

PENNSYLVANIA GAME COMMISSION

RABBIT HEMORRHAGIC DISEASE IMPORTATION BAN #2

EXECUTIVE ORDER

WHEREAS, Rabbit Hemorrhagic Disease (RHD) is a rapidly spreading, fatal disease in lagomorphs and is considered a foreign animal disease in the United States; and

WHEREAS, The viruses causing RHD can be transmitted by direct contact with infected rabbits and hares, or indirectly through carcasses, food, water, and any contaminated materials, and are very resistant to extreme environmental conditions; and

WHEREAS, RHD has been designated a “dangerous transmissible disease” of animals by order of the Secretary of Agriculture under the provisions of the Domestic Animal Law (3 Pa.C.S. §§ 2301 *et seq.*) at 3 Pa.C.S. § 2321(d); and

WHEREAS, The Pennsylvania Game Commission (Commission) has determined that eastern cottontails (*Sylvilagus floridanus*), Appalachian cottontails (*Sylvilagus obscurus*), and snowshoe hares (*Lepus americanus*), members of the family Leporidae, are native and familiar species to the public and important prey and game species with impacts on the vegetation structure of their ecosystems; and

WHEREAS, Rabbit Hemorrhagic Disease Virus Serotype 2 (RHDV2), a unique variant of RHD, has been detected in the United States in recent years and can infect all ages of a wide range of domestic and wild lagomorphs, including North American wild species of hares, jackrabbits, and cottontails; and

WHEREAS, RHDV2 has not yet been detected in wild or domestic lagomorph populations within the Commonwealth; and

WHEREAS, The Commission desires to prevent the emergence of RHDV2 within the Commonwealth; and

WHEREAS, RHDV2 is of particular concern to the Commonwealth because of its potential to have a detrimental impacts on both wild and domestic lagomorph populations; and

WHEREAS, The Commission has determined that importation of any wild lagomorphs or their products (meat, pelts, hides, carcasses, etc.), associated equipment or other items and materials from locations where RHDV2 has been detected in wild or domestic lagomorph populations into the Commonwealth poses an unacceptable risk of introduction and spread of RHDV2 to the Commonwealth; and

WHEREAS, The Game and Wildlife Code (34 Pa.C.S. §§ 101, *et seq.*) regulations promulgated thereunder (58 Pa. Code §§ 131.1, *et seq.*) collectively provide broad authority to the Commission to regulate activities relating to the protection, preservation, and management of all game and wildlife and their respective habitats (*C.f.* 34 Pa.C.S. §§ 322, 2101, and 2102); and

WHEREAS, Section 137.34 of the Code (58 Pa. Code § 137.34) provides specific emergency authority to the Executive Director of the Commission to mitigate risk factors and determine the prevalence and geographic distribution of transmissible wildlife diseases of wild birds and mammals, excluding those species under Federal jurisdiction, if the introduction or spread of such diseases poses a threat to human, domestic and wild animal, or environmental health and safety within or adjacent to this Commonwealth; and

WHEREAS, A previous executive order concerning the rabbit hemorrhagic disease importation ban within this Commonwealth was issued by the Commission on July 9, 2021; and

WHEREAS, The Commission has determined that further development of this ban is required to implement necessary updates to the Commission's RHDV2 Response Plan.

NOW THEREFORE, I, Bryan J. Burhans, Executive Director of the Pennsylvania Game Commission, pursuant to the authority vested in me by the Code and regulations promulgated thereunder, do hereby order and direct the following:

1. The importation of any wild lagomorphs and their products (meat, pelts, hides, carcasses, etc.) into the Commonwealth from any Commonwealth, State, Territory, or Country where RHDV2 has been detected in wild or domestic lagomorph populations in the 12 months prior to the importation or where RHDV2 has been declared endemic in domestic or wild lagomorph populations is hereby prohibited.

2. This Order shall not be construed in any manner to limit the Commission's authority to establish additional or further authorizations or limitations relating to the monitoring for RHD and mitigation of any risk factors associated with its introduction or spread.

3. The previous executive order concerning the rabbit hemorrhagic disease importation ban within this Commonwealth was issued by the Commission on this Commonwealth that was issued by the Commission on July 9, 2021 and published in the *Pennsylvania Bulletin* on July 24, 2021 at 51 Pa.B. 4034 is hereby rescinded in its entirety and replaced by this Order.

4. This Order is effective immediately and shall remain in effect until rescinded or modified by subsequent order.

Given under my hand and seal of the Pennsylvania Game Commission on this 23rd day of MARCH, 2022.

Attest: _____
[Signature]

Bryan J. Burhans
Executive Director

