Index of Laws and Regulations Potentially Preempted by H.R. 4879: The “Protect Interstate Commerce Act of 2018”

MAY 2018

This Index is a supplement to our report: Legislative Analysis of H.R. 4879: The “Protect Interstate Commerce Act of 2018”
Index Overview

The following laws and regulations may face substantial uncertainty if Congress were to pass the Protect Interstate Commerce Act of 2018 (PICA) or incorporate it into the Agriculture and Nutrition Act of 2018 (U.S. Farm Bill). While it is difficult to quantify all of the laws and regulations that may face federal preemption under PICA, this index provides a sample of those that potentially could be rendered unenforceable depending upon how courts interpret the language of the bill. It is neither exhaustive nor representative of all areas that may be affected.¹

¹Click on section headings in the table of contents to travel to that page in the document. Laws for particular states may be located using a “control + find” search for the state's postal initials.
# Table of Contents

## I. Food

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food Safety Generally</td>
<td>13</td>
</tr>
<tr>
<td>Date Labels</td>
<td>13</td>
</tr>
<tr>
<td>Alteration of Dating Labels</td>
<td>15</td>
</tr>
<tr>
<td>Damaged Foods</td>
<td>16</td>
</tr>
<tr>
<td>Date Packaged, Produced, or Harvested</td>
<td>16</td>
</tr>
<tr>
<td>Sale of Expired Foods</td>
<td>17</td>
</tr>
<tr>
<td>Meat</td>
<td>19</td>
</tr>
<tr>
<td>Date Labeling and Sale of Expired</td>
<td>19</td>
</tr>
<tr>
<td>Veal</td>
<td>19</td>
</tr>
<tr>
<td>Housing Requirements for Veal Calves</td>
<td>19</td>
</tr>
<tr>
<td>Pork</td>
<td>19</td>
</tr>
<tr>
<td>Housing Requirements for Gestating Sows and Offspring</td>
<td>19</td>
</tr>
<tr>
<td>Poultry</td>
<td>20</td>
</tr>
<tr>
<td>Date Labels</td>
<td>20</td>
</tr>
<tr>
<td>Foie Gras</td>
<td>20</td>
</tr>
<tr>
<td>Prohibition on Sale of Duck and Goose Liver</td>
<td>20</td>
</tr>
<tr>
<td>Dairy</td>
<td>20</td>
</tr>
<tr>
<td>Date Labels</td>
<td>20</td>
</tr>
<tr>
<td>Milk</td>
<td>21</td>
</tr>
<tr>
<td>Purity Requirements</td>
<td>21</td>
</tr>
<tr>
<td>Licensing</td>
<td>22</td>
</tr>
<tr>
<td>Grade “A” Milk</td>
<td>22</td>
</tr>
<tr>
<td>Eggs</td>
<td>23</td>
</tr>
<tr>
<td>Date Labels</td>
<td>23</td>
</tr>
<tr>
<td>Licensing and Labeling Requirements</td>
<td>24</td>
</tr>
<tr>
<td>Housing Requirements for Egg Laying Hens</td>
<td>24</td>
</tr>
<tr>
<td>Fish</td>
<td>25</td>
</tr>
<tr>
<td>Labeling</td>
<td>25</td>
</tr>
<tr>
<td>Date Labels</td>
<td>25</td>
</tr>
<tr>
<td>Sourcing and Trafficking</td>
<td>25</td>
</tr>
<tr>
<td>Hatchery Sourcing</td>
<td>25</td>
</tr>
<tr>
<td>Shellfish</td>
<td>26</td>
</tr>
<tr>
<td>Date Labels</td>
<td>26</td>
</tr>
<tr>
<td>Sourcing Requirements</td>
<td>27</td>
</tr>
</tbody>
</table>
Lobsters 28
   Sale of Dead Lobsters 28
   Sale or Possession of Egg-Bearing Lobsters 29
Seafood Cocktail 29
   Labeling 29
Fresh Produce Generally 29
   Shipment Standards 29
   Unprocessed Produce 30
Canned Peaches 30
   Allowable Levels of Insects 30
Citrus 30
   Quality and Safety Standards 30
   Maturity and Quality Standards 30
   Containing Arsenic 31
   Standards for Movement 31
   Embargo 31
Tomato Juice 31
   Mold Allowances 31
Catsup ("Ketchup"), Tomato Paste, and Tomato Puree 32
   Mold Allowances 32
Olives 32
   Labeling 32
Cabbage 32
   Quality Requirements 32
Peppers 32
   Sweet Pepper Quality and Maturity 32
 Shallots 33
   Sale Requirements 33
Sweet Potatoes 33
   Quality Requirements 33
Mushrooms 33
   Sale of Wild Mushrooms 33
   Wild Mushroom Processing and Licensing 34
Rice 35
   Rice and Rice Seed Quality 35
Wild Rice 35
   Labeling 35
Walnuts and Hazelnuts 36
  Labeling 36
Honey 36
  Labeling of Imitation Honey and Honey Mixtures 36
  Honey Transportation 36
  Prohibition on Import of Honey infected with American Foulbrood 36
Ginseng 37
  Import Certification Requirements 37
Baking Powder 37
  Labeling 37
Maple Syrup 38
  Grading and Labeling 38
Oleomargarine (“Margarine”) 38
  Labeling 38
Lard 40
  Purity Requirements and Labeling 40
Vinegar 40
  Packaging and Labeling 40
Asian Rice Noodles and Rice Cakes 40
  Labeling 40
Frozen Dessert 40
  Sanitation 40
Candy 41
  Lead Restrictions 41
Prepackaged Foods 41
  Date Labels 41
  Sandwiches 42
  Bakery Products 42
  Puddings 42
Potentially Hazardous Foods 42
  Date Labels 42
Baby Food 43
  Date Labels 43
  Sale of Expired 43
  Packaging with BPA 43
Infant Formula 44
  Sale of Expired 44
Cottage Food Production 45  
Labeling, Production, and Restriction on Sale 45

II. Alcohol 46  
Beer, Wine, and Liquor 46  
  Licensing 46  
  Labeling 47  
  Import 48  
  Content Requirements 48  
  Recordkeeping 48

III. Drugs 48  
  Recreational 48  
  Salvia 48  
  Kratom 50  
  Tobacco 51  
  Minimum Age Requirements 51  
  Fire Safety Standards 51

IV. Fishing 57  
  Ocean Fishing 57  
  Commercial and Sport Fishing 57  
  Beyond State Waters 57  
  License or Permit Requirements 59  
  Equipment Requirements, Harvest Techniques, and Prohibitions 60  
  Harvest and Size Limits 63

V. Wood and Lumber 65  
  Firewood 65  
  Import restrictions 65  
  Christmas Trees 66  
  Import Requirements 66

VI. Home Goods and Products 67  
  Furniture and Bedding 67  
  Law Labels 67  
  Cotton Filler Materials 70  
  Wool Filler Materials 70  
  Down or Feather Filler Materials 71
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hair Filler Materials</td>
<td>72</td>
</tr>
<tr>
<td>Wood or Paper Filler Materials</td>
<td>73</td>
</tr>
<tr>
<td>Animal Fiber Materials</td>
<td>74</td>
</tr>
<tr>
<td>Plant Fiber Materials</td>
<td>74</td>
</tr>
<tr>
<td>Sterilization and Sanitation Requirements</td>
<td>75</td>
</tr>
<tr>
<td>Licensing Requirements</td>
<td>78</td>
</tr>
<tr>
<td>Flammability</td>
<td>78</td>
</tr>
<tr>
<td>Prohibited Products</td>
<td>78</td>
</tr>
<tr>
<td>Registration, Licensing, and Permits</td>
<td>79</td>
</tr>
<tr>
<td>Inspections</td>
<td>80</td>
</tr>
<tr>
<td>Record Keeping</td>
<td>81</td>
</tr>
<tr>
<td>Storage and Facilities</td>
<td>81</td>
</tr>
<tr>
<td>Damaged Goods</td>
<td>81</td>
</tr>
<tr>
<td>Children’s Products and Upholstery</td>
<td>82</td>
</tr>
<tr>
<td>Chemical Flame Retardants</td>
<td>82</td>
</tr>
<tr>
<td>Chlorinated TRIS (TDCPP) and TCEP</td>
<td>82</td>
</tr>
<tr>
<td>Brominated Flame Retardants</td>
<td>83</td>
</tr>
<tr>
<td>Stuffed Toys</td>
<td>84</td>
</tr>
<tr>
<td>Labeling</td>
<td>84</td>
</tr>
<tr>
<td>Flammability and Content Requirements</td>
<td>84</td>
</tr>
<tr>
<td>Registration</td>
<td>84</td>
</tr>
<tr>
<td>Children’s Clothing</td>
<td>85</td>
</tr>
<tr>
<td>Flammability and Labeling Requirements</td>
<td>85</td>
</tr>
<tr>
<td>Registration</td>
<td>85</td>
</tr>
<tr>
<td>VII. Live Animal Imports</td>
<td>86</td>
</tr>
<tr>
<td>Authorizations</td>
<td>86</td>
</tr>
<tr>
<td>Authority to Quarantine</td>
<td>86</td>
</tr>
<tr>
<td>Aquaculture</td>
<td>86</td>
</tr>
<tr>
<td>Infectious Salmon Anemia</td>
<td>86</td>
</tr>
<tr>
<td>Aquaculture Import and Disease Reporting</td>
<td>87</td>
</tr>
<tr>
<td>Viral Hemorrhagic Septicemia</td>
<td>89</td>
</tr>
<tr>
<td>Bait</td>
<td>90</td>
</tr>
<tr>
<td>Salmon</td>
<td>91</td>
</tr>
<tr>
<td>Import of Fish Labeled as Salmon</td>
<td>91</td>
</tr>
<tr>
<td>Dreissenid Mussels</td>
<td>91</td>
</tr>
<tr>
<td>Diseased Fish</td>
<td>91</td>
</tr>
<tr>
<td>Fish for Fertilizer</td>
<td>92</td>
</tr>
</tbody>
</table>
Invasive Aquatic Fish 92
Genetically Modified Organisms 92
  Import 92
Birds 93
  Avian Influenza and Newcastle Disease 93
Cattle and Bison 97
  Anthrax 97
  Brucellosis 103
  Bovine Tuberculosis 106
  Johne's Disease 109
  Rabies 110
  Cattle Fever Tick 116
Cervids 116
  Bovine Tuberculosis 116
  Chronic Wasting Disease (“CWD”): Embargo 117
  Chronic Wasting Disease (“CWD”): Restrictions 118
Bees 120
  Import Requirements and Health Certifications 120
  Bee Quarantines 123
  Embargoes on the Import of Bees 124
  Acceptable Levels of Mites 124
  Prohibition on Africanized Bees 125
  Destruction or Treatment of Colonies with American Foulbrood 125
  Disease Free Certifications for Sale 126
  Bee Transportation Requirements 127
Horses 127
  Equine Infectious Anemia 127
Sheep and Goats 130
  Scrapie 130
  Scabies 133
Swine 135
  Pseudorabies 135
  Swine Vesicular Disease 138
Pig Semen and Ova 144
  Gamete Importation 144
Exotic Meats 145
  Snake 145
Turtle 146
Horsemear Labeling 146
Horsemear Importation for Human Consumption 147
Ostrich and Other Ratites 147
Emu 148
Boar 148
Bison 149
Camelids: Camel, Alpaca, and Llama 150
Pigeon or “Squab” 150
Kangaroo 150
Reindeer 151
Exotic Meats Generally 151

VIII. Companion Animals 152
Chicks, Ducklings, and Rabbits 152
Sale of Dyed Chicks, Ducklings, or Rabbits 152
Dogs and Cats 152
Minimum Age at Sale 152
Lemon Laws 154
Sales Restrictions 156
Distributor License 157
Veterinary Inspection Requirements 157

IX. Products for Animals 159
Pet Food 159
Content Requirements 159
Ingredients 159
Horsemear in Pet Food 160
Maximum Levels of Dangerous Chemicals 161
Processing Requirements 161
Removal of Ferrous Material 161
Use of Additives 161
Sanitation Requirements 161
Safe Handling Requirements 162
Labeling 162
Nutritional Labeling 162
Nutritional Claims 163
Flavor Labeling 164
Licensing 165
  Requirements of Manufacturers 165
Raw Milk as Pet Food 167
  Packaging 167
  Labeling 167
Commercial Feed 168
  Labeling of Commercial Feed 168
  Content Requirements for Commercial Feed 169
Prohibited Foods 169
  Feeding Garbage to Swine 169

X. Dead Animals and Animal Parts 170
Dog and Cat Meat 170
  Prohibition 170
Animal Carcasses and Grease 171
  Transport Requirements: Use of a Leakproof Container 171
Animals That Died Other Than by Slaughter 172
  Prohibition or Permitting 172
Cattle Hides 172
  Import 172
Shark Fins 173
  Possession or Sale 173
Alligator Meat and Hides 173
  Tagging and Licensing Requirements 173
Fur 174
  Fur Labeling 174
  Fur Licensing 174
  Dog and Cat Fur 174

XI. Invasive Pests, Plants, and Disease 175
Ash Trees 175
  Emerald Ash Borer 175
Boxwood Trees 176
  Boxwood Blight 176
Citrus Trees 176
  Root Weevil 176
  Citrus Aphid 177
  Citrus Greening Disease and the Asian Citrus Psyllid 177
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Citrus Budwood</td>
<td>178</td>
</tr>
<tr>
<td>Importing Out-of-State Citrus Budwood</td>
<td>178</td>
</tr>
<tr>
<td>Peaches and Stone Fruits</td>
<td>178</td>
</tr>
<tr>
<td>Peach Yellows, Little Peach, or Red Suture Disease</td>
<td>178</td>
</tr>
<tr>
<td>Peach, Plum, Apricot, Nectarine, and Almond Trees</td>
<td>178</td>
</tr>
<tr>
<td>Phony Peach Disease</td>
<td>178</td>
</tr>
<tr>
<td>Dogwood Trees</td>
<td>179</td>
</tr>
<tr>
<td>Dogwood Anthracnose</td>
<td>179</td>
</tr>
<tr>
<td>Hemlock Trees</td>
<td>179</td>
</tr>
<tr>
<td>Woolly Adelgid</td>
<td>179</td>
</tr>
<tr>
<td>Oak Trees</td>
<td>179</td>
</tr>
<tr>
<td>Oak Wilt</td>
<td>179</td>
</tr>
<tr>
<td>Oak, Aspen, and Other Species of Tree</td>
<td>180</td>
</tr>
<tr>
<td>Gypsy Moth</td>
<td>180</td>
</tr>
<tr>
<td>Palms</td>
<td>181</td>
</tr>
<tr>
<td>Date Palm and Coconut Palm</td>
<td>181</td>
</tr>
<tr>
<td>Lethal Yellowing</td>
<td>181</td>
</tr>
<tr>
<td>Red Palm</td>
<td>181</td>
</tr>
<tr>
<td>Mites</td>
<td>181</td>
</tr>
<tr>
<td>Pecans and Other Nut Trees</td>
<td>182</td>
</tr>
<tr>
<td>Pecan Weevil</td>
<td>182</td>
</tr>
<tr>
<td>Pine Trees</td>
<td>182</td>
</tr>
<tr>
<td>Mountain Pine Beetle</td>
<td>182</td>
</tr>
<tr>
<td>Pine Shoot Beetle</td>
<td>182</td>
</tr>
<tr>
<td>White Pines</td>
<td>183</td>
</tr>
<tr>
<td>White Pine Blister Rust</td>
<td>183</td>
</tr>
<tr>
<td>Walnut Trees</td>
<td>183</td>
</tr>
<tr>
<td>Thousand Cankers Disease</td>
<td>183</td>
</tr>
<tr>
<td>Trees Generally</td>
<td>184</td>
</tr>
<tr>
<td>Asian Longhorned Beetle</td>
<td>184</td>
</tr>
<tr>
<td>Blueberries and Huckleberries</td>
<td>185</td>
</tr>
<tr>
<td>Blueberry Scorch Virus</td>
<td>185</td>
</tr>
<tr>
<td>Blueberry Maggots</td>
<td>185</td>
</tr>
<tr>
<td>Black currant</td>
<td>185</td>
</tr>
<tr>
<td>White Pine Blister Rust</td>
<td>185</td>
</tr>
<tr>
<td>Figs</td>
<td>186</td>
</tr>
<tr>
<td>Standards for Sale</td>
<td>186</td>
</tr>
</tbody>
</table>
Seeds 200
   Genetically Modified Seed Labeling and Reporting 200
Potato Seeds 200
   Grades of Seed Eligible for Sale 200
Soil and Fertilizer 201
   Labeling and Registration 201
Manure 202
   Content, Labeling, and Transport 202
Biosolids/ “Night Soil”/ Human Waste as Fertilizer 202

XII. Procurement 202
   Agricultural Goods 202
   Meat with Pink Slime 206

XIII. General Prohibitions Affecting Agricultural Goods 206
   Chemicals of Concern 206
   Toxins in Packaging 207
      Materials Used to Package Agricultural Products 207

XIV. Miscellaneous 208
   Animal Blood 208
      Prohibition on Consumption 208
   Poisons of Agricultural Origin 208
      Bitter Almonds 208
      Linseed Oil and Flaxseed Oil 209
   Bittering Agent Required for Poisonous Substances 209
I. Food

● Food Safety Generally

■ Date Labels

• These laws require and regulate “sell-by” date labels on food items. They are intended to promote both food quality and safety.
  ○ Laws Potentially Impacted:

■ AK    Alaska Admin. Code tit. 18, § 31.200


■ AR    Code Ark. R. 007.04.8-3-2

■ CA    Cal. Food & Agric. Code § 36004
        Cal. Health & Safety Code § 114039
        Cal. Code Regs. tit. 3, § 627

■ CO    8 Colo. Code Regs. § 1202-10

        Conn. Agencies Regs. 22-133-131

■ DE    Code Del. Regs. 4458-3-202

■ FL    Fla. Admin. Code Ann. r. 5K-10.003
        Fla. Admin. Code Ann. r. 5L-1.007

■ GA    Ga. Comp. R. & Regs. 40-2-3-.01
        Ga. Comp. R. & Regs. 40-3-1-.01
        Ga. Comp. R. & Regs. 40-7-1-.13


■ IL    Ill. Admin. Code tit. 8, § 65.30
- IN 370 Ind. Admin. Code 1-3-2
  410 Ind. Admin. Code 7-24-156
- KY 902 Ky. Admin. Regs. 45:020
  902 Ky. Admin. Regs. 50:010
  902 Ky. Admin. Regs. 50:080
- ME Code Me. R. tit. 01-001 Ch. 331, § 3-2
  Code Me. R. tit. 13-188 Ch. 15, § 15.21
- MD Md. Code Regs. 10.15.06.10
- MN Minn. R. 1520.1900
  Minn. R. 1550.1060
- MS Code Miss. R. 22-1-12:11
- MT Mont. Admin. R. 32.8.203
- NV Nev. Admin. Code 446.179
  Nev. Admin. Code 446.637
  Nev. Admin. Code 584.4321
  NH Code Admin. R. Ann. Agric. 1412.04
  N.J. Admin. Code § 8:21-10.20
  N.J. Admin. Code § 8:24-3.2
- NM N.M. Admin. Code 21.34.5.9
<table>
<thead>
<tr>
<th>State</th>
<th>Code/Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>NC</td>
<td>15A N.C. Admin. Code 18A.0614</td>
</tr>
<tr>
<td>OH</td>
<td>Ohio Rev. Code Ann. § 3715.171, Ohio Admin. Code 901:3-8-03</td>
</tr>
<tr>
<td>PA</td>
<td>7 Pa. Code § 59a.15</td>
</tr>
<tr>
<td>TX</td>
<td>25 Tex. Admin. Code § 241.66</td>
</tr>
<tr>
<td>VT</td>
<td>12-5 Vt. Code R. § 30</td>
</tr>
<tr>
<td>WA</td>
<td>Wash. Rev. Code Ann. § 69.04.905</td>
</tr>
<tr>
<td>WI</td>
<td>Wis. Admin. Code ATCP § 70.21, Wis. Admin. Code ATCP § 88.34</td>
</tr>
<tr>
<td>WY</td>
<td>Wyo. Admin. Code § AGR FSF Ch. 3 s 11</td>
</tr>
</tbody>
</table>

**Alteration of Dating Labels**

- These regulations prohibit manufacturers from altering “sell-by” labels in certain ways. They are intended to protect transparency and the integrity of the label.
Laws Potentially Impacted:

- AL  Ala. Code § 20-1-27
  Ala. Admin. Code 80-1-22-.36
- CO  6 Colo. Code Regs. § 1010-2:3-701
- CT  Conn. Agencies Regs. 22-133-123
- VA  2 Va. Admin. Code 5-531-60
- WA  Wash. Admin. Code 16-142-150
- WI  Wis. Admin. Code ATCP § 88.34

**Damaged Foods**

- These laws prohibit the sale or consumption of foods damaged by floods by deeming them “adulterated” or “misbranded” under the state’s food safety code.
  - Laws Potentially Impacted:
    - MN  Minn. Stat. § 31.495

**Date Packaged, Produced, or Harvested**

- These laws require manufacturers to indicate on items the date on which they were harvested, produced, or otherwise packaged and processed. They are intended to inform consumers as to freshness and quality.
  - Laws Potentially Impacted:
Sale of Expired Foods

These regulations prohibit or restrict the sale of food items past their expiration date. Most of these laws apply generally to many types of food items and are intended to protect quality and safety.
○ Laws Potentially Impacted:

- AL  Ala. Code § 20-1-27
- CO  8 Colo. Code Regs. § 1202-10
- FL  Fla. Admin. Code Ann. r. 5L-1.002  
  Fla. Admin. Code Ann. r. 5L-1.007  
  Fla. Admin. Code Ann. r. 5K-10.003
- GA  Ga. Comp. R. & Regs. 40-3-1-.01  
  Ga. Comp. R. & Regs. 40-7-1-.02  
  Ga. Comp. R. & Regs. 40-7-1-.13
- IL  Ill. Admin. Code tit. 8, § 65.30
- KY  902 Ky. Admin. Regs. 50:080
- MD  Md. Code Regs. 10.15.06.1  
  Md. Code Regs. 10.15.06.10
- MT  Mont. Admin. R. 32.8.203
- NV  Nev. Admin. Code 446.181
  N.J. Admin. Code § 8:21-10.20
- NM  N.M. Admin. Code 21.34.5.16
- PA  7 Pa. Code § 59a.15
● Meat
  ■ Date Labeling and Sale of Expired
    ● These laws either provide specific date labeling requirements or restrict the sale of meat to customers past the expiration date provided.
      ○ Laws Potentially Impacted:
        ■ AL  Ala. Admin. Code 80-1-22-.36
        ■ MI  Mich. Comp. Laws Ann. § 289.8107
        ■ OR  Or. Admin. R. 603-025-0080

● Veal
  ■ Housing Requirements for Veal Calves
    ● These laws prohibit the sale of veal meat produced from calves raised in certain types of confinement systems.
      ○ Laws Potentially Impacted:
        ■ MA  M.G.L.A. 129 App. § 1-3

● Pork
  ■ Housing Requirements for Gestating Sows and Offspring
    ● These laws prohibit the sale of pork meat of an animal housed in certain types of confinement systems as well as the meat of the immediate offspring of such animal.
○ Laws Potentially Impacted:

■ MA M.G.L.A. 129 App. § 1-3

● Poultry
  ■ Date Labels
    ● These regulations require the use of pull dates or “sell-by” date labeling on poultry products.
      ○ Laws Potentially Impacted:

    ■ OR Or. Admin. R. 603-025-0080

● Foie Gras
  ■ Prohibition on Sale of Duck and Goose Liver
    ● These laws prohibits foie gras from being offered for sale within the state in cases where the product is produced through force-feeding.
      ○ Laws Potentially Impacted:


● Dairy
  ■ Date Labels
    ● These laws require milk or other dairy products be marked with a “sell-by” label to indicate the date by which the product should be sold to consumers.
      ○ Laws Potentially Impacted:

    ■ CA Cal. Food & Agric. Code § 36004
      Cal. Code Regs. tit. 3, § 627

      Conn. Agencies Regs. 22-133-123
These laws impose purity requirements on manufacturers of milk who wish to offer their products for sale within the state and prohibit the intermixing of oils or other ingredients.
Laws Potentially Impacted:

- MA M.G.L.A. 94 § 17A

Licensing

- These laws impose licensing requirements on manufacturers of milk who wish to offer their products for sale within the state.

