

1 5. If sub (4)(a) applies, a report of a negative brucellosis test conducted not
2 more than 30 days before the swine enters this state.

3 6. Any other information required under this section.

4 (b) *Exemptions.* Paragraph (a) does not apply to any of the following:

5 1. Swine imported directly to a slaughtering establishment for slaughter.

6 2. Swine imported directly to a federally approved livestock import market.

7 3. Micro pigs imported directly to a laboratory pursuant to a written import
8 permit under sub. (9).

9 (c) *Prompt delivery to department.* Within 24 hours after a veterinarian issues
10 a certificate of veterinary inspection for swine that are being imported from a
11 pseudorabies stage I, II or III state to this state, the veterinarian shall deliver a copy of
12 that certificate to the department. The veterinarian may deliver the certificate by fax or
13 other electronic transmission.

14 (2) IMPORT PERMIT. (a) *Requirement.* Except as provided in par. (b), no
15 person may import any swine into this state unless the person obtains an import permit
16 from the department. The department may issue an import permit in writing, by
17 telephone, or by fax or other electronic communication.

18 (b) *Exemptions.* Paragraph (a) does not apply to any of the following:

19 1. An animal imported directly to a slaughtering establishment for slaughter.

20 2. An animal imported directly to a federally approved livestock import
21 market.

22 3. An animal originating from a pseudorabies stage IV or V state.

1 4. Micro pigs imported directly to a laboratory pursuant to a written import
2 permit under sub. (9).

3 (c) *Permit application.* A person may apply for an import permit under par. (a)
4 in writing, by telephone, or by fax or other electronic communication. The applicant
5 shall identify the importer, the state from which the import shipment originates and the
6 person receiving the import shipment in this state. If sub. (3)(a) applies, the applicant
7 shall also provide the department with the following information:

8 1. The identification number of the pseudorabies qualified negative herd or
9 pseudorabies qualified negative grow-out herd from which the swine originate.

10 2. The date of the last herd test that qualified the herd of origin as a
11 pseudorabies qualified negative herd or pseudorabies qualified negative grow-out herd.

12 (d) *Herd Plan.* The department may not issue an import permit under (a) for
13 animals originating from a pseudorabies stage I or II state unless the person receiving
14 the import shipment has entered into a herd plan with the department.

15 (3) SWINE MUST ORIGINATE FROM A PSEUDORABIES QUALIFIED NEGATIVE HERD.

16 (a) *Requirement.* Except as provided in par. (b), no person may import a swine into
17 this state unless the swine originates from a pseudorabies qualified negative herd or, if
18 the swine originates from an off-site facility, a pseudorabies qualified negative grow-
19 out herd that qualifies on the basis of monthly testing.

20 (b) *Exemptions.* Paragraph (a) does not apply to any of the following:

- 21 1. Swine imported directly to a slaughtering establishment for slaughter.
- 22 2. Swine imported directly to a federally approved livestock import market.
- 23 3. Swine originating from a pseudorabies stage IV or V state.

1 4. Swine originating from a pseudorabies stage III state that are imported for
2 feeding for slaughter.

3 5. Breeder swine or show pigs that originate from a pseudorabies stage III state
4 and have tested negative for pseudorabies on a test conducted not more than 30 days
5 before the swine enters this state.

6 6. Micro pigs imported directly to a laboratory pursuant to a written import
7 permit under sub. (9).

8 (4) BRUCELLOSIS TEST. (a) *Requirement.* Except as provided in par. (b), no
9 person may import a swine into this state unless the swine tests negative on a pre-
10 import brucellosis test conducted not more than 30 days before the swine enters this
11 state.

12 (b) *Exemptions.* Paragraph (a) does not apply to any of the following:

13 1. Swine imported directly to a slaughtering establishment for slaughter.

14 2. Swine imported directly to a federally approved livestock import market.

15 3. Swine originating from a brucellosis stage III state, unless testing is required
16 under s. ATCP 11.03(1)(b).

17 4. Swine originating from a validated brucellosis-free herd.

18 5. Feeder swine.

19 6. Micro pigs imported directly to a laboratory pursuant to a written permit
20 under sub. (9).

21 (5) PSEUDORABIES VACCINATES; IMPORTS PROHIBITED. (a) *Prohibition.*

22 Except as provided in par. (b), no person may import into this state any swine that has
23 been vaccinated for pseudorabies.

1 (b) *Exemptions.* Paragraph (a) does not apply to any of the following:

2 1. Swine imported directly to a slaughtering establishment for slaughter.

3 2. Micro pigs imported directly to a laboratory pursuant to a written permit

4 under sub (9).

5 (6) IMPORTED SWINE; ISOLATION AND PSEUDORABIES TESTING. (a)

6 *Requirement.* Except as provided in par. (b), a person receiving imported swine in this
7 state shall do all the following:

8 1. Isolate the imported swine from all other swine on the premises until the

9 imported swine test negative for pseudorabies.

10 2. Have all the imported swine tested for pseudorabies not less than 30 days

11 nor more than 45 days after the swine enter this state.

12 (b) *Exemptions.* Paragraph (a) does not apply to any of the following:

13 1. Swine imported directly to a slaughtering establishment for slaughter.

14 2. Swine imported directly to a federally approved livestock import market.

15 3. Swine originating from a pseudorabies stage IV or V state, unless testing is
16 required under s. ATCP 11.03(1)(b).

17 4. An import shipment of swine that includes no breeder swine or show pigs, if

18 the person receiving that shipment tests a representative statistical sample of these

19 swine for pseudorabies. The person shall test the statistical sample not less than 30

20 days nor more than 45 days after the swine enter this state. The person shall isolate all

21 of the imported swine until the sample swine test negative for psuedorabies.

22 5. Micro pigs imported directly to a laboratory pursuant to a written permit

23 under sub. (9).

1 (7) SLAUGHTER SWINE IMPORTED FROM PSEUDORABIES STAGE I OR II STATE. No
2 person may import slaughter swine from a pseudorabies stage I or II state unless the
3 swine are shipped in a sealed vehicle directly to a slaughter establishment, and are
4 accompanied by a USDA permit for movement of restricted animals, form VS 1-27 or a
5 Wisconsin import for slaughter form completed by a person approved by the department.

6 (8) FEEDER SWINE AND OTHER SWINE IMPORTED FROM PSEUDORABIES STAGE I OR
7 II STATE. (a) *Separate from breeding stock.* All feeder swine and other swine that are
8 imported for finish feeding prior to slaughter that originate from a pseudorabies stage I
9 or II state shall at all times be kept separate from breeding stock.

10 (b) *Movement restricted.* No feeder swine or other swine that is imported for
11 finish feeding prior to slaughter that originates from a pseudorabies stage I or II state
12 may be removed from the farm at which it was received except for shipment direct to
13 slaughter.

14 (c) *Commingled swine.* Swine that are shipped to a farm after being
15 commingled with imported feeder swine or other swine that are imported for finish
16 feeding prior to slaughter at a federally approved livestock import market are
17 considered imported feeder swine under this subsection.

18 (9) LABORATORY IMPORT PERMIT. The department may issue a written import
19 permit under s. ATCP 11.03 authorizing the import of micro pigs directly to a
20 laboratory in this state, subject to the following conditions stated in the permit:

21 (a) The laboratory shall use the micro pigs for bona fide scientific research,
22 studies or tests.

