

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Our File No. 1118

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 12-6-84
DATE FOR REVIEW 12-15-84
DATE DUE 12-20-84

Adopted w/a hearing ____
Adopted w/o hearing ✓
Temporary rule ____

Approved 12-19-84/mjc Disapproved ____ Returned to Agency ____

Resubmitted ____ Due ____
Approved ____ Disapproved ____ Returned to Agency ____

Date filed w/Secretary of State 12-19-84 Revisor approved 12/18/84 disapproved ____

✓ Rule as Adopted

✓ Rule as Proposed

✓ Order Adopting 10.12.84 Date

N/A Notice of Intent to Solicit Outside Opinion

✓ Order for rulemaking
N/A date of Hearing

✓ Certificate of Board's Authorizing Resolution

✓ Notice of rulemaking
? Sufficiency no small biz statement.

✓ Affidavit of Mailing Notice or rulemaking
5.25.84 At least 30 days prior to ~~hearing~~/adoption

? Mailing list Certificate as of 4.13.84

✓ Publication in State Register
6.11.84 At least 30/~~20~~ days prior to ~~hearing~~/adoption

N/A Hearing Examiner's Report

Chief Hearing Examiner's Report(s)
____ Approving H.E.'s Report
✓ Approving agency action

✓ Agency's Findings of Fact

N/A LCRAR Report or agency Affidavit

✓ Certificate of Board's Resolution Adopting Rules

N/A Order Approving Incorporation by Reference

✓ Statement of Need and Reasonableness no explicit small biz statement.

N/A Petition for Adoption of a Rule

N/A Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓ Certificate of Compliance w/Rulemaking Procedures

N/A Affidavit of Mailing Notice of Submission to Attorney General

✓ Notice of Submission to the Attorney General

SF-00006-02

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT Board of Animal Health

TO : Attorney General

DATE: October 17, 1984

FROM : Robert G. Pyle, DVM
Imports and Markets Division

PHONE: 296-2941

SUBJECT: Written Comments and Requests for Public Hearing on Amendments to Parts 1700.2300 and 1700.2400

No written comments or requests for a public hearing were received by the Board of Animal Health.

RGP:bjs

RPyle

SF-00006-02

STATE OF [redacted]NESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO: Dr. J. G. Flint, Executive Secretary
Board of Animal Health

DATE: 12-19-84

ATTN: Jon Murphy
Special Assistant Attorney General

FROM: Martha J. Casserly MJC
Special Assistant Attorney General

PHONE: 296-4692

SUBJECT: In the Matter of the Proposed Amendment of Rules of the State Board of Animal Health Governing Importation of Horses, Parts 1700.2300 to 1700.2400

Enclosed herewith are the rules you have submitted for approval. These rules have been approved by this office and filed with the Secretary of State. Please note that they have not been filed with the State Register. This must be done promptly by your agency.

Upon receipt and before transmittal to your agency, however, it is important that you recheck these rules as to:

1. Affixation of stamps of the Attorney General and Secretary of State;

2. Coverage by these stamps of all rules submitted; and

3. Inclusion of all pages to the rules in the approved set.

If you have any questions in this regard, please contact me.

MJC:sz
Encs.

cc: Ms. Kathy Burek
Mr. Duane Harves

AG copy

Board of Animal Health

Adopted Rules Governing Importation of Horses

Rules as Adopted

1700.2300 CONTENTS OF HEALTH CERTIFICATE.

The health certificate shall certify that the horses have been examined by an accredited veterinarian within 30 days prior to importation and shall include an accurate and complete description of each horse in the shipment including age, sex, color, and markings. Registered horses may be identified by registration name and number.

The health certificate shall certify that all horses in this shipment were negative to a test for EIA conducted at an approved laboratory within 12 months prior to date of importation. The test date and the name of the laboratory shall be recorded on the health certificate.

A test is not required for horses listed as exceptions in part 1700.2200 or suckling foals accompanying a negative dam.

Where a blood sample has been drawn but there is insufficient time to obtain the laboratory results of the Coggins test prior to the importation, a permit for the importation of horses without final laboratory results may be obtained from the board if the veterinarian requesting the permit agrees to submit the laboratory results promptly to the board.

A copy of the health certificate approved by the chief livestock regulatory official of the state of origin shall be mailed to the board.

1700.2400 SALES.

Horses imported into Minnesota for sale or resale shall be accompanied by a health certificate and shall be tested and negative for EIA before leaving the sale premises if sold to remain in Minnesota, unless the health certificate certifies to a negative test for EIA conducted at an approved laboratory

within 12 months prior to the date of sale. Suckling foals accompanying a negative dam are not required to be tested.

