

2017 Regular Session

HOUSE BILL NO. 593

BY REPRESENTATIVE PUGH

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AGRICULTURE: Provides relative to the regulation of turtles

1 AN ACT

2 To amend and reenact R.S. 3:2358.1, 2358.2(B), 2358.3, 2358.4(D), 2358.7(A), and
3 2358.13, and to repeal R.S. 3:2358.5, 2358.6, 2358.7(B), 2358.8, 2358.9, 2358.10,
4 2358.11, and 2358.12, relative to the regulation of turtles; to provide for rules and
5 regulations; to provide for definitions; to provide for licensing fees; to provide for
6 records; to provide for violations; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 3:2358.1, 2358.2(B), 2358.3, 2358.4(D), 2358.7(A), and 2358.13 are
9 hereby amended and reenacted to read as follows:

10 §2358.1. Legislative findings

11 The purpose of this Part is to prevent the introduction into and dissemination
12 within this state of contagious and infectious diseases of turtles by providing for the
13 regulation, inspection, and control of farm raised turtles, which activities are hereby
14 found and declared by the legislature to promote agriculture and aquaculture within
15 the state of Louisiana.

16 §2358.2. Administration and enforcement; rules and regulations

17 * * *

18 B. The commissioner shall adopt such rules and regulations as are necessary
19 to implement the provisions of this Part, including rules regarding breeding, disposal,
20 raising, identification, inspecting, licensing, monitoring, sanitization, shipping or

1 transporting, testing, and quarantine of farm raised turtles or turtle eggs. The rules
2 and regulations shall be adopted in accordance with the Administrative Procedure
3 Act.

4 * * *

5 §2358.3. Definitions

6 When used in this Part, the following terms shall have the following
7 meanings, unless the context clearly indicates otherwise:

8 (1) "~~Antibiotic~~" means ~~any bactericide or other organic substance which can~~
9 ~~kill bacteria.~~

10 (2) "~~Certificate of inspection~~" means ~~a document which verifies species,~~
11 ~~destination, turtle group number, and utilization of the Siebeling method and which~~
12 ~~is signed by a veterinarian who is licensed in this state, federally accredited, and~~
13 ~~approved by the Department of Agriculture and Forestry. The certificate of~~
14 ~~inspection shall be used for movement in intrastate commerce only.~~

15 (3)(1) "Certified laboratory" means a laboratory which has a current
16 certification or accreditation by the Federal Food and Drug Administration or other
17 national certifying or accrediting agency to perform microbiological or residue
18 testing of organic or inorganic samples and has a microbiologist on staff, and has
19 been approved by the Department of Agriculture and Forestry.

20 (2) "Chain of custody form" means a document approved by the department
21 which verifies species, destination, origin, and turtle group and which is used for
22 transporting turtles within the state of Louisiana only.

23 (4)(3) "Commissioner" means the ~~commissioner of the Department~~
24 Louisiana commissioner of agriculture and forestry.

25 (4) "Farm raised turtle" means any reptile of the order of testudines which
26 is bred, born, raised, or kept within a closed circumscribed pond for the purpose of
27 buying, selling, or trading in commerce.

28 (5) "Health certificate" means a document which ~~verifies a certificate of~~
29 ~~inspection, attaches a laboratory report and certifies that the turtles or turtle eggs are~~

1 free of visible signs of infectious, contagious, or communicable diseases, and which
2 is signed by a veterinarian who is licensed in this state, federally accredited and
3 approved by the Department of Agriculture and Forestry. ~~A health certificate shall~~
4 ~~be required before turtles or turtle eggs may be shipped or transported or before they~~
5 ~~are moved from a certified turtle farm into interstate commerce. A health certificate~~
6 ~~may be used in place of a certificate of inspection for movement of turtles or turtle~~
7 ~~eggs in intrastate commerce.~~

8 (6) "Licensed turtle farm" means any individual, firm, corporation, or entity
9 person engaged in the collection, hatching, sale, shipping, or distribution of farm
10 raised turtles or turtle eggs ~~using the Siebeling method or any other sanitization~~
11 ~~method which may be required by the Department of Agriculture and Forestry.~~

12 (7) "Person" means any individual, partnership, association, organization,
13 or corporation engaged in any phase of the ~~pet~~ farm raised turtle industry.

14 (8) ~~"Siebeling method" means a process by which turtle eggs are cleaned,~~
15 ~~their surfaces disinfected, and a bactericide forced through the pores of the shells~~
16 ~~without violating the natural structural integrity of the shell, thereby rendering the~~
17 ~~hatchling free of *Salmonella Arizona*, or any other species of bacteria harmful to~~
18 ~~humans or other turtles.~~

19 (9)(8) "Turtle group" means any amount, either multiple or single units,
20 consisting of no more than twenty thousand farm raised turtles or turtle eggs.