1 (b) The micro pigs shall be imported to the laboratory in a closed, biologically
2 controlled environment that keeps the pigs biologically isolated from other swine.

3 (c) The micro pigs shall be confined in the laboratory so they are biologically
4 isolated from other swine.

5 (d) The laboratory operator shall euthanize all of the micro pigs at the end of
6 the study, test or experiment, and shall dispose of all carcasses in a manner that
7 prevents biological exposure to other swine.

8 (10) GARBAGE-FED SWINE; IMPORT PROHIBITED. Swine fed on raw commercial
9 garbage may not be imported into this state for slaughter or any other purpose. Swine
10 fed on cooked commercial garbage may not be imported into this state unless the
11 department first issues a written import permit under s. ATCP 11.03 that identifies the
12 imported swine as swine fed on cooked commercial garbage.

13 **SECTION 156.** ATCP 11.21 is repealed.

14 **SECTION 157.** ATCP 11.22 and 11.23 are repealed and recreated to read:

15 **ATCP 11.22 Slaughter swine identification.** (1) IDENTIFICATION REQUIRED.

16 Except as provided in sub. (3), a livestock trucker, livestock market operator or
17 slaughtering establishment operator shall do all the following whenever that person
18 receives a sow, boar or stag for slaughter, or for sale or shipment to slaughter:

19 (a) Identify the swine with an official swine backtag or other approved
20 slaughter identification, unless the swine already bears an official slaughter
21 identification.

22 (b) Make a record of the slaughter identification.

1 (2) RECORDKEEPING. (a) A record under sub. (1)(b) shall include all the
2 following:

- 3 1. The swine's slaughter identification number.
- 4 2. The date on which the swine was received.
- 5 3. The date on which the slaughter identification was applied. If the swine
6 already bore a slaughter identification when received, the record shall note that fact.
- 7 4. The name and address of the person from whom the swine was received.
- 8 5. The class of swine received.

9 (b) A person required to keep records under sub. (1)(b) shall keep those
10 records for at least 5 years, and shall make them available to the department for
11 inspection and copying upon request.

12 (3) LOW-VOLUME SLAUGHTER ESTABLISHMENTS; EXEMPTION. The department
13 may, by written notice, exempt a slaughtering establishment from sub. (1) if all the
14 following apply:

15 (a) The slaughtering establishment receives all of its swine directly from
16 producers.

17 (b) The slaughtering establishment can identify the herd of origin of every
18 swine slaughtered.

19 (c) The slaughtering establishment slaughters not more than 100 swine per day,
20 and operates no more than 5 days per week.

21 **ATCP 11.23 Swine; intrastate movement.** (1) PSEUDORABIES TEST
22 REQUIRED. Except as provided in sub. (2), no person may move a swine within this
23 state unless all the following apply:

1 (a) The swine first tests negative on a pseudorabies test conducted not more
2 than 30 days prior to the intrastate movement.

3 (b) A copy of the negative test report under par. (a) accompanies the swine.
4 The operator of a swine growth performance test station shall keep copies of
5 pseudorabies test reports for all swine moved into or out of the test station. The test
6 station operator shall retain the copies for a period of 5 years, and make them available
7 to the department for inspection and copying upon request.

8 (2) EXEMPTIONS. Sub. (1) does not apply if any of the following applies:

9 (a) This state qualifies as a pseudorabies stage IV or V state.

10 (b) The animal originates from a qualified pseudorabies negative herd or a
11 qualified pseudorabies negative grow-out herd.

12 (c) The animal is moved directly to a slaughtering establishment for slaughter.

13 (d) The animal is moved to the premises of a livestock dealer or livestock
14 market if the dealer or market operator complies with the testing requirement under
15 par. (a) before the animal is moved from those premises.

16 (e) The animal is moved between 2 premises, both of which are owned or
17 operated by the owner of the animal.

18 **SECTION 158.** ATCP 11.30 is repealed and recreated to read:

19 **ATCP 11.30 Equine animals; import.** (1) **CERTIFICATE OF VETERINARY**

20 **INSPECTION.** (a) *Requirement.* Except as provided in pars. (b) to (e), no person may
21 import an equine animal into this state unless the animal is accompanied by a valid
22 certificate of veterinary inspection. The certificate shall comply with s. ATCP 11.02
23 and shall include all the following:

- 1 1. The official individual identification of the equine animal.
- 2 2. A report of a negative test for equine infectious anemia if required by sub.
- 3 (2).

4 (b) *Animal imported for slaughter.* Paragraph (a) does not apply to an equine
5 animal imported directly to a slaughtering establishment for slaughter.

6 (c) *Animal imported to livestock market.* Paragraph (a) does not apply to an
7 equine animal imported directly to a livestock market licensed under s. ATCP 12.02 if
8 any of the following apply:

9 1. The animal is shipped directly to a slaughtering establishment, for slaughter,
10 within 10 days after it arrives at the livestock market and before it is commingled with
11 any equine animal that is not shipped to slaughter.

12 2. A Wisconsin certified veterinarian issues a certificate of veterinary
13 inspection for the equine animal before the animal leaves the livestock market or is
14 commingled with any other equine animal at the market. The certificate shall include a
15 report of a negative test for equine infectious anemia if a test is required under sub. (2).

16 (d) *Animal imported for, or returned from, veterinary treatment.* Paragraph (a)
17 does not apply to any of the following:

18 1. An equine animal that is imported directly to a veterinary facility for
19 treatment, provided that the animal is returned to its place of origin immediately after
20 treatment.

21 2. An equine animal returning to its place of origin in this state immediately
22 after treatment in a veterinary facility outside this state.

1 (e) *Animal imported for trail ride, horse show or exhibition.* Paragraph (a)
2 does not apply to an equine animal imported for a trail ride, horse show or exhibition if
3 all the following apply:

- 4 1. Ownership does not change while the animal is in this state.
- 5 2. The animal remains in this state for no more than 7 days.
- 6 3. The animal is accompanied by a report of a negative equine infectious
7 anemia test conducted in compliance with sub. (2).
- 8 4. The animal originates from a state that allows Wisconsin equine animals to
9 attend trail rides, horse shows or exhibitions in that state under similar conditions.

10 (2) EQUINE INFECTIOUS ANEMIA; TEST. (a) *Requirement.* Except as provided
11 in pars. (b) to (e), no person may import any equine animal into this state unless one of
12 the following applies:

- 13 1. The animal tested negative on an equine infectious anemia test conducted
14 during the calendar year in which the animal is imported into this state.
- 15 2. The animal is imported on or before January 31 of any calendar year and the
16 animal tested negative for equine infectious anemia during the preceding calendar year.

17 (b) *Nursing foal.* Paragraph (a) does not apply to a nursing foal accompanying
18 its dam.

19 (c) *Animal imported to livestock market.* Paragraph (a) does not apply to an
20 equine animal imported directly to a livestock market licensed under s. ATCP 12.02,
21 provided that one of the following applies:

1 1. The equine animal is shipped directly to a slaughtering establishment, for
2 slaughter, within 10 days after it arrives at the livestock market and before it is
3 commingled with any other animal that is not shipped to slaughter.