Laws Potentially Impacted:

- MA M.G.L.A. 94 § 40

Grade “A” Milk

- The Pasteurized Milk Ordinance, or “PMO,” is a basic standard used for the processing and packaging of Grade “A” milk. Some states adopt this model standard and others set their own standards that are at least as stringent as the PMO. These state standards apply both to milk processed within the state and milk sold in the state from across lines.

Laws Potentially Impacted:

- AL Ala. Admin. Code r. 420-3-16-.08
- AZ A.A.C. R3-2-802
- AR Ark. Admin. Code 007.10.3-II
- FL Rule 5K-10.003, F.A.C.
- GA Ga. Comp. R. & Regs. 40-2-15-.01
- IA Iowa Admin. Code 21-68.12(192)
- IL 77 Ill. Adm. Code 775.30
- KS K.A.R. 4-7-716
- KY 902 Ky. Admin. Regs. 50:110
- LA La. Admin Code. tit. 51, Pt VII, § 355
These laws require egg containers be marked with a “sell-by” label to indicate the date by which the product should be sold to consumers.

Laws Potentially Impacted:

- **AK** Alaska Admin. Code tit. 18, § 31.200
- **CT** Conn. Agencies Regs. 22-133-131
- **GA** Ga. Comp. R. & Regs. 40-3-1-.01
  Ga. Comp. R. & Regs. 40-7-1-.02
  Ga. Comp. R. & Regs. 40-7-1-.13
- **IL** Ill. Admin. Code tit. 8, § 65.30
- **IN** 370 Ind. Admin. Code 1-3-2
- **IA** Iowa Admin. Code r. 21-36.8(196)
These laws require that specific information must appear on cartons of eggs prior to sale such as the license number of the manufacturer or distributor.

Laws Potentially Impacted:

- **TX** 4 TAC § 15.8
  - 4 TAC § 15.2

**Housing Requirements for Egg Laying Hens**

- These laws prohibit the sale of eggs produced by egg-laying hens housed in certain types of confinement systems.

Laws Potentially Impacted:

- **CA** West's Ann.Cal.Health & Safety Code § 25996
- **MA** M.G.L.A. 129 App. § 1-3
Fish

- Labeling
  - These laws impose labeling requirements on fish products offered for sale within the state, including some related to the sale of genetically modified fish products.
    - Laws Potentially Impacted:
      - AK  AS § 17.20.048
      - AS § 17.20.040

- Date Labels
  - These regulations impose date labeling requirements on fish products sold to consumers.
    - Laws Potentially Impacted:
      - OR  Or. Admin. R. 603-025-0080

- Sourcing and Trafficking
  - These laws relate to the sourcing of fish offered for sale within the state.
    - Laws Potentially Impacted:
      - AK  AS § 16.10.760
      - AS § 16.05.680

- Hatchery Sourcing
  - These laws relate to the sourcing of fish eggs by fish hatcheries within the state.
    - Laws Potentially Impacted:
      - AK  AS § 16.10.420
Shellfish

Date Labels

- These laws require shellfish containers be marked with a “sell-by,” “best if used by,” or “date shucked” label to indicate to consumers when the product was packaged or the date by which it should be consumed.

  - Laws Potentially Impacted:

    - AK  Alaska Admin. Code tit. 18, § 31.200
    - AR  Code Ark. R. 007.04.8-3-2
    - CA  Cal. Health & Safety Code § 114039
    - CO  6 Colo. Code Regs. § 1010-2:3-201
    - DE  16 Del. Admin. Code 4458-3-202
            16 Del. Admin. Code 4000-FOOD-1-101.10
    - FL  Fla. Admin. Code Ann. r. 5L-1.007
    - GA  Ga. Comp. R. & Regs. 40-7-1-02
    - HI  Haw. Code R. 11-50-31
    - IN  410 Ind. Admin. Code 7-24-156
    - KY  902 Ky. Admin. Regs. 45:020
    - ME  Code Me. R. tit. 01-001 Ch. 331, § 3-2
    - MN  Minn. R. 4626.0200
    - MS  Code Miss. R. 22-1-12:11
    - NJ  N.J. Admin. Code § 8:24-3.2
    - NY  N.Y. Comp. Codes R. & Regs. tit. 6, §
42.11

- NC 15A N.C. Admin. Code 18A.0614
- OH Ohio Admin. Code 901:3-8-03
- RI 216 R.I. Code R. 50-10-6.4
- TN Tenn. Comp. R. & Regs. 0080-04-09-.03
- TX 25 Tex. Admin. Code § 241.66
- VT 12-5 Vt. Code R. § 30
- VA 2 Va. Admin. Code 5-585-400
- WI Wis. Admin. Code ATCP § 70.21
- WY Wyo. Admin. Code § AGR FSF Ch. 3 s 11

- Sourcing Requirements

  - These regulations impose requirements on the sourcing of shellfish. Most often, they stipulate that molluscan shellfish received into the state through interstate commerce must be from sources approved by the Interstate Certified Shellfish Shippers List.

  - Laws Potentially Impacted:
    - AR Ark. Admin. Code 007.04.8-3-2
    - DE 16 Del. Admin. Code 4000-3-201.15
16 Del. Admin. Code 4458-3-201
- GA Ga. Comp. R. & Regs. 511-6-1-.04
- HI Haw. Admin. Rules (HAR) § 11-50-31
- IN 410 Ind. Admin. Code 7-24-155
- ME 10-144 CMR Ch. 200, Ch. 3, § 3-2
  01-001 CMR Ch. 331, § 3-2
- NM N.M. Admin. Code 7.6.2
- NV Nev. Admin. Code 446.118
- OH Ohio Admin. Code 3717-1-03.1
- RI R.I. Admin. Code 31-3-11:3-2
- TN Tenn. Comp. R. & Regs. 0080-04-09-03
  Tenn. Comp. R. & Regs. 1200-23-01-03
- VA 2 Va. Admin. Code 5-585-310
  12 Va. Admin. Code 5-421-310
- VT Vt. Admin. Code 12-5-30:5-204
- WY WY Rules and Regulations AGR FSF Ch. 3 s 10

* Lobsters *

* Sale of Dead Lobsters *

- These laws prohibit the sale of dead lobsters within the state, including both raw lobsters and those that died prior to cooking. They are
intended to prevent human exposure to toxicity emitted by dead lobsters.

○ Laws Potentially Impacted:

■ MA M.G.L.A. 94 § 77G

Sale or Possession of Egg-Bearing Lobsters

● These laws prohibit the possession or sale of a female lobster whose eggs have been removed other than by natural causes. The law is intended to protect lobster populations and prohibit poaching.

○ Laws Potentially Impacted:

■ MA M.G.L.A. 130 § 41A

Seafood Cocktail

■ Labeling

● These laws regulate what products may be labeled as a “Sea Food Cocktail” and what other information such a label must include. They also include requirements related to the pH levels of the sauce.

○ Laws Potentially Impacted:

■ CA 17 CCR § 15825

Fresh Produce Generally

■ Shipment Standards

● These laws impose requirements on the transport of produce into and within the state. Some include labeling or packaging requirements to ensure transparency.

○ Laws Potentially Impacted:

■ LA La. Admin Code. tit. 7, Pt V, §1131
   La. Admin Code. tit. 7, Pt V, §1129
Unprocessed Produce

- These laws require producers to obtain a license in order to offer for sale unprocessed produce within the state.
  - Laws Potentially Impacted:
    - PA 3 P.S. § 41c

Canned Peaches

- Allowable Levels of Insects
  - These regulations set maximum allowable amounts of fruit that can be “insect infested” if offered for sale within the state. They are intended to protect quality as well as consumer health and safety.
  - Laws Potentially Impacted:
    - CA 17 CCR § 16201
    - 17 CCR § 16200

Citrus

  - Quality and Safety Standards
    - Maturity and Quality Standards
      - These laws impose restrictions on the types of citrus that may be offered for sale in the state to ensure that it is fit for consumption and adheres to certain quality standards. Some require that fruit not be damaged or degraded in particular ways. Others require that it be mature and ripe prior to sale or ensure that it comes from a licensed manufacturer.
      - Laws Potentially Impacted:
        - FL West's F.S.A. § 601.46
        - West's F.S.A. § 601.91
        - West's F.S.A. § 601.55
        - West's F.S.A. § 601.49
        - GA Ga. Comp. R. & Regs. 40-7-13-.01
        - LA La. Admin Code. tit. 7, Pt V, § 1115
Containing Arsenic

- These laws prohibit the sale of citrus fruits containing arsenic or arsenic compounds in order to protect the health and safety of consumers.
  - Laws Potentially Impacted:
    - FL West's F.S.A. § 601.93

Standards for Movement

- These laws impose standards under which citrus products may be imported into the state. They are intended to ensure citrus shipments are healthy and reduce the spread of disease.
  - Laws Potentially Impacted:
    - CA 3 CCR § 3662

Embargo

- These laws prohibit the movement of citrus into the state. They are intended to prohibit products that may jeopardize or degrade local production.
  - Laws Potentially Impacted:
    - FL F.S.A. ss. 581.182

Tomato Juice

Mold Allowances

- These regulations set maximum allowable rates of mold that can occur in tomato juice sold within the state. They are intended to protect quality as well as consumer health and safety.
  - Laws Potentially Impacted:
    - CA 17 CCR § 15580
• Catsup ("Ketchup"), Tomato Paste, and Tomato Puree
  ■ Mold Allowances
    • These regulations set maximum allowable rates of mold that can be present in ketchup, tomato paste and tomato puree offered for sale within the state. They are intended to protect quality as well as consumer health and safety.
  ○ Laws Potentially Impacted:
    ■ CA 17 CCR § 15575

• Olives
  ■ Labeling
    • These laws impose labeling requirements on olives transported or offered for sale within the state.
  ○ Laws Potentially Impacted:
    ■ CA 17 CCR § 16113
    17 CCR § 16110

• Cabbage
  ■ Quality Requirements
    • These laws impose requirements on cabbage offered for sale within the state to ensure products meet certain quality assurance standards.
  ○ Laws Potentially Impacted:
    ■ LA La. Admin Code. tit. 7, Pt V, §1119

• Peppers
  ■ Sweet Pepper Quality and Maturity
    • These laws impose quality and maturity requirements on sweet peppers offered for sale within the state. They are intended to ensure high standards for consumers and prevent demoralization of the pepper market.
  ○ Laws Potentially Impacted:
    ■ LA La. Admin Code. tit. 7, Pt V, §1125
- **Shallots**
  - **Sale Requirements**
    - These laws impose restrictions on how shallots must be packaged and appear when offered for sale.
      - Laws Potentially Impacted:
        - LA La. Admin Code. tit. 7, Pt V, §121

- **Sweet Potatoes**
  - **Quality Requirements**
    - These laws impose requirements on sweet potatoes offered for sale within the state to ensure they meet certain quality assurance standards.
      - Laws Potentially Impacted:
        - LA La. Admin Code. tit. 7, Pt V, § 1117

- **Mushrooms**
  - **Sale of Wild Mushrooms**
    - These regulations impose identification requirements on the sale of mushrooms harvested from the wild. Often, they mandate that wild mushrooms must be positively identified by a mushroom identification expert in order to be sold for human consumption in order to protect the public from accidental poisoning caused by the ingestion of toxic mushrooms.
      - Laws Potentially impacted:
        - CO 6 CCR 1010-2:3-306
        - DE 16 Del. Admin. Code 4000-FOOD-3-201.16
        - IN 410 IAC 7-24-164
        - MA 105 MA ADC 590.004
        - ME ME ST T. 22 § 2175
These laws allow retail food establishments to sell mushrooms picked in the wild subject to certain conditions. Frequently, they require that mushrooms sold in the state be properly processed by a licensed processing plant in order to ensure they are safe for human consumption.

Laws Potentially Impacted:

- AR Ark. Admin. Code 007.04.8-3-2
- DE 16 Del. Admin. Code 4458-3-201
- GA Ga. Comp. R. & Regs. 40-7-1-09
- HI Haw. Admin. Rules (HAR) § 11-50-31
- OH OAC 3717-1-03.1
- NV NAC 446.129
- TX 25 TAC § 228.62
• Rice
  ■ Rice and Rice Seed Quality
    ● These laws impose requirements on rice, rice products, and rice seed offered for sale within the state to ensure products meet certain quality assurance standards. Some ensure that rice bears no signs of commercial impact and has not been intermixed with other varieties. Some of these regulations are intended to protect consumers, while others ensure that seeds used by producers meet particular standards.
      ○ Laws Potentially Impacted:
        ■ AR  A.C.A. § 2-15-203
        ■ LA  La. Admin Code. tit. 7, Pt XIII, § 1107
        ■ TX  4 TAC § 10.11

• Wild Rice
  ■ Labeling
    ● These laws impose regulations on the labeling of wild rice products sold within the state in order to allow consumers to differentiate between cultivated and hand-harvested, paddy-grown varieties. They are intended to increase transparency and protect consumer interests.
      ○ Laws Potentially Impacted:
        ■ MN  MN ST § 30.49
        ■ WI  WI ST 97.57
• Walnuts and Hazelnuts
  ■ Labeling
    ● These laws impose labeling requirements on unshelled nuts offered for sale within the state.
      ○ Laws Potentially Impacted:

        ■ OR  O.R.S. § 632.590

• Honey
  ■ Labeling of Imitation Honey and Honey Mixtures
    ● The following laws regulate the label design and content of honey or imitation honey products. They are intended to increase transparency and prevent consumers from being misled.
      ○ Laws Potentially Impacted:

        ■ TX  V.T.C.A., Agriculture Code § 131.083
        V.T.C.A., Agriculture Code § 131.084
        V.T.C.A., Agriculture Code § 131.082
        V.T.C.A., Agriculture Code § 131.081

  ■ Honey Transportation
    ● These laws regulate the manner in which honey can be transported through or into the state. They are intended to facilitate inspection and prevent the escape of bees traveling with the comb.
      ○ Laws Potentially Impacted:

        ■ GA  Ga. Comp. R. & Regs. 40-4-1-.04
        ■ LA  La. Admin Code. tit. 7, Pt XV, § 505
        ■ TN  T. C. A. § 44-15-120

  ■ Prohibition on Import of Honey infected with American Foulbrood
    ● This law is intended to ensure that honey sold within or transported through the state is not infected by American Foulbrood in order to ensure the quality and the safety of the honey as well as to prevent the spread of Foulbrood to local bee colonies.
● Ginseng

■ Import Certification Requirements

- These laws require that ginseng imported from out of state be accompanied by documentation from the state where it was harvested. These laws are intended to prevent trafficking in illegally obtained or poached wild ginseng.

○ Laws Potentially Impacted:

■ ID     IDAPA 02.06.40.250
■ MI     MI ST 290.777
■ OH     OH ST § 1533.882
■ OR     OAR 603-060-0040
■ TN     TN ST § 70-8-204
■ WI     WI ST 94.50
         WI ST 29.611
■ WV     WV ST § 19-1A-3a

● Baking Powder

■ Labeling

- These laws impose labeling requirements on manufacturers of baking soda who wish to offer their products for sale within the state.

○ Laws Potentially Impacted:

■ MA     M.G.L.A. 94 § 11
Maple Syrup

Grading and Labeling

These laws impose regulations on the labeling of maple syrup such as the name and address of the packager, the type of syrup, as well as other quality standards.

Laws Potentially Impacted:

- ME Me. Rev. Stat. tit. 7, § 893
- MA M.G.L.A. 128 § 36C
- NH N.H. Rev. Stat. § 429:15
- NY N.Y. Agric. & Mkts. Law § 160-u
- OH Ohio Rev. Code § 3715.25
- VT 6 V.S.A. § 490

Oleomargarine ("Margarine")

Labeling

Federal regulations prohibit the labeling of oleomargarine ("margarine") as a dairy product and require certain information be included on margarine labels. Some states impose additional labeling requirements on these products such as those requiring specific ingredients be listed, that individual sticks be labeled, and that various other information be included.

Laws Potentially Impacted:

- AR Ala. Admin. Code r. 80-13-1-.12
  Ala. Admin. Code r. 80-13-4-.03
- CA Cal. Food & Agric. Code § 39382
- CO 8 CCR 1202-1:12
- GA Ga. Comp. R. & Regs. 40-10-1-.19
  Ga. Comp. R. & Regs. 40-15-4-.01

- ID IDAPA 02.02.14.250

- MD COMAR 15.03.03.04

- MA 202 CMR 3.12

- MS Miss. Admin. Code 2-1-4:09

- NJ N.J.A.C. 13:47K–1.2
  N.J.A.C. 13:47K–4.11

- NM N.M. Admin. Code 21.16.4

- NY 1 NYCRR 221.9
  1 NYCRR 221.13
  1 NYCRR 317.2
  1 NYCRR 317.8
  1 NYCRR 317.8

- OH OAC Ch. 901:6-7
  OAC 901:6-3-11

- OR OAC Ch. 901:6-7

- PA 70 Pa. Code § 27.20
  7 Pa. Code § 1.328

- VT Vt. Admin. Code 2-4-100:317.2
  Vt. Admin. Code 2-4-100:317.8

- WI Wis. Adm. Code § ATCP 90.08

39
● Lard

  ■ Purity Requirements and Labeling
  ● These laws impose purity requirements on manufacturers of lard who wish to offer their products for sale within the state. They prohibit the use of any ingredient other than swine fat for products labeled as “pure lard,” and impose additional requirements for compound lard.
    ○ Laws Potentially Impacted:
      ■ MA M.G.L.A. 94 § 6

● Vinegar

  ■ Packaging and Labeling
  ● These laws impose requirements for packaging and labeling of vinegar offered for sale within the state.
    ○ Laws Potentially Impacted:
      ■ MA M.G.L.A. 94 § 165

● Asian Rice Noodles and Rice Cakes

  ■ Labeling
  ● These laws impose labeling requirements on Asian rice-based noodles offered for sale within the state.
    ○ Laws Potentially Impacted:

● Frozen Dessert

  ■ Sanitation
  ● These laws impose sanitation requirements on manufacturers of frozen desserts who wish to offer their products for sale within the state and prohibit the sale of products produced under certain conditions.
○ Laws Potentially Impacted:

■ MA M.G.L.A. 94 § 65N

● Candy

■ Lead Restrictions

● These laws prohibit the distribution of candy or candy in wrappers that contains an amount of lead in excess of stipulated levels.

○ Laws Potentially Impacted:

■ CA Cal. Health & Safety § 110552
■ IL IL ST CH 410 § 45/4

● Prepackaged Foods

■ Date Labels

● These regulations impose date labeling requirements on foods or drinks that have been pre-packaged prior to sale.

○ Laws Potentially Impacted:

■ AL Ala. Code § 20-1-27
■ MA 105 Mass. Code Regs. 500.006
■ MI Mich. Comp. Laws Ann. § 289.8107
■ MN Minn. R. 1550.1060
■ OH Ohio Rev. Code Ann. § 3715.171
Or. Admin. R. 603-025-0080
■ WA Wash. Rev. Code Ann. § 69.04.905
Wash. Admin. Code 16-142-150
- **Sandwiches**
  - These regulations impose date labeling requirements on sandwiches prior to sale.
    - Laws Potentially Impacted:
      - GA Ga. Comp. R. & Regs. 40-7-1-.13
      - NH NH ADC AGR 1412.01
      - NH ADC AGR 1412.04
      - OR Or. Admin. R. 603-025-0080

- **Bakery Products**
  - These regulations impose date labeling requirements on bakery products prior to sale.
    - Laws Potentially Impacted:
      - OR Or. Admin. R. 603-025-0080

- **Puddings**
  - These regulations impose date labeling requirements on pudding products prior to sale.
    - Laws Potentially Impacted:
      - OR Or. Admin. R. 603-025-0080

- **Potentially Hazardous Foods**
  - **Date Labels**
    - These laws require date labels on potentially hazardous foods offered for sale. Potentially hazardous foods are defined as goods with the potential for rapid bacterial growth. Often, they include foods that have been heat-treated and require temperature controls.
      - Laws Potentially Impacted:
• Baby Food

■ Date Labels
  • These laws require baby food containers be marked with a “sell-by” label to indicate the date by which the product should be sold to consumers.
    ○ Laws Potentially Impacted:
      ■ AL Ala. Code § 20-1-27
      ■ AL Ala. Admin. Code 80-1-22-.36

■ Sale of Expired
  • These laws prohibit the sale of baby food past the “sell-by” or expiration date designated on the product.
    ○ Laws Potentially Impacted:
      ■ AL Ala. Code § 20-1-27
      ■ NJ N.J.S.A. 56:8-2.27
      ■ OH R.C. § 3715.521

■ Packaging with BPA
  • These laws prohibit the sale of baby food in jars containing the additive bisphenol A (“BPA”) due to concerns about the chemical’s safety and adverse health impacts it may have on young children.
    ○ Laws Potentially Impacted:
These laws prohibit the sale of infant formula past its expiration date. They are intended to prevent babies from ingesting formula that is of inferior quality or nutritional value, as well as that which may pose health risks.

Laws Potentially Impacted:

- AL Ala. Code § 20-1-27
- GA Ga. Comp. R. & Regs. 40-7-1-.02
- GA Ga. Comp. R. & Regs. 40-7-1-.13
- NJ N.J.S.A. 56:8-2.27
- OH R.C. § 3715.521
● Cottage Food Production

- Labeling, Production, and Restriction on Sale

- These laws place conditions or restrictions on the production and sale of cottage foods—those foods not produced in a commercial kitchen but instead created in home kitchens or small-scale production facilities. They are intended to ensure that the food is safe and properly labeled.
  - Laws Potentially Impacted:

  - AL AL ST § 22-20-5.1
  - CA CA HLTH & S § 114365
  - FL FL ST § 500.80
  - GA Ga. Comp. R. & Regs. 40-7-19-.05
  - Ga. Comp. R. & Regs. 40-7-19-.09
  - ID IDAPA 16.02.19.110
  - IL IL ST CH 410 § 625/4
  - MD MD HEALTH GEN § 21-330.1
  - MI MI ST 289.4102
  - MO MO ST 196.298
  - MS Miss. Code Ann. §75-29-951
  - MT MCA 50-50-116
  - Mont.Admin.R. 37.110.510
  - Mont.Admin.R. 37.110.508
  - Mont.Admin.R. 37.110.503
  - ND NDCC, 23-09.5-02
  - NDCC, 23-09.5-0
  - NV N.R.S. 446.866
  - OH R.C. § 3715.025
  - OAC 901:3-20-04
II. Alcohol

● Beer, Wine, and Liquor

  ■ Licensing
    ● These laws impose licensing requirements on producers of alcoholic products offered for sale within the state. However, it should be noted that the Twenty-First Amendment may protect a state’s ability to enforce such regulations even if they would otherwise be preempted by PICA.
      ○ Laws Potentially Impacted:
        ■ AL Ala. Admin. Code r. 20-X-8-.02
        ■ KY KRS § 244.440

  ■ Labeling
    ● These laws impose labeling requirements on alcoholic products offered for sale within the state. However, it should be noted that the Twenty-First Amendment may protect a state’s ability to enforce such regulations even if they would otherwise be preempted by PICA.
      ○ Laws Potentially Impacted:
        ■ CA Cal. Bus. & Prof. Code § 25236
These laws impose requirements governing the importation of alcoholic products into the state. However, it should be noted that the Twenty-First Amendment may protect a state’s ability to enforce such regulations even if they would otherwise be preempted by PICA.

