



Document #14570
Filed: 5/4/26 @ 9:34 am
Effective: 5/4/26 @ 9:34 am
Expires: 10/31/26 @ 9:34 am

**OFFICE OF LEGISLATIVE SERVICES
ADMINISTRATIVE RULES**

STATE HOUSE ANNEX
25 CAPITOL STREET, ROOM 234
CONCORD, NH 03301

Cover Sheet for Emergency Rule

Adoption Number:

Rule Number: Agr 2100 various

1. **Agency:** Department of Agriculture, Markets, and Food
2. **RSA Authority:** RSA 436:6, 436:24
3. **Federal Authority:**
4. **Action(s):** Adoption
5. **Filing Date:** 2026-05-04
6. **Short Title:** Importation of Bovines and Domestic Animals
7. **Contact person for copies and questions including requests to accommodate persons with disabilities:**

Name: Patricia L. Benner	Title: Legislative Coordinator
Address: Department of Agriculture, Markets, and Food Office of the Commissioner One Granite Place, South, Ste 211 Concord, NH 03301	Phone Number: (603) 271-3551
	FAX Number: (603) 271-1109
	Email: Patricia.L.Benner@agr.nh.gov

****PLEASE ATTACH THE FOLLOWING, numbered to correspond to the number on this sheet (a separate sheet is not required for every item):**

8. **An explanation of the nature of (a) the imminent peril to public health or safety, demonstrating that the emergency rule is necessary to prevent the imminent peril, or (b) the substantial fiscal harm to the state or its citizens which could otherwise occur if the rule were not adopted as an emergency rule.**

Imminent Peril to Public Health

There is an imminent peril to public health which necessitates the adoption of these emergency rules. The authority and duty to implement measures to control outbreaks of disease in animals has been delegated to the Commissioner of Agriculture, Markets, and Food. See RSA 436:5

Agr 2100 Importation of Bovines and Other Domestic Animals is one of the vehicles the Commissioner uses to implement this responsibility. These emergency rules include important sections of Agr 2100 relating to a number of species of animals and a number of diseases, that affect both human and animal health, which were inadvertently omitted from the recent readoption of the Chapter. The risks associated with the omission of Agr 2104 through Agr 2114 include but not limited to:

1. Increased risk for animal and human disease spread from brucellosis and tuberculosis in cattle, buffalo, yaks, goats, and swine; scrapies in sheep and goats; pseudorabies in swine; rabies and common canine or feline viral diseases in dogs, cats and ferrets; Equine Infectious Anemia in equines; and salmonella in poultry;
2. There would be no requirements for identification and proper permitting for the importation of livestock into the state; and
3. There would be no requirement for various animals imported into the state to have Certificates of Veterinary Inspection (CVI) requiring the animals to show no signs of infectious or contagious disease before entering the state. This requirement is a vital tool in the monitoring of infectious and contagious diseases.

The absence of the CVI requirement alone allows a high risk for rapid spread of infectious disease among animals in this state and the transfer of some diseases to humans including, but not limited to, tuberculosis, brucellosis, salmonella, and rabies.

Substantial Financial Risk

In addition to the imminent peril to public health, a substantial financial risk to the citizens of this state exists in the loss of business, animals, and livestock should disease enter New Hampshire.

9. **A summary of the effect if the rule were not adopted.**
Consequence of not Adopting Emergency Rules

Without these rules there is an insufficient ability to prevent and monitor for the entry of diseases which creates a high-risk pathway for disease introduction that can escalate from a single infected animal into a statewide crisis.

There is potential for serious, wide-ranging consequences for agriculture and human health. There could be rapid spread of infectious disease and suffering among animals in the state. Additionally, some animal diseases can transfer to humans (Zoonotic diseases) resulting in human suffering. Poor monitoring increases the chance of zoonotic outbreaks such as Tuberculosis and Salmonella.

Moreover, economic damage could be severe for farmers and dealers with the potential for significant job loss. Even without spread, entry of disease oftentimes results in significant restrictions in interstate and international commerce. Finally, there could be an increase in control costs and resource strain as a result of these rules not being in place.

10. A description of those affected.

Those Affected

All people who have contact with the listed animals; animal owners, buyers, sellers, or transporters of animals within the state; and anyone in the business of treating, housing, or otherwise dealing with the listed animals would be affected by the absence of these emergency rules

****PLEASE SIGN THE FOLLOWING:**

I, the adopting authority,* hereby certify that the attached is an accurate statement explaining why an emergency rule is necessary.

