



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

ANIMAL HEALTH AND PROTECTION ACT SWINE IMPORTATION REGULATIONS

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For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

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ANIMAL HEALTH AND PROTECTION ACT
CHAPTER A-11.1

SWINE IMPORTATION REGULATIONS

Pursuant to section 4 of the *Animal Health and Protection Act* R.S.P.E.I. 1988, Cap. A-11.1, Council made the following regulations:

1. **Definitions**

In these regulations:

- (a) “**abattoir**” means an abattoir registered under the *Meat Inspection Act* (Canada);
- (a.1) “**accredited**” means accredited by the Canadian Food Inspection Agency;
- (b) “**Act**” means the *Animal Health and Protection Act* R.S.P.E.I. 1988, Cap. A-11.1;
- (c) “**approved laboratory**” means a facility approved by the provincial veterinarian;
- (d) “**Canadian Food Inspection Agency**” means the Canadian Food Inspection Agency created by the *Canadian Food Inspection Act* (Canada);
- (e) “**certifying veterinarian**” means a veterinarian licensed to practice veterinary medicine at the location of origin of a swine in respect of which a swine import permit is applied for;;
- (f) “**class A disease**” means any named disease exotic to Prince Edward Island, as set out in Schedule A, to which measures of prevention apply;
- (g) “**class B disease**” means any named disease present in Prince Edward Island, as set out in Schedule A, to which measures of control apply;
- (h) “**Department**” means the Department of Agriculture and Forestry;
- (i) “**identified**” means a swine identified with a unique identifying ear tag;
- (i.1) “**import lot**” means a swine or a group of swine from a source herd, or a source herd, for which a swine import permit is applied for or issued;
- (j) “**importation**” means the act of bringing swine into Prince Edward Island;
- (k) “**inspection**” means the examination of
 - (i) swine,
 - (ii) market hogs,
 - (iii) semen, or
 - (iv) recordskept at or on any abattoir, swine operation, salesbarn or vehicle transporting swine or market hogs.

- (l) “**inspector**” means any employee of the Department, the Marketing Board, the Atlantic Veterinary College, the Canadian Food Inspection Agency or any other person who is deemed to be suitable and necessary for the enforcement of these regulations;
- (m) “**license**” means permits to market, transport or slaughter swine issued by the Marketing Board;
- (n) “**Marketing Board**” means the Prince Edward Island Hog Commodity Marketing Board established pursuant to the *Natural Products Marketing Act Hog Commodity Marketing Regulations (EC275/76)*;
- (o) “**market hog**” means a swine being imported directly to an abattoir for slaughter;
- (p) “**market hog permit**” means a permit issued by the Department that authorizes the import of market hogs into Prince Edward Island;
- (q) “**Minister**” means the Minister of Agriculture and Forestry;
- (q.1) “**named disease**” means a disease as set out in Schedule A;
- (q.2) “**PCR sample**” means a whole blood or blood serum sample taken from a boar for the purpose of performing a PCR test;
- (q.3) “**PCR test**” means a polymerase chain reaction test of a PCR sample conducted at an accredited laboratory;
- (q.4) “**PRRS**” means Porcine Reproductive and Respiratory Syndrome;
- (r) “**provincial veterinarian**” means a person appointed by the Minister who is a member in good standing with the Veterinary Medical Association;
- (s) “**salesbarn**” includes any place of business or other location where market hogs or swine or both are offered for sale by public auction;
- (t) “**semen**” means boar semen collected at a Canadian Food Inspection Agency accredited collection facility;
- (u) “**semen import permit**” means a permit issued by the Department that authorizes the import of semen into Prince Edward Island;
- (u.1) “**source herd**” means a herd of swine that has been kept without contact with other swine for at least 30 days prior to the examination referred to in subclause 3(2)(a)(i);
- (v) “**suspect market hog**” means a market hog which an inspector has reason to believe based on reasonable and probable grounds:
- (i) may be contaminated with a named disease, the presence of which shall be determined by visual or laboratory methods, or
 - (ii) may have come in direct contact with a named disease;
- (w) “**suspect swine**” means a swine which an inspector has reason to believe based on reasonable and probable grounds:
- (i) may be contaminated with a named disease, the presence of which shall be determined by visual or laboratory methods, or
 - (ii) may have come in direct contact with a named disease;
- (x) “**swine**” means any species of domesticated or wild pig, including pot-bellied pigs having the scientific genus *Sus* but does not include market hogs;
- (y) “**swine import permit**” means a permit issued by the Department that authorizes the import of swine into Prince Edward Island;
- (z) “**swine operation**” means any lands, buildings, equipment, or process used by a farmer in raising and keeping swine or market hogs or both. (*EC523/98; 58/03; 354/09*)



2. Application, swine, semen, hogs

- (1) These regulations apply to all swine, swine semen and market hogs.

Application, diseases

- (2) These regulations apply to all named diseases set out in Schedule A.

