



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (August 2017)**  
**(Implements RCW 34.05.310)**  
Do **NOT** use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: July 03, 2019

TIME: 7:03 AM

WSR 19-14-115

**Agency:** Dept. of Agriculture

**Subject of possible rule making:** Chapter 16-89 WAC, Sheep and Goat Diseases in Washington State. The Department is considering amending chapter 16-89 of the Washington Administrative Code to:

- Add a definition for “premises”;
- Clarify that all sheep moved off a premises must have official scrapie program identification;
- Add goats to official scrapie program identification requirement when moved off a premises;
- Remove requirement that all goats that are commingled with or exposed to sheep have official scrapie program identification;
- Remove low-risk commercial goats from official scrapie program identification exemption;
- Remove Q fever testing requirements for raw milk dairies; and
- Remove the indemnity section.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 16.36.040.

**Reasons why rules on this subject may be needed and what they might accomplish:** Q-fever testing detects antibodies to *Coxiella burnetii* and antibody tests only determine past exposure to the agent rather than active shedding of the disease organism status. The testing does not actually determine if the animal is actively infected or if the animal is shedding the organism in the milk. Currently, there are no commercially available testing procedures for Q-fever that give accurate and reliable definitive results.

All other provisions proposed by the Department are to align regulations with USDA scrapie program regulations.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** Washington State Department of Agriculture’s Food Safety and Consumer Services Division (FSCSD) licenses raw milk dairies. Department staff have been discussing this proposal and the FSCSD is in agreement to abolish Q fever testing requirements. Department of Health also has been part of the conversation and agrees with the proposal to abolish this requirement.

The United States Department of Agriculture, Animal and Plant Health Inspection Services, Veterinary Services regulates the scrapie program. Department staff have been discussing this proposal with our federal partners and they support changing our regulations to align with scrapie program regulations.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Department staff will discuss any proposed amendments with affected stakeholders.

Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at the public hearing.

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

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Additional comments:

**Date:** July 3, 2019

**Name:** Jodi Jones

**Title:** Acting Assistant Director

**Signature:**

A handwritten signature in black ink that reads "Jodi Jones". The signature is written in a cursive style with a long, sweeping tail on the final letter.