals are an animal~~ **an animal is** required to be officially identified, but the identification number does not have to be recorded on the CVI, the CVI must state that all animals to be moved under the CVI are officially identified.

(f) As an alternative to typing or writing individual animal identification on a CVI, another document may be used to provide this information under the following conditions:

- (1) The document must be either a:
 - (A) state or ~~United States Department of Agriculture~~ **USDA** form that requires individual identification of animals; or
 - (B) printout of official identification numbers generated by a computer or other means approved by the state veterinarian.

(2) A legible copy of the document must be ~~stapled~~ **attached** to the original and each copy of the CVI.

(3) Each copy of the document must:

(A) identify each animal to be moved with the CVI; ~~but any and~~

(B) **not contain any** information pertaining to other animals. ~~and any unused space for recording animal identification, must be crossed out in ink.~~

(4) The following information must be ~~written in ink~~ **included** in the identification column on the original CVI and each copy of the CVI: ~~and must be circled or boxed, also in ink, so that no additional information can be added:~~

(A) The name of the ~~attached~~ document.

(B) Either the unique serial number on the document or, if the document is not imprinted with a serial number, both the ~~names~~ **name** of the person who prepared the document and the date the document was signed.

(g) A veterinarian completing a CVI for animals located in Indiana ~~must~~ **shall** file a copy of the CVI with the board not more than seven (7) calendar days after the document is completed. However, if a statute or rule requires a different time frame for ~~submission of~~ **submitting** documents, the more specific requirement ~~shall control~~ **controls** over the general requirements in this rule.

(h) An accredited veterinarian issuing a CVI or other interstate movement document in accordance with this section ~~must~~ **shall** keep a copy of the CVI or alternate documentation. ~~Such~~ **These** documents must be kept for at least three (3) years, but the retention period for documents relating to:

(1) cattle;

(2) bison;

(3) sheep;

(4) goats;

(5) cervids; and

(6) equines;

is five (5) years. (*Indiana State Board of Animal Health; 345 IAC 1-1.5-2; filed Sep 29, 2006, 8:56 a.m.: 20061025-IR-345050315FRA; errata filed Oct 3, 2008, 3:30 p.m.: 20081022-IR-345080767ACA; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA; readopted filed Oct 16, 2014, 9:43 a.m.: 20141112-IR-345140300RFA; readopted filed Jul 14, 2020, 1:42 p.m.: 20200812-IR-345200230RFA; filed Nov 15, 2021, 10:07 a.m.: 20211215-IR-345210268FRA*)

SECTION 2. 345 IAC 1-2.6-3 IS AMENDED TO READ AS FOLLOWS:

345 IAC 1-2.6-3 Cattle and bison official identification

Authority: IC 15-17-3-21

Affected: IC 15-17-18-2

Sec. 3. ~~When~~ **Whenever** cattle must be officially identified under IC 15-17 and this title, they must be identified using one (1) of the following methods of identification:

(1) An official eartag **that is readable:**

(A) **visually; and**

(B) **electronically by a system approved by the USDA.**

(2) A ~~group/lot identification number~~ GIN when it is authorized to be used.

(3) A ~~United States Department of Agriculture~~ **USDA** backtag when it is authorized to be used for animals moving to slaughter.

(4) Any other official identification number, device, or method ~~that is~~ approved by the state veterinarian to facilitate disease control.

(*Indiana State Board of Animal Health; 345 IAC 1-2.6-3; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA; readopted filed Oct 16, 2014, 9:43 a.m.: 20141112-IR-345140300RFA; readopted filed Jul 14, 2020, 1:42 p.m.: 20200812-IR-345200230RFA*)

SECTION 3. 345 IAC 1-2.6-10 IS AMENDED TO READ AS FOLLOWS:

345 IAC 1-2.6-10 Distribution and use of official eartags

Authority: IC 15-17-3-19; IC 15-17-3-21

Affected: IC 15-17-15-11

Sec. 10. (a) A person ~~who~~ **that** distributes official animal identification devices ~~must~~ **shall**:

- (1) maintain for five (5) years a record of the names and addresses of anyone to whom the devices were distributed; **and**
- (2) **enter the records into a database approved by the USDA.**

(b) Records of official identification applied to a client's animal by a:

- (1) **federally accredited veterinarian;**
- (2) **licensed livestock market facility; or**
- (3) **licensed individual livestock dealer;**

must be kept in a readily accessible record system.

(c) An individual subject to the records requirements of this section shall:

- (1) **maintain records of sufficient accuracy and completeness to demonstrate compliance with 9 CFR 86 and this article; and**
- (2) **provide the board with access to all records, including visual inspection and reproduction, within forty-eight (48) hours after receiving a request or earlier, in response to an emergency disease event.**

~~(b)~~ **(d)** Not more than one (1) official eartag may be applied to an animal, except as follows:

- (1) Another official eartag may be applied ~~providing~~ **if** it bears the same official identification number as an existing one.
- (2) In specific cases when the need to maintain the identity of an animal is intensified, the state veterinarian may approve the application of an additional eartag to an animal that already has **at least** one (1) ~~or more~~ **eartag**. The person applying the additional official eartag ~~must~~ **shall** record the following about the event and maintain the record for five (5) years:

- (A) The date the additional official eartag is added.
- (B) The reason for the additional official eartag device.
- (C) The official identification numbers of both the new official eartag and the one or ones already attached to the animal.

- (3) An eartag with an ~~animal identification number~~ AIN beginning with the 840 prefix (either radio frequency identification or visual-only tag) may be applied to an animal that is already officially identified with **at least** one (1) ~~or more~~ **NUES tags tag** or an official brucellosis vaccination eartag. The person applying the AIN eartag ~~must~~ **shall**:

- (A) record the date the AIN tag is added and the official identification numbers of both official eartags; and
- (B) maintain those records for five (5) years.

- (4) A brucellosis vaccination eartag with a NUES number may be applied ~~in accordance with~~ **under** 345 IAC 2-6 to an animal that is already officially identified with **at least** one (1) ~~or more~~ **official eartags eartag**. The person applying the vaccination eartag ~~must~~ **shall**:

- (A) record the date the tag is added and ~~both~~ **the** official identification numbers of both the existing official eartag or eartags and the vaccination eartag; and
- (B) maintain those records for five (5) years.

~~(e)~~ **(e)** Official identification devices may not be removed. However, devices may be removed:

- (1) at the time of slaughter;
- (2) at any other location upon the death of the animal; or
- (3) as otherwise approved by the state veterinarian or a federal official.

~~(d)~~ ~~At~~ **(f)** Manmade identification devices affixed to livestock unloaded at slaughter plants must be removed at the slaughter facility by slaughter facility personnel, with the devices correlated with the animal and its carcass through final inspection or condemnation by means approved by the board. If diagnostic samples are taken, the identification devices must be packaged with the samples and ~~be~~ correlated with the carcasses through final inspection or condemnation by means approved by the board. Devices collected at slaughter must be made available to the state veterinarian or a federal official.

~~(e)~~ ~~At~~ **(g)** Official identification devices affixed to livestock moved into the state or within the state to a site for rendering must be removed at the rendering facility and made available to the state veterinarian or a federal official.

~~(f)~~ **(h)** If an animal loses an official identification device and needs a new one, a replacement tag may be applied as follows:

- (1) A replacement tag with a different official identification number may be applied. The person applying the new official identification device with a different official identification number ~~must~~ **shall** record the following information about the

event and maintain the record for five (5) years:

- (A) The date the new official identification device was added.
- (B) The official identification number on the device.
- (C) The official identification number on the old device, if known.

(2) A duplicate replacement eartag with the official number of the lost tag may be applied ~~in accordance with~~ **under** the ~~United States Department of Agriculture's USDA's~~ protocol for ~~the administration of such~~ **administering those** tags.

~~(g)~~ **(i)** The state veterinarian may authorize ~~replacement of~~ **replacing** an official identification device ~~upon~~ **on** any of the following conditions:

- (1) Deterioration of the device ~~such so~~ that loss of the device appears likely or the number can no longer be read.
- (2) Infection at the site where the device is attached, necessitating application of a device at another location.
- (3) Malfunction of the electronic component of a radio frequency identification (RFID) device.
- (4) Incompatibility or inoperability of the electronic component of an RFID device with the management system, or unacceptable functionality of the management system due to ~~use of~~ **using** an RFID device.
- (5) A determination by the state veterinarian that replacement will facilitate disease control in commerce.
- (6) When an official identification device is replaced, as authorized under this subsection, the person replacing the device ~~must~~ **shall** record the following information about the event and maintain the record for five (5) years:

- (A) The date on which the device was removed.
- (B) Contact information for the location where the device was removed.
- (C) The official identification number on the device removed, if known.
- (D) The type of device removed.
- (E) The reason for the removal of the device.
- (F) The new official identification number on the replacement device.
- (G) The type of replacement device applied.

~~(h)~~ **(j)** Official identification devices may not be sold or otherwise transferred from the premises to which they were originally issued without the authorization of the state veterinarian or the ~~United States Department of Agriculture~~ **USDA**. *(Indiana State Board of Animal Health; 345 IAC 1-2.6-10; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA; readopted filed Oct 16, 2014, 9:43 a.m.: 20141112-IR-345140300RFA; readopted filed Jul 14, 2020, 1:42 p.m.: 20200812-IR-345200230RFA)*

SECTION 4. 345 IAC 1-3-1.5 IS AMENDED TO READ AS FOLLOWS:

345 IAC 1-3-1.5 Definitions

Authority: IC 15-17-3-21

Affected: IC 15-11-7-1; IC 15-17-2-26; IC 15-17-4

Sec. 1.5. The definitions in IC 15-17-2 and the following definitions apply throughout this rule:

- (1) "Animal identification number" or "AIN" means a numbering system for the official identification of individual animals in the United States that provides a nationally unique identification number for each animal. The AIN consists of fifteen (15) digits, with the first three (3) being the country code (840 for the United States or a unique country code for a U.S. territory that has such a code and elects to use it in place of the 840 code). The AIN beginning with the 840 prefix may not be applied to animals known to have been born outside the United States.
- (2) "Approved livestock facility" means a stockyard, livestock market, buying station, concentration point, or any other premises licensed or approved by the board.
- (3) "Approved official health certificate" or "approved certificate of veterinary inspection" means an official certificate of veterinary inspection endorsed or approved by the chief livestock health official of the state of origin.
- (4) "Approved slaughtering establishment" means ~~any~~ a slaughtering facility where domestic animals are slaughtered and processed for human consumption under any of the following:
 - (A) The federal Meat Inspection Act (21 U.S.C. 601 et seq.).
 - (B) The federal Poultry Products Inspection Act (21 U.S.C. 451 et seq.).
 - (C) The Indiana Meat and Poultry Inspection Act (IC 15-17-5).
- (5) "Approved tagging site" means a premises authorized by the United States Department of Agriculture (**USDA**) or the state veterinarian where livestock **without official identification** may be ~~officially identified~~ **transferred to have official identification applied** on behalf of their owner or the person in possession, care, or control of the animals when they are brought to the premises.
- (6) "Approved vaccine" means a vaccine that is:

- (A) approved by the board for use in Indiana; and
 - (B) manufactured under license granted by the Veterinary Biologics Division, ~~United States Department of Agriculture~~ **USDA**.
- (7) "Aquaculture" has the meaning set forth at IC 15-11-7-1.
- (8) "Baby calves" means calves of all breeds that are:
- (A) without dams; and
 - (B) under two hundred (200) pounds in weight.
- (9) "Board" means the Indiana state board of animal health ~~created under IC 15-17~~ **established by IC 15-17-3-1**.
- (10) "Breeding swine" means a sexually intact swine that is at least six (6) months of age and ~~is not moving in slaughter channels.~~
- (11) "Catch and release fishing activities" means fishing for pleasure or recreational purposes, including tournaments, organized fishing competitions, fishing derbies, or other types of contests where individuals catch, sort, and release live fish into the same waterbody where **the fish were** caught, except any fish used or intended to be used as live bait.
- (12) "Certificate of veterinary inspection", "CVI", "official health certificate", or "health certificate" means a printed or **an** electronic form that meets the requirements for a certificate of veterinary inspection ~~in~~ **under** 345 IAC 1-1.5.
- (13) "Cervid" or "cervidae" means all members of the cervidae family, such as the following:
- (A) Deer.
 - (B) Elk.
 - (C) Moose.
 - (D) Caribou.
 - (E) Reindeer.
 - (F) Related species and hybrids thereof.
- (14) "Chronic wasting disease" or "CWD" means a transmissible spongiform encephalopathy of cervids.
- (15) "Class A", "Class B", or "Class C" ~~state or zone means the~~ **refers to a** state or zone ~~is~~ designated or classified by the ~~United States Department of Agriculture~~ **USDA** as a brucellosis "A", brucellosis "B", or brucellosis "C" area.
- (16) "Commuter herd" means a herd of cattle or bison moved interstate during ~~the course of~~ normal livestock management operations and without change of ownership directly between two (2) premises, as provided in a commuter herd agreement.
- (17) "Commuter herd agreement" means a written agreement between the owner or owners of a herd of cattle or bison and the animal health officials in the states of origin and destination specifying:
- (A) the conditions required for the interstate movement from one (1) premises to another ~~in the course of~~ **during** normal livestock management operations; and
 - (B) specifying the ~~time~~ period, up to one (1) year, that the agreement is effective.
- A commuter herd agreement may be renewed annually.
- (18) "Dairy cattle" means all cattle, regardless of age, or sex or current use, that are of a breed or ~~breeds~~ **the offspring of a breed** used to produce milk or other dairy products for human consumption, including ~~but not limited to~~ the following:
- (A) Ayrshire.
 - (B) Brown Swiss.
 - (C) Holstein.
 - (D) Jersey.
 - (E) Guernsey.
 - (F) Milking Shorthorn.
 - (G) Red and Whites.
- (19) "Directly" means moved in a means of conveyance, without stopping to unload while en route, except for stops of less than twenty-four (24) hours to feed, water, or rest the animals being moved, and with no commingling of animals at ~~such those~~ stops.
- (20) "Domestic animal" has the meaning set forth in IC 15-17-2-26.
- (21) "Equine infectious anemia" or "EIA" means the infectious disease equine infectious anemia caused by a lentivirus, equine infectious anemia virus (EIAV).
- (22) "Equine infectious anemia test" means the official test for the detection of EIA as defined in 345 IAC 6-1.1.
- (23) "Exhibition" means a fair, show, or competition of limited duration that congregates animals from multiple sources on a premises.
- (24) "Feeder pigs" means swine under six (6) months of age that are not slaughter swine.
- (25) "Flock-based number system" means a combination of ~~a flock identification number~~ **an** FIN with a producer's unique livestock production numbering system to provide a nationally unique identification number for an animal.
- (26) "Flock identification number" or "FIN" means a nationally unique number assigned by a state or federal animal

health authority to a group of animals that are managed as a unit on **at least one (1) or more** premises and ~~are~~ under the same ownership.

(27) "Game birds" means domesticated fowl, such as **the following**:

- (A) Pheasants;
- (B) Partridge;
- (C) Quail;
- (D) Grouse; and
- (E) Guineas;

~~but~~ **The term does not include** doves and pigeons.

(28) "Group/lot identification number" or "GIN" means the identification number used to uniquely identify a "unit of animals" of the same species that is managed together as one (1) group throughout the preharvest production chain. When a GIN is used, it is recorded on documents accompanying the animals moving interstate. It is not necessary to have the GIN attached to each animal.

(29) "Hatchery" means hatchery equipment on one (1) premises operated or controlled by any person, company, or corporation for the hatching of poultry.

(30) "Hatching eggs" means eggs of poultry for hatching purposes, including embryonated eggs.

(31) "Immediate slaughter" means livestock that are designated for slaughter must be slaughtered within seven (7) days of first consignment.

(32) "Johne's disease" means an infectious communicable disease that primarily affects:

- (A) cattle;
- (B) sheep;
- (C) goats; and
- (D) other domestic, exotic, and wild ruminants;

also known as paratuberculosis, caused by *Mycobacterium paratuberculosis*.

(33) "Location-based number system" means a combination of a state issued LID or a PIN with a producer's unique livestock production numbering system to provide a nationally unique and herd-unique identification number for an animal.

(34) "Location identification number" or "LID" means a nationally unique number issued by a state animal health authority to a location as determined by the state in which it is issued. The LID number may be used in conjunction with a producer's own unique livestock production numbering system to provide a nationally unique and herd-unique identification number for an animal. It may also be used as a component of a GIN.

(35) "National Poultry Improvement Plan" or "NPPI" means the National Poultry Improvement Plan and Auxiliary Provisions adopted by the board in 345 IAC 4-4-1.

(36) "National Uniform Eartagging System" or "NUES" means a numbering system for the official identification of individual animals in the United States that provides a nationally unique identification number for each animal.

(37) "Official eartag" means an identification tag approved by the state veterinarian that bears an official identification number for individual animals. ~~All~~ Official eartags applied to animals must bear the official eartag shield. The official eartag must be tamper resistant and have a high retention rate in the animal.

(38) "Official eartag shield" means the shield-shaped graphic of the U.S. Route Shield with "U.S." or the state postal abbreviation or Tribal alpha code imprinted within the shield.

(39) "Official identification number" means a nationally unique number that is permanently associated with an animal or a group of animals and ~~that~~ adheres to one (1) of the following systems:

- (A) National Uniform Eartagging System (NUES).
- (B) Animal identification number (AIN).
- (C) Location-based number system.
- (D) Flock-based number system.
- (E) Any other numbering system approved by the state veterinarian for the official identification of animals.

(40) "Officially identified" means identified by ~~a means of using~~ an official identification device or method approved by the state veterinarian under 345 IAC 1-2.6.

(41) "Official test" means a disease detection test approved by the state veterinarian conducted in a laboratory approved by the state veterinarian.

(42) "Owner-shipper statement" means a statement signed by the owner or shipper of the livestock being moved that contains the following information:

- (A) The location from which the animals are moved.
- (B) The destination of the animals.
- (C) The number of animals covered by the statement.

- (D) The species of animals covered.
 - (E) The name and address of the owner at the time of the movement.
 - (F) The name and address of the shipper.
 - (G) The identification of each animal, unless a rule adopted by the board specifically provides that the identification does not have to be recorded.
- (43) "Permit" means a permit for importation of domestic animals issued by the state veterinarian.
- (44) "Poultry" means domesticated fowl, including the following:
- (A) Chickens.
 - (B) Turkeys.
 - (C) Ostriches.
 - (D) Emus.
 - (E) Rheas.
 - (F) Cassowaries.
 - (G) Waterfowl.
 - (H) Game birds.

