



Uniform Enforcement Guide

DIVISION OF ANIMAL HEALTH
BUREAU OF FIELD SERVICES

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ACRONYMS LIST

Acronym	Definition
AD	Animal Dealer
AM	Animal Market
ARO	Animal Removal Order
AT	Animal Trucker
CID	Civil Investigative Demand
CSR	Case Summary Report
CVI	Certificate of Veterinary Inspection
CWD	Chronic Wasting Disease
DNR	State of Wisconsin Department of Natural Resources
EIA	Equine Infectious Anemia
INON	Initial Notice of Non-Compliance
LRC	License/Registration/Certificate
NPIP	National Poultry Improvement Plan
TB	Tuberculosis
TMD	Animal trucker, market and/or dealer
UEG	Uniform Enforcement Guide
VHS	Viral Hemorrhagic Septicemia
WN	Warning Notice

INTRODUCTION

PURPOSE

This manual serves as a guide to achieving uniform enforcement in application of the laws and rules under the jurisdiction of the Division of Animal Health. The contents of this manual will be applied in routine situations. If deviation from the processes and enforcement levels outlined in this manual occurs, justification for the deviation will be provided to your supervisor. Deviation must be approved by a supervisor.

In unusual circumstances, where normal procedures may not apply, staff will decide what enforcement action is appropriate by drawing on training and experience. Consultation between staff and their supervisors is also essential when selecting alternative compliance responses. At all times, decisions must serve to safeguard animal health, public health and animal industries in Wisconsin. Anytime this guidance is not followed, the report must include a justification for the deviation and it must be approved by a supervisor.

This guidance reflects the Department's regulatory philosophy of voluntary compliance working hand in hand with methods of progressive enforcement. Contained within this guidance are a series of tables which categorize potential violations into 1 of 3 levels of progressive enforcement.

INTRODUCTION TO VOLUNTARY COMPLIANCE

What is voluntary compliance?

Voluntary compliance occurs when an individual, business, or industry agrees to abide by the law on their own free will. It is a way of practicing social responsibility. The concept behind this is that a majority of individuals and businesses don't intend to violate the law through the course of their everyday operations due to their own morals or potential damage to one's perception by the public.

Why do we rely on voluntary compliance?

Without voluntary compliance we simply would not be able to effectively respond to the enormous number of violations that would likely occur on a regular basis.

The 3 Levels of Progressive Enforcement

The division uses an enforcement model made up of 3 levels, the levels of enforcement are based on multiple factors further discussed in the [Introduction to Progressive Enforcement](#) section on page 5.

When division staff document a violation committed by a regulated entity they will consult this manual to determine what steps to take next to gain compliance.

The tables found on pages 26-52 provide a quick reference to statutes and administrative rules along with their respective enforcement levels. The level of enforcement action taken may be adjusted based on past compliance history, willful violation or other non-routine circumstances surrounding a violation.

INTRODUCTION TO VOLUNTARY COMPLIANCE, CONT.

How does it work?

The Department works collaboratively with the groups that we regulate in order to gain voluntary compliance. We do this by consulting with regulated entities to ensure that administrative rules are reasonable and reflect current technologies and practices, while still meeting the needs and concerns of both regulated and non-regulated groups.

Often a lack of compliance is due to a lack of knowledge. Education of the regulated community, prior to violations occurring, is a powerful tool to help us secure compliance. When problems are identified we must respond promptly and concisely through outreach and education, customer service, and collaborative problem solving.

What if someone doesn't comply?

When voluntary compliance cannot be achieved our next approach is to take progressive enforcement actions to regain compliance, or if compliance cannot be regained, to cease the noncompliant activity.

INTRODUCTION TO PROGRESSIVE ENFORCEMENT

What is progressive enforcement?

A sequence of steps used to gain compliance, which focuses on taking what is determined to be the lowest effective action initially, and increasing the penalty, if compliance issues persist in regards to the rules and statutes under our supervision.

Why do we use it?

Progressive enforcement allows us to achieve the desired compliance outcome at the least punitive level. This can save a lot of staff time, energy and resources.

How does it work?

As previously mentioned, the division uses an enforcement model made up of 3 levels, the levels of enforcement are based on multiple factors:

- The nature, extent and seriousness of potential harm to the public, animals or environment
- The immediacy of potential harm, and the likelihood of continued harm if no action is taken
- The willfulness of the violation, and the likelihood that it will continue if no action is taken
- Past history of compliance or noncompliance by alleged violator
- Responsiveness of the violator
- Number of violations encountered
- Clarity and interpretation of the applicable rule(s) or statute(s)
- Enforcement options available
- Adequacy of educational measures to secure compliance or resolve problems

Staff determine what level of violation(s) they have documented and then select the appropriate enforcement tool(s) to utilize. If the enforcement actions do not stop or deter the violation from continuing or reoccurring, staff will proceed to the next level of enforcement until the desired outcome has been achieved and maintained.

Chapter 1 - Authorities

In performing the duties of the department staff will exercise the general authorities granted to the department and division by statute. Some of the authorities that are most commonly utilized while working in the field are listed below for quick reference purposes. In some instances the text used in this manual has been condensed for ease of reading, reference the provided statute citation for the full text.

INVESTIGATIVE POWERS

Enter and Inspect:

Statutory:

[Wis. Stat. § 93.08](#) Access for law enforcement. In performing their duties or in enforcing the laws entrusted to their administration, the department and its authorized agents may do all of the following:

- (1) Enter, within reasonable hours, any field, orchard, garden, packing ground, building, freight or express office, warehouse, car, vessel, vehicle, room, cellar, storehouse, cold storage plant, packing house, stockyard, railroad yard or any other place of business, which it may be necessary or desirable for them to enter.
- (2) Open any box, carton, parcel, package or other receptacle, inspect the contents thereof, and, upon payment or tender of the market value, take samples of any product or material contained therein.
- (3) Inspect products and materials and collect and test samples of them.

