

Chapter Ag 10

ANIMAL HEALTH

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Ag 10.01 Definitions. The following terms, wherever used in these regulations, shall be construed to have the meaning here indicated, unless the context otherwise requires:

(1) "Department" means the state of Wisconsin department of agriculture, trade and consumer protection.

(2) "Person" shall include any corporation, association, or firm.

(3) "Federal bureau" means the animal and plant health inspection service of the United States department of agriculture or such other division of that department as may be created for the execution and administration of the federal laws and regulations relating to animal disease control.

(4) "Brucellosis" means the disease of brucellosis in animals.

(5) (a) "Brucellosis test" means the blood serum agglutination test or supplementary tests for the diagnosis of brucellosis, applied in accordance with techniques approved by the department.

(b) "Supplementary" brucellosis test means the complement fixation, card test, heat inactivation (65° C.), Rivanol, individual brucellosis ring test and other tests approved by the department for the diagnosis of brucellosis.

(6) "Certified brucellosis-free herd" is a herd of cattle or goats certified by the department as being free from brucellosis as provided in s. Ag 10.24. In the case of imported animals such certification shall be by an authorized agency of the state of origin under requirements acceptable to the department.

(7) "Validated brucellosis-free herd" is a herd of swine certified by the department as being free from brucellosis as provided in s. Ag 10.55. In the case of imported animals such certification shall be by an authorized agency of the state of origin under requirements acceptable to the department.

(8) "Modified certified brucellosis area" is an area so designated by the federal bureau.

(9) "Certified brucellosis-free area" is an area which is so designated by the federal bureau.

(10) "Tuberculosis test" means the test on animals made for the purpose of determining the status of such animals in respect to tuberculosis, applied in accordance with a technique approved by the department.

(11) "Accredited tuberculosis-free herd" is a herd of cattle or goats certified by the department as being free from tuberculosis as provided in s. Ag 10.25. In the case of imported animals such certification shall be by an authorized agency of the state of origin under requirements acceptable to the department.

(12) "Interstate health certificate" is a written certification for the interstate movement of animals, executed by an accredited veterinarian of the state of origin, showing the name and address of the consignor and consignee and certifying that animals identified thereon have been inspected and no evidence of infectious or contagious disease was disclosed.

(13) "Accompanied by interstate health certificate", or "test report" means that such certificate or test report is attached to the waybill if the animals covered thereby are shipped by rail, boat or express, or that such certificate or test report is in the immediate possession of the person actually transporting such animals and delivered to the receiver of the animals.

(14) "Public stockyards" is any premises open to general public use for the holding of livestock pending shipment or sale. The term shall include, without limitation because of enumeration, all yards used by the operator of any common or contract carrier.

(15) "Slaughtering establishment" shall include all premises used in connection with the slaughter of animals by any slaughterer licensed in this state or maintaining inspection by the federal bureau.

(16) "Individual identification" means identification by a tag of a type approved by the department inserted in the right ear of each animal

by a person authorized by the department to identify cattle, provided that in case of an animal registered with a purebred association the registry or tattoo number assigned to the animal by such association may be used for identification in lieu of an identification tag.

(17) "Feeder cattle" means female bovine animals of recognized beef breeds or mixtures of beef breeds, kept for the sole purpose of feeding prior to slaughter, and which are not more than 24 months of age as evidenced by the presence of no more than 2 permanent teeth, and are not parturient or post-parturient. The term does not include steers or spayed heifers.

(18) "Approved feed lot" is any confined area or enclosure maintained exclusively for the feeding of feeder cattle prior to slaughter under s. Ag 10.26.

(19) "Approved quarantine feed lot" is any confined area or enclosure maintained exclusively for the finish feeding of cattle quarantined under s. Ag 10.27 and from which cattle may be moved only to immediate slaughter.

(20) "Anaplasmosis test" means the complement fixation or other approved tests for the diagnosis of anaplasmosis, conducted at a state or federal approved laboratory in accordance with techniques approved by the department.

(21) "Anaplasmosis-free herd" is a herd of cattle certified by the department as being free from anaplasmosis as provided in s. Ag 10.34.

(22) "Specifically approved livestock market" is a licensed livestock market which has received specific approval of the federal bureau to receive cattle interstate.

(23) "Official vaccinate" means a female bovine animal which has been vaccinated and is officially identified and reported to the department as having been vaccinated against brucellosis in accordance with the requirements of s. 95.46, Stats., and this chapter.

(24) "Qualified herd" means a herd of cattle in a noncertified area officially tested within 12 months of interstate movement and determined not to be affected with brucellosis by the state of origin.

(25) "Accredited veterinarian" means a veterinarian who has been accredited and specifically authorized by the federal bureau to conduct official tests, inspections, treatments, vaccinations or perform other animal disease eradication or control functions as provided under state or federal animal health laws.

(26) "Licensed livestock market" means a livestock market licensed under s. 95.70, Stats.

(27) "Hog cholera free state" is a state which is so designated by the federal bureau.

(28) "Federally approved swine market" is a licensed livestock market or dealer approved jointly by the state and federal governments for the interstate shipment of swine.

(29) "Feeder swine" means swine, excluding boars, weighing less than 175 pounds and kept for the sole purpose of feeding for slaughter.

(30) "Approved equine quarantine station" means a facility approved by the department to receive equine animals imported from foreign countries in which contagious equine metritis has been reported.

(31) "Equine animal" means a horse, mule or ass.

(32) "Equine market" means a market which is open to the public for purposes of marketing or trading in equine animals, whether or not the market is also used for marketing or trading in other animals.

(33) "Mare" means a female horse over 731 days of age, or any other sexually mature female equine animal.

(34) "Stallion" means a male horse over 731 days of age, or any other sexually mature male equine animal, but does not include a gelding.

(35) "Test mare" means a mare which is used in determining the disease status of stallions with respect to contagious equine metritis.

(36) "Leukosis" means the condition of cattle caused by bovine type C oncovirus manifested by the presence of bovine leukosis virus antibodies, which may result in lymphosarcoma or lymphocytosis.

(37) "Leukosis-free herd" means a herd of cattle certified as being free from bovine leukosis virus antibodies as provided in s. Ag 10.38.

(38) "Leukosis test" means a test approved by the department, conducted at department laboratories to determine whether bovine leukosis virus antibodies are present in cattle, and evaluated by a department epidemiologist.

(39) "Qualified feeder pig herd" means a herd of breeding swine, used for producing feeder pigs, which is tested in accordance with s. Ag 10.041 (4), and determined to be negative for pseudorabies.

(40) "Qualified pseudorabies negative herd" means a herd of swine certified as being free of pseudorabies as provided in s. Ag 10.58.

(41) "Recognized pseudorabies free area" means an area recognized by the department as being free of pseudorabies.

History: 1-2-56; am. (1), (5) and (6); renum. (7) through (14) to be (8) through (15) respectively; cr. (7); am. (9) and (10) as renum.; am. (14) and (15) as renum.; Register, June, 1959, No. 42, eff. 7-1-59; am. (5) and (6); renum. (7) to be (8) and am.; cr. (7); renum. (8) to be (10); renum. (9) to be (11) and am.; cr. (9); renum. (10) to (13) to be (12) to (15); renum. (14) to be (16) and am.; renum. (15) to be (17), Register, February, 1962, No. 74, eff. 3-1-62; renum. (5) to be (5) (a) and am.; cr. (5) (b), Register, June, 1965, No. 114, eff. 7-1-65; cr. (18) and (19), Register, March, 1970, No. 171, eff. 4-1-70; am. (1), (3), (5) (a), (6) and (11) and cr. (20), (21), (22) and (23), Register, February, 1972, No. 194, eff. 3-1-72; am. (3), (5), (8), (13) and (23); r. and recr. (16); cr. (24) and (25), Register, October, 1974, No. 226, eff. 11-1-74; am. (23) and (26), Register, August, 1975, No. 236, eff. 9-1-75; cr. (27) and (28), Register, December, 1976, No. 252, eff. 1-1-77; am. (12), (23) and (25), Register, October, 1978, No. 274, eff. 11-1-78; am. (1) and (17), cr. (29), Register, April, 1980, No. 292, eff. 5-1-80; r. and recr. (23), Register, December, 1981, No. 312, eff. 1-1-82; r. and recr. (26), cr. (30) to (35), Register, November, 1985, No. 359, eff. 12-1-85; r. and recr. (29), cr. (36) to (41), Register, June, 1986, No. 366, eff. 7-1-86.

Ag 10.02 Bovine animals, import. (1) PERMIT; CERTIFICATE OF VETERINARY INSPECTION OR INTERSTATE HEALTH CERTIFICATE. (1) No person may import cattle or American bison into this state unless premovement authorization for entry has been granted by the department and the animals are accompanied by a certificate of veterinary inspection or an interstate health certificate. The department shall grant or deny premove-

ment authorization within 5 business days after a request for premovement authorization has been made to the department, provided that the request is accompanied by all requisite information and documentation. The department may deny premovement authorization and import of cattle or American bison into this state if the animals originate from any state classified by the federal bureau as a brucellosis B or C state unless the cattle are spayed, castrated, "F" branded and shipped directly to an approved feedlot, or originate from a certified brucellosis-free herd.

(a) The interstate health certificate shall contain all of the following:

1. The premovement authorization permit number assigned by the department.
2. Individual animal identification code or number.
3. A record of official brucellosis vaccination.
4. A report of negative brucellosis, tuberculosis and anaplasmosis tests conducted within 30 days prior to entry.
5. The conditions which qualify animals originating from a brucellosis B or C state for importation into this state.

(b) A copy of each interstate health certificate, approved by the chief livestock health official of the state of origin of the shipment, shall be filed with the department.

(c) This subsection shall not apply to:

1. Steers.
2. Animals shipped directly to a slaughtering establishment under certificates, permits, owner's statements, or other documents as required by the federal bureau for interstate shipment of animals for immediate slaughter, except as otherwise provided under subs. (6) and (7).
3. Animals shipped for exhibition only if the animals are accompanied by an interstate health certificate which includes thereon a report of a negative brucellosis, tuberculosis and anaplasmosis test conducted within 90 days of exhibition.
4. Animals shipped to a specifically approved livestock market under certificates, permits, owner's statements, or other documents as required by the federal bureau, except as otherwise provided under subs. (6) and (7).
5. Feeder cattle shipped in conformity with s. Ag 10.03.
6. Animals shipped in conformity with s. Ag 10.08.
7. Animals not known to be affected with or exposed to brucellosis, if shipped directly to an approved quarantine feedlot accompanied by an interstate health certificate showing individual ear tag identifications and the number of the quarantine feedlot to which the animals are shipped.
8. Female calves under 6 months of age if accompanied by an interstate health certificate containing individual animal identification code or number.

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(2) **BRUCELLOSIS TEST.** The brucellosis test required under this section shall be conducted at a state or federally approved laboratory by the tube or card test method. All imported cattle originating from states with areas not certified as brucellosis free or Class "A" by the federal bureau shall be placed under quarantine by the department and held separate and apart from all other livestock and retested at owner's expense not less than 45 days nor more than 120 days after the date of import. The quarantine will be released if no evidence of brucellosis is disclosed. The requirement for a negative brucellosis test under sub. (1) does not apply to:

(a) Official vaccinates under 20 months of age whose health certificate lists the age of the animal and date of vaccination.

(b) Cattle from certified brucellosis-free herds, if the interstate health certificate includes thereon the herd certificate number and the date of the last herd test.

(c) Calves under 6 months of age or animals weighing less than 450 pounds on an individual weight basis, if the age of the animal is not known or cannot be determined.

(3) **TUBERCULOSIS TEST.** The requirement for a negative tuberculosis test under sub. (1) does not apply to:

(a) Cattle from accredited tuberculosis-free herds, if the health certificate includes thereon the date of the last tuberculosis test and the herd certificate number.

(b) Cattle from a herd in an area designated by the federal bureau as a "modified accredited area", if the interstate health certificate includes thereon a report of negative tuberculosis test of the entire herd within 12 months prior to entry.

(c) Cattle from a state classified as a "modified accredited area" by the federal bureau if the state permits importation of cattle from this state under equivalent terms and conditions.

(d) Cattle from states which are accredited by the federal bureau as free of bovine tuberculosis.

(e) Calves under 6 months of age or animals weighing less than 450 pounds on an individual weight basis, if the age of the animal is not known or cannot be determined.

(4) **ANAPLASMOSIS TEST.** (a) The anaplasmosis test required under this section shall be conducted at a state or federally approved laboratory by the complement fixation test or other test method approved by the department for the diagnosis of anaplasmosis. No animal may be imported into this state if it shows a positive reaction to the complement fixation test at a 1:10 dilution or originate from a herd in which one or more other animals shows a positive reaction at a 1:10 dilution.

(b) The requirement for a negative anaplasmosis test in sub. (1) shall not apply to calves under 6 months of age or, animals weighing less than 450 pounds on an individual weight basis if the age of the animal is not known or cannot be determined.

(5) **OTHER MOVEMENT.** The department may provide for the importation of bovine animals not otherwise provided for in this section under

special permit for each shipment and under such conditions as the department may prescribe.

(6) **BRUCELLOSIS REACTORS.** Brucellosis reactors may not be shipped into or received in this state for slaughter or shipment to a slaughtering establishment. This does not apply to reactors originating from herds in states bordering on Wisconsin if such states permit the importation of reactors from this state under equivalent terms and conditions.

(7) **POLYBROMINATED BIPHENYLS (PBB).** (a) No dairy cattle born prior to January 1, 1976, and originating from a state requiring a fat biopsy test for cattle prior to slaughter to determine whether they are contaminated with polybrominated biphenyl (PBB) at more than 20 parts per billion as calculated in the fat, shall be shipped into or received in this state for slaughter, or sold to a slaughtering establishment unless the cattle are accompanied by a slaughter certificate showing that a biopsy test has been performed on the animals within the preceding 60 days and found to contain not more than 20 parts per billion of PBB. This subsection does not apply to bulls, steers and animals exempted from a fat biopsy test by the state of origin.

(b) All certificates or documents required under this subsection shall be filed with the department within 7 days after receipt by the operator of a livestock market or slaughtering establishment.