The term does not include doves and pigeons.

- (45) "Premises identification number" or "PIN" means a nationally unique number assigned by the state veterinarian to a livestock production unit that is, in the judgment of the state veterinarian, a geographically distinct location from other premises.
- (46) "Quarantine" means a law or an order restricting or prohibiting the movement of animals:
- (A) onto or off of a premises; or
 - (B) into or out of an area.
- (47) "State veterinarian" means the state veterinarian appointed under IC 15-17-4 or an authorized agent.
- (48) "VHS" means viral hemorrhagic septicemia.
- (49) "VHS-affected or at-risk region" means a state, province, or other region designated by the state veterinarian as affected or at-risk for VHS based ~~upon~~ **on** current data related to the prevalence of the pathogen in the region.
- (50) "VHS-susceptible species of live fish" means those species designated by the state veterinarian that are known to be carriers of the VHS pathogen and ~~that~~ present a significant risk to the aquatic resources of the state.
- (51) "Waterfowl" means domesticated fowl that normally swim, such as ducks and geese.

(Indiana State Board of Animal Health; 345 IAC 1-3-1.5; filed Jan 8, 1986, 2:52 p.m.: 9 IR 990; filed Dec 2, 1994, 3:52 p.m.: 18 IR 855; filed Oct 11, 1996, 2:00 p.m.: 20 IR 738; errata filed Jan 2, 1997, 4:00 p.m.: 20 IR 1124; filed Jan 6, 1999, 4:22 p.m.: 22 IR 1477; errata filed Mar 31, 1999, 9:36 a.m.: 22 IR 2534; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1334; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Sep 29, 2006, 8:56 a.m.: 20061025-IR-345050315FRA; readopted filed Feb 9, 2007, 9:42 a.m.: 20070307-IR-345060512RFA; errata filed Oct 3, 2008, 3:30 p.m.: 20081022-IR-345080767ACA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA; filed Dec 4, 2014, 2:06 p.m.: 20141224-IR-345140235FRA; readopted filed Jul 14, 2020, 1:42 p.m.: 20200812-IR-345200230RFA; filed Nov 15, 2021, 10:07 a.m.: 20211215-IR-345210268FRA)

SECTION 5. 345 IAC 1-3-7.5 IS AMENDED TO READ AS FOLLOWS:

345 IAC 1-3-7.5 Movement of cattle and bison into Indiana

Authority: IC 15-17-3-13; IC 15-17-3-21

Affected: IC 15-17-15-12

Sec. 7.5. (a) Except as provided in subsection (b), a person responsible for moving cattle and bison of the following types into Indiana ~~must~~ **shall** officially identify the animals ~~under as set forth in~~ **as set forth in** 345 IAC 1-2.6-3:

- (1) ~~All~~ Sexually intact cattle and bison at least eighteen (18) months of age.
- (2) ~~All~~ Female dairy cattle of any age and ~~all~~ dairy bulls and steers born after March 11, 2013.
- (3) Cattle and bison of any age used for:
 - (A) rodeos;
 - (B) shows;
 - (C) exhibitions; or
 - (D) other recreational events.

- (b) The following types of movements of cattle and bison are exempt from the identification requirements in subsection (a):

- (1) The cattle and bison are moved as a commuter herd with a copy of the commuter herd agreement.
- (2) The cattle and bison are moved directly from a location in one (1) state through another state to a second location in the original state.
- (3) The cattle and bison are moved into the state directly to an approved tagging site and are officially identified before commingling with cattle and bison from other premises, or identified by the use of backtags or other methods that will ensure that the identity of the animal is accurately maintained until tagging so that the official eartag can be correlated to the person responsible for shipping the animal to the approved tagging site.
- (4) The cattle and bison are moved directly to an approved slaughtering establishment, or directly to not more than one (1) approved livestock facility and then directly to an approved slaughtering establishment, where they are harvested within three (3) days of arrival and:
 - (A) they are moved with a backtag approved by the United States Department of Agriculture (**USDA**); or
 - (B) a backtag approved by the ~~United States Department of Agriculture~~ **USDA** is applied to the cattle or bison at the approved slaughtering establishment or approved livestock facility.
- (5) The movement has been authorized by the state veterinarian to be conducted with a different form of identification than what is required in subsection (a) to facilitate disease control.

(c) A person responsible for moving cattle and bison into Indiana ~~must~~ **shall** ensure that the animals are accompanied by the following documentation:

- (1) Except as provided in this subsection and subsection (d), a pre-entry permit must be obtained from the state veterinarian. The permit number shall be recorded:
 - (A) on the certificate of veterinary inspection associated with the permitted animals; or
 - (B) if a certificate of veterinary inspection is not required, the owner-shipper statement accompanying the shipment.

The certificate of veterinary inspection or owner-shipper statement with the correct permit number must be in possession of the person in charge of the animals during movement. A pre-entry permit is not required when, ~~prior to~~ **before** moving the animals into the state, a certificate of veterinary inspection in an electronic form is submitted to the state veterinarian.

- (2) Except as provided in subsection (d), a CVI must be prepared for the animal that meets the requirements of 345 IAC 1-1.5-2. A CVI issued in accordance with this section must be issued within the thirty (30) days immediately ~~prior to~~ **before** the date of movement. An animal may be moved with another form of documentation, such as an owner-shipper statement, ~~provided that if~~ it is authorized by the state veterinarian or another rule adopted by the board.

(d) The following movements of cattle and bison may occur without a permit or CVI:

- (1) Animals that are moved directly to an approved slaughtering establishment, or directly to an approved livestock facility and then directly to an approved slaughtering establishment. The animals must be accompanied by an owner-shipper statement, but animals may be moved to an approved livestock facility without an owner-shipper statement if the information required to be present on this statement is obtained by the facility ~~upon~~ **on** arrival. **The movement of cattle and bison into Indiana from a slaughter establishment must comply with section 10(c) of this rule.**
- (2) Animals that are moved directly to an approved livestock facility and do not move interstate from the facility unless accompanied by a CVI. The animals must be accompanied by an owner-shipper statement, unless the information required to be present on this statement is obtained by the facility ~~upon~~ **on** arrival.
- (3) Animals that are moved from the farm of origin for veterinary medical examination or treatment and returned to the farm of origin without a change in ownership.
- (4) Animals that are moved directly through the state en route to another state.
- (5) Animals that are moved directly from a location in one (1) state through another state to a second location in the original state.
- (6) Animals that are moved as a commuter herd with a copy of the approved commuter herd agreement.
- (7) Animals that have been approved by the state veterinarian to be moved into the state with another form of documentation to facilitate disease control.

(e) The official identification number of cattle or bison must be recorded on the CVI or alternate documentation unless the cattle or bison are:

- (1) moved from an approved livestock facility directly to an approved slaughtering establishment; or
- (2) sexually intact cattle or bison under eighteen (18) months of age, or steers or spayed heifers.

This exception does not apply to ~~sexually intact~~ dairy cattle of any age or to cattle or bison used for rodeo, exhibition, or recreational purposes.

(f) Cattle and bison moved into Indiana must meet the following disease control requirements:

- (1) Brucellosis control requirements in 345 IAC 2-6.
- (2) Tuberculosis control requirements in 345 IAC 2.5-3.
- (3) Johne's disease control requirements in 345 IAC 2-8.

(Indiana State Board of Animal Health, 345 IAC 1-3-7.5; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA; readopted filed Jul 14, 2020, 1:42 p.m.: 20200812-IR-345200230RFA; filed Nov 15, 2021, 10:07 a.m.: 20211215-IR-345210268FRA)

SECTION 6. 345 IAC 1-3-7.6 IS AMENDED TO READ AS FOLLOWS:

345 IAC 1-3-7.6 Movement of cattle and bison within Indiana

Authority: IC 15-17-3-13; IC 15-17-15-11

Affected: IC 15-17-15-9; IC 15-17-15-12

Sec. 7.6. (a) Except as provided in subsection (c), the owner or custodian of the following types of cattle or bison ~~must~~ **shall** officially identify the animals at the time they are sold, leased, bartered, or exchanged within Indiana:

- (1) ~~All~~ Sexually intact cattle and bison at least eighteen (18) months of age.
- (2) ~~All~~ Female dairy cattle of any age and ~~all~~ dairy bulls and steers born after March 11, 2013.

(b) The owner or custodian of cattle and bison of any age that are being moved to:

- (1) a rodeo;
- (2) a recreational event;
- (3) a show; or
- (4) an exhibition;

~~must~~ **shall** officially identify the animals ~~prior to~~ **before** the movement.

(c) Cattle and bison sold for immediate slaughter are exempt from the identification requirement in subsection (a). Animals sold for slaughter may not be resold or diverted for any other purpose or use. **The movement of cattle and bison from a slaughter establishment must comply with section 10(c) of this rule.**

(d) An animal that must be identified under subsection (a) may be moved to an approved tagging site for the application of official identification. The animal must be officially identified ~~prior to~~ **before** being commingled with other animals unless another method is used to accurately maintain the animal's identity until the identification is applied.

(e) Except as provided in subsection (f), the seller, lessor, or owner, and the purchaser, lessee, or recipient, of cattle and bison that are sold, leased, bartered, or exchanged ~~must~~ **shall** maintain a record of the transaction. The following records pertaining to the transaction must be maintained for five (5) years:

- (1) A physical description of the animal.
- (2) All individual animal identification present on the animal.
- (3) The name and address of the seller, lessor, or owner.
- (4) The name and address of the purchaser, lessee, or recipient.

(f) The following transactions are exempt from the record keeping requirement in subsection (e):

- (1) Cattle sold directly to an approved slaughtering establishment.
- (2) Cattle sold in a transaction through an approved livestock facility.
- (3) A transaction that has been approved by the state veterinarian to occur with another form of record.

(Indiana State Board of Animal Health; 345 IAC 1-3-7.6; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA; readopted filed Jul 14, 2020, 1:42 p.m.: 20200812-IR-345200230RFA)

SECTION 7. 345 IAC 1-3-10 IS AMENDED TO READ AS FOLLOWS:

345 IAC 1-3-10 Animals for immediate slaughter

Authority: IC 15-17-3-21

Affected: IC 15-17-3-13; IC 15-17-18-6

Sec. 10. (a) Animals consigned for slaughter moving into the state or within the state ~~shall~~ **must** be:

- (1) moved directly to an approved slaughtering establishment; or

(2) consigned to a:

- (A) licensed public livestock market for resale for immediate slaughter; or
- (B) slaughter only market.

(b) ~~Any~~ **An** animal in slaughter channels must remain in slaughter channels until delivered to a slaughter establishment.

(c) Cattle and bison leaving a slaughter establishment may only be moved to another approved slaughter establishment or feedlot and sold or resold as slaughter cattle. The animals must be accompanied by an owner-shipper statement that includes the following information:

(1) The name and address of the slaughter establishment from which the animals left.

(2) The official identification numbers correlated with the United States Department of Agriculture backtag number, if available.

(3) The name of the destination slaughter establishment or approved feedlot to which the animals are being shipped.

~~(e)~~ **(d)** Swine for immediate slaughter ~~shall~~ **must** meet the following requirements:

(1) Swine sold for immediate slaughter must be slaughtered within seven (7) days of the date of first consignment and ~~must~~ not move through more than two (2) markets.

(2) Swine sold for immediate slaughter moving into ~~the state~~ or within the state ~~shall~~ **must** be accompanied by an owner-shipper statement, unless the information ~~that is~~ required to be present on this statement is obtained by the facility ~~upon~~ **on** arrival.

(3) Swine moved through a slaughter market or otherwise sold for slaughter in another state may be moved into the state only to a slaughter establishment or ~~to~~ a market for sale for slaughter.

(4) Sows and boars moved to a livestock market ~~shall~~ **must** be consigned for sale for slaughter only. ~~Any~~ **A** sow or boar in a livestock market ~~shall be~~ **is** considered a slaughter only animal for purposes of this rule.

(5) Slaughter sows and boars moving through:

- (A) auction markets;
- (B) stockyards;
- (C) buying stations;
- (D) marketing agencies; or
- (E) slaughtering establishments;

must be identified to the farm of origin and ~~be identified~~ before being commingled with swine from other sources.

(Indiana State Board of Animal Health; Reg 76-1, Title III, Sec 4; filed Aug 10, 1976, 10:29 a.m.: Rules and Regs. 1977, p. 132; filed Jan 6, 1999, 4:22 p.m.: 22 IR 1481; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Apr 13, 2005, 12:30 p.m.: 28 IR 2672; readopted filed Feb 9, 2007, 9:42 a.m.: 20070307-IR-345060512RFA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA; readopted filed Jul 14, 2020, 1:42 p.m.: 20200812-IR-345200230RFA)

SECTION 8. 345 IAC 1-6-3 IS AMENDED TO READ AS FOLLOWS:

345 IAC 1-6-3 Reporting a laboratory diagnosis of disease

Authority: IC 15-17-3-21

Affected: IC 15-17-3-13; IC 15-17-10-1

Sec. 3. (a) Except as provided in subsection (b), for the purpose of facilitating animal disease programs, a diagnostic laboratory or an animal health professional ~~must~~ **shall** report a diagnosis of any of the following reportable diseases in an animal or article from Indiana, or whose owner is from Indiana, to the state veterinarian within the time frame set forth at IC 15-17-10-1(d). If a sample is submitted to a National Animal Health Laboratory Network (~~NAHLN~~) laboratory for testing and the positive result is sent by the laboratory to the state veterinarian, duplicate reporting by the veterinarian is not required as follows:

(1) The following diseases in any species:

- (A) Akabane (congenital arthrogryposis-hydranencephaly syndrome).
- (B) Anthrax (*Bacillus anthracis*).
- (C) Aujeszky's disease virus (pseudorabies virus).
- (D) Avian influenza.**
- ~~(D)~~ **(E)** Bluetongue virus.
- ~~(E)~~ **(F)** Bovine tuberculosis (*Mycobacterium bovis*).

- ~~(F)~~ **(G)** Brucellosis (*B. abortus*, *B. canis*, *B. ovis*, *B. melitensis*, *B. suis*).
 - ~~(G)~~ **(H)** Camelpox.
 - ~~(H)~~ **(I)** Crimean Congo hemorrhagic fever.
 - ~~(I)~~ **(J)** Cysticercosis (Larval form of *Taenia* spp).
 - ~~(J)~~ **(K)** Eastern equine encephalomyelitis.
 - ~~(K)~~ **(L)** Echinococcus/hydatidosis.
 - ~~(L)~~ **(M)** Epizootic hemorrhagic disease.
 - ~~(M)~~ **(N)** Foot and mouth disease.
 - ~~(N)~~ **(O)** Glanders (*Burkholderia mallei*).
 - ~~(O)~~ **(P)** Heartwater (*Ehrlichia ruminantium*).
 - ~~(P)~~ **(Q)** Japanese encephalitis.
 - ~~(Q)~~ **(R)** Johne's disease (*Mycobacterium avium paratuberculosis*).
 - ~~(R)~~ **(S)** Leishmaniasis (*Leishmania*).
 - ~~(S)~~ **(T)** Malignant Catarrhal Fever.
 - ~~(T)~~ **(U)** Melioidosis (*Burkholderia pseudomallei*).
 - ~~(U)~~ **(V)** New world screwworm (*Cochliomyia hominivorax*).
 - ~~(V)~~ **(W)** Nipah virus.
 - ~~(W)~~ **(X)** Old world screwworm (*Chrysomya bezziana*).
 - ~~(X)~~ **(Y)** Plague (*Yersinia pestis*).
 - ~~(Y)~~ **(Z)** Q fever (*Coxiella burnetii*).
 - ~~(Z)~~ **(AA)** Rabies.
 - ~~(AA)~~ **(BB)** Rift Valley fever.
 - ~~(BB)~~ **(CC)** Rinderpest.
 - ~~(CC)~~ **(DD)** Surra (*Trypanosoma evansi*).
 - ~~(DD)~~ **(EE)** Trichinella spp.
 - ~~(EE)~~ **(FF)** Trypanosomiasis (*T. congolense*, *T. vivax*, *T. brucei*).
 - ~~(FF)~~ **(GG)** Tularemia (*Francisella tularensis*).
 - ~~(GG)~~ **(HH)** Venezuelan equine encephalomyelitis.
 - ~~(HH)~~ **(II)** Vesicular stomatitis.
 - ~~(II)~~ **(JJ)** West Nile fever.
 - ~~(JJ)~~ **(KK)** Western equine encephalomyelitis.
- (2) The following diseases in cattle, bison, and buffalo:
- (A) Bovine anaplasmosis (*Anaplasma marginale*, *A. centrale*).
 - (B) Bovine babesiosis (*Babesia bovis*, *B. bigemina*).
 - (C) Bovine spongiform encephalopathy.
 - (D) Bovine genital campylobacteriosis (*Campylobacter fetus venerealis*).
 - (E) Bovine viral diarrhea (BVD).
 - (F) Contagious bovine pleuropneumonia (*Mycoplasma mycoides mycoides*).
 - (G) Enzootic bovine leukosis (BLV).
 - (H) Hemorrhagic septicemia (*Pasteurella multocida*, B/Asian or E/African serotypes).
 - (I) Infectious bovine rhinotracheitis/infectious pustular vulvovaginitis (IBR/IPV).
 - (J) Lumpy skin disease.
 - (K) Theileriosis (*Theileria annulata*, *T. parva*).
 - (L) Trichomonosis (*Tritrichomonas* (*Trichomonas*) *foetus*).
- (3) The following diseases in sheep and goats:
- (A) Caprine arthritis/encephalitis (CAE).
 - (B) Contagious agalactia (*Mycoplasma agalactiae*, *M. capricolum capricolum*, *M. putrefaciens*, *M. mycoides mycoides*, *M. mycoides mycoides* (LC)).
 - (C) Contagious caprine pleuropneumonia (*Mycoplasma capricolum capripneumoniae*).
 - (D) Enzootic abortion of ewes (Ovine Psittacosis, *Chlamydia abortus*).
 - (E) Maedi-visna/ovine progressive pneumonia.
 - (F) Nairobi sheep disease.
 - (G) Peste des petits ruminants.
 - (H) Salmonellosis (*Salmonella abortusovis*).
 - (I) Scabies (*Sarcoptes scabiei* var. *ovis*, *Chorioptes bovis*, *Psoroptes ovis*, *Psoroptes cuniculi*, *Psorergates ovis*).
 - (J) Scrapie.