4 2. The livestock market operator has the animal tested for equine infectious
5 anemia within 10 days after it arrives at the market, and obtains the test results before
6 the animal leaves the livestock market and before it is commingled with any other
7 equine animal at the livestock market.

8 (d) *Animal imported for, or returned from, veterinary treatment.* Paragraph (a)
9 does not apply to any of the following:

10 1. An equine animal that is imported directly to a veterinary facility for
11 treatment, provided that the animal is returned to its place of origin immediately after
12 treatment.

13 2. An equine animal returning to its place of origin in this state immediately
14 after treatment in a veterinary facility outside this state.

15 (e) *Animal imported under written permit.* The department may issue a written
16 permit under s. ATCP 11.03, authorizing the permit holder to import an equine animal
17 before that person obtains the results of an equine infectious anemia test under par. (a).
18 The department shall include the following conditions in the import permit:

19 1. An equine infectious anemia test sample shall be collected before the animal
20 is imported.

21 2. The animal shall be confined to the premises at which the animal is first
22 received in this state until the test results are known. The animal may not be

1 commingled with any other equine animals on the premises during that confinement
2 period.

3 (3) EQUINE INFECTIOUS ANEMIA; TEST POSITIVE ANIMALS. (a) No person may
4 import an equine animal that has tested positive for equine infectious anemia.

5 (b) If an equine animal tests positive for equine infectious anemia under sub.
6 (2)(c) or (e) after it enters this state, the owner or custodian of the animal shall do one
7 of the following:

8 1. Euthanize the animal on the premises where it is located.

9 2. Ship the animal directly to a slaughtering establishment for slaughter, with
10 department approval under s. ATCP 10.41(9)(b).

11 3. Return the animal to its state of origin, with department approval under s.
12 ATCP 10.41(9)(b).

13 **SECTION 159.** ATCP 11.31 is repealed.

14 **SECTION 160.** ATCP 11.32(3)(c) and (d), are amended to read:

15 ATCP 11.32(3)(c) The location of the equine quarantine station, specified by
16 county, township, ~~and~~ section and fire number.

17 (d) The name and address of the ~~accredited~~ Wisconsin certified veterinarian
18 who will perform all identification, handling, testing and treatment of equine animals at
19 the approved equine quarantine station under procedures or protocols established ~~by the~~
20 ~~department~~ under sub. (5).

21 **SECTION 161.** ATCP 11.32(5) is amended to read:

22 ATCP 11.32(5) TESTING AND TREATMENT PROCEDURES; WRITTEN AGREEMENT.

23 Before ~~any permit is issued for the operation of~~ the department issues any permit under

1 sub. (3) for an approved equine quarantine station, the station operator and the
2 ~~accredited~~ Wisconsin certified veterinarian designated under sub. (3)(d) shall enter into
3 a written agreement with the department ~~establishing procedures and protocols to be~~
4 ~~followed in the identification, handling, testing and treatment of equine animals~~
5 ~~quarantined at the station.~~ The agreement shall establish the procedures and protocols
6 that will be used to identify, handle, test and treat equine animals quarantined at the
7 station. The approved equine quarantine station shall be operated in compliance with
8 the agreed procedures and protocols. ~~Procedures~~ The designated veterinarian shall
9 perform the procedures and protocols ~~shall be performed by the designated~~
10 ~~veterinarian,~~ except as otherwise authorized by the department.

11 **SECTION 162.** ATCP 11.32(6)(b) is amended to read:

12 ATCP 11.32(6)(b) Records under par. (a) shall be retained for at least 2 5
13 years and shall be made available for inspection and copying by the department upon
14 request.

15 **SECTION 163.** ATCP 11.34 is repealed and recreated to read:

16 **ATCP 11.34 Selling equine animals.** (1) TEST REQUIRED. Except as
17 provided in sub. (2), no person may sell or transfer ownership of any equine animal in
18 this state unless one of the following applies:

- 19 1. The animal has tested negative for equine infectious anemia during the
20 current calendar year and the official test report accompanies the animal.
- 21 2. The sale or transfer of ownership occurs on or before January 31, the animal
22 has tested negative for equine infectious anemia during the preceding calendar year and
23 the official test report accompanies the animal.

1 (2) EXEMPTIONS. Subsection (1) does not apply to any of the following:

2 (a) A nursing foal accompanying its dam.

3 (b) An equine animal sold directly to a slaughtering establishment for
4 slaughter.

5 (c) An equine animal consigned to a livestock market for sale directly to
6 slaughter. If the animal is not sold to slaughter within 10 days after it is received at the
7 market, it shall be tested immediately.

8 (d) An equine animal sold to a livestock market operator, provided that the
9 livestock market operator shall either ship the animal to slaughter or have the animal
10 tested within 10 days after purchase.

11 **SECTION 164.** ATCP 11.50 to 11.52 are amended to read:

12 **ATCP 11.50 Sheep imports.** No person may import a sheep into this state
13 for any purpose except immediate slaughter unless the sheep is accompanied by a valid
14 ~~interstate health certificate or~~ certificate of veterinary inspection. The certificate shall
15 comply with s. ATCP 11.02, ~~and shall state that the sheep originates from a flock~~
16 ~~which is free of foot rot and all other contagious and infectious diseases. No flock~~
17 ~~inspection is required for feeder lambs.~~

18 **ATCP 11.51 Goat imports.** No person may import a goat into this state
19 unless the goat is accompanied by a valid ~~interstate health certificate or~~ certificate of
20 veterinary inspection ~~which~~ that complies with s. ATCP 11.02.

21 **ATCP 11.52 Dogs and domestic cats; imports.** No person may import any
22 dog or domestic cat into this state unless it is accompanied by a valid ~~interstate health~~
23 ~~certificate or~~ certificate of veterinary inspection. The certificate shall comply with s.

1 ATCP 11.02, and shall indicate whether the dog or cat has been vaccinated for rabies
2 by a licensed veterinarian, the date of the last vaccination, and the date on which the
3 dog or cat is due for revaccination ~~or repeat vaccination~~. If the dog or cat has not been
4 vaccinated by a licensed veterinarian, or if the dog or cat is due for revaccination ~~or~~
5 ~~repeat vaccination~~ when it enters this state, the owner shall have the dog or ~~domestic~~
6 cat vaccinated by a licensed veterinarian within 30 days after the dog or cat enters this
7 state, or within 30 days after the dog or ~~domestic~~ cat reaches 4 months of age,
8 whichever occurs later. Vaccinations shall comply with age and time standards and
9 label instructions approved by the federal bureau for the type of vaccine used.

10 **SECTION 165.** ATCP 11.53(1) is repealed and recreated to read:

11 **ATCP 11.53(1) PERMIT REQUIRED.** Except as provided in sub. (3), no person
12 may import any circus, rodeo, racing or menagerie animal into this state without a
13 written permit from the department under s. ATCP 11.03.

14 **SECTION 166.** ATCP 11.53(2)(a) to (c) are amended to read:

15 ATCP 11.53(2)(a) Every animal shall be accompanied by a valid ~~interstate~~
16 ~~health certificate or~~ certificate of veterinary inspection. The certificate shall comply
17 with s. ATCP 11.02, and shall contain the number of the written import permit issued
18 by the department under sub. (1).

