

No. 227

AN ACT

HB 416

Amending the act of June 22, 1931 (P.L.682, No.249), entitled, as amended, "An act relating to domestic animals, and providing for their appraisal when condemned to prevent the spread of disease; and regulating payments by the Commonwealth in such cases, and the payment of salvage by butchers," extending the act to birds and fowl and further providing for the amount of payments by the Commonwealth.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The title and section 1, act of June 22, 1931 (P.L.682, No.249), entitled, as amended, "An act relating to domestic animals, and providing for their appraisal when condemned to prevent the spread of disease; and regulating payments by the Commonwealth in such cases, and the payment of salvage by butchers," amended May 29, 1935 (P.L.259, No.111), are amended to read:

AN ACT

Relating to *birds, fowl and* domestic animals, and providing for their appraisal when condemned to prevent the spread of disease; and regulating payments by the Commonwealth in such cases, and the payment of salvage by butchers.

Section 1. Be it enacted, &c., That the word "salvage," as used in this act, means the net proceeds an owner of a domestic animal, at the time of appraisal and condemnation, realizes from the sale of the live animal, or the carcass, hide and offal.

The word "condemned," as used in this act, means that a domestic animal has been adjudged, by an authorized officer or agent of the Department of Agriculture, to be diseased and ordered to be slaughtered to prevent the spread of disease.

*The phrase "domestic animal" or "animal," as used in this act, includes a bird or fowl unless the context clearly indicates otherwise.*

Section 2. Section 2 of the act, amended August 31, 1967 (P.L.284, No.117), is amended to read:

Section 2. The Commonwealth hereby agrees to compensate owners of domestic animals condemned to prevent the spread of disease. Such compensation shall be determined as follows:

(a) The amount of compensation paid by the Commonwealth, together with the salvage and any compensation received by the owner from other sources, shall not in any case exceed ninety percent of the appraised value of the animal; and

**[(b) The amount of compensation paid by the Commonwealth shall not in any case exceed the sum of one hundred dollars for a horse, jack**

or mule; fifty dollars for a nonregistered bovine animal; one hundred dollars for a purebred registered bovine animal; twenty-five dollars for a nonregistered sheep, goat or pig; fifty dollars for purebred registered sheep, goat or pig.]

*(b) The amount of compensation paid by the Commonwealth shall be sixty-seven percent of the appraised value for a horse, jack, mule, bovine animal, sheep, or swine, except that in no event shall any such compensation exceed the sum of one thousand dollars (\$1,000) per head of cattle; three hundred dollars (\$300) per horse, jack, mule, or head of swine; one hundred dollars (\$100) per sheep or goat; except that in no case shall compensation paid by the Commonwealth exceed the sum of one hundred thousand dollars (\$100,000) for any herd of animals.*

The Secretary of Agriculture may authorize payment of indemnity for tuberculosis and/or brucellosis *and/or Johne's disease* in bovine animals [not to exceed one hundred dollars (\$100) for any bovine grade animal or two hundred dollars (\$200) for any purebred registered bovine animal] which [has] have been found to be exposed, is a part of a known infected herd, and it has been determined by the herd owner's veterinarian and the Director of the Bureau of Animal Industry in the Department of Agriculture that destruction of all the cattle in the herd will contribute to the tuberculosis and/or brucellosis *and/or Johne's disease* eradication program, provided that the joint State-Federal indemnity payments, plus salvage, does not exceed *ninety percent* of the appraised value of the animal.

Swine affected with or exposed to hog cholera, which has been confirmed by an official laboratory of the Pennsylvania Bureau of Animal Industry, and which are to be destroyed to prevent further spread of the disease, shall be appraised at their actual value for meat, feeding, or breeding purposes at the place and time of appraisal, except that in the case of grade animals only females shall be eligible for appraisal based on breeding value and that no such appraisal shall exceed three times the animal's meat or feeding value.

Claims for purebred registered animals shall be supported by proper certificates of registration and transfer papers issued by recognized purebred registry associations.

Section 3. The act is amended by adding sections to read:

*Section 2.1. The Commonwealth hereby agrees to compensate owners of birds or fowls condemned to prevent the spread of disease at a rate not to exceed ninety percent of the appraised value or six dollars (\$6) whichever is less for each bird or fowl condemned because of pullorum disease.*

*Section 2.2. No person, copartnership, association or corporation violating any of the provisions of the act of April 17, 1929 (P.L.533, No.236), or the act of March 28, 1929 (P.L.110, No.117), or any order, rule or regulation adopted by authority of those acts shall be eligible for compensation under this act, as to any animal involved in such violation*

*or any animal in any herd or flock containing any animal involved in such violation or as to any violation which the Secretary of Agriculture determines directly or indirectly contributed to the disease of any animal subject to this act.*

Section 4. This act shall take effect immediately.

APPROVED—The 10th day of October, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 227.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive, flowing style.

*Secretary of the Commonwealth.*