Laws Potentially Impacted:

- AL  Ala. Admin. Code r. 20-X-8-.04
- MO  11 Mo. Code of State Regulations 70-2.060
- MT  Mont.Admin.R. 42.13.401

These laws impose content requirements on alcoholic products offered for sale within the state. However, it should be noted that the Twenty-First Amendment may protect a state’s ability to enforce such regulations even if they would otherwise be preempted by PICA.

Laws Potentially Impacted:

- MA  204 CMR 2.19
Recordkeeping

- These laws impose recordkeeping requirements on producers of alcoholic products offered for sale within the state. However, it should be noted that the Twenty-First Amendment may protect a state’s ability to enforce such regulations even if they would otherwise be preempted by PICA.

  ○ Laws Potentially Impacted:

    - AL  Ala. Admin. Code r. 20-X-8-.01
    - KY  KRS § 244.150
    - MT  Mont.Admin.R. 42.13.404

III. Drugs

- Recreational

  - Salvia

    - Salvia divinorum or “Salvia” is a species of plant whose leaves have psychoactive properties when consumed or inhaled. Some laws criminalize the sale or possession of salvia, while others impose age restrictions for purchase.

      ○ Laws Potentially Impacted:

        - AL  AL ST § 13A-12-214.1
        - AR  Ark. Admin. Code 007.07.2
        - CA  CA PENAL § 379
- CO  CO ST § 18-18-406.2
- CT  Regs. Conn. State Agencies § 21a-243-7
- DE  DE ST TI 16 § 4714
- FL  FL ST § 893.03
- GA  GA ST § 16-13-72
- HI  HI ST § 329-14
- IL  IL ST CH 720 § 570/204
- IN  IN ST 35-48-4-11
- IA  IA ST § 124.204
- KS  KS ST 65-4105
- KY  KY ST § 218A.010
- ME  17 M.R.S.A. § 2012
- MD  MD Code, Criminal Law, § 10-132
- MI  MI ST 333.7212
- MN  MN ST § 152.027
- MS  MS ST § 41-29-113
- MO  19 Mo. Code of State Regulations 30-1.002
- MT  MCA 50-32-222
- NE  NE ST § 28-405
- NM  N.M. Admin. Code 16.19.20
- NC  NC ST § 14-401.23
Kratom

- *Mitragyna speciosa*, commonly known as “kratom,” is a tropical evergreen tree whose leaves contain opioid properties that make it popular in the U.S. as a recreational drug. These laws criminalize possession or otherwise restrict import or use of kratom so as to function as a ban or partial ban.

○ Laws Potentially Impacted:

- **AL**  Ala. Admin. Code r. Ch. 420-7-2, App
- **AR**  Ark. Admin. Code 007.07.2
- **IL**  720 ILCS 642/5
- **IN**  IC 35-31.5-2-321
- **VT**  Vt. Admin. Code 12-5-23:7.0
- **WI**  W.S.A. 961.14
● Tobacco

■ Minimum Age Requirements

- These laws restrict the sale of tobacco products to buyers under a certain age. Federally, tobacco cannot be sold to anyone under 18 years of age. However, some states impose further limitations and require buyers be either 19 or 21 years of age.
  ○ Laws Potentially Impacted:

  ▪ AL      AL ST § 28-11-15
  ▪ AK      AK ST § 11.76.100
  ▪ CA      CA BUS & PROF § 22964
  ▪ HI      HI ST § 712-1258
  ▪ IL      2017 IL S.B. 2332 (NS) (pending)
  ▪ ME      22 M.R.S.A. § 1555-B
  ▪ NJ      NJ ST 2A:170-51.1
          NJ ST 2C:33-13.1
  ▪ OR      O.R.S. § 167.755
          O.R.S. § 167.76
          O.R.S. § 323.703
          O.R.S. § 323.709
  ▪ UT      UT ST § 76-10-105
          UT ST § 76-10-104

■ Fire Safety Standards

- These state laws require that any cigarettes offered for sale or sold in the state be tested in accordance with specific test methods and meet certain flammability standards. They are intended to reduce the risk of unintended fires caused by discarded cigarettes.
Laws Potentially Impacted:

- **AL**
  - Ala. Code § 8-17-272
  - Ala. Code § 8-17-273
  - Ala. Code § 8-17-274

- **AL**

- **AZ**

- **AR**

- **CA**
  - Cal. Health & Safety Code § 14951
  - Cal. Health & Safety Code § 14952
  - Cal. Health & Safety Code § 14953
  - Cal. Health & Safety Code § 14954

- **CT**

- **DE**
  - Del. Code Ann. tit. 16, § 7117
  - Del. Code Ann. tit. 16, § 7118
  - Del. Code Ann. tit. 16, § 7119

- **FL**

- **GA**

- **HI**

- **ID**
  - Idaho Code Ann. § 39-8901
  - Idaho Code Ann. § 39-8902
  - Idaho Code Ann. § 39-8903
  - Idaho Code Ann. § 39-8904
  - Idaho Code Ann. § 39-8905

- **IL**

- **IN**
  - Ind. Code Ann. § 22-14-7-23
  - Ind. Code Ann. § 22-14-7-24
  - Ind. Code Ann. § 22-14-7-25
  - Ind. Code Ann. § 22-14-7-26

- **IA**
  - Iowa Code Ann. § 101B.4
  - Iowa Code Ann. § 101B.5
  - Iowa Code Ann. § 101B.6
  - Iowa Code Ann. § 101B.7

- **KS**

- **KY**

- **LA**


- MI Miss. Code. Ann. § 45-12-5
  Miss. Code. Ann. § 45-12-7
  Miss. Code. Ann. § 45-12-9

  Mo. Ann. Stat. § 320.359


NJ

NM

NY
- N.Y. Exec. Law § 156-c

NC

ND
- N.D. Cent. Code Ann. § 18-13-02
- N.D. Cent. Code Ann. § 18-13-03

OH
- Ohio Rev. Code Ann. § 3739.02
- Ohio Rev. Code Ann. § 3739.03
- Ohio Rev. Code Ann. § 3739.04
- Ohio Rev. Code Ann. § 3739.05
- Ohio Rev. Code Ann. § 3739.06

OK
- Okla. Stat. Ann. tit. 74, § 326.4

OR


- SD S.D. Codified Laws § 34-49-2
  S.D. Codified Laws § 34-49-3
  S.D. Codified Laws § 34-49-4
  S.D. Codified Laws § 34-49-5
  S.D. Codified Laws § 34-49-6
  S.D. Codified Laws § 34-49-7
  S.D. Codified Laws § 34-49-8
  S.D. Codified Laws § 34-49-9

  Tenn. Code Ann. § 68-102-504
  Tenn. Code Ann. § 68-102-505

  Tex. Health & Safety Code Ann. § 796.003
  Tex. Health & Safety Code Ann. § 796.004
  Tex. Health & Safety Code Ann. § 796.005

- UT Utah Code Ann. § 53-7-403
  Utah Code Ann. § 53-7-404
  Utah Code Ann. § 53-7-405

IV. Fishing

● Ocean Fishing
  ○ Commercial and Sport Fishing
    ■ Beyond State Waters
      ● These laws not only regulate fishing activities within a state’s territorial waters (which generally extend three nautical miles from shore), but also fishing that takes place in certain areas of the ocean beyond that zone. These statutes impose licensing or other regulatory requirements on individuals fishing beyond the state waters.

  ○ Laws Potential Impacted:
    ■ AK Alaska Stat. § 16.10.760
Alaska Stat. § 16.05.735
Alaska Admin. Code tit. 5, § 35.010
Alaska Admin. Code tit. 5, § 34.010
Alaska Admin. Code tit. 5, § 31.010
Alaska Admin. Code tit. 5, § 32.010
Alaska Admin. Code tit. 5, § 27.010
Alaska Admin. Code tit. 5, § 38.010
Alaska Admin. Code tit. 5 § 28.010
Alaska Admin. Code tit. 5 § 29.001
Alaska Admin. Code tit. 5 § 64.095
Alaska Admin. Code tit. 5 § 58.095
Alaska Admin. Code tit. 5 § 67.095
Alaska Admin. Code tit. 5 § 55.095
Alaska Admin. Code tit. 5 § 47.095
Alaska Admin. Code tit. 5 § 65.095
Alaska Admin. Code tit. 5 § 75.001

■ CA  Cal. Fish & Game Code § 7850
      2 CCR § 2299.03

■ FL  Fla. Admin. Code Ann. r. 68B-42.004
      Fla. Admin. Code Ann. r. 68B-13.001
      Fla. Admin. Code Ann. r. 68B-35.003

■ MA  322 Mass. Code Regs. 7.01

■ ME  Me. Rev. Stat. tit. 12, § 6421

■ OR  Or. Admin. R. 635-005-0235

■ TX  Tex. Parks & Wild. Code Ann. § 47.019
      31 Tex. Admin. Code § 57.970

      Wash. Rev. Code Ann. § 77.70.370
License or Permit Requirements

- These laws require anyone who lands commercial fish within the state to be licensed, obtain a landing permit, or in some other way be regulated. These regulations require permits or impose other regulations on non-resident, commercial fishing operations that first bring fish to shore in the state.
  - Laws Potential Impacted:

  ■ AK  Alaska Stat. § 16.43.140
  Alaska Stat. § 16.05.675
  Alaska Admin. Code tit. 5, 39.780
  Alaska Admin. Code tit. 5, § 38.020
  Alaska Admin. Code tit. 5, § 29.115
  Alaska Admin. Code tit. 5, § 29.125
  Alaska Admin. Code tit. 5, § 35.055
  Alaska Admin. Code tit. 5, § 38.062
  Alaska Admin. Code tit. 5, § 29.145
  Alaska Admin. Code tit. 5, § 35.057

  ■ CA  Cal. Fish & Game Code § 7850
  Cal. Code Regs. Tit. 14, § 174
  Cal. Code Regs. Tit. 14, § 182


  ■ DE  7 Del.C. § 928

  ■ FL  Fla. Admin. Code Ann. r. 68B-2.003
  Fla. Admin. Code r. 68B-13.006

  ■ GA  Ga. Comp. R. & Regs. 27-4-110

  ■ NC  N.C.G.S.A. § 113-169.5

These laws impose equipment requirements or prescribe special harvesting techniques for out-of-state fishing operations that bring their catch to shore in the state. They are intended to prohibit the use of unsporting or environmentally damaging fishing practices and ensure a safe and sustainable harvest.

Laws Potential Impacted:

- **AK** Alaska Admin. Code tit. 5, § 38.020
  - Alaska Admin. Code tit. 5, § 31.051
  - Alaska Admin. Code tit. 5, § 35.053
Alaska Admin. Code tit. 5, § 38.050
Alaska Admin. Code tit. 5, § 38.051
Alaska Admin. Code tit. 5, § 38.052
Alaska Admin. Code tit. 5, § 38.054
Alaska Admin. Code tit. 5, § 38.060
Alaska Admin. Code tit. 5, § 31.050
Alaska Admin. Code tit. 5, § 31.052
Alaska Admin. Code tit. 5, § 31.053
Alaska Admin. Code tit. 5, § 35.050
Alaska Admin. Code tit. 5, § 35.051
Alaska Admin. Code tit. 5, § 35.052

CA
Cal. Fish & Game Code § 8382
Cal. Fish & Game Code § 8400
Cal. Fish & Game Code § 8496
Cal. Fish & Game Code § 8561
Cal. Fish & Game Code § 8574
Cal. Fish & Game Code § 8594
Cal. Fish & Game Code § 8601 et seq.
Cal. Fish & Game Code § 9000 et seq.
Cal. Code Regs. Tit. 14, § 174
Cal. Code Regs. Tit. 14, § 182

CT
Conn. Gen. Stat. Ann. § 26-142a(g)

FL
Fla. Admin. Code Ann. r 68B-42.007
Fla. Admin. Code Ann. r 68B-4.0087
Fla. Admin. Code Ann. r 68B-31.004
Fla. Admin. Code r 68B-13.008
Fla. Admin. Code r 68B-13.009
Fla. Admin. Code r 68B-13.010
Fla. Admin. Code r 68B-35.004
Fla. Admin. Code r 68B-35.005
Fla. Admin. Code r 68B-39.0047
• **LA**  

• **ME**  
  Me. Rev. Stat. tit. 12, § 6431-A  
  Me. Rev. Stat. tit. 12, § 6431-B  
  Me. Rev. Stat. tit. 12, § 6431-E  
  Me. Rev. Stat. tit. 12, § 6431-F  
  Me. Rev. Stat. tit. 12, § 6432  
  Me. Rev. Stat. tit. 12, § 6432-a  
  Me. Rev. Stat. tit. 12, § 6433  
  Me. Rev. Stat. tit. 12, § 6433-A  
  Me. Rev. Stat. tit. 12, § 6433-B  
  Me. Rev. Stat. tit. 12, § 6433-C  
  Me. Rev. Stat. tit. 12, § 6434  
  Me. Rev. Stat. tit. 12, § 6421  
  Me. Rev. Stat. tit. 12, § 6442  
  Me. Rev. Stat. tit. 12, § 12651  
  Me. Rev. Stat. tit. 12, § 12652  
  Me. Rev. Stat. tit. 12, § 12654

• **MA**  
  Mass. Gen. Laws Ann. ch. 130, § 38A  
  Mass. Gen. Laws Ann. ch. 130, § 100A  
  Mass. Gen. Laws Ann. ch. 130, § 100C  
  Mass. Gen. Laws Ann. ch. 130, § 100D  
  322 Mass. Code Regs. 4.13

• **MS**  
  Miss. Code. Ann. § 49-7-87
These laws impose harvest or size limits on fishing catches first landed in the state. Typically these regulations limit the amount or type of fish that can be harvested and may set minimum or maximum size limitations for certain species. They are intended to support sustainable catch limits and protect local populations from overfishing.

Laws Potential Impacted:

- AK Alaska Admin. Code tit. 5, § 29.140
  Alaska Admin. Code tit. 5, § 38.075
  Alaska Admin. Code tit. 5, § 38.090
  Alaska Admin. Code tit. 5, § 29.070
  Alaska Admin. Code tit. 5, § 35.060
Alaska Admin. Code tit. 5, § 35.065

- **CA**
  - Cal. Fish & Game Code § 8375
  - Cal. Fish & Game Code § 8377
  - Cal. Fish & Game Code § 8380
  - Cal. Fish & Game Code § 8383.5
  - Cal. Fish & Game Code § 8374
  - Cal. Fish & Game Code § 8388
  - Cal. Fish & Game Code § 8388.5
  - Cal. Fish & Game Code § 8393
  - Cal. Fish & Game Code § 8210.2
  - Cal. Code Regs. Tit. 14, § 1.17
  - Cal. Code Regs. Tit. 14, § 127
  - Cal. Code Regs. Tit. 14, § 128
  - Cal. Code Regs. Tit. 14, § 126
  - Cal. Code Regs. Tit. 14, § 147

- **CT**
  - Regs. Conn. State Agencies § 26-142a-8a

- **FL**
  - Fla. Admin. Code Ann. r. 68B-42.004
  - Fla. Admin. Code Ann. r. 68B-42.006
  - Fla. Admin. Code Ann. r. 68B-14.0036
  - Fla. Admin. Code Ann. r. 68B-31.007
  - Fla. Admin. Code Ann. r. 68B-13.001
  - Fla. Admin. Code r. 68B-13.009
  - Fla. Admin. Code r. 68B-35.003
  - Fla. Admin. Code r. 68B-35.0035

- **ME**
  - Me. Rev. Stat. tit. 12, § 6431
  - 12 Me. Code R § 6431-F
  - Me. Rev. Stat. tit. 12, § 6436
  - Me. Rev. Stat. tit. 12, § 6440

- **MA**
V. Wood and Lumber

- Firewood
  - Import Restrictions
    - These laws impose conditions, bans, or restrictions on the importation of firewood into the state given that untreated firewood has been known to carry invasive pests or disease. They are intended to limit the spread of injurious materials and to protect the local ecosystem.
      - Laws Potential Impacted:
        - **AR** Ark. Admin. Code 209.02.1-VIII
        - **CT** Regs. Conn. State Agencies § 22-84-5g
        - **FL** Fla. Admin. Code r. 5B-65.005
          Fla. Admin. Code r. 5B-65.007
        - **IL** 8 Ill. Adm. Code 240.125
        - **IN** 312 Ind. Admin. Code 8-1-3
        - **MA** 12 M.R.S.A. § 8306
        - **MN** Minn. Stat. § 239.093
These laws place requirements on the importation of Christmas trees. Some impose labeling, certification, or other requirements to ensure that imported trees do not bring with them unwanted pests or disease.

- **Laws Potentially Impacted:**
  - CA 19 CCR § 1264.3
  - DE 3 Del.C. § 1306
  - FL Fla. Admin. Code r. 5B-65.005
  - IL 505 ILCS 90/11
  - Haw. Admin. Rules (HAR) § 4-70-36
  - NC 2 N.C. Admin. Code 48A.1504
  - OR O.R.S. § 571.570
  - PA 3 P.S. § 257.2
  - 3 P.S. § 257.3
  - VA VA Code Ann. § 3.2-3804
VI. Home Goods and Products

● Furniture and Bedding

   ■ Law Labels

   ● These regulations require the labeling of filler materials used in stuffed items such as mattresses, pillows, comforters, and upholstered furniture. They are intended to increase transparency and restrict the spread of disease by mandating that manufacturers disclose the use of materials that consumers cannot see.

   ○ Laws Potentially Impacted:


   ■ CA 4 CCR § 1125
       4 CCR § 1256


       Regs. Conn. State Agencies § 21a-235-5
       Regs. Conn. State Agencies § 21a-235-6
       Regs. Conn. State Agencies § 21a-235-7
       Regs. Conn. State Agencies § 21a-235-14
       Regs. Conn. State Agencies § 21a-235-16

   ■ DE Del. Code Ann. tit. 16, § 2106
       Code Del. Regs. 16 4000 4460

- IN 410 Ind. Admin. Code 13-1-5
- KY Ky. Rev. Stat. § 214.300
- MA 105 CMR 620.002
- MO Mo. Ann. Stat. § 421.007
  Mo. Ann. Stat. § 421.014
  Mo. Ann. Stat. § 421.017
  Mo. Ann. Stat. § 421.025
  N.Y. Gen. Bus. Law § 389-a
  2 N.C. Admin. Code 61.0110
- OH Ohio Admin. Code 4101:6-1-04
  Ohio Admin. Code 4101:6-1-05
  Ohio Admin. Code 4101:6-1-06
  Ohio Admin. Code 4101:6-1-07
  Ohio Admin. Code 4101:6-1-08
  Ohio Admin. Code 4101:6-1-10
  Ohio Admin. Code 4101:6-1-14
- **OK**  
  Okla. Admin. Code 310:215-7-4

- **PA**  
  34 Pa. Code § 47.11  
  34 Pa. Code § 47.21  
  34 Pa. Code § 47.22  
  34 Pa. Code § 47.23  
  34 Pa. Code § 47.31

- **RI**  
  23 R.I. Gen. Laws Ann. § 23-26-10  

- **TN**  

- **TX**  
  25 Tex. Admin. Code § 205.3  
  25 Tex. Admin. Code § 205.4

- **UT**  
  Utah Code Ann. § 4-10-106  
  Utah Code Ann. § 4-10-107  
  Utah Code Ann. § 4-10-109  
  Utah Admin. Code r. R70-101

- **VT**  
These laws regulate cotton materials used in stuffed products. Most impose labeling requirements or restrictions on sale.

- **Laws Potentially Impacted:**
  - **IN** 410 Ind. Admin. Code 13-1-3
  - 410 Ind. Admin. Code 13-1-5
  - **KY** Ky. Rev. Stat. § 214.300
  - **OH** Ohio Admin. Code 4101:6-1-11
  - **PA** 34 Pa. Code § 47.25
  - **TX** 25 Tex. Admin. Code § 205.5
  - **WV** W. Va. Code Ann. § 47-1A-3

These laws regulate wool materials used in stuffed products. Most impose labeling requirements or restrictions on sale.

- **Wool Filler Materials**
Laws Potentially Impacted:

- **CT** Regs. Conn. State Agencies § 21a-235-8
  Regs. Conn. State Agencies § 21a-235-13
- **IN** 410 Ind. Admin. Code 13-1-3
  410 Ind. Admin. Code 13-1-5
  410 Ind. Admin. Code 13-1-6
- **OH** Ohio Admin. Code 4101:6-1-14
- **PA** 34 Pa. Code § 47.25
  34 Pa. Code § 47.27
- **TX** 25 Tex. Admin. Code § 205.5
- **UT** Utah Code Ann. § 4-10-106
  Utah Admin. Code r. R70-101
- **WV** W. Va. Code Ann. § 47-1A-3

**Down or Feather Filler Materials**

- These laws regulate down or feather materials used in stuffed products. Most impose labeling requirements or restrictions on sale.

  Laws Potentially Impacted:

- **CA** 4 CCR § 1193
- **CT** Regs. Conn. State Agencies § 21a-235-8
  Regs. Conn. State Agencies § 21a-235-13
- **DE** Del. Code Ann. tit. 16, § 2102
These laws regulate animal hair materials used in stuffed products. Most impose labeling requirements or restrictions on sale.

- Del. Code Ann. tit. 16, § 2103
- Del. Code Ann. tit. 16, § 2106

- OH Ohio Admin. Code 4101:6-1-12


- IN
  - 410 Ind. Admin. Code 13-1-3
  - 410 Ind. Admin. Code 13-1-5
  - 410 Ind. Admin. Code 13-1-6

- MA
  - 105 Mass. Code Regs. 620.003

- PA
  - 34 Pa. Code § 47.24
  - 34 Pa. Code § 47.27


- TX
  - 25 Tex. Admin. Code § 205.3

- UT
  - Utah Code Ann. § 4-10-106
  - Utah Admin. Code r. R70-101

- VA


- Hair Filler Materials
  - These laws regulate animal hair materials used in stuffed products. Most impose labeling requirements or restrictions on sale.
    - Laws Potentially Impacted:
      - CA 4 CCR § 1211
These laws regulate wood or paper materials used in stuffed products. Most impose labeling requirements or restrictions on sale.

