

CHAPTER 115**(HB 468)**

AN ACT relating to poultry.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 257.010 is amended to read as follows:

As used in this chapter, unless the context requires otherwise:

- (1) "Board" means the Board of Agriculture;
- (2) "Commissioner" means the Commissioner of Agriculture;
- (3) "Communicable disease" includes hog cholera, brucellosis, leptospirosis, anthrax, black leg, catarrhal influenza of cattle, contagious pleuro-pneumonia, foot and mouth disease or aphthous fever, glanders, hemorrhagic septicemia, maladie du coit or dourine, mange of cattle, necrobacillosis and foot rot in sheep, hydrophobia, rinderpest, scabies in cattle, Texas tick or southern cattle fever, tuberculosis, equine viral arteritis, or any other disease proclaimed by the board to be of a transmissible character;
- (4) "Compost" means the humus-like product of the process of composting domestic livestock, poultry, or fish, which may be used as a soil conditioner or enhancer;
- (5) "Composting" means the biological decomposition of organic matter which inhibits pathogens;
- (6) "Experiment station" means the agricultural experiment station;
- (7) "Fish" means the bodies and parts of bodies of all animal aquatic life being raised, or kept for sale to a wholesaler or retailer, or for direct sale to the public;
- (8) "Livestock" means cattle, sheep, swine, deer and elk, whose regulatory requirements are under KRS Chapters 150 and 246, that are privately owned and raised in a confined area for breeding stock, food, fiber, and other products, goats, horses, or any other animals of the bovine, ovine, porcine, caprine, or equine species;
- (9) ***"National Poultry Improvement Plan" shall have the same meaning as set out in the U.S. Code of Federal Regulations, 9 CFR Part 145, and the auxiliary provisions in 9 CFR part 147.***
- (10) "Owner" means any person owning or leasing from another, or having in charge any domestic animal;
- (11)~~(10)~~ "Poultry" means all chickens, ducks, turkeys, or other domestic fowl being raised or kept on any premises in the Commonwealth for profit; and
- (12)~~(11)~~ "Premises" means any portion of land, or any structure erected on land, and any vehicle or vessel used in the transportation of passengers, goods, or animals.

Section 2. KRS 257.390 is amended to read as follows:

Chickens, turkeys, or other poultry over five (5) months of age intended for breeding purposes shall not be imported into the state unless they have passed a negative agglutination test for pullorum disease under the supervision of a Division of Animal Health authority *of the Office of State Veterinarian* within thirty (30) days preceding date of importation, or have originated from flocks authoritatively participating in a pullorum control and eradication phase of the National

Poultry Improvement Plan or *other USDA-administered plan*~~[national turkey improvement plan as may be adopted in this state]~~.

Section 3. KRS 257.400 is amended to read as follows:

Hatching eggs and all poultry under five (5) months of age including baby chicks, started chicks, turkey poults, and other newly hatched domestic poultry except those intended for immediate slaughter which may be *imported into the state*~~[admitted]~~ under permit issued by the Division of Animal Health *of the Office of State Veterinarian*, and~~[hatching eggs]~~ sold or offered for sale in this state, shall have originated from flocks that meet the pullorum requirements of the *National Poultry Improvement Plan or other USDA-administered plan*~~[Kentucky Poultry Improvement Plan or the Kentucky Turkey Improvement Plan]~~, and the regulations promulgated by authority of KRS 257.370 to 257.460 for the control and eradication of pullorum disease. Nothing in KRS 257.370 to 257.460, however, shall require any hatchery, dealer, or flock owner to participate in the National Poultry Improvement Plan.

Section 4. KRS 257.410 is amended to read as follows:

Hatching eggs and all poultry under five (5) months of age, including baby chicks, started chicks, turkey poults, other newly hatched domestic poultry, except those intended for immediate slaughter, *that are imported*~~[and hatching eggs shipped or otherwise brought]~~ into this state shall have originated in flocks that meet the pullorum requirements of the National Poultry Improvement Plan, *or other USDA-administered plan*~~[the National Turkey Improvement Plan, the Kentucky Poultry Improvement Association]~~, and the administrative regulations promulgated by authority of KRS 257.370 to 257.460. Every container of poultry under five (5) months of age, including baby chicks, started chicks, turkey poults, and any other newly hatched domestic poultry, except those intended for immediate slaughter, and hatching eggs *imported*~~[shipped or otherwise brought]~~ into this state shall bear an official label or certificate showing the name and address of the *importer*~~[shipper]~~, the authority under which the testing for pullorum disease was done, and the pullorum control and eradication class of the product, the use of the certificate or label to be approved by the official state agency or the Division of Animal Health official of the state of origin.

Approved March 18, 2005.