Date: 2026-05-04 **Name:** Shawn N. Jasper **Title:** Commissioner Department of Agriculture, Markets, and Food

**('Adopting authority' is the official empowered by statute to adopt the rule, or a member of the group of individuals empowered by statute to adopt the rule.)*

Files Uploaded to Server:

1. Agr 2104various.Emer.text.5-1-26.docx
2. Emergency Adoption Notice Agr 2100.pdf

This list shows only files that have already been uploaded.

* denotes files uploaded by Rules

New Hampshire
Department of Agriculture,
Markets, and Food

Shawn N. Jasper, Commissioner



VIA PORTAL

May 1, 2026

Director Courtney Eschbach.
Office of Legislative Services
Administrative Rules
State House Annex
25 Capitol Street, Room 234
Concord, NH 03301

RE: Emergency Adoption Notice Agr 2100 Importation of Bovines and Domestic Animals, Sections Agr 2104 through Agr 2114

Dear Director Eschbach,

Imminent Peril to Public Health

There is an imminent peril to public health which necessitates the adoption of these emergency rules. The authority and duty to implement measures to control outbreaks of disease in animals has been delegated to the Commissioner of Agriculture, Markets, and Food. See RSA 436:5

Agr 2100 Importation of Bovines and Other Domestic Animals is one of the vehicles the Commissioner uses to implement this responsibility. These emergency rules include important sections of Agr 2100 relating to a number of species of animals and a number of diseases, that affect both human and animal health, which were inadvertently omitted from the recent readoption of the Chapter. The risks associated with the omission of Agr 2104 through Agr 2114 include but not limited to:

1. Increased risk for animal and human disease spread from brucellosis and tuberculosis in cattle, buffalo, yaks, goats, and swine; scrapies in sheep and goats; pseudorabies in swine; rabies and common canine or feline viral diseases in dogs, cats and ferrets; Equine Infectious Anemia in equines; and salmonella in poultry;
2. There would be no requirements for identification and proper permitting for the importation of livestock into the state; and
3. There would be no requirement for various animals imported into the state to have Certificates of Veterinary Inspection (CVI) requiring the animals to show no signs of

infectious or contagious disease before entering the state. This requirement is a vital tool in the monitoring of infectious and contagious diseases.

The absence of the CVI requirement alone allows a high risk for rapid spread of infectious disease among animals in this state and the transfer of some diseases to humans including, but not limited to, tuberculosis, brucellosis, salmonella, and rabies.

Substantial Financial Risk

In addition to the imminent peril to public health, a substantial financial risk to the citizens of this state exists in the loss of business, animals, and livestock should disease enter New Hampshire.

Consequence of not Adopting Emergency Rules

Without these rules there is an insufficient ability to prevent and monitor for the entry of diseases which creates a high-risk pathway for disease introduction that can escalate from a single infected animal into a statewide crisis.

There is potential for serious, wide-ranging consequences for agriculture and human health. There could be rapid spread of infectious disease and suffering among animals in the state. Additionally, some animal diseases can transfer to humans (Zoonotic diseases) resulting in human suffering. Poor monitoring increases the chance of zoonotic outbreaks such as Tuberculosis and Salmonella.

Moreover, economic damage could be severe for farmers and dealers with the potential for significant job loss. Even without spread, entry of disease oftentimes results in significant restrictions in interstate and international commerce. Finally, there could be an increase in control costs and resource strain as a result of these rules not being in place.

Those Affected

All people who have contact with the listed animals; animal owners, buyers, sellers, or transporters of animals within the state; and anyone in the business of treating, housing, or otherwise dealing with the listed animals would be affected by the absence of these emergency rules

Procedural History

On April 21, 2026, the New Hampshire Department of Agriculture, Markets, and Food (Department) received written approval from the Joint Legislative Committee on Administrative Rules (JLCAR) to adopt Proposal Rule Notice Number 2025-192, relative to Importation of Bovines and other Domestic Animals. A significant error occurred during rulemaking in which a portion of the rule was mistakenly erased before adoption. In fact, the full text including the missing section was submitted to the Legislative Budget Assistant for a Financial Impact Statement as well as attached to the original Rulemaking Notice

Form via the Administrative Rules Portal. It was at this stage, before being published on the Register, that the section at issue was inadvertently erased.

