

Tennessee State Laws Affected by H.R. 4879

- I. Food
 - a. Milk
 - i. Grade “A” Milk
 - 1. 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.
 - 2. Tenn. Comp. R. & Regs. 0080-03-02-.07
 - b. 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. Tenn. Comp. R. & Regs. 0080-04-09-.03
 - 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. Tenn. Comp. R. & Regs. 0080-04-09-.03
 - 3. Tenn. Comp. R. & Regs. 1200-23-01-.03
 - c. 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. Tenn. Comp. R. & Regs. 0080-04-09-.03
 - d. Honey
 - i. Honey Transportation
 - 1. 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.
 - 2. T. C. A. § 44-15-120
 - e. Ginseng

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- 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. Tenn. Comp. R. & Regs. 1660-01-26-.02
 - 3. Tenn. Comp. R. & Regs. 1660-1-18-.02
 - 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. Tenn. Comp. R. & Regs. 1660-1-26-.02
 - 3. Tenn. Comp. R. & Regs. 1660-1-18-.02
- 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. Tenn. Comp. R. & Regs. 0080-02-01-.10
 - 3. Tenn. Comp. R. & Regs. 0080-02-16-.02
- 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. Tenn. Comp. R. & Regs. 0080-02-01-.01
 - 3. Tenn. Comp. R. & Regs. 0080-02-01-.02

4. <https://www.tn.gov/content/dam/tn/agriculture/documents/animalhealth/AgBusReportablediseases.pdf>
- 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. Tenn. Comp. R. & Regs. 0080-02-01-.12
- 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. Tenn. Comp. R. & Regs. 0080-03-03-.03
 3. Tenn. Comp. R. & Regs. 0080-03-03-.05
- 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. Tenn. Comp. R. & Regs. 0080-02-01-.01
 3. Tenn. Comp. R. & Regs. 0080-02-01-.02
 4. <https://www.tn.gov/content/dam/tn/agriculture/documents/animalhealth/AgBusReportablediseases.pdf>
- 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. Tenn. Comp. R. & Regs. 0080-02-01-.12
3. Tenn. Comp. R. & Regs. 1660-01-15-.02

e. Bees

i. Import Requirements and Health Certifications

1. 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.
2. T. C. A. § 44-15-113

ii. Bee Quarantines

1. 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.
2. T. C. A. § 44-15-113

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. Tenn. Comp. R. & Regs. 0080-02-01-.06

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. Tenn. Comp. R. & Regs. 0080-02-01-.08

h. Swine

i. Pseudorabies

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. Tenn. Comp. R. & Regs. 0080-02-01-.07

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. Tenn. Comp. R. & Regs. 0080-02-01-.02

3. Tenn. Comp. R. & Regs. 0080-02-01-.01

4. <https://www.tn.gov/content/dam/tn/agriculture/documents/animalhealth/AgBusReportablediseases.pdf>

i. Exotic Meats

i. Turtle

1. 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.

2. Tenn. Comp. R. & Regs. 1200-14-01-.36

ii. Bison

1. 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.

2. Tenn. Comp. R. & Regs. 0080-02-01-.12

VIII. Companion Animals

a. Dogs and Cats

i. 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. Tenn. Comp. R. & Regs. R. 0080-02-03-.1

3. Tenn. Comp. R. & Regs. R. 0080-02-01-.05

4. Tenn. Comp. R. & Regs. R. 0080-02-01-.06

5. Tenn. Comp. R. & Regs. R. 0080-02-01-.07

6. Tenn. Comp. R. & Regs. R. 0080-02-01-.08

7. Tenn. Comp. R. & Regs. R. 0080-02-01-.09

8. Tenn. Comp. R. & Regs. R. 0080-02-01-.10

- 9. Tenn. Comp. R. & Regs. R. 0080-02-01-.12
- IX. Products for Animals
 - a. Pet Food
 - i. Ingredients
 - 1. 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.
 - 2. Tenn. Comp. R. & Regs. 0080-05-05-.13
 - ii. Nutritional Labeling
 - 1. These laws impose nutritional standards for pet food marketed as “complete” or “balanced.” They are intended to ensure accuracy and prevent false claims.
 - 2. Tenn. Comp. R. & Regs. 0080-05-05-.13
 - iii. Nutritional Claims
 - 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.
 - 2. Tenn. Comp. R. & Regs. 0080-05-05-.13
 - iv. Flavor Labeling
 - 1. These regulations govern flavor designation and labeling on pet food packaging.
 - 2. Tenn. Comp. R. & Regs. 0080-05-05-.14
 - v. Requirements of Manufacturers
 - 1. These laws impose licensing requirements on pet food manufacturers who wish to sell products within the state.
 - 2. Tenn. Code Ann. § 44-6-104
- 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. Tenn. Comp. R. & Regs. 0080-06-10-.03
 - b. Boxwood Trees
 - i. Boxwood Blight

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1. 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.
 2. Tenn. Comp. R. & Regs. 0080-06-07-.01
- c. Pine Trees
- i. Pine Shoot Beetle
 1. 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.
 2. Tenn. Comp. R. & Regs. 0080-06-20-.04
- d. 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. Tenn. Comp. R. & Regs. 0080-06-11-.01
- e. Cotton
- i. Boll Weevil and Pink Bollworm
 1. 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.
 2. Tenn. Comp. R. & Regs. 0080-06-22-.03
- f. Various Other Plants
- i. European Brown Garden Snails
 1. 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.
 2. Tenn. Comp. R. & Regs. 0080-06-12-.04
 3. Tenn. Comp. R. & Regs. 0080-06-12-.01
 - ii. Fire Ants
 1. 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

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- soil, nursery stock, equipment, etc. to prevent the spread of this disease.
 - 2. Tenn. Comp. R. & Regs. 0080-06-12-.04
 - 3. Tenn. Comp. R. & Regs. 0080-06-12-.01
- XII. Procurement
 - a. Agricultural Goods
 - 1. These laws regulate government bid and solicitation preferences for products or services. Often they impose preferences for in-state producers of agricultural products.
 - 2. T. C. A. § 12-3-1113
 - 3. T. C. A. § 12-3-1108
- XIII. General Prohibitions
 - a. None
- XIV. Miscellaneous
 - a. None