

No. 2004-107

AN ACT

HB 2589

Amending the act of March 3, 1972 (P.L.102, No.37), entitled "An act regulating the importation and sale of live turtles and providing for permits to be issued by the Department of Health," by repealing certain provisions related to permits and certification.

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

Section 1. Section 1 of the act of March 3, 1972 (P.L.102, No.37), entitled "An act regulating the importation and sale of live turtles and providing for permits to be issued by the Department of Health," is amended to read:

Section 1. **[(a)]** No person shall **[bring, cause to be brought, or transport any live turtle into the Commonwealth of Pennsylvania, unless]** *sell, hold for sale or offer for any type of commercial or public distribution any live turtle or lot of turtles in this Commonwealth if the sale, holding for sale or offering for any type of commercial or public distribution of such turtle or lot of turtles is [accompanied with a permit issued by the Department of Health or other agency authorized by the Department of Health to issue a permit] prohibited by Federal statute or regulation, including 21 CFR § 1240.62 (relating to turtles intrastate and interstate requirements).*

[(b)] A permit shall be issued upon request if there is adequate bacteriological proof that the turtles are free of salmonellae.

[(c)] Adequate bacteriological proof as used in this act shall consist of a statement issued by the chief public health official or his designated representative of the state from which the lot of turtles is shipped, certifying that the turtles have been found free of salmonellae based upon laboratory examination of six consecutive specimens taken at intervals of not less than three days found to be negative for salmonellae in a laboratory approved for this purpose by the health authorities of the jurisdiction from which the turtles originate.]

Section 2. Sections 2, 3, 4, 5 and 6 of the act are repealed.

Section 3. Section 7 of the act is amended to read:

Section 7. Instructions designating the proper care and treatment of live turtles *and information from the Centers for Disease Control and Prevention on human salmonellosis infection associated with reptiles* shall accompany each retail sale of any turtle and shall be distributed to the purchaser by the seller thereof at the time of the sale.

Section 4. This act shall take effect immediately.

APPROVED—The 19th day of November, A.D. 2004.

EDWARD G. RENDELL