[Wis. Stat. § 95.23](#) Disease investigation and enforcement.

- (1) Authorized inspectors and agents of the department may enter at reasonable times any premises, building or place to investigate the existence of animal diseases or to investigate violations of or otherwise enforce the laws relating to animal health. Any animals or materials suspected of being infected may be examined or tested. No person shall obstruct or interfere with such investigation or enforcement work, or attempt to do so, in any manner, by threat or otherwise.

[Wis. Stat. § 173.41\(6\)\(b\)](#) The department may enter and inspect the premises for which a person is required to obtain a license under sub. (2) at any time during normal business hours to ensure compliance with this section.

Rule:

Most rule sections related to a specific license have wording on granting access and/or the requirement to provide records upon request. Those that don't are covered under the above statutes and under prohibited conduct sections. See: [10.92\(6\)](#), [12.08\(5\)&\(6\)](#), [16.28\(1\)&\(3\)](#).

All provision of rule are authorized by the above reference statutorily granted authorities. For many of our programs the requirement to provide records, and allow entry has been incorporated into rule.

Rule provisions should be what is used in discussion with the licensed entity when applicable. By licensing they agree to follow the provision of law in regards to the license, and the rule is usually what is routinely discussed with them. When there is no applicable rule provision, or when speaking to a DA, use the statutory citation.

Information Gathering:

In the event that an entity is not cooperative and is unwilling to comply with the laws when presented with proof of authority, compliance staff are to be brought in on the case to assist with utilizing tools that require the entities to cooperate, or face penalty.

Statutory:

Wis. Stat. § 93.14 Power to conduct hearings; secure evidence; witness fees.

(1) The department or any of its authorized agents may, in relation to any matter within the department's power, conduct hearings, administer oaths, issue subpoenas and take testimony.

(2) The witnesses and officers who subpoena them shall be entitled to the fees allowed in courts of record. Such fees shall be audited and paid by the state in the same manner as other expenses of the department are audited and paid. No witness subpoenaed at the instance of any party other than the department shall be entitled to payment of fees by the state, unless the department certifies that the testimony of such witness was material.

(3) Any person who shall unlawfully fail to attend as a witness or refuse to testify may be coerced as provided in s. 885.12.

(4) A record of all hearings shall be kept in the office of the department. All hearings shall be public

Wis. Stat. § 93.15 Reports to department; inspections.

(1) The department may, by general or special order, require persons engaged in business to file with the department, at such time and in such manner as the department may direct, sworn or unsworn reports or sworn or unsworn answers in writing to specific questions, as to any matter which the department may investigate.

(2) The department or any of its authorized agents may have access to and may copy any document, or any part thereof, which is in the possession or under the control of any person engaged in business, if such document, or such part thereof, is relevant to any matter which the department may investigate.

(3) No person shall refuse or fail to render any report or answer required under this section at such time and in such manner as the department may prescribe. No person shall refuse, neglect or fail to submit, for the purpose of inspection or copying, any document demanded under this section. No person shall willfully make any false entry or statement in any report or answer required or document demanded under this section. No person shall willfully fail to make full and true entries and statements in any report or answer required or document demanded under this section. No person shall, for the purpose of embarrassing the department in the conduct of any investigation, hearing or proceeding, remove out of the state or mutilate or alter any document. No person shall, except through judicial process, resist or obstruct any official or subordinate of the department in the exercise of the official's or subordinate's lawful authority.

These Statutory provision provide our authority to:

- *Issue a Subpoena*
- *Issue a Certificate of Investigative Demand (CID)*
- *Make a Formal requests for records from a licensed entity*
- *Obtain an inspection warrant*
- *Hold an Enforcement Conference to obtain information.*

ANIMAL MOVEMENT

Statutory:

[93.07\(10\)](#)- ANIMAL HEALTH; QUARANTINE: To protect the health of animals located in this state and of humans residing in this state and to determine and employ the most efficient and practical means for the prevention, suppression, control, and eradication of communicable diseases among animals. For these purposes, the department may establish, maintain, enforce, and regulate such quarantine and such other measures relating to the importation, movement, and care of animals and their products, the disinfection of suspected localities and articles, and the disposition of animals, as the department determines are necessary. The definition of "communicable disease" in s. 990.01 (5g) does not apply to this subsection.

[95.20](#)- IMPORT AND MOVEMENT OF ANIMALS: The department may prohibit import or intrastate movements when there is reason to believe that regulation or prohibition is necessary to prevent the introduction or spread of a disease in this state that threatens the health of animals or humans.

[95.23\(4\)](#)- COMPLIANCE WITH QUARANTINE: When any animals or materials infected or suspected of being infected have been quarantined, no person shall remove them from the premises, or otherwise fail to comply with the terms of the quarantine, except upon written permit from the department.

Rule:

All rule sections have specific rule sections regarding what is required to legal move animals into this state or around this state. These section are broadly supported by the provision above, or more specific provision with the specific program statutory language, (see 95.55, 95.68, etc.)

Broad rule provision to restrict movement and order action on animals can be found under:

- [10.89](#), QUARANTINES. This section provides further elaboration upon the quarantine authority granted by [Wis. Stat. § 93.07 \(10\)](#).
- [10.91](#), DESTRUCTION OR REMOVAL OF ANIMAL ILLEGALLY MOVED. The department may summarily order the destruction or removal from this state of any animal imported into this state if the owner or custodian fails to produce a valid certificate of veterinary inspection, or if the animals have been illegally imported.

