# **01-001 DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY**

 **DIVISION OF ANIMAL HEALTH AND INDUSTRY**

**Chapter 216: RULES GOVERNING THE SALE OF DOGS AND CATS AND IMPORTATION OF DOGS AND CATS FOR RESALE OR ADOPTION**

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**1. STATUTORY AUTHORITY**

 The Statutory Authority is found in 7 MRSA §1753 and §1809 and grants the Commissioner of Agriculture, Conservation and Forestry the authority to promulgate all rules that are deemed proper and necessary to maintain the health of all dogs and cats imported into the State for resale or adoption or offered for resale or adoption within the State.

**2. DEFINITIONS**

 The following terms have the following meanings:

 A. **Accredited Veterinarian**

 A licensed veterinarian who has been accredited by the United States Department of Agriculture, Animal Plant Health inspection Service - Veterinary Services to represent the State and Federal Government in assuming responsibilities for disease and parasite eradication as defined by the *Code of Federal Regulation* 9, chapter 1 (1-1-86 edition), Part 161.

 B. **Adoption**

 For the purposes of this Chapter, adoption shall consist of any and all activities undertaken by private parties and/or individuals, and organized or unorganized rescue groups and humane societies with the intent or effect of transferring possession and/or ownership to others of imported animals as described in this rule.

 C. **Canine Diseases**

 1. **Canine Distemper**: A highly contagious viral disease of dogs. The virus is spread by direct contact or aerosol droplets from secretions of infected animals. Infected animals may show gastrointestinal and respiratory distress with pneumonia and neurologic complications. The infected animals may shed virus for several months.

 2. **Canine ehrlichiosis**: A disease of dogs, transmitted by ticks, caused by the obligate intracellular organism, Ehrlichia canis.

 3. **Heartworm**: A parasitic disease of dogs, transmitted by mosquitoes, caused by the filarial organism, Dirofilaria immitis.

 4. **Hepatitis**: A viral infection of dogs that cause symptoms that vary from a slight fever and congestion of the mucus membranes to severe depression, prolonged bleeding time and lose of weight. The virus is shed in urine, feces and saliva of infected animals.

 5. **Leptospirosis**: A bacterial infection of dogs characterized by a sudden onset, weakness, lack of appetite, vomiting and high temperature.

 6. **Lyme disease**: A tickborne, bacterial disease of domestic animals and humans caused by the bacteria, Borrelia burgdorferi.

 7. **Infectious Tracheobronchitis (canine adenovirus 2 and parainfluenza virus)**: A viral disease commonly known as Kennel cough, usually mild and self-limiting involving the trachea and bronchi of dogs.

 8. **Canine Parvo Virus**: A viral disease causing a severe hemorrhagic enteritis in dogs of all ages. It has a sudden onset with varying degrees of mortality.

 D. **Feline Diseases**

 1. **Feline Viral Rhinotracheitis**: A viral infection of cats, causing fever, frequent sneezing, conjunctivitis, rhinitis and salivation. Mortality may be high in young kittens and aged cats. The illness is often prolonged and may cause a marked weight loss due to lack of appetite and severe depression.

 2. **Feline Calici Virus**: A disease of the oral cavity, respiratory tract and lungs, causing fever, lack of appetite and severe depression.

 3. **Panleukopenia**. A highly contagious disease of cats, commonly called Feline Distemper. All secretions and excretions of affected animals contain the virus and the infection may be spread by direct contact or by contaminated objects.

 E. **Import**

 To move dogs or cats either internationally or interstate into the State of Maine.

 F. **Official Certificate of Veterinary Inspection**

 A legible certificate or form signed by an accredited veterinarian and approved by the Chief Livestock official of the State or Country of origin that shows the age, sex, breed, description and health record of each dog or cat and the name of the consignor and consignee.

 The certificate or form shall list the vaccines administered to each dog or cat and shall state that the animal(s) is/are not showing signs of infectious, contagious and or communicable diseases.

 G. **Permit for State Entry**

 A document issued by the Commissioner of the Department of Agriculture, Conservation and Forestry to the owner or owners of dogs and cats purchased (or dogs and cats whose ownership or care-taking responsibilities have been transferred to another person) for resale or adoption in the State of Maine that must be obtained previous to the time of entry into the State for resale.

 H. **Pet shop**

 A place or vehicle in or on which any dogs, cats, rodents, reptiles, fish, pet birds, exotic birds or exotic animals not born and raised on those premises are kept for the purpose of sale to the public.

 I. **The Commissioner**

 The Commissioner of the Department of Agriculture, Conservation and Forestry.

 J. **The Department**

 The Maine Department of Agriculture, Conservation and Forestry.

 K. **Valid Certificate of Immunization**

 A certificate of immunization for rabies specified by the National Association of State Public Health Veterinarians and authenticated by a licensed veterinarian.

**3. PERMIT FOR STATE ENTRY**

 A. Any person or persons importing dogs and/or cats into the State for resale or adoption is required by the Commissioner to obtain a permit from the Department of Agriculture, Conservation and Forestry previous to the time of entry. This permit must accompany shipment.

