

**4-37-502 Inspections -- Health approval report -- Report for quarantine facility --
Qualifications of inspectors -- Notification of department.**

- (1)
- (a) Except as provided by Subsection (1)(b), approval shall be based upon inspections carried out in accordance with standards and rules of the Fish Health Policy Board made pursuant to Section 4-37-503.
 - (b) An owner or operator of an aquaculture facility that is under quarantine or whose health approval has been canceled or denied prior to July 1, 2007 may seek health approval without submitting or complying with a biosecurity plan required by rule by submitting a new health inspection report to the department.
- (2)
- (a) The inspections shall be done by an individual who has received certification from the American Fisheries Society as a fish health inspector.
 - (b) An inspection of an aquaculture facility may not be done by an inspector who is employed by, or has pecuniary interest in, the facility being inspected.
 - (c) The department shall post on its website a current list of:
 - (i) certified fish health inspectors; and
 - (ii) approved laboratories to which a fish health inspector may send the samples collected during the inspections required by this section.
 - (d)
 - (i) If the fish health inspector conducting the inspection is not an employee of the department, the owner or operator of the aquaculture facility shall notify the department of the date and time of the inspection at least five business days before the date on which the inspection will occur.
 - (ii) The department may be present for the inspection.
- (3) To receive a health approval number, inspection reports and other evidence of the disease status of a source facility shall be submitted to the agency responsible for certifying the source as health approved pursuant to Section 4-37-501.

Amended by Chapter 378, 2010 General Session