Application of Authorities

The following is a partial list of commonly used, division approved, policies and forms which will be used when exercising the authorities discussed in this chapter.

Policies:

- [DIS-021](#): Completing, Issuing and Serving and Order or Quarantine
- [DIS-004](#): Field Issued Quarantines for Caudal Fold and Single Cervical TB Responders
- [DIS-016](#): Modification to a Quarantine

Forms:

- [Warning Notice](#): AH-IC-9001
- [Quarantine](#): AH-IC-52
- [Animal Removal Order](#): AH-IC-101

CHAPTER 2- CASE ACTIVITIES

In order to monitor compliance and ensure that regulated entities are maintaining an acceptable level of compliance, DAH staff conduct various types of case activities. These activities generally fall into one of the three categories below.

Inspection	<ul style="list-style-type: none">•Routine contacts, frequency is established by DAH-006 Program Standards•Documentation: Inspection report form or Case Summary Report (CSR), program specific documents and other applicable enforcement documentation and evidence•Typically conducted by inspectors
Investigation	<ul style="list-style-type: none">•Non-routine contacts initiated by the receipt of information relating to alleged violations of Animal Health regulations. These can be field or office generated and some are a result of complaints received by the division•May also be necessary during disease traces•Documentation: CSR, applicable enforcement documentation and evidence•Typically conducted by inspectors or compliance staff
Compliance	<ul style="list-style-type: none">•Non-routine cases initiated when a significant or repetitive violation has been documented during an inspection or investigation•Documentation: CSR, applicable enforcement documentation and communications and evidence•Typically conducted by compliance staff

Regardless of case type, all activities done by division staff require thorough and accurate documentation. Cases will not be considered complete unless they are submitted with all necessary documentation. In general, all completed cases will be submitted with the following: all exhibits referenced in the report, proof of service documents and a final draft of the report.

Documents that contain signatures must be submitted with the signatures, do not submit unsigned or draft documents.

Documentation, including official enforcement actions and orders will be served using methods prescribed by statute, administrative rule or policy if applicable. These methods may include personal service, service via mail or email or posting of the document at the affected property. The next page of this guide will highlight some tips and best practices for serving your documents correctly and affectively.

Keep in mind that more complex cases may require additional documentation, see your supervisor if you have questions regarding case documentation or acceptable methods of service.

Staff may utilize a variety of different tools while working to complete a case. Those documents must also be submitted with the case. The most routine tools used are further discussed below.

ENFORCEMENT TOOLS

Initial Notice of Non-Compliance: [AH-IC-800](#)

An INON serves as an initial notification to an entity that they are not in compliance with our regulations. An INON is not a legal enforcement tool that disposes of a violation. Further enforcement action may be taken, on the same violation, after an INON has been provided.

- Used to document non-repeat, level 1 violations when an inspection report will not be made available following the visit
- Used as a means to stop an illegal activity while the entity's compliance history is being evaluated or while the case is being referred for further compliance action.
- Used to order an action to correct a violation that needs immediate action, but may result in a higher enforcement level.

If the violation can be corrected the INON will state what type of action is required, by what date, whether or not follow-up action is necessary and if so how that follow-up will be conducted and when.

Warning Notice: [AH-IC-9001](#)

A warning notice may be used to dispose of non-repeat level 2 violations.

If the violation can be corrected the warning notice will state what type of action is required, by what date, whether or not follow-up action is necessary and if so how that follow-up will be conducted and when.

Animal Removal Order: [AH-IC-101](#)

An animal removal order will be used in situations where an illegal import has occurred and the required paperwork or diagnostic test results cannot be obtained in a timely manner. When issued, an animal removal order demands that the identified animals be removed immediately from this state.

Quarantine: [AH-IC-52](#)

Typically used during disease and illegal import investigations, a quarantine serves to immediately stop the movement of animals or goods. DAH policy references:

- [DIS-021](#)
- [DIS-004](#)
- [DIS-016](#)

Methods of Service



In Person

- Have the recipient sign and date the document
- If you cannot get a signature upon delivery fill out a certificate of personal service ([AH-IC-600](#))



USPS, Certified Mail®

- Obtain a Domestic Return Receipt



Posting of documents

- Post the document at 2 conspicuous places on the premises
- Fill out a certificate of personal service ([AH-IC-600](#))
- Photograph the document hanging at the place where you are leaving it
- In inclement weather protect the document by placing it inside of a plastic bag.



Email (Not appropriate to use for serving most types of orders – check with Supervisor if it is not stated as an acceptable means for service for the order you are working with)

- Send to address provided by the entity being served
- Request a *read receipt* and keep a copy once received



Consult your supervisor if you have any questions about what type of service is appropriate for your situation.

INVESTIGATIVE TOOLS

CIVIL INVESTIGATIVE DEMAND (CID):

A CID issued under [Wis. Stat. § 93.15](#) is a demand, issued from the agency to an entity, which requests reports, answers and records. Most often, a case which requires the use of a CID will have been referred to compliance. Compliance Specialists needing to utilize a CID in a case will consult with the Compliance Officer to discuss obtaining one through the department's legal counsel.

SUBPOENA:

The commonly used Subpoena Duces Tecum, issued under [Wis. Stat. § 93.14](#), orders the production of physical evidence. Similar to a CID, a subpoena may be obtained through the department's legal counsel after consultation with the Compliance Officer.