History: 1-2-56; am. (1), (2) (b) and (3) (a), Register, June, 1959, No. 42, eff. 7-1-59; am. (1), Register, February, 1962, No. 74, eff. 3-1-62; am. (2) (a), Register, October, 1967, No. 142, eff. 11-1-67; am. (1), Register, February, 1968, No. 146, eff. 3-1-68; cr. (4), Register, January, 1969, No. 157, eff. 2-1-69; r. and recr., Register, February, 1972, No. 194, eff. 3-1-72; am. (1), (2) (intro. par.), (2) (a) and (4), cr. (2) (c) and (3) (d), Register, October, 1974, No. 226, eff. 11-1-74; am. (2) (b), (3) (d) and (4), Register, August, 1975, No. 236, eff. 9-1-75; am. (1) (b) and (d), cr. (1) (f) and (6), Register, December, 1976, No. 252, eff. 1-1-77; emerg. cr. (7), eff. 10-5-77; am. (1)(b) and (d) and cr. (7), Register, January, 1978, No. 265, eff. 2-1-78; am. (2) (intro.), (a) and (c), (3) (intro.) and (c), (4) (a) and (b), (7) (a), renum. (3) (d) to be (3) (e) and am., r. (7) (b), renum. (7) (c) to be (7) (b) and cr. (1) (g) and (3) (d), Register, April, 1980, No. 292, eff. 5-1-80; am. (1) (intro.) and (2) (intro.), Register, January, 1981, No. 301, eff. 2-1-81; emerg. am. (1) (intro.) and (2) (a), cr. (1) (h), eff. 8-31-81; am. (1) (intro.) and (2) (a), cr. (1) (h), Register, December, 1981, No. 312, eff. 1-1-82; am. (1) and (2) (intro.), Register, June, 1983, No. 330, eff. 7-1-83; r. (1) (a) 5., Register, May, 1985, No. 353, eff. 6-1-85; am. (1) (intro.), Register, November, 1985, No. 359, eff. 12-1-85; am. (1) (intro.) and (c) 3., cr. (1) (a) 5., Register, October, 1987, No. 382, eff. 11-1-87.

Ag 10.03 Feeder cattle, import. (1) **IMPORT RESTRICTIONS.** No person shall import feeder cattle into this state unless they originate from herds not known to be affected with brucellosis, in a certified brucellosis-free or modified certified brucellosis area, and are shipped directly to an approved feed lot or approved livestock market.

(2) **MOVEMENT TO APPROVED FEED LOTS.** (a) Feeder cattle moved to an approved feed lot shall be accompanied by an interstate health certificate showing:

1. Permit number of feed lot to which cattle are consigned.
2. Individual identification of animals by ear tag or brand.
3. Origin and destination of the shipment.

(b) No feeder cattle shall be removed from the approved feed lot except in compliance with s. Ag 10.26 (3).

(3) **MOVEMENT TO APPROVED LIVESTOCK MARKETS.** A waybill or an interstate health certificate shall accompany all feeder cattle consigned di-

rectly to a specifically approved livestock market premises. Feeder cattle may be removed from the premises only after inspection and release by an accredited veterinarian or by the department and in compliance with s. Ag 10.15.

History: 1-2-56; am. Register, June, 1959, No. 42, eff. 7-1-59; r. and recr. Register, February, 1960, No. 50, eff. 3-1-60; am. Register, February, 1962, No. 74, eff. 3-1-62; r. and recr., Register, March, 1970, No. 171, eff. 4-1-70; r. and recr., Register, February, 1972, No. 194, eff. 3-1-72; am. (1) (b), (2) and (4), Register, October, 1974, No. 226, eff. 11-1-74; am. (2), Register, August, 1975, No. 236, eff. 9-1-75; am. (1) and (2), r. (3), renum. (4) to be (3) and am., Register, April, 1980, No. 292, eff. 5-1-80.

Ag 10.04 Swine import. (1) HEALTH CERTIFICATES. No person shall import any swine into this state unless they are accompanied by an interstate health certificate containing:

(a) A record of individual ear tag or other permanent identification approved by the department.

(b) A statement that: "To the best of my knowledge, no pseudorabies, swine dysentery or transmissible gastroenteritis (TGE) has been diagnosed in the herd of origin within the past 60 days and no pseudorabies vaccine has been used on these identified swine."

(c) A record of negative brucellosis test conducted within 30 days of entry, or a record of swine origin from a brucellosis-free validated state, or a record of swine origin from a validated herd with validation requirements equivalent to those required under s. Ag 10.55. For the purpose of this subdivision when the swine brucellosis card test is negative or the agglutination test disclosed no reaction in a dilution of 1:25, the animal shall be classified as negative.

(d) A record of negative serum neutralization (SN), or other test approved by the department for pseudorabies conducted at a state or federal laboratory within 30 days prior to date of entry, or certification that the swine originated from a qualified pseudorabies negative herd under qualification standards equivalent to those specified under s. Ag 10.58.

(2) **GARBAGE FED SWINE.** Swine fed raw commercial garbage may not be imported into this state. Swine fed cooked commercial garbage may be imported into this state for slaughter only under a special permit from the department.

(3) **PSEUDORABIES VACCINATES.** No person shall import any swine into this state which have been vaccinated for pseudorabies.

(4) **QUARANTINE AND RETEST.** All swine imported into this state shall be segregated and quarantined separate and apart from all other swine on the premises for a period of 30 days after arrival. A retest for pseudorabies shall be conducted, at owner's expense, not less than 30 nor more than 45 days after arrival. The department may inspect all imported swine.

(5) **EXCEPTIONS.** Subsections (1), (3) and (4), do not apply to:

(a) Feeder swine imported in conformity with s. Ag 10.041;

(b) Healthy swine shipped directly to a slaughtering establishment for immediate slaughter; or

(c) Healthy swine shipped directly to a federally approved swine market for sale to a slaughtering establishment.

(6) OTHER MOVEMENT. The department may provide for the importation of swine not otherwise provided for in this section under special permit for each shipment and under such conditions as the department may prescribe.

History: 1-2-56; Ag 10.04 renum. to be Ag 10.04 (1) and Ag 10.05 renum. to be Ag 10.04 (2), and as renum. are am., Register, June, 1959, No. 42, eff. 7-1-59; am. (1), Register, February, 1962, No. 74, eff. 3-1-62; renum. (2) to be (5); cr. (2), (3) and (4), Register, April, 1963, No. 88, eff. 5-1-63; r. and recr. (1) to (4), and am. (5), Register, February, 1967, No. 134, eff. 3-1-67; r. and recr. Register, May, 1968, No. 149, eff. 6-1-68; am. (1) (a) and (b), r. (c), r. and recr. (2),

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am. (3), Register, March, 1970, No. 171, eff. 4-1-70; r. and recr. (1) and (2), Register, July, 1971, No. 187, eff. 8-1-71; r. (1) (b) and (2); renum. (1) (c) and (3) to be (1) (b) and (2); renum. (4) to be (3) and am. (intro. par.) and (a); renum. (5) to be (4) and am. and cr. (5), Register, October, 1974, No. 226, eff. 11-1-74; am. (1) (a), (2) and (3), renum. (1) (b) to be (1) (c), cr. (1) (b), r. (4), renum. (5) to be (4), Register, December, 1976, No. 252, eff. 1-1-77; emerg. am. (1)(b)2 and cr. (1) (b) 5, eff. 1-14-77; am. (1) (b) 2, cr. (1)(b) 5, renum. (3) (intro.), (a), (b) (c) to be (3) (a) 1, 2 and 3, cr. (3) (b), Register, April, 1977, No. 256, eff. 5-1-77; am. (1) (b) 2 and 5, (1) (d), (2) and (3) (a) (intro.), and r. (3) (a) 3, Register, November, 1977, No. 263, eff. 12-1-77; renum. (2) to (4) to be (4) to (6) and as renum. am. (4) and (5), r. (1) (a), renum. (1) (b) (intro.) 1. and 2. to be (1) (intro.) (a) and (b), as renum. am. (b), r. (1) (b) 3., renum. (1) (c) and (d) to be (2) and (3), renum. (1) (b) 4. and 5. to be (1) (c) and (d), as renum. am. (d), Register, April, 1980, No. 292, eff. 5-1-80; am. (1) (b) and (4), Register, January, 1985, No. 349, eff. 2-1-85; r. and recr. (5), Register, June, 1986, No. 366, eff. 7-1-86.

Ag 10.041 Feeder swine importation. (1) **INTERSTATE HEALTH CERTIFICATE.** No person may import a feeder swine into this state unless the feeder swine is accompanied by a valid interstate health certificate executed no more than 30 days prior to the date on which the feeder swine is imported into this state. The interstate health certificate shall comply with s. Ag 10.225, and shall include all of the following information:

(a) Specific identification of the feeder swine. Identification shall refer to an ear tag or other permanent identification approved by the department.

(b) The age, sex, weight, and breed of the feeder swine.

(c) The names and addresses of the persons shipping and receiving the feeder swine.

(d) A report of a negative test result for pseudorabies, unless the feeder swine originates from one of the sources specified under sub. (2).

(e) A statement that the feeder swine has been examined by the veterinarian who executed the interstate health certificate. The statement shall specify that:

1. No pseudorabies, swine dysentery, or transmissible gastroenteritis has been diagnosed in the herd of origin within the past 60 days.

2. No pseudorabies vaccine has been used in the feeder swine.

3. The feeder swine originates from one of the sources specified in sub. (2), or has been found negative for pseudorabies, in a test approved by the department, at least 30 days prior to entering this state.

(2) **PSEUDORABIES STATUS; TESTING; HERD OF ORIGIN.** No person may import a feeder swine into this state unless the feeder swine has been found negative for pseudorabies, in a test approved by the department, at least 30 days prior to entering this state. This does not apply to a feeder swine which originates from one of the following sources:

(a) A recognized pseudorabies free area.

(b) A qualified feeder pig herd.

(c) A qualified pseudorabies negative herd under s. Ag 10.58

(3) **DESTINATION.** No person may import a feeder swine into this state unless the feeder swine is consigned directly to a farm or a federally approved swine market.

(4) **QUALIFIED FEEDER PIG HERD; PSEUDORABIES.** No herd of swine may be considered a qualified feeder pig herd under sub. (2) (b) unless

the herd is annually tested and found negative for pseudorabies. Annual testing shall be performed on a representative sample of swine selected from the entire breeding herd. Each test sample shall include randomly selected representatives of all breeding groups within the herd, and shall include boars and recent additions to the herd. In herds with 25 or fewer breeding swine, all breeding swine in the herd shall be tested. In herds with more than 25, but no more than 100, breeding swine, the test sample shall include at least 25 breeding swine. In herds with more than 100, but no more than 200, breeding swine, the test sample shall include at least 27 breeding swine. In herds with more than 200 breeding swine, the test sample shall include at least 30 breeding swine.

(5) **FEEDER SWINE CONSIGNED TO FARMS.** Imported feeder swine which are consigned to a farm, either directly upon import or from a federally approved swine market, shall at all times be kept separate from breeder swine on the farm. Imported feeder swine may not be removed from the farm except for slaughter. Imported feeder swine under this subsection include swine which are commingled with imported feeder swine at a federally approved swine market in this state.

(6) **FEEDER SWINE CONSIGNED TO A FEDERALLY APPROVED SWINE MARKET.** Imported feeder swine consigned to a federally approved swine market in this state may not be removed from the livestock market except for direct shipment to slaughter, or for direct shipment to a farm for purposes of finish feeding for slaughter. Imported feeder swine under this subsection include swine which are commingled with imported feeder swine at a federally approved swine market in this state.

History: Cr. Register, April, 1980, No. 292, eff. 5-1-80; r. and recr. Register, June, 1986, No. 366, eff. 7-1-86.

Ag 10.045 Swine pseudorabies; vaccination and vaccine control. (1) No person shall vaccinate swine for pseudorabies without first obtaining a permit from the department. Permits may be granted only to veterinarians licensed in this state and then only for the vaccination of swine in infected or high risk herds. Infected or high risk herds are herds which have been determined by the department to have been infected with or exposed to swine pseudorabies. The department shall grant or deny a vaccination permit within 5 business days after a request for a vaccination permit has been made to the department, provided that the request is accompanied by all requisite information and documentation.

(2) No person shall sell, furnish, give away or supply any pseudorabies vaccine for use in this state unless:

(a) The label on the container thereof states the name and address of the manufacturer;

(b) The vendor reports to the department within 15 days of delivery, the name and address of the recipient, the date and amount of pseudorabies vaccine delivered; and

(c) Such vaccine is sold or delivered only to veterinarians licensed in this state and who are authorized under permit of the department to vaccinate swine for pseudorabies. Doses of vaccine supplied by the vendor shall be limited to the number of doses specified in the permit.

History: Emerg. cr. eff. 6-28-77; cr. Register, November, 1977, No. 263, eff. 12-1-77; am. (1), Register, November, 1985, No. 359, eff. 12-1-85.
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Ag 10.05 Sheep, import. (1) (a) Sheep imported into this state for any purpose except for immediate slaughter shall be accompanied by an interstate health certificate which discloses that such sheep and their flock of origin were inspected within 10 days of the date of shipment and were free of foot rot and all other contagious and infectious diseases; provided that in the case of feeder lambs no flock inspection shall be required.

(b) The interstate health certificate accompanying such sheep which originate in a state or area which has been designated by the federal bureau as a scabies-free state or area shall also disclose that the area of origin is on the federal list of scabies-free areas published in the code of federal regulations.

(c) The interstate health certificate accompanying any such sheep originating in states or areas not designated as scabies-free by the federal bureau shall also disclose that such sheep have been dipped, not more than 10 days prior to shipment, under the supervision of a veterinarian or inspector employed by the state or federal government, in a dip approved by the federal bureau.

(2) Sheep not known to be infected or exposed to scabies may be imported into this state for immediate slaughter if shipped directly to a slaughtering establishment or to a stockyards which is inspected by the federal bureau. Sheep originating in states or areas not designated as scabies-free by the federal bureau shall be accompanied by an interstate health certificate which discloses that such sheep were inspected within 10 days of the date of shipment and found free of contagious or infectious disease. Sheep imported pursuant to this subsection shall not be removed from a stockyards except to a slaughtering establishment for immediate slaughter, unless they have been inspected and dipped in a dip approved by the federal bureau.

History: 1-2-56; renum. from Ag 10.06 to be Ag 10.05 and as renum. is am., Register, June, 1959, No. 42, eff. 7-1-59; am. Register, February, 1962, No. 74, eff. 3-1-62; am. (1) (a), Register, January, 1965, No. 109, eff. 2-1-65.