Reactors shall be quarantined and shall not be moved intrastate except on a permit issued by the board. Reactors may be moved interstate in accordance with the provisions of Code of Federal Regulations, part 75, revised as of January 1, 1974.

Reactors shall be destroyed, consigned for slaughter to a slaughtering establishment under federal inspection, or returned to the state of origin under a permit issued by the state of origin.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 19 1984
Joan Anderson Growe
Secretary of State
3:09 PM

APPROVED AS TO FORM AND LEGALITY
December 19 1984
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY M J Cassidy
SPECIAL ASSISTANT ATTORNEY GENERAL

Rule as Proposed

1700.2300 CONTENTS OF HEALTH CERTIFICATE.

The health certificate shall certify that the horses have been examined by an accredited veterinarian within 30 days prior to importation and shall include an accurate and complete description of each horse in the shipment including age, sex, color, and markings. Registered horses may be identified by registration name and number.

The health certificate shall certify that all horses in this shipment were negative to a test for EIA conducted at an approved laboratory within ~~six~~ 12 months prior to date of importation. The test date and the name of the laboratory shall be recorded on the health certificate.

A test is not required for horses listed as exceptions in part 1700.2200 or suckling foals accompanying a negative dam.

Where a blood sample has been drawn but there is insufficient time to obtain the laboratory results of the Coggins test prior to the importation, a permit for the importation of horses without final laboratory results may be obtained from the board if the veterinarian requesting the permit agrees to submit the laboratory results promptly to the board.

A copy of the health certificate approved by the chief livestock regulatory official of the state of origin shall be mailed to the board.

1700.2400 SALES.

Horses imported into Minnesota for sale or resale shall be accompanied by a health certificate and shall be tested and negative for EIA before leaving the sale premises if sold to remain in Minnesota, unless the health certificate certifies to a negative test for EIA conducted at an approved laboratory within ~~six~~ 12 months prior to the date of sale. Suckling foals accompanying a negative dam are not required to be tested.

Reactors shall be quarantined and shall not be moved intrastate except on a permit issued by the board. Reactors may

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

be moved interstate in accordance with the provisions of Code of Federal Regulations, part 75, revised as of January 1, 1974.

Reactors shall be destroyed, consigned for slaughter to a slaughtering establishment under federal inspection, or returned to the state of origin under a permit issued by the state of origin.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

OFFICE OF THE REVISOR OF STATUTES

Proposed Rule

RD507

Agency: Board of Animal Health

Division: Imports and Markets Division

Agency Contact: Robert G. Pyle, DVM 296-2941

Minnesota Rules: Parts 1700.2300; 1700.2400

Title: Proposed Rules Governing Importation of Horses

Type of Rules: Permanent

Incorporations by Reference: None

Duplication of Statutory Language: None

Steven C. Cross
Revisor of Statutes

Craig E. Lindeke
Senior Assistant Revisor
Phone: 296-0946
Date: May 16, 1984

STATE OF MINNESOTA

BOARD OF ANIMAL HEALTH

In the Matter of the Proposed Amendment
of Rules of the State Board of Animal Health
Governing Importation of Horses, Parts 1700.2300
to 1700.2400

ORDER ADOPTING
RULES

Notice of the Board's intent to adopt the above-entitled rules without a public hearing was published in the State Register on June 11, 1984 and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes section 15.0412, subdivision 4 on May 25, 1984. After affording interested and affected persons an opportunity to submit comments for 30 days after Notice, receiving fewer than seven written requests for a public hearing within the 30-day comment period, reviewing and considering the comments, and determining the need for and reasonableness of the above-captioned rules,

NOW, THEREFORE, IT IS ORDERED that these rules identified as Importation of Horses, Parts 1700.2300 to 1700.2400 are adopted this 12th day of October, 1984 pursuant to authority vested in the Board of Minnesota Statutes section 35.03.

STATE OF MINNESOTA

Dr. J. G. Flint, Executive Secretary
Board of Animal Health

STATE OF MINNESOTA

BOARD OF ANIMAL HEALTH

In the Matter of the Proposed Adoption
of Rules of the State Board of Animal Health
Governing Importation of Horses, Parts 1700.2300;
1700.2400

ORDER FOR NOTICE
OF INTENT TO ADOPT
RULES WITHOUT
PUBLIC HEARING

IT IS ORDERED this 25th day of May, 1984 that a Notice of Intent to Adopt Rules Without Public Hearing in the above-entitled matter be given to all persons who have registered their names with the State Board of Animal Health for that purpose and be published in the State Register.