INSPECTION WARRANT:

A special inspection warrant may be obtained in instances where we need access to a property for inspection or investigation purposes but are denied access by the owner, their employee or agent. An inspector or compliance specialist may seek an inspection warrant through a county's circuit court following the procedures outlined in SOP 300-Special Inspection Warrant.

Formal Request for Records:

Used with licensed entities. Licensed entities are required to present records/allow access as part of their license. Failure to do so is a violation that can result in suspension/revocation or conditions being placed on the license.

PREPARING FOR A CASE

Prior to taking action on a case, staff are to review information available that is applicable to the entity named in the case. Information to review may include, but is not limited to:

- Current standing of a LRC with in the division.
 - a. licensed/not licensed;
 - b. Is the LRC status full (no restrictions), conditional, or suspended license;
 - c. Review for any alerts (quarantines, compliance etc.)
- If not a licensed or registered entity, verify status of premises registration.¹
- Inspection/investigation/compliance and complaint history.
 - a. Take note if there is an open case belong to another staff person. Make contact with them prior to initiating your case.
- Any previously noted violations.
- Check history on Wisconsin Circuit Court Access (CCAP), if you are unfamiliar with the entity

CASE PROGRESSION

The tables on the following pages present various potential outcomes of case activities conducted by DAH staff. Case types are listed in the left hand column along with a brief description and explanation as to when the particular type of activity may be conducted. The right hand column lists various outcomes based on the level of enforcement to be taken to correct documented violations.

¹ If an entity has an active license through the division of animal health the premises registration does not need to be separately verified

When selecting compliance tools to dispose of a case, staff will assess all violations and the past compliance history of the legal entity before making a decision. When cases result in multiple violations being documented, see [Chapter 3 – Handling Multiple Violations](#), in order to best evaluate what scenario is most applicable to the situation.

The outcomes listed in these tables are not all inclusive and at times it may be reasonable to deviate from the suggestions listed in this guidance. If staff feel that there is just reason to deviate from the guidance materials they should discuss the situation with their supervisor as to still maintain consistent treatment among regulated entities.

Additionally, there are many mentions in this guidance regarding the consideration of an entity's past compliance history. For our enforcement purposes the past 5 years of compliance history is generally considered when selecting the appropriate level of enforcement to address a violation.

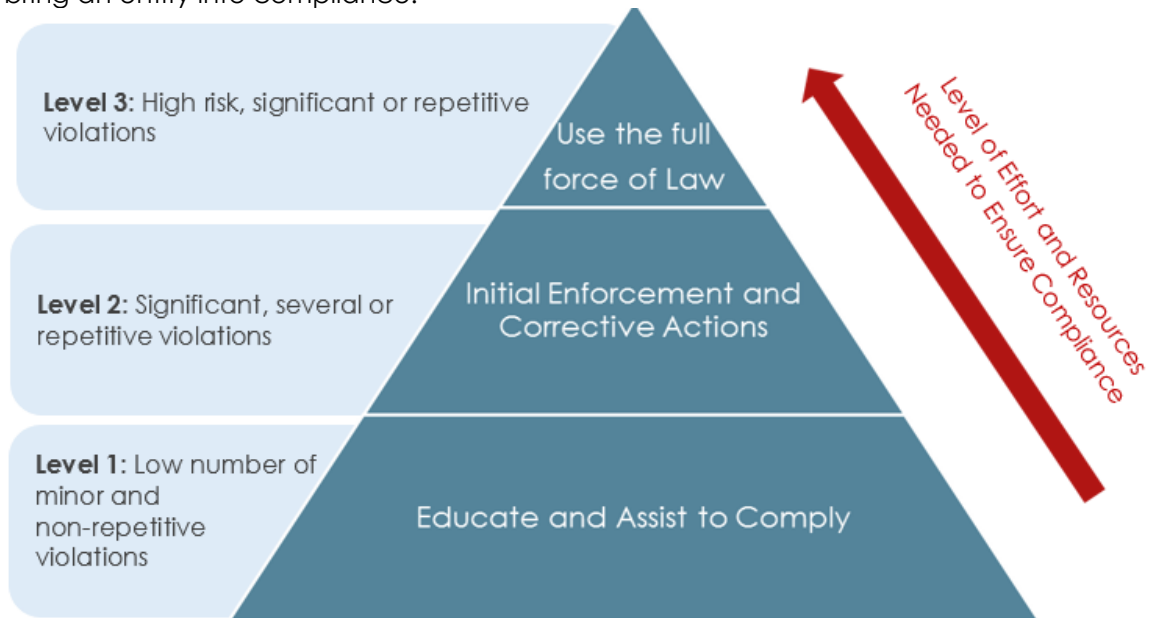
Case Type	Potential Case Outcomes
<p>Inspection</p> <ul style="list-style-type: none"> ❖ Conducted routinely in accordance with DAH-006 Program Standards Policy. <ul style="list-style-type: none"> ○ Pre-licensing ○ Initial ○ Routine ○ Quarantine ○ Premises Plan 	<ul style="list-style-type: none"> ❖ If the entity is in full compliance the inspection will be closed and the next inspection scheduled in accordance with program standards. ❖ If level 1 compliance action is necessary, the violations will be documented on the inspection report and additional level 1 compliance tools used as necessary. <ul style="list-style-type: none"> ○ If it is necessary to ensure that violations have been corrected, a follow-up inspection may be conducted. ○ If no follow-up inspection is necessary, the next inspection will be scheduled in accordance with program standards. ❖ If level 2 compliance action is necessary, the entity will be issued a warning notice for the violation(s) and additional level 2 enforcement tools may be used as necessary. <ul style="list-style-type: none"> ○ A re-inspection may be conducted to ensure that significant or repetitive violations have been corrected. ○ Non-repetitive, less significant violations needing correction may be addressed with a follow-up inspection. ❖ If level 3 compliance action is necessary an INON should be issued, including instructions for correcting the violation. Then case will be referred to the compliance team. <ul style="list-style-type: none"> ○ If a re-inspection needs to be conducted due to poor conditions or animal care issues, the re-inspection will be conducted by both the referring inspector and the compliance specialist to which the compliance case is assigned. <p>Correcting the violations does not conclude the actions to be taken by compliance staff. Any additional violations found at the re-inspection will be considered in the final compliance actions taken by the compliance staff.</p>