Ag 10.06 Goats, import. No person shall import goats into this state unless such goats are accompanied by an interstate health certificate including thereon a report of negative brucellosis and tuberculosis tests conducted within 30 days of entry, except that no report of negative tuberculosis test shall be required for goats from a herd certified as free from tuberculosis, and no report of negative brucellosis test shall be required for goats from a herd certified free from brucellosis. Such certifications shall be by an authorized agency of the state of origin of the shipment.

History: 1-2-56; renum. from Ag 10.07 to be Ag 10.06, and as renum. is am., Register, June, 1959, No. 42, eff. 7-1-59.

Ag 10.07 Dogs, import. No person shall import any dog over 6 months of age into this state unless it is accompanied by an interstate health certificate containing a record of vaccination for rabies. The record shall show that the dog has been vaccinated by a licensed veterinarian in accordance with age and time standards and label instructions approved by the federal bureau for the type of a vaccine used, and that the time for revaccination or repeat vaccination has not expired prior to entry.

History: 1-2-56; renum. from Ag 10.08 to be Ag 10.07, and as renum. is am., Register, June, 1959, No. 42, eff. 7-1-59; am. Register, October, 1978, No. 274, eff. 11-1-78.

Ag 10.075 Equine animals; importation. (1) INTERSTATE HEALTH CERTIFICATE; REQUIREMENT. No person may import any equine animal into this state unless the equine animal is accompanied by a valid interstate health certificate which complies with sub. (2). This does not apply to:

(a) An equine animal imported directly to a slaughtering plant for slaughter.

(b) An equine animal imported directly to an equine market under s. Ag 10.09 if, pursuant to an agreement between the importer and the operator of the equine market, the equine animal is received at the equine market solely for sale and direct shipment to a slaughtering establishment for slaughter. Slaughter animals shall be kept separate from all

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other equine animals at the equine market, and shall be shipped directly to a slaughtering establishment for slaughter within 10 days after they are received at the equine market.

(c) An equine animal imported in compliance with s. Ag 10.08.

(2) **INTERSTATE HEALTH CERTIFICATE; VALIDITY; CONTENTS.** An interstate health certificate accompanying an imported equine animal is not valid if executed more than 30 days prior to the date on which the equine animal is imported into this state. The interstate health certificate shall include all of the following:

(a) Specific identification of the equine animal to which the interstate health certificate refers. Identification shall refer to a tattoo or other uniquely identifying markings on the equine animal.

(b) The age, sex and breed of the equine animal.

(c) The names and addresses of the persons shipping and receiving the import shipment containing the imported equine animal.

(d) A statement that the equine animal has been examined by the veterinarian who executes the interstate health certificate, and that the equine animal is free of symptoms of infectious, contagious, or communicable disease.

(e) A report of a negative test result for equine infectious anemia, based on a test under sub. (3). A negative test result need not be reported on the interstate health certificate if the equine animal is:

1. A nursing foal accompanying its dam.

2. Imported directly to an equine market under s. Ag 10.09, provided that all of the requirements under s. Ag 10.09 (2) (b) are met.

(3) **EQUINE INFECTIOUS ANEMIA; TEST.** A test for equine infectious anemia under this section shall be conducted:

(a) At a state laboratory, or a laboratory approved by the United States Department of Agriculture, Animal and Plant Health Inspection Service.

(b) No more than 12 months prior to the date on which the equine animal is imported into this state.

(c) Using the agar gel immuno - diffusion method or other test method approved by the department.

(4) **MARES OR STALLIONS IMPORTED FROM FOREIGN COUNTRIES; CONTAGIOUS EQUINE METRITIS.** No mare or stallion may be imported into this state from a foreign country in which contagious equine metritis has been reported unless the mare or stallion is imported directly to an approved equine quarantine station in accordance with the procedures under s. Ag 10.095 (1).

(5) **SPECIAL IMPORTATION PERMITS.** The department may, by special permit, authorize the importation of equine animals where the importation is not otherwise authorized under this section. No more than one import shipment may be authorized under each permit. The importation shall comply with all terms and conditions prescribed by the department. The department shall grant or deny a special permit application

within 30 days after the permit application is received by the department, provided that the application is accompanied by all requisite information and documentation.

History: Cr. Register, February, 1970, No. 170, eff. 3-1-70; am. Register, October, 1974, No. 226, eff. 11-1-74; r. and recr., Register, August, 1975, No. 236, eff. 9-1-75; r. (1) (c) and am. (2), Register, April, 1977, No. 256, eff. 5-1-77; r. and recr. Register, November, 1985, No. 359, eff. 12-1-85.

Ag 10.08 Circus, rodeo and menagerie animals, import. No circus, rodeo and menagerie animals shall be imported into this state without first obtaining a permit from the department. The department shall grant or deny an import permit within 20 business days after a request for an import permit has been made to the department, provided that the request is accompanied by all requisite information and documentation. The permit shall be valid for the calendar year for which it is issued. The department shall issue permits for such import provided:

(1) All bovine animals, excepting steers, are tested for brucellosis and meet the brucellosis test requirement or are exempt from brucellosis testing under s. Ag 10.02(2) within 30 days of the issuing of the permit, except that the quarantine and retest provisions of such section shall not be applicable.

(2) Equidae are tested and found negative for equine infectious anemia within 12 months prior to the date of entry.

(3) All animals shall be isolated from other noncircus, nonrodeo, or nonmenagerie animals in the state, and facilities and vehicles used shall all be cleaned and disinfected prior to use by other livestock.

(4) A list of places and dates of exhibition shall be furnished to the department.

History: 1-2-56; renum. from Ag 10.09 to be Ag 10.08, and as renum. is am., Register, June, 1959, No. 42, eff. 7-1-59; am. Register, December, 1976, No. 252, eff. 1-1-77; am. (intro.), Register, November, 1985, No. 359, eff. 12-1-85.

Ag 10.09 Equine markets. (1) REGISTRATION CERTIFICATE REQUIRED. No person may operate an equine market, other than a licensed livestock market, without a registration certificate from the department. Application for a registration certificate shall be made on a form provided by the department. The department shall grant or deny an application within 90 days after the application is received by the department, provided that the application is accompanied by all requisite information and documentation.

(2) **RECEIPT OF IMPORTED EQUINE ANIMALS.** (a) No equine market may receive an equine animal imported from outside this state unless the equine animal is accompanied by a valid interstate health certificate which complies with s. Ag 10.075 (2). This does not apply to an equine animal which is received solely for sale and direct shipment to a slaughtering establishment for slaughter, pursuant to an agreement between the importer and the equine market operator under s. Ag 10.075 (1) (b). Slaughter animals shall be kept separate from all other equine animals at an equine market, and shall be shipped directly to a slaughtering establishment for slaughter within 10 days after they are received at the equine market.

(b) If the health certificate accompanying an imported equine animal does not include a report of a negative test result for equine infectious

anemia under s. Ag 10.075 (2) (e), the imported equine animal shall be bled for an equine infectious anemia test within 48 hours after being received at the equine market. The blood samples shall be promptly submitted for testing in conformity with s. Ag 10.075 (3). The imported equine animal may not be removed from the equine market, or commingled with any other equine animal at the equine market, until it tests negative for equine infectious anemia. This paragraph does not apply to a nursing foal accompanying its dam, or an equine animal which is designated as a slaughter animal. A slaughter animal shall be kept separate from all equine animals except other slaughter animals, and shall be shipped directly to a slaughtering establishment for slaughter within 10 days after it is received at the equine market.

(3) **DISPOSITION OF IMPORTED EQUINE ANIMALS WHICH TEST POSITIVE FOR EQUINE INFECTIOUS ANEMIA.** An imported equine animal which tests positive for equine infectious anemia shall be:

(a) Destroyed on the premises within 10 days after the test results become known; or

(b) Branded under department supervision with a distinctive brand approved by the department, and be shipped directly to a slaughtering establishment for slaughter within 10 days after the test results become known.

History: Cr. Register, August, 1975, No. 236, eff. 9-1-75; r. and recr. Register, November, 1985, No. 359, eff. 12-1-85.

Ag 10.095 Equine quarantine stations. (1) **STALLIONS OR MARES IMPORTED FROM FOREIGN COUNTRIES; RECEIPT PROHIBITED EXCEPT AT APPROVED EQUINE QUARANTINE STATION.** No person may receive in this state any stallion or mare which is imported from a foreign country in which contagious equine metritis has been reported unless the stallion or mare is imported directly to an approved equine quarantine station in a sealed vehicle. The sealed vehicle shall have been sealed at a federal, or federally approved, quarantine station by a federal, or federally approved, agent. The imported stallion or mare shall be accompanied by a shipping permit issued by the department prior to the date on which the stallion or mare is imported into this state. The vehicle seal may not be removed except by an authorized employe or agent of the department at an approved equine quarantine station. All equine animals, including test mares, which are received at an approved equine quarantine station shall be identified with a permanent individual identification of a type approved by the department.

(2) **QUARANTINE; RELEASE.** An imported stallion or mare received at an approved equine quarantine station under sub. (1) is quarantined until the quarantine is released by the department in writing. A quarantined equine animal may not be removed from the premises, or be allowed in contact with other equine animals on the premises. Contact between a quarantined equine animal and a test mare is permitted, but only pursuant to a written agreement with the department under sub. (5). A test mare which has been in contact with an imported quarantined stallion is quarantined until the quarantine is released by the department in writing.

(3) **APPROVED EQUINE QUARANTINE STATION; PERMIT.** No person may operate an approved equine quarantine station without an annual permit from the department. Permits shall expire on June 30 of each year.

Application for a permit shall be made on a form prescribed by the department. The department shall grant or deny a permit application within 90 days after the application is received, provided that the application is accompanied by all requisite information and documentation. Every application shall include:

(a) The name and mailing address of the applicant, and any trade or business name to be used by the applicant.

(b) A statement indicating whether the applicant is an individual, partnership, corporation, cooperative corporation, or other business association or entity.

(c) The location of the equine quarantine station, specified by county, township and section.

(d) The name and address of the accredited veterinarian who will perform all identification, handling, testing and treatment of equine animals at the approved equine quarantine station under procedures or protocols established by the department.

(e) Other information which the department may require, if the information is reasonably relevant to the department's action on the permit application.

(4) **CONSTRUCTION REQUIREMENTS; SANITARY OPERATION.** Approved equine quarantine stations shall be constructed and maintained to prevent contact between quarantined equine animals and any other equine animals on the premises, including test mares. An approved equine quarantine station shall be maintained in a clean and sanitary manner.

(5) **TESTING AND TREATMENT PROCEDURES; WRITTEN AGREEMENT.** Before any permit is issued for the operation of an approved equine quarantine station, the station operator and the accredited veterinarian designated under sub. (3) (d) shall enter into a written agreement with the department establishing procedures and protocols to be followed in the identification, handling, testing and treatment of equine animals quarantined at the station. The approved equine quarantine station shall be operated in compliance with the agreed procedures and protocols. Procedures and protocols shall be performed by the designated veterinarian except as otherwise authorized by the department.

(6) **RECORDKEEPING.** The operator of an approved equine quarantine station shall keep complete and accurate records, which shall be made available for inspection and copying by the department upon request. Records shall be kept for at least 2 years after they are made and shall include:

(a) The identification, date of arrival, and date of removal of each imported equine animal received at the quarantine station.

(b) The name and address of the owner of each equine animal received at the quarantine station, correlated with a specific identification of the equine animal.

(c) A complete record of the procedures and protocols followed in conjunction with the identification, handling, testing and treatment of each imported equine animal.

Ag 10.10 Quarantines, notice. (1) Quarantines to control communicable diseases among domestic animals shall be imposed by summary order of the department under the authority of s. 93.07 (10), Stats. Any person affected by an order of quarantine may petition the department for hearing under s. 93.18, Stats. Hearing shall be granted within 10 days following the filing of such petition. Determination thereon shall be made by the secretary of the department and notice thereof shall be served on the petitioner or his attorney, either personally or by registered mail, within 10 days following such hearing.

(2) No order of quarantine shall be effective until notice thereof has been given to each person directly affected thereby. Notice shall be in writing and shall prescribe all terms and conditions of the quarantine. It may be given personally, by mailing, or by posting a copy at 2 conspicuous places on the premises affected. Any quarantine of general application shall be adopted as a rule in accordance with ch. 227, Stats.

History: 1-2-56; am. (2), Register, June, 1959, No. 42, eff. 7-1-59.

Ag 10.11 Transportation, disinfection of vehicles. (1) No person shall cause any bovine animals to be commingled with sheep or swine while in transit except when the entire load of such animals is shipped to a slaughtering establishment.

(2) Each operator of a vehicle or car used to transport diseased animals shall thoroughly clean and disinfect the platform and sidewalls thereof before again using such vehicle or car for transportation of livestock. Disinfection shall be conducted with a disinfectant permitted by the department or federal bureau and shall be used in the recommended quantities and dilutions.

History: 1-2-56; am. (2), Register, June, 1959, No. 42, eff. 7-1-59; am. (1), Register, October, 1974, No. 226, eff. 11-1-74.

Ag 10.12 Movement of diseased animals. (1) PERMIT TO MOVE. (a) Pursuant to s. 95.19, Stats., animals susceptible to and exposed to or afflicted with the following contagious or infectious diseases may be moved only if accompanied by a permit:

1. Anaplasmosis.
2. Brucellosis.
3. Hog cholera.
4. Psoroptic mange.
5. Swine dysentery.
6. Tuberculosis.
7. Pseudorabies.
8. Any other disease the department may determine.

(b) The department shall grant or deny a movement permit under this subsection within 5 business days after a permit request is made to the department, provided that the request is accompanied by all requisite information and documentation.

(2) BRUCELLOSIS EXPOSED. Any bovine animal that is a part of a herd under quarantine for brucellosis or which has been in contact for 24 hours or longer with a brucellosis reactor, or any bovine animal in contact with a brucellosis reactor that has aborted or calved within the past 30 days and has a vaginal or uterine discharge, shall be branded with the letter "S" on the left jaw prior to movement from the premises. The "S" brand shall not be less than 2 inches nor more than 3 inches high. This subsec-

tion does not apply to a brucellosis reactor branded in compliance with s. Ag 10.21 (3) (b).

(3) **TUBERCULOSIS REACTORS.** When permits are issued for the movement of tuberculosis reactors for slaughter, such permits shall require the movement of such reactors directly to a designated place of slaughter.

(4) **REPORT OF SLAUGHTER.** Each operator of an establishment or other person receiving animals afflicted with or exposed to contagious or infectious diseases for purposes of slaughter which are accompanied by a permit, shall report to the department the description and results of any post-mortem examination made. Such reports shall be filed within 7 days following the date of receipt of the animal.