STATE OF MINNESOTA

Secretary and Executive Officer
Board of Animal Health

CERTIFICATE OF BOARD'S

AUTHORIZING RESOLUTION

I, Dr. Carlos Contag, do hereby certify that I am a member and the Vice President of the Board of Animal Health, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board of Animal Health duly and properly called and held on the 13th day of April, 1984, that a quorum was present at said meeting, that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "RESOLVED, that Dr. J. G. Flint, (a member/executive secretary) of the Board of Animal Health, hereby is granted the authority and directed to sign an Order of the Board directing that Notice be given of the Board's intent to amend without a public hearing rules or "Amendment To" rules governing Importation of Horses, Parts 1700.2300; 1700.2400, to sign the Notice thereof, and to perform any and all acts incidental thereto. In the event a public hearing becomes necessary, He hereby is granted the authority and directed to call a hearing for the purpose of promulgating said rules as well as perform any and all acts incidental thereto, including but without being limited to signing an Order for Hearing and Notice of Hearing as well as acting as the Board's representative at all hearings."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 13th day of May, 1984.

Carlos Contag
(Officer of the Board)

Herbert Halvorson
Attest by one other Board Member

BOARD OF ANIMAL HEALTH

In the Matter of the Proposed Amendment of Rules of the State Board of Animal Health Governing Importation of Horses, Parts 1700.2300; 1700.2400

NOTICE OF INTENT TO AMEND RULES WITHOUT A PUBLIC HEARING

Notice is hereby given that the State Board of Animal Health proposes to amend the above-entitled rules without a public hearing. The Board had determined that the proposed amendment of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minnesota Statutes section 14.21 - 14.28:

Persons interested in these rules shall have 30 days to submit comments in support of or in opposition to the proposed rules and that comment is encouraged. Any person requesting a public hearing should state his or her name and address, and each comment should identify the portion of the rule addressed, the reason for the comment, and any change proposed. The proposed rules may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language.

Unless 25 or more persons submit written requests for a public hearing on the proposed rules within the 30 day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minnesota Statutes section 14.13 thru 14.20.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Attention Dr. W. J. Mackey
State Board of Animal Health
90 West Plato Blvd.
160 Agriculture Building
St. Paul, MN 55107

Authority for the amendment of these rules is contained in Minnesota Statutes section 35.03 (1980). Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules identifies the data and information relied upon to support the proposed rules has been prepared and is available from Dr. W. J. Mackey upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, the Statement of Need and Reasonableness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to recieve a copy of the final rules as proposed for adoption, should submit a written statement of such request to Dr. W. J. Mackey.

The rules proposed for adoption relate to the following matters: The importation of Horses in Minnesota.

A copy of the proposed rule amendment is attached to this notice.

STATE OF MINNESOTA

J. G. Flint, D.V.M.
Secretary and Executive Officer

In the Matter of the Proposed Adoption
of Rules of the State Board of Animal Health
Governing Importation of Horses, Parts 1700.2300;
1700.2400

AFFIDAVIT OF
MAILING

STATE OF MINNESOTA)
)ss.
COUNTY OF RAMSEY)

Dr. W. J. Mackey, being first duly sworn deposes and says:

That on the 25th day of May, 1984, at the City of St. Paul, County of Ramsey, State of Minnesota, he served the attached Notice of (Intent to Adopt Rules Without Public Hearing) by depositing in the (United States mail) at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid, on all persons and associations who have requested that their names be placed on file with the State Board of Animal Health for the purpose of receiving notice of the proposed adoption of rules by this Board.

Dr. W. J. Mackey
Assistant Secretary

Subscribed and sworn to before me
this 21 day of May, 1984.

Marian S. Comford

MARIAN S. COMFORD
Notary Public, Ramsey County, Mn.
My commission expires Sept. 16, 1986

STATE OF MINNESOTA

COUNTY OF RAMSEY

CERTIFICATE OF MAILING LIST

In the Matter of the Proposed Adoption
of Rules of the State Board of Animal Health
Governing Importation of Horses, Parts 1700.2300;
1700.2400

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minn. Stat. § 14.21, that their names be placed on file with and maintained by the State Board of Animal Health for the purpose of receiving notice of the proposed adoption of rules by this Board is accurate and complete as of 8:00 A.M., this 13 day of April, 1984.

