ENROLLED

SENATE BILL NO. 259

(By Mrs. Martin E. Strong)

PASSED  1955

In Effect  Passage

Filed in the Office of the Secretary of State of West Virginia.

D. Pitt O'Brien
SECRETARY OF STATE
AN ACT to amend and reenact section thirty-five, article nine, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to tests for bovine tuberculosis and disposition of infected bovine animals.

Be it enacted by the Legislature of West Virginia:

That section thirty-five, article nine, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 35. Tests for Bovine Tuberculosis and Disposition of Infected Bovine Animals.—The commissioner, or his agent, or the inspectors of the United States depart-
ment of agriculture shall possess authority to test with tuberculin any bovine animal kept within the state, subject to such rules and regulations as the commissioner may prescribe. The tuberculin test shall be applied to bovine animals at such times as may be designated by the commissioner in the control and eradication of bovine tuberculosis in this state, and all cows whose milk is sold for human consumption or manufacture, and all uncastrated beef animals, shall be tested with tuberculin insofar as may be possible.

When a bovine animal is found by the officer making the test to give what the commissioner shall have prescribed by his rules and regulations to be a clearly defined reaction to such test, the animal shall be considered to be infected with bovine tuberculosis, and shall be marked or branded upon the left jaw with a capital "T" not less than two inches high, one and one-half inches wide, with mark one-fourth of an inch wide, and such branding shall not be construed as cruelty to animals within the meaning of the penal laws of the state.

All bovine animals within the state which are deemed
25 tuberculous, either as a result of a physical examination
26 or the tuberculin test, shall be slaughtered, and if the
27 owner of any such animal shall demand indemnity there-
28 for, he shall execute the agreement provided for in sec-
29 tion twenty-eight of this article, and such animal shall
30 be appraised as provided in section thirty, and appraisal
31 certificate issued as provided in section thirty-one, and
32 the slaughter supervised and certificate of same issued
33 as provided in section thirty-two of this article.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect upon passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 16th day of March, 1955.

Governor.

Filed in the Office of the Secretary of State of West Virginia on Mar 17, 1955. 