- (K) Sheep pox and goat pox.
- (4) The following diseases in equine:
- (A) African horse sickness.
 - (B) Contagious equine metritis (*Taylorella equigenitalis*).
 - (C) Dourine (*Trypanosoma equiperdum*).
 - (D) Equine herpesvirus myeloencephalopathy (EHV1-EHM).
 - (E) Equine infectious anemia (EIA).
 - (F) Equine influenza (virus type A).
 - (G) Equine piroplasmosis (Babesiosis, *Theileria equi*, *B. caballi*).
 - (H) Equine viral arteritis (EVA).
 - (I) Hendra.
- (5) The following diseases in swine:
- (A) African swine fever.
 - (B) Classical swine fever.
 - (C) Porcine reproductive and respiratory syndrome (PRRS).
 - (D) Swine erysipelas (*Erysipelothrix rhusiopathiae*).
 - (E) Swine vesicular disease.
 - (F) Transmissible gastroenteritis (TGE).
 - (G) Vesicular exanthema.
- (6) The following diseases in birds:
- (A) Avian chlamydiosis (Psittacosis and Ornithosis, *Chlamydia psittaci*).
 - (B) Avian infectious bronchitis.
 - (C) Avian infectious laryngotracheitis.
 - ~~(D) Avian influenza.~~
 - ~~(E)~~ (D) Avian mycoplasmosis (*Mycoplasma gallisepticum*).
 - ~~(F)~~ (E) Avian mycoplasmosis (*Mycoplasma synoviae*).
 - ~~(G)~~ (F) Duck virus hepatitis.
 - ~~(H)~~ (G) Egg drop syndrome virus (EDSV).
 - ~~(I)~~ (H) Fowl typhoid (*Salmonella gallinarum*).
 - ~~(J)~~ (I) Infectious bursal disease (Gumboro disease).
 - ~~(K)~~ (J) Newcastle disease.
 - ~~(L)~~ (K) Pullorum disease (*Salmonella pullorum*).
 - ~~(M)~~ (L) Turkey rhinotracheitis.
- (7) The following diseases in crustaceans:
- (A) Crayfish plague (*Aphanomyces astaci*).
 - (B) Infectious myonecrosis.
 - (C) Infectious hypodermal and hematopoietic necrosis.
 - (D) Necrotizing hepatopancreatitis.
 - (E) Spherical baculovirus (*Penaeus monodon*-type baculovirus).
 - (F) Tetrahedral baculovirus (*Baculovirus penaei*).
 - (G) Taura syndrome.
 - (H) White spot disease.
 - (I) White tail disease.
 - (J) Yellowhead disease.
- (8) The following diseases in fish:
- (A) Bacterial kidney disease (*Renibacterium salmoninarum*).
 - (B) Gyrodactylosis (*Gyrodactylus salaris*).
 - (C) Epizootic hematopoietic necrosis.
 - (D) Epizootic ulcerative syndrome.
 - (E) Infectious hematopoietic necrosis.
 - (F) Infectious pancreatic necrosis.
 - (G) Infectious salmon anemia (ISA).
 - (H) Koi herpesvirus disease.
 - (I) Oncorhynchus masou virus disease.
 - (J) Piscirickettsiosis (*Piscirickettsia salmonis*).
 - (K) Red sea bream iridoviral disease.

- (L) Salmon pancreas disease (salmonid alphavirus).
- (M) Spring viremia of carp.
- (N) Tilapia lake virus.
- (O) Viral encephalopathy and retinopathy.
- (P) Viral hemorrhagic septicemia.
- (Q) White sturgeon iridoviral disease.
- (R) Whirling disease (*Myxobolus cerebralis*).
- (9) The following diseases in lagomorphs:
 - (A) Myxomatosis.
 - (B) Rabbit hemorrhagic disease.
- (10) The following diseases in mollusks:
 - (A) Abalone viral mortality.
 - (B) *Bonamia exitiosa*.
 - (C) *Bonamia ostreae*.
 - (D) *Haplosporidium nelsoni* (MSX) or *Haplosporidium costale* (sea side organism).
 - (E) *Marteilia chungmeunsis*.
 - (F) *Marteilia syndeyi*.
 - (G) *Marteilia refringens*.
 - (H) *Mikrocytos roughleyi*.
 - (I) Ostreid herpesvirus-1 microvariant.
 - (J) *Perkinsus marinus*.
 - (K) *Perkinsus olseni*.
 - (L) QPX (Quahog parasite unknown).
 - (M) *Xenohaliotis californiensis*.
- (11) Chronic wasting disease in cervidae.

(b) The state veterinarian may do the following:

(1) Conduct surveillance for reportable diseases.

(2) Establish a reporting agreement with a laboratory that does not require reporting every diagnosis of a particular disease listed in subsection (a) if the reporting standard is consistent with the National Animal Health Reporting System and board programs.

(Indiana State Board of Animal Health; 345 IAC 1-6-3; filed Jul 23, 1992, 2:00 p.m.: 15 IR 2568; filed Oct 11, 1996, 2:00 p.m.: 20 IR 740; filed Jun 17, 1998, 9:03 a.m.: 21 IR 4205; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Dec 31, 2001, 10:00 a.m.: 25 IR 1607; filed Sep 5, 2003, 8:41 a.m.: 27 IR 90; filed Sep 29, 2006, 8:56 a.m.: 20061018-IR-345060030FRA; readopted filed Feb 9, 2007, 9:42 a.m.: 20070307-IR-345060512RFA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA; filed Nov 18, 2014, 3:13 p.m.: 20141217-IR-345140236FRA; filed Aug 24, 2018, 11:21 a.m.: 20180919-IR-345180197FRA; filed Aug 18, 2022, 11:34 a.m.: 20220914-IR-345220127FRA)

SECTION 9. 345 IAC 2-7-4 IS AMENDED TO READ AS FOLLOWS:

345 IAC 2-7-4 Chronic wasting disease certified herd program

Authority: IC 15-17-3-21

Affected: IC 15-17-11-20; IC 15-17-17

Sec. 4. (a) An owner of a cervid herd located in Indiana may apply to the board to enroll in the state CWD herd certification program by sending a written request to the state veterinarian.

(b) To obtain and maintain a herd status, a herd owner who enrolls in the certification program ~~must~~ **shall** do the following:

(1) Comply with the requirements in this rule, including the requirements for a registered herd in section 3 of this rule, and the applicable requirements in 345 IAC 1-3.

(2) Within one (1) business day of discovery, report to the state veterinarian:

(A) ~~all~~ **the animal or** animals that escape or disappear; and

(B) the death of any animal ~~that is~~ **that is** at least twelve (12) months of age that is not sampled and submitted for CWD testing.

The report must include the identification of the animal **or animals** involved and the estimated date and time of the

animal's death, escape, or disappearance.

(3) Except as provided in subdivision (4), ~~upon~~ **after** the death of an animal in the herd that is at least twelve (12) months of age for any reason, the caretaker shall initiate action to collect samples from the carcass for CWD testing ~~according to~~ **under** one (1) of the following procedures:

(A) By procuring the services of a veterinarian to collect appropriate samples for CWD testing.

(B) By procuring the services of an approved CWD sample collector to collect appropriate samples for CWD testing.

(C) By any other procedure authorized by the state veterinarian that ensures appropriate sample collection, handling, and transportation for testing.

Samples must be submitted to an approved laboratory ~~no~~ **not** later than seven (7) days after the date of death of the animal.

(4) If there is an event that results in a mass casualty in the herd over a short period ~~of time~~ from apparently the same cause, the herd owner may request that the state veterinarian approve a plan to sample a representative number of animals from the herd rather than sampling all ~~of~~ the deceased animals. Samples collected ~~pursuant to~~ **under** a sampling plan approved by the state veterinarian satisfy the requirement in subdivision (3), even if all animals are not sampled.

(5) Comply with the following identification requirements:

(A) All animals in the herd must be identified before reaching twelve (12) months of age if they are not first identified under section 3(b)(2) of this rule. All animals regardless of age must be identified before being moved from the herd premises.

(B) All animals in the herd that are identified must be identified with at least two (2) forms of identification attached to the animal as follows:

(i) One (1) animal identification must be official animal identification that is a tamper resistant ~~ear-tag~~ **ear tag**. **However, a person may identify a reindeer using official identification other than an ear tag.**

(ii) The second animal identification must be:

(AA) unique for the individual animal within the herd; and

(BB) linked to that animal and herd.

(iii) The second identification may be a tamper resistant ~~ear-tag~~ **ear tag** or one (1) of the following forms of identification:

(AA) An electronic implant.

(BB) A flank tattoo.

(CC) An ear tattoo.

(DD) An identification device approved by the state veterinarian.

Official identification of a cervid must be maintained on the animal until the animal is deceased **and** any samples required by the board are collected from the animal. ~~and~~ If the identification is not collected as a part of a sample collection, it must remain with the animal until it is disposed of ~~in accordance with~~ **under** this rule and IC 15-17-11-20.

(6) Provide access to the written herd inventory, premises, and herd, to include assembling, handling, and restraining the animals, as follows:

(A) ~~Upon~~ **At the** request of the state veterinarian to aid in an animal disease investigation or verify compliance with this rule.

(B) At least once each year for an inventory that consists of a review of herd records and visual examination of the herd.

(C) At least once every three (3) years for a complete physical herd inventory with verification of identification to reconcile ~~all~~ animals and identification with records maintained by the herd owner.

The state veterinarian may authorize board employees, federal employees, and licensed and accredited private veterinarians to conduct inventories and complete physical herd inventories for ~~the~~ purposes of this rule.

(7) The herd must be enclosed in a perimeter fence that:

(A) is made from materials that will prevent cervids from entering or leaving through the structure;

(B) has no openings that will allow ingress or egress; and

(C) measures at least eight (8) feet from the ground to the top of the fence at all parts of the structure.

(c) ~~Subject to the provisions of~~ **Except as provided in** subsections (e) and (f), the state veterinarian will place a newly enrolled cervid herd in first year status, and if a herd continues to meet the requirements in this section will upgrade the herd status on the anniversary date of the herd's enrollment. The following are the herd statuses in the CWD certification program:

(1) First year status.

(2) Second year status after one (1) year of compliance.

- (3) Third year status after two (2) years of compliance.
- (4) Fourth year status after three (3) years of compliance.
- (5) Fifth year status after **at least** four (4) ~~or more~~ years of compliance.
- (6) Certified status after **at least** five (5) ~~or more~~ years of compliance.
- (7) Suspended status if a herd is not in compliance.

(d) If an owner wishes to maintain separate herds, each herd ~~that is~~ enrolled in the CWD herd certification program must maintain separate:

- (1) herd inventories;
- (2) records;
- (3) working facilities;
- (4) water sources;
- (5) equipment; and
- (6) land use.

There must be a buffer zone of at least thirty (30) feet between the perimeter fencing around separate herds, and no commingling of animals may occur. Movement of animals between herds must be recorded as if they were separately owned herds.

(e) New animals may be introduced into a herd participating in the CWD certification program only from other herds participating in the program or an equivalent program in another state. When an animal is added to a herd, the CWD certification status of a herd will be altered as follows:

- (1) The CWD status will not change if the animal ~~that is~~ added to the herd originated from a herd that has been in compliance with an equivalent CWD certification program and has achieved the same level of CWD status as the recipient herd.
- (2) If the animal ~~that is~~ added to the herd originated from a herd with a CWD certification program status that is lower than the recipient herd's status, the recipient herd's certification status will be lowered to the status of the lowest status cervid added.
- (3) A new herd ~~that is~~ assembled on a premises where CWD has never been diagnosed retains the certification status of the lowest status animal brought into the new herd.

(f) The state veterinarian may suspend, revoke, or lower the certification program status of a herd for the following reasons:

- (1) A herd is found to be:
 - (A) CWD positive;
 - (B) CWD suspect; or
 - (C) CWD exposed.
- (2) The herd is designated a CWD trace back or trace forward herd.
- (3) The herd is associated with an epidemiological investigation that ~~is unable to~~ **cannot** make a determination regarding the exposure of the herd.
- (4) The custodian of the herd does not meet the requirements under this section.
- (5) The custodian of the herd does not enter into or complete the provisions of a herd plan under section 5 of this rule.
- (6) The custodian of the herd violates board requirements for moving cervids into or within Indiana or any provision of this rule.

(g) A herd owner may appeal a determination of the state veterinarian under IC 15-17-17.

(h) As a part of an appeal of a designation of an animal as CWD positive, the owner may present as evidence the results of a DNA test, requested and paid for by the owner, to determine whether previous official CWD test results were correctly associated with an animal that belonged to the owner if the animal owner:

- (1) arranged to submit animal tissue attached to an official identification device along with the other tissues that were collected for the official CWD test; and
- (2) submits a written notice to the board indicating their intent to submit the test results as a part of their appeal.

The board may postpone a decision on the appeal for a reasonable period ~~of time~~ pending ~~receipt of~~ **receiving** the test results. *(Indiana State Board of Animal Health; 345 IAC 2-7-4; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1340; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Sep 12, 2002, 1:07 p.m.: 26 IR 348; filed Jul 23, 2008, 1:01 p.m.: 20080820-IR-345070824FRA; errata filed Oct 3, 2008, 3:30 p.m.: 20081022-IR-345080767ACA; filed May 23, 2013, 3:16 p.m.: 20130619-IR-345120491FRA; errata filed Jul 5, 2013, 10:19 a.m.: 20130717-IR-345120491ACA; readopted filed Jul 10, 2019, 3:50 p.m.: 20190814-IR-*

SECTION 10. 345 IAC 2-8-1 IS AMENDED TO READ AS FOLLOWS:

345 IAC 2-8-1 General provisions

Authority: IC 15-17-3-21

Affected: IC 15-17-2; IC 15-17-3-13

Sec. 1. (a) The purpose of this rule is to control the spread of Johne's disease in Indiana.

(b) The applicable definitions in IC 15-17-2 and this rule apply to this rule.

(c) An animal tests negative or passes a test when an official Johne's disease test indicates that the animal is not infected with Johne's disease.

(d) An animal tests positive, responds to, or fails a test when an official Johne's disease test indicates that the animal is infected with Johne's disease.

(e) Samples collected for use in ~~any~~ a Johne's disease test must be collected by, **or under the supervision of, one (1) of the following individuals:**

(1) a veterinarian who is:

~~(1) (A)~~ (A) licensed or legally ~~able~~ **allowed** to practice veterinary medicine in Indiana; and

~~(2) (B)~~ (B) accredited by the United States Department of Agriculture under 9 CFR, Subchapter J.

(2) **A state or federal animal health official.**

(3) **An agent that has been authorized by the state veterinarian.**

(f) ~~Any~~ **A** person collecting samples to be used in ~~any~~ a Johne's disease test shall identify each animal from which samples were collected by attaching an official ~~ear-tag~~ **eartag** to the animal's right ear. Each sample ~~shall~~ **must** be identified with the respective official ~~ear-tag~~ **eartag** number.

(g) The state veterinarian may approve disease detection tests that will reliably detect Johne's disease. The state veterinarian may approve a laboratory that demonstrates that its diagnostic procedures for Johne's disease are likely to produce timely and reliable test results if approving the laboratory will further the purposes of this rule. The state veterinarian may consider generally accepted scientific standards and state and federal licensing, certification, and evaluation programs when approving tests and laboratories. A list of official Johne's disease tests and official laboratories may be obtained from the state veterinarian. *(Indiana State Board of Animal Health; 345 IAC 2-8-1; filed Mar 16, 2001, 11:26 a.m.: 24 IR 2454; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; errata filed Oct 3, 2008, 3:30 p.m.: 20081022-IR-345080767ACA; readopted filed Aug 7, 2013, 8:32 a.m.: 20130904-IR-345130236RFA; readopted filed Jul 10, 2019, 3:50 p.m.: 20190814-IR-345190168RFA)*

SECTION 11. 345 IAC 4-4-1 IS AMENDED TO READ AS FOLLOWS:

345 IAC 4-4-1 National Poultry Improvement Plan; adoption by reference

Authority: IC 15-17-3-21

Affected: IC 15-17-3-13; IC 15-17-10-15

Sec. 1. The board adopts and incorporates by reference as rules of the board the following United States Department of Agriculture National Poultry Improvement Plan regulations, ~~that are in effect on~~ **effective** January 1, ~~2019~~ **2024**:

(1) 9 CFR Part 145.

(2) 9 CFR Part 146.

(3) 9 CFR Part 147, ~~but except~~ **9 CFR Part 147, Subpart E. is not incorporated by reference.**

(Indiana State Board of Animal Health; 345 IAC 4-4-1; filed Oct 11, 1996, 2:00 p.m.: 20 IR 750; filed Dec 10, 1997, 11:00 a.m.: 21 IR 1327; filed Dec 18, 2000, 9:57 a.m.: 24 IR 1341; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Dec 16, 2004, 1:30 p.m.: 28 IR 1473; readopted filed May 9, 2007, 3:16 p.m.: 20070516-IR-345070037RFA; filed Dec 14, 2010, 4:09 p.m.: 20110112-IR-345100332FRA; filed Nov 25, 2015, 2:56 p.m.: 20151223-IR-345150161FRA; filed Mar 6, 2020, 4:11 p.m.: 20200401-IR-345190430FRA)

SECTION 12. 345 IAC 5-4-2 IS AMENDED TO READ AS FOLLOWS:

345 IAC 5-4-2 Official identification of animals required

Authority: IC 15-17-3-21

Affected: IC 15-17-3-13

Sec. 2. (a) The owner of sheep or goats shall identify the sheep and goats to the animal's flock of birth using official identification. If the flock of birth cannot be determined, animals shall be identified to their flock of origin. However, animals that meet one (1) of the following criteria ~~need are~~ **not required to** be identified under this rule:

- (1) Sheep in slaughter channels if they are under eighteen (18) months of age.
- (2) Goats in slaughter channels if they are under eighteen (18) months of age.
- (3) Wethers for exhibition ~~that are being moved within the state~~ under the requirements in subsection (c).
- (4) Wethers under eighteen (18) months of age ~~that are being moved within the state~~.
- (5) Animals shipped directly to an approved slaughter establishment or approved market when:
 - (A) ~~all of the~~ animals transported in a section of the truck originate from the same premises; and
 - (B) the animals are accompanied by an owner's statement containing **enough** information ~~sufficient~~ for the establishment or market to identify the animals.
- (6) Animals moved by an owner for management reasons, from one (1) premises owned or leased by the owner of the animals to another premises owned or leased by the owner of the animals.

