

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2
3 *An Act to amend and reenact § 3.1-741.4 of the Code of Virginia, relating to testing for avian influenza.*

4 [H 1424]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 3.1-741.4 of the Code of Virginia is amended and reenacted as follows:**

8 § 3.1-741.4. Importation of subject avian species; test.

9 A. Except as provided in subsection D, no person may bring or ship to Virginia any type of subject
10 avian species or hatching egg from any state that is subject to a current avian influenza testing
11 proclamation, issued pursuant to § 3.1-741.5, unless:

12 1. The subject avian species or hatching egg is first tested and found negative for avian influenza, or
13 comes from a flock that has first been tested and found negative for avian influenza, within ~~10 days~~ *the*
14 *specific period of time set out by the proclamation of the State Veterinarian* before the subject avian
15 species or hatching egg enters Virginia; and

16 2. The results of the test for avian influenza are recorded on a health certificate signed by an
17 accredited veterinarian in the state of origin or on a report issued by a laboratory approved by any state
18 or federal animal health authority.

19 B. In testing for avian influenza pursuant to this section, the accredited veterinarian shall use only a
20 test method approved by the State Veterinarian, conducted in a laboratory approved by any state or
21 federal animal health authority.

22 C. Any person who violates this section shall be guilty of a Class 1 misdemeanor.

23 D. Nothing in this section shall apply to:

24 1. Any subject avian species or hatching egg passing directly through Virginia to another state
25 without being removed from its primary container;

26 2. Any hatching egg, day-old chicken, day-old game bird or day-old turkey, so long as the flock
27 from which the hatching egg, day-old chicken, day-old game bird or day-old turkey originates
28 participates in the National Poultry Improvement Plan's Avian Influenza Clean Program, unless
29 otherwise expressly provided by the proclamation of avian influenza testing issued pursuant to
30 § 3.1-741.5; or

31 3. Any broiler going directly to slaughter unless otherwise expressly provided by the proclamation of
32 avian influenza testing issued pursuant to § 3.1-741.5.

33 **2. That an emergency exists and this act is in force from its passage.**

ENROLLED

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