(5) **REPORT OF CONDEMNATION.** Each operator of a slaughtering establishment at which animals are condemned under a condemnation report issued as a result of an inspection by a governmental agency, shall within 7 days of receipt of such report, submit a copy of the condemnation report or a report of the slaughtering establishment to the marketing agency or to the producer of such animal condemned. Such report shall include a description or other identification of the animal condemned and the reason for its condemnation.

(6) **PSEUDORABIES EXPOSED.** (a) Any swine that are part of a herd under quarantine for pseudorabies shall be identified in a manner which will make these swine easily recognized as being infected or exposed to pseudorabies prior to movement from the premises. The method of identification shall be approved by the department.

(b) Swine moved from a quarantined premise directly to a recognized slaughter establishment and accompanied by a shipping permit are exempt from par. (a).

History: 1-2-56; am. (2), Register, June, 1959, No. 42, eff. 7-1-59; r. and recr. Register, October, 1974, No. 226, eff. 11-1-74; renum. (2), (3) and (4) to be (3), (4) and (5), cr. (2), Register, December, 1976, No. 252, eff. 1-1-77; am. (1), Register, April, 1977, No. 256, eff. 5-1-77; cr. (6), Register, January, 1985, No. 349, eff. 2-1-85; renum. (1) (intro) and (a) to (h) to be (1) (a), cr. (1) (b), Register, November, 1985, No. 359, eff. 12-1-85.

Ag 10.14 Bovine tuberculosis quarantine. Every herd of bovine animals in which one or more tuberculosis reactors are found shall be quarantined by the department and notice thereof shall be given the herd owner. Such quarantine may be released if all reactors in the herd:

(1) Have been removed for slaughter, and all remaining animals in the herd have passed at least 1 negative test for tuberculosis, applied not less than 60 days after the first test; or

(2) The post-mortem examination of animals condemned as reactors discloses no visible lesions of tuberculosis and the remaining cattle in the herd are not diseased or affected with tuberculosis in the opinion of the attending veterinarian.

History: 1-2-56; am. Register, June, 1959, No. 42, eff. 7-1-59; am. Register, October, 1974, No. 226, eff. 11-1-74.

Ag 10.15 Removal of bovine animals from specifically approved livestock markets. (1) **CERTIFICATE REQUIRED.** No person shall remove any cattle or American bison from a specifically approved livestock market unless it is accompanied by a certificate including individual identification code or number, a record of official brucellosis vaccination if the animal is a fe- Register, November, 1985, No. 359

male over 6 months of age, and a report of a negative brucellosis, tuberculosiis and anaplasmosis test conducted not more than 30 days prior to such removal. The brucellosis test required under this section shall be conducted at a state or federally approved laboratory by the tube or card method but shall not be required for official vaccinates under 20 months of age. Cattle or American bison originating from states which contain areas not certified brucellosis free by the federal bureau may be removed only if accompanied by a quarantine issued by the department. The quarantine shall be released if no brucellosis is disclosed on a retest conducted not less than 45 days nor more than 120 days after the date of the initial test required under this section. Such retest shall be conducted at the owner's expense. This section shall not apply to:

- (a) Steers.
- (b) Animals removed directly to a slaughtering establishment.
- (c) Animals removed to another state if accompanied by an interstate health certificate.
- (d) Cattle or American bison of Wisconsin origin if received, handled, and released in compliance with ch. Ag 11 and are moved in compliance with s. 95.49, Stats.

(2) EXCEPTIONS. The test requirements of sub. (1) shall not apply to:

(a) Calves under 6 months of age or animals weighing less than 450 pounds on an individual weight basis, if the age of the animal is not known or cannot be determined.

(b) Animals removed to a quarantine feed lot.

(c) Feeder cattle consigned to an approved feed lot, if:

1. Such cattle are received and held in approved isolated areas or in areas thoroughly cleaned and disinfected prior to receipt.

2. Received, handled or released in compliance with ch. Ag 11 and are moved in compliance with s. 95.49, Stats.

History: 1-2-56; am. Register, June, 1959, No. 42, eff. 7-1-59; am. Register, January, 1965, No. 109, eff. 2-1-65; am. Register, March, 1970, No. 171, eff. 4-1-70; r. and rec., Register, February, 1972, No. 194, eff. 3-1-72; r. (2) (d), renum. (2) (e), (f), (g) to be (2) (d) (e) (f) and am. (3) (intro.), Register, August, 1973, No. 212, eff. 9-1-73; am. Register, October, 1974, No. 226, eff. 11-1-74; am. (2) (a), Register, August, 1975, No. 286, eff. 9-1-75; am. (1) (intro.) and (2) (a), Register, January, 1981, No. 301, eff. 2-1-81; emerg. am. (1) (intro.), (b), (c) and (d), eff. 8-31-81; am. (1) (intro.), (b), (c) and (d), Register, December, 1981, No. 312, eff. 1-1-82.

Ag 10.17 Removal of livestock from slaughtering establishments. No person shall remove any livestock from a slaughtering establishment, except those which are removed and shipped directly to another such slaughtering establishment, or are removed under special permit issued by the department. The department shall grant or deny a permit request within 5 business days after the request is made to the department, provided that the request is accompanied by all requisite information and documentation.

History: 1-2-56; am. Register, June, 1959, No. 42, eff. 7-1-59; am. Register, November, 1962, No. 83, eff. 12-1-62; am. Register, October, 1974, No. 226, eff. 11-1-74; am. Register, November, 1985, No. 359, eff. 12-1-85.

Ag 10.18 Brucellosis milk test procedure. The Brucellosis Ring test (hereafter referred to as BRT) required by s. 95.26, Stats., shall be con-

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ducted on milk and cream specimens taken from samples kept by persons purchasing milk or cream from producers, pursuant to s. 98.13, Stats. Upon notice by the department such samples may be required to be held for a period of time in excess of the requirements under s. Ag 107.04 at the temperature designated thereunder, and made available for the BRT.

History: 1-2-56; r. and recr. Register, June, 1959, No. 42, eff. 7-1-59; am. Register, October, 1974, No. 226, eff. 11-1-74.

Ag 10.19 Blood samples. (1) SAMPLINGS RESTRICTED. No person is permitted to take blood samples from domestic animals for the purpose of conducting blood tests for brucellosis except approved veterinarians, employees of the department or federal bureau, and persons taking blood samples under the supervision of the department at slaughtering establishments.

(2) **CONFIRMATION OF RESULTS.** Every veterinarian who applies a brucellosis test to an animal shall, within 24 hours, submit such blood sample to a state animal health laboratory for confirmation. Each blood sample shall be marked with an official identification to identify the animal from which the sample was taken.

History: 1-2-56; am. Register, February, 1962, No. 74, eff. 3-1-62; am. Register, October, 1974, No. 226, eff. 11-1-74; am. Register, December, 1976, No. 252, eff. 1-1-77.

Ag 10.195 Brucellosis vaccination; official vaccinates. (1) No bovine animals may be vaccinated against brucellosis or officially reported or identified as having been vaccinated against brucellosis unless vaccinated by an accredited veterinarian with an approved strain 19 brucella vaccine within age ranges and corresponding dosages specified under pars. (a) to (c) for animals of dairy and beef breeds.

(a) Dairy breed animals vaccinated between 60 and 179 days of age with a strain 19 standard dose vaccine containing a minimum of 25 billion live brucella cells.

(b) Beef breed animals vaccinated between 60 and 299 days of age with a strain 19 standard dose vaccine containing a minimum of 25 billion live brucella cells.

(c) Bovine animals of either a dairy or beef breed when vaccinated between 120 and 299 days of age with a strain 19 reduced-dose vaccine containing not more than 10 billion live brucella cells.

(2) To be classified as official vaccinates, animals vaccinated as required under sub. (1) shall be identified as required under s. Ag 10.21 (2) and officially reported to the department as having been vaccinated as required under s. 95.46 (4), Stats.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82; emerg. am. (1) (c), eff. 4-30-83; am. (1) (c), Register, September, 1983, No. 333, eff. 10-1-83.

Ag 10.20 Brucellosis test classifications; diagnostic procedures. (1) DIAGNOSTIC PROCEDURES. (a) Supplementary brucellosis tests may be used by the department to confirm or evaluate reactions to the blood serum agglutination or other brucellosis test and for the classification of bovine animals as reactors in herds suspected of being infected with brucellosis on basis of all scientific evidence available.

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(b) Animals tested by means of the blood serum agglutination test, or supplementary brucellosis tests, shall be classified as reactors in accordance with test classifications described in subs. (2) and (3), except that animals classified as reactors may be reclassified as suspects pending further testing or examination if in the opinion of the department such animals may not be infected with brucellosis or insufficient evidence exists to make a positive diagnosis.

(c) All cattle from which a *Brucella sp.* organism is isolated on bacteriological examination, shall be classified as reactors regardless of vaccinal status or titers on the brucellosis test.

(2) OFFICIAL VACCINATES. (a) *Blood serum agglutination test.* Officially vaccinated animals tested by means of the blood serum agglutination test (standard tube or plate test) shall be classified according to the following diagnostic table:

Dilutions			Classification
1-100		1-200	
—		—	Negative
I		—	Suspect
+		—	Suspect
+		I	Suspect
+		+	Reactor

(b) *Supplementary tests.* Regardless of test classification under par. (a), officially vaccinated animals may be classified as reactors in accordance with titers on any one of the following supplementary tests:

Test	Titer	Classification
Complement Fixation	++ 1:40	Reactor
65° Heat Inactivation	Pos. 1:50	Reactor
Rivanol	Pos. 1:25	Reactor
Individual Brucellosis Milk		
Ring Test	Pos. 1:32	Reactor
Card	Pos.	Reactor

(3) NON-VACCINATED ANIMALS. (a) *Blood serum agglutination test.* Non-vaccinated animals tested by means of the blood serum agglutination test (standard tube or plate test) shall be classified according to the following diagnostic table:

Dilutions			Classification
1-50	1-100	1-200	
—	—	—	Negative
I	—	—	Suspect
+	—	—	Suspect
+	I	—	Suspect
+	+	—	Reactor
+	+	I	Reactor
+	+	+	Reactor

(b) *Supplementary tests.* Regardless of test classification under par. (a), non-vaccinated animals may be classified as reactors in accordance with titers on any one of the following supplementary tests:

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Test	Titer	Classification
Complement Fixation.....	+ + 1:20.....	Reactor
65° Heat Inactivation.....	Pos. 1:25.....	Reactor
Rivanol.....	Pos. 1:25.....	Reactor
Individual Brucellosis Milk		
Ring Test.....	Pos. 1:16.....	Reactor
Card.....	Pos.....	Reactor

History: 1-2-56; r. and recr. (1) and (2), cr. (3), Register, June, 1965, No. 114, eff. 7-1-65; am. (2) (b) and (3) (b), Register, October, 1974, No. 226, eff. 11-1-74.

Ag 10.21 Identification of bovine animals. (1) **IDENTIFICATION TAG.** (a) Every veterinarian, in conjunction with the testing of bovine animals for brucellosis, tuberculosis, or anaplasmosis, or the vaccination of or the identification of bovine animals, shall insert an identification tag, of a type approved by the department, in the right ear of each animal which is not otherwise identified with such an ear tag. In the case of an animal registered with a purebred association the registry or tattoo number assigned to the animal by such association may be used for identification in lieu of an identification tag.

(b) No person shall insert any ear tag in the right ear of any bovine animal without authorization from the department except as otherwise provided under this chapter.

(2) **OFFICIAL VACCINATES: TATTOO AND TAG.** Official vaccinates shall be identified by the veterinarian performing the vaccination by applying a tattoo to the inner surface of the right ear and inserting an orange colored identification tag in the right ear of the animal vaccinated. The tattoo and orange colored tag shall be as approved by the department and be used in the identification of official vaccinates only at the time of vaccination.

(a) The tattoo shall consist of a numeral or letter representing the month the animal was vaccinated followed by a symbol in the form of a shield containing the letter "V" and immediately thereafter the last numeral of the year in which the animal was vaccinated. The numeral or letter for animals vaccinated during the months of January through September shall consist of the number of the month, 1 through 9, in which vaccinated, and for the months of October, November and December, the letters O, N and D, respectively.

(b) The orange colored tag shall contain the prefix "35", followed by the letter "V" and a serial number. The orange colored tag shall not be replaced if lost or removed.

(3) **REACTOR IDENTIFICATION.** (a) *Tuberculosis.* When any bovine animal has been tested for tuberculosis and such test has disclosed a reaction which classifies such animal as a tuberculous animal, it shall be identified by a reactor tag placed in the left ear and be branded on the left jaw with the letter "T" not less than 3 nor more than 4 inches in height.

(b) *Brucellosis.* Bovine brucellosis reactors shall be made available for identification within 14 days of test. Such identification shall consist of a reactor tag placed in the left ear and be branded on the left jaw with the letter "B" not less than 3 nor more than 4 inches in height.

(c) *Duty of veterinarian.* The veterinarian who applied the tuberculosis test shall report the existence of all tuberculosis reactors, suspects or

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deviates to the department at the time they are determined to be reactors, suspects or deviates by the tuberculosis test.

(4) **SLAUGHTER IDENTIFICATION.** (a) All bovine animals over 2 years of age originating from herds in this state and received for sale or shipment to a slaughtering establishment, with the exception of steers, shall be identified with a back tag issued by the department. The back tag shall be affixed to such animal, in accordance with instructions issued with the tag, at a point 4 inches behind the shoulder and 4 inches below the top line.

(b) It shall be the duty of every livestock trucker, livestock dealer, livestock market operator, stockyards operator, and slaughtering establishment subject to or maintaining veterinary inspection, to identify all such bovine animals, not bearing a back tag, at the site and at the time of receiving possession or control of such animals. This requirement shall not apply to livestock truckers with respect to animals received for delivery directly to a licensed livestock market agreeing to accept responsibility for back tag identification, if at the time of delivery the market is furnished with information identifying the herd of origin.

(c) Every person required to identify animals in accordance with this subsection shall file reports on forms prescribed by the department, including thereon the back tag number and date of application; the name, address and county of residence of the person who owned or controlled the herd from which such animals originated; and whether the animal was of the beef or dairy type. Whenever animals are identified a report shall be filed with the department at the end of each 14-day period covering all animals identified during such period.

