

## Indiana State Laws Affected by H.R. 4879

- I. Food
  - a. Food Safety
    - i. Date Label Laws
      - 1. These laws require and regulate “sell-by” date labels on food items. They are intended to promote both food quality and safety.
      - 2. 370 Ind. Admin. Code 1-3-2
      - 3. 410 Ind. Admin. Code 7-24-156
    - ii. Date Packaged, Produced, or Harvested
      - 1. 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.
      - 2. 410 Ind. Admin. Code 7-24-156
  - b. Eggs
    - i. Date Labels
      - 1. These laws require egg containers to be marked with a "sell-by" label to indicate the date by which the product should be sold to consumers
      - 2. 370 Ind. Admin. Code 1-3-2
  - c. Shellfish
    - i. Date Labels
      - 1. 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.
      - 2. 410 Ind. Admin. Code 7-24-156
    - ii. Sourcing Requirements
      - 1. 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.
      - 2. 410 Ind. Admin. Code 7-24-155
  - d. Mushrooms
    - i. Sale of Wild Mushrooms
      - 1. 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.
      - 2. 410 IAC 7-24-164

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- II. Alcohol
  - a. None
- III. Drugs
  - a. Recreational
    - i. Salvia
      - 1. 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.
      - 2. IN ST 35-48-4-11
    - ii. Kratom
      - 1. Mitragnyna 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.
      - 2. IC 35-31.5-2-321
  - b. Tobacco
    - i. Fire Safety Standards
      - 1. 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.
      - 2. Ind. Code Ann. § 22-14-7-23
      - 3. Ind. Code Ann. § 22-14-7-24
      - 4. Ind. Code Ann. § 22-14-7-25
      - 5. Ind. Code Ann. § 22-14-7-26
- IV. Fishing
  - a. None
- V. Wood and Lumber
  - a. Firewood
    - i. Import Restrictions
      - 1. 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.
      - 2. 312 Ind. Admin. Code 8-1-3
- VI. Home Goods and Products
  - a. Furniture and Bedding
    - i. Label Laws
      - 1. 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.

2. 410 Ind. Admin. Code 13-1-5
- ii. Cotton Filler Materials
  1. These laws regulate cotton materials used in stuffed products. Most impose labeling requirements or restrictions on sale.
  2. 410 Ind. Admin. Code 13-1-3
  3. 410 Ind. Admin. Code 13-1-5
- iii. Wood Filler Materials
  1. These laws regulate wool materials used in stuffed products. Most impose labeling requirements or restrictions on sale.
  2. 410 Ind. Admin. Code 13-1-3
  3. 410 Ind. Admin. Code 13-1-5
  4. 410 Ind. Admin. Code 13-1-6
- iv. Down or Feather Filler Materials
  1. These laws regulate down or feather materials used in stuffed products. Most impose labeling requirements or restrictions on sale.
  2. 410 Ind. Admin. Code 13-1-3
  3. 410 Ind. Admin. Code 13-1-5
  4. 410 Ind. Admin. Code 13-1-6
- v. Hair Filler Materials
  1. These laws regulate animal hair materials used in stuffed products. Most impose labeling requirements or restrictions on sale.
  2. 410 Ind. Admin. Code 13-1-3
  3. 410 Ind. Admin. Code 13-1-4
  4. 410 Ind. Admin. Code 13-1-5
  5. 410 Ind. Admin. Code 13-1-6
- vi. Plant Fiber Materials
  1. These laws regulate plant fiber materials used in stuffed products. Most impose labeling requirements or restrictions on sale.
  2. 410 Ind. Admin. Code 13-1-3
  3. 410 Ind. Admin. Code 13-1-5
- vii. Sterilization and Sanitation Requirements
  1. 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.
  2. 410 Ind. Admin. Code 13-1-2
  3. 410 Ind. Admin. Code 13-1-6

- viii. Registration, Licensing, and Permits
  1. These laws impose registration, licensing, or permitting requirements on producers or manufacturers of bedding and other products such as mattresses.
  2. 410 Ind. Admin. Code 13-1-6
- VII. Live Animal Imports
  - a. Aquaculture
    - i. Aquaculture Import and Disease Reporting
      1. 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.
      2. Ind. Adm. Code 9-10-15
      3. Ind. Adm. Code 9-10-14
    - ii. Viral Hemorrhagic Septicemia
      1. 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.
      2. Ind. Adm. Code 9-10-14
      3. Ind. Adm. Code 9-10-15
  - b. Birds
    - i. Avian Influenza and Newcastle Disease
      1. 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.
      2. 345 IAC 1-6-2
      3. 345 IAC 4-4-4
  - c. Cattle and Bison
    - i. Anthrax
      1. 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.

2. 345 IAC 1-3-4
3. 345 IAC 1-6-2
- ii. Brucellosis
  1. 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.
  2. 345 IAC 1-3-7.5
  3. 345 IAC 2-6-3
- iii. Bovine Tuberculosis
  1. 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.
  2. 345 IAC 2.5-3-7
  3. 345 IAC 2-6-2.5
- iv. Rabies
  1. 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.
  2. 345 IAC 1-3-4
  3. 345 IAC 1-6-2
- d. Cervids
  - i. Chronic Wasting Disease (“CWD”): Restrictions
    1. 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.

2. 345 IAC 2-7-2.4

e. Bees

i. Bee Transportation Requirements

1. 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.

2. 312 Ind. Admin. Code 18-3-6

f. Horses

i. Equine Infectious Anemia

1. 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.

2. 345 IAC 6-1.1-4.6

g. Sheep and Goats

i. Scrapie

1. 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.

2. 345 IAC 5-5-1

ii. Scabies

1. 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.

2. 345 IAC 5-5-1

h. Swine

i. Pseudorabies

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1. 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.
  2. 345 IAC 1-3-11
  - ii. Swine Vesicular Disease
    1. 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.
    2. 345 IAC 1-3-4
    3. 345 IAC 1-6-2
- VIII. Companion Animals
- a. Dogs and Cats
    - i. Minimum Age at Sale
      1. 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.
      2. I.C.§ 15-17-18-10
    - ii. Veterinary Inspection Requirements
      1. 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.
      2. 345 IAC 1-3-21
- IX. Products for Animals
- a. Pet Food
    - i. Requirements of Manufacturers
      1. These laws impose licensing requirements on pet food manufacturers who wish to sell products within the state.
      2. Ind. Code Ann. § 15-19-7-24
  - b. Commercial Feed
    - i. Labeling of Commercial Feed
      1. 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.
      2. IC 15-19-7-26

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3. IC 15-19-7-27
- X. Dead Animals and Animal Parts
  - a. None
- XI. Invasive Pests, Plants, and Disease
  - a. Ash Trees
    - i. Emerald Ash Borer
      1. 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.
      2. 312 Ind. Admin. Code 8-1-3
    - b. Walnut Trees
      - i. Thousand Cankers Disease
        1. 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.
        2. 312 IAC 18-3-24
- XII. Procurement
  - a. Agricultural Goods
    - i. These laws regulate government bid and solicitation preferences for products or services. Often they impose preferences for in-state producers of agricultural products.
    - ii. IC, §5-22-15-20.5
- XIII. General Prohibitions
  - a. None
- XIV. Miscellaneous
  - a. None