Case Type	Potential Case Outcomes
<p>Pre-license Inspection</p> <ul style="list-style-type: none"> ❖ Must 'pass' a pre-license inspection prior to being issued a license in applicable programs. 	<ul style="list-style-type: none"> ❖ If there are no violations observed then the license may be issued and the next inspection scheduled in accordance with program standards. ❖ If deficiencies (NOT violations) are observed and the entity has a reasonable plan and the apparent ability to make it happen (supplies) then the deficiencies are noted on the inspection report for correction. ❖ If violations (multiple level 1 or level 2 or above) are found the pre-license is failed, and the license will be denied.
<p>Investigation</p> <ul style="list-style-type: none"> ❖ These are cases where we are investigating an alleged violation or when DAH is investigating animal movement. ❖ Examples of types of Investigations done in AH: <ul style="list-style-type: none"> ○ Import ○ Complaint ○ Traceability ○ Operating without a LRC 	<ul style="list-style-type: none"> ❖ The potential outcomes of an investigation of a licensed entity are the same as those which would occur as the result of violations documented at a routine inspection. ❖ Unlicensed entities may be less likely to know about certain aspects of the rules we administer. Certain enforcement tools such as follow-up inspections or re-inspections are also not options for dealing with violations committed by non-licensed entities. This has been considered while writing the tables and general guidance in Chapter 4- Enforcement Standards. ❖ If an investigation reveals that a willful violation, of any severity, has occurred the case should be referred to DAH compliance staff.
<p>Follow-up Inspection</p> <ul style="list-style-type: none"> ❖ Result of minor violations documented during an inspection or investigation. ❖ Can be addressed with a physical visit, but preferred to be able to verify compliance obtained via photographic evidence or electronic paperwork provided. ❖ Addresses pre-licensing deficiencies due to seasonal practices 	<ul style="list-style-type: none"> ❖ If the entity has remedied the previously observed violation(s), then they will be returned to their routine inspection status. ❖ If the violation(s) have not been corrected the inspector will provide the entity with a warning notice that will require correction to be verified via a re-inspection.

Case Type	Potential Case Outcomes
<p>Re-inspection</p> <ul style="list-style-type: none"> ❖ Result of multiple, repetitive or significant violations. A re-inspection is conducted to ensure that the previously cited areas of non-compliance have been corrected. It is not necessary to complete a full inspection during a re-inspection. ❖ May be completed as to verify that conditions placed on a license are being adhered to. ❖ Upon completion of a re-inspection entity will be billed the amount set forth in rule, or per conditions on the license, for the re-inspection. ❖ Is completed in a set time frame. The entity will be directed to correct the violation(s) by a given date, after which a re-inspection will be completed. 	<ul style="list-style-type: none"> ❖ If previously noted violations have been corrected then the entity returns to their routine inspection status. ❖ If necessary corrections have not been made, then the case is referred to compliance.
<p>Compliance Case</p> <ul style="list-style-type: none"> ❖ Initiated when an inspection or investigation case has reached a threshold where a higher level compliance action is warranted. ❖ At this stage violations should be substantiated and supported by evidence from the referring party. ❖ Cases with previous history and substantial evidence to support the alleged violation at initiation; can go direct to compliance. They will be assigned at the discretion of the Compliance Officer. 	<ul style="list-style-type: none"> ❖ Based on review of the business' compliance history(5 years), compliance can examine different tools to gain compliance and deter further non-compliant activities. ❖ Compliance staff will evaluate the best options available to gain compliance and discourage further non-compliance. ❖ For entities not required to license, actions that may be considered include: <ul style="list-style-type: none"> • Voluntary Assurance of Compliance • Special Order • Civil Forfeiture Complaint • Criminal Complaint • Warning notice ❖ For licensed entities action that may be considered: <ul style="list-style-type: none"> • All items referenced for non-licensed entities • Administrative Order

CHAPTER 3 – LEVELS OF ENFORCEMENT

As mentioned in the introduction to this guidance, the division uses an enforcement model made up of three levels. The ultimate objective is to ensure compliance with our regulations using the lowest effective enforcement level to ensure corrective action and future compliance is obtained. The figure below depicts the types of violations included for consideration at each of the 3 levels and also demonstrates that moving to higher levels of enforcement also increases the amount of resources and staff effort required to bring an entity into compliance.



WHAT CONSTITUTES A 'SIGNIFICANT' VIOLATION?

A significant or serious violation is one that creates a risk (disease spread) to the industry or is harmful to the animals present (poor facility construction/exposure to contagious disease). Violations may be considered significant if they are reoccurring, or if they occur in such a quantity to indicate that the violator does not understand or does not have the ability to be in compliance with the law.

Entities who routinely conduct business as part of a regulated industry are expected to be aware of the laws and rules of their trade. There are also some regulations and requirements which are expected to be observed by any person or business, such as not forging or modifying an official document. Because of this reasonable expectation of knowledge, violations committed by these entities, or violations of certain types may be addressed with a higher level of enforcement regardless of being a first offense.

