



WASHINGTON DEPARTMENT OF AGRICULTURE TO ADOPT ANIMAL IMPORT RULES

****COMMENT DEADLINE DEC. 12TH****

***** TWO PUBLIC HEARINGS SCHEDULED *****

The Issue:

At the direction of legislation passed earlier this year (HB 1538), the Washington State Department of Agriculture has proposed a new section to be added to the Washington Administrative Code requiring a destination physical address be presented on transportation documents when importing animals into the state. The proposed rulemaking defines “physical address”, which was not defined through legislation, sets reporting requirements for changes to the address, provides exemptions and imposes a civil penalty for violations. All public comments on the proposed rule must be submitted to the department by December 12, 2011. The department has also scheduled two public hearings on the proposed rule for December 6th and December 12th.

The Impact:

The new section, titled [“Physical address requirements” \(WAC 16-54-031\)](#), states that “all certificates of veterinary inspections, entry permits, movement permits and temporary grazing permits must contain the destination physical address for animals entering Washington”. The department defines a “physical address” as “the actual street location of the destination”.

Under the proposed rule, all animals must be transported and delivered directly to the physical address noted on the documentation. Animals may not be diverted to any other physical address except for a temporary destination due to a medical emergency where the immediate health of the animal is in jeopardy.

If there is a change to the physical address destination, including for medical emergencies, the following is required:

- Contact the department within 24-hours by phone at 360-902-1878 or by e-mail at ahealth@agr.wa.gov; and
- Report the official document number and the physical address to where the animal(s) was transported and delivered to.

Anyone importing an animal into the state who fails to provide the required destination physical address, or an acceptable alternative, or diverts animals from the destination physical address so provided will be subject to a civil penalty.

Exemptions to destination physical address requirements are as follows:

- If the destination physical address cannot be determined because no physical address is assigned by the appropriate county jurisdiction or local emergency services, the following shall apply:
 - Descriptive driving directions to the physical location of where the animal(s) is being transported and delivered must be included on the certificate of veterinary inspection, entry permit, movement permit or temporary grazing permit; or
 - The global positioning system (GPS) coordinates of the physical location of where the animal(s) is being transported and delivered to must be included on the certificate of veterinary inspection, entry permit, movement permit or temporary grazing permit. GPS coordinates must contain two latitude or three longitude digits to the left of the decimal point and six digits to the right of the decimal point.
- Poultry, or other animals, that are permitted under Washington law and are approved by the United States Postal Service's list of mailable live animals are exempt from the destination physical address requirement. For a list of mailable live animals, please visit http://pe.usps.com/text/pub52/pub52c5_007.htm.

PIJAC Position:

Traceability of animals imported into the state is appropriate as necessary to assure public health and safety. Requirements for providing delivery locations should not be overly prescriptive and provisions should be made for deviating from a stated delivery location in appropriate circumstances. The restrictive requirements of this rule should apply only to animals necessitating such restrictions; the rule should clearly delineate which animals are subject to the rule.

Recommended Action:

The department has scheduled two public hearings:

Tuesday, December 6, 2011
8:30a.m
Big Bend Community College,
7611 Bolling Street N.E.
ATEC Building 1800
Masto Conference Center 1870
Moses Lake, WA 98837

Monday, December 12, 2011
9:00a.m.
1111 Washington St., SE
1st Floor, Conference Room #172
Olympia, WA 98504

The department will accept public testimony at the hearings or in writing. Written testimony must be submitted to the department by no later than 5:00 p.m. on Tuesday, December 12th, and may be mailed, faxed or emailed to:

Teresa Norman
WSDA, Rules Coordinator
P.O. Box 42560
Olympia, WA 98504-2560
Email: WSDARulesComments@agr.wa.gov
Fax: 360-902-2092

Full text of the code section in question (RCW 16.36 and WAC 16-54) can be found at www.leg.wa.gov/lawsandagencyrules/. Any questions for the department may be addressed to Jodi Jones at 360-902-1889.

If you have any further questions or concerns, please feel free to contact PIJAC's Bambi Nicole Osborne at 202-452-1525 or via email at Bambi@pijac.org.