- Wood or Paper Filler Materials
  - These laws regulate wood or paper materials used in stuffed products. Most impose labeling requirements or restrictions on sale.
    - Laws Potentially Impacted:
■ Animal Fiber Materials
  ● These laws regulate when and how animal fiber materials can be used in stuffed products. Most impose labeling requirements or restrictions on sale.
    ○ Laws Potentially Impacted:
      ■ CT  Regs. Conn. State Agencies § 21a-235-13

■ Plant Fiber Materials
  ● These laws regulate plant fiber materials used in stuffed products. Most impose labeling requirements or restrictions on sale.
    ○ Laws Potentially Impacted:
      ■ CT  Regs. Conn. State Agencies § 21a-235-8
      ■ IN  410 Ind. Admin. Code 13-1-3
            410 Ind. Admin. Code 13-1-5
      ■ OH  Ohio Admin. Code 4101:6-1-17
      ■ TX  25 Tex. Admin. Code § 205.5
Sterilization and Sanitation Requirements

- These laws impose cleaning and sterilization requirements on new or used bedding materials prior to sale. Some also regulate how chemicals such as formaldehyde may be used. These laws are intended to limit the spread of bacteria and the transfer of disease, as well as to ensure products are safe for consumers.
  - Laws Potentially Impacted:

  ■ CA 4 CCR § 1251
  4 CCR § 1252
  4 CCR § 1253
  4 CCR § 1256
  4 CCR § 1253
  4 CCR § 1130
  4 CCR § 1131
  4 CCR § 1132
  4 CCR § 1133
  4 CCR § 1134
  26 CCR § 4-1256
  Regs. Conn. State Agencies § 21a-235-9
  Regs. Conn. State Agencies § 21a-235-13
  Regs. Conn. State Agencies § 21a-235-15
  Regs. Conn. State Agencies § 21a-235-16
  Regs. Conn. State Agencies § 21a-235-18
  Regs. Conn. State Agencies § 21a-235-19
  Regs. Conn. State Agencies § 21a-235-20
  Regs. Conn. State Agencies § 21a-235-21
  Regs. Conn. State Agencies § 21a-235-23
Regs. Conn. State Agencies § 21a-235-24
Regs. Conn. State Agencies § 21a-235-25
Regs. Conn. State Agencies § 21a-235-26
Regs. Conn. State Agencies § 21a-235-27
Regs. Conn. State Agencies § 21a-235-28
Regs. Conn. State Agencies § 21a-235-29
Regs. Conn. State Agencies § 21a-235-30
Regs. Conn. State Agencies § 21a-235-31

■ DE 16 Del. Admin. Code 4460-5.0
Del. Code Ann. tit. 16, § 2102
Del. Code Ann. tit. 16, § 2105
Code Del. Regs. 16 4000 4460


■ IN 410 Ind. Admin. Code 13-1-2
410 Ind. Admin. Code 13-1-6


105 Mass. Code Regs. 620.003

■ MO Mo. Ann. Stat. § 421.038

■ NV Nev. Admin. Code 444.001
Nev. Admin. Code 444.003
Nev. Admin. Code 444.004
Nev. Admin. Code 444.005
Nev. Admin. Code 444.006


■ NY N.Y. Comp. Codes R. & Regs. tit. 19, §
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| NC    | 2 N.C. Admin. Code 61.0102  
|       | 2 N.C. Admin. Code 61.0103 |
| OH    | Ohio Admin. Code 4101:6-1-21  
|       | Ohio Admin. Code 4101:6-1-22  
|       | Ohio Admin. Code 4101:6-1-24 |
|       | 34 Pa. Code § 47.14  
|       | 34 Pa. Code § 47.27 |
| RI    | 23 R.I. Gen. Laws Ann. § 23-26-4  
|       | 23 R.I. Gen. Laws Ann. § 23-26-17 |
| TX    | 25 Tex. Admin. Code § 205.8  
|       | 25 Tex. Admin. Code § 205.9 |
| UT    | U.C.A. 1953 § 4-10-113  
|       | U.C.A. 1953 § 4-10-106  
|       | Utah Code Ann. § 4-10-106  
|       | Utah Admin. Code r. R70-101 |
| WV    | W. Va. Code Ann. § 47-1A-4  
|       | W. Va. Code Ann. § 47-1A-6  
|       | W. Va. Code Ann. § 47-1A-10 |
Licensing Requirements

- These laws impose licensing requirements on all manufacturers who seek to sell bedding, upholstered furniture, or filling materials within the state.
  - Laws Potentially Impacted:
    - CT Regs. Conn. State Agencies § 21a-235-4

Flammability

- These regulations impose labeling requirements regarding the use of flame retardant chemicals on bedding or upholstered furniture offered for sale within the state.
  - Laws Potentially Impacted:

Prohibited Products

- These regulations restrict the introduction or use of certain products or materials in bedding, pillow, mattresses or other stuffed materials. They are often intended to protect public health from potentially hazardous materials or other contaminants.
  - Laws Potentially Impacted:
    - NV Nev. Admin. Code 444.006
    - OH Ohio Admin. Code 4101:6-1-06
These laws impose registration, licensing, or permitting requirements on producers or manufacturers of bedding and other products such as mattresses.

- **Laws Potentially Impacted:**
  - **CT**
    - Regs. Conn. State Agencies § 21a-235-10
    - Regs. Conn. State Agencies § 21a-235-11
    - Regs. Conn. State Agencies § 21a-235-12
    - Regs. Conn. State Agencies § 21a-235-13
  - **DE**
    - Del. Code Ann. tit. 16, § 2103
    - Del. Code Ann. tit. 16, § 2108
    - Del. Code Ann. tit. 16, § 2109
    - Code Del. Regs. 16 4000 4460
  - **IL**
  - **IN**
    - 410 Ind. Admin. Code 13-1-6
  - **MA**
  - **NY**
  - **NC**
    - 2 N.C. Admin. Code 61.0106
    - 2 N.C. Admin. Code 61.0107
    - 2 N.C. Admin. Code 61.0108
    - 2 N.C. Admin. Code 61.0109
These regulations require inspections for certain bedding or stuffed materials offered for sale.

- Laws Potentially Impacted:
  - DE  
    Del. Code Ann. tit. 16, § 2111
These laws impose record keeping requirements on manufacturers of certain types of bedding, mattresses, or other stuffed materials.

- Laws Potentially Impacted:
  - CA 4 CCR § 1255
  - UT Utah Code Ann. § 4-10-108

These laws regulate the storage, transportation, or manufacture of bedding, mattresses, or other similar materials offered for sale.

- Laws Potentially Impacted:
  - CT Regs. Conn. State Agencies § 21a-235-17
    Regs. Conn. State Agencies § 21a-235-22
  - NC 2 N.C. Admin. Code 61.0105
  - OH Ohio Admin. Code 4101:6-1-23

These regulations impose restrictions on the sale of bedding or other similar items that have been damaged or otherwise contain damaged materials. Some require the manufacturer remake or pay for the return of products not made to satisfaction.
○ Laws Potentially Impacted:

- MA 105 Mass. Code Regs. 620.005
- NC 2 N.C. Admin. Code 61.0104
- VA Va. Code Ann. § 32.1-222

● Children's Products and Upholstery

○ Chemical Flame Retardants

- Chlorinated TRIS (TDCPP) and TCEP
  - These laws restrict the use or impose requirements on the use of chlorinated TRIS and other flame-retardant chemicals in children’s products, upholstery, and other goods offered for sale within the state. They are intended to protect consumers from the chemicals’ potentially toxic or carcinogenic effects, to which young children are particularly susceptible. These laws could be preempted to the extent that TDCPP or TCEP are applied to agricultural products, which may include items such as furniture, changing pads, and bedding.

○ Laws Potentially Impacted:

- MD MD Code, Health - General, § 24-306
- MN M.S.A. § 325F.071
- NY McKinney's ECL § 37-0705
  McKinney's ECL § 37-0709
- RI Gen.Laws 1956, § 23-26-3.1
- VT 9 V.S.A. § 2974
  9 V.S.A. § 2975
Brominated Flame Retardants

- These laws restrict the use or impose requirements on the use of brominated flame retardants and other flame-retardant chemicals in children’s products, upholstery, and other goods offered for sale within the state. They are intended to protect consumers from their potentially toxic or carcinogenic effects, to which young children are particularly susceptible. Frequently, these laws set maximum allowable levels of brominated flame retardants that may appear in items offered for sale. They could be preempted to the extent that these chemicals are applied to agricultural products, which may include furniture, changing pads, and bedding.

  ○ Laws Potentially Impacted:

  - **CA** West's Ann.Cal.Health & Safety Code § 108922
  - **HI** HRS § 332D-2
  - **IL** HRS § 332D-2
  - **ME** 38 M.R.S.A. § 1609
    38 M.R.S.A. § 1609-A
  - **MI** 38 M.R.S.A. § 1609
  - **MN** M.S.A. § 325E.386
  - **OR** ORS 453.005-135
  - **VT** 9 V.S.A. § 2973
    9 V.S.A. § 2975
● Stuffed Toys

■ Labeling

● These laws impose labeling or other requirements on stuffed toys. They are intended to increase accountability and transparency.
  ○ Laws Potentially Impacted:

    ■ MA 105 CMR 620.002

    ■ OH Ohio Admin. Code 4101:6-1-04
    Ohio Admin. Code 4101:6-1-05
    Ohio Admin. Code 4101:6-1-14
    Ohio Admin. Code 4101:6-1-24

    ■ PA 35 P.S. § 5204
    34 Pa. Code § 47.315

    ■ TX V.T.C.A., Health & Safety Code § 501.023

■ Flammability and Content Requirements

● These laws impose restrictions on the flammability testing, sterilization, and labeling of children’s stuffed toys. They are supplemental to federal requirements and are intended to increase safety.
  ○ Laws Potentially Impacted:

    ■ PA 35 P.S. § 5205

    ■ TX V.T.C.A., Health & Safety Code § 501.0231
    V.T.C.A., Health & Safety Code § 501.021

■ Registration

● These laws impose licensing or registration requirements on producers who manufacture stuffed toys offered for sale within the state.
○ Laws Potentially Impacted:

- MA M.G.L.A. 94 § 271
- OH OAC 4101:6-1-03
- PA 35 P.S. § 5203
- PA 35 P.S. § 5206

● Children’s Clothing

■ Flammability and Labeling Requirements

- These laws impose restrictions on the flammability testing, hazardous substance use, and labeling of children’s clothing. They are intended to be supplemental to federal requirements and increase safety.
  ○ Laws Potentially Impacted:

- TX V.T.C.A., Health & Safety Code § 501.021
- 25 TAC § 205.24
- 25 TAC § 205.25
- 25 TAC § 205.43
- 25 TAC § 205.44

■ Registration

- These laws impose registration requirements for producers whose products contain hazardous substances. These regulations must be complied with prior to offering products for sale within the state.
  ○ Laws Potentially Impacted:

- MA M.G.L.A. 94 § 271
- TX V.T.C.A., Health & Safety Code § 501.024
VII. Live Animal Imports

● Authorizations

■ Authority to Quarantine

● These laws establish the authority of state officials to impose embargoes, quarantines, or other regulations restricting the importation of agricultural products coming into the state. They are intended to affirm the state’s police powers and ability to protect local interests from pests and disease.

○ Laws Potentially Impacted:

■ AL Ala.Code 1975 § 2-25-13
■ AZ A.R.S. § 3-209
■ IL 8 Ill. Adm. Code 240.280
■ MA M.G.L.A. 128 § 27
■ MN M.S.A. § 18G.06
■ MS Miss. Code Ann. § 69-25-23

● Aquaculture

■ Infectious Salmon Anemia

● Infectious salmon anemia (ISA) is a viral disease of Atlantic salmon that affects fish farms, causing severe losses to infected farms. Federal regulations apply only to Maine producers (see 9 C.F.R. § 53.1), but other states have implemented additional laws that prohibit the importation of fish exposed to the disease or otherwise restrict the movement of particular fish.

○ Laws Potentially Impacted:

■ CO 2 CCR 406-0:014
Many states require reporting of various communicable diseases found in fish farms. Additionally, many states require permits and/or health testing for importation of fish to fish farms.

Laws Potentially Impacted:

- **CA** 14 CCR 236
- **CO** 2 CCR 406-0:014
- **IL** 17 Ill. Adm. Code 875.10
  17 Ill. Adm. Code 870.50
- **IN** Ind. Adm. Code 9-10-15
  Ind. Adm. Code 9-10-14
- **IA** Iowa Adm. Code 571 - 89.2 (481A)
  I.C.A. § 481A.143
- **KS** K.A.R. 115-18-10
- **KY** 301 Kentucky Adm. Code 1:125
- MI  Mich. Stat. 287.729a (sections 701-747)

- MN  Minn. Stat. 17.4986
  Minn. Stat. 17.4985
  Minn. Stat. 17.4982

- MO  2 CSR 30-2.010
  3 CSR 10-9.110

- MT  MCA 87-3-210 to 87-3-227

- NE  Neb. Admin. R. & Regs. Tit. 163, Ch. 2, § 005

- ND  N.D.A.C. § 30-03-02-06

- OH  Ohio Admin. Code 901:1-17-13
  Ohio Admin. Code 901:1-17-14

- OK  Okla. Admin. Code 35:50-1-1 et. seq

- PA  58 Pa. Code § 73.1 et seq.

- SD  ARSD 41:09:08:03.03

- TN  Tenn. Comp. R. & Regs. 1660-01-26-.02
  Tenn. Comp. R. & Regs. 1660-1-18-.02


- WY  WY Rules and Regulations GAME POSS
  Ch. 10 s 3
Viral Hemorrhagic Septicemia

These laws impose import requirements or other restrictions on certain species of fish in order to prevent the spread of viral hemorrhagic septicemia, a disease that causes internal bleeding and death among infected animals. Previously, the federal government regulated this disease; however, on April 14, 2014 federal restrictions were removed with the thought that existing state-level regulation was effective and sufficient to limit spread of the disease.

Laws Potentially Impacted:

- AR  Ark. Admin. Code 002.00.1-I1.01
- CA  14 CCR 236
- CO  2 CCR 406-0:014
- IL  17 Ill. Adm. Code 875.10
- IN  Ind. Adm. Code 9-10-15
- IA  Iowa Adm. Code 571 - 89.2 (481A)
- KS  K.A.R. 115-18-10
- KY  301 Kentucky Adm. Code 1:125
- MI  Mich. Stat. 287.729a (sections 701-747)
- MN  Minn. Stat. 17.4986, 17.4985
- MO  2 CSR 30-2.010 (15)
These laws regulate what species of fish can be sold as bait. They are intended to prevent the introduction of invasive species of fish and known fish diseases that may be transmitted through the sale and use of fish as bait.

- Laws Potentially Impacted:
  - NC 15A N.C.A.C. 31.0104
  - NH N.H. Code Admin. R. Fis 502.07
Salmon

- These regulations prohibit the importation of salmon or otherwise restrict them from entering the state.
  - Laws Potentially Impacted:
    - CA 14 CCR § 166
    - NE Neb. Admin. R. & Regs. Tit. 163, Ch. 2, § 001
      Neb. Admin. R. & Regs. Tit. 163, Ch. 2, § 002

Import of Fish Labeled as Salmon

- Some states require that the salmon entering the state be delivered in a condition so that the species and size can be determined to assure compliance with fishing laws. Others restrict import to control the spread of fish diseases.
  - Laws Potentially Impacted:
    - CA 14 CCR § 166
    - NE Neb. Admin. R. & Regs. Tit. 163, Ch. 2, § 001
      Neb. Admin. R. & Regs. Tit. 163, Ch. 2, § 002

Dreissenid Mussels

- These laws prohibit the importation of dreissenid mussels into the state. They are intended to protect the local environment from invasive species.
  - Laws Potentially Impacted:
    - CA West's Ann.Cal.Fish & G.Code § 2301

Diseased Fish

- These regulations prohibit the importation of certain varieties of diseased or potentially diseased fish.
  - Laws Potentially Impacted:
- CA 14 CCR § 245
- IA Iowa Admin. Code 571-89.3(481A)
- IL 17 Ill. Adm. Code 870.50
- NH N.H. Code Admin. R. Fis 803.09

### Fish for Fertilizer

- This law prohibits the importation of fish for the purpose of making fertilizer.
  - Laws Potentially Impacted:

### Invasive Aquatic Fish

- These laws regulate the importation of invasive aquatic fish into the state. They are intended to protect native populations and prevent damage to the ecosystem.
  - Laws Potentially Impacted:
    - IA Iowa Admin. Code 571-90.2(456A)
    - LA La. Admin Code. tit. 76, Pt VII, § 1101
    - MN Minnesota Rules, part 6216.0250
    - NC 15A NCAC 2G.0602

### Genetically Modified Organisms

#### Import

- These laws place restrictions on the importation into the state of genetically modified plants or animals that may adversely impact human health or safety as well as local agriculture or wildlife.
Laws Potentially Impacted:

- ID I.C. § 22-2016
- MI M.C.L.A. 287.712
  Mich. Comp. Laws § 287.731

Birds

Avian Influenza and Newcastle Disease

- Highly Pathogenic Avian Influenza is a contagious virus most often spread by contact between infected and healthy birds (including wild birds). Humans also can contract this disease. The 2014-15 avian influenza outbreak required the destruction of 50 million birds costing the industry $3.3 billion in losses. Similarly, Newcastle disease is a contagious viral bird disease affecting the poultry industry and wild avians that is transmissible to humans. States have imposed laws requiring testing, reporting, and regulating imports of poultry to control these diseases, that work in conjunction with federal restrictions.

Laws Potentially Impacted:

- AL Ala. Admin. Code r. 80-3-6-35
  Ala. Admin. Code r. 80-3-18-.02 et seq.
- AK Alaska Admin. Code tit. 18, § 36.215
- AR Ark. Admin. Code 125.00.11
  Ark. Admin. Code 125.00.15 et seq.
- CA 3 CCR § 821.4
- CO 8 CCR 1201-20:7
- CT Regs. Conn. State Agencies § 22-324-1
- DE 3 Del. Admin. Code 901-2.0
3 Del. Admin. Code 904-15.0 et seq

- **FL**  
  Fla. Admin. Code Ann. r. 5C-3.001  
  Fla. Admin. Code Ann. r. 5C-3.012  
  Fla. Admin. Code Ann. r. 5C-16.001 et seq.

- **GA**  
  Comp. R. & Regs. 40-13-1-.03 et seq.  
  Ga. Comp. R. & Regs. 40-13-2-.15  
  Ga. Comp. R. & Regs. 40-13-4-.02

- **HI**  
  Haw. Admin. Rules (HAR) § 4-22  
  Haw. Admin. Rules (HAR) § 4-28-8

- **ID**  
  IDAPA 02.04.03.302

- **IL**  
  8 Ill. Adm. Code 85.10  
  8 Ill. Adm. Code 85.125

- **IN**  
  345 IAC 1-6-2  
  345 IAC 4-4-4

- **IA**  
  Iowa Admin. Code 21-64.185(163)  
  Iowa Admin. Code 21-65.1(163)  
  Iowa Admin. Code 21-65.3(163)  

- **KS**  
  K.A.R. 9-9-4  
  K.A.R. 9-27-1

- **KY**  
  302 Ky. Admin. Regs. 20:040  
  302 Ky. Admin. Regs. 20:250

- **LA**  
  La. Admin Code. tit. 7, Pt XXI, § 105  
  La. Admin Code. tit. 7, Pt XXI, § 531

- **ME**  
  01-001 CMR Ch. 206, § 4  
  01-001 CMR Ch. 206, § 5

- **MN**  
  Minnesota Rules part 1721.0360
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2 Mo. Code of State Regulations 30-8.010 |
| MT    | Mont.Admin.R. 32.3.104 |
| NE    | Neb.Admin.R.& Regs. Tit. 173, Ch.1  
§ 1-004  
Neb. Admin. R. & Regs. Tit. 23, Ch. 2,  
§ 010 |
| NV    | NAC 441A.085 |
| NH    | N.H. Code Admin. R. Agr 2114.01 |
| NJ    | N.J.A.C. 2:3-1.1, N.J.A.C. 2:3-7.1 et seq. -  
N.J.A.C. 2:5-4.1 |
| NM    | N.M. Admin. Code 7.4.3 |
| NY    | 1 NYCRR 45.1  
1 NYCRR 45.5 |
| NC    | 2 NCAC 52B.0603  
2 NCAC 52C.0603 |
| ND    | NDAC 48.1-09-03-01  
NDAC 48.1-10-01-01 |
| OH    | OAC 901:1-15-02  
OAC 901:1-21-02 |
| OR    | OAR 603-011-0375 |
OAR 333-018-0015
OAR 603-011-0212

- PA 7 Pa. Code § 3.113
  7 Pa. Code § 15.10

  R.I. Admin. Code 25-15-100,
  APPENDIX IV

- SC S.C. Code of Regulations R. 27-1011,
  27-1014

- TN Tenn. Comp. R. & Regs. 0080-02-01-.10
  Tenn. Comp. R. & Regs. 0080-02-16-.02

- TX 4 TAC § 51.15
  4 TAC § 54.9

- UT U.A.C. R58-6
  U.A.C. R70-410

- VT Vt. Admin. Code 2-4-301:III

- VA 2 VAC 5-30-30
  2 VAC 5-141-60

- WA WAC 16-54-145
  WAC 16-70-020t


- WI Wis. Adm. Code Ch. Atcp 10, App. A
  Wis. Adm. Code § ATCP 10.83

- WY WY Rules and Regulations LSTK GEN
  Ch. 8 s 19

96
Cattle and Bison

- Anthrax

  Anthrax is an infectious bacterial disease often found in cattle and sheep that causes sudden death and is transmissible to humans. Most often, it is spread through exposure to the spores formed during the decay of deceased animals. Federal regulation prohibits the interstate movement of animals affected by anthrax. However, states impose further restrictions on the importation of animals that have been or may have been exposed to the disease.
  
  ○ Laws Potentially Impacted:

  - AL
    - Ala. Admin. Code r. 80-3-6-.07
    - Ala. Admin. Code r. 80-3-6-.13

  - AK
    - 18 AAC 36.215
    - 18 AAC 36.015

  - AZ
    - A.A.C. R3-2-603
    - A.A.C. R3-2-402

  - AR
    - Ark. Admin. Code 125.00.12
    - Ark. Admin. Code 125.00.11

  - CA
    - 3 CCR § 830.3
    - 3 CCR § 830.2
    - https://www.cdfa.ca.gov/ahfss/Animal_Health/pdfs/CA_reportable_disease_list_poster.pdf

  - CO
    - 8 CCR 1201-19:2
    - 8 CCR 1201-19:1
    - 8 CCR 1201-19:12
    - https://www.colorado.gov/pacific/sites/
■ CT  C.G.S.A. § 22-318
CT ST § 22-312
C.G.S.A. § 22-278

■ DE  16 Del. Admin. Code 4202-10.0
16 Del. Admin. Code 4202 Appendix I

■ FL  Fla. Admin. Code r. 5C-3.002
Fla. Admin. Code r. 5C-20.002

■ GA  Ga. Comp. R. & Regs. 40-13-1-.05
Ga. Comp. R. & Regs. 40-13-4-.02

■ HI  Haw. Admin. Rules (HAR) § 4-20-7
Haw. Admin. Rules (HAR) § 4-22 Exhibit A

■ ID  IDAPA 02.04.21.200 cattle
IDAPA 02.08.01.010
IDAPA 16.02.10.050

■ IL  8 Ill. Adm. Code 85.150
8 Ill. Adm. Code 85.12

■ IN  345 IAC 1-3-4
345 IAC 1-6-2

■ IA  Iowa Admin. Code 21-65.3(163)
Iowa Admin. Code 21-64.1(163)

■ KS  K.A.R. 9-7-2
K.A.R. 9-27-1

■ KY  302 Ky. Admin. Regs. 20:020
302 Ky. Admin. Regs. 21:005

- **LA**  
  La. Admin Code. tit. 7, Pt XXI, § 501  
  La. Admin Code. tit. 7, Pt XXI, § 105

- **ME**  
  01-001 CMR Ch. 206, § 2  
  01-001 CMR Ch. 206, § 4  
  01-001 CMR Ch. 206, § 5

- **MD**  
  COMAR 15.11.01.01  
  COMAR 15.11.01.04  
  MD Code, Agriculture, § 3-104  
  Pages/diseases-reportable.aspx

- **MA**  
  330 CMR 4.01  
  105 CMR 300.140  

- **MI**  
  M.C.L.A. 287.720  

- **MN**  
  Minnesota Rules, part 1721.0040  
  Minnesota Rules, part 1721.0050  
  [https://www.bah.state.mn.us/reportable-diseases/](https://www.bah.state.mn.us/reportable-diseases/)

- **MS**  
  Miss. Admin. Code 2-101-2:12  
  Miss. Admin. Code 2-101-2:15

- **MO**  
  2 Mo. Code of State Reg. 30-2.010  

- **MT**  
  Mont. Admin. R. 32.3.202  
  Mont. Admin. R. 32.3.206
http://liv.mt.gov/Animal-Health/Diseases/Reportable-Animal-Diseases

- **NE** Neb. Admin. R. & Regs. Tit. 23, Ch. 2, § 002  
  Neb. Admin. R. & Regs. Tit. 23, Ch. 2, § 004  

- **NV** NAC 571.095  
  N.R.S. 571.210  

- **NH** N.H. Code Admin. R. Agr 2103.04  
  N.H. Code Admin. R. Agr 2103.01  

- **NJ** N.J.A.C. 2:3–1.2  
  N.J.A.C. 2:3–1.4  

- **NM** N.M. Admin. Code 21.32.4  

- **NY** 1 NYCRR 62.1  
  1 NYCRR 53.2  

- **NC** 2 NCAC 52B.0201  
  2 NCAC 52B.0202  
  http://www.ncagr.gov/vet/vetdis.htm
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- **TX** 4 TAC § 51.2
  4 TAC §45.2(a)

- **UT** U.A.C. R58-1
  U.A.C. R58-2
  U.A.C. R58-3

- **VT** Vt. Admin. Code 2-4-301:I1

- **VA** 2 VAC 5-141-20
  https://law.lis.virginia.gov/admincode/title2/agency5/chapter30/section30/

- **WA** WAC 16-54-030
  WAC 16-54-032
  WAC 16-70-020

- **WV** W. Va. Code St. R. § 61-1-7
  W. Va. Code St. R. § 61-1-3

- **WI** Wis. Adm. Code § ATCP 10.06
  Wis. Adm. Code § ATCP 10.07
  Wis. Adm. Code Ch. Atcp 10, App. A
- Brucellosis

- Brucellosis is a contagious and costly disease typically affecting cattle, bison, cervids (elk and deer), and swine that also affects humans. It is a bacterial infection that spreads from animals to people most often through ingestion of unpasteurized milk, cheese, and other dairy products. All 50 states participate in a voluntary program with the federal government to control brucellosis in cattle, and many states impose additional regulations requiring testing, reporting, and regulating of imports.