WHEN IS A VIOLATION CONSIDERED REPETITIVE?

Repetitive violations are violations that have been previously cited, and corrective instruction given (INON; WN; etc.).

They may be found to have not been corrected, or to re-occur, at follow-up inspections, re-inspections or subsequent routine inspections after a violation has been cited. If a warning notice has been provided to dispose of a violation, and upon re-inspection or follow-up the violation is still occurring, the violation is considered a new violation. In this case the previously documented violation becomes part of the applicable compliance history, and will be considered when selecting the next level of enforcement to be used.

HANDLING MULTIPLE VIOLATIONS

In some cases multiple violations are observed during the same inspection, investigation, or combination of activities being performed during the same visit. When multiple violations are observed the enforcement actions used to complete the case should take into consideration the totality of the circumstances.

When evaluating the level of compliance action that should be taken for all cases except for Dog Sellers and Farm-raised Deer inspections, staff should note the compliance level recommended for each violation documented and then utilize the following guidelines:

- If three or more level 1 violations are observed then a level 2 enforcement should be used to address the violations.
- If less than three level 2 violations are observed than a warning notice should dispose of the violations.
- If there are three level 2 violations observed then a re-inspection should be assessed where we have the authority to do so, in addition to a warning notice.
- More than 3 level 2 violations will be addressed with level 3 enforcement actions.
- If violations fall into more than one enforcement level, then the action taken should consistent with the highest level violation. For example, if an inspection results in two level 1 violations, one level 2 and one level 3 violation, then the case will be referred for compliance action per the level 3 expectations. Violations will still be noted in the inspection report.

The Dog Seller and Farm-raised deer programs have significantly more regulations to be in compliance with at inspection. In practice using the same scale for elevation of compliance actions based on multiple infractions would cause these entities to be elevated to higher level compliance actions much quicker, when in fact based on a percent of compliance with the requirements, they are no more non-compliant then other entities with fewer requirements.

To level that impact out, for inspections completed on Dog Seller facilities or Farm-raised Deer Registrants, the following guidelines are to be followed:

- If three or more level 1 violations are observed then level 2 enforcement should be used to address the violations.
- If three or less level 2 violations are observed than a warning notice should dispose of the violations.
- If there are four to six level 2 violations observed then a re-inspection should be assessed, in addition to a warning notice.
- More than six level 2 violations will be addressed with level 3 enforcement actions.
- If violations fall into more than one enforcement level, then the action taken should consistent with the highest level violation.

LEVEL 1: EDUCATION AND ASSISTANCE

Level 1 enforcement actions are used when an entity is not in compliance with the requirement of the law but it is a minor issue, not posing significant risk and/or it is reasonable they were unaware of the requirements, or that there were requirements.

Action taken at this level assumes that the entity will be voluntarily compliant once they are made familiar with the requirements and the importance of compliance.

LEVEL 1 ENFORCEMENT OBJECTIVE:

- Communicate the violation(s) with the violator or responsible party and provide information on how to correct the violation.

EXPECTATIONS OF LEVEL 1 ENFORCEMENT:

- Document the occurrence of the violation using either the inspection report or INON.
- Communicate the violation with the violator or other responsible party and provide education and/or informational resources to help correct the violation and prevent it from reoccurring.
- Inform the violator or other responsible party about any follow-up action which will be conducted. Provide method of follow-up and date(s), if applicable.

TOOLS OF LEVEL 1 ENFORCEMENT:

- Verbal communication
- Information and education materials (ex. copies of statutes, rules, or other handouts)
- Inspection report or INON [AH-IC-800](#)
- Follow-up inspection

LEVEL 2: INITIAL ENFORCEMENT AND CORRECTIVE ACTIONS

This enforcement level assumes that the entity should have reasonably been aware of the requirements, significant violations have occurred, or that prior interactions have not been sufficient to bring about compliance with the requirements of the law. This level reinforces the seriousness of a violation, either as a stepping stone to more formal enforcement actions or as an incentive to re-establish voluntary compliance. This is the first level where the department goes beyond education to exercising the lowest enforcement level we authorized to use, the warning notice. See 93.06(10)

LEVEL 2 ENFORCEMENT OBJECTIVE:

- Provide formal notice to the violator that the observed violation(s) are serious in nature, or they have received previous instruction on the same issue, and require prompt action.

EXPECTATIONS OF LEVEL 2 ENFORCEMENT:

- Document the violation(s) using either an inspection report or CSR. Include all pertinent evidence.

- Communicate the violation with the violator or other responsible party and provide education and/or informational resources to help correct the violation and prevent it from reoccurring.
- Provide and explain a Warning Notice which includes:
 - A date by which to correct any violations that can be corrected
 - That a follow-up inspection or re-inspection will occur, if that is the case (If applicable, specify the inspection type. Inform entities receiving re-inspections that they will be assessed a re-inspection fee)
 - Instructions to pay any applicable late fees and/or surcharges for operating without LRC violations.
- Inform the entity that any follow-up or re-inspection will be conducted after the correction date established on the warning notice. This may be an unannounced inspection.
- Inform the violator that failure to come into compliance with the requirements will result in further compliance action being taken.