(b) The owner of sheep or goats that are required to be identified under subsection (a) ~~must~~ **shall** identify the animals at the earliest of the following events:

- (1) ~~Upon~~ **After** a change of ownership.
- (2) Before being commingled with sheep or goats from any other flock of origin.
- (3) Before arriving at an exhibition.
- (4) When moved to a market, one (1) of the following apply:
 - (A) ~~Upon~~ **After** unloading the animals at the market.
 - (B) If the market agrees to act as an agent for the owner to apply official identification to animals, the animals may enter the market without official identification, but must be identified before leaving the market. However, **the** animals must be kept separate from ~~all~~ other animals from different flocks of origin or flocks of birth until ~~such time as~~ they are identified. The owner shall provide to the market agent an owner's statement providing information needed to identify the animals to their flock of birth as required under this article.
- (5) When moved directly to a slaughter plant that has agreed to act as an agent for the owner to apply official identification to animals, ~~upon on~~ arrival at the slaughter plant. However, **the** animals must be kept separate from ~~all~~ other animals from different flocks of origin or flocks of birth until ~~such time as~~ they are identified. The owner shall provide to the slaughter plant an owner's statement providing information needed to identify the animals to their flock of birth as required under this article.

(c) The owner of a wether under eighteen (18) months of age moving to an exhibition shall identify the animal using a unique form of identification. The method of identification is not required to be an official form of identification under 345 IAC 1-2.6-5.

(d) No person may:

- (1) sell;
- (2) transport;
- (3) receive for transportation or sale; or
- (4) offer for sale or transportation;

any sheep or goats that have not been identified as required under this section.

(e) Animals that have been identified under this section ~~shall~~ **must** remain so identified. The owner or custodian of an animal that loses its official identification shall reidentify the animal ~~according to~~ **under** the requirements of this section ~~prior to~~ **before** commingling the animal with any other animals.

(f) A person may not apply official identification containing a premises identification number to an animal that did not originate from the premises corresponding to that premises identification number. However, an owner may apply a premises identification number to the owner's animal that resides in the flock, but came from outside the flock, as long as the records required under this article are kept.

(g) No person may remove or tamper with any official identification required to be on a sheep or a goat. *(Indiana State Board of Animal Health; 345 IAC 5-4-2; filed Jan 5, 2006, 8:00 a.m.: 29 IR 1547; readopted filed Aug 16, 2012, 8:27 a.m.: 20120912-IR-345120197RFA; filed Aug 22, 2014, 4:04 p.m.: 20140917-IR-345140057FRA; readopted filed Jul 14, 2020, 1:42 p.m.: 20200812-IR-345200230RFA)*

SECTION 13. 345 IAC 13-1-2 IS AMENDED TO READ AS FOLLOWS:

345 IAC 13-1-2 Commercial dog brokers

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

Affected: IC 15-21

Sec. 2. (a) A person ~~who~~ **that**:

(1) is a Class B licensee under 9 CFR 1.1; ~~and or~~

(2) sells **at least** five hundred (500) ~~or more~~ dogs in a calendar year;

~~must~~ **shall** register with the board as a commercial dog broker and pay the annual registration fee.

(b) The fee to register or renew a registration as a commercial dog broker is one thousand dollars (\$1,000). *(Indiana State Board of Animal Health; 345 IAC 13-1-2; filed Jun 3, 2010, 3:26 p.m.: 20100630-IR-345090620FRA; readopted filed Jul 11, 2016, 10:38 a.m.: 20160810-IR-345160135RFA; readopted filed Jul 12, 2022, 2:33 p.m.: 20220810-IR-345220146RFA)*

SECTION 14. 345 IAC 13-1-3 IS AMENDED TO READ AS FOLLOWS:

345 IAC 13-1-3 Commercial dog breeders

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

Affected: IC 15-21

Sec. 3. (a) A person ~~who~~ **that** maintains more than ~~twenty (20)~~ **nineteen (19)** unaltered female dogs ~~that are~~ at least twelve (12) months of age ~~must~~ **shall**:

(1) register with the board as a commercial dog breeder; and

(2) pay the annual registration fee.

(b) A person may not avoid registering by moving dogs to more than one (1) premises.

(c) If there are **at least** twenty (20) ~~or more~~ unaltered female dogs on a premises, there must be a registration for the premises even if there is more than one (1) owner of the dogs.

(d) The fee to register as a commercial dog breeder is determined by the number of unaltered female dogs at least twelve (12) months of age or older maintained by the breeder as follows:

Number of Unaltered Female Dogs at Least 12 Months of Age	Annual Fee
50 or fewer	\$75
51 – 100	\$200
101 – 150	\$300
151 – 250	\$400
251 and up	\$500

(Indiana State Board of Animal Health; 345 IAC 13-1-3; filed Jun 3, 2010, 3:26 p.m.: 20100630-IR-345090620FRA; readopted filed Jul 11, 2016, 10:38 a.m.: 20160810-IR-345160135RFA; readopted filed Jul 12, 2022, 2:33 p.m.: 20220810-IR-345220146RFA)

SECTION 15. 345 IAC 2.5-5-3 IS REPEALED.

TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH**Regulatory Analysis**
LSA Document #25-279**I. Description of Rule**

a. History and Background of the Rule – On May 9, 2024 the United States Department of Agriculture – Animal and Plant Health Inspection Service (USDA-APHIS) published a final rule that makes changes to federal animal disease traceability regulations. *9 CFR Parts 71, 77, 78, and 86*. The most significant change is to require that eartags applied to cattle and bison be both visually and electronically readable to be recognized as official eartags for interstate movement. The final rule also amends several definitions, adds recordkeeping requirements for individuals distributing official eartags, and clarifies how cattle and bison may be moved from a slaughter establishment in a manner that remains within slaughter channels. The last major update to the rule occurred in 2014, which similarly occurred to keep Indiana's requirements consistent with federal law (LSA #14-57).

b. Scope of the Rule – The proposed rule will amend the BOAH *Official Forms* rule to align the requirements for a certificate of veterinary inspection (CVI) with the federal regulations at 9 CFR 86.1. It amends the BOAH *Animal Identification* rule to require official eartags for cattle and bison to be readable both visually and electronically. It also requires a person who distributes official identification devices to enter the records into an approved database. It requires that records of official identification applied to animals by accredited veterinarians, licensed livestock markets, or licensed livestock dealers be kept in a readily accessible record system and sets forth standards for the board to access the records.

It amends the BOAH *Animal Movement* rule to align certain definitions with the recent changes to the federal regulations at 9 CFR 86.1. It also amends requirements for cattle to move into the state, or intrastate, from a slaughter establishment in a manner that is considered within slaughter channels in the federal regulations at 9 CFR 86.4 and 9 CFR 86.5. It amends the BOAH *Reportable Disease* rule to require a laboratory to report a positive diagnosis of highly pathogenic avian influenza (HPAI) for all species.

The rule amends the BOAH *Chronic Wasting Disease (CWD)* rule to allow an 840 microchip as official ID for reindeer in the USDA chronic wasting diseases herd certification program. An 840 microchip is a 15-digit microchip that begins with the prefix 8-4-0, which is the county code for the US. Only USDA approved companies are granted permission to produce these microchips.

It amends the BOAH *Johne's Disease* rule to align the individuals authorized to collect samples for Johne's disease in cattle with the applicable USDA standards. The rule repeals [345 IAC 2.5-5-3](#) within the *Tuberculosis Control in Cervidae* rule to remove the tuberculosis testing requirement for intrastate movement of cervids. It amends the *National Poultry Improvement plan (NPPI)* rule to update the incorporation by reference of the USDA NPPI regulations. It amends the *Scrapie* rule to clarify that the identification requirement for wethers moving to an exhibition also applies to animals moving into the state.

The rule also makes changes to the *Commercial Dog Breeder and Broker (CBB)* rule to align with changes to state law in the 2024 legislative session,¹

c. Statement of Need – If the BOAH does not proceed with this proposed rule, it will have negative consequences for the regulated community.

- Continued use of non-electronic identification methods will lessen the BOAH's ability to effectively trace animals that may have been exposed to a disease of concern and/or may have exposed others.
- Poor traceability during a high consequence disease event will lead to outbreaks of longer duration, as diseased and exposed animals will not be rapidly found and quarantined, harvested or destroyed.
- Inability to achieve rapid containment makes animal disease outbreaks more costly and an increased threat to animal and human health.

The proposed rule is necessary to implement a federal mandate. The state must ensure that its identification and documentation requirements for movement of livestock and poultry into the state align with the federal rule at 9 CFR Part 86. Indiana's livestock and poultry producers rely on the BOAH to ensure that all identification and documentation requirements align with federal standards. If the requirements are inconsistent with these standards, it may jeopardize their ability to move their animals in commerce interstate or internationally. The BOAH's traceability program is subject to periodic tests by USDA-APHIS to ensure that the staff can quickly trace an animal's movements to demonstrate the state's ability to contain a disease of concern to animal or human health.

If the appropriate intrastate identification and documentation requirements are not in place, it compromises the ability to successfully complete a trace investigation in accordance with federal standards. The requirement for cattle to bear electronic tags is critical to the national effort to ensure a speed of data retrieval that allows states to efficiently complete a trace investigation. The BOAH and their counterparts in other impacted states can better identify animals that may have come in contact with an affected animal, implement mitigation strategies, and thereby minimize the economic impact of outbreaks to the industry. The rapid tracing afforded by electronic identification (EID) helps states demonstrate freedom from a high consequence disease and disposition of all infected and exposed animals, which is critical to keep Indiana animals and animal products entering commerce.

The rule makes a series of changes to align Indiana's animal health requirements with federal law. It changes the reportable disease rule at [345 IAC 1-6](#) to make HPAI a reportable disease for all species as required by a recent federal order issued by USDA-APHIS. The addition of a microchip as official ID for reindeer will align Indiana the federal regulations at 9 CFR 81.2. The change to the sample collection standards for the Johne's disease program will align with the federal regulations at 9 CFR 80. The rule will repeal the intrastate tuberculosis testing requirement for cervids which is a state requirement that is not required by federal law. Finally, the rule will update the poultry article to incorporate the most recent version of the NPIP regulations at 9 CFR 145 through 9 CFR 147.

d. Statutory Authority for the Proposed Rule – The BOAH is responsible under state law to control the movement of animals into or within the state and develop programs for the identification of animals to facilitate the prevention of disease. The board may implement programs for designating disease-free animals, herds, or flocks. The BOAH may cooperate with the USDA to prevent, detect, control, and eradicate diseases and pests of animals and adopt, in whole or in part, federal regulations that are necessary in fulfilling the board's duties under IC 15-17. To carry out these duties, it is critical that the board periodically update its rules to ensure that they align with federal standards and incorporate the latest technologies. The board has specific authority to adopt rules that are reasonable and necessary to discharge the

duties imposed on the board by law and to implement the Animal Health and Animal Products article. IC 15-17-3-13. IC 15-17-3-21.

e. Fees, Fines, and Civil Penalties – The rule does not add or increases any fees, fines, or civil penalties that would require the additional steps in IC 4-22-2-19.6.

II. Fiscal Impact Analysis

a. Anticipated Effective Date of the Rule – The public hearing is anticipated to occur at the BOAH's July 2025 board meeting. If the board approves the final rule on this date, the anticipated effective date would be October 1, 2025.

b. Estimated Fiscal Impact on State and Local Government – This rule makes amendments to the types of identification that are considered official for cattle and bison. It adds recordkeeping requirements for individuals that are distributing or using official ear tags. It also aligns Indiana's movement requirements for cattle and bison leaving a slaughter establishment with federal law. These are minor amendments to Indiana's longstanding requirement for animals to be officially identified and accompanied by a CVI or alternate documentation for purposes of movement into the state or within the state. The agency already receives and processes this information to facilitate disease control. Therefore, although these changes may entail additional costs for certain producers, they will not create a fiscal impact to the state beyond the current costs of administering traceability programs. Many producers are already using electronic identification for cattle and bison, so the BOAH does not anticipate a significant reduction in costs to the state related to processing this information.

c. Sources of Expenditures or Revenues Affected by the Rule – The proposed rule requires cattle to have electronic identification to move into or within the state that were not required to bear such identification under the BOAH's current rule. However, the cost of purchasing electronic eartags for animals is not paid by the state. It is the responsibility of the animal owner to pay the cost of obtaining official ear tags. The rule does not impose additional permitting and documentation requirements beyond what Indiana currently requires. Even if the rule did impose such requirements, the BOAH does not have fees associated with issuance of permits and processing of movement documentation. Additionally, because the BOAH currently enforces identification and documentation requirements for interstate and intrastate movement of animals, the agency does not anticipate any increase in costs related to enforcement of this rule.

III. Impacted Parties

The BOAH has 71,670 registered premises in the premises identification program. 30,584 of these premises have designated that they maintain cattle and bison. For the calendar year 2023, the BOAH has 2,719 export CVIs on file for a total of 131,715 head of US cattle and bison. Also for the calendar year 2023, the BOAH has 1,990 import CVIs on file for a total of 78,903 head of US cattle and bison. The BOAH has 3 cattle herds enrolled in the Johne's disease program. There are 14,844 premises in Indiana with a designation that they maintain poultry. The NPIP program provides eligibility for both commercial and hobby flocks, so all poultry premises are considered impacted parties.

The BOAH has 45 registered cervid herds and 196 CWD certified herds that would be impacted by the tuberculosis rule changes. The BOAH's records indicate that 11 premises maintain reindeer.

The BOAH has 50 licensed market facilities that are approved tagging sites and therefore authorized to apply official identification to animals. However, these parties are already in compliance because they are required to maintain

identification records under the livestock dealer law, so they are excluded from the cost-benefit analysis. [345 IAC 7-3.5-9.1](#). There were 419 sheep imported into Indiana for 2023 with 26 known wethers. There were 864 goats imported into Indiana in 2023 with 8 known wethers. This is an approximate number because several of the CVIs did not indicate the sex of the animal. There are 1,094 type II federally accredited veterinarians with an active status. There are 187 commercial dog breeders and 7 dog brokers in the state CBB program.

IV. Changes in Proposed Rule

The proposed rule will align Indiana's requirements for a Certificate of Veterinary Inspection (CVI) with federal law. In the 2nd Quarter of 2024, the BOAH processed 17,482 CVI movement documents. The vast majority of these are electronic CVIs on several approved platforms. This includes both "import CVIs" being sent to Indiana from the states of origin, and "export CVIs" which are being written by an Indiana veterinarian and sent by BOAH to the state of destination. The definition is being updated to better reflect the shift towards electronic movement documents. It is important for Indiana's definition to align with the federal standards to avoid any concerns about an Indiana CVI being considered an acceptable official form across the US and internationally.

The proposed rule will align Indiana's official identification requirements for cattle and bison with federal law. Therefore, USDA requires cattle moving into the state to have electronically readable ear tags, but the BOAH is also proposing to require electronic ear tags for cattle and bison that are moving within Indiana. It is difficult for the BOAH to estimate how many cattle owners will be impacted by the change to the intrastate official identification requirement. BOAH's movement rule currently requires the seller, lessor, or owner and the purchaser, lessee, or recipient of cattle and bison that are sold, leased, bartered, or exchanged to maintain a record of the transaction for five (5) years. Because these records are maintained by the individual and only provided to BOAH upon request, the BOAH does not have an estimate to provide regarding the number of cattle being moved within the state annually.

The proposed rule will require a person who distributes official animal identification to enter the records into a database approved by the USDA. The BOAH currently enters this information for tag distributors in Indiana that contact the agency, and this is a compliance option under the federal regulations. However, the proposed rule aligns with the federal law and establishes that the duty is on the individual to ensure that the records are entered into a USDA-approved database. The proposed rule requires federally accredited veterinarians to keep records of official identification applied to animals in a readily accessible record system. Because this is a federal mandate and most veterinary clinics are already maintaining these records for other purposes, this is excluded from the cost-benefit analysis. The proposed rule states the BOAH must be provided with prompt access to traceability records, but this is stated to clarify this duty of impacted parties and is expressly authorized in state statute. IC 15-17-3-15.

The proposed rule amends the definition of "dairy cattle" to include dairy cross bred cattle. This is a federal change that incorporates current USDA-APHIS guidance. The rationale for this change is that these animals are reared under the same management practices as purebred dairy cattle, which puts these animals at an increased risk of disease transmission.

The proposed rule aligns Indiana's interstate, intrastate, and slaughter channel requirements with federal law. This change will clarify under what conditions cattle and bison may leave a slaughter establishment. Specifically, it states that they may only be moved to another approved slaughter establishment or feedlot and must be accompanied by an

owner shipper statement that contains certain information about the animals and movement. The purpose of this additional language is to ensure that there is enough information about the movement for the BOAH to confirm that the animals have remained in slaughter channels, which is critical to protecting the state from high consequence diseases of animals.

Federal law currently requires the official identification number of sexually intact dairy cattle of any age to be recorded on a CVI. The proposed rule will require the official identification number for all dairy cattle of any age to be recorded on a CVI. This change, combined with the amended definition of "dairy cattle", will impact producers shipping and receiving dairy steers and spayed heifers, including offspring of dairy cattle that are defined as beef/dairy cross calves.

The BOAH does not estimate an increase in compliance costs for the change to the federal requirement. These animals must already bear official ID regardless of whether it is recorded on the CVI. In addition, a BOAH rule currently requires Indiana sellers and buyers to keep records of all animal IDs for cattle they sell or buy. [IC 15-17-15-2](#); [345 IAC 1-3-7.6](#). It amends the BOAH *Reportable Disease* rule to require a laboratory to report a positive diagnosis of highly pathogenic avian influenza (HPAI) for all species. Because this is required by the *Federal Order Requiring Testing for and Reporting of HPAI in Livestock* (April 24, 2024), this is excluded from the cost-benefit analysis. Because the state and USDA work collaboratively with the National Animal Health Laboratory Network (NAHLN) this does not impose additional requirements on animal owners, laboratories, or veterinary practitioners. However, it is important that the state's reporting rule aligns with USDA-APHIS for domestic and international trade purposes.

The rule amends the BOAH *Chronic Wasting Disease (CWD)* rule to allow an 840 microchip as official ID for reindeer in the United States Department of Agriculture (USDA) chronic wasting disease herd certification program. This is adding a compliance option for reindeer owners that exists under federal law and is a preferred means of officially identifying these animals.

It amends the BOAH *Johne's Disease* rule to align the individuals authorized to collect samples for Johne's disease in cattle with the applicable USDA standards. This change expands the options for who can collect official tests, which will ease the burden for those cattle owners who choose to participate in this voluntary program.

The proposed rule repeals [345 IAC 2.5-5-3](#) within the *Tuberculosis Control in Cervidae* rule to remove the tuberculosis testing requirement for intrastate movement of cervids. The testing requirement was put into place in November 2009 in response to incidences of tuberculosis in captive deer. The BOAH is making this change in response to the reduced prevalence of this disease in captive cervids.