  - Laws Potentially Impacted:

    - AL  Ala. Admin. Code r. 80-3-1-.11
      Ala. Admin. Code r. 80-3-6-.38
    - AK  18 AAC 36.275
    - AZ  A.A.C. R3-2-612
    - AR  Ark. Admin. Code 125.00.17
    - CA  3 CCR § 751.1
    - CO  8 CCR 1201-19
      3 Del. Admin. Code 904-4.0
    - FL  Fla. Admin. Code Ann. r. 5C-6.0017
    - GA  Ga. St. 4-4-95.1
Ga. Comp. R. & Regs. 40-13-2-.04
Ga. Comp. R. & Regs. 40-13-2-.05

• HI Haw. Admin. Rules (HAR) § 4-16-18

• ID Rules IDAPA 02.04.200 et. seq.

• IL 8 Ill. Adm. Code 40.100

• IN 345 IAC 1-3-7.5
  345 IAC 2-6-3

• IA Iowa Admin. Code 21-64.49(163)
  Iowa Admin. Code 21-64.51(163)
  Iowa Admin. Code 21-64.52(163)

• KS K.A.R. 9-2-32

• KY 302 Ky. Admin. Regs. 20:055

• LA La. Admin Code. tit. 7, Pt XXI, § 511

• ME 01-001 CMR Ch. 209, § 5

• MD COMAR 15.11.01.04

• MA 330 CMR 4.04

• MI Mich. Admin. Code R 287.712
  MI ST 287.730a

• MN Minnesota Rules, part 4605.7040

• MS Miss. Admin. Code 2-101-2:12

• MO 2 Mo. Code of State Regulations 30-2.010

• MT Mont. Admin. R. 32.3.212A
- NE  Neb. Admin. R. & Regs. Tit. 23, Ch. 2, § 005
- NE  NAC 441A.475
- NH  N.H. Code Admin. R. Agr 2104.01
- NJ  N.J.A.C. 2:2–2.1
- NM  N.M. Admin. Code 21.32.4
- NY  1 NYCRR 53.1
- NC  2 NCAC 52A.0103
- ND  NDAC 48.1-12-01-03
- OH  OAC 901:1-5-03
- OR  OAR 603-011-0510
- OK  Okla. Admin. Code 35:15-17-44
- PA  7 Pa. Code § 3.22
- RI  R.I. Admin. Code 31-5-34:3.0
- SD  ARSD 12:02:10:04
- TN  Tenn. Comp. R. & Regs. 0080-02-01-.12
- TX  4 TAC § 35.1
- UT  U.A.C. R58-1
- VT  Vt. Admin. Code 2-4-100:311.14
  Vt. Admin. Code 2-4-303:1551

105
Bovine Tuberculosis

- In the early 19th century, bovine tuberculosis caused more deaths of cattle than all other diseases combined. It is a chronic bacterial disease of cows that can spread to humans, typically by the inhalation of aerosols or the ingestion of unpasteurized milk. All 50 states participate in a voluntary program administered in conjunction with the federal government requiring testing, quarantine, and destruction of diseased animals. In addition many states have enacted special legislation addressing the importation of cattle into the state.
  - Laws Potentially Impacted:
    - AL Ala. Admin. Code r. 80-3-7-.04
      Ala. Admin. Code r. 80-3-7-.07
    - AZ A.A.C. R3-2-612
    - AR Ark. Admin. Code 125.00.12 et seq.
    - CA 3 CCR § 758
    - CO 2 CCR 406-0:007
    - CT Regs. Conn. State Agencies § 22-278-1
      Regs. Conn. State Agencies § 22-278-6
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          Rule 5C-26.001, F.A.C. et seq  
          Rule 5C-3.004, F.A.C. |
| GA    | Ga. Comp. R. & Regs. 40-13-2-.06  
          Ga. Comp. R. & Regs. 40-13-4-.07 |
| HI    | Haw. Admin. Rules (HAR) §4-22, Ex.A  
          Haw. Admin. Rules (HAR) § 4-16-16 |
| ID    | IDAPA 02.04.21.240 |
| IL    | 8 Ill. Adm. Code 80.80  
          8 Ill. Adm. Code 80.140 |
| IN    | 345 IAC 2.5-3-7  
          345 IAC 2-6-2.5 |
| IA    | Iowa Code Ann. § 165.36  
          Iowa Admin. Code 21-65.4(163)  
          Iowa Admin. Code 21-64.73(163) et seq |
| KS    | K.A.R. 9-7-4 |
| KY    | 302 Ky. Admin. Regs. 20:040 |
| LA    | La. Admin Code. tit. 7, Pt XXI, § 733 |
| MD    | COMAR 15.11.01.04 |
| MA    | 330 CMR 4.01  
          330 CMR 4.04 |
| MN    | Minnesota Rules, part 1721.0165  
          Minnesota Rules, part 1721.0130 |
- **MS** Miss. Admin. Code 2-101-2:12
- **MT** Mont. Admin. R. 32.3.2006
- **NE** Neb. Admin. R. & Regs. Tit. 23, Ch. 2, § 002
  Neb. Admin. R. & Regs. Tit. 23, Ch. 2, § 005
- **NH** N.H. Code Admin. R. Agr 2104.02
- **NJ** N.J.A.C. 2:3–2.4 et seq.
- **NM** N.M. Stat. Ann. § 77-5-4
  N.M. Admin. Code 21.32.4
- **NC** 2 NCAC 52B.0201
  2 NCAC 52C.0603
  2 NCAC 52A.0101
- **ND** NDAC 48.1-05-01-02
  NDAC 48.1-07-03-01
- **OH** OAC 901:1-17-03
  OAC 901:1-17-04
- **OK** Okla. Admin. Code 35:15-40-90.1
- **OR** OAR 603-011-0212
  OAR 603-011-0265
- **PA** 7 Pa. Code § 3a.2
  7 Pa. Code § 3.23
- **SC** S.C. Code of Regulations R. 27-1025
  S.C. Code of Regulations R. 27-1013
- **SD** ARSD 12:68:23:01
Johne’s Disease

- Johne’s disease is a contagious, chronic, and usually fatal infection that affects the small intestine of ruminants, such as cows. It is widespread in the dairy industry, causing roughly $200–250 million in annual losses. Federal regulation prohibits the interstate movement of animals that have tested positive, but does not impose a testing requirement. Some states have enacted additional requirements for mandating testing prior to importation or otherwise further restricting import.
  
  ○ Laws Potentially Impacted:

- **ND** NDAC 48.1-09-03-01
Rabies can occur in all warm-blooded animals and is always fatal if not treated promptly after exposure. All forms of livestock and companion animals are at risk for contracting the disease. Transmission often occurs through a bite from a rabid animal and as such the disease can travel between wild and domestic species. These laws prohibit the importation of animals exposed to rabies or impose additional restrictions to prevent the spread of this disease.

- **Laws Potentially Impacted:**
  - **AL** Ala. Admin. Code r. 80-3-6-.07
    - Ala. Admin. Code r. 80-3-6-.13
  - **AK** 18 AAC 36.215
    - 18 AAC 36.015
  - **AZ** A.A.C. R3-2-603
    - A.A.C. R3-2-402
  - **AR** Ark. Admin. Code 125.00.12
    - Ark. Admin. Code 125.00.11
  - **CA** 3 CCR § 830.3
    - 3 CCR § 830.2
    - [https://www.cdfa.ca.gov/ahfss/Animal_Health/pdfs/CA_reportable_disease_list_poster.pdf](https://www.cdfa.ca.gov/ahfss/Animal_Health/pdfs/CA_reportable_disease_list_poster.pdf)
  - **CO** 8 CCR 1201-19:2
8 CCR 1201-19:1
8 CCR 1201-19:12

- CT  C.G.S.A. § 22-318
  CT ST § 22-312
  CT ST § 22-319b
  C.G.S.A. § 22-278

- DE  16 Del. Admin. Code 4202-10.0
  16 Del. Admin. Code 4202 Appendix I

- FL  Fla. Admin. Code r. 5C-3.002
  Fla. Admin. Code r. 5C-20.002

- GA  Ga. Comp. R. & Regs. 40-13-1-.05
  Ga. Comp. R. & Regs. 40-13-4-.02

- HI  Haw. Admin. Rules (HAR) § 4-20-7
  Haw. Admin. Rules (HAR) § 4-22
  Exhibit A

- ID  IDAPA 02.04.21.200
  IDAPA 02.08.01.010
  IDAPA 16.02.10.050

- IL  8 Ill. Adm. Code 85.150
  8 Ill. Adm. Code 85.12

- IN  345 IAC 1-3-4
  345 IAC 1-6-2

- IA  Iowa Admin. Code 21-65.3(163)
  Iowa Admin. Code 21-64.1(163)
■ KS  K.A.R. 9-7-2
   K.A.R. 9-27-1

■ KY  302 Ky. Admin. Regs. 20:020
   302 Ky. Admin. Regs. 21:005

■ LA  La. Admin Code. tit. 7, Pt XXI, § 501
   La. Admin Code. tit. 7, Pt XXI, § 105

■ ME  01-001 CMR Ch. 206, § 2
   01-001 CMR Ch. 206, § 4
   01-001 CMR Ch. 206, § 5

■ MD  COMAR 15.11.01.01
   COMAR 15.11.01.04 cattle
   MD Code, Agriculture, § 3-104
   http://mda.maryland.gov/AnimalHealth/
   Pages/diseases-reportable.aspx

■ MA  330 CMR 4.01
   330 CMR 11.01
   105 CMR 300.140

■ MI  M.C.L.A. 287.720

■ MN  Minnesota Rules, part 1721.0040
   Minnesota Rules, part 1721.0050
   https://www.bah.state.mn.us/reportable-diseases/

■ MS  Miss. Admin. Code 2-101-2:12
   Miss. Admin. Code 2-101-2:15
- MO  2 Mo. Code of State Reg. 30-2.010  
http://agriculture.mo.gov/animals/health/disease/comdisease.php

- MT  Mont. Admin. R. 32.3.202  
Mont. Admin. R. 32.3.206  
http://liv.mt.gov/Animal-Health/Diseases/Reportable-Animal-Diseases

- NE  Neb. Admin. R. & Regs. Tit. 23, Ch. 2, § 002  
Neb. Admin. R. & Regs. Tit. 23, Ch. 2, § 004  

- NV  NAC 571.095  
N.R.S. 571.210  

N.H. Code Admin. R. Agr 2103.01  

- NJ  N.J.A.C. 2:3–1.2  
N.J.A.C. 2:3–1.4  

- NM  N.M. Admin. Code 21.32.4  

- NY  1 NYCRR 62.1  
1 NYCRR 53.2

- **NC** 2 NCAC 52B.0201
  2 NCAC 52B.0202
  [http://www.ncagr.gov/vet/vetdis.htm](http://www.ncagr.gov/vet/vetdis.htm)

- **ND** NDAC 48.1-05-01-01

- **OH** OAC 901:1-17-02
  OAC 901:1-17-01

  Okla. Admin. Code 35:15-11-1
  [https://www.ag.ok.gov/ais/reportdisease.pdf](https://www.ag.ok.gov/ais/reportdisease.pdf)

- **OR** OAR 603-011-0255
  OAR 603-011-0212

- **PA** 7 Pa. Code § 3.3
  7 Pa. Code § 3.4
  [http://www.padls.org/InnerPages/Reportable_Diseases.html](http://www.padls.org/InnerPages/Reportable_Diseases.html)

- **RI** R.I. Admin. Code 25-3-13:4

- **SC** S.C. Code of Regulations R. 27-1013
  S.C. Code 1976 § 47-4-60
  S.C. Code of Regulations R. 27-1011

- **SD** SDCL § 40-14-2

- ** TN **
  Tenn. Comp. R. & Regs. 0080-02-01-.02
  Tenn. Comp. R. & Regs. 0080-02-01-.01
  https://www.tn.gov/content/dam/tn/agriculture/documents/animalhealth/AgBusReportablediseases.pdf

- ** TX **
  4 TAC § 51.2
  4 TAC §45.2(a)

- ** UT **
  U.A.C. R58-1
  U.A.C. R58-2
  U.A.C. R58-3

- ** VT **
  Vt. Admin. Code 2-4-301:II

- ** VA **
  2 VAC 5-141-20
  https://law.lis.virginia.gov/admincode/title2/agency5/chapter30/section30/

- ** WA **
  WAC 16-54-030
  WAC 16-54-032
  WAC 16-70-020

- ** WV **
  W. Va. Code St. R. § 61-1-7
  W. Va. Code St. R. § 61-1-3
Cattle Fever Tick

- These laws impose restrictions on the importation of cattle from areas where cattle fever tick infestations have been known to occur as well as cows that may have been exposed to other animals or areas where the disease was present. Animals infected with cattle fever experience high fever, loss of red blood cells, enlarged organs, and ultimately death. States impose these regulations to protect local cows, deer, horses, and other animals from the disease.
  - Laws Potentially Impacted:
    - NC 2 NCAC 52B.0205
    - TX 4 TAC § 41.5

Cervids

- Bovine Tuberculosis
  - Bovine tuberculosis also affects cervids. Deer and other cervids are generally included in the bovine tuberculosis regulations.
    - See discussion above under “Cattle” as well as relevant citations.
Chronic Wasting Disease (“CWD”): Embargo

- Like mad cow disease in cattle, chronic wasting disease in cervids is a degenerative neurologic disease caused by an infectious agent known as a prion (a malfunctioning protein in the brain and nervous system). It causes muscle loss, deterioration of the brain and, eventually, death. It is found in both wild and captive deer populations. These laws prohibit all cervid imports in order to curb the spread of chronic wasting disease and protect local deer populations.
  ○ Laws Potentially Impacted:

  - AL Ala. Admin. Code r. 220-2-.26
  - AZ A.A.C. R12-4-430
  - AR Ark. Admin. Code 002.00.1-09.11
    Ark. Admin. Code 125.00.12
  - CT Regs. Conn. State Agencies § 22-278-6
  - FL Fla. Admin. Code r. 68A-4.0051
  - MD COMAR 08.03.09.12
  - MA 321 CMR 2.15
  - MS Miss. Admin. Code 2-101-2:06
  - NJ N.J.A.C. 7:25–10.10
    N.J.A.C. 2:3–8.6
    Agency emergency order banning importation of white-tailed deer, black-tailed deer, mule deer, red deer, sika deer, reindeer, elk and moose still in force.
Chronic Wasting Disease (“CWD”): Restrictions

- These laws impose import restrictions and other requirements to ensure that cervids entering the state are not carriers of chronic wasting disease. Some regulations require that only cervids that have been enrolled in a voluntary CWD Herd Certification Program and have undergone testing for the disease may enter the state. These laws are intended to protect local deer producers and wild deer populations.
  ○ Laws Potentially Impacted:

  - AK 18 AAC 36.175 et seq
  - CA 14 CCR § 712
    14 CA ADC § 671
  - CO 8 CCR 1201-17:3
  - DE 3 Del. Admin. Code 905-4.0
    Ga. Comp. R. & Regs. 391-4-9-.05
  - HI Haw. Admin. Rules (HAR) § 4-71-6
    HI ADC § 4-71 Attachment 3
  - ID IDAPA 02.04.19.014
    IDAPA 02.04.21.600
  - IL 17 Ill. Adm. Code 635.20
  - IN 345 IAC 2-7-2.4
  - IA 571-104.20(481A)
  - KS K.A.R. 9-3-9
  - KY 302 Ky. Admin. Regs. 20:040
LA La. Admin Code. tit. 7, Pt XXI, § 1717
La. Admin Code. tit. 76, Pt V, §119

ME 01-001 CMR Ch. 206, § 4
09-137 CMR Ch. 4, § 4.09

MI MI ST 287.730a

MN Minnesota Rules, part 1721.0400

MO 2 Mo. Code of State Regs.30-2.010

MT Mont. Admin. R. 32.4.1309
Mont. Admin. R. 32.4.502

NE Neb. Admin. R. & Regs. Tit. 23, Ch. 2, § 013

NH N.H. Code Admin. R. Agr 2116.02
N.H. Code Admin. R. Fis 309.01

NM N.M. Admin. Code 19.35.7

NY 1 NYCRR 62.7

NC 15A NCAC 10B.0101

ND NDAC 48.1-09-03-01

OH OAC 901:1-1-01


OR OAR 603-011-0382

PA 58 Pa. Code § 137.35
7 Pa. Code § 3a.3

RI R.I. Admin. Code 25-8-12:2.10
R.I. Admin. Code 25-8-12:2.14
These laws impose certification, permitting, or registration requirements prior to the movement of bees into the state. They are intended to ensure the health of bee colonies prior to import in order to
protect the health of local bee populations and prevent the spread of disease.

- Laws Potentially Impacted:

  - AL
    - Ala. Admin. Code r. 80-10-11-.04
    - Ala. Admin. Code r. 80-10-11-.05
    - Ala. Code 1975 § 2-14-4

  - AK
    - Alaska Admin. tit. 11, § 35.020;

  - AR
    - Ark. Code R. § 209.02.9-3

  - CA

  - CT
    - C.G.S.A. § 22-90

  - DE
    - 3 Del.C. § 7510

  - FL
    - Rule 5B-54.006, F.A.C.

  - GA
    - Ga. Comp. R. & Regs. 40-4-1-.03

  - HI

  - ID
    - Idaho Admin. Code 02.06.30.200

  - IL
    - 8 Ill. Adm. Code 60.60

  - IA
    - Iowa Admin. Code r. 21-22.11(160)

  - KS
    - K.A.R. 4-15-8
    - K.A.R. 4-15-9

  - KY
    - KRS § 252.190

  - ME
    - 7 M.R.S.A. § 2751
    - 7 M.R.S.A. § 2753

  - MD
    - MD Code, Agriculture, § 5-505

  - MA
    - M.G.L.A. 128 § 35
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These laws impose or authorize quarantines that restrict the importation of bees or apiary equipment. They are intended to protect local bee populations and combat the spread of disease.

- **Laws Potentially Impacted:**

- **AL** Ala.Code 1975 § 2-14-10
- **CA** West's Ann.Cal.Food & Agric.Code § 29110
- **CO** 8 CCR 1203-4:I
- **CT** C.G.S.A. § 22-90
- **KY** KRS § 252.200
- **NC** 2 NCAC 48A.0258
- **IL** 8 Ill. Adm. Code 60.60
- **LA** La. Admin Code. tit. 7, Pt XV, § 515
  La. Admin Code. tit. 7, Pt XV, § 503
- **MA** 330 CMR 8.05
- **MI** M.C.L.A. 286.811
- **MO** V.A.M.S. 264.063
These laws place a full prohibition on bees originating from certain states. They are intended to protect local populations from disease and pests originating in other states.

- **Laws Potentially Impacted:**
  - **IA** Iowa Admin. Code 21-22.10(160)

### Acceptable Levels of Mites

- These regulations impose maximum allowable levels of mites for bees coming into the state. They limit the amount of undesirable pests that can be traveling in hives in order to restrict their spread.

- **Laws Potentially Impacted:**
  - **IA** Iowa Admin. Code 21-22.3(160)
  - Iowa Admin. Code 21-22.4(160)
■ Prohibition on Africanized Bees

- These regulations prohibit the introduction of Africanized bees into the state. Some impose certification requirements to confirm that only European honeybees are allowed into the state for transport or sale and to protect the public from more aggressive Africanized bees.
  ○ Laws Potentially Impacted:

  ■ DE  3 Del.C. § 7509
  ■ FL  Rule 5B-54.003, F.A.C.
  ■ IL  8 Ill. Adm. Code 60.50
  ■ IA  Iowa Admin. Code 21-22.9(160)
       Iowa Admin. Code 21-22.8(160)
  ■ MS  Miss. Admin. Code 2-1-3:06
       Miss. Admin. Code 2-1-3:01
  ■ NY  6 NYCRR 575.3
  ■ NC  2 NCAC 48A.0259
       2 NCAC 48A.0257

■ Destruction or Treatment of Colonies with American Foulbrood

- These regulations work to limit the spread of American Foulbrood, a hive-destroying mite that can spread between colonies. Some require the immediate destruction of entering hives found to contain American Foulbrood. Others require hives to be sprayed or treated for Foulbrood prior to import into the state.
  ○ Laws Potentially Impacted:

  ■ AR  Ark. Admin. Code 209.02.9-2
  ■ FL  Rule 5B-54.017, F.A.C.
These laws require certification that bees or bee equipment be free of disease, or confirmation that each has been sterilized prior to being offered for sale within the state. They are intended to protect local consumers and bee populations.

