

EXPRESS TERMS

Section 68.1 of 1 NYCRR is amended by adding thereto new subdivisions (ad), (ae), (af), and (ag), to read as follows:

(ad) New herd means a herd of cervids formed after the effective date of this subdivision; or a herd of cervids, the ownership of which has changed after the effective date of this subdivision, including but not limited to a herd that is owned by a corporation or limited liability company that has had a change in the person or people in a position of power or control after the effective date of this subdivision; or a herd of cervids that has changed its program category such as from a CWD Certified Herd to a CWD Monitored Herd after the effective date of this subdivision.

(ae) Veterinarian means a veterinarian duly approved by the administrator of USDA/APHIS accredited to perform functions of Federal and cooperative State-Federal programs on food and fiber animal species; all other livestock species; and zoo animals that can transmit exotic animal diseases to livestock.

(af) Veterinary Client Patient Relationship means an association, whether or not contractual in nature, between a veterinarian and the owner of a herd of cervids in which the veterinarian:

(1) has knowledge of the cervids to the extent that the veterinarian is capable of a general diagnosis of the health of each cervid; and

(2) is readily available to perform diagnostic testing of the herd to detect the presence of disease, including but not limited to brucellosis, CWD, and tuberculosis; and

(3) performs an annual herd inventory; and

(4) is readily available to treat a cervid, in the event that the cervid requires medical attention, care, or therapy.

(ag) Inspection Report means a document, prepared by a Department employee, or by a person duly designated by the Commissioner of Agriculture and Markets, and headed Cervidae Operation Report, that sets forth that employee's findings regarding the conditions existing in a captive cervid population.

Subdivision (c) of section 68.2 of 1 NYCRR is amended read as follows:

(c) Movement of captive cervids.

No person shall import, move or hold captive cervids into or within New York State except in compliance with the requirements of this Part. A valid certificate of veterinary inspection shall accompany all cervids imported into New York State, with the exception of those moving directly to slaughter. In addition, no person shall import or move captive cervids into the State or within the State for any purpose, including slaughter unless a movement permit authorizing such movement has been obtained from the department prior to such movement. An application for movement permit may be obtained by calling the department during normal business hours and, when submitted for a herd located within the State, must be accompanied by the most recent Inspection Report. In the event that an applicant for a movement permit is required to but does not possess the most recent Inspection Report, the department will replace the Inspection Report upon payment of an amount commensurate with the department's cost in doing so. [The department will consult with the New York State Department of Environmental Conservation prior to the issuance of a movement permit.] Except for cervids moving directly to slaughter, movement permits shall be issued only for captive cervids that meet the New York State animal health requirements for captive cervids of this Part. All cervids to be moved, other than cervids moving directly to slaughter, must have approved, unique and tamper evident identification prior to movement. The removal or alteration of any official form of animal identification without the prior permission of the department is prohibited.

Section 68.2 of 1 NYCRR is amended by adding thereto a new subdivision (j), to read as follows:

(j) Mandatory Relationships.

An owner of a new herd shall enter into and have a Veterinary Client Patient Relationship (VCPR) with a veterinarian, not later than September 1, 2022. The owner of an existing herd shall enter into and have a VCPR with a veterinarian, not later than January 1, 2026. Notwithstanding the forgoing, an owner who has not complied with the requirement set forth herein shall have ninety days from the date that compliance is required to enter into a VCPR.