19 (b) Every brucellosis test eligible bovine animal shall have a negative
20 brucellosis test conducted within 30 days prior to entry. ~~The exemptions under s.~~
21 ~~ATCP 11.11(3)(b) do not apply to circus, rodeo or menagerie animals.~~

22 (c) Every equine animal shall be tested and found negative for equine infectious
23 anemia within ~~180 days before a permit application is filed with the department the~~

1 current calendar year, except if the equine animal is imported before January 31, the
2 equine animal shall have tested negative for equine infectious anemia within the
3 preceding calendar year.

4 **SECTION 167.** ATCP 11.53(2)(e) is repealed.

5 **SECTION 168.** ATCP 11.54(title) is amended to read:

6 **ATCP 11.54 Exotic ruminants ~~and South American camelidae~~; import.**

7 **SECTION 169.** ATCP 11.54(1)(title) and (intro.) are amended to read:

8 ATCP 11.54(1) ~~HEALTH CERTIFICATE~~ CERTIFICATE OF VETERINARY

9 INSPECTION. No person may import an exotic ruminant ~~or south American camlid~~ into

10 this state unless the animal is accompanied by a valid ~~interstate health certificate or~~

11 certificate of veterinary inspection. The certificate shall comply with s. ATCP 11.02,

12 and shall include the following information:

13 **SECTION 170.** ATCP 11.54(2) is amended to read:

14 ATCP 11.54(2) **IMPORT PERMIT.** No person may import an exotic ruminant ~~or~~

15 ~~South American camelid~~ into this state without a written import permit under s. ATCP

16 11.03.

17 **SECTION 171.** ATCP 11.54(3) is repealed and recreated to read:

18 ATCP 11.54(3) **TUBERCULOSIS TEST REQUIRED.** (a) Except as provided under

19 par. (b), no person may import an exotic ruminant into this state unless the animal tests

20 negative on a tuberculosis test that is approved by the department, and is conducted not

21 more than 60 days prior to the import date. The person who imports an exotic

22 ruminant shall contact the department and obtain a list of specific tests approved for the

23 species to be imported.

1 **NOTE:** A person may obtain a list of approved tests for a specific species by
2 contacting the department at the following address:

3 Wisconsin Department of Agriculture, Trade and Consumer Protection
4 Division of Animal Health
5 P.O. Box 8911
6 Madison, WI 53708-8911
7 Phone: (608)224-4872
8

9 (b) Paragraph (a) does not apply to an exotic ruminant imported directly to an
10 institution accredited by the American association of zoological parks and aquariums.

11 An animal imported to an accredited institution under this paragraph may not be moved
12 to any place which is not an accredited institution unless the animal tests negative on a
13 tuberculosis test that is approved by the department, and conducted not more than 60
14 days before the animal is moved.

15 (c) The veterinarian performing a tuberculosis test under par. (a) or (b) shall be
16 one of the following:

17 1. An accredited veterinarian, except that a test performed in this state shall be
18 performed by a Wisconsin certified veterinarian.

19 2. An employee of the department or the federal bureau.

20 **SECTION 172.** ATCP 11.54(4) is amended to read:

21 (4) BRUCELLOSIS TEST REQUIRED. (a) Except as provided under par. (b) no
22 person may import an exotic ruminant ~~or south American camelid~~ into this state unless
23 the animal first tests negative on a brucellosis test conducted not more than 30 days
24 prior to the import date.

25 (b) Paragraph (a) does not apply to an exotic ruminant ~~or south American~~
26 ~~camelid~~ imported directly to an institution accredited by the American association of

1 zoological parks and aquariums. An animal imported to an accredited institution under
2 this paragraph may not be moved to any place which is not an accredited institution
3 unless the animal first tests negative on a brucellosis test conducted not more than 30
4 days before the animal is moved.

5 **SECTION 173.** ATCP 11.545(title) is amended to read:

6 **ATCP 11.545 Farm-raised deer and other ~~cervidae~~ cervids; identification**
7 **requirements.**

8 **SECTION 174.** ATCP 11.545(1)(b)(title) is amended to read:

9 ATCP 11.545(1)(b) *Veterinarian required to identify ~~cervidae~~ cervids.*

10 **SECTION 175.** ATCP 11.545(2)(a)(title) and (a) are amended to read:

11 ATCP 11.545(2)(a)(title) *Back-tag Identification required.* Whenever a
12 livestock trucker, livestock dealer, livestock market operator, ~~stockyard operator~~ or
13 slaughtering establishment operator receives any farm-raised deer for slaughter, or for
14 sale or shipment to slaughter, that recipient shall immediately identify that farm-raised
15 deer with an official backtag or other approved slaughter identification unless the farm-
16 raised deer already bears an official backtag slaughter identification. ~~The recipient of~~
17 ~~the farm raised deer shall affix the backtag to the deer at a point 4 inches behind the~~
18 ~~shoulder and 4 inches below the topline.~~

19 **SECTION 176.** ATCP 11.545(2)(b)1. is amended to read:

20 ATCP 11.545(2)(b)1. The number of the official backtag slaughter
21 identification under par. (a) which that recipient applied to that deer at the time of
22 receipt, or which that deer bore at the time of receipt.

1 **SECTION 177.** ATCP 11.545(2)(c)(title) and (c) is amended to read:

2 ATCP 11.545(2)(c)(title) *Records retained for at least 2 5 years; inspection*
3 *and copying.* A person required to keep records under par. (b) shall do all of the
4 following:

- 5 1. Retain those records for at least 2 5 years after the records are made.
- 6 2. Make those records available to the department, upon request, for inspection
7 and copying.

8 **SECTION 178.** ATCP 11.545(3) is repealed and recreated to read:

9 ATCP 11.545(3) TUBERCULOSIS REACTOR. Whenever the department classifies
10 a cervid as a tuberculosis reactor, the owner of the cervid shall take the actions
11 required under s. ATCP 10.66(7).

12 **SECTION 179.** ATCP 11.55(title) and (1) are repealed and recreated to read:

13 **ATCP 11.55 Cervids; import requirements.** (1) CERTIFICATE OF
14 VETERINARY INSPECTION REQUIRED. No person may import a cervid into this state
15 unless the cervid is accompanied by a valid certificate of veterinary inspection. The
16 certificate shall comply with s. ATCP 11.02 and shall include the following
17 information:

- 18 (a) A report of negative tuberculosis tests under sub. (2).
- 19 (b) The permit number of the import permit under sub. (4).
- 20 (c) A report of a negative pre-import brucellosis test conducted not more than
21 30 days before the cervid enters this state.

1 **SECTION 180.** ATCP 11.55(2)(b)3. to 5. are amended to read:

2 ATCP 11.55(2)(b)3. A cervid imported directly from an accredited
3 tuberculosis-free herd, provided that the cervid is accompanied by ~~an interstate health~~
4 ~~certificate or~~ a certificate of veterinary inspection ~~which that~~ includes the source herd
5 number and the date on which the source herd was last tested for tuberculosis.

6 4. A cervid originating from a tuberculosis qualified herd, provided that the
7 cervid is accompanied by ~~an interstate health certificate or~~ a certificate of veterinary
8 inspection ~~which that~~ includes the source herd number, the date on which the source
9 herd was last tested for tuberculosis, and a certification that the imported cervid tested
10 negative ~~on a single cervical tuberculin test conducted~~ on a tuberculosis test under par.
11 (a)1. not more than 90 days before the cervid was imported into this state.