(d) Back tags issued by the department to identify animals shall not be removed without authorization from the department.

History: 1-2-56; am. (2) (a) and (3), Register, June, 1959, No. 42, eff. 7-1-59; am. (1) Register, February, 1962, No. 74, eff. 3-1-62; cr. (4), Register, November, 1966, No. 131, eff. 12-1-66; am. (2), Register, October, 1967, No. 142, eff. 11-1-67; am. (4)(a), Register, August, 1968, No. 152, eff. 9-1-68; am. (4) (a), Register, June, 1969, No. 162, eff. 7-1-69; am. (1) (2) (intro. par.) and (3) (b) (c), Register, October, 1974, No. 226, eff. 11-1-74; am. (2) (intro. par.), Register, August, 1975, No. 236, eff. 9-1-75; am. (2) (intro.) and renum. (2) (a) and (b) to be (2) (b) and (a), Register, April, 1977, No. 256, eff. 5-1-77; cr. (4) (d), am. (1) and (2), Register, October, 1978, No. 274, eff. 11-1-78.

Ag 10.22 Brucellosis and tuberculosis test reports. (1) Every veterinarian who applies the tuberculosis or brucellosis test to any bovine animal shall report the results to the department not more than 7 days after the date of making such test.

(2) Such veterinarian shall execute and deliver to the owner a test report for all animals tested, except in cases of brucellosis tests conducted by the department.

(3) Test reports shall be made only on official report forms furnished by the department. Such official report forms shall be fully executed and shall be used only for the specific purposes for which each type of form is furnished. No person other than a veterinarian shall execute such reports.

(4) On each report to the department the veterinarian shall clearly designate each identification tag which he inserted at the time of applying the test by the letters "N.T." when investigation indicates that the animal had not been tagged before, and by the letters "R.T." when in-

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investigation discloses that the animal has been previously identified by a different tag. The veterinarian shall also designate vaccinated animals by the abbreviation "Vacc" for official vaccinates and record tattoo identification.

History: 1-2-56; am. (2) and (4), Register, June, 1959, No. 42, eff. 7-1-59.

Ag 10.225 Health certificate. (1) Every veterinarian executing an interstate health certificate shall file an original and one copy of the certificate with the department within 7 days of issue.

(2) Each interstate health certificate shall be personally signed by the issuing veterinarian.

History: Cr. Register, October, 1974, No. 226, eff. 11-1-74.

Ag 10.23 Bovine animals; indemnity. No indemnity for bovine tuberculosis or brucellosis shall be paid:

(1) On reactors not disposed of for slaughter within 15 days of the date they are identified by a reactor tag and branded as provided in s. Ag 10.21 (3), unless the department, for cause shown, has extended such time. Such extension shall not exceed 15 days.

(2) When the claimant has failed to cause the premises to be cleaned and disinfected within 15 days of the date reactors are slaughtered, unless the department has, for cause shown, extended such time.

(3) Unless the claim is accompanied by a report of slaughter certified by a veterinarian of the department or federal bureau.

History: 1-2-56; am. (3), Register, June, 1959, No. 42, eff. 7-1-59; am. (3), Register, December, 1976, No. 252, eff. 1-1-77.

Ag 10.24 Certified brucellosis-free herd. (1) **QUALIFYING FOR CERTIFICATE.** (a) To qualify a herd of bovine animals as a "certified brucellosis-free herd" and for a certificate evidencing such status, the herd owner shall file with the department proof that all animals, except steers, spayed heifers, calves under 6 months of age and official vaccinates under 20 months of age, have passed 2 successive brucellosis tests without evidence of infection, such tests being conducted not less than 10 months nor more than 14 months apart; or three successive negative milk (BRT) tests conducted at intervals of not less than 3 months nor more than 12 months, and one negative brucellosis test, conducted within 3 months following the last milk (BRT) test.

(b) To qualify a herd of goats as a "certified brucellosis-free herd" and for a certificate evidencing such status, the herd owner shall file with the department proof that all animals have passed 2 successive brucellosis tests without evidence of infection, such tests being conducted not less than 10 months nor more than 14 months apart.

(2) **LABORATORY TESTS.** All brucellosis tests for the purpose of certification shall be made at the laboratory of the department.

(3) **EXPIRATION OF CERTIFICATE.** Certificates for certified brucellosis-free herds shall be valid for a period of one year unless revoked as provided in sub. (4).

(4) **REVOCATION OF CERTIFICATE.** (a) *Reactors.* When any brucellosis test of a certified brucellosis-free herd discloses any reactors the certificate shall thereupon be automatically revoked.

(b) *Suspects.* When any brucellosis test of a certified brucellosis-free herd discloses any suspects, the certificate shall be automatically revoked 90 days thereafter unless the herd owner shall file with the department proof that all suspects were retested not less than 30 days following such test and that the retest disclosed no increase in the titer of any such suspects.

(5) **RECERTIFICATION.** (a) *Annual.* The department may recertify the status of any certified brucellosis-free herd for additional periods of one year, provided the herd passes a negative brucellosis test conducted not more than 90 days after the expiration date of any certificate. Proof of such test shall be filed as provided in sub. (1).

(b) *When infection is disclosed.* 1. When any certificate has been revoked because of reactors as provided in sub. (4) (a) the herd may be recertified upon release of quarantine.

2. If certification of a herd has been revoked under sub. (4) (b) and if the herd test discloses no reaction beyond that of suspects, the herd may qualify for recertification upon proof filed with the department that all animals in the herd have been retested and found negative, or all animals classified as suspect have been retested and show a stabilized or decreased titer or have been disposed of by slaughter.

(6) **STATUS OF INDIVIDUAL ANIMALS.** No animal shall be deemed to be from a certified brucellosis-free herd for the purpose of exemption from any brucellosis test required prior to sale or movement unless it has been a member of such a herd for at least 90 days and was included in and was negative to the last test of such herd; provided the brucellosis test requirement of this subsection shall not apply to animals born in the herd subsequent to the last complete herd test or to animals not required to be tested by law.

History: 1-2-56; am. (1); r. (4) (b) 3; renun. (2), (3), (4) and (5) to be (3), (4), (5) and (6); am. (3) as renun.; cr. (2); am. (5) (a) and (6) as renun., Register, June, 1959, No. 42, eff. 7-1-59; am. Register, February, 1972, No. 194, eff. 3-1-72; am. (1) and (5) (b), Register, October, 1974, No. 226, eff. 11-1-74.

Ag 10.25 Accredited tuberculosis-free herd. (1) **QUALIFYING FOR CERTIFICATE.** To qualify a herd as an "accredited tuberculosis-free herd" and for a certificate evidencing such status, the herd owner shall file with the department proof that all animals in the herd have passed 2 successive tuberculosis tests without evidence of infection, such tests being conducted not less than 10 months nor more than 14 months apart.

(2) **EXPIRATION OF CERTIFICATE; RECERTIFICATION.** Certificates for accredited tuberculosis-free herds shall be valid for a period of one year unless revoked as provided in sub. (3). The department may recertify the status of any such herd for additional periods of one year, provided the herd passes a negative tuberculosis test conducted not more than 90 days after the expiration date of any certificate. Proof of such test shall be filed with the department.

(3) **STATUS OF INDIVIDUAL ANIMALS.** No animal shall be deemed to be from an accredited tuberculosis-free herd for purpose of exemption from any tuberculosis test requirement prior to sale or movement, unless it

has been a member of such a herd for at least 90 days and was included in the last test of such herd; provided the tuberculosis test requirement of this subsection shall not apply to animals born in the herd subsequent to the last complete herd test, or to animals not required to be tested by law.

(4) **REVOCATION OF CERTIFICATE.** When any tuberculosis test of an accredited tuberculosis-free herd discloses any infection the certificate shall thereupon be automatically revoked.

History: 1-2-56; am. Register, June, 1959, No. 42, eff. 7-1-59; renum. (3) to be (4); cr. (3), Register, February, 1962, No. 74, eff. 3-1-62; am. Register, February, 1972, No. 194, eff. 3-1-72; am. (1) Register, October, 1974, No. 226, eff. 11-1-74.

Ag 10.26 Approved feed lot. (1) Application for approval of a feedlot shall be made in writing to the department and shall contain a description of the premises by county and township and section number. The department shall grant or deny a permit application within 60 business days after a permit application is filed with the department, provided that the application is accompanied by all requisite information and documentation. Permits shall expire June 30 of each year following issuance.

(2) No permit shall be issued unless:

(a) An enclosure is provided that is adequate to prevent commingling of feeder cattle with any other cattle on the premises;

(b) Separate feeding and watering facilities are provided;

(c) The feed lot, for the purpose of this section, is devoid of vegetation; and

(d) All documents pertaining to movement of animals into or out of the feed lot are retained for 1 year and made available to the department for inspection.

(3) All cattle removed from an approved feed lot shall be official vaccinates and shall be accompanied by written department approval for removal from the feed lot and a report of a negative brucellosis, tuberculosis and anaplasmosis test conducted within 30 days prior to removal, except that a negative brucellosis test is not required if the official vaccinate is less than 20 months of age. Official brucellosis vaccination, written approval or tests shall not be required for:

(a) Cattle removed to a slaughtering establishment;

(b) Cattle removed to a licensed livestock market for sale for slaughter; and

(c) Cattle removed to an approved or quarantine feed lot.

(4) All cattle moved to the premises of the approved feed lot under the provisions of s. Ag 10.03 and all other cattle commingled with such cattle shall be considered subject to the requirements of sub. (3) whether the operator of such lot at time of such sale or removal is the holder of a current approved feed lot permit or not.

History: Cr. Register, March, 1970, No. 171, eff. 4-1-70; am. (2) and r. and recr. (3), Register, September, 1971, No. 189, eff. 10-1-71; r. and recr. (3) and cr. (4), Register, February, 1972, No. 194, eff. 3-1-72; am. (2), (3) and (4), Register, October, 1974, No. 226, eff. 11-1-74; emerg. am. (3) (intro.), eff. 8-31-81, am. (3) (intro.), Register, December, 1981, eff. 1-1-82; am. (1), Register, November, 1985, No. 359, eff. 12-1-85.

Ag 10.27 Approved quarantine feed lot. (1) PERMITS. (a) Quarantine feed lots may be operated under an annual permit from the department. Applications shall be submitted on department forms and shall include the location of the feed lot by county and township and section number. No permits shall be issued, renewed or continued in force unless the feed lot is constructed, maintained and operated in accordance with the requirements of this section. The department shall grant or deny a permit application within 60 business days after a permit application is filed with the department, provided that the application is accompanied by all requisite information and documentation.

(b) Permits shall expire on June 30 following date of issue. Violations of this section or any other animal health rules or statutes shall be cause for termination of the permit. In the event of termination of the quarantine provided hereunder shall continue with respect to all cattle within the feed lot and shall automatically be extended to all livestock on the premises where the feed lot is located.

(2) **CONSTRUCTION; OPERATION.** (a) Feed lots shall be constructed and enclosed in such a manner as to prevent cattle located therein to come in contact or commingle with any other livestock on the premises. If other cattle or livestock are maintained on the same premises, the feed lot shall be enclosed with a solid board fence at least 5 feet high or by 2 parallel fences not less than 6 feet apart, at least one of which shall be constructed with 4 or more uniformly spaced strands of barbed wire or wire cable. The other may be of heavy duty netting or other comparable fencing.

(b) All buildings or parts of buildings on the lot shall be securely closed off from any other buildings on the premises to prevent contact or commingling of cattle within the feed lot with other livestock on the premises.

(c) Separate feeding and watering facilities shall be maintained within the feed lot enclosure.

(d) The feed lot shall be maintained in a reasonably sanitary condition free from heavy accumulations of manure or waste materials. Other livestock shall not have access to manure or other waste materials removed from the feed lot for a period of 60 days following such removal.

(e) No drainage from the feed lot shall be permitted to flow into streams, pastures or other areas to which other livestock have access. Feed lots shall not be constructed in such proximity to any water course, drainage ditch, lake or pond as may contribute to the pollution of any public waters.

(f) The feed lot shall be maintained exclusively for the finish feeding of cattle quarantined to the premises under these rules, and no livestock, other than cattle, shall be permitted to enter, have access to, or be kept in the feed lot.

(g) No material changes in the construction or location of an approved quarantine feed lot shall be made without prior approval of the department.

(3) **IDENTIFICATION.** (a) All cattle entering the feed lot shall be identified in each ear by an ear tag issued by the department and shall be hot or freeze branded with a 3-inch letter "S" on the left jaw.

(b) Cattle shall be individually identified as provided herein prior to transfer and shall be branded immediately upon arrival at the quarantine feed lot.

(c) All cattle entering the feed lot shall be reported to the department within 48 hours after arrival, giving the number of cattle entering and their ear tag numbers.

(4) **QUARANTINE; REMOVAL.** All cattle are under quarantine immediately upon entering the feed lot and may not be removed therefrom except for direct shipment to a slaughtering establishment maintaining state or federal inspection. All cattle shipped to slaughter directly shall be accompanied by a shipping permit issued by the department or an accredited veterinarian. The permit shall state the number of cattle shipped to slaughter. A copy of the permit shall be filed with the department within 48 hours.

(5) **RECORDS.** Accurate and current records of all cattle entering and leaving the feed lot shall be kept for at least one year after disposition of livestock. These records shall include:

- (a) Date, number and ear tag numbers of cattle purchased.
- (b) Name and address of origin.
- (c) Date and number of sales.
- (d) Name and address of purchaser.

History: Cr. Register, March, 1970, No. 171, eff. 4-1-70; am. (3) (b) and (4), Register, October, 1974, No. 226, eff. 11-1-74; am. (1) (a), Register, November, 1985, No. 359, eff. 12-1-85.

Ag 10.30 Contagious or infectious diseases. Pursuant to s. 95.16, Stats., the following additional diseases have been determined by the department to be contagious or infectious in fact:

- (1) Sheep foot rot.
- (2) Mastitis.
- (3) *Mycoplasma gallisepticum*.
- (4) *Salmonella typhimurium*.
- (5) Pullorum.
- (6) Swine dysentery.
- (7) Anaplasmosis.
- (8) Scrapie.
- (9) Equine infectious anemia.
- (10) Equine encephalomyelitis.
- (11) Pseudorabies.

History: Cr. Register, January, 1965, No. 109, eff. 2-1-65; cr. (6), Register, March, 1970, No. 171, eff. 4-1-70; am. intro. par. and cr. (7), Register, September, 1971, No. 189, eff. 10-1-71; cr. (8), (9) and (10), Register, October, 1974, No. 226, eff. 11-1-74; cr. (11), Register, April, 1977, No. 256, eff. 5-1-77.

