

QUARANTINE ORDER

91QA00142

POLICY: Animals that may have been exposed to or affected by an infectious, contagious, communicable or dangerous disease are considered to be an immediate danger to the public health, safety and welfare of this state. In order to suppress or prevent the spread of disease, any such exposed or affected animal(s) shall be immediately quarantined.

FINDINGS: The director or his authorized representative finds that an immediate danger to the public health, safety or welfare of the state requires the following described animals be immediately held pending further testing and/or investigation pursuant to RCW 16.36.010 and RCW 16.36.040. Other applicable statutes or rules include:

Order issued to:	Amanda Ellis, Whidbey Island Fairgrounds		
	<small>OWNER/AGENT/ORGANIZATION</small>		
	819 CAMANO AVE Langley, WA 98260		
	<small>MAILING ADDRESS, CITY, STATE, ZIP</small>		
	819 CAMANO AVE Langley, WA 98260		
	<small>PHYSICAL ADDRESS</small>		
	Island	(360) 221-7950	fgdir@portofsouthwhidbey.com
	<small>COUNTY</small>	<small>PHONE NUMBER</small>	<small>EMAIL ADDRESS</small>

Animals quarantined: All rabbits on fairground facilities as best that they can be controlled. FAD #23WA00028.

RCW/WAC: RCW 16.30

Disease for which animals tested positive, or may be exposed or infective: Rabbit Hemorrhagic Disease (RHD)


Quarantine Instructions: Do not allow any rabbits on property for at least 60 days and after that, nothing that has not been vaccinated for RHD. Do not take any off of the facility and any that are deceased, double bag and put into landfill.

CONCLUSION: IT IS ORDERED, by the powers vested in me under chapter 16.36 RCW as an authorized representative of the Director of the Department of Agriculture, that the above-described animals are quarantined, and that anyone is forbidden from removing the animals from the above-described location, or to sell, exchange or in any other way part with the products of said animals, or to allow exposure of any other animal(s), without written permission of the Washington State Veterinarian. The above-described animals shall remain quarantined until the disease status of the animals is resolved pursuant to chapter 16.36 RCW.

Questions concerning the status of the quarantine should be directed to the State Veterinarian's Office, Animal Services Division, Washington State Dept. of Agriculture, PO Box 42577, Olympia, WA 98504-2577, phone (360) 902-1878.

INFORMATION CONCERNING YOUR RIGHTS TO APPEAL THE DEPARTMENT'S QUARANTINE ACTION IS ON THE BACK OF THIS FORM.

For Dr. Amber Itle
WASHINGTON STATE VETERINARIAN

Dated June 23, 2023. by 

AFFIDAVIT OF RECEIPT

QUARANTINE ORDER AND NOTICE OF RIGHTS TO APPEAL AND REQUEST FOR HEARING

The undersigned states that on _____, I personally received the above Quarantine Order, Notice of Appeal Rights, and Request for Hearing Form.

SIGNATURE OF OWNER OR AGENT

QUARANTINE ORDER

NOTICE OF APPEAL RIGHTS: YOU HAVE A RIGHT TO REQUEST A HEARING to determine whether the Department's quarantine action is appropriate. Pursuant to chapter 34.05 RCW and WAC 16-08-151, the Director or his designated presiding officer is prepared to hold an emergency adjudicative proceeding upon request. You must submit a request for emergency hearing in writing, **and the request must be postmarked or received by the Department within five (5) days of service of this notice.** Failure to submit a request for an emergency hearing in writing to the Department will constitute a waiver of your right to an emergency hearing, and this will result in the Director or his designee determining that you do not contest the emergency imposition of the Quarantine Order.

You may request a hearing by completing the Request for Hearing form provided with this Quarantine Order and returning it to:

Washington State Veterinarian
Washington State Department of Agriculture Animal Services Division
PO Box 42577
Olympia WA 98504-2577
FAX: (360) 902-2087
Email: ahealth@agr.wa.gov

For submitting the Request for Hearing quickly or in a timely manner, you may submit your request by fax and same-day, first class mailing of original with same-day postmark.

If you timely request a prompt hearing, a hearing will be scheduled as quickly as feasible. At the hearing, you may be represented by counsel if you desire. The hearing will be as informal as is practical within the requirements of the Administrative Procedure Act (APA), Chapter 34.05 RCW. Technical rules of evidence are not binding. You have the right to present evidence and witnesses in your behalf and to cross examine those witnesses presented in support of the Quarantine Order.

You also have the right to request an administrative hearing on the merits of the Quarantine Order. Your request for a hearing must be postmarked or received by the Department of Agriculture within twenty five (25) days of service of this notice.

INTERPRETER AVAILABILITY: If you or a witness for you is a person who, because of non-English speaking cultural background, cannot readily speak or understand the English language, or if you or a witness for you is a person who, because of a hearing or speech defect, cannot readily understand or communicate in spoken language, including persons who are deaf, deaf and blind, or hard of hearing **AND YOU NEED AN INTERPRETER,** then a qualified interpreter will be appointed at no cost to you or to the witness. You may request the appointment of a qualified interpreter by indicating your request on the Request for Hearing form provided with the Quarantine Order.

