

Reportable Diseases

4-4-1.

Because of the existing and increasing possibility of the occurrences of highly contagious or infectious diseases which threaten to destroy the livestock of this state and because certain known agents and vectors are instrumental in the spread of certain highly contagious or infectious diseases in livestock, it is found and declared to be necessary to:

- (1) Regulate the feeding of garbage;
- (2) Regulate the rendering of the carcasses of dead domestic animals;
- (3) Protect areas of this state free of disease by quarantine against the introduction of such diseases;
- (4) Quarantine infected areas against the spread of such diseases therefrom; and
- (5) Undertake to eradicate, control, suppress, and prevent such contagious or infectious diseases and make provisions therefor.

4-4-1.1.

As used in this chapter, the term:

- (1) 'Livestock' means cattle, swine, equines, poultry, sheep, goats, ratites, nontraditional livestock, and ruminants.
- (2) 'Nontraditional livestock' means the species of Artiodactyla (even-toed ungulates) listed as bison, water buffalo, farmed deer, llamas, and alpacas that are held and possessed legally and in a manner which is not in conflict with the provisions of Chapter 5 of Title 27 dealing with wild animals.

4-4-2.

The Commissioner of Agriculture is authorized to promulgate rules and regulations as may be necessary to effectuate the purpose of this article.

4-4-2.1.

The Commissioner is authorized by rule or regulation to establish, impose, and provide for the collection of reasonable fees for services rendered by the department or its employees or agents in connection with federal programs administered by the United States Department of Agriculture, Animal and Plant Health Inspection Service pursuant to 5 U.S.C. Section 5542; 7 U.S.C. Section 1622; 19 U.S.C. Section 1306; 21 U.S.C. Sections 102 through 105, 111, 114, 114a, 134a, 134c, 134d, 134f, 136, and 136a; or 7 C.F.R. 2.22, 2.80, and 371.2(d) (1-1-99 Edition); provided, however, no fees shall be imposed or collected under this Code section for any services rendered for primates or wild

animals. The fees so established shall be sufficient in amount to reimburse the state for the cost incurred by the department in providing and administering such services.

4-4-3.

In addition to the remedies provided in this article and notwithstanding the existence of any adequate remedy at law, the Commissioner is authorized to apply to the superior court for an injunction. Such court shall have jurisdiction, upon hearing and for cause shown, to grant a temporary or permanent injunction, or both, restraining any person from violating or continuing to violate any of the provisions of this article or for failing or refusing to comply with the requirements of this article or any rule or regulation adopted by the Commissioner thereunder. An injunction issued under this Code section shall not require a bond.

4-4-4.

(a) The Commissioner, in order to enforce this article or any orders, rules, or regulations promulgated pursuant thereto, may issue an administrative order imposing a penalty not to exceed \$1,000.00 for each violation whenever the Commissioner, after a hearing, determines that any person has violated any provision of this article or any quarantines, orders, rules, or regulations promulgated thereunder.

(b) The initial hearing and any administrative review thereof shall be conducted in accordance with the procedure for contested cases in Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.' Any person who has exhausted all administrative remedies available and who is aggrieved or adversely affected by any final order or action of the Commissioner shall have the right of judicial review thereof in accordance with Chapter 13 of Title 50. All penalties recovered by the Commissioner as provided for in this article shall be paid into the state treasury. The Commissioner may file in the superior court wherein the person under order resides or, if said person is a corporation, in the county wherein the corporation maintains its principal place of business or in the county wherein the violation occurred a certified copy of a final order of the Commissioner unappealed from or of a final order of the department affirmed upon appeal, whereupon said court shall render judgment in accordance therewith and notify the parties. Such judgment shall have the same effect, and all proceedings in relation thereto shall thereafter be the same, as though said judgment had been rendered in an action duly heard and determined by said court. The penalty prescribed in this Code section shall be concurrent,

alternative, or cumulative with any and all other civil, criminal, or alternative rights, remedies, forfeitures, or penalties provided, allowed, or available to the Commissioner with respect to any violation of this article and any quarantines, orders, rules, or regulations promulgated pursuant thereto.

4-4-5.

(a) The Commissioner is vested with police powers to enforce this chapter and the rules and regulations adopted pursuant to this chapter.

(b) The Commissioner is authorized to employ, designate, deputize, and delegate to employees of the department the necessary authority to enforce this chapter and the rules and regulations adopted pursuant to this chapter.

Employees who have been so designated by the Commissioner and who have been certified by the Georgia Peace Officer Standards and Training Council as having successfully completed the course of training required by Chapter 8 of Title 35, the 'Georgia Peace Officer Standards and Training Act,' are authorized:

(1) To carry firearms authorized or issued by the Commissioner while in the performance of their duties;

(2) To inspect any livestock found within this state;

(3) To stop and inspect any vehicle transporting livestock in this state;

(4) To inspect and require the production of health certificates, waybills, permits, or other documents required by federal or state laws, rules, regulations, or orders for the transportation of livestock; and

(5) To arrest any person found to be in violation of this chapter.

