

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
Z-		2014-0829-06N	

ENDORSED FILED IN THE OFFICE OF

For use by Office of Administrative Law (OAL) only

2014 AUG 29 PM 12:23

2014 OCT 13 PM 3:16

OFFICE OF ADMINISTRATIVE LAW

Debra Bowen
DEBRA BOWEN
SECRETARY OF STATE

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY California Department of Public Health	AGENCY FILE NUMBER (if any) DPH-14-005
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE	
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON		TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER	PUBLICATION DATE	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Canine Rabies Vaccination	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 2606.4
TITLE(S) 17	REPEAL

3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input checked="" type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify)	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1) N/A

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input checked="" type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal	
<input type="checkbox"/> Other (Specify)			

7. CONTACT PERSON Elizabeth Reyes	TELEPHONE NUMBER (916) 445-2529	FAX NUMBER (Optional) (916) 319-9821	E-MAIL ADDRESS (Optional) Elizabeth.Reyes@cdph.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 8/28/14
TYPED NAME AND TITLE OF SIGNATORY Karin S. Schwartz, Deputy Director and Chief Counsel	

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ENDORSED APPROVED

OCT 13 2014

Office of Administrative Law

Amend Section 2604.4 to read as follows:

§ 2606.4. Officially Declared Rabies Areas.

(a) Administration and Enforcement. For purposes of administration and enforcement of ~~Section 4920~~ 121690, California Health and Safety Code, in officially declared rabies areas, the following shall apply:

(1) Licensing and Vaccination Procedure. The vaccination of dogs ~~four~~ three months of age or older as required by subdivision (b), ~~Section 4920~~ 121690, California Health and Safety Code, shall be held a requisite to licensing as required under subdivision (a) therein. Completion of the licensing procedure consists of issuance of a license tag or a vaccination tag bearing the license data and shall be carried out only after presentation of a current valid official vaccination certificate. Current copies of the Compendium of Canine Rabies Vaccines approved by the Department, together with the maximum immunity duration periods prescribed by the Department for each type product, are available ~~upon request from~~ on the Veterinary-Public Health Unit Section, Infectious Disease ~~Section~~ Branch, California Department of Health ~~Services~~ Public Health website or upon request at vetph@cdph.ca.gov, ~~2151 Berkeley Way, Berkeley, California, 94704, telephone (415) 540-2391.~~

(2) Vaccination Certificates. Official vaccination certificates must show:

- (A) the name, address and telephone number of the dog's owner;
- (B) the description of the dog, including breed, color, age, and sex;
- (C) the date of immunization;
- (D) the type of rabies vaccine administered;
- (E) the name of the manufacturer; and

(F) the lot number of the vaccine used.

Such certificates shall bear the signature of the veterinarian administering the vaccine or a signature authorized by him, and in addition such certificate shall be stamped, printed, or typed with his name, address and telephone number for legibility, with the exception that at dog vaccination clinics conducted pursuant to ~~Section 4920(f)~~ 121690(f) of the Health and Safety Code, vaccination certificates approved by the local health officer may be used provided that the specific clinic is identified upon the vaccination certificate and records are maintained containing the information specified under items (E) and (F) above.

(3) Interval Permitted for Procurement of License. The vaccination of dogs four months of age against rabies as required under subdivision (b), ~~Section 4920~~ 121690, California Health and Safety Code, and the license required by subdivision (a) of said section shall be procured not later than 30 days after the dog attains the age of four months. The license renewal shall be procured not later than 60 days after expiration of the previously issued license.

(4) Rabies Control Activities Reporting. During such time as a county is under official declaration as a rabies area, each local official responsible for the various phases of local dog or rabies control within each city, county and city or cities, or county shall make quarterly rabies control activities reports to and on forms furnished by the Department. Such reports shall be submitted to the Department by the local officials responsible for the various phases of local dog or rabies control through the local health officer so as to reach the Department not later than 30 days following each quarter.

(b) Vaccination of Dogs Against Rabies. Dogs shall be considered to be properly vaccinated for the purposes of ~~Section 1920-121690~~, California Health and Safety Code, when injected at four three months of age or older with an approved canine rabies vaccine and revaccinated in accordance with the following conditions:

(1) Primary Immunization. Primary immunization shall be defined as the initial inoculation of an approved canine rabies vaccine administered to ~~young dogs between the ages of 4 to 12~~ three months or older.