RCW 16.36.010 Quarantine—Hold Order. (1) The director shall supervise the prevention of the spread and the suppression of infectious, contagious, communicable, and dangerous diseases affecting animals within, in transit through, and imported into the state.

(2) The director may issue a quarantine order and enforce the quarantine of any animal or its reproductive products that is affected with or has been exposed to disease, either within or outside the state. The quarantine shall remain in effect as long as the director deems necessary.

(3) The director may issue a hold order when:

- (a) Overt disease or exposure to disease in an animal is not immediately obvious but there is reasonable cause to investigate whether an animal is diseased or has been exposed to disease;
- (b) Import health papers, permits, or other transportation documents required by law or rule are not complete or are suspected to be fraudulent; or
- (c) Further transport of an animal would jeopardize the well-being of the animal or other animals in Washington state.

A hold order is in effect for seven days and expires at midnight on the seventh day from the date of the hold order. A hold order may be replaced with a quarantine order for the purpose of animal disease control.

(4) Any animal or animal reproductive product placed under a quarantine or hold order shall be kept separate and apart from other animals designated in the instructions of the quarantine or hold order, and shall not be allowed to have anything in common with other animals.

(5) The expenses of handling and caring for any animal or animal reproductive product placed under a quarantine or hold order are the responsibility of the owner.

(6) The director has authority over the quarantine or hold area until the quarantine or hold order is released or the hold order expires.

(7) Any animal or animal reproductive product placed under a quarantine or hold order may not be moved, transported, or sold without written approval from the director or until the quarantine or hold order is released, or the hold order expires.

(8) The director may administer oaths and examine witnesses and records in the performance of his or her duties to control diseases affecting animals.

RCW 16.36.040 Rules—Prevention—Inspections and tests—Reportable diseases—Federal regulations. (1) The director may adopt and enforce rules necessary to carry out the purpose and provisions of this chapter, and including:

- (a) Preventing the introduction or spreading of infectious, contagious, communicable, or dangerous diseases affecting animals in this state;
- (b) Governing the inspection and testing of all animals within or about to be imported into this state; and
- (c) Designating any disease as a reportable disease.

(2) Rules to prevent the introduction or spread of infectious, contagious, communicable, or dangerous diseases affecting animals in this state may differ from federal regulations by being more restrictive.

RCW 16.36.060 Tests or examinations—Entry onto premises—Unlawful conduct. The director has the authority to enter the animal premises of any animal owner at any reasonable time to make tests on or examinations of any animals for disease conditions when there is reasonable evidence that animals on the premises are infected with or have been exposed to a reportable disease. It is unlawful for any person to interfere with the tests or examinations, or to alter any segregation or identification systems made in connection with the tests or examinations.

BEFORE THE DIRECTOR OF THE WASHINGTON STATE
DEPARTMENT OF AGRICULTURE

Re: Hold/Quarantine Order No. 91QA00142

IN THE MATTER OF Quarantine
Order Number: 91QA00142

REQUEST FOR HEARING

Name: Amanda Ellis, Whidbey Island Fairgrounds

Address: 819 CAMANO AVE

City, State, Zip: Langley, WA 98260

Phone No.: (360) 221-7950

Email: fgdir@portofsouthwhidbey.com

SECTION ONE: REQUEST FOR HEARING

- I REQUEST** a prompt hearing (Emergency Adjudicative Proceeding) in this matter, at a time to be arranged.
- I REQUEST** a regular administrative hearing on the hold/quarantine order.
- A. I will not be represented by an attorney.
- B. I will be represented by an attorney. The name and address of my attorney is:

- I WAIVE** my right to a hearing in this matter.

SECTION TWO: INTERPRETER REQUEST

- Interpreter Request: **I REQUEST** that a qualified interpreter be appointed at no cost to me to interpret for (myself) and/or (my witness(es)). My, or my witness(es)', primary language is _____ (identify language). My, or my witness(es)', hearing or speech impaired status is _____ (identify hearing impaired status). I understand that a qualified interpreter will be appointed at no cost to me or my witness(es).

REQUEST FOR HEARING

SECTION THREE: EXPLANATION

You may provide a concise statement explaining why you disagree with the agency's action:

Complete, sign and return this document to:

For submitting the Request for Hearing quickly or in a timely manner, you may submit the request by fax and same-day, first class mailing of original with same-day postmark.

Washington State Veterinarian
Animal Services Division
Washington State Department of Agriculture
P.O. Box 42577
Olympia, WA 98504-2577

FAX: (360) 902-2087

YOUR REQUEST FOR A PROMPT HEARING (EMERGENCY ADJUDICATIVE PROCEEDING) MUST BE RECEIVED BY THE DEPARTMENT OF AGRICULTURE WITHIN FIVE (5) DAYS OF SERVICE OF YOUR NOTICE TO APPEAL THE HOLD/QUARANTINE ORDER.

YOUR REQUEST FOR A REGULAR ADMINISTRATIVE HEARING MUST BE RECEIVED BY THE DEPARTMENT OF AGRICULTURE WITHIN 25 DAYS OF SERVICE OF YOUR NOTICE TO APPEAL THE HOLD/QUARANTINE ORDER.

Signature: _____

Date: _____

REQUEST FOR HEARING