TOOLS OF LEVEL 2 ENFORCEMENT:

- Warning Notice ([AH-IC-9001](#))
- Order of Quarantine ([AH-IC-52](#))
- Animal Removal Order ([AH-IC-101](#))
- Surcharge for LRC violations (Note on Warning Notice)
- Re-inspection (When violations are significant or repetitive)
- Follow-up inspection

LEVEL 3: FORMAL ENFORCEMENT AND THE FORCE OF THE LAW

This level is intended to address situations where the violator has not responded to prior documented efforts to gain their compliance. Level 3 compliance actions are also the result of a violation that causes substantial risk; where it is **not** reasonable they were unaware of the requirements, or that there were requirements. Penalties for level 3 violations are more punitive and assessed at a threshold which discourages future non-compliance or may put entities out of business.

Level 3 actions are always coordinated through compliance staff. These actions typically require a great level of communication between compliance field staff and other staff working from the central office, such as the Compliance Officer or Legal Counsel.

LEVEL 3 ENFORCEMENT OBJECTIVES:

- To ensure that the violator fully understands the violations and the penalties or corrective actions that are being sought.
- Inform the violator of ramifications of continued or future non-compliance with applicable statues and rules.
- To bring an entity into compliance with the requirements of the law.
- To discourage future instances of non-compliance by seeking a reasonable penalty at a threshold which will deter re-offense.

- To stop entities that cannot comply with the requirement of the law from operating.

EXPECTATIONS OF LEVEL 3 ENFORCEMENT:

- Appropriate documentation and evidence of level 3 violations will be submitted for referral to the compliance team.
 - If a violation is documented, and at the time it is known that a case will be referred to compliance, an INON should be served to the violator to ensure the entity has documentation of the violation is and to prevent further violation(s) of the law, as appropriate. The entity is to be made aware that the INON is an instruction to cease the non-compliant activity, or to correct it, but that it is not the final action that will be taken to address the situation.
- The assigned Compliance Specialist will propose compliance steps which are appropriate to the violation, and consistent with actions taken in similar circumstances. The actions will be substantial enough to discourage future non-compliance and will be approved by the Compliance Officer in coordination with other staff, such as Legal Counsel, as necessary.
- If the violator retains an attorney notify the Compliance Officer and DATCP Legal Counsel.

TOOLS OF LEVEL 3 ENFORCEMENT:

- Enforcement or Administrative Conference
- Assurance of Voluntary Compliance
- Administrative Complaints and orders (Special or Summary)
- Court injunctions
- Civil Complaints and Forfeitures
- Criminal Complaints to DA

LEVEL 3 ENFORCEMENT PENALTIES:

<i>VIOLATION</i>	<i>WISCONSIN STATUTE</i>	<i>PENALTY</i>
Failure to obtain rabies vaccine	95.21(10)(a)	Forfeiture of not less than \$50 nor more than \$100 [Owner]
Failure to comply with Rabies Order or Quarantine	95.21(10)(b)	Fine of not less than \$100 nor more than \$1,000 or imprisoned not more than 60 days or both [Owner]
Other rabies violations	95.21(10)(c)	Fine of up to \$50
Animal Markets-Operation After Revocation	95.68(9)	Fine of not less than \$500, nor more than \$1,000 or imprisoned not to exceed 6 months or both [Operator]
Animal Dealers-Operation After Revocation	95.69(9)	Fine of not less than \$500, nor more than \$1,000 or imprisoned not to exceed 6 months or both [Operator]

<i>VIOLATION</i>	<i>WISCONSIN STATUTE</i>	<i>PENALTY</i>
Animal Truckers-Operation After Revocation	95.71(9)	Fine of not less than \$500, nor more than \$1,000 or imprisoned not to exceed 6 months or both [Operator]
Violation of any other statute or rule provision or department order	95.99(1)	First offense, fine of not more than \$1,000; subsequent offense fine of not less than \$500 nor more than \$1,000, or imprisoned not more than 6 months or both [Violator]
	95.99(2)	Injunction restraining violation of statutes or rules [Violator]
	95.99(3)	First offense, forfeiture not less than \$200, nor more than \$5,000; 2nd or subsequent offense within 5 years, forfeiture not less than \$400 nor more than \$5,000 (in lieu of criminal penalty under 95.99(1). [Violator]
Dog Sellers- Operating Without a License	173.41(15)(a)	Fined not more than \$10,000 or imprisoned for not more than 9 months or both. [Operator]
Violation of any other statute or rule provision or department order	173.41(15)(b)1.	Forfeiture no more than \$1000 for the first offense and may be required to forfeit not less than \$200 nor more than \$2000 for the 2 nd or any subsequent offense within 5 years. [Violator] ²

² If a violation of this subd. Involves the keeping of animals, each animal with respect to which the statute or rules is violated constitutes a separate violation.

Chapter 4 – Enforcement Standards

GENERAL IMPLEMENTATION

The tables throughout this chapter provide a quick reference to statutes and administrative rules along with their respective enforcement levels. The initial enforcement levels listed in these tables are a baseline, assuming no previous history of similar violations. If there is a history of similar violations, enforcement action will elevate progressively. For example, if an animal trucker fails to place the required sticker on their vehicle, the first offense may be an INON; second offense: warning notice; third offense: warning notice and re-inspection³; fourth offense: referral to compliance.

There may also be aggravating or mitigating factors to be considered as these may increase or decrease the enforcement level selected to address a violation. These factors must be documented and supervisor approval of the deviation should be confirmed prior to implementing enforcement actions outside of those designated in this guidance. The supervisor should weigh the violation(s) against similar situations to ensure consistent treatment of regulated entities.

Additionally, this guidance assumes that violations are occurring independently of one another, although this is not always the case. Some additional guidance on addressing multiple, consecutively occurring violations can be found in [Chapter 3: Handling Multiple Violations](#).

GENERAL VIOLATION CATEGORIES

The following categories are general requirements across multiple programs. The compliance level used to address these types of violations should be uniformly implemented regardless of which program the violation has occurred under.

