

GOVERNMENT OF GUAM
OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NO. 74-2

REPEAL OF EXECUTIVE ORDER 69-14 AND
AMENDMENT TO EXECUTIVE ORDERS 69-18
AND 70-11 RELATIVE TO REGULATIONS
GOVERNING THE IMPORTATION AND CONTROL
OF CERTAIN ANIMALS.

WHEREAS, Subchapter M, Chapter 6, Title X of the Government Code of Guam authorizes the Director of Public Health and Social Services to formulate regulations governing the importation and control of certain animals; and

WHEREAS, the attached Regulations have complied with the Administrative Adjudication Act concerning the adoption of rules; and

WHEREAS, it has become necessary to repeal Executive Order 69-14 and amend Executive Orders 69-18 and 70-11;

NOW, THEREFORE, I, Carlos G. Camacho, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam and Section 9500.4 of the Government Code, do hereby order the following:

1. Executive Order 69-14 and its attached Rules and Regulations are hereby repealed.

2. Executive Order 69-18 is hereby amended by deleting Part I from the Public Health Quarantine Regulations attached thereto.

3. Executive Order 70-11 is amended by deleting Regulation 12 therefrom.

4. The attached "Regulations Concerning the Importation and Control of Animals Within the Territory" are hereby promulgated as rules and regulations of the Department of Public Health and Social Services.

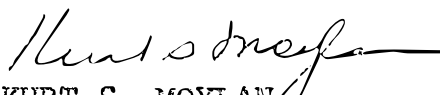
5. The adoption of the attached regulations shall not alter the time required for animals to remain in quarantine as presently established by the Director of Public Health and Social Services.

6. A copy of these rules and regulations and this Executive Order shall be filed with the Legislative Secretary pursuant to the Administrative Adjudication Act.

Dated this 17th day of January, 1974, at Agana, Guam.


CARLOS G. CAMACHO
Governor of Guam

ATTEST:


KURT S. MOYLAN
Lieutenant Governor

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GOVERNMENT OF GUAM

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIVISION OF ENVIRONMENTAL HEALTH AND CONSUMER PROTECTION
ANIMAL CONTROL BRANCH

REGULATIONS CONCERNING THE
IMPORTATION AND CONTROL OF ANIMALS
WITHIN THE TERRITORY

Section 1 - Definitions

1.1 "Officer", as used in these regulations, means all persons assigned to the Animal Control Branch and the Zoonosis Control Section of the Department of Public Health and Social Services, any member of the Department of Public Safety and the Commissioners of Guam.

1.2 "Director" shall mean the Director of Public Health and Social Services, or his authorized representative.

1.3 "Animal" shall mean dogs, cats, bats, and all other members of the Orders Carnivora, Marsupialia or Chiroptera or any other warm-blooded animal suspected of having been exposed to rabies.

1.4 "Licensed Veterinarian" shall mean a person currently licensed to practice veterinary medicine in a state or territory of the United States or a veterinarian in the employ of a federal, state, territorial or local governmental unit within the United States.

1.5 "Dog Control Law" shall mean Subchapter M, Chapter 6 of Title X of the Government Code of Guam.

1.6 "Biting Animal" shall mean any animal identified by a bitten person (or, in the case of a bitten minor, a parent, guardian or other responsible adult having knowledge of the bite incident) as an animal which has bitten such person within the previous ten (10) days.

1.7 "Impoundment" shall mean the observation of an animal to determine if it had rabies-infective saliva when it bit a person.

1.8 "Quarantine" shall mean the observation of an animal to determine if it was in the incubation phase of rabies when it entered the Territory of Guam.

Section 2. Premises suitable for "Impoundment" as required by the Dog Control Law include:

- 2.1 The Government of Guam Dog Pound, Mangilao.
- 2.2 Facilities under the supervision of a licensed veterinarian.
- 2.3 The premises of the owner of the animal involved provided such impoundment is in compliance with Section 7 or 8 of this regulation.

Section 3. Premises suitable for "Quarantine" as required by the Dog Control Law include:

- 3.1 The Government of Guam Animal Quarantine Station, Yigo.
- 3.2 An animal hospital which has been approved by the Director.