 B. Dogs and cats entering the State that do not have health status that is satisfactory to the Commissioner, may be required to be examined by an accredited veterinarian at the owners' expense and may be held under quarantine until the Commissioner is satisfied that the animal(s) is/are not a threat to animals or humans of the State.

 C. Dogs and cats brought into the State for resale or adoption without a permit may be condemned by the Commissioner of Agriculture, Conservation and Forestry and euthanized without indemnity.

 D. Upon request and prior to the issuing of a permit, an application for a permit will be sent to the importer. The application must be completed and returned to the Department of Agriculture, Conservation and Forestry, Division of Animal Health and Industry.

 E. The receiver of a permit will be required to submit quarterly statements or a copy of all invoices to the Department of Agriculture, Conservation and Forestry stating the number, type and destination of dogs and cats purchased or accepted for resale or adoption in Maine.

 F. A new permit may be issued each fiscal year. Permits may be suspended without a hearing for up to 90 days in accordance with 5 MRSA §10004 (1979) if a disease problem exists on the permit holder's premises that requires immediate action be taken to protect public health and safety. Further administrative action may be taken as necessary in accordance with 5 MRSA §10051.

**4. REQUIRED IMMUNIZATION**

 A. Dogs and cats transported into the State of Maine for resale or adoption shall be immunized against diseases not less than 14 days before entry and must be current on their vaccinations for these diseases as evidenced by a statement on the Health Record. Dogs must also be tested for heartworm, Lyme disease and canine ehrlichiosis with the results noted on the Certificate of Veterinary Inspection.

 1. Dogs shall be immunized against the following diseases:

 a. Canine Distemper

 b. Hepatitis

 c. Leptospirosis

 d. Infectious Tracheobronchitis

 e. Canine Parvo Virus

 f. Dogs three months old or older must have a current vaccine for rabies as evidenced by a valid certificate of immunization signed by a licensed veterinarian.

 2. Cats shall be immunized against the following diseases:

 a. Feline Viral Rhinotracheitis

 b. Feline Calici Virus

 c. Feline Panleukopenia

 d. Cats three months old or older must have a current vaccine for rabies as evidenced by a valid certificate of immunization signed by a licensed veterinarian.

 B. Dogs and cats acquired within the State for resale or adoption shall be immunized against diseases not less than 14 days before resale or adoption.

 1. Dogs shall be immunized against the following diseases:

 a. Canine Distemper

 b. Hepatitis

 c. Leptospirosis

 d. Infectious Tracheobronchitis

 e. Canine Parvo Virus

 f. Dogs three months old or older must have a current vaccine for rabies as evidenced by a valid certificate of immunization signed by a licensed veterinarian.

 2. Cats shall be immunized against the following diseases:

 a. Feline Viral Rhinotracheitis

 b. Feline Calici Virus

 c. Feline Panleukopenia

 d. Cats three months of age or older must have a current vaccine for rabies as evidenced by a valid certificate of immunization signed by a licensed veterinarian.

**5. OFFICIAL CERTIFICATE OF VETERINARY INSPECTION**

 Dogs and cats entering the State for resale or adoption shall be accompanied by an official Certificate of Veterinary Inspection issued by an accredited veterinarian with a copy sent to the Commissioner. This certificate is valid for 30 days from the date it was issued.

**6. HOLDING PERIOD**

Dogs and cats imported for resale or adoption shall be retained by the importer for a period of five days if they are six months of age or younger and for a period of 48 hours if they are older than six months of age before being offered for resale or adoption.

A. For the purposes of this Chapter, dogs and cats must be held for this respective five day or 48 hour period in a structure that meets the minimum standards required in the Animal Welfare Rules, Section I and is not in violation of Title 7 Chapter 739, *Cruelty to Animals*.

B. If, during this holding period, any dog or cat exhibits signs of infectious, contagious, parasitic or communicable disease, included but not limited to coughing, sneezing, vomiting, diarrhea or bloody stool, that animal must be isolated and examined by a veterinarian immediately.

a. If any dog or cat is diagnosed with an infectious, contagious or parasitic disease, the animal must be isolated and treated as directed by the veterinarian, and must not be sold, placed or adopted until the veterinarian has declared it to be in a good state of health.

b. Any dogs or cats that have been deemed exposed to the infected animal must be quarantined, if necessary, under the direction of the veterinarian or a State Veterinarian and held until such time the veterinarian declares them to be free of disease.

**7. AGE OF CATS AND DOGS FOR RESALE**

 No person, or persons shall import for resale or adoption, or offer for resale or adoption in the State of Maine, any dog or cat less than 56 days of age.

**8. HEALTH RECORD**

 Dogs and cats sold in the State shall be accompanied by a health record indicating dates and types of vaccines administered.

**9. VIOLATION**

 Whoever violates this rule commits a civil violation for which a forfeiture not to exceed $500 per day for each violation may be adjudged, except that the total of the forfeitures may not exceed $50,000.

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