The proposed rule amends the *National Poultry Improvement plan (NPPIP)* rule to update the incorporation by reference of the USDA NPPIP regulations. It is important that the BOAH incorporate the most recent version of the NPPIP for hobby flock owners to move poultry to exhibitions. It is also critical for Indiana poultry companies to have NPPIP as a compliance option to move poultry and poultry products in domestic and international commerce. Because these are federal program requirements, they are excluded from the cost-benefit analysis.

Federal law does not require any form identification for wethers under eighteen (18) months of age moving interstate. However, Indiana has an existing requirement that wethers under eighteen (18) months of age moving within the state to an exhibition to have a unique form of identification. BOAH is proposing also require out-of-state individuals moving wethers into the state to an exhibition to have those animals uniquely identified.

The proposed rule changes the definition of “commercial dog breeder” from more than 20 to more than 19 unaltered female dogs that are at least 12 months of age. It changes the definition of “commercial dog broker” to an entity that is either a (1) USDA Class B licensee; or (2) sells 500 dogs in a calendar year. Both changes will align these definitions with recent changes to the CBB statute. IC 15-21-1.

V. Benefit Analysis

a. Estimate of Primary and Direct Benefits of the Rule – The proposed rule directly benefits animal health and public health. As stated above, the rule improves traceability of cattle and bison movements in the state by updating the rule to allow only electronically readable eartags. This change benefits animal health because it enhances the ability to quickly locate and quarantine animals that may carry a disease and prevent other animals from being exposed. The rule benefits public health because often a trace involves a zoonotic disease; therefore, the ability to quickly locate and quarantine exposed animals enhances food safety by ensuring that these animals do not enter slaughter channels. The ability of the state to quickly and effectively trace exposed animals directly benefits business competitiveness. Indiana's livestock industry depends on the ability of the BOAH to quickly isolate exposed animals to contain a disease. If the state is not able to perform this function, it jeopardizes the health of their animals and the ability to market their products both domestically and internationally. In an animal health emergency, domestic and international buyers will expect assurances that the animals and products they are purchasing have not been exposed to a disease of concern. If the state is not able to quickly trace and quarantine exposed animals, it is not possible for Indiana businesses to provide these assurances.

According to the USDA-APHIS Regulatory Impact Analysis, benefits of the traceability system rest on largely unknown probabilities of disease occurrence and reactions by domestic and foreign markets. Given the large number of diseases that could affect cattle and bison populations, and uncertainty about the economic impacts of outbreaks of these diseases, it is difficult to quantify the benefits of transitioning from visual to EID eartags. However, use of EID eartags significantly reduces the amount of time it takes animal health officials to complete a trace investigation, which involves knowing where diseased and potentially exposed animals are, and where they have been. Animals that may have come in contact with an affected animal can number in the thousands or tens of thousands. Transitioning from visual to electronic identification devices may significantly reduce the time it takes animal health officials conducting a trace to scan animals in a herd during a disease response. Interviews conducted by APHIS Veterinary Services suggests that transitioning from visual to electronic identification devices can cut the time it takes to scan animals in a herd by approximately 50%.²

The USDA estimates that, if there is a one in a hundred chance of a \$6 billion outbreak occurring each year, and if the transition from visual only to EID tags decreased the damages associated with outbreaks by 50%, the marginal benefit of the proposed rule would be approximately \$30 million dollars per year. Their study assumes that the benefits associated with the federal rule are proportional to 1) the cost of the disease, 2) the disease incidence (i.e. the probability that a disease occurs in any given year), and 3) the percent reduction in damages associated with the shift from visual eartags to EID. When outbreaks of a high consequence disease occur, the use of EID eartags can help limit their size and scope, thus reducing the number of animals that are depopulated, the impact to producers and communities, and the probability that trade restrictions are imposed.

b. Estimate of Any Cost Savings to Regulated Industries – The BOAH anticipates that the repeal of the TB test requirement for intrastate movement of cervids will provide cost savings to regulated entities. The BOAH has 241 premises registered with the agency that maintain captive cervids. 188 of these herds maintain a TB-accredited status, which includes 7,910 animals. Animals in these herds can move interstate or intrastate without an individual test. Therefore, it is difficult to quantify an exact number of animals moving intrastate between accredited herds. It is also unknown how many of these herds maintain their status exclusively for purposes of intrastate movement, but it is unlikely that the number of TB-accredited herds will decline because of the repeal of the intrastate requirements. The total cost to maintain this status depends on the number of head.

If there is an animal that is being moved from a non-accredited herd, the owner will not have to pay for an individual TB test. The average cost to TB test deer is \$45-\$60 per head. This includes the lab fee, vet hourly fee, vet paperwork fee, and vet farm visit. It is also important to note that deer must be sedated to be tested, which presents a safety risk to the animal. If there are 53 herds that are not TB-accredited and estimate that each of those herds move 3 cervids intrastate per year, the total annual cost saving is \$8,347.50 (159 animals x \$52.50 average testing cost).

VI. Cost Analysis

a. Estimate of Compliance Costs for Regulated Entities – There are two components of this rule that are not federally mandated. The first change is the requirement that cattle moving within the state bear electronically readable eartags. As mentioned above, the BOAH has 30,584 cattle and bison premises registered in Indiana. The USDA has estimated that 11 million head of US cattle are tagged with non-EID tags each year. This represents approximately 11-12% of the cattle and bison in the US. The USDA has calculated an average cost of \$30.45 per cattle or bison operation each year to transition for non-EID tags to exclusively EID. Using this figure, the BOAH estimates the total cost for Indiana cattle producers to comply to be \$111,753 $[(30,584 \times 0.12) \times \$30.45]$. It is important to note that small cattle producers may be able to work through an association to capitalize on bulk discounts for EID tags, such as cooperative buying. The EID tags are also printed with a visual number. Therefore, a producer does not have to have a wand reader to use an EID tag.

The second component of the proposed rule that is not federally mandated is the requirement that wethers under eighteen (18) months of age moving to an exhibition be uniquely identified. As mentioned above, this is already required for Indiana sheep producers. This change merely requires out-of-state producers to similarly uniquely identify these animals when moving into the state for exhibition. Based on known numbers, this would impact a small number of producers annually (26 sheep wethers and approximately 8 goat wethers entered the state for exhibition in 2023). With an average price of \$12/tag, the total annual cost of compliance is \$408 (24 animals x \$12.00).

b. Estimate of Administrative Expenses Imposed by the Rules – The proposed rule requires a person that distributes official animal identification devices to enter the records of whom the devices were distributed into a USDA-approved database. The proposed rule also requires a federally accredited veterinarian, licensed livestock market, or licensed livestock dealer to keep records of tags applied to animals in a readily accessible record system. These are federally mandated requirements. In addition, accredited veterinarians are already collecting this information in their medical records, and most are maintained within a system where they are readily accessible in a disease outbreak. As discussed above, licensed livestock markets and dealers are already required to maintain traceability records under the state livestock dealer law. IC 15-17-14.

If a paper CVI is being used, the requirement that all dairy cattle of any age must have official ID recorded on the CVI may increase administrative costs. Specifically, it could entail time for the producer to transmit handwritten IDs to the veterinarian so that the veterinarian can record those IDs on the CVI. However, when the IDs are electronic, there are options to reduce the administrative costs by using electronic means of reading, transmitting, and recording the CVIs. For example, a wand reader can scan animal IDs, export that data from the wand into an Excel spreadsheet that the veterinary clinic can upload into a free electronic CVI platform to add those animal IDs to the CVI in only a few minutes. The cost of a wand reader ranges from \$75.00 to \$1,500 depending on the features of the device.

c. The fees, fines, and civil penalties analysis required by [IC 4-22-2-19.6](#) – The proposed rule does not add or increases a fee, fine, or civil penalty.

VII. Sources of Information

United States Department of Agriculture – Animal and Plant Health Inspection Service (USDA-APHIS), 89 FR 39540, Use of Electronic Identification Eartags as Official Identification in Cattle and Bison, May 9, 2024:

<https://www.federalregister.gov/documents/2024/05/09/2024-09717/use-of-electronic-identification-eartags-as-official-identification-in-cattle-and-bison>

Federal Order Requiring Testing for and Reporting of Highly Pathogenic Avian Influenza (HPAI) in Livestock , April 24, 2024;

<https://www.aphis.usda.gov/livestock-poultry-disease/avian/avian-influenza/hpai-detections/livestock/federal-order>

BOAH Premises Identification Program [345 IAC 1-2.5](#) <https://www.in.gov/boah/traceability-and-premise-id/>

VIII. Regulatory Analysis

There are two requirements in the proposed rule that are not required by federal law and therefore a part of the cost benefit analysis:

a. Electronic ID for intrastate movement of cattle - The BOAH has made a determination that the benefits that enhanced animal traceability provides are likely to exceed the compliance costs for impacted parties (\$111,752 annually).

b. Official ID for movement of wethers into the state for exhibition – The use of EID eartags in out of state sheep coming to Indiana exhibition will ensure that a trace of a diseased animal can occur quickly and accurately, thus reducing the economic impact to Indiana sheep producers. The BOAH has made a determination that the benefits that enhanced animal traceability provides are likely to exceed the compliance costs for impacted parties (\$408 annually). There is a repeal of one requirement that is not required by federal law:

a. Repeal of intrastate TB testing over cervids - The repeal of the intrastate tuberculosis (TB) testing requirement will provide a total estimated annual cost saving of \$8,347.50. The BOAH has made a determination that the cost saving to cervid owners outweigh the agency's need for the test requirement given the reduced prevalence of the disease in farmed cervids.

IX. Contact Information of Staff to Answer Substantive Questions

Sarah A. Simpson, JD

General Counsel

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317-460-0960

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1. HEA 1412, 123rd General Assembly (Ind. 2024) <https://iga.in.gov/legislative/2024/bills/house/1412/details>.
 2. USDA-APHIS, Regulatory Impact Analysis & Final Regulatory Flexibility Analysis for Animal Disease Traceability; Electronic Identification, November 9, 2022.

Notice of First Public Comment Period: [20250604-IR-345250279FNA](#)

Notice of Determination Received: May 14, 2025

Posted: 06/04/2025 by Legislative Services Agency



Animal Disease
Diagnostic Laboratory

Report for the Board of Animal Health Quarterly Meeting – July 2025

- Budget Summary (FY 2025 year to date (end of May) compared to FY 2024)
 - Sales and Services: Up 19% from last year (\$712,645.40)
 - Salary, Wage and Fringe: Up 7% (\$363,146.52)

- Updates:
 - AAVLD Audit (May 2025): no major findings per the preliminary report
 - Reed Lab Facility Upgrades
 - Phase 1 (incinerator replacement) began May 2025 with an expected October 2025 completion date. The original incinerator has been removed, and the new incinerator has arrived.
 - Phase 2 (walk-in cooler replacement): scheduled to begin October 2025 with a January 2026 completion date.
 - Reed Lab Facilities Assessment by Perkins&Will
 - Anticipated completion: late Summer 2025
 - Hanover Research: July 2025 through June 2026
 - 3 projects: market analysis, estimated ROI, competitor benchmarking
 - LIMS Replacement: AgLab selected; implementation May 2025 – February 2026

- Positions:
 - Faculty Pathologist Position – Dr. Sakashita will start September 15, 2025
 - Client Services Veterinarian – offer made
 - Faculty Poultry Diagnostician – search in progress
 - Faculty Molecular Diagnostics Position – search in progress
 - Laboratory Technician, Serology – search in progress

- Fee Changes implemented July 1, 2025 (FY26)



Mike Braun, Governor
Kyle Shipman, DVM, State Veterinarian

INDIANA STATE BOARD OF ANIMAL HEALTH

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Media/Public Information Office Report

26 June for 22 July 2025 Board Meeting

Denise Derrer Spears, Public Information Director

Public Information:

- Met with Farm Journal Foundation team members, as well as representatives of Indiana partner organizations, to discuss the veterinary shortage/workforce initiative and receive a progress report.
- Participated in conversations with the Management Performance Hub (MPH) on plans for a "Find a Veterinary Clinic" online portal.
- Participated in Fountain County's Ag Day program for schools with a booth and activity on biosecurity.
- Attended quarterly meeting of Metropolitan Emergency Services Organization.
- Coordinated and hosted the BOAH session for Boiler Vet Camp to help 7th and 8th graders explore careers in regulatory veterinary medicine.
- Worked with summer interns on developing content for BOAH social media as a special project.
- Attended the annual Women in Ag Advisory Committee meeting.
- Attended an all-agency meeting hosted by Governor's staff for all communications directors to discuss goals of this administration.
- Participated in Indiana State Fair safety planning meetings.
- 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.
- Prepared content for partner newsletters, including: Hoosier Responder, IVMA, IDEFA, ICAW, IBCA, IDP.
- Reported weekly constituent contacts with the agency to the Governor's office.

Animal Health & Care:

- Attended the Indiana Council for Animal Welfare Professionals meeting with a booth and to announce the IN Animal Care Resource Center & Animal Investigations Academy SharePoint site.
- Maintained the BOAH webpages and e-updates for Indiana's participation in the National Milk Testing Strategy.
- Launched the IN Animal Care Resource Center & Animal Investigations Academy SharePoint site. We are targeting those who work in an official capacity doing animal-related investigations, such as law enforcement officers and animal control personnel. The site provides content related to various aspects of conducting investigations, such as evidence collection and body condition scoring.
- Joined the field staff to assist with environmental sampling at a larger layer facility affected by HPAI.
- Continued to field media calls about HPAI response and status.
- Promoted and hosted the May Lunch-and-Learn Webinar focused on large animal technical rescue. The recording is [available on our YouTube channel](#). Attendance: 90

Disaster Preparedness:

- Participated in as an evaluator for the Awakening the Wabash full-scale earthquake disaster exercise.
- Coordinated BOAH's Q2 lunch-and-learn webinar on Large Animal Technical Rescue. The video is posted to BOAH's YouTube channel.

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- Instructed L105, the Basic Public Information Officer training for Indiana Department of Homeland Security. This training draws PIOs and emergency managers and others statewide. Communication management during HPAI events is used for many examples throughout the 3-day training.
- Met with IDOH Medical Reserve Corps (MRC) coordinator to discuss updates to our veterinary medical reserve corps program.

Food Safety:

- Joined a tour of Hulsbosch Dairy in Greensburg that included members of the Indiana Environmental Health Association. This afforded an opportunity to educate local health department inspectors about BOAH's role in food safety and dairy inspection and answer questions about the regulatory side. The producers expressed appreciation for BOAH's participation in the tour.

Website & Social Media Fun Facts:

- BOAH's two YouTube channels have become our main focus on social media for engaging with citizens, producers, veterinarians and other partners:
 - Indiana Veterinarians (www.youtube.com/@indianaveterinariansinboah7062): Q2 had more than 30 hours of viewing time of videos. Nine of our top 10 videos were the Vet-CVI tutorials or trouble-shooting videos.
 - Indiana BOAH (www.youtube.com/@indianaboah3587): Q2 had nearly 60 hours of viewing time, with "Preventing Drug Residues" as the most-watched video.

Indiana Veterinary Workforce Initiative

August 2025

Summary: The availability of veterinary services, particularly in rural areas and for food-animal clients, has become more and more difficult to obtain. A number of factors likely contribute to the current situation; therefore, any achievable solution(s) must be multi-faceted.

Indiana Working Group:

- Indiana Center for Animal Policy (Board of Animal Health and Board of Veterinary Medicine)
- Indiana State Department of Agriculture
- Purdue University College of Veterinary Medicine
- Indiana Veterinary Medical Association

The working group is taking a three-pronged approach:

1-Coordinate

- Worked with Farm Journal Foundation (FJF) to assess the situation, which generated a report, *Indiana Rural & Food Systems Veterinary Shortage Solutions*
- Established the *Indiana Working Group* to coordinate methods to identify solutions

2-Assess

- Encourage participation in veterinary educational debt loan repayment programs
 - *Federal:* Veterinary Medical Loan Repayment Program (VMLRP)
 - *Federal:* Veterinary Services Grant Program (VSGP)
 - *State:* Does not currently exist in Indiana; would require legislative action to establish
- Gathered insights on practice and veterinary deserts via a survey of Indiana category 2 USDA-accredited veterinarians
 - <https://www.in.gov/animalpolicy/category-2-accredited-veterinarians-survey-data/>
- Developing a profile of Indiana veterinary professionals populated with data collected at license renewal for the *Veterinary Professional Licensing Dashboard*
 - www.in.gov/animalpolicy/licensing-dashboard/
- Engaging key stakeholders as part of listening and input sessions
- Seeking input from Hoosiers with concerns, ideas, suggestions via the Citizen Input Portal
 - <https://www.in.gov/animalpolicy/input-and-feedback/>

3-Implement

- Encourage use of FJF-developed Workforce Pipeline educational tools targeting potential future veterinarians from high school through early career
 - (<https://www.ruralveterinaryworkforcesolutions.org/career-guidance>)
- Developing a free, online search tool
 - *Find-A-Veterinary Practice* will be forthcoming late 2025/early 2026

More Information:

Reports, dashboard, data, links and updates are available online:

<https://www.in.gov/animalpolicy/veterinary-workforce-survey/>





INDIANA STATE BOARD OF ANIMAL HEALTH

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Chief of Staff Report
Gary L. Haynes
July 22, 2025

Quarterly Highlights

- **Personnel:**
 - BOAH filled a district veterinarian position in the South-Central region.
 - Recruiting two meat inspector positions.
- **Governor Braun Executive Orders**
 - BOAH Responded to Governor Braun's executive orders, including the following:
 - Executive Order 25-14: Prepared a report on diversity, equity and inclusion (DEI).
 - Executive Order 25-13:
 - Established BOAH key performance metrics aligned with outcomes that impact Hoosiers. See attached 2025 KPI document.
 - Evaluate operations for process improvement, opportunities to leverage data and innovation to enhance government efficiency and improve constituent services.
 - Prepared a "Government Efficiency" report detailing all the agency's purposes, duties and programs and describing current challenges.
 - Executive Order 25-15: Evaluated job requirements to determine if a college degree is necessary to perform job duties and to prioritize skill-based hiring practices, relevant experience and competencies.
 - Executive Order 25-16: Implemented policies requiring employees to work in the office, facility or field location assigned by the agency (eliminating hybrid remote work arrangements).
 - Executive Order 15-17: Reducing regulations and regulatory sunset, including:
 - Review rules scheduled for readoption, prepare a report outlining the continued need for the rules, comparing the rule requirements to five other states' requirements, and assessments that cover eleven other subjects.
 - Prepare a rulemaking plan for CY2025 and CY2026
 - Prepare a report outlining regulatory reduction plans.
 - Executive Order 25-18: Review rules for occupational licensing requirements and submit a report on findings.