Section 4. Dog License and Rabies Vaccinations. Vaccination requirements for licensing of dogs and the vaccination requirements of other animals are as follows:

4.1 Type of rabies vaccine. Only killed or inactivated rabies vaccines approved by the United States Department of Agriculture will be acceptable for the purpose of vaccinating animals for rabies on Guam. Modified live (attenuated) or live virus rabies vaccines may not be imported into Guam except upon authorization by the Director.

4.2 Administration of rabies vaccine. Rabies vaccine shall be administered only in accordance with the recommendations of the manufacturer for the animal species involved and only by, or under the supervision of, a licensed veterinarian.

4.3 Duration of immunity. For the purpose of granting annual dog licenses, all rabies vaccines shall have a recognized duration of immunity of one (1) year.

4.4 Rabies vaccination clinics will be provided by the Department of Public Health and Social Services when feasible to assure maximum vaccination of rabies susceptible pets in areas determined by the Director

to be not readily accessible to veterinary services.

4.5 Fees. The fees charged for rabies vaccination or other services rendered to the public by the Animal Control Branch shall be fixed annually by the Director and based on the anticipated costs of providing such services.

Section 5. Rabies Examination. Any impounded or quarantined animal which dies or develops clinical signs suggestive of rabies during the required observation period shall be submitted to the Department of Public Health and Social Services for rabies examination. Examination shall consist of fluorescent rabies antibody examination of brain tissue and submission of representative tissue samples to the Communicable Disease Center, Atlanta, Georgia or other recognized diagnostic laboratory for confirmation of results when deemed necessary by the Director.

Section 6. Control of Animals Running at Large. Live-capture methods shall be used to apprehend dogs running at large when such capture is practical. When the Director shall determine through the use of stray animal surveys, the number of citizen complaints, requests by village commissioners or other methods at his disposal that live-capture has been inadequate to control the number of animals running at large, he may authorize the use of poison baits. Such poisoning shall be carried out within the guidelines set forth in the Dog Control Law and only by an officer of the Animal Control Branch or Zoonosis Control Section of the Department of Public Health and Social Services.

Section 7. Home Impoundment of Vaccinated Animals. Biting animals vaccinated in accordance with provisions of the Dog Control Law and this regulation prior to a bite incident may be permitted to undergo home impoundment if the owner of such animal furnishes an affidavit stating that he will observe the following:

7.1 The animal will remain confined to his premises in a manner approved by the Director.

7.2 The animal shall be made available for examination by a representative of the Director at any reasonable time.

7.3 The owner agrees to accept sole liability for any legal actions arising out of incidents which occur during, or are a result of, such home impoundment.

7.4 The owner shall immediately notify the Dog Pound should the animal under home impoundment escape, die or show signs of illness.

7.5 The failure to abide by any of the provisions of this regulation shall be grounds for immediate seizure and impoundment of the animal involved.

Section 8. Home Impoundment of Other Animals. Permission for home impoundment of biting animals may, at the discretion of the Director, be granted if confinement at the Government of Guam Dog Pound or available facilities under the supervision of a licensed veterinarian would be impractical or unsafe or when such other circumstances prevail as the Director may deem sufficient.

Section 9. Rabies-Free Areas. Areas recognized by the Director as being rabies-free are: Australia, Eire (Ireland), New Zealand, Great Britain and Hawaii. Areas may be added to or removed from this list by the Director at any time based on current information available to him.

Section 10. Importation of Animals from Rabies-Free Areas. Animals entering Guam from rabies-free areas may be exempted from quarantine requirements provided that, in addition to meeting all other applicable requirements, they are imported in compliance with the following:

10.1 Each such animal is accompanied by a sworn statement in the

form of an affidavit, executed by the owner or consignor of the animal in the presence of a Notary Public, recognized Public Health or Livestock Sanitary Officer of the rabies-free area of origin, stating that it has not been imported from outside of, or removed from, such rabies-free area during the four-month period immediately preceding the date of shipment to Guam.

10.2 Each such animal is accompanied by a statement in the form of an affidavit, signed by the commanding officer or senior station official of each carrier which shall transport such animal during any segment of its trip to Guam, attesting to the following:

10.21 A complete and accurate identification of each such carrier;

10.22 An identification of the port of origin and all ports visited by each such carrier including port of termination;

10.23 That such animal was not exposed by direct contact to any other animal not of similar origin and health status while in the custody of such carrier.