12 5. A cervid originating from a tuberculosis monitored herd, provided that the
13 cervid is accompanied by ~~an interstate health certificate or~~ a certificate of veterinary
14 inspection ~~which that~~ includes the source herd number, the date on which the source
15 herd was first certified as a tuberculosis monitored herd, the most recent date on which
16 the source herd was recertified as a tuberculosis monitored herd, and certification that
17 the imported cervid tested negative ~~on a single cervical tuberculin test conducted~~ on a
18 tuberculosis test under par. (a)1. not more than 90 days before the cervid was imported
19 into this state.

20 **SECTION 181.** ATCP 11.55(2)(c) is created to read:

21 ATCP 11.55(2)(c) *Blood tuberculosis test does not qualify.* A blood
22 tuberculosis test (BTB test) does not qualify as a pre-import tuberculosis test under this
23 subsection.

1 **SECTION 182.** ATCP 11.55(3) and (4) are repealed and recreated to read:

2 ATCP 11.55(3) ANIMAL FROM SUSPECT HERD MAY NOT BE IMPORTED. No
3 cervid may be imported to this state from a herd of origin in which any animal is
4 classified as a tuberculosis suspect until the suspect status has been resolved. This
5 paragraph does not apply to a cervid imported directly to a slaughtering establishment
6 for slaughter.

7 (4) IMPORT PERMIT REQUIRED. No person may import a cervid into this state
8 without a written import permit under s. ATCP 11.03.

9 **SECTION 183.** ATCP 11.56(title) is amended to read:

10 **ATCP 11.56 Keeping and moving ~~cervidae~~ cervids within Wisconsin.**

11 **SECTION 184.** ATCP 11.56(1)(title) and (1) are amended to read:

12 ATCP 11.56(1) ~~HEALTH CERTIFICATE~~ CERTIFICATE OF VETERINARY INSPECTION
13 REQUIRED FOR INTRASTATE MOVEMENT. Except as provided under sub. (2), no person
14 may move any cervid between locations in this state unless the cervid is accompanied
15 by a certificate of veterinary inspection ~~or an interstate health certificate~~ signed by an
16 ~~accredited~~ a Wisconsin certified veterinarian. The certificate shall state that the cervid
17 tested negative on ~~the~~ a single cervical tuberculin test, or another tuberculosis test
18 approved by the department, not more than 90 days prior to the intrastate movement.

19 **SECTION 185.** ATCP 11.56(2)(f) is amended to read:

20 ATCP 11.56(2)(f) The cervid is a member of the species *Odocoileus*
21 *virginianus* (*white-tailed deer*), provided that the cervid has not commingled with
22 ~~cervidae~~ cervids of any other species during the 12 months preceding the intrastate
23 movement.

1 **SECTION 186.** ATCP 11.56(2)(g) is repealed.

2 **SECTION 187.** ATCP 11.56(3) is amended to read:

3 (3) **COMMINGLING WITH BOVINE ANIMALS PROHIBITED.** No person may cause or
4 allow captive ~~cervidae~~ cervids to commingle with bovine animals on the same premises
5 or in the same building, enclosure or vehicle. ~~Captive cervidae and bovine animals~~
6 ~~kept in an outside environment on the same premises are not commingled if direct~~
7 ~~contact between the species is precluded by double fencing between adjoining pastures~~
8 ~~for each specie.~~

9 **SECTION 188.** ATCP 11.56(4)(a) is amended to read:

10 ATCP 11.56(4)(a) The department may approve tuberculosis isolation and
11 testing facilities for ~~cervidae~~ cervids. The department may approve a facility for a
12 period of up to 2 years, and may renew its approval for periods up to 2 years each.
13 The department may, for cause, suspend or revoke its approval.

14 **SECTION 189.** ATCP 11.57 is repealed and recreated to read:

15 **ATCP 11.57 Ratites; import.** No person may import a ratite into this state
16 unless both the following apply:

17 (1) The person holds an import permit under s. ATCP 11.03.

18 (2) The ratite is accompanied by a valid certificate of veterinary inspection that
19 complies with s. ATCP 11.02. A certificate of veterinary inspection is not required if
20 the ratite is imported directly from a federal quarantine facility.

21 **NOTE:** The department recommends, but does not require, that every ratite
22 imported into Wisconsin be isolated on the recipient's premises for at
23 least 14 days, and that the bird be tested for avian influenza before being
24 allowed to commingle with other ratites or poultry.
25

1 **SECTION 190.** ATCP 11.58(1)(k) is amended to read:

2 ATCP 11.58(1)(k) "Salmonid" means fish or fish eggs ~~of the Salmonidae~~
3 ~~family.~~ "Salmonidae" means fish or fish eggs of the family that includes trout,
4 salmon, grayling, char, Dolly Vardon, whitefish, cisco and inconnu.

5 **SECTION 191.** ATCP 11.58(2)(intro.) is amended to read:

6 ATCP 11.58(2)(intro.) ANNUAL IMPORT PERMIT REQUIRED. Except as
7 provided in sub. (3), no person may import live fish or fish eggs into this state for any
8 of the following purposes except under an annual written import permit from the
9 department:

10 **SECTION 192.** ATCP 11.59(1)(am) is created to read:

11 ATCP 11.59(1)(am) "Certified veterinarian" means one of the following:

12 1. For actions taken in this state, a Wisconsin certified veterinarian whom the
13 department has trained to perform disease eradication and control functions related to
14 fish.

15 2. For actions taken outside this state, an accredited veterinarian.

16 **SECTION 193.** ATCP 11.59(1)(e) is amended to read:

17 ATCP 11.59(1)(e) "Salmonid" means fish or fish eggs ~~of the Salmonidae~~
18 ~~family.~~ "Salmonidae" means fish or fish eggs of the family that includes trout,
19 salmon, grayling, char, Dolly Vardon, whitefish, cisco and inconnu.

20 **SECTION 194.** ATCP 11.59(2)(a)(intro.) is amended to read:

21 ATCP 11.59(2)(a) No person may introduce live salmonids into waters of the
22 state after June 1, 1999, and no person may introduce other live fish or fish eggs into

1 waters of the state after December 31, 2001, unless ~~an accredited~~ a certified
2 veterinarian or certified fish inspector does one of the following:

3 **SECTION 195.** ATCP 11.59(3)(a) and (b) are amended to read:

4 ATCP 11.59(3)(a) ~~An accredited~~ A certified veterinarian or certified fish
5 inspector shall issue a health certificate under sub. (2) on a form provided by the
6 department, based on a personal inspection of the fish or fish farm. The ~~accredited~~
7 certified veterinarian or certified fish inspector shall use inspection, sampling and
8 diagnostic methods specified by the department on the certification form.

9 (b) ~~An accredited~~ A certified veterinarian or certified fish inspector who issues
10 a health certificate under sub. (2) shall file the original certificate with the department,
11 and shall provide at least 2 copies to the person introducing the fish or fish eggs into
12 waters of the state.