W. J. Mackey
Assistant Secretary

Importation of Horses
Pg 2646 & 2647

STATE REGISTER

STATE OF MINNESOTA



VOLUME 8, NUMBER 50

June 11, 1984

Pages 2641-2676

PROPOSED RULES

Pursuant to Minn. Stat. of 1980, §§ 14.21, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period:
3. of the manner in which persons shall request a hearing on the proposed rules;

and

4. that the rule may be modified if modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.13-14.20 which state that if an agency decides to hold a public hearing, it must publish in the *State Register* a notice of its intent to do so. This notice must appear at least 30 days prior to the date set for the hearing, along with the full text of the proposed rules. (If the agency has followed the provisions of subd. 4h and has already published the proposed rules, a citation to the prior publication may be substituted for republication.)

Pursuant to Minn. Stat. § 14.29, when a statute, federal law or court order to adopt, suspend or repeal a rule does not allow time for the usual rulemaking process, temporary rules may be proposed. Proposed temporary rules are published in the *State Register*, and for at least 20 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Board of Animal Health

Proposed Rules Governing Importation of Horses

Notice of Intent to Amend Rules without a Public Hearing

Notice is hereby given that the State Board of Animal Health proposes to amend the above-entitled rules without a public hearing. The Board had determined that the proposed amendment of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minnesota Statutes section 14.21-14.28:

Persons interested in these rules shall have 30 days to submit comments in support of or in opposition to the proposed rules and that comment is encouraged. Any person requesting a public hearing should take his or her name and address, and each comment should identify the portion of the rule addressed, the reason for the comment, and any change proposed. The proposed rules may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language.

Unless 25 or more persons submit written requests for a public hearing on the proposed rules within the 30 day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minnesota Statutes section 14.13 thru 14.20.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Attention Dr. W. J. Mackey
State Board of Animal Health
90 West Plato Blvd.
160 Agriculture Building
St. Paul, MN 55107

Authority for the amendment of these rules is contained in Minnesota Statutes section 35.03 (1980). Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules identifies the data and information relied upon to support the proposed rules has been prepared and is available from Dr. W. J. Mackey upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, the Statement of Need and Reasonableness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of such request to Dr. W. J. Mackey.

The rules proposed for adoption relate to the following matters: The importation of horses in Minnesota.

A copy of the proposed rule amendment is attached to this notice.

J. G. Flint, D.V.M.
Secretary and Executive Officer

Rule as Proposed

1700.2300 CONTENTS OF HEALTH CERTIFICATE.

The health certificate shall certify that the horses have been examined by an accredited veterinarian within 30 days prior to importation and shall include an accurate and complete description of each horse in the shipment including age, sex, color, and markings. Registered horses may be identified by registration name and number.

The health certificate shall certify that all horses in this shipment were negative to a test for EIA conducted at an approved laboratory within ~~six~~ 12 months prior to date of importation. The test date and the name of the laboratory shall be recorded on the health certificate.

A test is not required for horses listed as exceptions in part 1700.2200 or suckling foals accompanying a negative dam.

Where a blood sample has been drawn but there is insufficient time to obtain the laboratory results of the Coggins test prior to the importation, a permit for the importation of horses without final laboratory results may be obtained from the board if the veterinarian requesting the permit agrees to submit the laboratory results promptly to the board.

A copy of the health certificate approved by the chief livestock regulatory official of the state of origin shall be mailed to the board.

1700.2400 SALES.

Horses imported into Minnesota for sale or resale will be accompanied by a health certificate and shall be tested and negative for EIA before leaving the sale premises if sold to remain in Minnesota, unless the health certificate certifies to a negative test for EIA conducted at an approved laboratory within ~~six~~ 12 months prior to the date of sale. Suckling foals accompanying a negative dam are not required to be tested.

Reactors shall be quarantined and shall not be moved intrastate except on a permit issued by the board. Reactors may be moved interstate in accordance with the provisions of Code of Federal Regulations, part 75, revised as of January 1, 1974.

Reactors shall be destroyed, consigned for slaughter to a slaughtering establishment under federal inspection, or returned to the state of origin under a permit issued by the state of origin.

Department of Economic Security

Proposed Rule Relating to Opportunities Industrialization Centers; Job Training

Notice of Intent to Adopt Rule without Public Hearing

Notice is hereby given that the Department of Economic Security proposes to adopt the above-entitled rule without a public hearing. The Commissioner has determined that the proposed adoption of this rule will be noncontroversial in nature and has elected to follow the procedures set forth in Minnesota Statutes, sections 14.21 to 14.28.

The promulgation of the proposed rule is authorized by Minnesota Statutes, section 268.61, subdivision 4, which requires the Department to establish by rule the criteria for determining an "economically disadvantaged" person, to be used in providing financial assistance for comprehensive job training and related services through opportunities industrialization centers.