(c) From funds appropriated or available to the department, the Commissioner is authorized to provide motor vehicles, uniforms, firearms, and any other equipment and supplies needed by employees of the department to carry out this chapter.

(d) This Code section shall not repeal, supersede, alter, or affect the power of any other law enforcement officer of this state or of any county, municipality, or other political subdivision of this state to enforce this chapter. At the request of the Commissioner of Agriculture, it shall be the duty of all state, county, municipal, and other law enforcement officers in this state to enforce and to assist the Commissioner and the employees and agents of the department in the enforcement of this chapter.

4-4-6.

(a) Any person who knowingly introduces into this state any foreign animal disease or any animal disease, syndrome, chemical, poison, or toxin that may pose a substantial threat of harm to the animal industries in this state shall be guilty of a misdemeanor of a high and aggravated nature.

(b)(1) Any person who makes a clinical diagnosis or laboratory confirmation of or who reasonably suspects the presence or occurrence of any of the following diseases, syndromes, or conditions in animals shall report the same immediately to the state veterinarian or the United States Department of Agriculture area veterinarian in charge:

- (A) African Horse Sickness;
- (B) African Swine Fever;
- (C) Avian Influenza;
- (D) Classical Swine Fever (Hog Cholera);
- (E) Contagious Bovine Pleuropneumonia (*Mycoplasma mycoides mycoides*);
- (F) Contagious Ecthyma (Soremouth);
- (G) Foot & Mouth Disease (FMD, any type);
- (H) Heartwater (*Cowdria ruminantium*);
- (I) Lumpy Skin Disease;
- (J) Newcastle Disease (Exotic);
- (K) Nipah Virus;
- (L) Peste des Petits Ruminants;
- (M) Plague (*Yersinia pestis*);
- (N) Rift Valley Fever;
- (O) Rinderpest;
- (P) Screwworm (*Cochliomyia hominivorax*, *C. bezziana*);
- (Q) Sheep Pox and Goat Pox;
- (R) Swine Vesicular Disease;
- (S) Vesicular or Ulcerative Conditions;
- (T) Vesicular Exanthema; or
- (U) Vesicular Stomatitis (VS, any type).

(2) Any person who reasonably suspects the presence or occurrence of any vesicular diseases, mucosal diseases, or abortion storms of unknown etiology in livestock; undiagnosed bovine central nervous system conditions; unusual number of acute deaths in livestock; unusual myiasis or acarasis (flies, mites, ticks, etc.) in animals; or any apparently highly infectious or contagious animal condition of unknown etiology shall report the same immediately to the state veterinarian or the United States Department of Agriculture area veterinarian in charge.

(3) Any person who makes a laboratory confirmation of any of the following diseases, syndromes, or conditions in animals shall report the same within 24

hours or by the close of the next business day, whichever last occurs, to the state veterinarian or the United States Department of Agriculture area veterinarian in charge:

- (A) Akabane Virus Disease;
- (B) Anthrax (*Bacillus anthracis*);
- (C) Aujeszky's Disease (Pseudorabies);
- (D) Avian Chlamydiosis (Psittacosis and Ornithosis, *Chlamydia psittaci*);
- (E) Babesiosis (in livestock, any species);
- (F) Bluetongue;
- (G) Borna Disease;
- (H) Bovine Spongiform Encephalopathy;
- (I) Brucellosis (*Brucella abortus*, *B. ovis*, *B. suis*, *B. mellitensis*);
- (J) Camel Pox Virus;
- (K) Caseous Lymphadenitis (*Corynebacterium pseudotuberculosis*);
- (L) Chronic Wasting Disease;
- (M) *Clostridium perfringens* Epsilon Toxin;
- (N) Coccidioidomycosis (*Coccidioides immitis*);
- (O) Contagious Agalactia (*Mycoplasma agalactiae*, *M. capricolum capricolum*, *M. putrefaciens*, *M. mycoides mycoides*, *M. mycoides mycoides LC*);
- (P) Contagious Caprine Pleuropneumonia (*Mycoplasma capricolum capripneumoniae*);
- (Q) Contagious Equine Metritis (*Taylorella equigenitalis*);
- (R) Dourine (*Trypanosoma equiperdum*);
- (S) Enterovirus Encephalomyelitis (porcine);
- (T) Ephemeral Fever;
- (U) Epizootic Lymphangitis (*Histoplasma farciminosum*);
- (V) Equine Encephalomyelitis (Eastern, Western, Venezuelan, West Nile Virus);
- (W) Equine Infectious Anemia (EIA);
- (X) Equine Morbillivirus (Hendra virus);
- (Y) Equine Piroplasmosis (Babesiosis, *Babesia (Piroplasma) equi*, *B. caballi*);
- (Z) Equine Rhinopneumonitis (Type 1 and 4);
- (AA) Equine Viral Arteritis;
- (BB) Feline Spongiform Encephalopathy;
- (CC) Glanders (*Burkholderia [Pseudomonas] mallei*);
- (DD) Hemorrhagic Septicemia (*Pasteurella multocida*);
- (EE) Japanese Encephalitis Virus;
- (FF) Ibaraki;
- (GG) Infectious Laryngotracheitis (other than vaccine induced);
- (HH) Infectious Petechial Fever (*Ehrlichia ondiri*);
- (II) Louping Ill (Ovine encephalomyelitis);