Ag 10.33 Anaplasmosis control. (1) Animals tested for anaplasmosis by the complement fixation test and disclosing a positive reaction in the 1:10 dilution or a positive serum card test shall be classified as reactors.

(2) Animals classified as reactors shall be quarantined and segregated from all other cattle on the premises. Such cattle shall be removed to slaughter under department permit or be treated for the infection under Register, November, 1985, No. 359

the supervision of the department. Animals may be removed from a quarantined herd accompanied by:

(a) A permit from the department.

(b) A report of negative anaplasmosis test conducted within 30 days prior to movement or if the animals have been treated for the disease, a report of negative test conducted 120 days after the date of last treatment.

History: Cr. Register, February, 1972, No. 194, eff. 3-1-72; r. and recr. (1) and am. (2) (intro. par.), Register, October, 1974, No. 226, eff. 11-1-74.

Ag 10.34 Anaplasmosis-free herd. (1) QUALIFYING FOR CERTIFICATE. To qualify a herd of cattle as an "anaplasmosis-free herd" and for a certificate evidencing such status, the herd owner shall file with the department proof that all animals have passed 2 successive anaplasmosis tests without evidence of infection, such tests being conducted not less than 10 months nor more than 14 months apart. All tests shall include all animals 20 months of age and older.

(2) **EXPIRATION OF CERTIFICATE.** Certificates for anaplasmosis-free herds shall be valid for a period of one year unless revoked as provided in sub. (3).

(3) **REVOCATION OF CERTIFICATE.** When any anaplasmosis test of an anaplasmosis-free herd discloses any animals with a titer of 3+ or more in a dilution of 1:5, the certificate shall be automatically revoked. In a herd in which reactors are disclosed, all reacting animals shall be segregated, quarantined and treated under supervision of the department or sent to slaughter. If suspects only are disclosed, they may be segregated and treated or sent to slaughter. Suspects may be retested within 60 days and those suspects found negative may return to the herd. Those that remain suspicious shall be treated or sent to slaughter.

(4) **RECERTIFICATION.** (a) The department may recertify the status of any anaplasmosis-free herd for additional periods of 1 year, provided the herd passes a negative anaplasmosis test conducted not more than 60 days after the expiration date of any certificate. Proof of such test shall be filed as provided in sub. (1).

(b) When a certificate has been revoked because of reactors or persistent suspicious titers as provided in sub. (3), the herd may re-qualify as anaplasmosis-free as provided in sub. (1). If all suspects are found negative on the first retest, the herd shall be declared anaplasmosis-free.

(5) **STATUS OF INDIVIDUAL ANIMALS.** No animal shall be deemed to be from an anaplasmosis-free herd for the purpose of exemption from any anaplasmosis test required prior to sale or movement unless it has been a member of the herd for at least 90 days and was included in and was negative to the last test of such herd; provided the anaplasmosis test requirement of this subsection shall not apply to animals born in the herd subsequent to the last complete herd test or to animals not required to be tested by law.

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(6) **HERD ADDITIONS.** When animals are added to the herd, no test shall be required on animals from another anaplasmosis-free herd. All other animals shall be tested negative, within 30 days of entry.

History: Renum. from Ag 10.255 and am., Register, February, 1972, No. 194, eff. 3-1-72; am. (1) and (4), Register, October, 1974, No. 226, eff. 11-1-74.

Ag 10.35 Bovine mastitis; detection and control. (1) **SCREENING TESTS.** Screening tests for the detection and control of bovine mastitis shall be conducted by the department on milk from all dairy herds as often as the department considers necessary. Any test approved by the department for the testing of milk for mastitis may be used. Test results shall be reported to herd owners on all screening tests conducted on milk from their herds where test results indicate a mastitis problem.

(2) **FARM INSPECTIONS; TEST PROCEDURES.** Whenever 2 or more successive screening tests of milk from the same herd indicate the presence of mastitis, or other evidence of mastitis exists within the herd, a farm inspection may be made and all lactating animals in the herd examined by a department approved veterinarian. If clinical evidence of mastitis is found within the herd, a notice shall be issued advising the herd owner which animals are infected and that the sale of milk from infected animals is prohibited. If on any subsequent screening test continued evidence of mastitis is found, an official herd sample may be taken of all milk in bulk tanks or cans on the farm premises and subjected to bacteriological and microscopic examination to determine whether the milk is insanitary and adulterated under sub. (3). Holding orders may be issued on the milk pending laboratory examination.

(3) **TEST STANDARDS; DETERMINATION OF ADULTERATION.** Milk from any herd disclosing clinical evidence of mastitis in one or more cows on examination by a department approved veterinarian and containing in excess of 1,000,000 cells per ml. by direct cell count and pathogenic micro-organisms capable of producing mastitis, is milk from sick or diseased animals and is insanitary and adulterated under s. 97.50, Stats. No milk shall be sold for human consumption or delivered to dairy plants in violation of this section. Milk which is found to be insanitary and adulterated shall be rejected as prescribed in ss. Ag 30.13 and 80.07.

(4) **CONTROL PROCEDURES; EXCLUSION OF MILK.** The department may investigate causes of mastitis in infected herds and in cooperation with the herd owner's veterinarian suggested methods of control. If corrective action is not taken by the herd owner and subsequent tests indicate that milk from the herd is insanitary and adulterated under sub. (3), the department may by order, prohibit the further sale or delivery of milk from an infected herd until: a) the herd owner follows a mastitis control program prescribed by a veterinarian or approved by the department, and b) the incidence of mastitis in the herd has been eliminated or substantially reduced as determined by a direct cell count of herd milk disclosing less than 750,000 cells per ml. As an additional control measure, the department may quarantine individual animals or an entire herd as necessary. A herd owner under an order of quarantine may petition the department for a hearing in the manner prescribed by s. Ag 10.10 (1).

(5) **NOTICE TO DAIRY PLANTS.** Copies of all notices and orders shall be furnished to the dairy plant receiving the milk. No dairy plant operator with notice of a department order prohibiting the sale or delivery of milk

from an infected herd shall accept any milk from that herd while the order is in effect.

History: Cr. Register, October, 1967, No. 142, eff. 11-1-67; am. (1), Register, March, 1970, No. 171, eff. 4-1-70; am. (1) to (4), Register, November, 1979, No. 287, eff. 12-1-79.

Ag 10.37 Paratuberculosis; herd certification or classification. (1) Definitions. In this section:

(a) "Herd sample" means a collection of individual samples taken concurrently from all herd member animals which have attained the age of 20 months on or before the sample date.

(b) "Paratuberculosis" means the disease of cattle also known as Johne's disease, caused by *mycobacterium paratuberculosis*.

(c) "Sample" means a fecal sample or other procedure upon which a test is based.

(d) "Test" means a fecal culture or other test approved by the department for the diagnosis of paratuberculosis.

(2) **CERTIFICATION OR CLASSIFICATION OF HERDS; REQUIREMENT.** The department shall certify or classify every Wisconsin herd of cattle in one of 4 categories, based on the paratuberculosis status of the herd, as provided in sub. (3).

(3) **HERD CATEGORIES.** (a) *Documented paratuberculosis-free herd.* 1. A herd of cattle may be certified as a "documented paratuberculosis-free herd" if the herd owner or herd manager submits documentation showing that the herd has been tested and found negative for paratuberculosis, based on 3 consecutive herd samples. Each successive herd sample in the 3-sample series shall be taken not less than 6 months nor more than one year after the preceding herd sample. Certification shall commence retroactively on the most recent of the 3 herd sampling dates, and shall extend for a period of one year from that date.

2. Certification may be renewed upon submission of a single negative herd test, based on a herd sample taken no less than 8 nor more than 14 months after the beginning of the most recent certification period. Renewal certification shall extend for a period of one year, beginning at the end of the most recent certification period. If a certification period expires before a renewal certificate is issued, the herd shall be classified during the interim as a "paratuberculosis status unknown herd" under par. (d). Upon issuance of the renewal certificate, the renewal certification period shall commence retroactively.

3. No person may claim or represent that an animal originates from a "documented paratuberculosis-free herd" unless the animal has been a member of the herd for at least 60 days, and has been tested and found negative for paratuberculosis as part of the most recent herd sample and test, or was exempt from testing.

4. If testing of a herd certified as a "documented paratuberculosis-free herd" discloses any positive paratuberculosis reactors among the herd, the certification shall be summarily revoked and the herd classified as a "paratuberculosis known positive reactor" herd under par. (c). If certification is revoked, the herd owner or manager may enter into a herd management agreement and qualify the herd for certification as a "paratuberculosis program herd" under par. (b).

(b) *Paratuberculosis program herd.* The owner or manager of a herd of cattle in which paratuberculosis has been diagnosed may enter into a written herd management agreement with the department. The herd management agreement shall include appropriate measures, including possible calfhood vaccination, to control paratuberculosis in the herd. The herd owner, the herd veterinarian, and the department shall be parties to the herd management agreement. Upon execution of a written herd management agreement, the herd may be certified as a "paratuberculosis program herd." The herd management agreement may be terminated by the department for cause, or by the herd owner or manager upon 60 days prior notice to the department. Termination of the herd management agreement terminates certification of the herd as a "paratuberculosis program herd."

(c) *Paratuberculosis known positive herd.* A herd of cattle shall be classified as a "paratuberculosis known positive herd" whenever any animal in the herd is tested and found positive for paratuberculosis and the herd owner or manager does not enter into a herd management agreement under par. (b).

(d) *Paratuberculosis status unknown herd.* A herd of cattle shall be classified as a "paratuberculosis status unknown herd" if the herd is not otherwise certified or classified under pars. (a) through (c).

History: Cr. Register, August, 1984, No. 344, eff. 9-1-84.

Ag 10.38 Leukosis-free herd; certification and requirements. (1) **QUALIFICATION FOR CERTIFICATE.** The department may certify a herd of cattle as a "leukosis-free herd" if the herd owner or manager voluntarily requests certification, and provides proof that all animals in the herd, 6 months of age or older, have been found negative for leukosis in 3 consecutive leukosis tests. Herd samples for each successive test shall be taken no sooner than 90 days and no later than 120 days from the date of the preceding test and shall be referred to the department promptly for testing.

(2) **EXPIRATION OF CERTIFICATE.** Certification as a "leukosis-free herd" shall commence retroactively from the date on which the last negative leukosis test sample under sub. (1) was taken and shall continue for a period of one year from that date.

(3) **RECERTIFICATION OF CERTIFICATE.** The department may recertify a herd of cattle as a "leukosis-free herd" for additional one-year periods if the herd owner or manager provides the department with proof that all animals in the herd, 6 months of age or older, have been found negative for leukosis based on a leukosis test performed on a herd sample taken not later than 90 days after the expiration of the herd's previous certification. Recertification shall commence retroactively from the date on which the negative test sample under this subsection was taken.

(4) **REVOCAION OF CERTIFICATION.** The department shall summarily revoke the "leukosis-free herd" certification of a herd if any animal in the herd is found positive for leukosis in any leukosis test. A herd that has had its "leukosis-free herd" certification revoked may qualify for certification by satisfying the requirements of sub. (1).

(5) **STATUS OF INDIVIDUAL ANIMALS.** No animal is deemed to be from a "leukosis-free herd" unless it has been a member of the herd for at least

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180 days and has been tested and found negative for leukosis in the herd's 2 most recent leukosis tests.

(6) **ADDITIONS TO THE HERD.** No animal may be added to a "leukosis-free herd" unless it is tested and found negative for leukosis in a leukosis test performed not more than 30 days before the animal is added to the herd. The animal shall also be tested for leukosis in 2 additional leukosis tests performed after the animal is added to the herd. The first of these 2 additional tests shall be performed no sooner than 90 days and no later than 120 days after the animal is added to the herd. The second test shall be performed no sooner than 90 days and no later than 120 days after the first post entry test. Certification of a herd as a "leukosis-free herd" is effective only if the requirements of this subsection are met. Certification is rendered null and void, with or without any action by the department, if the requirements of this subsection are not met.

History: Cr. Register, June, 1986, No. 366, eff. 7-1-86.

Ag 10.40 Bovine artificial insemination. (1) **RESTRICTIONS.** No person shall import, sell, furnish or use bovine semen for artificial insemination unless it originates from bulls whose health status meets the requirements of this section and is produced under conditions as prescribed in this section. This section does not apply to semen that is only used for insemination of animals owned by the same person owning the bull from which the semen is derived.

(2) **ISOLATION.** (a) Each bovine animal, prior to being added to or commingled with a resident bull herd, shall be held in facilities separate from those occupied by resident animals in the herd until it has satisfactorily passed all tests and examinations required under sub. (3).

(b) All equipment used to handle, care for or collect semen from new animals held in isolation as provided in par. (a) shall be kept separate from equipment used to handle and care for the resident herd.

(c) Semen collected from animals held in isolation under par. (a) may not be used for artificial insemination until the animal from which it was derived has satisfactorily passed all tests and examinations required under sub. (3).

(3) **TESTS AND HEALTH REQUIREMENTS.** Each bovine animal shall be tested and examined for the diseases in pars. (a) through (f) not more than 6 months prior to the date semen is first released for use. Tests shall be conducted in accordance with specifications approved by the department. Animals shall be retested every 6 months except as otherwise specified for Johne's Disease under par. (f).

(a) Bovine animals shall be free from tuberculosis based on an official tuberculosis test.

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(b) Bovine animals shall be free from brucellosis as evidenced by negative results on each of the following tests:

1. Semen plasma test by the tube agglutination method in a dilution of 1:25.
2. Blood serum test by the standard tube agglutination or card test method.

(c) Bovine animals shall be free from leptospirosis as evidenced by negative microscopic agglutination tests for each of the leptospirae serotypes listed under subds. 1 through 5. Animals showing a stabilized titer may not be considered free from infection without consultation with the department.

1. *L. pomona*
2. *L. canicola*
3. *L. hardjo*
4. *L. grippotyphosa*
5. *L. icterohaemorrhagiae*

(d) Bovine animals shall be free from evidence of *Trichomonas foetus* based on a testing and control program approved by the department, which includes not less than 6 successive weekly direct microscopic examinations or cultures of preputial material, or both. The 6 month retest shall consist of a single culture.