13 **SECTION 196.** ATCP 11.60(2) is amended to read:

14 ATCP 11.60(2) PARATUBERCULOSIS REACTORS; SALE OR MOVEMENT. No
15 person may sell or move, from a location in this state, an animal determined to be a
16 paratuberculosis reactor under s. ATCP 10.21(9) or 10.63(9) unless ~~an accredited~~ a
17 Wisconsin certified veterinarian first identifies that animal under s. ATCP 10.21(11)(a)
18 or s. ATCP 10.63(11)(a).

19 **SECTION 197.** ATCP 11.60(3)(dm) is created to read:

20 ATCP 11.60(3)(dm) Equine infectious anemia.

21 **SECTION 198.** ATCP 11.60(3)(mm) is created to read:

22 ATCP 11.60(3)(mm) Scrapie.

23 **SECTION 199.** ATCP 11.60(5)(b) is repealed.

1 **SECTION 200.** ATCP 11.60(5)(c) is amended to read:

2 ATCP 11.60(5)(c) This subsection does not apply to a brucellosis reactor
3 ~~branded~~ identified in compliance with s. ATCP ~~11.10(3)(b)~~ 10.36.

4 **SECTION 201.** ATCP 11.62(2)(a) and (b) are amended to read:

5 ATCP 11.62(2)(a) No person may exhibit any swine at a fair or livestock
6 exhibition unless the swine are accompanied by a certificate of veterinary inspection ~~or~~
7 ~~an interstate health certificate~~ signed by a Wisconsin certified veterinarian or by an
8 accredited veterinarian in the swine's state of origin. The certificate shall state that the
9 veterinarian has inspected the herd of origin ~~has been inspected on the farm~~ and that no
10 apparent disease has been present in the herd for the past 30 days.

11 (b) No person may exhibit any breeding swine at a fair or livestock exhibition
12 unless the swine tests negative for pseudorabies in a pseudorabies test performed not
13 more than 30 days before the person exhibits that swine, or the swine originates from a
14 qualified pseudorabies negative herd, a qualified pseudorabies negative grow-out herd
15 in this state, or a ~~state~~ stage IV or V state or area designated by the national
16 pseudorabies control board.

17 **SECTION 202.** ATCP 11.62(2)(c)3. is amended to read:

18 ATCP 11.62(2)(c)3. The non-breeding swine originate from a qualified
19 pseudorabies negative herd, a qualified negative pseudorabies grow-out herd in this
20 state, or a ~~state~~ stage IV or V state or area designated by the national pseudorabies
21 control board.

1 **SECTION 203.** ATCP 11.62(4)(b) is amended to read:

2 ATCP 11.62(4)(b) The poultry test negative for pullorum-typhoid on a test
3 approved by the department within 90 days before the poultry arrive at the fair or
4 exhibition. Testing is required only for sexually mature birds over 4 months of age.
5 ~~Turkeys may be tested for exhibition or fairs by the use of the negative plate test.~~

6 **SECTION 204.** ATCP 11.62(5) is repealed and recreated to read:

7 ATCP 11.62(5) **HEALTH RECORDS.** (a) Every person who exhibits livestock
8 or poultry at a fair, exhibition or show in this state shall do all the following:

9 1. Provide, to the show chairman or show veterinarian, copies of all
10 certificates of veterinary inspection and test reports required by this chapter.

11 2. Keep original copies of all certificates of veterinary inspection and test
12 reports required by this chapter. The exhibitor shall make these records available to
13 the department for inspection and copying upon request.

14 (b) The sponsor of the fair, exhibition or show shall maintain the copies
15 provided under par. (a)1. for at least 5 years, and shall make them available to the
16 department for inspection and copying upon request.

17 **SECTION 205.** ATCP 11.62(6) is repealed and recreated to read:

18 ATCP 11.62(6)(a) Except as provided under par. (am), no person may exhibit
19 any equine animal at a fair, exhibition or show unless the animal has tested negative for
20 equine infectious anemia during the previous 12 months.

21 (b) The sponsor of a fair, exhibition or show shall do one of the following:

22 1. Record the name and address of every person who owns an equine animal
23 exhibited at the fair, exhibition or show; the animal's name and identification; and the

1 accession or laboratory number of the test required under par. (a). The sponsor shall
2 keep the record for at least 5 years, and shall make it available to the department for
3 inspection and copying upon request.

4 2. Keep a copy of the test report for each equine infectious anemia test required
5 under par. (a). The sponsor shall keep the copy for at least 5 years, and shall make it
6 available to the department for inspection and copying upon request.

7 **SECTION 206.** ATCP 11.705 is created to read:

8 **ATCP 11.705 Temporary animal hold order.** (1) DEPARTMENT MAY ISSUE.

9 The department may issue a temporary animal hold order whenever the department has
10 reason to believe that animals may have been illegally imported, or may have been
11 exposed to an infectious, contagious or communicable disease. A temporary animal
12 hold order may prohibit the movement of animals for up to 90 days while the
13 department investigates the suspected illegal import or disease exposure. The
14 department may, for good cause, extend the animal hold order for up to 90 days.

15 (2) CONTENTS. A temporary animal hold order shall contain the following
16 information:

17 (a) The name and address of the person having custody or control of the
18 animals covered by the order, if known.

19 (b) A description of the animals covered by the order.

20 (c) A description of the premises where the animals are to be held.

21 (d) The reason or justification for the order.

22 (e) The duration of the order, and all terms and conditions applicable to the
23 order.

1 (f) Notice that a person adversely affected by the order may request a hearing
2 under sub. (6).

3 (3) SERVICE. The department shall serve a temporary animal hold order in one
4 of the following ways:

5 (a) Delivering the order, in person or by certified mail, to a person having
6 custody or control of the animals covered by the order.

7 (b) Posting the order at 2 conspicuous places on the premises where the
8 animals are kept.

9 (4) PROOF OF SERVICE. The department may prove service of a temporary
10 animal hold order by means of an affidavit or certified mail return receipt.

11 (6) REVIEW OF ANIMAL HOLD ORDER. A person adversely affected by a
12 temporary animal hold order may request a hearing before the department to review the
13 order. The department shall conduct an informal hearing as soon as reasonably
14 possible, and not later than 10 days after receiving a request for hearing. If the matter
15 is not resolved after informal hearing, the person requesting the hearing may seek a
16 formal hearing under ch. 227, Stats. A request for hearing does not automatically stay
17 a temporary animal hold order.

18 **SECTION 207.** ATCP 11.71(1)(a) is amended to read:

19 ATCP 11.71(1)(a) The owner or custodian of the animal fails to produce a
20 valid certificate of veterinary inspection ~~or an interstate health certificate~~, if a
21 certificate is required under this chapter.

1 **SECTION 208.** ATCP 11.72(2) is repealed and recreated to read:

2 ATCP 11.72(2) Sell or move an animal in violation of this chapter, or an order
3 issued under this chapter.

4 **SECTION 209.** ATCP 11.72(4) is amended to read:

5 ATCP 11.72(4) Transport any livestock without ~~health~~ certificates of veterinary
6 inspection, permits, or other documents required by ch. ATCP 10 or this chapter.

7 **SECTION 210.** ATCP 11.72(13) and (14) are created to read:

8 ATCP 11.72(13) Physically assault a department employee while the employee
9 is performing his or her official duties.

10 (14) Fail to identify the state of origin of animals consigned to a livestock
11 market in this state.

