

**RULES
OF
THE TENNESSEE DEPARTMENT OF AGRICULTURE
DIVISION OF ANIMAL HEALTH**

**CHAPTER 0080-02-10
REGULATIONS CONCERNING HORSES AND OTHER EQUIDAE**

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0080-02-10-.01 EQUINE INFECTIOUS ANEMIA TEST REQUIREMENTS FOR TENNESSEE HORSES.

- (1) Proof of Test Required for Change of Ownership – Subject to the exceptions below, persons assembling for sale, offering for sale, or selling horses or other Equidae, whether for one's own account or for the account of another person, shall have proof that each individual animal has tested negative on an official test for Equine Infectious Anemia conducted within twelve (12) months prior to sale.
 - (a) Foals less than six (6) months of age in the company of their EIA-negative dams are not required to have proof of such test.
 - (b) Horses or other Equidae entering an approved livestock market for sale are not required to be accompanied by such proof when samples are collected for testing prior to sale. Equidae sold with a results-pending market test shall be confined at the market, unless the buyer signs an agreement, provided by the market, in which the buyer agrees to maintain such equine at a specified location until test results are known. The market shall make such agreements available to buyers, and shall retain copies of such agreements for one year from date of sale.
- (2) Persons presenting falsified official EIA test documents are subject to a civil penalty of up to one thousand dollars (\$1,000) for each violation. Each falsified document presented constitutes a separate violation.

Authority: T.C.A. §§ 4-3-203 and 44-2-102. **Administrative History:** Original rule filed May 15, 1977; effective June 14, 1977. Repeal by Public Chapter 261; effective July 1, 1983. New rule filed December 15, 1989; effective January 29, 1990. Amendment filed February 28, 2002; effective June 28, 2002. Amendment filed April 23, 2010; effective September 28, 2010. Amendment to rules 0080-02-10-.01, .02, and .03 filed June 2, 2011; to have been effective August 31, 2011; the Tennessee Department of Agriculture withdrew the amendment on August 10, 2011. Amendment to rule 0080-02-10-.01(2)(a) filed July 12, 2011; to have been effective December 29, 2011; the Tennessee Department of Agriculture withdrew the amendment on August 10, 2011.

0080-02-10-.02 TESTING OF STABLED HORSES.

- (1) All horses or other Equidae, except foals less than six (6) months of age in the company of their EIA-negative dam, which have been assembled by more than one owner at boarding, breeding or training stables or pastures, shall be accompanied by proof that each individual animal has tested negative on an official test for Equine Infectious Anemia that was conducted within the preceding twelve (12) months.

(Rule 0080-02-10-.02, continued)

- (2) The owner or manager of said premises shall be responsible for maintaining proof that each individual animal on the premises has tested negative on an official test for Equine Infectious Anemia that was conducted within the preceding twelve (12) months, and shall make these records available for inspection by all officers or inspectors charged with the enforcement of this section.
- (3) EIA-positive horses or horses that have not been tested for EIA within the preceding twelve (12) months may be stabled at an approved quarantined premises, provided the state veterinarian has issued a written permit for this purpose and the conditions of the quarantine are met and maintained.

Authority: T.C.A. §§ 4-3-203 and 44-2-102. **Administrative History:** Original rule filed May 15, 1977; effective June 14, 1977. Repeal by Public Chapter 261; effective July 1, 1983. New rule filed December 15, 1989; effective January 29, 1990. Amendment filed April 23, 2010; effective September 28, 2010.

0080-02-10-.03 TESTING OF OTHER ASSEMBLED HORSES.

- (1) All horses or other Equidae, except foals less than six (6) months of age in the company of their EIA-negative dam, which participate in any horse show, competition or other assembly, except approved livestock market sales where such Equidae are offered for sale, shall be accompanied by evidence that each individual animal has tested negative on an official test for Equine Infectious Anemia that was conducted within the preceding twelve (12) months.
- (2) The manager of each assembly or event or his agent shall be responsible for ensuring that each animal he enters, issues a permit for, or has control of, is accompanied by proof that each individual animal has tested negative on an official test for Equine Infectious Anemia that was conducted within the preceding twelve (12) months, and shall not allow animals without such proof to participate in the event, or to congregate with other Equidae. The owner of each animal or his agent shall also be responsible for meeting these requirements.

Authority: T.C.A. §§ 4-3-203 and 44-2-102. **Administrative History:** Original rule filed May 15, 1977; effective June 14, 1977. Repeal by Public Chapter 261; effective July 1, 1983. New rule filed December 15, 1989; effective January 29, 1990. Amendment filed April 23, 2010; effective September 28, 2010.

0080-02-10-.04 OTHER REQUIRED TESTING.

- (1) When a horse or other member of the Equidae family tests positive on an official confirmatory test for Equine Infectious Anemia, the following Equidae shall be tested for Equine Infectious Anemia within thirty (30) days of the time the infected animal was diagnosed as being EIA-positive:
 - (a) Equidae located on the premises where the positive animal is stabled or pastured.
 - (b) Equidae located adjacent to the infected premises or within two hundred (200) yards.
 - (c) Equidae exposed to the infected animal within the previous six (6) months in the manner described in (a) and (b) above.
 - (d) Equidae exposed to the infected animal within any time period in the manner described in (a) and (b) above, as ordered by the state veterinarian.
- (2) The owner, or his agent, of any animal that has tested positive on an official test, or that has been exposed to a positive animal, shall present such animal to the state veterinarian or his representative and render such assistance as may be required to enable the state veterinarian or his representative to identify such animal(s) or conduct any required tests.

(Rule 0080-02-10-.04, continued)

Authority: T.C.A. §§ 4-3-203 and 44-2-102. **Administrative History:** Original rule filed May 15, 1977; effective June 14, 1977. Repeal by Public Chapter 261; effective July 1, 1983. New rule filed December 15, 1989; effective January 29, 1990. Amendment filed April 23, 2010; effective September 28, 2010.

0080-02-10-.05 RESERVED.

0080-02-10-.06 LABORATORIES CONDUCTING TESTS FOR EQUINE INFECTIOUS ANEMIA.

Laboratories conducting tests for Equine Infectious Anemia in Tennessee:

- (1) Shall be certified as required by the provisions of 9 C.F.R. 75 and approved by the commissioner of the department of agriculture or his designated representative;
- (2) May be audited for complete and accurate record keeping; and
- (3) The approval of the commissioner or his designated representative may be denied or revoked if an audit shows the laboratory has failed to maintain complete and accurate records.

Authority: T.C.A. §§ 4-3-203 and 44-2-102. **Administrative History:** Original rule filed February 28, 2002; effective June 28, 2002. Amendment filed April 23, 2010; effective September 28, 2010. Amendments filed March 23, 2021; effective June 21, 2021.