Laws Potentially Impacted:

- AK 11 AAC 35.010
- IL 8 Ill. Adm. Code 60.60
- IA Iowa Admin. Code 21-22.11(160)
- LA La. Admin Code. tit. 7, Pt XV, § 513
- MS Miss. Admin. Code 2-1-3:06
- NC 2 NCAC 48A.0263
- OK 2 Okl.St.Ann. § 3-106
- TX V.T.C.A., Agriculture Code § 131.023
- VA VA Code Ann. § 3.2-4407
Bee Transportation Requirements

- These laws regulate the movement of bees into or through the state. Some require bees to be packaged or housed a certain way, impose temperature requirements, or require documentation to accompany them.
  - Laws Potentially Impacted:
    - AL Ala.Code 1975 § 2-14-4
    - IL 8 Ill. Adm. Code 60.40
    - IN 312 Ind. Admin. Code 18-3-6
    - MA M.G.L.A. 128 § 35 330 CMR 8.04
    - NC 2 NCAC 48A.0246
    - NH N.H. Code Admin. R. Agr 1806.01
    - RI R.I. Admin. Code 25-3-18:3.5

Horses

- Equine Infectious Anemia
  - Equine Infectious Anemia (“EIA” or “Swamp Fever”) is a viral disease that is extremely contagious, spread through fly bites, and leads to severe, chronic disease or death. Federal regulations restrict the interstate movement of horses once they test positive for EIA but impose no testing requirement. States regulate the importation of horses, often requiring a negative EIA test prior to import.
    - Laws Potentially Impacted:
      - AL Ala. Admin. Code r. 80-3-4-.03 et seq
      - AK 18 AAC 36.225
18 AAC 36.920

- AZ A.A.C. R3-2-615

- AR Ark. Admin. Code 125.00.12
  Ark. Admin. Code 209.01.5-I
  AR ST § 2-40-801 et seq


- CO 8 CCR 1201-19:8

- CT CT ST § 22-415a; 22-415c

- DE 3 Del. Admin. Code 904-6.0

- FL Fla. Admin. Code Ann. r. 5C-3.003


- HI Haw. Admin. Rules (HAR) § 4-23-8

- ID IDAPA 02.04.21.004

- IL IL ST CH 510 § 65/4

- IN 345 IAC 6-1.1-4.6

- IA Iowa Admin. Code 21-65.8(163)

- KS K.A.R. 9-7-14

- KY 302 Ky. Admin. Regs. 20:040

- LA La. Admin Code. tit. 7, Pt XXI, § 521

- ME 01-001 CMR Ch. 206, § 4
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Sheep and Goats

Scrapie

Scrapie is a fatal, degenerative disease that affects the nervous systems of infected sheep and goats. It is one of several transmissible spongiform encephalopathies (“TSEs”)—which are related to bovine spongiform encephalopathy (“BSE” or "mad cow disease") and chronic wasting disease in deer. Some states participate in the voluntary National Scrapie Eradication Program to test and destroy animals that test positive for scrapie. In addition, many states require negative testing or certification prior to importation.
Laws Potentially Impacted:

- **AL**  
  Ala. Admin. Code r. 80-3-6-.37  
  Ala. Admin. Code r. 80-3-6-.18

- **AK**  
  18 AAC 36.135

- **AZ**  
  A.A.C. R3-2-606

- **AR**  
  Ark. Admin. Code 125.00.12

- **CA**  
  3 CCR § 760.5

- **CO**  
  8 CCR 1201-16:2

- **CT**  
  Regs. Conn. State Agencies § 22-278-A2

- **DE**  
  3 Del. Admin. Code 902-4.0

- **FL**  
  Rule 5C-3.005, F.A.C.

- **GA**  

- **HI**  
  Haw. Admin. Rules (HAR) § 4-16-9

- **ID**  
  IDAPA 02.08.01.100

- **IL**  
  8 Ill. Adm. Code 85.55

- **IN**  
  345 IAC 5-5-1

- **IA**  
  Iowa Admin. Code 21-65.6(163)  
  Iowa Admin. Code 21-65.7(163)(sheep)

- **KS**  
  K.A.R. 9-32-3

- **KY**  
  302 Ky. Admin. Regs. 20:040

- **LA**  
  La. Admin Code. tit. 7, Pt XXI, § 1503  
  La. Admin Code. tit. 7, Pt XXI, § 555

- **ME**  
  01-001 CMR Ch. 206, § 4

- **MD**  
  COMAR 15.11.18.04

- **MA**  
  MA ST 129 § 27  
  MA ST 129 § 36D
- MI  M.C.L.A. 287.719
  MI ST 287.728
  MI ST 287.727

- MN  Minnesota Rules, part 1721.0450

- MS  Miss. Admin. Code 2-101-2:16

- MO  2 Mo. Code of State Regulations 30-2.010

- MT  Mont.Admin.R. 32.3.1303
  Mont.Admin.R. 32.3.202

- NE  Neb. Admin. R. & Regs. Tit. 23, Ch. 2, § 002
  Neb. Admin. R. & Regs. Tit. 23, Ch. 2, § 007

- NV  NAC 571.060

- NH  N.H. Code Admin. R. Agr 2108.02

- NJ  N.J.A.C. 2:3–1.4

- NM  N.M. Admin. Code 21.32.4

- NY  1 NYCRR 62.5

- NC  2 NCAC 52B.0209

- ND  NDAC 48.1-08-01-03
  NDAC 48.1-09-06-01
  NDAC 48.1-11-01-03

- OH  OAC 901:1-17-06
  OAC 901:1-17-08

- OK  Okla. Admin. Code 35:15-36-1
  Okla. Admin. Code 35:15-11-1
  2 Okl.St.Ann. § 6-151

- OR  OAR 603-011-0392
Scabies

- Scabies is a contagious skin infection caused by mites that afflicts various species of livestock including sheep, goats, and cattle. It causes itching, poor body condition, and hair loss. State regulations often impose sanitation requirements, certification, or other import restrictions, such as requirements that animals be given a dip treatment prior to entering the state.
  - Laws Potentially Impacted:
■ AR  Ark. Admin. Code 125.00.12
■ CA  3 CCR § 760.7
■ FL  Fla. Admin. Code Ann. r. 5C-3.005
■ GA  Ga Comp. R. & Regs. 40-13-2-.11
■ ID  IDAPA 02.08.01.100
     IDAPA 02.08.01.102
■ IN  345 IAC 5-5-1
■ KS  K.A.R. 9-10-7
■ KY  302 Ky. Admin. Regs. 20:040
■ LA  La. Admin Code. tit. 7, Pt XXI, § 551
■ MI  Miss. Admin. Code 2-101-2:12
■ MO  2 Mo. Code of State Regulations 30-2.010
     2 Mo. Code of State Regulations 30-2.040
■ NE  Neb. Admin. R. & Regs. Tit. 23, Ch. 11, § 009
■ NM  N.M. Admin. Code 21.32.4
■ PA  7 Pa. Code § 3.121
     7 Pa. Code § 3.142
■ SC  S.C. Code of Regulations R. 27-1013
■ TX  Tex. Agric. Code Ann. § 164.05
     4 TAC § 51.7
■ VA  2 VAC 5-205-100
■ VT  Vt. Admin. Code 2-4-301:III
Swine

Pseudorabies

Pseudorabies is an infectious, herpes-virus disease of the central nervous system that causes convulsions, intense itching, and is generally fatal. Some states participate in the voluntary Pseudorabies Eradication State-Federal-Industry Program which includes surveillance, herd certification, and herd cleanup once an animal tests positive. Additionally, many states require testing or certification prior to import.

Laws Potentially Impacted:

- AL  Ala. Admin. Code r. 80-3-2-.02
- AK  18 AAC 36.145
- AZ  A.A.C. R3-2-613
- AR  Ark. Admin. Code 209.01.4-2
- CA  3 CCR § 796.4
  3 CCR § 796.6
- CO  3 CCR § 796.4
- CT  CT ST § 22-319b
- DE  3 Del. Admin. Code 904-7.0
- FL  Rule 5C-3.007, F.A.C.
- GA  Ga. Comp. R. & Regs. 40-13-2-.08
- HI  Haw. Admin. Rules (HAR) § 4-17-7
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| KS    | K.S.A. 47-607  
K.A.R. 9-7-7 |
| KY    | 302 Ky. Admin. Regs. 20:040 |
| LA    | La. Admin Code. tit. 7, Pt XXI, § 1312 |
| ME    | 01-001 CMR Ch. 206, § 4 |
| MD    | COMAR 15.11.05.02 |
| MA    | 330 CMR 11.04 |
| MI    | MI ST 287.837  
MI ST 287.839 |
| MN    | Minnesota Rules, part 1721.0190  
Minnesota Rules, part 1721.0010  
https://www.bah.state.mn.us/reportable-diseases |
| MS    | Miss. Admin. Code 2-101-2:12 |
| MO    | 2 Mo. Code of State Regulations 30-2.010 |
| MT    | Mont_Admin.R. 32.3.220  
Mont_Admin.R. 32.3.306  
Mont_Admin.R. 32.3.314  
Mont_Admin.R. 32.3.206  
Mont_Admin.R. 32.3.219 |
| NE    | Neb.Rev.St. § 54-788 |
Neb. Admin. R. & Regs. Tit. 23, Ch. 2, § 006
Neb. Admin. R. & Regs. Tit. 23, Ch. 15, § 016
Neb. Admin. R. & Regs. Tit. 23, Ch. 15, § 018

- NV NAC 571.050
- NH N.H. Code Admin. R. Agr 2110.03
  N.H. Code Admin. R. Agr 2110.04
- NJ N.J.A.C. 2:3–3.4
- NM N.M. Admin. Code 21.32.4
- NY 1 NYCRR 63.4
  1 NYCRR 63.5
- NC 2 NCAC 52B.0207
- ND NDAC 48.1-12-01-03
- OH OAC 901:1-11-04
  OAC 901:1-11-07
  OAC 901:1-11-04 306
- OR OAR 603-011-0310
- PA 7 Pa. Code § 3.131
  7 Pa. Code § 3.139
  7 Pa. Code § 3.172
Swine vesicular disease causes lesions on the feet, snout, and mouth of swine, and is economically costly because it must be distinguished from foot-and-mouth disease. These laws restrict the importation of pigs to prevent the spread of swine vesicular disease.

Laws Potentially Impacted:

- AL Ala. Admin. Code r. 80-3-6-.07
  Ala. Admin. Code r. 80-3-6-.13
  http://agi.alabama.gov/divisions/
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<td>3 CCR § 830.3, 3 CCR § 830.2, [link](<a href="https://www.cdfa.ca.gov/ahfss/Animal">https://www.cdfa.ca.gov/ahfss/Animal</a> Health/pdfs/CA_reportable_disease_list_poster.pdf)</td>
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Ga. Comp. R. & Regs. 40-13-4.02

- HI Haw. Admin. Rules (HAR) § 4-20-7
  Haw. Admin. Rules (HAR) § 4-22 Exhibit A

- ID IDAPA 02.04.21.400
  IDAPA 02.08.01.010
  IDAPA 16.02.10.050
  IDAPA 02.04.03.309

- IL 8 Ill. Adm. Code 85.150
  8 Ill. Adm. Code 85.12

- IN 345 IAC 1-3-4
  345 IAC 1-6-2

- IA Iowa Admin. Code 21-65.3(163)
  Iowa Admin. Code 21-64.1(163)

- KS K.A.R. 9-7-2
  K.A.R. 9-27-1

- KY 302 Ky. Admin. Regs. 20:020
  302 Ky. Admin. Regs. 20:115
  302 Ky. Admin. Regs. 21:005

- LA La. Admin Code. tit. 7, Pt XXI, § 501
  La. Admin Code. tit. 7, Pt XXI, § 105

- ME 01-001 CMR Ch. 206, § 2
  01-001 CMR Ch. 206, § 4
  01-001 CMR Ch. 206, § 5

- MD COMAR 15.11.01.01
  MD Code, Agriculture, § 3-104
  http://mda.maryland.gov/AnimalHealth/
  Pages/diseases-reportable.aspx

- MA 330 CMR 11.01
105 CMR 300.140

- **MI**  M.C.L.A. 287.720

- **MN**  Minnesota Rules, part 1721.0040
  Minnesota Rules, part 1721.0050
  https://www.bah.state.mn.us/reportable-diseases/

- **MS**  Miss. Admin. Code 2-101-2:12
  Miss. Admin. Code 2-101-2:15

- **MO**  2 Mo. Code of State Regulations 30-2.010
  http://agriculture.mo.gov/animals/health/disease/comdisease.php

- **MT**  Mont. Admin. R. 32.3.202
  Mont. Admin. R. 32.3.206
  http://liv.mt.gov/Animal-Health/Diseases/Reportable-Animal-Diseases

- **NE**  Neb. Admin. R. & Regs. Tit. 23, Ch. 2, § 002
  Neb. Admin. R. & Regs. Tit. 23, Ch. 2, § 004

- **NV**  NAC 571.095
  N.R.S. 571.210
- **NH** N.H. Code Admin. R. Agr 2103.04
  N.H. Code Admin. R. Agr 2103.01

- **NJ** N.J.A.C. 2:3–1.2
  N.J.A.C. 2:3–1.4

- **NM** N.M. Admin. Code 21.32.4

- **NY** 1 NYCRR 62.1
  1 NYCRR 53.2
  [https://www.agriculture.ny.gov/AI/Reportable_Disease_List.pdf](https://www.agriculture.ny.gov/AI/Reportable_Disease_List.pdf)

- **NC** 2 NCAC 52B.0201
  2 NCAC 52B.0202
  [http://www.ncagr.gov/vet/vetdis.htm](http://www.ncagr.gov/vet/vetdis.htm)

- **ND** NDAC 48.1-05-01-01

- **OH** OAC 901:1-17-02
  OAC 901:1-17-01

  Okla. Admin. Code 35:15-11-1
  [https://www.ag.ok.gov/ais/reportdisease.pdf](https://www.ag.ok.gov/ais/reportdisease.pdf)

- **OR** OAR 603-011-0255
  OAR 603-011-0310
OAR 603-011-0212

- **PA** 7 Pa. Code § 3.3
  7 Pa. Code § 3.4
  [http://www.padls.org/InnerPages/Reportable_Diseases.html](http://www.padls.org/InnerPages/Reportable_Diseases.html)

- **RI** R.I. Admin. Code 25-3-13:4

- **SC** S.C. Code 1976 § 47-4-60
  S.C. Code of Regulations R. 27-1011

- **SD** ARSD 12:68:06:01
  SDCL § 40-14-2

- **TN** Tenn. Comp. R. & Regs. 0080-02-01-.02
  Tenn. Comp. R. & Regs. 0080-02-01-.01
  [https://www.tn.gov/content/dam/tn/agriculture/documents/animalhealth/AgBusReportablediseases.pdf](https://www.tn.gov/content/dam/tn/agriculture/documents/animalhealth/AgBusReportablediseases.pdf)

- **TX** 4 TAC § 51.2
  4 TAC §45.2(a)

- **UT** U.A.C. R58-1
  U.A.C. R58-2
  U.A.C. R58-3

- **VT** Vt. Admin. Code 2-4-301:II
  6 V.S.A. § 1151 (incorporates the U.S. National List of Reportable Animal Diseases found at [https://www.aphis.](https://www.aphis.)
Pig Semen and Ova

- Gamete Importation
  - These laws impose regulations and restrictions on the importation of semen and ova from swine to be used for breeding purposes. They are intended to prevent the transmission of disease and ensure that animals produced from imported stock are healthy.
Exotic Meats

Snake

- These laws impose import conditions on live snakes. To the extent that imported snakes are raised for meat for human consumption, they may be considered agricultural products.

Laws Potentially Impacted:

- AL Ala. Admin. Code r. 220-2-.26
- AR Ark. Admin. Code 002.00.1-09.11
- CA 14 CCR § 40
  14 CCR § 671
- CT Regs. Conn. State Agencies § 26-55-6
- FL Rule 68-5.001, F.A.C.
- MA 321 CMR 2.15
- NH N.H. Code Admin. R. Fis 803.06
Turtle

- These laws impose import conditions on live turtles. To the extent that imported turtles are raised for human consumption, as pets, or as livestock, they may be considered agricultural products. These laws are intended to prevent the spread of salmonella and other diseases, as well as to ensure safe handling processes.
  - Laws Potentially Impacted:
    - AR  Ark. Admin. Code 002.00.1-34.11
    - CA  17 CCR § 2612.1
    - KY  301 Ky. Admin. Regs. 2:081
    - MD  COMAR 10.06.01.23
    - NH  N.H. Code Admin. R. Fis 803.06
    - SC  S.C. Code of Regulations R. 123-151.1
    - TN  Tenn. Comp. R. & Regs. 1200-14-01-.36
    - UT  U.A.C. R657-53

Horsemeeat Labeling

- These state regulations require that horsemeat be specifically labelled as such. They are intended to increase transparency regarding sourcing.
  - Laws Potentially Impacted:
    - AZ  A.A.C. R3-2-207
    - IL  8 Ill. Adm. Code 70.80
          225 ILCS 635/9
The importation of horsemeat for sale for human consumption is illegal in some states. These laws criminalize or otherwise prohibit the importation or offering for sale of horsemeat for human consumption.

- **Laws Potentially Impacted:**
  - IL 225 ILCS 635/1.5
  - NJ N.J.S.A. 4:22-25.5
  - OK 2 Okl.St.Ann. § 6-192
  - TX V.T.C.A., Agriculture Code § 149.00

**Ostrich and Other Ratites**

- These regulations require that ostrich and other ratites be accompanied by a certification of veterinary inspection prior to import. They are intended to protect local ostrich farming operations and ensure that ostrich meat and other products are healthy and free from disease.
  - **Laws Potentially Impacted:**
    - AR Ark. Admin. Code 125.00.12
    - FL Rule 5C-3.012, F.A.C.
    - GA Ga. Comp. R. & Regs. 40-13-1-.05
Emu

- These state regulations require health certification for emus imported into the state. They are intended to protect local emu farmers and ensure that incoming birds are healthy and free of disease.
  - Laws Potentially Impacted:
    - AR  Ark. Admin. Code 125.00.12
    - UT  U.A.C. R58-6
    - WY  WY Rules and Regulations LSTK GEN Ch. 8 s 17

Boar

- These regulations prohibit the importation of boars into the state. They are intended to protect public health and safety as well as local livestock and pastureland.
  - Laws Potentially Impacted:
    - CT  Regs. Conn. State Agencies § 26-55-6
    - WA  WAC 220-640-020
Bison

- These regulations require that bison imported into the state be accompanied by a permit or veterinarian certification. They are intended to prevent the spread of zoonotic and infectious diseases, some of which may be transmissible to other species.
  - Laws Potentially Impacted:
    - AK 18 AAC 36.015
    - AK 18 AAC 36.115
    - AZ A.A.C. R3-2-612
    - GA Ga. Comp. R. &Regs. 40-13-1-.05
    - ID IDAPA 02.04.21.202
    - KY 302 Ky. Admin. Regs. 20:040
    - ME 01-001 CMR Ch. 206, § 4
    - MN Minnesota Rules, part 1721.0130
    - NE Neb. Admin. R. & Regs. Tit. 23, Ch. 2, § 005
    - OH OAC 901:1-17-03
    - OR OAR 603-011-0256
    - TN Tenn. Comp. R. & Regs. 0080-02-01-.12
    - VT Vt. Admin. Code 2-4-301:III
    - WY WY Rules and Regulations LSTK GEN Ch. 8 s 14
Camelids: Camel, Alpaca, and Llama

- These regulations require health certificates prior to the importation of camels, alpacas, and/or llamas.
  - Laws Potentially Impacted:
    - AK  18 AAC 36.015
    - AK  18 AAC 36.185
    - AR  Ark. Admin. Code 125.00.12
    - AR  Ark. Admin. Code 125.00.14
    - CO  2 CCR 406-0:007
    - MS  Miss. Admin. Code 2-101-2:12
    - NE  Neb. Admin. R. & Regs. Tit. 23, Ch. 2, § 004
    - NE  Neb. Admin. R. & Regs. Tit. 23, Ch. 2, § 014
    - PA  7 Pa. Code § 3a.3
    - RI  R.I. Admin. Code 25-3-27:1.6
    - WA  WAC 16-54-105
    - WI  Wis. Adm. Code § ATCP 10.85

Pigeon or “Squab”

- These states have limits on the number of pigeons or other varieties of columbidae that can be imported.
  - Laws Potentially Impacted:
    - NY  6 NYCRR 2.30
    - VT  Vt. Admin. Code 16-4-140:23

Kangaroo

- This state imposes special requirements on the importation of kangaroos and other marsupials. These regulations could be affected
only insomuch as kangaroos are farmed for food or other agricultural purposes.

○ Laws Potentially Impacted:

■ CA 14 CCR § 671

■ Reindeer

● These regulations prohibit the importation of reindeer. They are intended to prohibit the spread of disease and protect local cervid populations.

○ Laws Potentially Impacted:

■ LA La. Admin Code. tit. 76, Pt V, § 119
■ MD COMAR 08.03.04.22
■ MT Mont.Admin.R. 32.4.502
■ VA 4 VAC 15-90-293
■ WA WAC 220-640-020

■ Exotic Meats Generally

● These laws impose labeling or other packaging requirements on the sale of exotic meats. They are intended to increase transparency and regulatory oversight.

○ Laws Potentially Impacted:


■ VT Vt. Admin. Code 2-4-100:302.3
Vt. Admin. Code 2-4-100:318.1
Vt. Admin. Code 2-4-100:350.3
VIII. Companion Animals

● Chicks, Ducklings, and Rabbits

■ Sale of Dyed Chicks, Ducklings, or Rabbits
  ● These laws prohibits the sale of live chicks that have been dyed from their natural color and are offered for sale as pets or novelties.
    ○ Laws Potentially Impacted:
      ■ MD    MD Code, Criminal Law, § 10-614
      ■ WI    W.S.A. 951.11

● Dogs and Cats

■ Minimum Age at Sale
  ● These laws restrict the sale of certain animals, most commonly dogs and cats, under a specific age. Often, these animals must be at least seven or eight weeks old and fully weaned prior to being offered for sale.
    ○ Laws Potentially Impacted:
      ■ AZ    A.R.S. § 44-1799.04
      ■ CA    West's Ann. Cal. Penal Code § 597z
              Cal. Health & Safety Code § 122045 - 122315
      ■ CO    C.R.S.A. § 35-80-108
      ■ CT    C.G.S.A. § 22-354
      ■ FL    F.S.A. §828.29
      ■ GA    Ga. Comp. R. & Regs. 40-13-13-.04(2)
IL 225 I.L.C.S. § 605/2.2
IN I.C.§ 15-17-18-10
KS KS ADC 9-25-12
LA LSA-R.S. 3:2511
ME 01-001 CMR Ch. 701, § I(N)
MD MD Code, Criminal Law § 10-613
MA M.G.L.A. 129 § 39G
330 CMR 12.05
MI M.C.L. 287.335a
MN M.S.A. § 347.59
MO 2 CSR 30-9.020
NE Neb. Rev. St. § 28-1018
NV N.R.S. § 574.500
NY McKinney's Agriculture and Markets Law § 402
OH RC § 955.50
PA 3 P.S. § 459-603
3 P.S. 459-214
TX 16 TAC § 91.113
UT U.A.C. R58-1-13(3)
○ Lemon Laws

- These laws impose recordkeeping and other requirements on breeders and dealers who raise and sell dogs and cats commercially. Generally, they require certain assurances that the animal is healthy and require remedies if the animal is not. These regulations are intended to protect consumers from purchasing sick animals and to improve transparency as to their history and origin.