- **Finance:**

- Closed state fiscal year 2025.
- The agency fiscal year 2026 spending plan is completed.
 - BOAH's appropriation for animal health, which includes all agency functions except meat and poultry inspection, is subject to a mandatory 5% reserve. The agency will meet this reserve requirement through:
 - Not filling three positions.
 - Savings from hire lag and hiring new staff at a lower salary than staff that retire.
 - Reducing operating expenditure, including out-of-state travel expenses.
 - A mandatory 5% reserve applies to the operating appropriation for the Animal Disease Diagnostic Laboratory (ADDL). BOAH worked with Purdue University and the State Budget Agency on procedures to move funds appropriated to BOAH for the ADDL to Purdue.
 - BOAH and ADDL are waiting for additional guidance from the State Budget Agency on the status of appropriations for capital projects, including the ADDL's capital projects.
- BOAH's state general fund appropriation for the meat and poultry program is flatlined for FY 2026.

U.S. Secretary of Agriculture, Brooke Rollins, announced \$14.54 million of additional funding for state meat and poultry inspection programs in FFY 2025. President Trump's proposed FFY 2026 budget included additional funds for state meat inspection programs. BOAH is cautiously optimistic that Indiana's allocation of additional funds will eliminate prior year shortfalls in federal funding for the meat inspection program.

- **Cooperative Agreements**

- The United States Department of Agriculture (USDA) renewed all cooperative agreements with BOAH for the April 2025 to March 2026 project period.
- BOAH submitted a cooperative agreement application to continue chronic wasting disease prevention efforts through genetic testing of farmed white-tailed deer.

- **Policy:**
 - Continued evaluating animal-related bills in the 2025 General Assembly session.
 - Continued work with the Board of Veterinary Medicine on policy questions and initiatives and rulemaking projects.
 - Participated in BOAH's veterinary workforce initiative team.
- **Technology**
 - Continued work with the Indiana Office of Technology and a vendor to implement BOAH's new animal health database, AgEnterprise. Expect implementation to be completed in the fourth quarter of 2025.
 - Began reviewing State of Indiana technology policy changes, including updated policies on state agency's use of artificial intelligence applications.



Mike Braun, Governor
Kyle Shipman, DVM, State Veterinarian

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Indiana State Board of Animal Health 2025 Key Performance Indicators (KPI) – Top Level 7-1-2025

Mission area: Animal Health - mitigating risks from diseases and pests of animals. (Animal Programs Division and Avian Division)

- The number of livestock and poultry program diseases in which Indiana meets the highest USDA status.
 - This indicator for the Animal Programs Division measures the status of animal disease programs using nationally recognized standardized program measures. These program measures are used by the federal government, state governments and foreign trading partners to determine if Indiana sourced animals and animal products may move across state lines and internationally. Target = 100%
- The number of National Poultry Improvement Plan biosecurity plan audits that are current to standard.
 - This indicator for the Avian Division measures efforts to maintain and improve biosecurity on poultry farms which will reduce animal disease risk, enable Indiana poultry farms access to markets, and qualify farms for federal assistance in a disease outbreak. Target = 100%

Mission Area: Animal Care. (Animal Programs Division).

- The number of animal care investigations involving BOAH that result in a positive outcome for the animals. Target = 100% of investigations.
- Average application processing time (after submission of completed application).
 - Commercial dog breeder, dog broker, pet store registrations. Target = 2 business days.

Mission Area: Food Safety - Mitigating public health risks from animal products.

Dairy Inspection (Dairy Division)

- The percent of dairy program audits in which the enforcement score passes.
 - This indicator for the Dairy Inspection program measures performance of the Dairy Inspection program under the Pasteurized Milk Ordinance using a program evaluation process that is approved by the U.S. Food and Drug Administration. This measure represents indicators used by the federal government, state governments and international trading partners to determine if Indiana sourced dairy products are safe and eligible to move in commerce. Target = 100% of audits.

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- Average application processing time (after submission of completed application).
 - Construction plans approval
 - Dairy Farm license
 - Dairy Plant license
 - Bulk Milk Hauler / Sampler license.

Meat and Poultry Inspection (Meat and Poultry Division)

- The percentage of meat and poultry inspections successfully accomplished.
 - This measure for the Meat and Poultry Inspection program measures performance of the Meat and Poultry Inspection program to standards required by the U.S. Department of Agriculture. This measure represents indicators used by the federal government and state governments to determine if Indiana sourced, state-inspected, meat and poultry products are safe and eligible to move in commerce. Target = 98%

Mission Area: Veterinary Licensing. (Board of Veterinary Medicine).

- Average application processing time (after submission of completed application).
 - Veterinarian license
 - Veterinary technician registration

Target = 2 business days.



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Avian Health Division Board Report 2nd Quarter, 2025

Quarterly Highlights

- Across the country, Highly Pathogenic Avian Influenza (HPAI) diagnoses in poultry trended significantly downward during the second quarter. There were 34 cases diagnosed in domestic poultry compared to 298 in the first quarter of the year. Likewise, Indiana reported just a single case of HPAI in May in a small flock in Porter County, bringing our 2025 total to 28 domestic cases.
- All Indiana HPAI control areas and surveillance zones have been released, and all but two farms were cleared to restock this quarter. According to the World Organization for Animal Health guidelines, an HPAI-free status can be declared for a state or region once the disease has been eradicated on all affected farms and no new infections are detected during a subsequent 28-day waiting period. On May 27, Indiana declared HPAI freedom, a designation that eases export restrictions and international trade barriers placed on the state's poultry and poultry products.

Avian Health Updates

- In February, U.S. Secretary of Agriculture Brooke Rollins announced USDA's five-pronged strategy to combat avian influenza. One of those prongs included expanding voluntary biosecurity assessments to commercial producers, including one focused on wildlife risk mitigation and another on general biosecurity improvements. USDA is covering up to 75% of costs for the highest-risk biosecurity improvements. Indiana ranks 4th nationally in the number of assessments conducted, with 129 total. Over 100 of these were completed by BOAH staff during our 2025 outbreak. Most of the remaining assessments have been undertaken by USDA Wildlife Services, with uptake primarily from our larger egg producers.
- Indiana continues to see new cases of Avian Metapneumovirus (aMPV) Subtypes A & B, which were previously foreign to the U.S. and for which no vaccine was approved domestically. BOAH has reported over 500 PCR-confirmed cases in Indiana on farms housing more than 12 million birds across 33 counties since its arrival in March 2024.
 - By the end of 2024, USDA's Center for Veterinary Biologics (CVB) had approved the import of two inactivated aMPV vaccines and the production of a couple of experimental killed products domestically.
 - The first foreign-produced, and highly anticipated, modified live vaccines were approved for import by CVB in early 2025. BOAH has approved several of these

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products for use in specific production systems. Preliminarily, we have received favorable feedback on vaccine effects and look forward to more solid data in the future.

- The outbreak of *Mycoplasma gallisepticum* (MG) in southwest Indiana commercial turkey flocks increased by one positive flock in Greene County in mid-April. Quarantines on all 11 farms involved have now been lifted, and the outbreak is considered closed. The state and industry responses have allowed Indiana to maintain its MG-free status for turkeys.
- No laboratory-diagnosed cases of Egg Drop Syndrome Virus (EDSV) were reported in Indiana this quarter. BOAH has continued to learn of outbreaks affecting other states, which has resulted in an increased demand for the imported vaccines that have been key to containing the virus in our state. Supply of vaccine is reportedly still a concern in some cases.
 - Because several of Indiana's poultry operations provide pullets for, or are epidemiologically linked to, production systems in these other states, BOAH has also updated its EDSV vaccine policy. The new policy allows greater flexibility to veterinarians and companies wishing to protect their Indiana poultry, including young stock that will be exported to states with active outbreaks.

NPIP Updates

- NPIP inspections were postponed for the first several months of 2025 due to both biosecurity concerns and staff availability related to the HPAI outbreak. BOAH has recently resumed these visits late in the second quarter, conducting inspections at three egg processing plants and one laboratory, and completing biosecurity audits for two participating companies. We have established an aggressive schedule for the coming weeks to ensure all participants stay current.
- In addition to commercial operation inspections, test verification and renewals are underway for 92 NPIP dealer participants and 112 independent, small-flock NPIP participants.
- In the second quarter, we processed 3,557 requests for movement of 80,890,260 hatching eggs, chicks, poults, ducklings, and other poultry.

Partnerships & Outreach

- Outreach and connections this quarter have continued to be primarily related to HPAI response and now preparedness for additional outbreaks anticipated in the future. As we battled influenza this year, both USDA and BOAH have updated policies and SOPs, so we are familiarizing our industry with these changes. Concurrently with conducting NPIP inspections, we review pertinent lessons learned and discuss further preparedness efforts with participants. We also provided a 2025 HPAI response review at the open portion of the ISPA board meeting in June.
- 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 national aMPV working group, and the Secure Egg Supply committee.

Looking Ahead

- Drs. Cooper and Kopp and Chelsie Leatherman will attend the NPIP Official State Agency and General Conference Committee meetings in Minneapolis in July which is held for participating states to discuss program implementation and changes to program standards and provisions, as well as to understand any changes and requirements for cooperative agreement funding, state certifications, laboratory proficiency testing, avian influenza response plans, and other relevant topics.

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

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



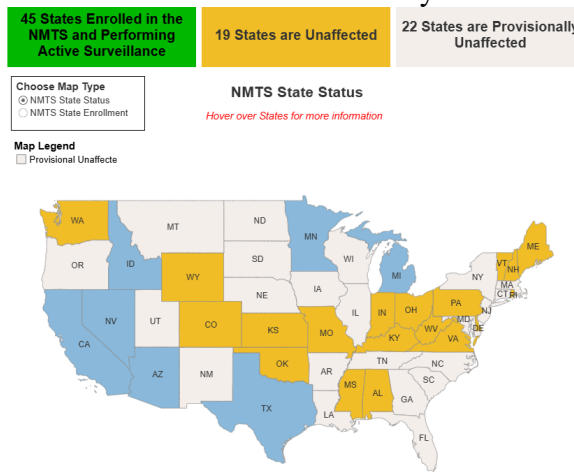
INDIANA STATE BOARD OF ANIMAL HEALTH

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Animal Programs Division Board Report 2nd Quarter, 2025

Quarterly Highlights

- The North Central District of the United States Animal Health Association's annual meeting was held in Illinois in April. Drs. Shipman and Werling had the opportunity to hear updates on the cull sow traceability study, wildlife biosecurity assessments, national program disease cases/investigations, HPAI, and updates from several program areas, such as scrapie and animal disease traceability. Dr. Rosemary Sifford also gave a "State of the USDA" message, providing updates on current personnel and priority transitions under the new administration.
- BOAH welcomed two students as part of the Governor's Summer Internship program this quarter! Hudson Hile is a rising junior at Purdue University in Animal Sciences and Emma Zaicow is a third-year veterinary student at Purdue University College of Veterinary Medicine. See the attached report for more information about their internship experience this summer.
- Dr. Jodi Lovejoy and Ed Lucas retired from the agency on June 20, 2025. Dr. Jodi Lovejoy served as BOAH's District 8 Field Veterinarian for 33 years. Ed Lucas served as an animal health specialist and retired after 44 years of service with the State of Indiana.
- Multiple BOAH employees attended Boiler Vet Camp at the Indianapolis Zoo and taught junior campers about the role of regulatory veterinary medicine in animal health.
- In June, Indiana completed its final round of negative HPAI testing of milk as part of the National Milk Testing Strategy (NMTS) and was awarded "Unaffected" status for the state. Plans for maintaining "Unaffected" status are underway.



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Programmatic Updates

Animal Care and Welfare

- BOAH received 137 animal welfare-related complaints or inquiries, leading to 48 animal care investigations this quarter. The complete Animal Programs Investigations Report is included at the end of this report.
- Welfare cases involving state designees (Allen County) included 21 criminal charges filed for animal neglect. All were companion animals and were determined to be at immediate risk and surrendered. Of these 21, six had prosecutorial outcomes with admission of guilt. Four investigations this quarter had charges not pursued.
- The animal welfare addendum committee continues to review and update the animal welfare report template used by BOAH field vets to document animal welfare investigations. This group also developed a user guide for the report template to help standardize utilization of the template across investigators.
- In May, BOAH released the Animal Care Resource Center and the Animal Investigations Academy (AIA) curriculum, allowing asynchronous delivery of training for animal welfare investigators and local law enforcement. If interested in obtaining access, please contact Denise Derrer Spears.

Aquaculture

- Eight pre-entry permits were issued for fish during Quarter 2. These permits are typically acquired by aquaculture producers who then sell fish to stock private lakes and ponds. These permits were for sport fish – bluegill, bass, and crappie being most popular.

Cattle

- The number of Indiana cattle herds enrolled in each of the following programs includes:
 - Tuberculosis: 4
 - Brucellosis: 5
 - Johne's: 3
- On June 2, 2025, BOAH received a Tuberculosis trace for 48 dairy cross cows who moved from Texas to a single site in Indiana, in October of 2023. The site in Indiana has accounted for all 48 head (35 of which are still onsite, 11 were sent to a federally inspected slaughter plant, and 2 died on the farm with no history of illness). Of the 35 that are still on farm, all have been caudal fold tested and are negative. BOAH continues to collaborate with the USDA Cattle Health staff to determine the next steps to remove the exposed cows with confidence that they are negative for TB.
- In the total national HPAI H5N1 outbreak in cattle, there have been 1,074 confirmed cases in 17 States.
 - In quarter two, BOAH processed over 1,800 AI Matrix Surveillance test charts, which included tests from the National Milk Testing Strategy (NMTS) and over 300 Owner Shipper Statements required under the federal order.
- *Tritrichomonas foetus*: Indiana's cases of *Tritrichomonas* in two cattle herds are ongoing. Both herds are under *Tritrichomonas* elimination plans and BOAH continues to assist the producers in eliminating infection from the herds.

Cervids

- This quarter, BOAH completed the second round of the 2024 USDA Farmed Cervid Cooperative Agreement for genomic testing of white-tailed deer. To date, a total of 1,911 deer have been tested with the 2024 funding. BOAH has been granted funding for the 2025 cycle and will begin planning program implementation soon.
- In Quarter 2, BOAH reviewed and updated the state-specific online training and educational materials for Indiana's CWD program. This program is being developed by the Center for Food Security and Public Health at Iowa State University to create a state-specific baseline for educational materials about CWD.
- CWD Program Numbers:
 - Total active cervid herds: 265 (195 Certified, 46 Registered, 25 Registered-Pet)
 - New cervid herds: 1
 - Out of business herds: 4
 - Hunting Preserves: 16
 - Enforcement Actions: 5 (2 first notice of violation letters, 2 hunting preserve missed sample warnings, 1 release of suspension)

Commercial Dog Breeder & Broker Program

- Program Numbers:
 - Active Dog Breeders: 193
 - Active Dog Brokers: 8
 - Animal Control Centers: 22
 - Animal Rescue Operations: 108
 - Animal Shelters: 42
 - Humane Societies: 35
 - Retail Pet Stores: 21
 - Other: 12
- Required records inspections of registered pet stores (selling dogs) will go in effect on July 1, 2025. BOAH has developed a strategy for completion of those inspections and a standardized inspection form is being prepared for use. The plan is to perform an initial inspection of all registered pet stores in the first year, with follow-up evaluations completed every 2 years and half of retail pet stores being evaluated each year.

Companion Animal/Rabies

- So far in 2025, two bats have tested positive for rabies. These bats were located in Marion and Hamilton counties.
- BOAH received an inquiry about HPAI in cats this quarter. A veterinarian in Greene County contacted BOAH to see if HPAI had been recently detected in or around the county. The vet reported they had seen 10 – 12 cats in the practice that presented with respiratory signs, anemia, jaundice, and eventual death. After discussing the case, two recently deceased cats were submitted for necropsy and a diagnosis of cytauxzoonosis was made. Since this discussion, BOAH has received reports of confirmed cases in Martin County and Monroe County. Cytauxzoonosis is also known as “Bobcat Fever” since bobcats are a natural host of the parasite which causes illness (*Cytauxzoon felis*). Most infected bobcats show no clinical signs of illness but can become persistent carriers of the disease. Infection is typically spread to domestic cats

through a tick bite (lone star tick or American dog tick). Cats cannot catch the infection directly from an infected cat or from tick ingestion. Clinical signs usually develop within 10 days after the tick bite (5 – 14 days) and may include lethargy, inappetence, fever, difficulty breathing, anemia and seizures. Affected cats may also have jaundice due to destruction of the red blood cells, and enlarged lymph nodes, spleen and/or liver. Death may result within 2 – 3 days after the detection of fever without medical intervention.

Compliance

- Ten compliance cases were investigated this quarter involving alleged noncompliance with rules related to carcass disposal (5), livestock dealing (1), traceability/interstate movement (2), commercial dog breeder/broker compliance (2) and dairy compliance (1). Case outcomes this quarter included: corrective action taken (4), unfounded complaint (4), and pending action (2). The full Animal Programs Investigations report is included at the end of this report.

Drug Residue Prevention & Biologics

- Two new drug residues investigations in milk occurred this quarter. One investigation is complete and the other is scheduled to be completed at the end of June. The completed investigation found that a dry cow re-entered the milking herd prematurely.
- Sixty autogenous vaccine requests from private veterinarians were submitted to BOAH this quarter that required approval. Additionally, two experimental vaccines, one cancer immunotherapy, a vaccine study, three test kits, a bacterin, and baculovirus vector were submitted for approval.

Emergency Preparedness & Training

- Dr. Strasser attended a three-day-training, “Animal Radiological Response and Operations” hosted by the Minnesota Veterinary Medical Reserve Corps. She will be using the information and experience gathered to develop and update Indiana’s animal radiologic response.
- BOAH participated in “Awakening the Wabash”, the Wabash Valley Seismic Zone Earthquake full-scale exercise in June. BOAH both staffed the Emergency Support Function-11 (ESF-11) seat in the State Emergency Operations Center and participated at the State Fairgrounds location for the exercise.

Equine

- The horses diagnosed with Equine Piroplasmiasis (EP) in December 2024 remain under quarantine. Weaning and testing of the foal will take place late summer/early fall and the owners are considering treatment for the mare post-weaning.
- In April, fifty-one Equine Infectious Anemia (EIA/Coggins) samples taken during a Shipshewana auction were lost in transit to the lab. Twelve of the horses originated out of state and were purchased by Indiana buyers. BOAH was able to redraw samples for eleven horses, and one horse was lost to follow-up. All redrawn samples were negative.

Foreign Animal Disease Investigations.