12 **SECTION 211.** ATCP 11.73 is created to read:

13 **ATCP 11.73 Animals imported without required tests; department testing.**

14 **ATCP 11.73 Animals imported without required tests; department testing.**
15 If an animal is moved or imported without being tested according to this chapter, the
16 department may perform the required test at the owner's expense. Department testing
17 does not relieve any person from other penalties or remedies that may apply because of
18 the illegal import or movement.

19 **SECTION 212.** ATCP 12.01(8x) is created to read:

20 ATCP 12.01(8x) "Federally approved livestock import market" means a
21 market that complies with s. ATCP 11.04.

1 **SECTION 213.** ATCP 12.01(10) is amended to read:

2 ATCP 12.01(10) “Feeder swine” means swine, ~~excluding boars, weighing less~~
3 ~~than 175 pounds~~ that weigh 80 pounds or less and are kept for the sole purpose of
4 feeding for slaughter.

5 **SECTION 214.** ATCP 12.01 (18) and (19) are amended to read:

6 ATCP 12.01(18) “Official ~~back-tag~~ backtag” means an identification ~~back-tag~~
7 backtag, approved by the federal bureau or the department, that conforms to the ~~8-~~
8 ~~character alpha-numeric~~ national uniform backtagging system.

9 (19) “Official eartag” means an identification eartag, approved by the federal
10 bureau or the department, that conforms to the ~~9-character alpha-numeric~~ national
11 uniform eartagging system.

12 **SECTION 215.** ATCP 12.01(20)(f)2. is amended to read:

13 ATCP 12.01(20)(f)2. The equine animal’s sexual status ~~as a gelding, mare or~~
14 ~~stallion, which may be abbreviated as “G”, “m” or “S” respectively.~~

15 **SECTION 216.** ATCP 12.01(20)(i) is renumbered ATCP 12.01(20)(j).

16 **SECTION 217.** ATCP 12.01(20)(i) is created to read:

17 ATCP 12.01(20)(i) For a swine weighing 80 pounds or less, the premises
18 identification of the premises of origin.

19 **SECTION 218.** ATCP 12.01(21) and (22) are repealed.

20 **SECTION 219.** ATCP 12.01(24) is amended to read:

21 ATCP 12.01(24) “Person” ~~includes any~~ means an individual, corporation,
22 partnership, association, ~~or firm~~ limited liability company, trust, governmental entity,
23 or other organization or entity.

1 **SECTION 220.** ATCP 12.01(27) is repealed.

2 **SECTION 221.** ATCP 12.02(2)(e) and (f) are repealed.

3 **SECTION 222.** ATCP 12.02(2m)(a)2. is amended to read:

4 ATCP 12.02(2m)(a)2. For a livestock market, other than an equine market,
5 that has conducted sales on fewer than 5 days during the year immediately preceding
6 the year for which a license is issued, a fee of \$115. A livestock market operator
7 paying this fee shall identify the dates on which the operator conducted the sales.

8 **SECTION 223.** ATCP 12.02(2r)(b) is amended to read:

9 ATCP 12.02(2r)(b) A livestock market operator shall register livestock vehicles
10 when the market operator submits an application under sub. (2) for an annual livestock
11 market license. The operator shall indicate how many vehicles are being registered,
12 and shall pay the supplementary license fee required under sub. (2m)(b) for each
13 livestock vehicle. A livestock market operator may register additional livestock
14 vehicles during the license year.

15 **SECTION 224.** ATCP 12.02(2r)(c) is repealed.

16 **SECTION 225.** ATCP 12.03(2)(c) and (d) are repealed.

17 **SECTION 226.** ATCP 12.03(2r)(b) is amended to read:

18 ATCP 12.03(2r)(b) A livestock dealer shall register livestock vehicles when
19 that dealer submits an application under sub. (2) for an annual livestock dealer license.
20 The dealer shall indicate how many vehicles are being registered, and shall pay the
21 supplementary license fee required under sub. (2m)(b) for each livestock vehicle. A
22 livestock dealer may register additional livestock vehicles during the license year.

23 **SECTION 227.** ATCP 12.03(2r)(c) is repealed.

1 **SECTION 228.** ATCP 12.03(2w)(title) is amended to read:

2 ATCP 12.03(2w) ~~ACTION OF~~ ON LICENSE APPLICATION.

3 **SECTION 229.** ATCP 12.04(2)(c) is repealed.

4 **SECTION 230.** ATCP 12.04(2r)(b) is amended to read:

5 ATCP 12.04(2r)(b) A livestock trucker shall register livestock vehicles when
6 that livestock trucker submits an application under sub. (2) for an annual livestock
7 trucker license. The livestock trucker shall indicate how many vehicles are being
8 registered, and shall pay the supplementary license fee required under sub. (2m)(b) for
9 each livestock vehicle. A livestock trucker may register additional livestock vehicles
10 during the license year.

11 **SECTION 231.** ATCP 12.04(2r)(c) is repealed.

12 **SECTION 232.** ATCP 12.045(1)(c) is created to read:

13 ATCP 12.045(1)(c) An annual livestock vehicle registration sticker issued by
14 the department. The registration sticker shall be in close proximity to the license
15 number required in par. (b).

16 **SECTION 233.** ATCP 12.05(1)(a) is amended to read:

17 ATCP 12.05(1)(a) *Official individual identification.* Whenever a livestock
18 dealer or livestock market operator receives a bovine animal, the livestock dealer' or
19 market operator shall immediately record the animal's official individual identification.
20 If a bovine animal has no official individual identification at the time of receipt, the
21 ~~animal shall immediately be identified with an official eartag~~ livestock dealer or market
22 operator shall immediately identify that animal with an official individual identification.

1 ~~Eartagging is not required under this~~ This paragraph for does not apply to steers,
2 calves under 6 months old, or feeder cattle.

3 **SECTION 234.** ATCP 12.05(2)(a) is amended to read:

4 ATCP 12.05(2)(a) *Official individual identification.* Whenever a livestock
5 dealer or livestock market operator receives any swine, the livestock dealer or market
6 operator shall immediately record the official individual identification of that swine. If
7 a swine has no official individual identification at the time of receipt, the ~~swine shall~~
8 ~~immediately be identified with an official eartag~~ livestock dealer or market operator
9 shall immediately identify that swine with an official individual identification.

10 ~~Eartagging is not required under this paragraph for~~ This paragraph does not apply to
11 swine which are backtagged for slaughter under par. (b).

12 **SECTION 235.** ATCP 12.05(4) is amended to read:

13 ATCP 12.05(4) IDENTIFICATION OF SHEEP. Whenever a livestock dealer or
14 livestock market operator receives any sheep, the livestock dealer or market operator
15 shall immediately record the official individual identification of that sheep. If a sheep
16 has no official individual identification when received by a livestock dealer or market
17 operator, the livestock dealer or market operator shall immediately identify that sheep
18 with an official ~~eartag~~ individual identification. This subsection does not apply to sheep
19 under 6 months old.

20 **SECTION 236.** ATCP 12.05(5)(b) is amended to read:

21 ATCP 12.05(5)(b) *Slaughter identification.* Whenever a livestock dealer,
22 livestock market operator or livestock trucker receives a farm-raised deer for sale or
23 shipment to slaughter, that recipient shall immediately identify that deer with an official

1 backtag or other slaughter identification approved by the department unless that deer
2 already bears an official backtag slaughter identification. ~~The recipient shall affix the~~
3 ~~backtag to the deer at a point 4 inches behind the shoulder and 4 inches below the~~
4 ~~topline~~. The livestock dealer, livestock market operator or livestock trucker shall
5 immediately record the backtag or slaughter identification number.