○ Laws Potentially Impacted:

■ AK  A.C.A. § 4-97-105

■ AZ  A.R.S. § 44-1779.01(a)
      A.R.S. § 44-1799.02(A)(1)-(3)
      A.R.S. § 44-1799.02(4)(a)-(b)
      A.R.S. § 44-1799.02(C)

■ CA  CA HLTH & S § 122100
      CA HLTH & S § 122050(a)
      CA HLTH & S § 122050(a)(6)(A)(i-ii)
      CA HLTH & S § 122190
      CA HLTH & S § 122140(b)
      CA HLTH & S § 122140(b)(6)(B)
      CA HLTH & S § 122140(a)

■ CT  C.G.S.A. § 22-344b(a)
      C.G.S.A. § 22-344b(b)(2)
      C.G.S.A. § 22-344d(a)
      C.G.S.A § 22-344d(b)
      C.G.S.A § 22-344d(c)

■ DE  6 Del.C. § 4002(a)(1)- (5)
      6 Del.C. 4003(a)
      6 Del.C. 4003(b)
      6 Del.C. § 4009(a)
6 Del.C. § 4009(b)
6 Del.C. § 4011

FL F.S.A. § 828.29(1)(b)
       F.S.A. § 828.29(3)(c)
       F.S.A. § 828.29(2)(b)
       F.S.A. § 828.29(3)(a)-(b)
       F.S.A. § 828.29(7)
       F.S.A. § 828.29(12)
       F.S.A. § 828.29(16)

IL 225 ILCS 605/3.15(a-c)
    225 ILCS 605/3.15(d)
    225 ILCS 605/3.15(e)

ME 7 M.R.S.A. § 4152(1)(A)((1-7))
    7 M.R.S.A. § 4152(3)(C)
    7 M.R.S.A. § 4152(1)(B)
    7 M.R.S.A. § 4152(1)(C)
    7 M.R.S.A. § 4152(1)(D)
    7 M.R.S.A. § 4160(1)
    7 M.R.S.A. § 4160(2)
    7 M.R.S.A. § 4152-A
    7 M.R.S.A. § 4155

MD MD BUS REG §19-703(a)(2)
     MD BUS REG §19-704(a)(1)

MA 330 CMR §12.05(1)
    330 CMR § 12.05(2)
    330 CMR § 12.09(2)

MN M.S.A. § 325F.791

NE Neb. Rev. St. § 54-646 (1)
     Neb. Rev. St. § 54-646 (3)

NV N.R.S. § 574.450(1)
     N.R.S. § 574.460(1)
These laws prohibit pet stores from selling commercially raised dogs, cats, and rabbits within the state. They are intended to reduce overpopulation and reduce sourcing from large-scale breeding.
facilities. Hundreds of municipalities and counties have imposed similar ordinances effective on local level.

- **Laws Potentially Impacted:**
  - **CA** AB 485 (2017-2018)

**Distributor License**

- These laws require that out-of-state entities apply for a permit prior to selling dogs and cats within the state. These laws are intended to ensure that dogs and cats are sourced from licensed producers and prevent producers with prior cruelty convictions from selling animals within the state.

- **Laws Potentially Impacted:**
  - **KS** K.S.A. 47-1734

**Veterinary Inspection Requirements**

- These laws impose veterinary health screening or permit requirements prior to selling dogs, cats, and other companion animals, or importing them into the state. They are intended to reduce the spread of communicable disease from one state to another.

- **Laws Potentially Impacted:**
  - **AK** 18 AAC 36.015
    18 AAC 36.010
  - **AL** Ala. Admin. Code r. 80-3-6-.22
  - **AR** AR ST § 20-19-405
  - **CA** CA HLTH & S § 121720
  - **DE** 3 Del. Admin. Code 904-1.0
  - **FL** FL ST § 828.29
  - **GA** Ga. Comp. R. & Regs. 40-13-6-.04
    Ga. Comp. R. & Regs. r. 40-13-2-.19
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IX. Products for Animals

● Pet Food
  ○ Content Requirements
    ■ Ingredients
      ● These laws impose content requirements for pet food. Often they regulate the maximum or minimum amounts of crude protein, fat, fiber, and moisture that may go into a product. Others limit the types of ingredients that may be used, such as those regulations prohibiting the use of meat products that do not come from licensed processing plants subject to inspection.

○ Laws Potentially Impacted:

■ CA 17 CCR § 19030
    17 CCR § 19043
    17 CCR § 19010
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| MA    | 330 Mass. Code Regs. 13.03  
     | 330 Mass. Code Regs. 13.06 |
| NY    | N.Y. Comp. Codes R. & Regs. tit. 1, § 257.17 |
| NC    | 2 N.C. Admin. Code 9D.0102 |
| OH    | Ohio Admin. Code 901:5-7-19 |
| TN    | Tenn. Comp. R. & Regs. 0080-05-05-.13 |
| TX    | 4 Tex. Admin. Code § 63.2 |
| VT    | 2-3 Vt. Code R. § 100 |

**Horsemeat in Pet Food**

- These regulations govern the importation of horsemeat to be used in pet food products, generally imposing sanitation and certification of origin requirements.
  - Laws Potentially Impacted:
Maximum Levels of Dangerous Chemicals

- These regulations set maximum allowable levels for harmful chemicals such as arsenic and lead that may be contained in pet food sold within the state.
  - Laws Potentially Impacted:
    - CA 17 CCR § 19040

Processing Requirements

- Removal of Ferrous Material
  - These regulations require pet food producers selling products within the state to employ the use of a magnet to remove pieces of metal and other ferrous material during the manufacturing process.
    - Laws Potentially Impacted:
      - CA Cal. Code Regs. tit. 17, § 19035

- Use of Additives
  - These regulations impose restrictions on additives such as artificial coloring and require that additives be proven harmless to pets if the manufacturer includes them in pet food products sold within the state.
    - Laws Potentially Impacted:
      - GA Ga. Comp. R. & Regs. 40-5-8-.06

Sanitation Requirements

- These regulations impose cleaning requirements on pet food sold within the state. They are intended to prevent the sale of food containing harmful bacteria or disease.
Safe Handling Requirements

- These regulations impose safe handling requirements on pet food products containing raw meat that are sold within the state.

Laws Potentially Impacted:

- CA Cal. Code Regs. tit. 17, § 19030

Labeling

Nutritional Labeling

- These laws impose nutritional standards for pet food marketed as “complete” or “balanced.” They are intended to ensure accuracy and prevent false claims.

Laws Potentially Impacted:

- CA 17 CCR § 19025
- GA Ga. Comp. R. & Regs. 40-5-8-.02
- ID Idaho Admin. Code r. 02.06.02.475
- IL Ill. Admin. Code tit. 8, § 200.130
- IA Iowa Admin. Code 21-42.2(198)
- LA 7 La. Admin. Code Pt XVII, 127
- NY N.Y. Comp. Codes R. & Regs. tit. 1, §
These laws regulate the use of the word “proven” in promotional marketing and labeling of pet food products. They are intended to prevent the misuse of the word to avoid promoting claims not supported by science.

· Laws Potentially Impacted:

- GA    Ga. Comp. R. & Regs. 40-5-8-.02
- ID    Idaho Admin. Code r. 02.06.02.475
- IL    Ill. Admin. Code tit. 8, § 200.130
- IA    Iowa Admin. Code 21-42.2(198)
- LA    7 La. Admin. Code Pt XVII, 127
- MA    330 Mass. Code Regs. 13.03
- NY    N.Y. Comp. Codes R. & Regs. tit. 1, § 257.17
These regulations govern flavor designation and labeling on pet food packaging.

Laws Potentially Impacted:

- **GA** Ga. Comp. R. & Regs. 40-5-8-.03
- **IA** Iowa Admin. Code r. 21-423(198)
- **IL** Ill. Admin. Code tit. 8, § 200.140
- **LA** 7 La. Admin. Code Pt XVII, 129
- **ME** Code Me. R. tit. 01-001 Ch. 312,, § 3
- **MD** Md. Code Regs. 15.18.09.05
- **MI** Mich. Admin. Code R 285.635.4
- **NY** N.Y. Comp. Codes R. & Regs. tit. 1, §
These laws impose licensing requirements on pet food manufacturers who wish to sell products within the state.

Laws Potentially Impacted:

- AL Ala.Code § 2-21-19
  Ala. Code § 2-21-24
- CA Cal. Food & Agric. Code § 19260
  17 CCR § 19020
  17 CCR § 19041
- IL 505 Ill. Comp. Stat. Ann. 30/4
- IN Ind. Code Ann. § 15-19-7-24
<table>
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| IA    | Iowa Code Ann. § 198.4  
       | Iowa Code Ann. § 198.9 |
| ME    | Me. Rev. Stat. tit. 7, § 714 |
| MO    | Mo. Ann. Stat. § 266.165 |
| MT    | Mont. Code Ann. § 80-9-201 |
| NY    | N.Y. Agric. & Mkts. Law § 129 |
| ND    | N.D. Cent. Code Ann. § 4.1-41-05 |
| OK    | 2 Okl. St. Ann. § 8-41.4 |
| RI    | 4 R.I. Gen. Laws Ann. § 4-2-4 |
| SD    | S.D. Codified Laws § 39-14-40.1 |
Raw Milk as Pet Food

Packaging

- These laws govern the packaging of raw milk products sold as pet food. They are intended to reduce human consumption of unpasteurized milk and prevent use of the so-called “moo-nshine loophole” whereby raw milk is sold interstate as pet food.
  
  ○ Laws Potentially Impacted:

  ■ MD  COMAR 15.18.09.13

  ■ NM  N.M. Admin. Code 21.18.3

Labeling

- These laws require certain labels on raw milk sold as pet food. Most commonly, they require the following warning: “May Contain Harmful Bacteria.”
  
  ○ Laws Potentially Impacted:

  ■ GA  Ga. Comp. R. & Regs. 40-5-8-.02

  ■ OH  Ohio Admin. Code 901:5-7-17
Commercial Feed

Labeling of Commercial Feed

These regulations impose labeling requirements for manufacturers who sell commercial feed products for use by livestock within the state. Often they dictate how labels should appear and what information they must contain.

- **Laws Potentially Impacted:**
  - AR A.R.S. § 3-2610
  - IN IC 15-19-7-26
    
  - MO V.A.M.S. 266.170
  - PA 3 Pa.C.S.A. § 5104
  - TX V.T.C.A., Agriculture Code § 141.051
    
  - UT U.C.A. 1953 § 4-12-5
  - VT 6 V.S.A. § 325
  - VA VA Code Ann. § 3.2-4806
  - VT 6 V.S.A. § 325
  - WV W. Va. Code, § 19-14-8
    
  - WY W.S.1977 § 11-13-103
Content Requirements for Commercial Feed

- These laws regulate the content of commercial feed to ensure that it meets nutritional requirements and is free of harmful materials and biological residues. They are intended to ensure that commercial feed is wholesome and safe for the animals that consume it.
  - Laws Potentially Impact:
    - NC N.C.G.S.A. § 106-549.84

Prohibited Foods

Feeding Garbage to Swine

- Swine Health Protection Act ("SHPA") requires that meat and animal-byproduct-containing food scraps are heat treated before being fed to swine. However, states can impose additional regulations including more stringent heat treatments, conditions on vegetable food scraps, regulations on what can be feed to owner’s own swine, import regulations, etc. For the purposes of this discussion, only regulations addressing restrictions on the importation of garbage-fed swine are relevant.
  - Laws Potentially Impact:
    - AK 18 AAC 36.145
    - GA Ga. Comp. R. & Regs. 40-13-2-.08
    - HI Haw. Admin. Rules (HAR) § 4-17-7
    - ID IDAPA 02.04.21.400
    - KY 302 Ky. Admin. Regs. 20:040
    - ME 01-001 CMR Ch. 206, § 4
    - MS Miss. Admin. Code 2-101-2:12
    - MT Mont.Admin.R. 32.3.219
These laws impose prohibit the sale of companion animals for human consumption or otherwise prohibit human consumption of dog and cat meat.

Laws Potentially Impacted:

- CA West's Ann.Cal.Penal Code § 598b
Animal Carcasses and Grease

Transport Requirements: Use of a Leakproof Container

- These laws require that certain unsavory or odor-producing substances such as the carcasses of animals or grease be transported by licensed vehicles, packaged in a way that prevents spillage, or in a way that shields the load from public view. Others impose sanitization or recordkeeping requirements that must be carried out prior to transport. These laws are intended to provide for public health and sanitation.
  - Laws Potentially Impacted:

  - CA 3 CCR § 1180.17
    3 CCR § 1180.15
  - FL Rule 5C-23.003, F.A.C.
  - ID IDAPA 02.04.17.040
  - MN M.S.A. § 35.82
  - MT MCA 81-9-315
  - NE Neb. Admin. R. & Regs. Tit. 23, Ch. 10, § 005
  - PA 3 Pa.C.S.A. § 2352
  - SD ARSD 12:68:09:05
    SDCL § 40-17-7
  - TX V.T.C.A., Health & Safety Code §
• Animals That Died Other Than by Slaughter

■ Prohibition or Permitting

• These laws impose import restrictions on certain types of dead domestic animals. Some require that no domestic animal carcass can be imported or sold within the state if the animal in question died other than by slaughter—except as authorized by a special permit awarded by the state. These laws are intended to limit risks to public health.
  ○ Laws Potentially Impacted:
    ■ GA    Ga. Comp. R. & Regs. 40-13-5-.06
    ■ MN    M.S.A. § 35.82
    ■ PA    3 Pa.C.S.A. § 2352
             7 Pa. Code § 17.36

• Cattle Hides

■ Import

• These laws impose requirements on cattle hides imported into the state to ensure that they are free from cattle fever ticks. Some require that green hides be salted and cured for a minimum of a week prior to entry. Their intent is to protect local livestock populations from fever ticks that may be traveling on hides.
  ○ Laws Potentially Impacted:
    ■ FL    Rule 5C-9.006, F.A.C.
    ■ TX    4 TAC § 41.7
● Shark Fins

■ Possession or Sale

● These laws prohibit the sale of shark fins for human consumption or the possession of a detached shark fin within the state. (It should be noted that sharks are a class of fish and, as a result, are likely to be considered an agricultural product within the meaning of PICA).

○ Laws Potentially Impacted:

■ CA West's Ann.Cal.Fish & G.Code § 2021

■ HI HRS § 188-40.7

■ IL 515 ILCS 5/5-30

■ OR O.R.S. § 498.257

■ RI Gen.Laws 1956, § 20-1-29

■ TX V.T.C.A., Parks & Wildlife Code § 66.2161

■ WA RCWA 77.15.770

● Alligator Meat and Hides

■ Tagging and Licensing Requirements

● These laws impose tagging, permitting, or other licensing requirements on anyone manufacturing or selling alligator hides or meat within the state. Some require documentation from the state of origin. They seek to increase oversight of the alligator farming industry and cut down on the amount of illegal sales and poaching.

○ Laws Potentially Impacted:

■ FL West's F.S.A. § 379.3751
These laws regulate the labeling of real and faux fur and extend beyond what is required federally. They are intended to increase transparency and reduce misrepresentation.

**Laws Potentially Impacted:**

- **DE** Del. Code Ann. tit. 6, § 2508
- **MA** Mass. Gen. Laws Ann. ch. 94, § 277A
- **NY** McKinney's General Business Law § 399-aaa

**Fur Licensing**

These regulations impose licensing requirements on producers of fur products prior to selling their goods for retail. Some include sourcing restrictions on producers seeking a license.

**Laws Potentially Impacted:**

- **CA** 14 CCR § 696

**Dog and Cat Fur**

These regulations extend beyond the federal ban and impose additional certification or other requirements to prevent the sale of fur products made from domestic dogs and cats or the importation of such animals for this use.

**Laws Potentially Impacted:**

- **CA** West's Ann.Cal.Penal Code § 598a
Xi. Invasive Pests, Plants, and Disease

- Ash Trees
  - Emerald Ash Borer
    - The emerald ash borer is a green jewel beetle from Asia that causes nearly 100% mortality of ash trees in an infected area within 10 years. These laws supplement federal regulation and establish additional quarantines, prohibit the importation of regulated articles, or impose other conditions or inspection systems affecting regulated articles prior to import.
    - Laws Potentially Impacted:
      - AL  Ala. Admin. Code r. 80-10-20-.05
      - AR  Ark. Admin.Code 209.02
      - CO  8 CCR 1203-24:3.0
      - CT  Regs. Conn. State Agencies § 22-84-5g
      - FL  Rule 5B-3.0038, F.A.C.
        Fla. Admin. Code Ann. r. 5B-65.005
      - IL  8 Ill. Adm. Code 240.125
      - IN  312 Ind. Admin. Code 8-1-3
      - IA  Iowa Admin.Code 21-46.15 (177A)
      - GA  Ga. Comp. R. & Regs. 224-3-.03
        Ga. Comp. R. & Regs. 40-4-25-.01
        Ga. Comp. R. & Regs. 40-4-25-.03
      - LA  La. Admin Code. tit. 7, Pt XV, § 167
      - MA  12 M.R.S.A. § 8306
● **Boxwood Trees**

  ■ **Boxwood Blight**

  ● These laws regulate boxwood blight and impose quarantine restrictions to prohibit the movement of untreated plants carrying the disease into the state. They are intended to protect local plants from this fungal disease.

  ○ **Laws Potentially Impacted:**

  ■ **TN** Tenn. Comp. R. & Regs. 0080-06-07-.01

● **Citrus Trees**

  ■ **Root Weevil**

  ● These laws place a quarantine on citrus plants and others that may have been exposed to root weevils or originate in areas where root
weevils are present. They are intended to protect local citrus plants and crops.
  ○ Laws Potentially Impacted:
    ■ TX       4 TAC § 19.162

■ Citrus Aphid
  ○ These laws restrict the importation of citrus plants that may be carrying citrus aphids in order to protect local plants and production.
    ○ Laws Potentially Impacted:
      ■ AR       A.A.C. R3-4-242
      ■ AL       Ala. Admin. Code r. 80-10-19-.01

■ Citrus Greening Disease and the Asian Citrus Psyllid
  ○ These laws impose quarantine requirements or other conditions on importation of nursery stock or other plants that may be carrying the psyllid or other vectors of the pathogen that causes citrus greening disease. The disease destroys the quality and production of citrus trees. Infected plants ultimately die. These laws are imposed in addition to federal requirements in order to protect local citrus producers and native tree populations.
    ○ Laws Potentially Impacted:
      ■ AL       Ala. Admin. Code r. 80-10-19-.05
                  Ala. Admin. Code r. 80-10-19-.07
      ■ FL       Rule 5B-3.0038, F.A.C
      ■ LA       La. Admin Code, tit. 7, Pt XV, §127
                  La. Admin Code, tit. 7, Pt XV, § 123
      ■ SC       S.C. Code of Regulations R. 27-137
      ■ TX       4 TAC § 19.617
                  4 TAC § 19.618
● Citrus Budwood

■ Importing Out-of-State Citrus Budwood

- These laws impose conditions on the movement of out-of-state budwood across state lines. They are intended to protect against various diseases, especially those affecting citrus, and to prevent their transmission into the state.
  ○ Laws Potentially Impacted:
    - LA La. Admin Code. tit. 7, Pt XV, §127
    - TX 4 TAC § 21.40

● Peaches and Stone Fruits

■ Peach Yellows, Little Peach, or Red Suture Disease

- These laws impose quarantines or import certification requirements on stone fruits (cherries, peaches, plums, nectarines, apricots, and almonds) and the plants that produce them. They are intended to limit the spread of pathogens causing these diseases that can damage production or decrease yield.
  ○ Laws Potentially Impacted:
    - CA 3 CCR § 3259

● Peach, Plum, Apricot, Nectarine, and Almond Trees

■ Phony Peach Disease

- These laws impose quarantines on other import restrictions on plants or plant products that have been known to carry *Xylella fastidiosa*, the bacteria that causes phony peach disease. These regulations are intended to protect local fruit tree stocks and limit the spread of the disease that stops infected trees from bearing fruit.
  ○ Laws Potentially Impacted:
    - AL Ala. Admin. Code r. 80-10-7-.04
      Ala. Admin. Code r. 80-10-7-.05
    - AR Ark. Admin. Code 209.02.1-VIII
Dogwood Trees

Dogwood Anthracnose

- These laws restrict the importation of host plants that may be carriers of dogwood anthracnose or those that originate in infested areas in order to limit the spread of the disease.
  - Laws Potentially Impacted:
    - FL Rule 5B-55.006, F.A.C.

Hemlock Trees

Woolly Adelgid

- The hemlock woolly adelgid is an aphid-like insect that depletes the food source in hemlocks, leading to their death and disturbance of the hemlock-based ecosystem. These laws prohibit the possession, importation, or transport of this invasive species.
  - Laws Potentially Impacted:
    - NH N.H. Code Admin. R. Agr 3802.01
    - NY 6 NYCRR 575.3
    - OH OAC 901:5-48-04

Oak Trees

Oak Wilt

- These laws impose quarantines or restrictions on products and nursery stock that may be carrying Ceratocystis fagacearum, the fungus responsible for oak wilt. Some require wood be treated prior to entry
in order to ensure it does not spread the fungus. Oak wilt is an infectious disease that leads to the death of a variety of types of oak trees by disabling the tree’s ability to conduct water. These regulations seek to protect local trees and curb the spread of the infection.

○ Laws Potentially Impacted:

■ AR  Ark. Admin. Code 209.02.1-I

■ CA  3 CCR § 3251

■ FL  Rule 5B-26.007, F.A.C.

■ LA  La. Admin Code. tit. 7, Pt XV, § 123

■ MS  Miss. Admin. Code 2-1-3:01

● Oak, Aspen, and Other Species of Tree

■ Gypsy Moth

● These regulations declare gypsy moths to be a pest. They are intended to supplement federal standards and provide for additional quarantines on plant imports or further prohibit the importation of regulated articles in order to contain the moths’ spread. Gypsy moths affect hundreds of different plant species and cause the defoliation of millions of acres annually. These regulations seek to protect local plant populations.

○ Laws Potentially Impacted:

■ AR  Ark. Admin. Code 209.02.1-VIII

■ CA  3 CCR § 3591.6

■ IA  Iowa Admin. Code 21-46.15(177A)

■ MS  Miss. Admin. Code 2-1-3:01

■ NH  N.H. Code Admin. R. Agr 3802.01

■ NC  2 NCAC 48A.1502

■ OH  OAC 901:5-52-03
These laws impose quarantines and other conditions on the importation of palms that may have been exposed to lethal yellowing disease. They are intended to protect against the spread of the disease to local trees.

- Laws Potentially Impacted:
  - CA  3 CCR § 3282
  - LA  La. Admin Code. tit. 7, Pt XV, § 123
  - TX  4 TAC § 19.50
  - TX  4 TAC § 19.60

- Red Palm
  - Mites
    - These laws impose quarantines and other conditions on the importation of palms that may have been exposed to red palm mites. They are intended to protect against the spread of the disease to local trees.
      - Laws Potentially Impacted:
        - TX  4 TAC § 19.600

- Palms
  - Date Palm and Coconut Palm
    - Lethal Yellowing
      - These laws impose quarantines and other conditions on the importation of palms that may have been exposed to lethal yellowing disease. They are intended to protect against the spread of the disease to local trees.
        - Laws Potentially Impacted:
          - CA  3 CCR § 3282
          - LA  La. Admin Code. tit. 7, Pt XV, § 123
          - TX  4 TAC § 19.50
          - TX  4 TAC § 19.60

- Red Palm
  - Mites
    - These laws impose quarantines and other conditions on the importation of palms that may have been exposed to red palm mites. They are intended to protect against the spread of the disease to local trees.
      - Laws Potentially Impacted:
        - TX  4 TAC § 19.600
• Pecans and Other Nut Trees
  ■ Pecan Weevil
  • These laws impose quarantine restrictions to limit the spread of pecan weevils and require that imported nuts and nut trees be dipped at a high temperature prior to entry in order to kill any weevils. These regulations are intended to protect local pecan trees.
    ○ Laws Potentially Impacted:
      ■ AR A.A.C. R3-4-231
      ■ NM N.M. Admin. Code 21.17.28
      ■ TX 4 TAC § 19.123
          4 TAC § 19.120

• Pine Trees
  ■ Mountain Pine Beetle
  • These laws impose quarantines or other restrictions on the importation of wood products that may be carrying the mountain pine beetle, a small, destructive insect that degrades the quality of lumber and destroys trees. These laws are intended to contain its spread and protect local forests.
    ○ Laws Potentially Impacted:
      ■ MN Authority pursuant to Minnesota Statute 18G.06, subd. 4 (2010)
          See:http://www.mda.state.mn.us/plants/insects/mpb/mpbquarantine.aspx
      ■ WI Wis. Adm. Code § ATCP 21.22
          ATCP 21–Clearinghouse Rule #16-032

■ Pine Shoot Beetle
  • The pine shoot beetle attacks new shoots of pine trees, stunting their growth, and causing their death in areas of high concentration. These laws supplement federal law and establish additional quarantine requirements, prohibit the importation of regulated articles, or otherwise require inspection of regulated articles prior to import.
○ Laws Potentially Impacted:

■ AL  Ala. Admin. Code r. 80-10-15-.01
   Ala. Admin. Code r. 80-10-15-.03
   Ala. Admin. Code r. 80-10-15-.04
   Ala. Admin. Code r. 80-10-15-.06

■ TN  Tenn. Comp. R. & Regs. 0080-06-20-.04

■ TX  4 TAC § 19.90

■ VA  2 VAC 5-325-20

● White Pines

■ White Pine Blister Rust

○ These regulations prohibit or restrict the importation of plant host species known to carry the pathogen that causes white pine blister rust. They are intended to restrict the spread of the disease that has caused the death of large numbers of white pines and other species of trees. (See also “Black Currant”).

