



## Ohio Revised Code

### Section 941.07 Dangerously contagious or infectious disease, a disease of concern, or a residue.

Effective: March 23, 2016

Legislation: House Bill 131 - 131st General Assembly

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(A) When the director of agriculture is notified by any person of the possibility of the existence of a dangerously contagious or infectious disease, a disease of concern, or a residue, the director immediately shall order an investigation to be made. In order to conduct an investigation, the director or the director's designee may quarantine the animal and, if the director or the director's designee considers it necessary, the geographic area in which the animal was located immediately, so that the director or the director's designee is able to inspect, examine, and test the animal and other animals within the geographic area.

(B) Except as otherwise provided in this chapter, if, as the result of the investigation, an animal is found to be infected with or exposed to a dangerously contagious or infectious disease or a disease of concern or adulterated with a residue, the director or the director's authorized representative may issue quarantine orders, without a prior hearing, pursuant to this section in order to prevent dangerously contagious or infectious diseases, diseases of concern, or residues from affecting other animals in the state or the public health. No person shall fail to comply with the terms and conditions of the quarantine order.

(C) No animal or its means of conveyance shall be brought to or removed from the premises or geographic area disclosed in a quarantine order without written permission from the director or the director's authorized representative.

(D) The director, if possible, shall notify any person owning or having custody of a quarantined animal either in person or by certified mail, return receipt requested. Evidence of the notification of a quarantine order shall be proved by affidavit or by the certified mail return receipt. The director also may post the quarantine order at two conspicuous places on the quarantined premises.

(E) A quarantine order shall contain all of the following information:



- (1) The name and address of the person owning and having custody of the quarantined animal, if known;
- (2) A description of the quarantined animal;
- (3) A description of the premises and means of conveyance affected by the quarantine;
- (4) The reason for the quarantine;
- (5) The terms and conditions applicable to the quarantine;
- (6) A notice to the effect that persons adversely affected by the quarantine order may request a hearing to review the order.
- (F) A person adversely affected by a quarantine order, within thirty days after the order is issued, may request in writing a hearing in accordance with Chapter 119. of the Revised Code. A request for a hearing does not stay a quarantine order.
- (G) A quarantine order shall remain in effect until a written notice of release is issued by the department of agriculture, or until ordered to be removed after a hearing under division (F) of this section.
- (H) All necessary and proper expenses incurred by the director in the quarantine of an animal shall be paid by the state. However, such expenses shall not include the maintenance, feeding, and quartering of the animal while in quarantine.
- (I) A copy of the results of any tests or method of detection for a dangerously contagious or infectious disease or a disease of concern, conducted by a person authorized by the department of agriculture, shall be admitted in any court as prima-facie proof of those results when the results are certified by the department or authorized person.