10.24 That in the event that such animal was transported by more than one carrier, transfer between carriers shall have occurred only in a port of an area recognized to be rabies-free by the Director.

Section 11. MONKEYS

Monkeys are prohibited entry into Guam unless the owner is granted an entry permit issued by the Director of Public Health and Social Services. Such permit will be granted only for a specific scientific study, exhibition, or other special purpose approved by the Director and will be for a limited time to be specified in the permit. All monkeys imported under such permit and their progeny shall, upon expiration of such permit, be exported from Guam or confiscated by the Director.

Section 12. Apprehension of animals escaped or illegally removed from quarantine or impoundment. Any officer having knowledge of any animal having escaped or having been illegally removed from quarantine or impoundment shall, if possible, immediately apprehend such animal. If, in the opinion of the Officer, resistance of the owner of such animal or any other person prevents, or is likely to prevent, his immediate apprehension of such animal, the officer shall request the assistance of the Department of Public Safety in accomplishing said apprehension. In every case of such escape or illegal removal, the highest ranking officer having immediate knowledge of the incident shall, within 24 hours, file a written report of such incident with the Director.

Section 13. Health permit required for the sale or display of live animals. Except as otherwise exempted under the provisions of Section 9510, Subchapter B of the Government Code of Guam, any person, firm or establishment importing, selling, exhibiting or otherwise exposing the public to live animals for commercial purposes shall be required to obtain a Health Permit.

27. 74-2
GOVERNMENT OF GUAM

ANIMAL CONTROL BRANCH
DIVISION OF ENVIRONMENTAL HEALTH AND CONSUMER PROTECTION
DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES

REGULATIONS CONCERNING THE
IMPORTATION AND CONTROL OF ANIMALS
WITHIN THE TERRITORY

Section 1. Definitions

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1.4 "Licensed Veterinarian" means a person currently licensed to practice veterinary medicine in a state or territory of the United States or a veterinarian in the employ of a federal, state, territorial or local United States government agency.

1.5 "Dog Control Law" means Public Laws 10-41 and 10-83 and any subsequent revisions thereof or amendment thereto.

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4.4 Rabies vaccination clinics will be provided by the Department of Public Health and Social Services when feasible to assure maximum vaccination of rabies susceptible pets in areas determined by the Director

to be not readily accessible to veterinary services.

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7.4 The owner shall immediately notify the Dog Pound should the animal under home impoundment escape, die or show signs of illness.

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form of an affidavit, executed by the owner or consignor of the animal in the presence of a Notary Public, recognized Public Health or Livestock Sanitary Officer of the rabies-free area of origin, stating that it has not been imported from outside of, or removed from, such rabies-free area during the four-month period immediately preceding the date of shipment to Guam.

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10.21 A complete and accurate identification of each such carrier;

10.22 An identification of the port of origin and all ports visited by each such carrier including port of termination;

10.23 That such animal was not exposed by direct contact to any other animal not of similar origin and health status while in the custody of such carrier.

10.24 That in the event that such animal was transported by more than one carrier, transfer between carriers shall have occurred only in a port of an area recognized to be rabies-free by the Director.

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GOVERNMENT OF GUAM
DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
BUREAU OF ENVIRONMENTAL HEALTH AND CONSUMER PROTECTION

REGULATIONS CONCERNING THE
FEEDING OF GARBAGE TO ANIMALS

A regulation to provide for the control of garbage and the feeding of garbage to animals; to provide for the powers and duties of the Bureau of Environmental Health and Consumer Protection with respect thereto, and to prescribe penalties for violations of the provisions of these regulations as authorized by Section 9660.4, Subchapter Q, Chapter 6 of Title X, Government Code of Guam.

1. Definitions

- a. 'Director,' as used in this regulation, means the Director of Public Health and Social Services or his representative.
- b. 'Bureau,' as used in this regulation, means the Bureau of Environmental Health and Consumer Protection.
- c. 'Garbage,' as used in this regulation, means any offal, swill or leavings of food or any abandoned, spoiled, condemned or decayed meat, fish, animal or vegetable matter, including offal from the slaughtering of animals.
- d. 'Garbage Feeding Lots,' as used in this regulation, means any premises, public or private, on which the Director has reasonable suspicion to believe that garbage is fed to animals or on which garbage is stored, cooked or otherwise treated for feeding to animals.
- e. 'Licensee,' as used in this regulation, means any person granted a license pursuant to the provisions of paragraph 2 of this regulation.