- In addition to responding to multiple commercial and backyard sick bird calls in association with the ongoing HPAI outbreak, BOAH conducted one foreign animal disease investigation this quarter ruling out EIA in a horse.

Licensing

- Through the livestock markets and dealers licensing program, there are 137 active individual livestock dealers, 52 active livestock market facilities, and 13 packer/packer buying station facilities in Indiana. There were 26 market & dealer inspections conducted in Quarter 2.
- BOAH's animal disposal program consists of 12 collection services, 11 disposal plants, and 3 exotic feeding operations, making up a total of 26 active disposal plant operations in Indiana.
- A total of 538 livestock brands are currently registered in Indiana.

One Health

- The One Health Collaboration team (BOAH, IDOH, DNR, and IDEM) held its annual in-person meeting in June at DNR's Bloomington headquarters. Many relevant One Health topics were presented and thoroughly discussed across the agencies.
- The Asian Longhorned tick (ALHT) has now been identified in six Indiana counties (Dearborn, Dubois, Perry, Switzerland, Ohio, and Hendricks). Furthermore, the tick is now considered established in Dearborn County after a joint investigation by IDOH and BOAH following the exsanguination death of a cow because of ALHT infestation.
- BOAH will be conducting an HPAI After Action Review ("Hot Wash") in August to critically evaluate all aspects of the agency's response and determine how to respond even more effectively and efficiently. Sharing experiences and fostering an environment of open dialogue will serve well to provide both our commercial and non-commercial poultry customers with exemplary assistance and guidance during future HPAI outbreaks.

Sheep & Goats

- There is one caprine herd enrolled in the tuberculosis and brucellosis programs in Indiana.
- Indiana is working to achieve its assigned surveillance minimums for scrapie. At the end of May, Indiana completed the minimum testing requirement for goats (282.5 of 126 required); however, BOAH is still working to meet the sheep surveillance testing minimums (224.5 of 312 required).

Swine

- In May, BOAH was notified of a non-negative swine brucellosis test from a cull sow processed in Wisconsin that originated from a sow farm in Indiana. The herd veterinarian collected blood samples from 34 pigs that were epidemiologically linked to the cull sow. On 6/19/2025, NVSL reported that all blood samples collected were negative for swine brucellosis. The investigation is considered complete based on these negative test results.
- Indiana continued enrollment and certification in the US Swine Health Improvement Plan (US SHIP) for Indiana swine producers. In addition to processing US SHIP enrollments and certifications, BOAH began preparation for the 2025 House of Delegations meeting in September by contributing to several Indiana delegation pre-meetings and discussions. The current enrollment by site classification represents approximately 80% of breeding herds and 64% of growing pig herds and includes:
 - Boar studs – 1
 - Breeding herds – 44
 - Farrow-to-feeder/finish – 4
 - Growing pig herds – 483

- Small holdings – 27
 - Non-commercial – 3
 - Packers – 2
 - Live animal market operations – 2
- Indiana currently has 79 active Commuter Herd Agreements (31 export; 48 import) with thirteen states. Four new agreements were established, and thirteen renewals were completed this quarter.
 - Ninety-three individuals are actively rostered as Certified Swine Sample Collectors in Indiana. Two renewals were completed this quarter.
 - Indiana has been collaborating with the Michigan Department of Agriculture and Rural Development (MDARD) to determine follow-up action items from the March African swine fever continuity of business permitting exercise. At this time, discussions are underway about sampling drills to exercise the sampling required for a movement permit.
 - Indiana processed 71 Secure Pork Supply biosecurity plans this quarter, bringing the total number of SPS plans on file with BOAH to 476.

Traceability

- Eighty-six rejected export CVIs were returned to Indiana veterinarians this quarter. The top three causes for rejection of these CVIs were: 1.) missing ID/no Official ID/incomplete ID, 2.) incomplete origin/destination information, and 3.) no permit number.
- Several members of the BOAH data management team attended the annual USAHERDS conference in May. This meeting allows attendees to share ideas, collaborate, and learn new tips and tricks for data management in USAHERDS from other USAHERDS users.
- BOAH continues User Acceptance Testing (UAT) for the new animal health database, AgEnterprise. The UAT process requires users to enter the database and test its functionality to ensure it is performing to our standard and providing at least the same functionality as USAHERDS. This process will be ongoing throughout quarter three and updates will be made to the application prior to rolling the application into production.
- Movement documents were processed this quarter from the following sources:
 - Commuter Herd: 388
 - Paper CVI & eCVI: 1,354
 - VET-CVI: 4,104
 - GVL & VSPS: 10,711
- BOAH issued a total of 59 swine import permits and 229 cattle import permits this quarter.

Respectfully Submitted,

Keeli Werling, DVM

Director, Animal Programs Division

INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 2, 2025

Incident Name County	Species Involved	Primary Investigator	Requesting Agency	Reason for Request	Case Classification
15KZ1BSU-04C Wayne	Canine	Justice	Law Enforcement	Abandonment	Animal Care
15LR1331-04C Wayne	Canine	Justice	Law Enforcement	Abandonment	Animal Care
15LX12W0-04C Wayne	Canine	Justice	Law Enforcement	Abandonment	Animal Care
15N014QD-01Y Jackson	Canine	Lovejoy	Animal Control	Abandonment	Animal Care
15MZ16BD-04C Wayne	Canine	Justice	Law Enforcement	Abuse	Animal Care
15KP12C4-016 Boone	Canine	Miller	Law Enforcement	Aggressivenesss Assessment	Animal Care
15KY1ET8-OAL Scott	Canine	Macy	Animal Control	Aggressivenesss Assessment	Animal Care
15K61Q2C-016 Boone	Canine	Miller	Law Enforcement	Aggressivenesss Assessment	Animal Care
15KH1N5K-01Z St. Joseph	Canine	Strasser	Humane Organization	Neglect	Animal Care

INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 2, 2025

Incident Name County	Species Involved	Primary Investigator	Requesting Agency	Reason for Request	Case Classification
15K61DPJ-01Z Starke	Bovine, Canine, Caprine, Equine	Strasser	Private Citizen	Neglect	Animal Care
15K3158Z-01X Lawrence	Canine	Lovejoy	Animal Control	Neglect	Animal Care
15K517YE-02N Noble	Canine	Chavis	Law Enforcement	Neglect	Animal Care
15KG1MAN-016 Morgan	Equine	Miller	Animal Control	Neglect	Animal Care
15KV108T-0B4 Montgomery	Caprine, Equine, Porcine	Boyd	Humane Organization	Neglect	Animal Care
15K51RE9-016 Johnson	Canine, Feline	Miller	Animal Control	Neglect	Animal Care
15KZ14Y8-01Y Henry	Bovine	Justice	Health Department	Neglect	Animal Care
15KP0QQV-093 Vanderburgh	Bovine	Renshaw	County Official	Neglect	Animal Care
15KT1H73-0CJ Vermillion	Canine	Solomon	County Official	Neglect	Animal Care
15KW0YL5-0CJ Parke	Equine	Solomon	Law Enforcement	Neglect	Animal Care

INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 2, 2025

Incident Name County	Species Involved	Primary Investigator	Requesting Agency	Reason for Request	Case Classification
15KQ1PDW-01Z Newton	Canine, Equine	Strasser	Private Citizen	Neglect	Animal Care
15LH1BW4-0BJ Lagrange	Equine	Paul	Private Citizen	Neglect	Animal Care
15KY1F13-0AL Decatur	Bovine, Feline	Macy	Animal Control	Neglect	Animal Care
15LB0YBR-0CJ Clay	Bovine, Equine	Solomon	Private Citizen	Neglect	Animal Care
15LB1WL2-0B4 Clinton	Avian, Canine	Boyd	Animal Control	Neglect	Animal Care
15LS15DL-02N Whitley	Bovine	Chavis	Health Department	Neglect	Animal Care
15LF10M6-016 Hamilton	Canine	Miller	Humane Organization	Neglect	Animal Care
15M1160E-02N Noble	Canine	Chavis	Law Enforcement	Neglect	Animal Care
15M721M6-01Z St. Joseph	Equine	Strasser	Humane Organization	Neglect	Animal Care
15MZ1BP1-01Z Lake	Exotics	Strasser	Law Enforcement	Neglect	Animal Care

INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 2, 2025

Incident Name County	Species Involved	Primary Investigator	Requesting Agency	Reason for Request	Case Classification
15LP0KWS-093 Sullivan	Canine	Renshaw	Humane Organization	Neglect	Animal Care
15LZ0YKZ-0CJ Greene	Equine	Solomon	Private Citizen	Neglect	Animal Care
15LT1G0Q-016 Morgan	Canine, Feline	Miller	Animal Control	Neglect	Animal Care
15LY1HBB-016 Johnson	Canine	Miller	Animal Control	Neglect	Animal Care
15MN1HQ0-04C Madison	Canine	Justice	Humane Organization	Neglect	Animal Care
15LY1DUR-016 Hamilton	Equine	Miller	Animal Control	Neglect	Animal Care
15MM14NW-02N DeKalb	Equine	Chavis	Law Enforcement	Neglect	Animal Care
15MB16E5-0B4 Carroll	Bovine	Boyd	Private Citizen	Neglect	Animal Care
15MZ1F32-02N DeKalb	Exotics	Chavis	Private Citizen	Neglect	Animal Care
15MS123W-02N Whitley	Equine	Chavis	Private Citizen	Neglect	Animal Care

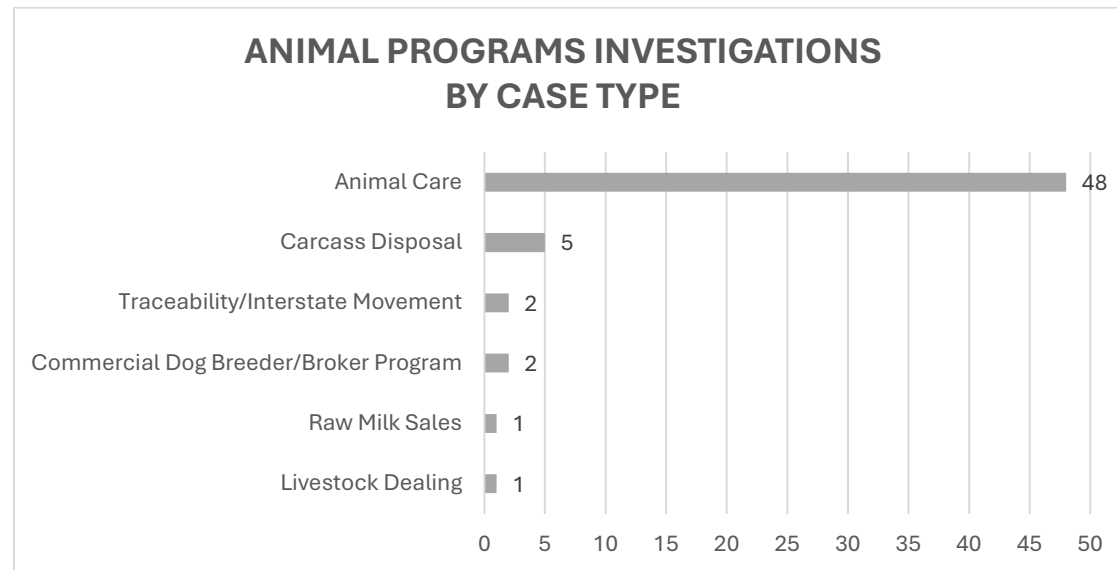
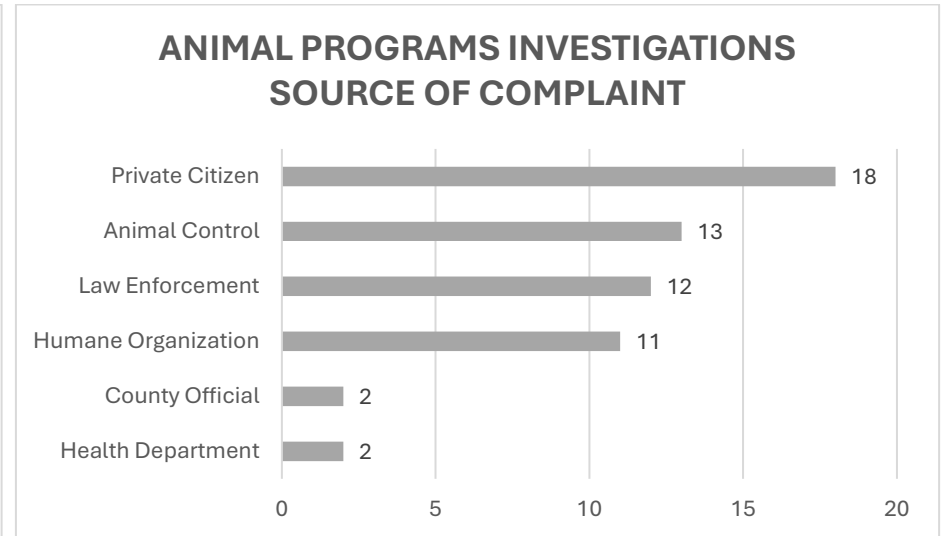
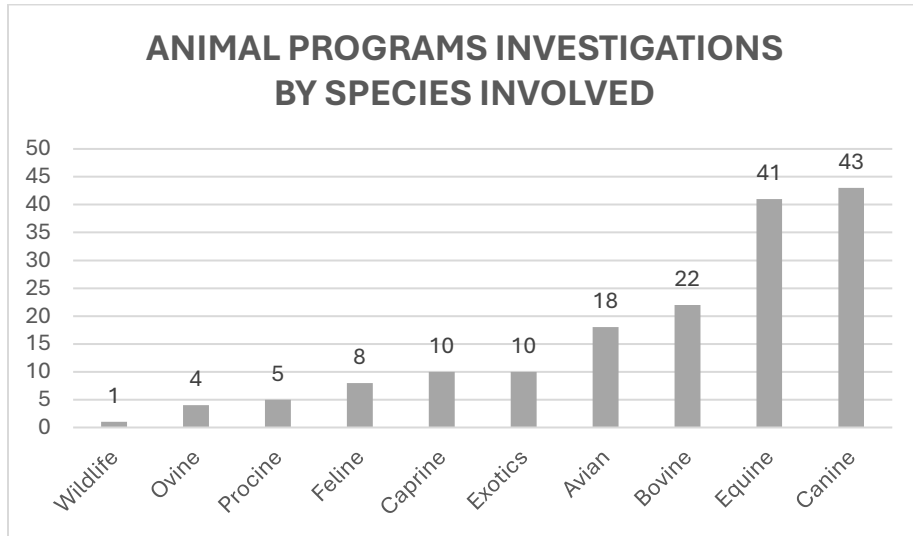
INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 2, 2025

Incident Name County	Species Involved	Primary Investigator	Requesting Agency	Reason for Request	Case Classification
15MZ15M8-04C Blackford	Canine	Justice	Humane Organization	Neglect	Animal Care
15MZ149Z-04C Blackford	Avian, Canine, Lagomorph	Justice	Humane Organization	Neglect	Animal Care
15N0163H-01Y Brown	Equine	Lovejoy	Animal Control	Neglect	Animal Care
15N01EQY-02N Noble	Equine	Chavis	Private Citizen	Neglect	Animal Care
15K315MA-01X Lawrence	Exotic, Feline	Lovejoy	Animal Control	Neglect/Abandonment	Animal Care
15KZ1BAW-04C Wayne	Canine	Justice	Law Enforcement	Neglect/Abandonment	Animal Care
15LT1FNQ-0CJ Sullivan	Canine, Exotic, Feline	Solomon	Humane Organization	Neglect/Abandonment	Animal Care
15ME0XVH-0CJ Knox	Canine	Solomon	Humane Organization	Neglect/Abandonment	Animal Care
15MU233R-01X Lawrence	Canine	Lovejoy	Animal Control	Neglect/Abandonment	Animal Care
15MR1BWK-0B Lake	Avian	Paul	Private Citizen	Improper Carcass Disposal	Carcass Disposal

INDIANA STATE BOARD OF ANIMAL HEALTH - ANIMAL PROGRAMS INVESTIGATIONS REPORT - QUARTER 2, 2025

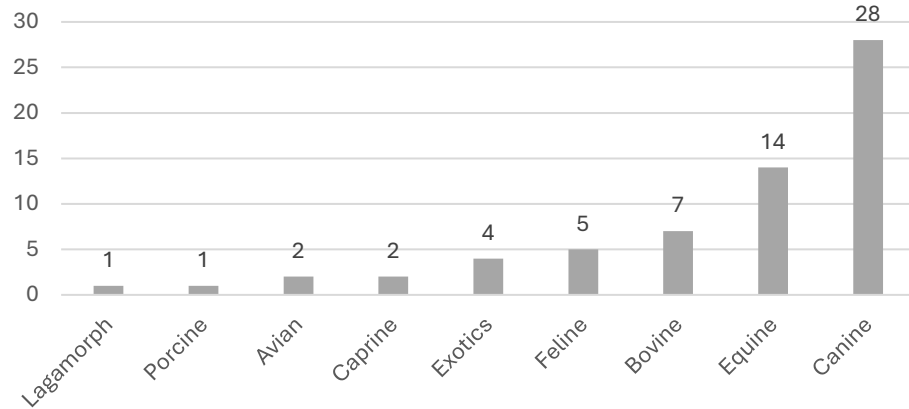
Incident Name County	Species Involved	Primary Investigator	Requesting Agency	Reason for Request	Case Classification
15LSOYTR-0BJ Lagrange	Bovine	Paul	Private Citizen	Improper Carcass Disposal	Carcass Disposal
15KZ16NW-01Y Franklin	Equine	Sieldling	Private Citizen	Improper Carcass Disposal	Carcass Disposal
15L317X9-0BJ Marshall	Bovine	Paul	Private Citizen	Improper Carcass Disposal	Carcass Disposal
15KG1639-01Y Whitley	Porcine	Price	Private Citizen	Improper Carcass Disposal	Carcass Disposal
15MM0Z31-01Y Orange	Canine	Gunn	Humane Organization	Unregistered Facility	Commercial Dog Breeder
15LW0ZZ7-01Y Boone	Canine	Price/Miller	Private Citizen	Not Meeting Program Requirements	Commercial Dog Breeder
15LX0XA7-01Y Dubois	Bovine	Price	Private Citizen	Selling/Advertising Raw Milk	Raw Milk Sales
15MB12EV-01Y Jennings	Equine	Price	Private Citizen	Dealing Without a License/ No Certificate of Veterinary Inspection	Livestock Dealing/Interstate Movement
15ME1ELB-01Y Warrick	Porcine	Price	Private Citizen	No Certificate of Veterinary Inspection	Traceability/Interstate Movement

