

# **Legislative Regulation Review Committee**

2009-011

Department of Agriculture

**CONTROL RABIES IN PUBLIC SETTINGS**

*IMPORTANT: Read Instructions on bottom of Certification Page before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations.*

# REGULATION

of

NAME OF AGENCY

DEPARTMENT OF AGRICULTURE

Concerning

SUBJECT MATTER OF REGULATIONS

Control of Rabies in Public Settings

Section 1. The Regulations of Connecticut State Agencies are amended by adding sections 22-359-1 to 22-359-5, inclusive as follows:

(NEW) Section 22-359-1 Definitions.

As used in Sections 22-359-1 to 22-359-5, inclusive, of the Regulations of Connecticut State Agencies.

- (1) "Animal" means any warm blooded creature including bats.
- (2) "Commissioner" means the Commissioner of Agriculture or the Commissioner's designated agent.
- (3) "Controlled situation" means a public setting in which an animal is under the control of a handler and persons having direct physical contact with such animal can be readily identified and contacted if a rabies exposure incident occurs.
- (4) "Currently vaccinated" means an animal was vaccinated against rabies and is considered immunized based on administration of the primary vaccination at least 30 days previously or immediately after a booster vaccination and vaccinations have been administered in accordance with licensed rabies vaccine label directions.
- (5) "Licensed rabies vaccine" means a vaccine against rabies for certain species of animals licensed by the United States Department of Agriculture for use in such species and marketed in the United States.
- (6) "Not currently vaccinated" means an animal for which there is no licensed rabies vaccine or an animal for which there is a licensed rabies vaccine but such animal is under the minimum age to be vaccinated against rabies or does not satisfy the requirements of "Currently Vaccinated" as described in section 22-359-1(4) of the Regulations of Connecticut State Agencies.
- (7) "Public setting" means any event, facility or premise at which the public is invited or allowed to have direct physical contact with animals. Public settings include but are not limited to fairs, animal exhibitions, petting zoos, municipal pounds, animal shelters, pet stores, nature centers, riding stables, pony rides, and educational programs.
- (8) "Rabies" means an infection of the central nervous system of mammals caused by viruses in the Rhabdovirus family that typically results in death.
- (9) "Uncontrolled situation" means a public setting at which persons have direct physical contact with an animal and such persons cannot be readily identified or contacted if a rabies exposure incident occurs.
- (10) "Vaccinated" means an animal was vaccinated against rabies in accordance with licensed rabies vaccine label directions.

(NEW) Section 22-359-2. Animals for which there is a licensed rabies vaccine. Exceptions.

- (1) No animal for which there is a licensed rabies vaccine may be in a public setting without being currently vaccinated for rabies.
- (2) The exceptions to section 22-359-2 (1) of the Regulations of Connecticut State Agencies shall be those animals under the minimum age to be vaccinated, vaccinated animals offered for sale or adoption, and those animals that reside in municipal pounds.

(NEW) Section 22-359-3. Animals not currently vaccinated.

- (1) Written records shall be kept by the owner, keeper, or handler of any animal not currently vaccinated for rabies that is present in a public setting in a controlled situation. The written records shall include contact information for all persons having direct physical contact with such animal, including the names, addresses and telephone numbers of such persons and the date of contact. Such records shall be maintained for a period of six months and shall be made immediately available to the Commissioner or the Commissioner's designated agent upon request.
- (2) Any animal not currently vaccinated for rabies that is present in a public setting in an uncontrolled situation shall be separated from the public by sufficient means to avoid direct contact between people and animals, such as a double fence, plexiglas, or other device to avoid direct contact between people and animals as determined by the Commissioner, or a conspicuous sign shall be posted near the

*IMPORTANT: Read Instructions on bottom of Certification Page before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations.*

# REGULATION

of

NAME OF AGENCY

DEPARTMENT OF AGRICULTURE

Concerning

SUBJECT MATTER OF REGULATIONS

Control of Rabies in Public Settings

(NEW) Section 22-359-4. Exemptions.

- (1) Any animal in a public setting considered low risk for rabies transmission by the Commissioner or the Commissioner's designated agent such as some rodent and lagomorph species (e.g. mice, rats, gerbils, hamsters, guinea pigs, and rabbits) which can be documented as being born and exclusively raised and kept indoors shall be exempt from the provisions of sections 22-359-2 and 22-359-3 of the Regulations of Connecticut State Agencies.
- (2) Birds, reptiles and amphibians shall be exempt from the provisions of sections 22-359-2 and 22-359-3 of the Regulations of Connecticut State Agencies.

(NEW) Section 22-359-5. Penalty.

- (1) The Commissioner may impose civil penalties for any violation of the provisions of sections 22-359-2 and 22-359-3 of the Regulations of Connecticut State Agencies in accordance with the provisions of Connecticut General Statutes section 22-7.

## Statement of Purpose

The purpose of the proposed regulations is to protect public health by providing the Commissioner with the authority to institute such measures as he deems necessary to prevent the transmission of rabies associated with animals in public settings, including, but not limited to, fairs, shows, exhibitions, petting zoos, riding stables, farm tours, pet shops and educational exhibits.

**CERTIFICATION**

R-39 REV. 1/77

Be it known that the foregoing:

Regulations  Emergency Regulations

Are:

Adopted  Amended as hereinabove stated  Repealed

By the aforesaid agency pursuant to:

Section \_\_\_\_\_ of the General Statutes.

Section 22-359 of the General Statutes, as amended by Public Act No. 105 of the 2006 Public Acts.

Public Act No. \_\_\_\_\_ of the Public Acts.

After publication in the Connecticut Law Journal on, April 3, 2007 of the notice of the proposal to:

Adopt  Amend  Repeal such regulations

(If applicable):  And the holding of an advertised public hearing on 22nd day of August, 2007

WHEREFORE, the foregoing regulations are hereby:

Adopted  Amended as hereinabove stated  Repealed

Effective:

When filed with the Secretary of the State.

(OR)

The \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

In Witness Whereof:	DATE 10/15/08	SIGNED ( <i>Head of Board, Agency or Commission</i> ) <i>[Signature]</i>	OFFICIAL TITLE, DULY AUTHORIZED Commissioner, Dept. of Agriculture
---------------------	------------------	---	---

Approved by the Attorney General as to legal sufficiency In accordance with Sec. 4-169, as amended, C. G. S. :	SIGNED <i>[Signature]</i> 10/23/08	OFFICIAL TITLE, DULY AUTHORIZED ASSOC. ATTY. GENERAL
---	---------------------------------------	---

Approved

Disapproved

Disapproved in part, (Indicate Section Numbers disapproved only)

Rejected without prejudice.

By the Legislative Regulation Review Committee in accordance With Sec. 4-170, as amended, of the General Statutes.	DATE	SIGNED ( <i>Clerk of the Legislative Regulation Review Committee</i> )
---	------	--

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications  
In accordance with Section 4-172, as amended, of the General Statutes.

DATE	SIGNED ( <i>Secretary of the State.</i> )	BY
------	---	----

**INSTRUCTION**

1. One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes.
2. Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.
3. Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.
4. Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capitol letters and deleted language in brackets. Section 4-170 of the General Statutes.