6 **SECTION 237.** ATCP 12.06(1) is repealed and recreated to read:

7 **ATCP 12.06(1) LIVESTOCK MARKET OPERATORS.** (a) *Daily record of*
8 *transactions.* Every livestock market operator shall keep a daily record of all
9 transactions involving the purchase, receipt, sale or delivery of livestock.

10 (b) *Animals purchased or received.* For each livestock animal purchased or
11 received by a livestock market operator, the daily record under par. (a) shall include all
12 the following:

13 1. The name and address of the person from whom the animal was purchased
14 or received.

15 2. The animal's official individual identification if required under s. ATCP
16 12.05(1)(a), (2)(a), (3), (4) or (5)(a).

17 3. The animal's backtag number, if the animal is backtagged for slaughter
18 under s. ATCP 12.05(1)(b), (2)(b) or (5)(b). If the animal is not sold or delivered
19 directly to slaughter, the record shall correlate the backtag number with the official
20 individual identification recorded under subd. 2.

21 4. The date of receipt, and the place where the animal was received.

1 5. The animal's breed or class if the animal is a bovine animal or swine. If a
2 bovine animal is a crossbreed of beef and dairy animals, the animal shall be classified
3 as a beef breed.

4 6. A copy of any certificate of veterinary inspection that is required to
5 accompany the animal under ch. ATCP 11. The copy may be kept at the livestock
6 market office or at the office of the market veterinarian.

7 7. Equine infectious anemia test results if required under s. ATCP 11.30(2) for
8 an equine animal.

9 (c) *Animals sold or delivered.* For each livestock animal sold or delivered by a
10 livestock market operator, the daily record under par (a) shall include all the following:

11 1. The name and address of the person to whom the animal was sold or
12 delivered.

13 2. The animal's official individual identification if required under s. ATCP
14 12.05(1)(a), (2)(a), (3), (4) or (5)(a)

15 3. The animal's backtag number if the animal is backtagged for slaughter under
16 s. ATCP 12.05(1)(b), (2)(b) or (5)(b).

17 4. The date of delivery, and the place to which the animal was delivered.

18 5. The animal's breed or class if the animal is a bovine animal or swine. If a
19 bovine animal is a crossbreed of beef and dairy animals, the animal shall be classified
20 as a beef breed.

21 6. A copy of any certificate of veterinary inspection that is required to
22 accompany the animal under ch. ATCP 11. The copy may be kept at the livestock
23 market office or at the office of the market veterinarian.

1 7. Equine infectious anemia test results if required under s. ATCP 11.30(2) for
2 an equine animal.

3 (d) *Animals dying in custody.* Every livestock market operator shall keep a
4 record of every livestock animal which dies in the custody of the livestock market
5 operator. The record shall indicate the disposition of the dead animal.

6 (e) *Records retained for 5 years; inspection and copying.* Records required
7 under this subsection shall be retained for at least 5 years, and shall be made available
8 for inspection and copying by the department upon request.

9 **SECTION 238.** ATCP 12.06(2)(a) to (d) are renumbered ATCP 12.06(3)(a) to
10 (d).

11 **SECTION 239.** ATCP 12.06(2)(e) is renumbered ATCP 12.06(3)(e) and
12 amended to read:

13 ATCP 12.06(3)(e)(title) *Records retained for 2 5 years; inspection and*
14 *copying.* Records required under this subsection shall be retained for at least 2 5 years,
15 and shall be made available for inspection and copying by the department upon request.

16 **SECTION 240.** ATCP 12.06(2) is created to read:

17 ATCP 12.06(2) LIVESTOCK DEALERS. (a) *Daily record of transactions.* Every
18 livestock dealer shall keep a daily record of all transactions involving the purchase,
19 receipt, sale or delivery of livestock.

20 (b) *Animals purchased or received.* For each livestock animal purchased or
21 received by a livestock dealer, the daily record under par. (a) shall include all the
22 following:

1 1. The name and address of the person from whom the livestock dealer
2 purchased or received the animal.

3 2. The animal's official individual identification if required under s. ATCP
4 12.05.

5 3. The animal's slaughter identification number if the animal is identified for
6 slaughter under s. ATCP 12.05. If the animal is not sold or delivered directly to
7 slaughter, the record must correlate the slaughter identification number with the official
8 individual identification recorded under subd. 2.

9 4. The date of receipt, and the place where the animal was received.

10 5. The animal's breed or class if the animal is a bovine animal or swine. If a
11 bovine animal is a crossbreed of beef and dairy animals, the animal shall be classified
12 as a beef breed.

13 (c) *Animals sold or delivered.* For each livestock animal sold or delivered by a
14 livestock dealer, the daily record under par. (a) shall include all the following:

15 1. The name and address of the person to whom the animal was sold or
16 delivered.

17 2. The animal's official individual identification if required under s. ATCP
18 12.05.

19 3. The animal's slaughter identification number if the animal is identified for
20 slaughter under s. ATCP 12.05.

21 4. The date of delivery, and the place to which the animal was delivered.

1 5. The animal's breed or class if the animal is a bovine animal or swine. If a
2 bovine animal is a crossbreed of beef and dairy animals, the animal shall be classified
3 as a beef breed.

4 (d) *Animals dying in custody.* Every livestock dealer shall keep a record of
5 every livestock animal which dies in the custody of the livestock dealer. The record
6 shall indicate the disposition of the dead animal.

7 (e) *Records retained for 5 years; inspection and copying.* Records required
8 under this subsection shall be retained for at least 5 years, and shall be made available
9 for inspection and copying by the department upon request.

10 **SECTION 241.** ATCP 12.08(2) is repealed and recreated to read:

11 ATCP 12.08(2) Sell or move any animal in violation any of the following:

12 (a) Chapter ATCP 10 or any order issued under that chapter.

13 (b) Chapter ATCP 11 or any order issued under that chapter.

14 (c) This chapter.

15 **SECTION 242.** ATCP 12.08(10) is repealed and recreated to read:

16 ATCP 12.08(10) Receive interstate shipments of bovine animals or swine as a
17 federally approved import market unless the market is specifically approved as a
18 federally approved import market under ATCP 11.04.

19 **SECTION 243.** ATCP 12.08(11) is repealed.

20 **SECTION 244.** ATCP 12.08(12) is amended to read:

21 ATCP 12.08(12) Use ~~or possess any unauthorized~~ brand or tattoo device, ~~or~~
22 ~~use or possess an official brand or official tattoo device~~ for official identification
23 purposes, without authorization from the department.

1 **SECTION 245.** ATCP 12.08(24) is created to read:

2 ATCP 12.08(24) Physically assault a department employee while the employee
3 is performing his or her official duties.

4 **EFFECTIVE DATE.** The rules contained in this order shall take effect on the
5 first day of the month following publication in the Wisconsin administrative register, as
6 provided under s. 227.22(2)(intro), Stats.

Dated this _____ day of _____, 2000.

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE, TRADE
AND CONSUMER PROTECTION

By: _____
Ben Brancel, Secretary