Chapter Ag 11

LIVESTOCK DEALERS AND MARKETS

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Ag 11.01 Definitions. As used herein:

(1) "Department" means the State Department of Agriculture.

(2) "Dealer" means a livestock dealer defined in section 95.70, Wis. Stats.

(3) "Livestock market" means a livestock market defined in section 95.70, Wis. Stats. The term shall not be construed to include premises used for a bona fide livestock exhibition or show by reason of the sale of livestock entered in such exhibition or show, nor shall it include stockyards or other premises operated by a dealer solely for his purchase and resale of livestock.

(4) "Livestock" means cattle, sheep or swine.

History: 1-2-56; r. and recr. Register, July, 1958, No. 31, eff. 8-1-58.

Ag 11.02 Unlawful conduct. It shall be unlawful for any dealer or operator of a livestock market:

(1) To knowingly and wilfully make or cause to be made, in connection with the purchase or sale of livestock, any false or misleading representation concerning the ownership, origin or health status of such livestock.

(2) To receive in possession or purchase livestock with knowledge that the transfer or sale thereof is prohibited by or is conducted contrary to any provision of chapter 95, Wis. Stats., or the regulations of the department.

(3) To knowingly and wilfully make any false report or misrepresentation of any kind to the department, in respect to the ownership, identification or health status of livestock or in relation to the purchase, sale or movement of livestock.

(4) To knowingly and wilfully make or cause to be made to a veterinarian, any false or misleading statement or false representation of any kind concerning the identification, ownership or health status of livestock which is examined or treated by such veterinarian.

(5) To knowingly and wilfully sell or deliver, or to cause the sale or delivery of diseased livestock to any person other than a slaughtering establishment or public stockyards authorized by law to receive diseased livestock, except upon written authorization of the department.

(6) To conduct any livestock transaction in the name of any person other than that of the licensee.

History: 1-2-56; am. (5) Register, March, 1957, No. 15, eff. 4-1-57; r. and recr. Register, July, 1958, No. 31, eff. 8-1-58; cr. (6), Register, June, 1959, No. 42, eff. 7-1-59.

Ag 11.03 Livestock markets. (1) CONSTRUCTION AND SANITATION. (a) No premises shall be approved for use as a livestock market unless it has been inspected by the department and found to be in a condition that will make cleaning and disinfection practicable. All barns and adjacent pens and alleys for holding livestock shall have floors constructed of cement or other impervious material. Such floors shall be so constructed as to enable drainage. A clean water supply, under pressure, shall be available at the premises.

(b) Each operator of a livestock market shall maintain the premises in a sanitary manner and clean and disinfect the premises prior to the conduct of each public sale of cattle for dairy, feeding or breeding purposes.

(c) No operator of a livestock market shall cause or permit the commingling of different species of livestock (cattle, sheep or swine) at the premises.

(2) SWINE VACCINATION. (a) No person shall sell any swine at a livestock market, dealer's premises or a public stockyard, or remove any swine from such premises unless such swine have been vaccinated by a veterinarian against hog cholera. Each seller shall furnish a copy of the official vaccination report to the purchaser or the person removing such swine. Such vaccination shall not be required for swine which are sold for slaughter and are removed directly to a slaughtering establishment for immediate slaughter, or for swine which are not unloaded from the truck or other vehicle used to transport them to the premises or are unloaded from such vehicle directly onto another vehicle, or are moved directly from non-approved to approved livestock markets, public stockyards or dealers' premises under title 9, part 76, Code of Federal Regulations.

(b) Swine not officially vaccinated and moving only intrastate through a Wisconsin livestock market, public stockyards or dealer's premises, whether or not federally approved under title 9, part 76, Code of Federal Regulations, shall be vaccinated with at least 20 cc. of anti-hog cholera serum (or 10 cc. of antibody concentrate) or such larger dosages as may be recommended on the product label. Such swine shall be permanently identified as provided in subsection Ag 10.16 (3).

(c) Swine moving intrastate only under subsection (2) (b) may not be vaccinated with a modified live virus vaccine with or without serum or antibody concentrate without the express approval of the department. Swine so vaccinated shall be held in isolation and quarantine on the premises where vaccinated for 21 days after date of vaccination and may not be removed therefrom except as the department may authorize.

History: Cr. Register, July, 1958, No. 31, eff. 8-1-58; am. (2), r. (3), Register, February, 1962, No. 74, eff. 3-1-62; renum. (2) to be (2) (a) and am.; cr. (2) (b), (c) and (3), Register, April, 1963, No. 88, eff. 5-1-63; am. (2) (a), Register, July, 1963, No. 91, eff. 8-1-63; r. (3), Register, February, 1967, No. 134, eff. 3-1-67.

Ag 11.04 Swine identification and movement. (1) Each dealer and each market operator shall identify all swine not bearing an official ear tag at the site and at the time he receives possession or control of such swine. Identification shall be accomplished by inserting an official ear tag in the lower lobe of either ear. Such dealer or market operator shall also obtain a written certification from the owner or transferor as to the number and identification of the swine sold or

transferred. No dealer or market operator shall have any swine in his possession or control which are not so identified, except swine weighing more than 175 pounds which are received for sale and shipment to a slaughtering establishment.

(2) Official ear tags shall bear a serial number and will be furnished by the department at cost; provided, the department will approve, and register for the exclusive use of a dealer or market operator, any ear tags suitable for swine which bear a serial number and a distinctive madk or name. No person shall have in possession or use official ear tags which have not been issued to him or registered for his use by the department, or ear tags which are a counterfeit thereof.

(3) Each dealer and each market operator shall maintain for a period of one year a record of each swine transaction, including the written certification of the owner or transferor required by subsection (1). Such records shall include the following information:

(a) The name and address of each person from whom swine were purchased or received; the number purchased or received; the official ear tag numbers of all such swine; and the date and place of receipt of such swine.

(b) The name and address of all persons to whom swine were sold or delivered; the number of swine sold or delivered; and the date of the transaction. The filing of reports may be required on forms approved by the department.

(4) Failure to comply with the provisions of this section shall be grounds for revocation of any license issued under section 95.70, Wis. Stats.

History: Cr. Register, June, 1959, No. 42, eff. 7–1–59; r. (5), Register, November, 1959, No. 47, eff. 12–1–59; r. (1); renum. (2), (3), (4) and (6) to be (1), (2), (3) and (4), respectively; am. (1) and (3) as renum., Register, November, 1962, No. 83, eff. 12–1–62.

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