Provincial serological survey

- (3) The Marketing Board shall annually provide the provincial veterinarian with the results of a provincial serological survey to determine prevalence of named diseases.

Enforcement

- (4) The Minister may appoint inspectors to enforce the swine importation regulations. (EC523/98)

3. Prohibition

- (1) No person shall import swine, swine semen or market hogs into Prince Edward Island without first obtaining an import permit issued by the Department.

Swine import permit

- (2) The Department may, on application, issue a swine import permit for an import lot if
- (a) a certifying veterinarian, within 30 days prior to the date of importation,
 - (i) examines each swine in the source herd of the import lot for all named diseases and clinical signs of infectious diseases,
 - (ii) identifies each swine in the import lot,
 - (iii) takes a serological sample from each swine in the import lot and submits the sample to an approved laboratory for testing for named diseases,
 - (iv) provides serological test results, from an approved laboratory, of the samples submitted in accordance with subclause (iii) showing evidence of negative test results for all named diseases for each swine in the import lot, and
 - (v) issues a health certificate certifying each swine in the source herd to be free of symptoms of all named diseases and clinical signs of infectious diseases;
 - (b) the applicant provides the provincial veterinarian with
 - (i) proof, satisfactory to the provincial veterinarian, that the source herd of the import lot has been kept, for at least 30 days prior to the examination referred to in subclause (a)(i), in accordance with biosecurity practices satisfactory to the provincial veterinarian, and
 - (ii) such information as the provincial veterinarian requires with respect to each swine in the import lot, including its history, its health and the proposed transportation arrangements for the importation of the swine; and
 - (c) the provincial veterinarian is satisfied that no swine in the source herd carries a named disease.

Exception

- (3) Notwithstanding subsection (2), the Department may, on the application of a person who wishes to obtain a swine import permit for an import lot of more than 20 swine, issue a swine import permit for the import lot if
- (a) a certifying veterinarian, within 30 days prior to the date of importation,
 - (i) complies with subclauses (2)(a)(i) and (ii),

- (ii) takes a serological sample from at least 20 swine of the import lot and submits the sample to an approved laboratory for testing for named diseases,
 - (iii) provides serological test results, from an approved laboratory, of the samples submitted in accordance with subclause (ii) showing evidence of negative test results for all named diseases for each swine tested, and
 - (iv) issues a health certificate certifying each swine in the source herd to be free of symptoms of all named diseases and clinical signs of infectious diseases;
- (b) the applicant provides the provincial veterinarian with
- (i) the proof required under subclause (2)(b)(i), and
 - (ii) such information as the provincial veterinarian requires with respect to
 - (A) the process or method for determining the swine from which a serological sample is taken in accordance with subclause (a)(ii), and
 - (B) each swine in the import lot, including its history, its health and the proposed transportation arrangements for the importation of the swine; and
- (c) the provincial veterinarian is satisfied that no swine in the source herd carries a named disease.

Market hog import permit

- (4) A market hog import permit may be issued by the Department if:
- (a) an applicant provides the Department with information as to the numbers of market hogs to be imported, the date of import and the abattoir for slaughter;
 - (b) persons importing market hogs will keep the market hogs in isolation from all swine; and
 - (c) the market hogs will be directly transported to the abattoir upon entering Prince Edward Island.

Semen import permit

- (5) The Department may, on the application of a person, issue a semen import permit to the person if the person provides a health certificate certified by the certifying veterinarian stating:
- (a) the semen to be imported was collected from boars at an accredited export collection station; and
 - (b) the semen to be imported is free of PRRS, which shall be verified using the following methods identified on the health certificate:
 - (i) the semen to be imported is verified negative for PRRS by an approved laboratory, or
 - (ii) each boar supplying semen to be imported is verified negative for PRRS by a negative PCR test for PRRS of each PCR sample taken at the time of semen collection from each boar supplying semen, or
 - (iii) the herd may be verified negative for PRRS as follows:
 - (A) where the herd at the accredited export collection station identified in the health certificate has been free from PRRS for a period of at least two years, and
 - (B) where the herd at the accredited export collection station is composed of less than 50 boars, that



- (I) PCR samples were taken from a minimum of five boars of the herd not more than six calendar days before the semen collection, and
- (II) all of the PCR samples tested negative for PRRS, or
- (C) where the herd at the accredited export collection station is composed for 50 or more boars, that
 - (I) PCR samples were taken from a minimum of 10 boars of the herd not more than six calendar days before the semen collection, and
 - (II) all of the PCR samples tested negative for PRRS.