For these reasons, I hereby certify that the enclosed fixed text is a true copy of the rules approved by me in accordance with RSA 541-A:18, I. The department hereby adopts these emergency rules in this final form on this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn N. Jasper", followed by a horizontal line.

Shawn N. Jasper, Commissioner

Department of Agriculture, Markets, and Food

CC:

Patricia L. Benner, Hearings Officer/Legislative Coordinator for the Department of
Agriculture, Markets, and Food

Joshua Marshall, Assistant Commissioner

Mark C. Prescott, DVM, State Veterinarian

Nathan Harvey, VMD, DABVP, Assistant State Veterinarian

Readopt with amendment Agr 2104.01, effective 4-23-26 (Document #14564), to read as follows:

PART Agr 2104 CATTLE, BUFFALO, and YAKS

Agr 2104.01 Brucellosis.

(a) Cattle, buffalo, and yaks from brucellosis class free states or Canadian provinces may enter New Hampshire without a blood test for brucellosis provided those cattle have resided in that free area for the previous 365 days or their entire life if younger than 365 days of age and that fact is documented on the CVI. CVIs shall be required.

(b) There shall be no brucellosis test required for cattle, buffalo, and yaks originating directly from a USDA Certified brucellosis free herd.

(c) The following shall apply to all cattle, buffalo, and yaks that have not resided in a Brucellosis class free area for the previous 365 days:

(1) No cattle, buffalo, and yaks shall be imported from herds under current quarantine for brucellosis;

(2) All cattle, buffalo, and yaks over 18 months / 545 days of age imported into New Hampshire shall be tested negative within 30 days prior to entry into New Hampshire with an official test as outlined in 9 C.F.R. Part 78.1;

(3) All cattle, buffalo, and yaks under 18 months / 545 days of age imported shall originate directly from negative herds tested in accordance with 9 C.F.R. Part 78.1 within 30 days prior to shipment;

(4) A person may import cattle, buffalo, and yaks under 18 months of age into New Hampshire without a brucellosis test if the ~~cattle~~ animals have been vaccinated for brucellosis between the ages of 120 and 240 days, under state and federal supervision, and the CVI includes a record to that effect;

(5) Unvaccinated cattle, buffalo, and yak calves 180 days of age and older shall have a negative official brucellosis test as outlined in 9 C.F.R. Part 78.1 within 30 days of shipment;

(6) A person may import unvaccinated cattle, buffalo, and yak calves under 180 days of age without the required blood test prior to entry into New Hampshire provided the ~~cattle~~ animals are identified as the progeny and come directly from a negative or certified brucellosis free herd not under quarantine and the CVI so states;

(7) All imports shall be subject to retest between 60 and 120 days from the date of arrival unless tested within 30 days prior to arrival; and

(8) Animals not qualifying under Agr 2104.01(b), (1) or (2) shall only be imported into New Hampshire under USDA Permit for Movement of Animals VS Form 1-27 issued by the state veterinarian, state of origin, or his/her representative and consigned direct to slaughter.

Adopt Agr 2104.02 and Agr 2104.03, previously effective 11-19-15 (Document #10975), expired 11-19-25, to read as follows:

Agr 2104.02 Tuberculosis.

(a) All cattle, buffalo, and yaks from tuberculosis accredited free states or zones or Canadian provinces may enter New Hampshire without being tested for tuberculosis. CVIs shall be required.

(b) The following shall apply to cattle, buffalo, and yaks from states or Canadian provinces without tuberculosis accredited free status:

(1) A person may import cattle, buffalo, and yaks for dairy or breeding purposes directly from a modified accredited area or from a tuberculosis free area if the animals have had a negative tuberculin test applied not more than 60 days prior to shipment;

(2) A person may import cattle, buffalo, and yak calves under 6 months of age from negative herds under supervision testing within one year without a test if identified in accordance with Agr 2104.03; and

(3) No person shall import any other cattle, buffalo, or yaks except under USDA Permit for Movement of Animals VS Form 1-27 issued by the state veterinarian, state of origin, or his/her representative and subject to slaughter or quarantine upon arrival.

(c) For purposes of (b)(1) above, “modified accredited” means a state or zone that is tuberculosis free in cattle, and will be elevated to accredited free state or zone in 5 years.

Agr 2104.03 Identification of Cattle, Buffalo, and Yaks. All cattle, buffalo, and yaks entering New Hampshire shall be individually identified with permanent official identification.