(e) Bovine animals shall be free from evidence of *Vibrio fetus var veneralis* based on a testing and control program approved by the department which includes not less than 6 successive weekly cultures of preputial material. The 6 month retest shall consist of a single culture.

(f) Bovine animals over 2 years of age shall be free from paratuberculosis (Johne's Disease) as evidenced by negative results on the following tests:

1. Three direct microscopic examinations for acid fast organisms made on fecal material sampled at intervals of not less than 7 days conducted as an initial test prior to the time semen is first released for use.
2. Fecal culture test for *Mycobacterium paratuberculosis* completed within 106 days after semen is first released for use under subd. 1, with retests conducted every 12 months thereafter.

(4) ANTIBIOTIC TREATMENT. Semen shall be treated with antibiotics in accordance with current antibiotic treatment procedures recommended by the national association of animal breeders or other treatment procedures approved by the department.

(5) SEMEN IMPORT. No person shall import bovine semen into this state for purposes of artificial insemination unless it is accompanied by an interstate health certificate or the standard health form approved by the United States animal health association signed by an accredited veterinarian and approved by the chief animal health regulatory official of the state of origin certifying that the semen was produced in accordance with health standards and requirements of this section; and originated from bulls which comply with those health standards and requirements. In lieu of the foregoing a current interstate health certificate or the standard

form may be filed annually with the department for each bull from which semen originates, subject to compliance with health standards and requirements of this section.

History: Cr. Register, March, 1970, No. 171, eff. 4-1-70; r. and recr. (1) to (3), renun. (4) to be (5) and am., cr. (4), Register, December, 1979, No. 288, eff. 1-1-80.

Ag 10.53 Slaughter swine identification. (1) All sows, boars and stags originating from swine herds in this state and sold or shipped directly or through a livestock dealer or market to a slaughtering establishment, shall be identified with a tattoo or other means of identification approved by the department for traceback to herds of origin of swine found to be diseased on slaughter.

(2) It is the duty of every livestock trucker, dealer, livestock market operator, stockyards operator, and slaughtering establishment purchasing or receiving sows, boars and stags for slaughter, or sale or shipment to a slaughtering establishment, to identify them in a manner prescribed or approved by the department at the time of receiving possession or control of the animals and maintain a record of codes applied in accordance with herds of origin. The first person obtaining possession or control over the swine from the producer shall be responsible for their identification and the recording of traceback data as required under sub. (3), but this does not relieve other persons receiving sows, boars and stags for slaughter, or sale or shipment to a slaughtering establishment, from responsibility for identification. Truckers are exempted from this requirement with respect to delivery of swine to livestock markets, stockyards or dealers agreeing to accept responsibility for the tattoo or other identification, provided the sows, boars and stags are shipped directly from the farm where produced to markets, stockyards or dealer premises with information as to the herd of origin. The department may exempt low-volume slaughter establishments purchasing swine directly from producers if identity of the herd of origin can be maintained at the establishment without individual animal identification.

(3) Every person required to identify swine in accordance with this section shall maintain records for 120 days of the:

(a) Tattoo legends or other identification applied to sows, boars and stags in accordance with herds of origin.

(b) Date of application of tattoo or other identification.

(c) Name and address of the owner and location of the herd of origin.

(d) Class of swine received.

(4) Coding or identification systems adopted by the department shall be based on systems adopted nationally for the identification of slaughter swine, except for deviations which may be authorized by the department for individual slaughter establishments. All sows, boars and stags to be shipped in interstate commerce shall be identified in accordance with national systems approved by United States department of agriculture.

(5) A series of code designations shall be assigned by the department to each person responsible for swine identification of sows, boars and stags

under this section. Identification legends and devices may be procured from the department or purchased from other approved sources.

History: Cr. Register, December, 1972, No. 204, eff. 1-1-73; am. Register, January, 1981, No. 301, eff. 2-1-81.

Ag 10.54 Exhibition. (1) **LIVESTOCK.** Each fair or livestock exhibition in Wisconsin shall employ a licensed veterinarian to inspect all livestock at the exhibit daily.

(2) **SWINE.** No person shall exhibit at a show or fair any swine unless they are accompanied by a health certificate signed by a licensed, accredited veterinarian. The certificate shall accompany the exhibition swine and shall state that the herd of origin has been inspected on the farm and that no apparent disease has been present for the past 30 days.

(3) **BOVINE ANIMALS.** (a) *Brucellosis test.* No person shall exhibit any bovine animal at a show or fair unless it is accompanied by a report of a complete negative brucellosis test conducted within 90 days prior to the date of its arrival. This does not apply to:

1. Steers.
2. Calves under 6 months of age or weighing less than 500 pounds.
3. Official vaccinates not over 20 months of age if accompanied by an official vaccination report.
4. Animals from herds certified to be brucellosis free by the department if accompanied by a report of negative brucellosis test of the entire herd conducted within 12 months prior to date of exhibition at the show or fair, bearing thereon the herd certificate identification number.

(b) *Parasites.* Bovine animals infected with mange, scab or ringworm may not be exhibited at any fair or other livestock exhibition. Animals found to be infected, or showing evidence of infection with mange, scab or ringworm after arrival at a fair or other livestock exhibition shall be isolated from other animals susceptible to the disease and removed from the premises. This subsection shall not apply to animals showing evidence of ringworm infection if in the opinion of the veterinarian in charge of such fair or exhibition the lesion is inactive and not capable of transmitting the disease.

(c) *Warts.* Bovine animals infected with warts shall not be exhibited at any fair or other livestock exhibition. Animals found to be infected, or showing evidence of infection with warts after arrival at a fair or other livestock exhibition shall be immediately isolated from other animals susceptible to the disease and removed from the premises within 24 hours. This subsection does not apply to animals showing evidence of wart infection if, in the opinion of the veterinarian in charge of the fair or exhibition, the wart is inactive and not capable of transmitting the disease.

(4) **HEALTH RECORDS.** Persons exhibiting livestock at any fair or livestock exhibition in Wisconsin shall have a copy of the required health certificates or test reports available for inspection by the department at the fair or livestock exhibition, or file a copy of such certificates or test reports at the show or fair office for the duration of the exhibit.

History: Cr. (1) and (2); renum. Ag 10.09 to be (3) and am., Register, March, 1970, No. 171, eff. 4-1-70; r. (2) (b), Register, October, 1974, No. 226, eff. 11-1-74; am. (2), renum. (3) to be

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(3) (b) and am., cr. (3) (a) and (4), Register, August, 1975, No. 236, eff. 9-1-75; cr. (3) (c), Register, June, 1984, No. 342, eff. 7-1-84.

Ag 10.55 Swine, validated brucellosis-free herd. (1) **VALIDATION.** To qualify a herd of swine as a "validated brucellosis-free herd" and for a certificate documenting this status the herd owner shall file with the department proof that all swine over 6 months of age have passed a negative brucellosis test and that physical inspection of the herd at the time of such testing disclosed no clinical evidence of brucellosis infection. Such tests and inspections shall be conducted by a veterinarian.

(b) **EXPIRATION OF CERTIFICATE.** Certificates for validated brucellosis-free swine herds shall be valid for a period of one year unless revoked as provided in sub. (3).

(2) **ADDITIONS TO HERD.** When any swine added to a validated brucellosis-free herd shall:

(a) Originate from another herd so validated, or

(b) Have passed 2 successive negative brucellosis tests conducted by a veterinarian at least 30 but not more than 60 days apart with the most recent test not more than 30 days preceding addition to the herd, or

(c) Have been part of another herd in which all swine over 6 months of age were negative to a brucellosis test conducted not more than 30 days prior to addition.

(3) **REVOCAION OF CERTIFICATE.** The validated brucellosis-free herd certificate shall be revoked if reactors are disclosed in any brucellosis test of the herd, or additions are made to the herd contrary to sub. (2).

(4) **REVALIDATION.** (a) *Annual.* The department shall recertify the status of any validated brucellosis-free swine herd for the additional period of one year from date of the last test if:

1. All swine in the herd over 6 months of age pass a negative brucellosis test conducted by a veterinarian not more than 30 days after expiration of the certificate, or

2. Twenty-five percent of breeding swine in the herd 6 months of age or over are tested every 3 months with each breeding animal being tested at least once during the certificate year.

(b) *Requalification.* When any certificate has been revoked as provided in sub. (3), the herd may requalify only in accordance with requirements under sub. (1).

(5) **TEST CLASSIFICATION.** Swine brucellosis tests shall be classified "negative" when no reaction on a complete herd test is disclosed on the card test, or in a 1-100 dilution or higher by the usual agglutination test, or a 1-50 dilution when the test is conducted by the tube method, using an incubation temperature of 56° Centigrade for 16 to 20 hours.

(6) **SUBMISSION OF BLOOD SAMPLES.** Veterinarians taking blood samples from swine, for testing pursuant to this section, shall submit all such samples properly identified to the animal disease diagnostic laboratory of the department.

(7) **IDENTIFICATION TAGS.** Swine which have been tested for brucellosis pursuant to this section shall be individually identified by inserting an

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identification tag in the right ear of each such animal which is not so identified; provided that in the case of animals registered with a purebred association, the registry number or identification assigned to the animal may be used in lieu of an identification tag. Reports of the brucellosis test shall be submitted to the department by the veterinarian conducting the test.

History: 1-2-56; am. (1), (2), (3) and (4) (a), Register, February, 1962, No. 74, eff. 3-1-62; am. (5), Register, January, 1969, No. 157, eff. 2-1-69; am. (1), (3) (b) 2., Register, January, 1973, No. 205, eff. 2-1-73; am. (1), (3) (b) 1. and 2. and (4), Register, October, 1974, No. 226, eff. 11-1-74; am. (3) (b) 2 and (4) (b), Register, December, 1976, No. 252, eff. 1-1-77; am. (6) and (7), Register, April, 1977, No. 256, eff. 5-1-77; renum. (1), (2) and (3) (b) to be (1) (a), (b) and (2) and am., renum. (3) (a) to be (3) and am., am. (4) (a) and (b), Register, April, 1980, No. 292, eff. 5-1-80.

Ag 10.555 Swine brucellosis control. (1) The department may test all swine on farms where there is reason to believe brucellosis infection is present in the herd.

(2) The department may tag and brand all swine it deems infected with brucellosis and place the entire herd under quarantine until it is determined by the department the herd is no longer infected. No swine shall be removed from such quarantined premises except directly to a slaughtering establishment.

(3) Blood samples shall be taken by veterinarians and shall be submitted to the animal health laboratory of the department for testing of brucellosis.

(4)(a) Swine which have been tested for brucellosis shall be identified by inserting an identification tag in the right ear of each such animal which is not so identified; provided that in the case of animals registered with a purebred association, the registry number or identification assigned to the animal may be used in lieu of an identification tag.

(b) Swine classified as brucellosis reactors shall be branded or tattooed on the left shoulder with the letter "B" not less than 3 inches in height, and also identified by a reactor tag inserted in the left ear.

History: Cr. Register, April, 1977, No. 256, eff. 5-1-77.

Ag 10.56 Intrastate movement of swine; testing. (1) BRUCELLOSIS. No person shall transport to another premises inhabited by swine, any boar over 5 months of age or weighing more than 150 pounds unless it is negative to a brucellosis test conducted within 60 days of the date of movement and it is accompanied by a report of such test. This subsection shall not apply to the following:

(a) Boars originating from a validated brucellosis-free herd.

(b) Boars moved directly to a slaughtering establishment for immediate slaughter.

(c) Boars transported to the premises of a livestock dealer or livestock market operator; provided any subsequent movement from such premises shall comply with the brucellosis test requirement of this section.

(d) Boars moved from one premises to another of the owner of such boars.

(e) Boars exhibited at a show or fair and returning to farm of origin.

(2) **PSEUDORABIES.** (a) No swine except swine from a certified pseudorabies-free herd under s. Ag 10.58, shall be transported to a swine testing station unless such swine have been found negative to a SN test or other approved test for pseudorabies conducted within 30 days prior to movement. A swine testing station is a premise where swine are assembled for the purpose of determining feeding efficiency.

(b) No swine shall be transported from a swine testing station unless such swine have been found negative to a SN test or other approved test for pseudorabies conducted not less than 30 days nor more than 50 days after entry and a second test conducted not less than 30 days thereafter, or removed under permit of the department.

(c) A record of the pseudorabies test report shall be retained by the test station for a period of one year and available to the department for inspection.

History: Cr. Register, February, 1962, No. 74, eff. 3-1-62; r. and rec. Register, January, 1969, No. 157, eff. 2-1-69; cr. (1)(e) and r. (2), Register, March, 1970, No. 171, eff. 4-1-70; am. (1) (intro.), cr. (2) and r. (3) through (6), Register, April, 1977, No. 256, eff. 5-1-77.

Ag 10.57 Pseudorabies control. (1) **SURVEILLANCE SAMPLES; TESTING.** The department shall maintain a program of surveillance sampling for pseudorabies, under which the department obtains blood or tissue samples from Wisconsin swine on a systematic basis, and tests the samples for pseudorabies. Samples taken as part of the surveillance sampling program may include blood samples routinely taken from swine at time of slaughter.

(2) **INVESTIGATION; HERD TESTING.** Whenever the department detects pseudorabies in any surveillance sample under sub. (1), the department shall initiate an investigation to determine the sources and extent of the pseudorabies exposure among swine herds in Wisconsin. The investigation may include additional testing of swine herds suspected of having been exposed to pseudorabies.

(3) **QUARANTINE.** The department may, in its discretion, quarantine swine whenever the department reasonably suspects that the swine are infected with or have been exposed to pseudorabies, and may apply the quarantine to all swine located on the quarantine premises. Before issuing a herd quarantine based on the test results of a surveillance sample taken under sub. (1), the department shall consider the reliability of the sample and test result, and the certainty with which the sample and test result indicate a pseudorabies exposure in the herd proposed for quarantine.

(4) **CONDEMNATION; ELIGIBILITY FOR INDEMNITIES.** The department may condemn and order the destruction of swine whenever the department determines that condemnation and destruction are necessary to prevent or reduce the spread of pseudorabies, as provided in s. 95.27, Stats. The department shall indemnify the owners of breeding swine over 6 months of age which are condemned and destroyed, to the extent authorized under s. 95.27 (4), Stats. Indemnities may not be paid unless the owner of the affected swine enters into a herd plan for the eradication of pseudorabies, as provided in s. 95.27 (5), Stats. and sub. (5).