○ Laws Potentially Impacted:

■ MD  COMAR 15.06.02.12

■ MA  330 CMR 9.03

■ NJ  N.J.A.C. 2:20–2.2

■ OH  OAC 901:5-43-01

■ RI  R.I. Admin. Code 25-3-23:2.1

■ VA  2 VAC 5-450-40

● Walnut Trees

■ Thousand Cankers Disease

○ These laws impose a quarantine or other restrictions on the importation of products that may be carrying thousand cankers disease. They are intended to contain the spread of the disease and protect local trees.
Laws Potentially Impacted:

- **IL** Authority pursuant to 505 Illinois Compiled Statutes 90/1 et.seq. Proclamation, put forth by the Governor, dated February 1, 2012
- **IN** 312 IAC 18-3-24
- **IA** Iowa Admin. Code 21-46.15(177A)
- **MD** COMAR 15.06.02.12
- **MN** Authority pursuant to Minnesota Statute 18G.06, subd. 4 (2010) No. RF-1722
- **MO** 2 Mo. Code of State Regulations 70-11.060
- **NY** 6 NYCRR 575.3
- **OH** OAC 901:5-58-03
- **OK** Okla. Admin. Code 35:30-4-1
- **TN** Tenn. Comp. R. & Regs. 0080-06-11-.01
- **VA** 2 VAC 5-318-120
  2 VAC 5-318-40
- **WI** Wis. Adm. Code § ATCP 21.21
  Wis. Adm. Code § NR 40.04

Trees Generally

- **Asian Longhorned Beetle**
  - Asian longhorned beetle larvae consume vast quantities of wood in the trunks of trees and the adults eat the leaf buds, leading to a death rate among infected trees of roughly 30 percent. These laws supplement federal laws and establish additional quarantines, prohibit the importation of regulated articles, or otherwise regulate articles that may be carrying the pest.
○ Laws Potentially Impacted:
  ■ IA Iowa Admin. Code 21-46.15(177A)
  ■ NH N.H. Code Admin. R. Agr 3802.01
  ■ NY 6 NYCRR 575.3
       1 NYCRR 139.3
  ■ OH OAC 901:5-57-03
  ■ WI Wis. Adm. Code § ATCP 21.18

● Blueberries and Huckleberries
  ■ Blueberry Scorch Virus
    ● These laws impose quarantines on blueberries or huckleberries that
      may have been exposed to the blueberry scorch virus. They are
      intended to protect local berry producers.
      ○ Laws Potentially Impacted:
        ■ GA Ga. Comp. R. & Regs. 40-4-24-.04
        ■ MS Miss. Admin. Code 2-1-3:01
  ■ Blueberry Maggots
    ● These laws restrict the importation of plants that may be carrying
      blueberry maggots, which infest and degrade the quality of fruit.
      ○ Laws Potentially Impacted:
        ■ CA 3 CCR § 3266

● Black currant
  ■ White Pine Blister Rust
    ● Although black currants themselves are not a plant pest, the plant is
      the vector for white pine blister rust, which is deadly to pine trees.
      These laws make the possession, import, or transportation of black
      currants illegal or otherwise establish quarantines of these plants.
Laws Potentially Impacted:

- MD  COMAR 15.06.02.12
- MA  330 CMR 9.02
  330 CMR 9.03
- NJ  N.J.A.C. 2:20–2.2
- NY  6 NYCRR 192.1
- OH  OAC 901:5-43-01
- RI  R.I. Admin. Code 25-3-23:2.1
- VA  2 VAC 5-450-40

● Figs

- Standards for Sale
  - These laws impose quality control conditions on the sale of figs in order to ensure that they are fit for consumption. These regulations are intended to protect consumers, establish standards of production, and ensure that the fruits are not suffering from endosepsis, a fungus caused by fig wasps.
  - Laws Potentially Impacted:

● Grapes

- Pierce’s Disease and the Glassy-Winged Sharpshooter
  - These laws impose restrictions on plants that may be carrying the glassy-winged sharpshooter, the insect responsible for Pierce’s disease. They are intended to protect local grape crops and the wine industry by preventing the movement of untreated or high-risk shipments of grapes or other carriers.
O Laws Potentially Impacted:

■ CA 3 CCR § 3654
3 CCR § 3655
West's Ann.Cal.Food & Agric.Code § 6047.1
West's Ann.Cal.Food & Agric.Code § 6047.60

■ OR OAR 603-052-1221

● Lettuce

■ Lettuce Mosaic Virus

● These laws place conditions on the movement and importation of lettuce in order to limit the spread of the lettuce mosaic virus and protect local producers. Others require that lettuce seeds sold within the state be indexed for lettuce mosaic virus.

○ Laws Potentially Impacted:

■ AR A.A.C. R3-4-233

■ AZ A.A.C. R3-4-233

■ FL Rule 5B-38.004, F.A.C.
Rule 5B-38.006, F.A.C.

● Potatoes and Tomatoes

■ Nematodes

● These laws place restrictions on the importation of products that may be carrying parasitic nematodes. Nematodes cause vast amounts of damage to a wide variety of crops, especially potatoes and tomatoes. Plants and plant products imported into a state must be inspected for nematodes and quarantined under these laws.
Sweet Potatoes

Sweet Potato Weevils

These laws impose quarantines or other import conditions on the interstate movement of sweet potatoes or other host materials. They are intended to protect local crops from the pests that render infested crops bitter, odiferous, and inedible.

Laws Potentially Impacted:

- AR  Ark. Admin. Code 209.02.1-VI
- CA  3 CCR § 3257
- LA  L.a. Admin Code. tit. 7, Pt XV, § 133
- MS  Miss. Admin. Code 2-1-3:01
- NC  2 NCAC 48A.0903
- TX  4 TAC § 19.133
**Soybeans and Green Beans**

- **Kudzu Bugs**
  - These laws prohibit the importation of agricultural articles that may be carrying Asian kudzu bugs, a type of stink bug that is detrimental to the environment and feeds on soybeans and green bean crops. These regulations act to limit their spread.
  - Laws Potentially Impacted:
    - ID IDAPA 02.06.09.101
    - ID IDAPA 02.06.09.806

**Corn, Sorghum, and Grains**

- **Corn Borer**
  - These laws impose quarantines on corn, sorghum, grain, beans, beets, peppers, and other crops that originated in states affected by corn borers. They are intended to limit the spread of food-destroying pests.
  - Laws Potentially Impacted:
    - CA 3 CCR § 3263
    - TX 4 TAC § 19.110
      - 4 TAC § 19.112
      - 4 TAC § 19.113

**Soybeans, Rice, and Grains**

- **Khapra Beetle**
  - These laws restrict the importation of products that may be carrying the khapra beetle, a destructive insect that destroys grains and other foods. They are intended to limit the spread of the invasive beetle and protect local crops from damage.
  - Laws Potentially Impacted:
    - IA Iowa Admin. Code 21-46.15(177A)
Rice

Bakanae Disease

- These laws impose import restrictions or quarantines on products that may be carrying the fungus *Gibberella fujikuroi*. The fungus causes rice plants to stop producing edible grains. These regulations seek to limit the spread of disease and protect local production.
  - Laws Potentially Impacted:
    - AR Ark. Admin. Code 209.02.1-VIII
    - MO 2 Mo. Code of State Regulations 70-11.040
    - MS Miss. Admin. Code 2-1-3:01

Cotton

Boll Weevil and Pink Bollworm

- The boll weevil and pink bollworm are both insects that feed on cotton buds and seeds and led to the devastation of the cotton industry in the 1920’s. These laws are intended to supplement federal regulations. They impose quarantines, restrict movement of products, and establish programs to treat all infected cotton with pesticides.
  - Laws Potentially Impacted:
    - AL AL ST § 2-19-129
    - AR Ark. Admin. Code 209.02.10-IX
    - GA Ga. Comp. R. & Regs. 40-24-1-.08
    - FL Rule 5B-52.003, F.A.C.
      Rule 5B-52.011, F.A.C.
    - KY KY ST § 247.6054
    - LA La. Admin Code. tit. 7, Pt XV, § 305
Most of these laws require a certification of inspection or treatment for fruit flies prior to importing produce into the state for sale. They apply to various species of fruit fly and are intended to limit the spread of these insects.

Laws Potentially Impacted:

- AL Ala. Admin. Code r. 80-10-19-.01
- AR A.A.C. R3-4-238
- CA 3 CCR § 3252
  3 CCR § 3256
- FL Rule 5B-3.0035, F.A.C.
• Vegetables
  ■ Certification of Vegetables
    • These laws require all vegetable plants shipped into the state to be accompanied by an authorized certificate from the originating state. The certificate must declare the plants appear to be free from injurious insects, pests, or plant diseases, and that said vegetable plants were properly treated during their growing season to prevent the establishment of injurious insects, pests or plant diseases. They are intended to protect native plants and in-state consumer interests.
      ○ Laws Potentially Impacted:

        ■ GA  Ga. Comp. R. & Regs. 40-4-7-.06

        ■ TX  4 TAC § 19.175
              4 TAC § 19.153
              4 TAC § 19.43
              4 TAC § 19.504

• Various Other Plants
  ■ European Brown Garden Snails
    • The European brown garden snail is a plant feeder that is very destructive to host plants and readily transported on infested nursery stock. These laws impose restrictions such as inspection requirements, fumigation, quarantines, or bans of infected or potentially infected plants.
      ○ Laws Potentially Impacted:

        ■ AL  Ala. Admin. Code r. 80-10-8-.04
               Ala. Admin. Code r. 80-10-8-.03
               Ala. Admin. Code r. 80-10-8-.06

        ■ AR  Ark. Admin. Code 209.02.1-VII
Fire Ants

- Fire ants cause damage to both agricultural crops and nursery stock. They spread through soil, manure, on the roots of nursery stock, and on earth-moving equipment, principally in the South. These laws require inspections, certifications, and quarantines of soil, nursery stock, equipment, etc. to prevent the spread of this disease.
  - Laws Potentially Impacted:
    - AL  Ala. Admin. Code r. 80-10-6-.01
    - Ala. Admin. Code r. 80-10-6-.03
    - AR  Ark. Admin. Code 209.02.1-VIII
    - NC  2 NCAC 48A.0702
    - SC  S.C. Code of Regulations R. 27-121
    - S.C. Code of Regulations R. 27-124
    - TN  Tenn. Comp. R. & Regs. 0080-06-19-.04
    - Tenn. Comp. R. & Regs. 0080-06-19-.01
• Nursery Imports Generally
  ■ Labeling, Testing, and Other Requirements
    • These laws require shipments of plants or plant seeds entering the state to be properly labeled with information about the producer as well as about where the plants were grown. Some require disease testing information to be included as well.
      ○ Laws Potentially Impacted:

  ■ AL        Ala.Code 1975 § 2-25-40
              Ala.Code 1975 § 2-25-42

  ■ AZ        A.R.S. § 3-211

              3 CCR § 3864

  ■ CO        8 CCR 1203-6:6
              8 CCR 1203-6:13
              8 CCR 1203-6:15
              8 CCR 1203-6:3

  ■ FL        Rule 5B-3.0038, F.A.C.

  ■ IL        8 Ill. Adm. Code 230.40
              505 ILCS 90/11

  ■ MN        M.S.A. § 21.83
              M.S.A. § 21.84
              M.S.A. § 21.82

  ■ NE        Neb.Rev.St. § 2-10,106

  ■ NY        McKinney's Agriculture and Markets Law § 168
• Other Invasive Pests

  ■ Miscellaneous

  • These laws impose quarantines or other restrictions on plants and agricultural products that may have been exposed to certain pests or diseases not covered elsewhere in this table. They include varieties of ants, nematodes, and fungal blights.
    ○ Laws Potentially Impacted:
      ■ CA 3 CCR § 3260
             3 CCR § 3266
             3 CCR § 3264
             3 CCR § 3272
             3 CCR § 3255
             3 CCR § 3271
             3 CCR § 3274
             3 CCR § 3273
             3 CCR § 3280
             3 CCR § 3253
             3 CCR § 3261

      ■ TX 4 TAC § 19.103
             4 TAC § 19.202
             4 TAC § 19.32
             4 TAC § 19.23

  ● Aquatic Invasive Plant Species Generally

  ■ Import

  • These laws impose restrictions on aquatic plant species that can be imported into the state. They are intended to protect native wildlife and the fishing industry.
    ○ Laws Potentially Impacted:
      ■ IA Iowa Admin. Code 571-90.2(456A)
      ■ MN Minnesota Rules, part 6216.0250
                      Minnesota Rules, part 6216.0260
Hydrilla

- Hydrilla is an aquatic weed that can, by its thick growth, restrict water flow and make recreational lakes and ponds unusable. These laws require inspection of plants and boats, and establish quarantines to prevent the spread of this plant.
  - Laws Potentially Impacted:
    - CA 3 CCR § 3281
    - NH N.H. Code Admin. R. Env-Wq 1303.02
    - NY 6 NYCRR 575.3

Floating Water Chestnut

- Floating water chestnut is another an aquatic weed that can restrict water flow and make recreational lakes and ponds unusable. These laws make it illegal to import or transport these plants, seeds, or nuts.
  - Laws Potentially Impacted:
    - CT CT ST § 22a-381d
    - NY NY ENVIR CONSER § 11-0509

Plants Generally

- Standards for Movement
  - These laws impose standards under which plants may be imported into the state. They are intended to ensure shipments are healthy and reduce the spread of disease.
    - Laws Potentially Impacted:
      - CA 3 CCR § 3659
These laws augment and supplement the federal list of noxious weeds according to the concerns of a particular state. Some prohibit any importation of a plant or seedling, while others set maximum allowances for noxious weed seeds that may be intermixed with any other agricultural seed sold within the state. They are intended to inhibit the spread of undesirable plants and weeds throughout the United States.

- **Laws Potentially Impacted:**
  - **AL** Ala. Admin. Code r. 80-10-14-.04
  - **AR** Ark. Admin. Code 209.02.11 Appendix
    - Ark. Admin. Code 209.02.18
  - **AZ** A.A.C. R3-4-403
  - **CA** West's Ann. Cal. Food & Agric. Code § 7501
  - **CT** Regs. Conn. State Agencies § 22-59-5
    - Regs. Conn. State Agencies § 22-59-4
    - Regs. Conn. State Agencies § 22-59-1a
    - Regs. Conn. State Agencies § 22-59-8a
    - Regs. Conn. State Agencies § 22-59-8b
CO 8 CCR 1203-6:7
Regs. Conn. State Agencies § 22-59-8

DE 3 Del. Admin. Code 801-3.0

FL Rule 5B-57.006, F.A.C.
Rule 5B-57.004, F.A.C.
Rule 5B-64.011, F.A.C.
West's F.S.A. § 581.091
West's F.S.A. § 581.083
Rule 5B-57.007, F.A.C.

GA Ga. Comp. R. & Regs. 40-12-4-.01
2018 GA REG TEXT 490144 (NS)

IL 8 Ill. Adm. Code 220.60
8 Ill. Adm. Code 230.30
8 Ill. Adm. Code 230.20

ID IDAPA 02.06.22.010

LSA-R.S. 3:1791
La. Admin Code. tit. 76, Pt VII, § 1101


MN M.S.A. § 18.75
M.S.A. § 18.82

MO 2 Mo. Code of State Regulations
70-45.005

MS Miss. Admin. Code 2-1-3:01

MT Mont. Admin. R. 4.12.3004

NC 2 NCAC 48A.1702
In many cases, states that have put forth a list of noxious weeds also establish an upper bound for the ratio of noxious weed seeds to other seeds that can be contained in packages of mixed seed sold within the state. These laws prohibit the sale of seeds that contain noxious seed amounts in excess of those limits.

Laws Potentially Impact:

- AL Ala. Admin. Code r. 80-11-1-05
● Seeds

■ Genetically Modified Seed Labeling and Reporting
  ● These regulations impose recordkeeping, labeling, and reporting requirements on manufacturers of seeds that have been genetically modified. They are intended to increase transparency and reduce the risk of cross contamination of plants.
    ○ Laws Potentially Impacted:
      ■ CT  C.G.S.A. § 21a-92c
      ■ ME  7 M.R.S. § 1052
      ■ VT  6 V.S.A. § 644

● Potato Seeds

■ Grades of Seed Eligible for Sale
  ● These laws restrict the sale of lower grades of seed potatoes and allow only for high quality seeds to be offered for sale within the state. They are intended to ensure that a high quality of potato is produced in the state.
Laws Potentially Impacted:

- FL Rule 5B-33.003, F.A.C.
- MN Minnesota Rules, part 1510.2320

Soil and Fertilizer

Labeling and Registration

- These laws impose conditions on the labeling of soils, fertilizers, and other horticultural growing materials, including specific provisions for certain ingredients, provenance, and the like. Some require producers to disclose the use of waste-derived products, arsenic, mercury, poisons, and other materials. Other regulations require that manufacturers register prior to selling such products within the state. These laws are intended to inform consumers and increase producer transparency.

Laws Potentially Impacted:

- AL Ala. Admin. Code r. 80-1-6-.07
  Ala. Admin. Code r. 80-1-6-.03
- FL West's F.S.A. § 576.031
- GA Ga. Comp. R. & Regs. 40-4-21-.03
- LA LSA-R.S. 3:1413
- MN Minnesota Rules, part 1510.0433
  Minnesota Rules, part 1510.0412
  M.S.A. § 18C.215
- NY McKinney's Agriculture and Markets Law § 145
- PA 3 P.S. § 71
- UT U.A.C. R68-3
● Manure

■ Content, Labeling, and Transport

● These laws impose content requirements, labeling requirements, or regulations governing the transport of manure offered for sale within the state. They are intended to ensure quality and decrease adverse impacts on residents.

○ Laws Potentially Impacted:

■ CT Regs. Conn. State Agencies § 19-13-B1

■ PA 3 P.S. § 84
   3 P.S. § 87
   3 P.S. § 88
   3 P.S. § 86

● Biosolids/ “Night Soil”/ Human Waste as Fertilizer

● These laws regulate the labeling, content, or sale of human waste as fertilizer. They are intended to increase transparency.

○ Laws Potentially Impacted:

■ FL Rule 62-640.850, F.A.C.

■ WA WAC 16-200-703

XII. Procurement

● Agricultural Goods

● These laws regulate government bid and solicitation preferences for products or services. Often they impose preferences for in-state producers of agricultural products.

○ Laws Potentially Impacted:

■ AL Ala.Code 1975 § 41-16-57
   Ala.Code 1975 § 41-16-27
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ND NDCC, 44-08-01
OH R.C. § 125.09
OK 74 Okl.St.Ann. § 85.17A
74 Okl.St.Ann. § 85.44D
OR O.R.S. § 279A.125
O.R.S. § 279A.120
PA 62 Pa. C.S.A. § 107
RI Gen.Laws 1956, § 37-2-8
SC Code 1976 § 11-35-1524
SD SDCL § 5-18A-26
TN T. C. A. § 12-3-1113
T. C. A. § 12-3-1108
UT U.C.A. 1953 § 63G-6a-1002
U.A.C. R33-10
U.A.C., R33-6-111
VA VA Code Ann. § 2.2-4328
VA Code Ann. § 2.2-4324
WA West's RCWA 39.26.260
WV West Virginia Code, §5A-3-37
WI W.S.A. 16.75
WY W.S.1977 § 16-6-104
W.S.1977 § 16-6-105
Meat with Pink Slime

- “Pink slime,” also known as lean finely textured beef, is ammonia-treated scrap meat and connective tissue that is used as an additive in processed meats. The National School Lunch Program is a USDA program that offers schools the option to purchase meat with or without pink slime. Some school boards or departments of education prohibit its purchase for schools through regulatory policies.
  - Laws Potentially Impacted:

XIII. General Prohibitions Affecting Agricultural Goods

- Chemicals of Concern
  - These laws impose general prohibitions, or in some cases registration or warning label requirements, on products containing certain substances thought to be toxic or otherwise harmful to human health. They apply to a broad range of products and children’s products, but
could be preempted by PICA with respect to any item that may be considered an agricultural good.

○ Laws Potentially Impacted:

- WA West’s RCWA 70.240.020
  West’s RCWA 70.240.025

● Toxins in Packaging

■ Materials Used to Package Agricultural Products

○ Some states have made it illegal to sell products in packaging that contains certain heavy metals, regardless of whether the product was manufactured or packaged within the state. This is because packaging with heavy metals can contaminate a state’s landfills and expose citizens of the state to health hazards. These laws prohibit the sale of products or packaging materials containing dangerous toxins.

○ Laws Potentially Impacted:

- CT C.G.S.A. § 22a-255g-22a-255m
- FL West’s F.S.A. § 403.7191
- IA I.C.A. § 455D.19
- IL 415 ILCS 5/21.5
- MD MD Code, Environment, § 9-1902
- ME 32 M.R.S.A. § 1733
- MN M.S.A. § 115A.965
- MO Mo. Rev. Stat. § 260.822
XIV. Miscellaneous

● Animal Blood

■ Prohibition on Consumption

● These laws prohibit the consumption of animal blood and animal waste, though the sale of these products for other uses is permitted. While both are agricultural products, it is an open question whether such a prohibition is restrictive enough so as to constitute a ban or partial ban.

○ Laws Potentially Impacted:

■ LA LSA-R.S. 14:107.1

● Poisons of Agricultural Origin

■ Bitter Almonds

● Unlike sweet almonds, bitter almonds are toxic to humans. Though they are similar in appearance to sweet almonds, bitter almonds
contain exponentially higher amounts of cyanide-compounds. Once heat-treated, bitter almonds can be used to make almond extract; however, in their raw form, the nuts can be lethal to humans even in small doses of only ten or more nuts if consumed by a child. Several states regulate labeling of bitter almonds or otherwise prohibit their sale as a poison.

- Laws Potentially Impacted:
  - AL Ala.Code 1975 § 22-20-11
  - IA I.C.A. § 205.5
  - NE Neb.Rev.St. § 71-2508
  - SD SDCL § 34-20-1

- Linseed Oil and Flaxseed Oil
  - These laws impose restrictions on the content, sale, and labeling of linseed oil, flaxseed oil, or any compounds of either. They are intended to protect the public from poisoning or other harm that may come through misuse.
  - Laws Potentially Impacted:
    - PA 3 P.S. § 143
    - 3 P.S. § 144

- Bittering Agent Required for Poisonous Substances
  - Bittering agents are sometimes required to be added to household products to help avoid accidental poisonings by children or pets. Many poisonous substances regulated under the law are agricultural in origin.
  - Laws Potentially Impacted: