

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 80 Department of Agriculture and Industries

Rule No.: 80-3-18-.04

Rule Title: Entry Permit Required For Poultry Entering Alabama

 New; x Amend; Repeal; Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? YES

Is there a reasonable relationship between the State's police power and the protection of the public health, safety or welfare? YES

Is there another less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? YES

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have any economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official
I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer John Miller
Date: 9-21-15

(DATE FILED)
(STAMP)

APA-2

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES
FOOD SAFETY

NOTICE OF INTENDED ACTION

Agency Name: Alabama Department of Agriculture and Industries

Rule No. & Title: 80-3-18-.04 Entry Permit Required For Poultry Entering Alabama.

Intended Action: To Amend

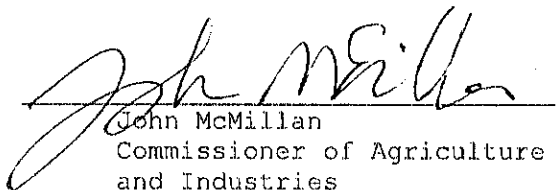
Substance of Proposed Action: To ensure that poultry imported into Alabama have been tested for Avian Influenza or originated in flocks certified being free of Avian Influenza.

Time, Place, Manner of Presenting Views: Views may be presented in writing to the contact person below or in person on Tuesday, November 10, 2015 at 10:00 a.m., in the Board Room of the Richard Beard Building, 1445 Federal Drive, Montgomery, Alabama.

Final Date for Comment and Completion of Notice: November 10, 2015.

Contact Person at Agency: Patrick B. Moody, Legal Counsel, Department of Agriculture and Industries, 1445 Federal Drive, Montgomery, Alabama 36107-1123, Telephone No. (334) 240-7117.

9-21-15
Date


John McMillan
Commissioner of Agriculture
and Industries

apa-2.frm

80-3-18-.04 Entry Permit Required For Poultry Entering Alabama .

(1) All live poultry destined for delivery in Alabama must have a valid ~~health certificate~~ Certificate of Veterinary inspection showing an Alabama entry permit number. Day-old baby chicks and poults will be allowed to enter Alabama with an NPIP Form VS 9-2 or VS 9-3 in lieu of a health certificate and will be exempt from entry permit requirement.

All live poultry-transporting vehicles entering the State of Alabama must bear a valid Certificate of Cleaning and Disinfection. If point of origin is in Alabama, the vehicle must have a certificate showing it has been cleaned and disinfected in another state prior to re-entry into Alabama. The health certificate and Certificate of Cleaning and Disinfection must be signed by the state or federal animal health official or a practicing accredited veterinarian and shall contain the language and information as prescribed by Rules 80-3-18-.05 and 80-3-18-.06.

(2) Any poultry or poultry-transporting vehicle not having the appropriate certificate will be barred from entering the state.

(3) Live poultry and transportation equipment owned and controlled by poultry companies in Alabama may be exempted from these restrictions when transporting company-owned birds from an adjoining state into Alabama. A blanket permit would be issued for this movement.

(4) In the event of an outbreak, the State veterinarian may require an entry permit for all poultry entering the state.

Author: Charles H. Barnes, Patrick B. Moody

Statutory Authority: Code of Ala. 1975, §2-15-170.

History: Emergency adoption effective February 14, 1984. Permanent adoption: Filed June 7, 1984. **Amended:**