

ORDER REQUIRING SPECIAL PERMITS RELATED TO THE MOVEMENT OF LACTATING DAIRY CATTLE DUE TO H5N1 INFLUENZA A VIRUS

Now on this 22nd day of April, 2024, the Animal Health Commissioner of the Kansas Department of Agriculture, Division of Animal Health (Commissioner) has determined that due to the H5N1 Influenza A virus being confirmed in lactating dairy cattle and the risk to the health of lactating dairy cattle of the state of Kansas posed thereby, there are grounds to require special permits related to the movement of lactating dairy cattle into and within the state of Kansas. Recent incidents of the clinical syndrome associated with H5N1 Influenza A virus infection in lactating dairy cattle indicate that these animals have an increased risk of being infected with the virus and have increased potential to transmit the virus.

IT IS HEREBY ORDERED, pursuant to K.S.A. 47-607a, and amendments thereto, that, until further notice, the following conditions apply to all movement by any means of all lactating dairy cattle into the state of Kansas and within the state of Kansas, including intrastate movement of lactating dairy cattle that are intended to ultimately be moved out of Kansas:

(1) All lactating dairy cattle, regardless of age, intended for breeding and/or milking purposes shall be officially identified and listed on a Certificate of Veterinary Inspection (CVI) issued by a veterinarian licensed and accredited in the jurisdiction where the intrastate or interstate movement begins and shall be accompanied by that CVI for the entire duration of any intrastate or interstate movement. Each CVI issued and accompanying a movement of lactating dairy cattle into or within Kansas pursuant to this Order shall be subject to a requirement that such CVI be produced and provided to the Commissioner or an authorized representative of the Commissioner upon request.

(2) In addition to the requirements in subsection (1) each veterinarian issuing a CVI pursuant to this Order shall obtain a permit of the type authorized by K.A.R. 9-7-3 from the Commissioner before issuance of the CVI and before any lactating dairy cattle identified and listed on a CVI issued pursuant to subsection (1) are imported into or moved within Kansas and shall document the permit number on the accompanying CVI.

(3) Subject to subsection (4) below, the issuance of the permit required by subsection (2) shall be contingent on the veterinarian who is requesting the permit providing a statement to the Commissioner or an authorized representative of the Commissioner affirming that none of the lactating dairy cattle to be identified and listed in the CVI are originating from a premises where lactating dairy cattle have exhibited clinical symptoms consistent with those related to H5N1 Influenza A virus in lactating dairy cattle within 30 days preceding the date of the request for the permit. Symptoms of H5N1 Influenza A virus in lactating dairy cattle include but are not limited to: decreased milk production; decreased rumen activity; reduced appetite; thickened, discolored

milk; lethargy; fever; and/or dehydration. The statement required by this subsection shall be included on the CVI.

(4) If a veterinarian requesting a permit pursuant to this Order is unable to affirm the statement required by subsection (3), the permit request will be referred to a Kansas Department of Agriculture, Division of Animal Health veterinarian for a risk assessment. Based on the results of the risk assessment, the permit request may be denied, or the issuing veterinarian may be required to provide non-detected test results for H5N1 Influenza A virus to the Commissioner or an authorized representative of the Commissioner before a permit is issued. In order for a permit to be issued based on non-detected test results pursuant to this subsection, non-detected test results shall be provided for all lactating dairy cattle included in the movement for which the permit was issued, and the testing shall have been conducted using milk that was collected and tested per the USDA APHIS, *Testing Recommendations for Influenza A in Cattle* guidance, version.2024.04.02. The Commissioner may require the testing to have been done no more than 72 hours prior to the movement. If a permit is issued based on non-detected test results being provided, such non-detected test results shall accompany the related CVI for the duration of any movement for which the CVI is required.

(5) Any movement of lactating dairy cattle into or within the state of Kansas in violation of this Order shall subject the violator to the penalties provided for in K.S.A. 47-607c, and amendments thereto.

(6) All dairy cattle moving directly to slaughter are exempt from the provisions of this order.

IT IS SO ORDERED.

Justin Smith
Kansas Animal Health Commissioner
Kansas Department of Agriculture