

MAINE STATE LEGISLATURE

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(New Draft of H.P. 1218, L.D. 1726)
SECOND REGULAR SESSION

ONE HUNDRED AND TWELFTH LEGISLATURE

Legislative Document No. 1991

H.P. 1410 House of Representatives, February 7, 1986
Reported by Representative Ayer from the Committee on Agriculture and
printed under Joint Rule 2.
Original bill sponsored by Representative Daggett of Manchester.
Cosponsored by Representative Michael of Auburn, Representative Tardy of
Palmyra, and Senator Black of Cumberland.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SIX

AN ACT Revising the Mandatory Vaccination
Requirement for Livestock.

Be it enacted by the People of the State of Maine as follows:

7 MRSA §1812, as amended by PL 1981, c. 197, §2,
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

1 that ~~are not~~ have not been officially vaccinated,
2 shall be vaccinated against brucellosis between the
3 ages of 120 and 240 days ~~if they are to be sold for~~
4 ~~purposes other than immediate slaughter.~~ This shall
5 not be construed to prohibit the sale of any female
6 calf under the age of 120 days. This requirement
7 shall not apply to cattle in any of the following
8 classifications: Cattle which at no time will be
9 sold; cattle which will be sold only for purposes of
10 immediate slaughter; and cattle which are to be per-
11 manently shipped out-of-state and which, at the time
12 of shipment, are certified to be free of brucellosis
13 and meet all applicable health requirements of the
14 Federal Government and of the state or country of
15 destination.

16 All female cattle brought into the State born af-
17 ter January 1, 1982, shall have been officially vac-
18 cinated against brucellosis, except in the case of
19 calves under 120 days of age and except in the case
20 of cattle brought in for immediate slaughter.

21 For the prevention and control of brucellosis,
22 the commissioner or his agent in charge of livestock
23 sanitary work shall continue to conduct recognized
24 tests on all the herds in the State. Such tests shall
25 be conducted by regularly employed federal or state
26 veterinarians or technicians or authorized veterinar-
27 ians and tested by the state laboratory. All animals
28 showing a positive reaction to the test shall be
29 identified by a "reactor" ear tag and brand and shall
30 be slaughtered, except vaccinated animals under ~~20~~ 14
31 months of age.

32 Officially vaccinated calves, if purebred, shall
33 be properly identified by ear tag or registration pa-
34 pers or tattoo number. Grade animals shall be tagged.
35 All officially vaccinated calves must be tattooed
36 with the official state tattoo mark. Evidence of vac-
37 cination shall be the official state tattoo mark and
38 either a vaccination ear tag or a tattoo number.

39 Vaccine for cattle ~~owned by residents of this~~
40 ~~State shall be provided by the commissioner or~~
41 ~~through the commissioner from the Federal Government~~
42 as long as the vaccine is supplied by the Federal
43 Government. If the Federal Government does not supply

1 the vaccine, the commissioner shall establish rules
2 in accordance with the Maine Administrative Procedure
3 Act, Title 5, chapter 375, establishing fees to cover
4 costs of obtaining, storing and distributing vaccine
5 to accredited veterinarians and defining approved
6 sources and procedures to regulate the use of this
7 vaccine. The fees will accrue to a nonlapsing dedi-
8 cated account to be used for obtaining, storing and
9 distributing vaccine.

10 Any person who tampers, with an intent to change
11 or destroy, with a vaccination identification ear
12 tag, official state tattoo mark, tattoo number or the
13 identification on a registration paper shall be sub-
14 ject to a civil penalty of \$5,000 for each incident,
15 payable to the State, to be recovered in a civil ac-
16 tion.

17 For the purpose of this section, the term "offi-
18 cially vaccinated" means a vaccination against bru-
19 cellosis that complies with the requirements for such
20 vaccination established by the United States Depart-
21 ment of Agriculture.

22 STATEMENT OF FACT

23 Maine has a mandatory brucellosis vaccination
24 law. Cattle not vaccinated between the ages of 120
25 and 240 days of age may not be sold for purposes oth-
26 er than immediate slaughter. This law creates 3 ex-
27 emptions that allows cattle to be sold that have not
28 been vaccinated.

29 This bill reduces from 20 to 14 months of age at
30 which a vaccinated animal will be classified as a re-
31 actor if it shows a positive reaction to the bruce-
32 losis test.

1 The Federal Government is expected to discontinue
2 providing brucellosis vaccine to states free of the
3 disease as of October 1, 1986. This bill allows the
4 commissioner to establish rules regulating the purchase
5 and use of vaccines if it is not supplied by
6 the Federal Government.

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