(2) Minimum Age for Rabies Vaccination. The minimum age for which rabies immunization of dogs shall be accepted for purposes of dog-owner compliance with requirements for rabies vaccination and for purposes of issuance of dog licenses (See ~~Section 2606.4(a)(1)~~) is 4- three months.

(3) Revaccination Intervals. Dogs shall be revaccinated one year (12 months) after the primary immunization with an approved type of rabies vaccine. ~~Dogs receiving vaccination after primary immunization or any dog receiving its initial rabies vaccination over 12 months of age shall be revaccinated thereafter at least once every three years (36 months) with an approved type rabies vaccine.~~

(c) Issuance of Dog Licenses. In no instances shall a dog license be issued for a period beyond the date upon which revaccination is due except, following primary immunization in a local jurisdiction which is on a fixed one-year licensing period, a license may be issued for a period beyond the revaccination date if early revaccination cannot be required in accordance with subdivision (d).

(d) Notwithstanding the rabies revaccination intervals specified in ~~Section 2606.4(b)(3)~~ above, local authorities may require revaccination prior to issuance of a license

provided that revaccination against rabies in no instance shall be required sooner than one year (12 months) following a primary immunization or sooner than 2 years (24 months) following a vaccination of dogs vaccinated over one year (12 months) of age.

NOTE: Authority cited: Sections ~~208 and 1905~~ 121690 and 131200, Health and Safety Code. Reference: Sections ~~1905 and 1920~~ 121690 and 131200, Health and Safety Code.

**California Department of Public Health
Title 17
Preventive Medical Service**

Section Affected: 2606.4

Justification for Changes Without Regulatory Effect:

In 1957, section 1920 of the Health and Safety Code (HSC) mandated licensure and vaccination against rabies for all domestic dogs in California. Because of safety concerns for some vaccines being used at that time, California originally established a minimum age of four months for vaccinating dogs against rabies. Today, these concerns are no longer relevant as vaccines containing live virus are no longer marketed or approved for use in dogs in California. In 2013, the Governor signed Assembly Bill 272 (Gomez, Chapter 582, Statutes of 2013), which amended HSC, section 121690 to allow for vaccination of dogs as young as three months of age, in accordance with the Indications for Use prepared by the U.S. Department of Agriculture and listed on the vaccine product label.

The proposed Section 100 changes promote compliance with statute by removing explicit and implicit references to a four-month minimum age for vaccination of dogs against rabies that conflict with the provisions of the amended HSC, section 121690.

§ 2606.4 (a)(1)

Amend the means by which the Department's list of approved canine rabies vaccines is available. The information currently listed for Veterinary Public Health Services (VPHS) dates from the 1980's and no longer represents the correct organizational position, physical location, or contact information. This amendment would update this information to reflect the current continuous availability of the vaccine list on the Department's web site and by e-mail request to VPHS. **This does not change the meaning or requirement of the regulation.**

§ 2606.4 (b)

Amend definition of "properly vaccinated" to restore consistency with age range of three months or older as specified in the HSC, section 121690. **This does not change the meaning or requirement of the regulation.**

§ 2606.4 (b)(1)

Change the definition for “primary immunization” to encompass the open-ended age range of “after...the age of three months or older” as specified in the HSC, section 121690. Delete “young” as the descriptor is no longer reflective of the open-ended age range of “after...the age of three months or older” as specified in the HSC, section 121690. **This does not change the meaning or requirement of the regulation.**

§2606.4 (b)(2)

Change the minimum age for rabies vaccination from “4 months” to “three months”, to render regulation consistent with age range of “three months or older,” as specified in the HSC, section 121690. **This does not change the meaning or requirement of the regulation.**

§2606.4 (b)(3)

Amend the revaccination interval to 12 months after primary immunization and thereafter at least once every three years to render regulation internally consistent with the definition of primary immunization in 2606.4 (b)(1), and the requirement that revaccination be “administered according to the vaccine label” as specified in the HSC, section 121690. **This does not change the meaning or requirement of the regulation.**

Update the authority, and reference note to reflect the reorganization of the Department of Health Services by SB 162 (Ortiz, Ch 214, Statutes of 2006). **This does not change the meaning or requirement of the regulation.**