Adopt Agr 2105 through Agr 2114, previously effective 11-19-15 (Document #10975), expired 11-19-25, to read as follows:

PART Agr 2105 SLAUGHTER CATTLE, BUFFALO, AND YAKS

Agr 2105.01 Slaughter Cattle, Buffalo, and Yaks Brought Into State of New Hampshire.

(a) Slaughter cattle, buffalo, and yaks may be brought into the state of New Hampshire without a test or CVI if consigned directly to a federally inspected slaughtering establishment.

(b) A VS 1-27 form shall be completed for and accompany animals transported from a herd or location under state or federal quarantine.

PART Agr 2106 SHEEP

Agr 2106.01 CVI Required.

(a) All sheep and lambs entering New Hampshire for purposes other than immediate slaughter shall be accompanied by a CVI.

(b) The CVI shall certify that:

(1) All sheep and lambs are individually identified by permanent official identification;

(2) The flock of origin was carefully examined not more than 30 days prior to entry, and that such examination revealed no infectious and contagious diseases; and

(3) The sheep and/or lambs did not originate from a scrapie-infected flock and are not progeny of a sire or dam that was infected with scrapie.

PART Agr 2107 SLAUGHTER SHEEP

Agr 2107.01 Requirements for Slaughter Sheep. The requirements for slaughter sheep shall be the same as for slaughter cattle, as set forth in Agr 2105.

PART Agr 2108 GOATS

Agr 2108.01 Brucellosis and Tuberculosis.

(a) All goats from states or Canadian provinces brucellosis class free and tuberculosis accredited free may enter New Hampshire without testing for brucellosis and tuberculosis, with the following:

- (1) A CVI; and
- (2) Individual, permanent official identification.

(b) All goats from states or Canadian provinces not brucellosis class free and tuberculosis accredited free shall:

- (1) Have been tested negative for tuberculosis within 60 days of entry;
- (2) Have been tested negative for brucellosis within 30 days of entry; and
- (3) Be individually identified with permanent official identification.

Agr 2108.02 Scrapie. No goats known to be infected with scrapie, and no progeny of goats known to be infected with scrapie, shall be transported or moved into New Hampshire.

Agr 2108.03 Goats Under 6 Months of Age.

(a) All goats under 6 months of age from states or Canadian provinces class free and tuberculosis accredited free shall be identified with permanent official identification, and may enter New Hampshire with a CVI.

(b) All goats under 6 months of age from states or Canadian provinces not brucellosis class free and tuberculosis Accredited free shall be from progeny of a brucellosis and tuberculosis tested dam, identified with permanent official identification, and may enter New Hampshire with a CVI.

PART Agr 2109 SLAUGHTER GOATS

Agr 2109.01 Requirements for Slaughter Goats. The requirements for slaughter goats shall be the same as for slaughter cattle, as set forth in Agr 2105.

PART Agr 2110 SWINE

Agr 2110.01 Permit and CVI Required.

- (a) A CVI shall be required for the importation of swine into the state of New Hampshire.
- (b) The permit shall be obtained prior to shipment and the number shall appear on the CVI.
- (c) The CVI shall certify that:
 - (1) All swine are individually identified by permanent official identification;
 - (2) All swine on the premises have been inspected;

(3) The swine have never been fed raw garbage or been exposed to swine that have been fed raw garbage; and

(4) The swine are free from clinically diagnosed contagious and infectious diseases, including but not limited to brucellosis and pseudorabies.

Agr 2110.02 Brucellosis. All swine, unless consigned to slaughter, shall:

- (a) Originate from a validated brucellosis-free state;
- (b) Originate from a validated brucellosis-free herd; or
- (c) Be individually tested for brucellosis within 30 days prior to entry.

Agr 2110.03 Pseudorabies. All swine, unless consigned to immediate slaughter, shall:

- (a) Originate from a pseudorabies qualified negative herd;
- (b) Originate and be shipped directly from a pseudorabies class IV or free state; or
- (c) Be individually tested negative for pseudorabies within 30 days prior to entry.

Agr 2110.04 Feeder Swine.

(a) Feeder swine less than 120 days of age imported for the exclusive purpose of feeding for slaughter shall be individually identified by permanent official identification.

