

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-177)
110TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 309, L.D. 341, Bill, "AN ACT to Control Brucellosis in Cattle."

Amend the Bill by striking out everything after the enacting clause and inserting in its place the following:

'Sec. 1. 7 MRSA §1807, as amended by PL 1973, c. 42, §1, is further amended to read:

§1807. Illegal vaccinations

It shall be illegal for any person, partnership, association or corporation to vaccinate any cattle with brucellosis vaccine when such cattle are less than 90 120 or more than 179 240 days of age, unless special written permission is received from the commissioner or his agent previous to any such vaccination.

Sec. 2. 7 MRSA §1812, as last amended by PL 1977, c. 694, §127, is further amended to read:

§1812. Brucellosis

The commissioner shall, in a manner consistent with the Maine Administrative Procedure Act, Title 5, chapter 375, formulate and implement rules, regulations and methods of procedure generally adopted for the prevention, control and eradication of brucellosis.

All female cattle born in the State after January 1, 1982, and all female cattle born after January 1, 1982 brought into the State under 120 days of age that are not officially vaccinated, shall be vaccinated against brucellosis between the ages of 120 and 240 days if they are to be sold for purposes other than immediate slaughter. This shall not be construed to prohibit the sale of any female calf under the age of 120 days.

All female cattle brought into the State born after January 1, 1982, shall have been officially vaccinated against brucellosis, except in the case of calves under 120 days of age and except in the case of cattle brought in for immediate slaughter.

For the prevention, and control ~~and-eradication~~ of brucellosis, the commissioner or his agent in charge of livestock sanitary work shall continue to conduct recognized tests on all the herds in the State. Such tests shall be conducted by regularly employed federal or state veterinarians or technicians or authorized veterinarians and tested by the state laboratory. All animals showing a positive reaction to the test shall be identified by a "reactor" ear tag and brand and shall be slaughtered, except vaccinated animals under 20 months of age.

Officially vaccinated calves, if purebred, shall be properly identified by ~~ear tag~~ ear tag or registration papers or tattoo number. Grade animals shall be tagged. All officially vaccinated calves must be tattooed with the official state tattoo mark. Evidence of vaccination shall be the official state tattoo mark

and either a vaccination ear tag or a tattoo number.

Vaccine for cattle owned by residents of this State shall be provided by the commissioner or through the commissioner from the Federal Government.

Any person who tampers, with an intent to change or destroy, with a vaccination identification ear tag, official state tattoo mark, tattoo number or the identification on a registration paper shall be subject to a civil penalty of \$5,000 for each incident, payable to the State, to be recovered in a civil action.

For the purpose of this section, the term "officially vaccinated" means a vaccination against brucellosis that complies with the requirements for such vaccination established by the United States Department of Agriculture.'

Statement of Fact

This amendment:

1. Requires vaccination against brucellosis of:
 - A. All female cattle born in the State after January 1, 1982, and all female cattle born after January 1, 1982 brought into the State under 120 days of age that are not officially vaccinated, in order to be sold for purposes other than immediate slaughter. The vaccination shall be given between the ages of 120 and 240 days; and
 - B. All cattle brought into the State born after January 1, 1982, except in the case of calves under 120 days of age and except in the case of cattle brought in for immediate slaughter;

2. Establishes that evidence of vaccination shall be the official state tattoo and either an ear tag or tattoo number;
3. Changes the current prohibition against vaccinating cattle younger than 90 days or older than 179 days, to 120 and 240 days, respectively;
4. Establishes a civil penalty of \$5,000 for tampering with evidence of vaccination that is an ear tag or tattoo or an identification on a registration paper; and
5. Requires the Commissioner of Agriculture, Food and Rural Resources to provide the vaccine for cattle owned by residents of this State.

The department has been informed by federal officials that they expect to have adequate supplies of vaccine for Maine for the biennium and therefore believes this / will not cost the State money. The department's obligation under this / is only to provide the vaccine, not the vaccination services.

Reported by the Committee on Agriculture.
Reproduced and distributed under the direction of the Clerk of the House.

4/3/81

(Filing No. H-177)