(JJ) Maedi-Visna/Ovine Progressive Pneumonia;
(KK) Malignant Catarrhal Fever (Bovine Malignant Catarrh) (AHV-1, OHV-2);
(LL) Mange (in livestock)(*Sarcoptes scabiei* var *bovis* and *ovis*, *Psoroptes ovis*, *Chorioptes bovis*, *Psorergates bos* and *ovis*);
(MM) Menangle virus;
(NN) Melioidosis (*Burkholderia [Pseudomonas] pseudomallei*);
(OO) Nairobi Sheep Disease;
(PP) Paratuberculosis (*Mycobacterium avium paratuberculosis*);
(QQ) Perkinsosis (*Perkinsus marinus* and *P. olseni*);
(RR) Pullorum Disease (*Salmonella pullorum*);
(SS) Q Fever (*Coxiella burnetti*);
(TT) Rabbit Hemorrhagic Disease (Calicivirus disease);
(UU) Rabies;
(VV) Ricin Toxicosis (toxin from *Ricinus communis*);
(WW) Salmonellosis caused by *Salmonella enteritidis*;
(XX) Salmonellosis in equine (*Salmonella typhimurium*, *S. agona*, *S. anatum*, etc.);
(YY) Scrapie;
(ZZ) Shigatoxin;
(AAA) Staphylococcal Enterotoxins;
(BBB) Sweating Sickness;
(CCC) Theileriosis (*Theileria annulata*, *T. parva*);
(DDD) Transmissible Mink Encephalopathy;
(EEE) Transmissible Spongiform Encephalopathies (all types);
(FFF) Trypanosomiasis (*Trypanosoma congolense*, *T. vivax*, *T. brucei brucei*, *T. evansi*);
(GGG) Tuberculosis (*Mycobacterium. bovis*, *M. tuberculosis*);
(HHH) Tularemia (*Francisella tularensis*);
(III) Ulcerative Lymphangitis (*Corynebacterium pseudotuberculosis*); or
(JJJ) Wesselsbron Disease.

(4) Any person who makes a laboratory confirmation of any unusual presentation, unexplained increase in number of cases, or unusual trend of Botulism (*Clostridium botulinum* toxin), aflatoxin, or T-2 toxin in animals which such person reasonably suspects may be caused by bioterrorism as defined by Code Section 31-12-1.1 or epidemic or pandemic presentation and may pose a substantial threat of harm to the animal industries in this state shall report the same immediately to the state veterinarian or the United States Department of Agriculture area veterinarian in charge.

(5) Any person, including without limitation any veterinarian or veterinary diagnostic laboratory or practice personnel, person associated with any

livestock farm, ranch, sales establishment, transportation, or slaughter facility, as well as any person associated with a facility licensed under Chapter 10 of this title, the 'Bird Dealers Licensing Act,' or under Article 1 of Chapter 11 of this title, the 'Animal Protection Act,' who shall fail to report any disease, syndrome, or condition specified in this subsection as required by this subsection shall be guilty of a misdemeanor.

(c) The Commissioner is authorized to declare certain other animal diseases and syndromes to be diseases requiring notice and to require the reporting thereof to the department in a manner and at such times as may be prescribed by the Commissioner. The department shall require that such data be supplied as is deemed necessary and appropriate for the prevention and control of certain diseases and syndromes as are determined by the Commissioner.

(d) Any person who reasonably suspects the intentional use of any chemical or nuclear agent, microorganism, virus, infectious substance, or any component thereof, whether naturally occurring or bioengineered, to cause death, illness, disease, or other biological malfunction in an animal shall report such suspicion immediately to the state veterinarian or the United States Department of Agriculture area veterinarian in charge.

(e) All such reports and data submitted to the state veterinarian or the department pursuant to this Code section shall be deemed confidential and shall not be open to inspection by the public; provided, however, that the Commissioner may release such reports and data in statistical form, for valid research purposes, and for other purposes as deemed appropriate by the Commissioner.

(f) Any person, including, but not limited to, any veterinarian or veterinary diagnostic laboratory or practice personnel, person associated with any livestock farm, ranch, sales establishment, transportation, or slaughter facility, as well as any person associated with a facility licensed under Chapter 10 of this title, the 'Bird Dealers Licensing Act,' or under Article 1 of Chapter 11 of this title, the 'Animal Protection Act,' submitting reports or data in good faith in compliance with this Code section shall not be liable for any civil damages therefor.

(g) Any person who knowingly and willingly makes a false, fictitious, or fraudulent report in any matter within the jurisdiction of the state veterinarian or the department under this Code section shall be subject to the provisions of Code Section 16-10-20.

(h) This Code section shall not prohibit the conduct of any bona fide research activities by or on behalf of any accredited public or private college or university in this state, nor shall the reporting requirements of this Code section apply to persons performing such research activities.