(b) Feeder swine shall also:

- (1) Originate from a pseudorabies class IV or free state;
- (2) Originate from a pseudorabies qualified negative herd;
- (3) Originate from a pseudorabies monitored herd; or
- (4) Be individually tested negative for pseudorabies within 30 days prior to entry.

PART Agr 2111 SLAUGHTER SWINE

Agr 2111.01 Requirements for Slaughter Swine. The requirements for slaughter swine shall be the same as for slaughter cattle, as set forth in Agr 2105.

PART 2112 DOGS, CATS, AND FERRETS

Agr 2112.01 No Permit Required - CVI Required.

(a) All dogs, cats, and ferrets brought or shipped into the state of New Hampshire for purposes of transferring ownership shall be:

- (1) Inoculated within one year, but not less than 7 days, before entry against common canine or feline viral diseases as appropriate for the species and that ferrets are immunized for canine distemper, within one year, but not less than 7 days, before entry; and

- (2) Accompanied by a CVI issued by an accredited veterinarian.
- (b) The CVI shall certify that:
 - (1) Dogs, cats, and ferrets are free from visual evidence of contagious and infectious diseases; and
 - (2) Dogs, cats, and ferrets have been inoculated in accordance with Agr 2112.01(a)(1) and Agr 2112.02.
- (c) No person shall ship into the state of New Hampshire or offer for transfer of ownership in the state of New Hampshire any cat, dog, or ferret less than 8 weeks of age.

Agr 2112.02 Rabies.

- (a) Dogs, cats, and ferrets shall not enter the state of New Hampshire from an area under quarantine for rabies.
- (b) Every dog, cat, and ferret 3 months of age and older at the time it enters the state shall be vaccinated against rabies prior to entering the state.
- (c) Every dog, cat, and ferret under 3 months of age at the time it enters the state shall be vaccinated within 30 days after they have reached 3 months of age.
- (d) Dogs, cats, and ferrets shall be vaccinated with rabies vaccine licensed by the United States Department of Agriculture.

PART Agr 2113 EQUINE

Agr 2113.01 CVI Required and Negative EIA Test.

- (a) A CVI shall be signed by an accredited veterinarian attesting to information listed and that the animal or animals listed are free of contagious and infectious diseases.
- (b) The CVI shall include the following:
 - (1) That such animal or animals are free from all contagious and infectious diseases;
 - (2) That each animal or animals do not originate from a quarantined area, or an area where a contagious and infectious disease has been officially diagnosed; and
 - (3) The date of the last valid negative EIA test listed with accession number and laboratory conducting the test.
- (c) Each animal shall be individually and completely identified.
- (d) The CVI shall be valid for 30 days except as stated in Agr 2103.06.

Agr 2113.02 Equine Infectious Anemia.

- (a) Each equine entering the state of New Hampshire shall be accompanied by a valid negative EIA test certificate with the sample collected and certificate signed by an accredited veterinarian.

(b) The EIA test shall be performed in a USDA APHIS approved laboratory within 12 months prior to entry pursuant to 9 C.F.R. Part 75.4. A nursing foal in company of a dam shall not be required to be tested prior to entry, but the foal's presence shall be recorded on the dam's CVI.

(c) If the EIA test certificate does not properly or accurately describe said equine, the New Hampshire state veterinarian shall cause the equine to be:

- (1) Held in quarantine and retested at the expense of the owner; or
- (2) Returned to the state of origin.

PART Agr 2114 POULTRY

Agr 2114.01 VS Form 9-3 or Permit and CVI Required.

(a) All hatching eggs and poultry under 20 weeks of age shall be accompanied by a National Poultry Improvement Plan (NPIP) USDA/VS "Form 9-3 Report of Sales of Hatching Eggs, Chicks and Poults" approved by the state regulatory official of the state of origin certifying that the poultry or hatching eggs are progeny of *Salmonella pullorum* and avian influenza clean flocks.

(b) All poultry over 20 weeks of age shall be accompanied by a permit issued by the New Hampshire department of agriculture, markets, and food, division of animal industry upon receipt of a proper CVI indicating that the poultry so identified shall have been tested negative for *Salmonella pullorum* and avian influenza within 10 days of shipment.

APPENDIX

RULE NUMBER	STATUTE
Agr 2104.01	RSA 436:10; RSA 436:23-24
Agr 2104.02	RSA 436:10; RSA 436:14-16; RSA 436:24
Agr 2104.03 – 2114	RSA 436:24