21 §2358.4. Licensing; fees; renewal

22 * * *

23 D. Each person applying for a turtle farmer license shall complete a written
24 application as provided by the commissioner, pay the required license fee, and
25 comply with any other requirements for licensure required by the rules and
26 regulations adopted pursuant to this Part.

27 * * *

1 §2358.7. Records

2 A. Each licensed turtle farmer shall maintain accurate records including the
3 source, ~~identity~~ identification, treatment, health, inspection, and disposal of the farm
4 raised turtles and turtle eggs, as well as any other information that may be required
5 by the commissioner.

6 * * *

7 §2358.13. Violations

8 Violations of this Part shall include but shall not be limited to the following:

9 (1) Engaging in the farming of turtles or turtle eggs without first obtaining
10 a turtle farmer license.

11 ~~(2) Failing to dispose of all turtles or turtle eggs in a quarantined group as~~
12 ~~provided in R.S. 3:2358.12.~~

13 ~~(3)~~(2) Shipping or moving farm raised turtles or turtle eggs without a
14 ~~certificate of inspection or a health certificate for any purpose other than testing the~~
15 ~~required documentation.~~

16 ~~(4)~~(3) Commingling, transporting, shipping, or disposing of any diseased
17 turtles or turtle eggs from a farm which is under quarantine, without written approval
18 from the commissioner.

19 ~~(5)~~(4) Willfully failing to maintain complete and accurate records.

20 ~~(6)~~(5) Falsifying documents or records.

21 ~~(7)~~(6) Willfully failing to follow or willfully misapplying sanitization
22 methods.

23 ~~(8)~~(7) Importing of any turtles or turtle eggs of any species from any other
24 state or foreign country, except as provided in ~~R.S. 3:2358.10~~ in the rules and
25 regulations promulgated pursuant to this Chapter.

26 ~~(9) Willfully disposing of improperly any antibiotic solution.~~

27 ~~(10)~~(8) Violating any provision of this Part or of any rule or regulation
28 adopted under the provisions of this Part.

1 Section 2. R.S. 3:2358.5, 2358.6, 2358.7(B), 2358.8, 2358.9, 2358.10, 2358.11, and
2 2358.12 are hereby repealed in their entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 593 Engrossed

2017 Regular Session

Pugh

Abstract: Provides relative to the regulation of turtles. Provides requirements to rules and regulations relative to the administration and enforcement of the regulation of turtles.

Present law provides that the purpose of present law is to prevent the introduction into and dissemination within this state of contagious and infectious diseases of turtles by providing for the regulation, inspection, and control of turtles.

Proposed law changes present law by requiring the regulation, inspection, and control related to farm raised turtles instead of turtles in general.

Present law requires the commissioner to adopt rules and regulations necessary to implement the provisions of present law.

Proposed law mandates that the rules and regulations include rules regarding breeding, disposal, raising, identification, inspecting, licensing, monitoring, sanitization, shipping or transporting, testing, and quarantine of farm raised turtles or turtle eggs.

Present law defines "antibiotic", "certificate of inspection", "commissioner", "health certificate", "licensed turtle farm", "person", "siebeling method", and "turtle group".

Proposed law removes the definitions for "antibiotic", "certificate of inspection", and the "siebeling method" and adds definitions for "chain of custody" and "farm raised turtle".

Proposed law changes the requirements in the definition of a health certificate, removes any reference to the siebeling method in the definitions, and changes any turtle or pet turtle references to farm raised turtles. Also adds turtle eggs to the definition of turtle farm.

Proposed law adds a requirement that an applicant complete a written application, pay the required license fee, and comply with any other requirement to become a licensed turtle farmer.

Present law requires each licensed turtle farmer maintain accurate records including information as to production, sales, shipping, and laboratory certification.

Proposed law repeals present law.

Present law provides for violations of present law, including but not limited to, failing to dispose of all turtles or turtle eggs in a quarantined group and willfully disposing of improperly any antibiotic solution.

Proposed law removes these two violations from present law.

Present law provides a violation for shipping or moving turtles or turtle eggs without a certificate of inspection or a health certificate for any purpose other than testing.

Proposed law changes present law by only requiring the required documentation instead of a certificate of inspection or a health certificate.

(Amends R.S. 3:2358.1, 2358.2(B), 2358.3, 2358.4(D), 2358.7(A), and 2358.13; Repeals R.S. 3:2358.5, 2358.6, 2358.7(B), 2358.8, 2358.9, 2358.10, 2358.11, and 2358.12)