(5) **HERD PLAN.** (a) A herd plan is an agreement between the department and an owner of swine for the eradication of pseudorabies. A herd plan shall be designed to eradicate pseudorabies in the affected herd

within 24 months after the first date of herd quarantine. The herd plan may include provisions for inspection, examination, sampling, testing, vaccination, quarantine, and disposition of swine and other susceptible animals.

(b) The owner of swine which are quarantined for pseudorabies may enter into a herd plan with the department within 60 days after the initial date of quarantine. If the owner fails to enter into a herd plan with the department within 60 days, the herd owner is no longer eligible to enter into a herd plan, and is no longer eligible for indemnities in the event of swine condemnation or destruction under sub. (4). The department may extend the 60 day time period at its discretion.

(c) Following the signing of a herd plan, the department and the herd owner shall review the owner's performance under the herd plan and the progress of the herd plan at least once every 90 days. Performance and progress shall be documented by the department. Eradication of pseudorabies shall be accomplished under the herd plan within 24 months after the plan is signed, or within 24 months after the first date of herd quarantine, whichever occurs first. The time period for eradication may be extended by the department. If an owner fails or refuses to comply with a herd plan, the department may give written notice to the owner revoking the owner's eligibility for indemnities in the event of condemnation or destruction under sub. (4). Notice shall be signed by the administrator of the department's animal health division.

(6) **REQUEST FOR PERMIT.** The department will respond within 10 days to a request for a permit to use pseudorabies vaccine when the request is made by the owner of a herd of swine in which pseudorabies has been detected.

(7) **RIGHT OF HEARING.** Any person adversely affected by an order for the quarantine, condemnation or destruction of swine, or by the revocation of a herd owner's eligibility for indemnities, may, within 5 days, demand a public hearing before the department on the action, pursuant to s. 93.18 and ch. 227, Stats.

History: Cr. Register, April, 1977, No. 256, eff. 5-1-77; r. and recr. Register, January, 1985, No. 349, eff. 2-1-85.

Ag 10.58 Qualified pseudorabies negative herd. (1) **CERTIFICATE.** (a) To be certified as a qualified pseudorabies negative herd and obtain a certificate evidencing negative status, the herd owner shall file with the department proof that all swine over 6 months of age have been tested with a SN or other approved test and that:

1. All swine over 6 months of age were negative to the test, or
2. If any of the swine tested positively, all with a positive test were permanently removed from the premises, the premises were cleaned and disinfected and all remaining swine over 6 months of age were retested and found negative on 2 successive retests. The retests shall be conducted not less than 30 days after the premises are cleaned and disinfected and again not less than 30 days after the first retest.

(b) All serological tests shall be conducted at a state or federal laboratory.

(2) **MAINTENANCE OF QUALIFIED PSEUDORABIES NEGATIVE STATUS.** As a condition to maintenance of a qualified pseudorabies negative herd sta-

tus, at least 25% of all swine over 6 months of age shall be tested or retested with negative results within each quarter of the certificate year, with each animal over 6 months of age being tested at least once during the certificate year. The test may be conducted not more than 15 days after the end of each quarter.

(3) **EXPIRATION OF CERTIFICATE.** The certificate for a qualified pseudorabies-free herd shall be valid for a period of one year unless revoked as provided in sub. (4).

(4) **REVOCAION OF CERTIFICATES.** The certificate shall be revoked when:

(a) Any approved test of a qualified pseudorabies negative herd discloses that any of the swine are positive.

(b) Swine are added from a herd, other than a herd certified as qualified pseudorabies negative, without meeting the requirements of sub. (7).

(c) The certificate shall be revoked if tests are not conducted as required under sub. (2).

(5) **RE-CERTIFICATION.** The department may recertify the status of a qualified pseudorabies negative herd for an additional period of one year, if all animals over 6 months of age pass a SN or other approved test as provided in sub. (2).

(6) **STATUS OF INDIVIDUAL SWINE.** No swine shall be deemed to originate from a certified qualified pseudorabies negative herd unless the animal was a member of the herd for at least 21 days and was included in the last test of the herd. This does not apply to swine less than 6 months of age at the time of the certification or recertification test, or to swine born in the herd subsequent to the last herd test.

(7) **HERD ADDITIONS.** (a) Swine originating from a certified qualified pseudorabies negative herd may be transferred to another qualified pseudorabies negative herd without additional test requirements.

(b) Swine not originating from a qualified pseudorabies negative herd may not be added to a qualified pseudorabies negative herd unless they have been tested and found negative within 30 days prior to transfer and are held in isolation on the premises of the herd to which transferred until retested and found to be negative. The retest shall be conducted not less than 30 days nor more than 60 days after the test immediately preceding transfer.

(c) In emergency situations, boars from other than a qualified pseudorabies negative herd may be introduced into a qualified pseudorabies negative herd without isolation as required under par. (b), provided a negative test is obtained prior to introduction into the herd and a second test is conducted not less than 30 nor more than 60 days after the first test. The qualified pseudorabies negative status of the entire herd shall be suspended if swine added to the herd fail to pass the required retest.

(8) **IDENTIFICATION.** Swine tested for pseudorabies pursuant to this section shall be individually identified by means of an ear tag or other

method acceptable to the department, and such identification shall be recorded on the test reports submitted to the department.

History: Cr. Register, April, 1977, No. 256, eff. 5-1-77; renum. (7) to be (8), renum. (2) to (6) to be (3) to (7) and am., cr. (2) and (4) (c), am. (1), Register, April, 1980, No. 292, eff. 5-1-80.

Ag 10.60 Aleutian disease free herd. (1) QUALIFYING FOR CERTIFICATE. To qualify a herd of mink as an Aleutian disease free herd and for a certificate evidencing such status, the herd owner shall file with the department proof that all mink in the breeder herd have passed 2 successive counterimmunoelectrophoresis (CEP) plate tests without evidence of infection. Such tests must be conducted at a state approved laboratory not less than 60 nor more than 395 days apart.

(2) **EXPIRATION OF CERTIFICATE.** Certificates for certified Aleutian disease free herds shall be valid for a period of one year unless revoked as provided in sub. (3).

(3) **SUSPENSION OR REVOCATION OF CERTIFICATE.** (a) When any approved test of mink in a certified Aleutian disease free herd discloses a positive reaction, the certificate shall be automatically revoked.

(b) When mink are added from other than a certified Aleutian disease free herd without meeting the requirements of sub. (5), the certificate shall be revoked. The certificate shall be temporarily suspended when mink are introduced in accordance with sub. (5) (c) until the required 2 negative tests are conducted.

(c) Refusal to abide by sub. (6) is sufficient cause for revocation.

(d) Failure to report a positive result for any Aleutian disease test is sufficient cause for revocation.

(4) **RECERTIFICATION.** (a) The department may recertify the status of any certified Aleutian disease free herd for an additional period of one year, provided the herd passes a negative CEP or other approved test of all males and 10% of all females in the herd not more than 90 days after the expiration date of the certificate.

(b) When a certificate has been revoked because of reactors, the herd may requalify as certified Aleutian disease free only as provided in sub. (1).

(5) **HERD ADDITIONS.** (a) When mink are added to the herd, no test shall be required on animals from another certified Aleutian disease free herd.

(b) Mink from other than a certified Aleutian disease free herd shall be tested and found negative within 30 days prior to addition to the herd and be held in isolation and retested not less than 30 or more than 60 days after such movement.

(c) Male mink from other than a certified Aleutian disease free herd may be introduced into a certified Aleutian free herd in a breeding emergency situation without being subject to isolation, provided the male is tested and found negative to Aleutian disease prior to the time of introduction into the herd. A second test shall be conducted within 30 to 60 days of the date of the first test.

(6) SUPERVISION. (a) Department of agriculture inspectors may be present and supervise collection of samples for the qualifying tests required for certification or recertification, and shall submit those samples directly to an approved laboratory for testing.

(b) The department may request collection of not to exceed 200 blood samples collected under their supervision at a time mutually agreed upon for the purpose of spot checking on a random basis, any certified Aleutian disease free herd.

History: Cr. Register, April, 1977, No. 256, eff. 5-1-77; am. (1) and (4) (a), Register, December, 1982, No. 324, eff. 1-1-83.

Ag 10.61 Poultry; disease control. (1) DEFINITIONS. As used in this section:

(a) "Authorized agent" means any person designated or authorized by the department to collect serological samples and perform blood tests required for control of poultry diseases.

(b) "Flock" means all of the poultry on one farm, except that any group of poultry which has been segregated from other poultry for a period of at least 21 days may, at the discretion of the department, be considered a separate flock.

(c) "Hatchery" means the buildings, incubators, hatchers and auxiliary equipment on a premises operated and controlled by a person for the hatching of poultry.

(d) "Mycoplasmosis" means a disease of poultry caused by *Mycoplasma gallisepticum*.

(e) "National poultry improvement plan" means the national poultry improvement plan established by the animal and plant health inspection service, veterinary services, United States department of agriculture, under 9 CFR 145.

(f) "Poultry" means domesticated fowl, including chickens, turkeys, waterfowl, and game birds, except doves and pigeons, which are bred for the primary purpose of producing eggs or meat.

(g) "Pullorum" means a disease of poultry caused by *Salmonella pullorum*.

(h) "Typhoid" or "fowl typhoid" means a disease of poultry caused by *Salmonella gallinarum*.

(2) PROHIBITIONS. (a) No poultry may be used for breeding purposes and no poultry eggs may be used for hatching unless they originate from a flock which has been tested annually and is classified "U.S. pullorum-typhoid clean" as provided in the national poultry improvement plan. No turkey species of poultry nor turkey eggs may be used for breeding purposes or hatching unless they originate from a flock which has been tested annually and is also classified "Mycoplasma gallisepticum clean" as provided in the national poultry improvement plan.

(b) No person may use, sell or otherwise transfer any poultry or poultry eggs for breeding or hatching purposes unless the poultry or poultry eggs comply with the requirements of this section.

(3) GENERAL PROVISIONS. (a) All blood samples shall be drawn by an authorized agent of the department.

(b) All turkeys shall be banded at the time blood samples are drawn and blood samples identified by band number.

(c) Blood samples drawn from turkeys shall be tested at a laboratory approved by the department. Blood samples drawn from poultry other than turkeys may be field tested by the rapid plate method using approved antigens. Field testing may be conducted by an authorized agent of the department.

(d) Breeder flock and hatchery inspection shall be conducted by the department.

(e) All eggs used for hatching shall be identified by the flock owner as to flock origin with a number assigned by the department.

(f) All breeder flock and hatchery owners shall follow sanitation procedures prescribed by the department.

(g) Flock and hatchery owners shall report any signs of respiratory disease to the department. Isolation of or serological evidence of pullorum, fowl typhoid and other serotypes of Salmonella in all poultry, and of Mycoplasma gallisepticum in turkeys, shall be reported to the department by any person or laboratory providing poultry disease diagnostic services within 48 hours of obtaining test results.

(h) Upon receipt of a report of pullorum or fowl typhoid in any poultry, or of Mycoplasma gallisepticum in turkeys, the department shall conduct an immediate investigation to determine the origin and mode of transmission of the infection.

(i) All turkey flocks classified as reactor, infected or suspicious shall be quarantined to the premises and may be removed only directly to slaughter. The flock owner shall furnish proof of slaughter upon request by the department. The quarantine may be released following 2 negative tests of the entire flock conducted at least 21 days apart.

(4) PREMISES. No poultry breeding flocks may be commingled with other species of domestic fowl or reared within 100 yards of any other poultry.

(5) HATCHERIES. (a) No operator of a hatchery may hatch any poultry eggs or permit poultry eggs to be on the hatchery premises unless the eggs originate from a flock which complies with this section.

(b) No eggs of any other species of fowl may be hatched in a turkey hatchery.

(c) The department shall inspect poultry hatcheries at least once annually.

(6) IMPORT REQUIREMENTS. (a) No poultry or poultry eggs may be imported into this state unless they originate from flocks which are classified as "U. S. pullorum-typhoid clean" as provided in the national poultry improvement plan.

(b) Turkey poults less than 2 weeks of age may be imported into this state if they originate directly from hatcheries which hatch no eggs other than turkey eggs. Started poultry other than turkey poults may be im-

ported if they originate from hatcheries which hatch no turkey eggs. All eggs shall comply with par. (a) of this subsection. Hatcheries shall comply with sanitation practices prescribed by the state of origin.

(c) All poultry, started poultry and poultry eggs imported into this state shall be accompanied by a certificate signed by the chief livestock official of the state of origin certifying that the poultry, started poultry or poultry eggs originate from flocks or hatcheries which comply with this section or an equivalent mandatory or voluntary program of the state of origin. Under a reciprocal agreement with a state having an equivalent voluntary or mandatory poultry disease control program, the department may approve alternative methods of certifying poultry and poultry eggs imported into this state.

(d) This subsection does not apply to poultry imported into this state which are consigned directly to a slaughtering establishment for immediate slaughter.

(7) EXHIBITION. All poultry, except waterfowl, shown in public exhibition shall originate from flocks designated as "U.S. Pullorum-Typhoid Clean" under the national poultry improvement plan or from equivalent flocks, or shall have had a negative pullorum-typhoid test within 90 days of movement to public exhibition. Only sexually mature birds over 4 months of age having a full complement of fully developed adult feathers are required to be tested.

History: Cr. Register, July, 1964, No. 103, eff. 8-1-64; r. and reer. (1) (a) 2.; r. (2) (g); renum. (2) (h), (i) and (j) to be (2) (g), (h) and (i); r. (3) (a); renum. (3) (b) 1. to 7, to be (3) (a) to (g); am. title to (3), Register, May, 1969, No. 161, eff. 6-1-69; am. (1) (a) 1.; (1) (a) 2.; renum. (1) (a) 3. to be 2. and am.; am. (2) (a); r. (3); renum. (4) to be (3) and am.; renum. (5) to be (4); renum. (6) (a) to be (5) (a) and am.; r. (6) (b); renum. (6) (c) to be (5) (b) and am.; renum. (6) (d), (e) to be (5) (c), (d); Register, January, 1973, No. 205, eff. 2-1-73; renum. from Ag 10.57 to be Ag 10.61, Register, April, 1977, No. 256, eff. 5-1-77; renum. (1), (2) (a) to (d), (f) to (i), (3) to (5) to be (2), (3) (a) to (g) and (i) and (4) to (6) and am. (2), (3) (a) to (d), (f), (g) and (i) and (4) to (6), r. (2) (e), cr. (1), (3) (h) and (7), Register, July, 1988, No. 391, eff. 8-1-88.