2. License Required

- a. No person shall collect or possess garbage for feeding to animals without first securing a license therefore from the Director or his authorized representative. Such license shall be secured within 30 days after the effective date of this act and shall be renewed annually thereafter no later than January 31. The fee charged for such license shall be set by the Director.
- b. The licensing provisions of this act shall not apply to any individual who feeds garbage from only his own domestic household only to animals which he owns.
- c. No person shall permit the removal from premises owned or controlled by him of garbage to be used as food for animals except by a licensee.

3. Treatment of Garbage Fed to Animals

All garbage, regardless of previous processing, before being fed to animals shall be thoroughly heated to at least 212 degrees Fahrenheit for at least 30 minutes, unless treated in some other manner which shall be approved by the Director as being equally effective. Treated garbage not fed to animals within twenty-four (24) hours shall be retreated or disposed of in a Government of Guam approved landfill.

4. Acceptable Equipment and Facilities for the Treatment of Garbage Fed to Animals

- a. Collection containers, and vehicles used by a licensee to transport such containers, shall be kept reasonably clean and in good repair. Leakage or scattering of collected garbage will not be permitted at the collection site, at the utilization site or while being transported.

- b. Facilities used for cooking garbage to be fed to animals shall consist of covered containers and a firing pit or oven sufficiently protected by heat reflectors or windbreaks to provide adequate heating of container contents. A thermometer capable of recording at least 212 degrees Fahrenheit shall be kept on the premises.
- c. Facilities shall be maintained on each premises where garbage cooking or feeding is conducted adequate to provide for the maintenance of the premises in a sanitary condition and provide for adequate personal hygiene of persons working thereon.

5. Maintenance and Examination of Records Concerning the Disposition of Garbage and Animals from Garbage Feeding Lots

- a. Inspection of garbage feeding lots for the purpose of determining compliance with the provisions of this regulation shall be conducted by personnel of the Bureau prior to issuance and renewal of licenses and at such other times as may be deemed necessary by the Director.
- b. Licensees shall keep a perpetual inventory as to sources from which animals are purchased or to whom animals are sold. These records shall be subject to examination by Bureau personnel at any time.
- c. Licensees shall keep a record for at least two (2) years as to the disposition of all garbage not used on the premises of the licensee.

6. Penalties.

Violation of any provision of this regulation by a licensee shall be sufficient grounds for suspension of such license in addition to any other penalties provided by law.



GOVERNMENT OF GUAM
AGANA, GUAM 96910

DEC 29 1975

Memorandum

To: The Governor
From: Director of Public Health and Social Services
Subject: Revision of Regulations

After public notice on November 10, 1975 and December 17, 1975, a public hearing was held at the Department of Public Health and Social Services, Central Facility with regard to proposed changes to existing regulations of the Animal Control Branch established by Executive Order 74-2.


PROPOSED CHANGE. To change Section 4.3 as follows:

4.3 - Duration of immunity. For the purpose of granting annual dog licenses, all rabies vaccines shall have a recognized duration of immunity of two (2) years.

PURPOSE OF CHANGE. This change has been proposed by our Department in view of recognition that (1) Guam continues to be rabies-free thereby making the threat posed by this disease to island residents relatively small and (2) continued support of the rabies quarantine program by the general populace and their elected representatives in both the legislative and executive branches reduces to a minimum the possibility that the disease could be reintroduced. Although vaccination of dogs against rabies remains our "second line of defense" against this disease, after an evaluation of all current and pertinent facts, and particularly in view of the current economic situation, we feel that the expense both to the Government and to the average citizen of continuing to require rabies vaccination every year is not justified by the relatively small additional degree of protection to be derived thereby.

PUBLIC COMMENTS. No individual or groups appeared to offer comments on the proposed changes except the representative from our department.

RECOMMENDATION. I recommend that the revised regulations be approved and promulgated at your earliest convenience, particularly as it will soon be time to begin renewing annual dog licenses again.



PEDRO L.G. SANTOS

Attachment