ANIMAL PROGRAMS INVESTIGATIONS

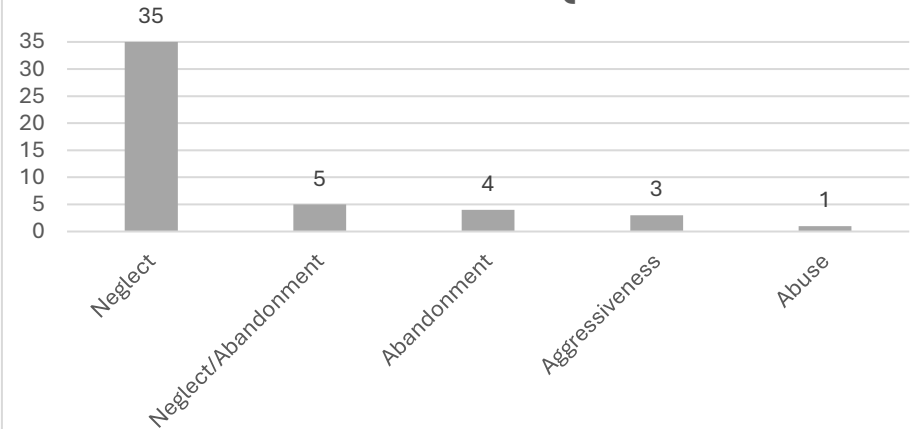


ANIMAL CARE INVESTIGATIONS

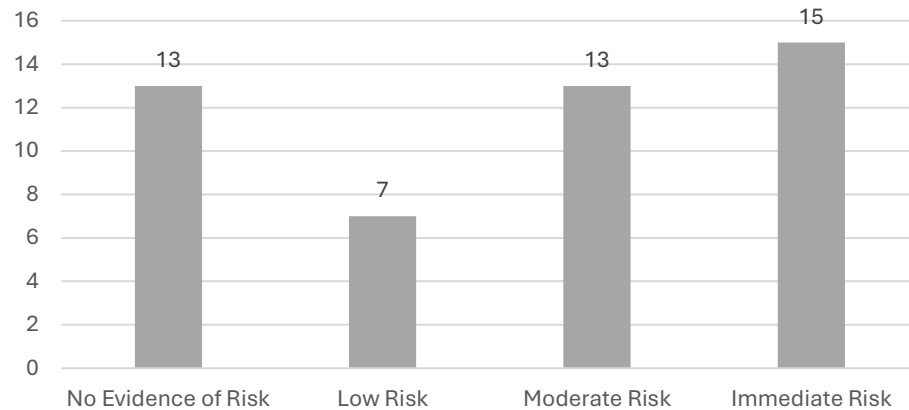
**ANIMAL CARE INVESTIGATIONS
INCLUDING EACH SPECIES**



**ANIMAL CARE INVESTIGATIONS
REASON FOR REQUEST**

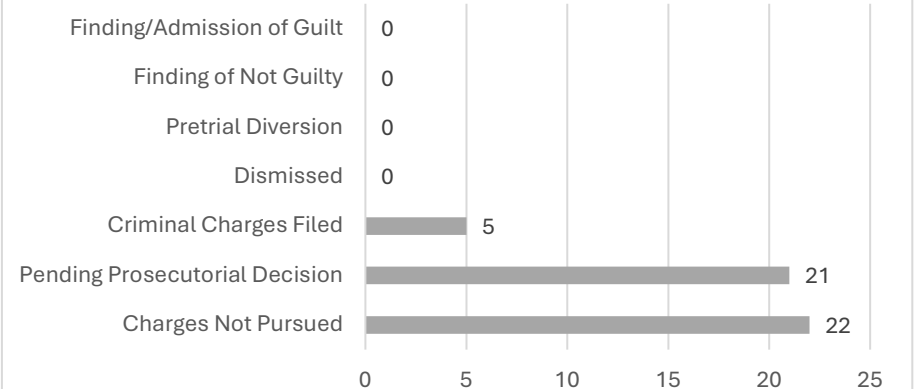


**ANIMAL CARE INVESTIGATIONS
BOAH CASE FINDINGS***



**Organized by severity of risk*

**ANIMAL CARE INVESTIGATIONS
PROSECUTORIAL OUTCOMES***



**Organized by severity of prosecutorial outcome*



Mike Braun, Governor
Kyle Shipman, DVM, State Veterinarian

INDIANA STATE BOARD OF ANIMAL HEALTH

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BOAH Summer Intern Report Summer 2025

Program Exposure

- Animal Health
 - Following a TB trace case out of Texas, Emma assisted Dr. Strasser with caudal fold testing at an Indiana dairy farm. Having never seen the process, this was a great opportunity to learn how to conduct the test and how to use an RFID wand reader and tablet. When one of the cows later died, Emma assisted with the post-mortem exam and lymph node collection.
 - Visited the USDA Remington Facility with Dr. Miller. Although there were no heads to sample at the time of the visit, they were able to learn about scrapie surveillance and the sample collection process.
 - Participated in an NPIP inspection and biosecurity audit at Wabash Valley Produce, and then received a tour of the egg cracking, liquid raw egg, and ready-to-eat plants.
 - Visited Bell's Hunting Preserve to perform its annual inspection and review required documentation. In July, interns will attend CWD certified sampler training at Bell's Hunting Preserve.
 - Assisted the DNR with goose HPAI surveillance sampling and banding. DNR biologists collected blood, cloacal swabs, and body condition data for studies on HPAI in the population as well as heavy metal exposure.
- Animal Care and Welfare
 - Interns were introduced to the Indiana Animal Investigations Academy and given the opportunity to help prepare the backyard poultry module.
 - Visited a petting zoo and pet store with Dr. Chavis to follow up on animal care complaints at each site.
- Emergency Preparedness
 - In preparation for a potential earthquake event in the Wabash Valley, the EOC was activated for an exercise called Awakening of the Wabash. Interns had the opportunity to sit in the EOC and witness how the various sectors of emergency response in the state responded to simulated events related to a 7.5 magnitude earthquake.
- Food Safety
 - Accompanied dairy inspector to Nestle, Prairie Farms, and Dandy Breeze Creamery to collect samples from plant water sources, bulk tanks, and packaged dairy products, and then traveled to the IDOH laboratory to deliver the samples.

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Field Work

- Visited the Exotic Feline Rescue Center and Red Wolf Sanctuary and Raptor Rehabilitation Center to learn about their carcass disposal processes and tour the premises.
- Attended Wolf's Giant Animal Swap Meet and accompanied animal health specialist while walking through the rows of vendors to locate those in violation of NPIP, rabies, or dog breeding rules/policies.
- Traveled to Horseshoe Indianapolis to shadow racetrack veterinarians, learn about racetrack regulations, and see horse races.
- Attended a horse auction at Topeka Livestock Auction and a livestock sale at the Rochester Sale Barn.

Professional Meetings

- Attended the first annual Indiana Ag Intern Development Day hosted by the Indiana Beef Council. At the event, they met 20 other interns from agriculture commodity and related groups, completed a volunteer activity, learned from Beth Archer and Amy Jo Jones, and had the opportunity to network with agency/organization executives.
- The Indiana State Poultry Association (ISPA) Board Meeting hosted BOAH for a presentation and Q&A session regarding the response to HPAI in the state. Interns were invited to attend, learn more about the ISPA, BOAH's response to HPAI, and network with ISPA Board members and producers.
- The Indiana Pork Board held an Open Lunch and Board Meeting for various companies, organizations, and institutions to attend. Following a presentation about a new work-based learning hours opportunity to get high school students onto swine farms and into the industry, the National Pork Board representative led a conversation about pork producers' top concerns about swine health management.
- In late July, interns will attend the ISPA's Poultry Intern Day.

Other Opportunities

- The BOAH interns traveled to the Indianapolis Zoo for a demonstration for the Purdue Junior Boiler Vet Camp. Interns assisted at the PPE and sampling station where students had the opportunity to don full PPE and swab the oral cavities of rubber chickens.
- Interns attended a tour of the IDOH Rabies Lab. They received a tour of each floor of the laboratory facility and met with the rabies lab team.

Intern Projects

- Hudson
 - Updating the HPAI Poultry Case Manager Documents
 - Specific Backyard Poultry Case Manager Guide
 - Summarizing the Secure Poultry Supply rules to create an EMRS Guide to Permitting
 - Work on the Indiana Animal Investigations Academy Poultry Modules
- Emma
 - Updating internship info on website
 - Program description document
 - Program description YouTube video
 - Social media posts
 - New World Screwworm YouTube video

REPORT TO THE BOARD, July 2025

Quarterly Highlights

- USDA conducted a Civil Rights audit in April. It completely virtual and consisted of phone interviews to many of the inspected facilities, as well as a virtual interview with Dr. Swiatkowski and Dr. Suhr. The interviews went well and USDA notified BOAH that the BOAH program has “Equal to” status.
- An onsite audit with the audit branch of FSIS-USDA occurs every three years. The audit occurred this year with one auditor visiting 7 inspected facilities throughout the state, 1 custom exempt facility, one day with a compliance officer, and a central office visit- all in two weeks. The audit went very well and with only a few minor findings. The Meat and Poultry Division will be following up with the auditor in the next 30 days to finish the audit. BOAH MP expects to receive equal to status the program as a result of the audit after the follow up is completed.

We are very proud of all the inspectors, supervisors, auditors and plants that participated this year! Dr. Swiatkowski and Dr. Suhr received many compliments for our inspectors. This year the inspector in the plant was questioned in detail for hours about their job and the plants plans and records. The auditor commented that every inspector she interviewed knew their job well.

- One new plant joined the program for poultry slaughter and processing (Hummel Meats)
- Currently there are 27 cooperative interstate shipment (CIS) plants. 2 are expected to be accepted in the next couple of months.
- Dr. Suhr and Dr Swiatkowski attended the ASMID (Association of State Meat Inspection Directors) Conference on April 28-29, 2025, in Portland, Maine. Dr Swiatkowski is now serving as Treasurer for the national group. Meat inspection regulations and state budgets were highlights of the discussions.
- The program now has one compliance officer this quarter after the other retired. The compliance officer performed 14 surveillance visits to retail facilities in the last quarter. He investigated 3 cases of illegal misbranded meat products. He also completed 1 Investigation that resulted in a cooperative investigation with ISDH, and USDA in which USDA issued a Public Safety Alert for product produced in Marion Indiana. The product had been produced without the benefit of inspection and sold throughout Indiana and Illinois.
- Boilermaker Vet Camp at the Indianapolis Zoo this year occurred during the audit. Dr. Strasser and Matt Siedling filled in for Dr Swiatkowski and Dr. Suhr this year and did an amazing job letting the kids examine animal organs with their gloved hands and this year they were able to observe a goat skull. These were a big hit to the young attendees who are interested in becoming veterinarians!

Meat & Poultry Inspection Division



Fast Facts:

- Facilities by type:

Red meat harvest and processing	53
Poultry harvest and processing	3
Meat harvest, no further insp. processing	2
<u>Processing only facilities</u>	<u>29</u>
Official establishments	87
+	
Limited Permit Retail HRI	3
<u>Custom exempt establishments</u>	<u>52</u>
Total program facilities	142

- BOAH MPI is currently recruiting two open inspector positions- one in the Northeast area and one in the west central area.
- BOAH MPI continues to take advantage of USDA/FSIS virtual training courses. 3 employees complete the EIAO Condensed course in May.

Looking ahead

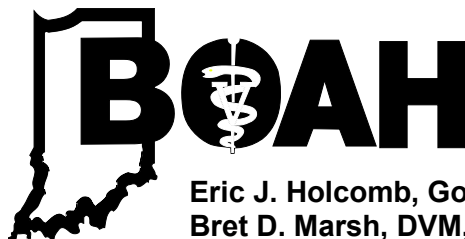
- Finishing up the onsite audit within approximately the next 30 days.
- Dr. Swiatkowski will be meeting weekly with small groups of inspectors for training.
- 2 new facilities are estimated to join the State MPI program in the next few months.
- Dr. Swiatkowski are planning to attend the ASMID (Association of State Meat Inspection Directors) meeting in Denver in October, 2025
- Trainings for the inspectors by the EIAOs will continue on a quarterly basis.

Partnerships and Outreach

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

Respectfully submitted,

Kerri Z. Luhn, DVM



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

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Dairy Division

Highlights

- Indiana had 16 state surveys and 11 federal check ratings. Surveys had an average sanitation score 91 and enforcement score of 96 (score of 90 or higher to pass). Sanitation is the score given to the producer and enforcement is the score provided to BOAH.
- Surveys included 8 BTU's, 5 single service plants, 2 fluid plant listings, and 1 transfer station. Check rating averages are not included in this report as we are still waiting for several final scores.

Fast Facts

- 661 total Grade A Farms
- 208 Organic Farms
- 13 Goat Farms
- Haulers 502
- 23 Grade A Dairy Plants
- 15 On Farm Processors
- 124 Bulk Milk Route (Truck) Owners
- 5 Truck Wash / 2 Transfer Stations
- 34 farms with a total of 177 AMI's
- 12 Direct Load Farms
- 14 Manufactured Grade Farms
- Milk Trucks 525
- 30 Manufactured Grade Plants
- 18 Single Service Manufactures
- 9 Distributor

Looking Ahead

- The Dairy Division will be sending Nathan Campbell and Amy Pettijohn to National Association of Dairy Regulatory Officials 2025 meeting held in Burlington, Vermont July 14-17. NADRO works to address concerns of the Dairy Industry and to make recommendations to the relevant Federal Agencies and National Organizations to promote regulatory uniformity across the industry.

Partnerships and Outreach

- The Dairy Division sent Patrick Hash, Nathan Campbell, Matt Hauschild, and Sara Horning to the 2025 National Conference on Interstate Milk Shipments. This biennial conference gives states and FDA an opportunity to work in collaboration to update the Pasteurized Milk Ordinance, used to regulate milk and milk products nationwide.
- The Dairy Division was active through out the HPAI response, helping to support our colleagues in the Animal Programs Division.

Respectfully Submitted,

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Mike Braun, Governor
Kyle Shipman, DVM, State Veterinarian

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State Veterinarian's Report 2nd Quarter, 2025

Quarterly Highlights

- **Highly Pathogenic Avian Influenza (HPAI) in Poultry** - As of May 27, 2025, the State of Indiana has met the World Organization for Animal Health's (WOAH) criteria for freedom from highly pathogenic avian influenza (HPAI). This designation lifts export restrictions and eases international trade barriers for Indiana's poultry and poultry products. All control areas and surveillance zones in Indiana have now been lifted, and all affected farms have been granted restock approval. Under WOAH guidelines, HPAI-free status can be declared for a state or region after the disease has been eliminated on all affected farms and no new infections are detected in a subsequent 28-day waiting period.

To date, the state has recorded 45 positive flocks in 20 counties—34 commercial operations (chickens, ducks, turkeys) and 11 small or hobby flocks—with 27 of those cases confirmed in 2025. No HPAI cases have been reported in Indiana livestock.

- **HPAI Dairy Surveillance** – On June 4, BOAH successfully completed Stage 2 of the United States Department of Agriculture (USDA) National Milk Testing Strategy (NMTS), a multi-phase initiative designed to support early detection and mitigation of potential H5N1 impacts on commercial milk production. Stage 2 involved coordinated rounds of comprehensive testing across dairy farms statewide over several months. Through collaboration between BOAH's Animal Programs and Dairy Divisions, 100% of Indiana dairy farms participated in at least two of three testing rounds, with 95.8% completing all three.

On June 13, the USDA formally advanced the State of Indiana to Stage 4 "Unaffected" status within the NMTS framework. Under Stage 4, BOAH will continue to maintain active H5N1 surveillance efforts. BOAH personnel are currently working in partnership with USDA and dairy industry stakeholders to develop and implement Indiana's Stage 4 monitoring strategy.

- **Meat and Poultry Inspection** – On May 27, 2025, U.S. Secretary of Agriculture Brooke L. Rollins authorized a \$14.5 million increase in state reimbursement funds for meat and poultry inspection programs. This infusion of resources will enable states, like Indiana, to maintain critical inspection services that verify the safety and integrity of locally produced meat and poultry and prevent disruptions to processing and distribution. NASDA CEO Ted McKinney noted that enhanced reimbursement rates preserve local processing capacity and pledged

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continued advocacy for dedicated federal appropriations to safeguard consumers, support farmers, and keep state-inspected products flowing to American dinner tables. At this time, USDA has not communicated the specific amount allocated to Indiana BOAH's meat inspection program.

- **Center for Animal Policy** - Based on feedback from the Farm Journal Foundation workforce study, the Center is partnering with key stakeholders to move forward on key initiatives. Our team will be reporting on our efforts during the upcoming Purdue Veterinary Conference, September 19. Stop by our agency table to let us know what you think and to learn more.

This year's licensing process for veterinarians will begin with a few new demographic questions. The questions fulfill a requirement by the Indiana General Assembly to gather specific data to increase our understanding of the veterinary community that looks to the future of the professional workforce—much like efforts for human health practitioners. As the Center's veterinary workforce initiative continues to grow and evolve, our goal is to identify trends, accessible through a useful and informative data hub.

- **Board of Veterinary Medicine (VetBoard)** - During their regular April meeting, VetBoard members began initial conversations on the rulemaking process to modernize the Indiana Veterinary Practice Act, especially for fees, fines, civil penalties and continuing education. More information on these changes and the public comment period will be forthcoming. The VetBoard will hold a special meeting this year on November 13, 2025, for additional rulemaking discussion.

Licensees should also have received a letter on April 25 via email from the VetBoard reminding everyone about title protections regarding the use of the term "tech" or "technician" in veterinary practice. This designation is reserved exclusively for those who have met the educational, examination, and registration requirements established by the Board for a registered veterinary technician.

Partnerships & Outreach

- Agribusiness Council of Indiana's Ft. Wayne Regional Meeting
- American Dairy Association Indiana's Fastest Rookie Luncheon
- Indiana Animal Disease Diagnostic Laboratory's Spring Advisory Committee Meeting
- Indiana Council for Animal Welfare Southern Indiana Seminar
- Indiana Pork Producers Association's Board Meeting
- Indiana State Poultry Association's Board Meeting
- Indiana Veterinary Medical Association's Board Meeting
- National Academies - Highly Pathogenic Avian Influenza Webinar
- National Poultry Improvement Plan On-Site Inspection and Biosecurity Review
- Purdue Extension – Highly Pathogenic Avian Influenza Webinar
- United States Animal Health Association's North Central Meeting
- USAHERDS User Group Conference
- USDA Federal Accreditation Workshop