The public is encouraged to comment on the proposed rule. The public shall have 30 days to submit comment in support of or in opposition to the proposed rule. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. The proposed rule may be modified if the modifications are supported by the data and views submitted to the Department and do not result in a substantial change in the proposed language.

If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. In the event a public hearing is required, the Department will proceed according to the provisions of Minnesota Statutes, sections 14.14 to 14.20.

If a public hearing is not required, notice of the date of submission of the proposed rule to the Administration Division of the Office of the Attorney General for review will be mailed to any person requesting to receive the notice.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

STATE OF MINNESOTA

BOARD OF ANIMAL HEALTH

In the Matter of the Proposed
Amendments to the Rules of the
State Board of Animal Health
Parts 1700.2300 and 1700.2400
Governing the Importation of Horses,
Mules and Asses.

FINDING OF FACT
AND CONCLUSIONS

The above-entitled matter was offered by the Board of Animal Health as an amendment to an existing rule without a public hearing under the provisions of Minnesota Statutes 14.21 - 14.28.

The notice of intent to amend rules without public hearings was published 8 SR2646 June 11, 1984.

After consideration of all matters concerning this amendment I therefore find the following:

1) Authority to amend this rule is contained in Minnesota Statutes 35.03.

2) Provisions of Minnesota Statutes 14.21 - 14.28 were met and there were no requests for public hearing.

3) The rule as proposed and published in the State Register on June 11, 1984 was adopted by the Board of Animal Health on October 12, 1984.

4) The rule as adopted is in the best interest of the horse industry and the public.

5) All statutory requirements and procedures have been met.

STATE OF MINNESOTA

J. G. Flint

Dr. J. G. Flint
Executive Secretary

Date 11-19-84

CERTIFICATE OF BOARD'S

RESOLUTION ADOPTING RULES

I, Dr. C. H. Contag, do hereby certify that I am a member and the President of the Board of Animal Health, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board of Animal Health, duly and properly called and held on the 12th day of October, 1984, that a quorum was present at said meeting, that a majority of those present voted for the resolution, and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "RESOLVED, that the rules relating to Importation of Horses, Parts 1700.2300 to 1700.2400 be and they hereby are approved and adopted, pursuant to authority vested in us by Minnesota Statutes 35.03 and that Dr. J. G. Flint, the Executive Secretary of the Board of Animal Health, be and hereby is authorized to sign an order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 12th day of October, 1984.

Carl H. Contag

Dr. C. H. Contag, President
Board of Animal Health

Kenneth E Neeser

Attest by one other Board Member

STATE OF MINNESOTA

BOARD OF ANIMAL HEALTH

In the Matter of Proposed Amendment
of the Rule Governing Importation of
Horses, Parts 1700.3200; 1700.2400

STATEMENT OF NEED AND REASONABLENESS

The Board of Animal Health proposes to amend parts 1700.2300 and 1700.2400 governing Importation of Horses. The proposed amendment requires a negative Coggins test within 12 months rather than the present six months. The Coggins test is used to detect exposure to Equine Infectious Anemia (EIA).

The proposed change will reduce the costs of laboratory and veterinary fees. There should be no increased potential exposure to EIA. In the last ten years other states moved away from the six month limit. Twenty-one of the 39 states that require a Coggins test have set the time at 12 months.

Nationally as well as in Minnesota the ratio of positives to negatives among tested equines decreased over the last ten years. The industry at this time does not feel that the change from six months to twelve months will significantly increase the risk to Minnesota equines. The Minnesota Racing Commission is in the process of promulgating rules for the operation of horse race tracks in Minnesota. The Commission proposes a 12 month Coggins test requirement.

The Board proposes to allow importation of horses by permit where a blood sample has been drawn and submitted to an approved laboratory. A permit would be issued by the Board to the veterinarian issuing the health certificate when there is insufficient time to complete the laboratory procedure. At this time persons importing horses often ignore the health certificate and test requirements because of the time constraints at the laboratory.

The proposed changes do not have significant economic impact on the horse industry of Minnesota and should reduce the costs of tests required. The Board believes that this will not increase the risk of EIA.

The amendments proposed are believed on all available evidence to be in the best interests of the horse owners of Minnesota.

J. C. Flint, D.V.M.
Secretary and Executive Officer

In the Matter of the Proposed Amendment
of Rules of the State Board of Animal Health
Governing Importation of Horses, Parts 1700.2300
to 1700.2400

STATEMENT OF
COMPLIANCE WITH
RULEMAKING PROCEDURES

I, Jon Murphy, do hereby declare that I have examined the rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted below.

Jon Murphy
Special Assistant Attorney General

Dated: 11/25/87