Exception

- (6) Notwithstanding subsection (5), a person may, without a semen import permit, import semen from an accredited export collection station to an approved laboratory on Prince Edward Island for PRRS testing as long as the following procedure is used:
 - (a) the person shall
 - (i) within three days of the semen importation, notify the Department of the importation by providing the Department with a health certificate by the certifying veterinarian verifying the semen was collected from an accredited export collection station, and
 - (ii) provide the Department with a copy of the PRRS test results within five days of the person receiving the test results;
 - (b) where the PRRS test results state the semen is not free of PRRS,
 - (i) the person shall not use the imported semen, and
 - (ii) the person shall, within 10 days after receiving the PRRS test results, either destroy the imported semen or return the imported semen to the sender; or
 - (c) where the PRRS test results state the semen is free of PRRS, the person may use the imported semen. (*EC523/98; 58/03; 354/09*)

4. Officers at weighing devices

- (1) The Minister may appoint as officers under subsection 2(3) of the Act, employees of the Department of Transportation and Public Works at the weigh scale house located at Borden-Carleton and Wood Islands.

Production of import permit by driver

- (2) The driver of any vehicle transporting swine or market hogs into Prince Edward Island shall provide, upon the request of an officer, the import permit issued pursuant to section 3.

Failure to provide permit

- (3) Where the driver of a motor vehicle transporting swine on entering the province, fails to provide a valid import permit to the officer at the weigh scale house:
 - (a) the driver is guilty of an offense; and
 - (b) the driver and the motor vehicle carrying the swine shall leave the province immediately or be issued a quarantine order by the officer providing for the detention of the motor vehicle and contents until otherwise directed by the provincial veterinarian. (*EC523/98; 58/03*)

5. Inspection

- (1) The provincial veterinarian may authorize an inspector to inspect a swine operation, vehicle or salesbarn in order to determine if such premise may house suspect swine or suspect market hogs.

Powers of provincial veterinarian

- (2) Where the provincial veterinarian has reasonable and probable grounds to believe that swine or market hogs are infected with a named disease, the provincial veterinarian may issue a quarantine order which shall specify:
- (a) the swine or market hogs believed to be infected with a named disease;
 - (b) the swine or market hogs are quarantined;
 - (c) restrictions upon the movement, sale or disposal of all swine and market hogs which are or may have been in contact with the suspect swine or suspect market hogs;
 - (d) the location where the swine or market hogs are to be held;
 - (e) the duration for which the swine or market hogs are to be held; and
 - (f) the testing and possible disposal of swine or market hogs.

Quarantine

- (3) The provincial veterinarian quarantining swine or market hogs by order shall, as soon as possible after issuing the quarantine order, provide a copy of the order to the owner and person under whose control the swine or market hogs are at the time of the quarantine.

Quarantine order, delivery of

- (4) A quarantine order shall be delivered in person, by registered mail, or by any such other method as the provincial veterinarian considers appropriate.

Confirmation of named disease

- (5) The provincial veterinarian, having issued a quarantine order pursuant to subsection (2), shall confirm the presence or absence of the named disease.

Responsibility for costs

- (6) The owner, or the person who has control of the quarantined swine or market hogs, shall be responsible for all reasonable costs associated with the quarantined swine or market hogs, including the costs incurred in testing the swine or market hogs to determine the presence or absence of the named disease.

Exemption from costs

- (7) Where swine or market hogs are not infected with the named disease, the Minister may exempt the costs associated with the testing pursuant to subsection 5(6).

Liability

- (8) The provincial veterinarian and inspector are not responsible for any costs associated with the loss of animals while the swine or market hogs are under quarantine provided the respective duties are carried out in good faith in the purported exercise of any powers given by these regulations.

Duration, revocation of quarantine order

- (9) A quarantine order issued by the provincial veterinarian pursuant to subsection 5(2) shall remain in full force and effect until
- (a) the presence or absence of the named disease has been determined; and



(b) the provincial veterinarian has revoked the quarantine order in writing. *(EC523/98)*

6. Destruction of animals

The Minister may order any swine in the province, determined by the provincial veterinarian to be infected with class A disease, to be destroyed under the direction of the provincial veterinarian with no provision for compensation. *(EC523/98)*

7. Disposal of infected animals, directions

Persons disposing of infected swine with a class A named disease, shall do so under the specific direction of the provincial veterinarian. *(EC523/98)*

8. Border signage

The Minister may approve signs to be placed at the Prince Edward Island border on which the importation restrictions of swine imported into Prince Edward Island are specified. *(EC523/98)*

9. Offences

(1) Any person who fails to comply with these regulations is guilty of an offense pursuant to the Act.

Revocation of license

(2) The Marketing Board may revoke the license or licenses issued to any person who fails to comply with these regulations. *(EC523/98)*

SCHEDULE A

NAMED DISEASES

Class A Diseases

Those diseases exotic to Prince Edward Island to which measures of prevention apply:

Transmissible Gastroenteritis (TGE)

Respiratory Corona Virus Disease

Class B Diseases

Those diseases to which measures of disease control apply in Prince Edward Island:

Porcine Reproductive and Respiratory Syndrome (PRRS)

Swine Influenza H1N1

Swine Influenza H3N2

(EC663/09)