ANIMAL MOVEMENT

INTRASTATE MOVEMENTS

If animals requiring a CVI for intrastate movement have been moved with a CVI, or on an invalid CVI, then they will be quarantined until a CVI meeting all requirements for movement has been issued and reviewed. See [Quarantine Release CVI Instructions and Submission Process](#).

Sheep or goats moved within this state without official ID will be handled through level 1 enforcement actions.

SHOW/SALES/RECREATION IMPORTS

If the animals have been imported to a non-permanent destination e.g. a fair, exhibition, trail ride or other temporary event, and did not have the required disease testing completed prior to import, then the custodian will be ordered to remove them from the state via an animal removal order and no quarantine will be written. Removal should occur within the shortest time period possible, not to exceed 24 hours, as exceeding this time would likely allow them to participate in the event. While the animals are in this state they will not be allowed to participate in any events and must be kept separate from other animals until they can be removed.

³ Having a third step that is a WN with re-inspection is not a standard action across all violations, but it is an available tool to be considered. When entities have previously received a warning notice for a violation, generally the next action is a referral to compliance.

If the imported animals do not require disease testing, but did not have a valid CVI upon import then the enforcement action taken should be consistent with the actions prescribed below for [non-show imports](#).

NON-SHOW IMPORTS

Animals imported without a valid CVI, or with no CVI, to a premises in WI, require the animal to be quarantined and CVI meeting import requirement to be issued. See [Quarantine Release CVI Instructions and Submission Process](#).

CERTIFICATES OF VETERINARY INSPECTION

- **No CVI** – Entity importing into WI (WI resident) accepts, or brings the animal into the state with no CVI

Entity Type	Enforcement Level
Non-animal business ⁴	2
Licensed entity	3
Routine importer of livestock (feedlot, heifer raiser, etc)	3

- **Invalid CVI-** Common causes of invalid CVIs may include:
 - Incomplete content
 - Non-compliance with disease testing/status/vaccination requirements⁵
 - Non-compliance with official ID requirements
 - Expired CVI

Entity Type	Enforcement Level
Non-animal business	1
Licensed entity	2
Routine importer of livestock (feedlot, heifer raiser, etc)	2

- **CVI issued on unapproved form, all other requirements met**

Entity Type	Enforcement Level
Non-animal business	1
Licensed entity	1
Routine importer of livestock (feedlot, heifer raiser, etc)	1

⁴ A non-animal business includes private citizens or businesses, not routinely engaged in the movement of livestock.

⁵ For animal(s) imported to a temporary event such as fair, exhibition or trail ride, if applicable disease testing/status/vaccination has not been conducted then the animal(s) will be removed from the state via an [Animal Removal Order](#). See [Show/Sales/Recreation Imports](#) for additional instruction.

- **Falsification of CVI**

Entity Type	Enforcement Level
Non-animal business	3
Licensed entity	3
Routine importer of livestock (feedlot, heifer raiser, etc)	3

IMPORT AND MOVEMENT PERMITS

- Failure of a person to obtain a written permit from the department, before importing or moving an animal where it is required. This is not a violation that can be 'corrected' a permit has no value if obtained after import/movement, so it cannot be obtained retroactively.

Entity Type	Enforcement Level
Non-animal business	1
Licensed entity	2
Routine importer of livestock (feedlot, heifer raiser, etc)	2

NONCOMPLIANCE WITH A DEPARTMENT ORDER:

Level 3: Failure to comply letters may be provided prior to taking final action as appropriate.

EXAMPLE 1) Example 1: Quarantine with 10 days to provide CVI with official identification listed. If, by the 10th day a CVI has not been provided a failure to comply notification is to be served. Next action, if compliance is not gained, is to refer to the compliance team.

Example 2) Moved animal under quarantine without following the terms of the quarantine. Direct referral.

OPERATING WITHOUT A LICENSE (APPLIES TO LICENSES, REGISTRATIONS AND CERTIFICATES):

Level 2: Operating without, very limited or no intent (failure to renew, renews upon instruction): Surcharge and obtain license

PRESENTATION AND RESTRAINT OF ANIMALS FOR TESTING:

Upon reasonable notice from the department, owners or persons in charge of animals shall restrain or confine animals so they can be identified, examined, tested or otherwise treated or disposed of as authorized by law. See [Wis. Stats. § 95.23\(3\)](#). Failure to comply with a reasonable request for animals to be restrained or confined shall be referred to compliance as a level 3 violation.

A reasonable request shall be made in writing. The request will be detailed as to type of restraint or confinement needed and the consequence of failing to comply with the request.

RECORD KEEPING:

The various components that make up a record each have their own compliance level assigned to them within the tables of this manual. These should be considered when taking overall action on the case. However there is some additional guidance that should be considered with regards to record keeping:

- If systemic issues are observed, or if complete records cannot be readily derived from the available documents then level 2 compliance action should be taken and a re-inspection should be conducted.
- A complete lack of records should be referred for level 3 compliance actions.

TESTING, SAMPLING, INSPECTING AND VACCINATION:

Level 2:

- Failure of an individual to meet department specifications required to perform specified sampling, testing or vaccination activity
- Misrepresenting tester/sampler qualifications
- Failure to follow department approved testing, sampling or vaccination procedures
- Failure to follow department approved procedures regarding labeling and sample submission
- Testing, sampling or vaccinating without applicable approval from the department
- Failure to submit sample materials to an approved laboratory for analysis by a department approved test
- Misrepresenting qualified laboratory status

REPORTING TEST RESULTS

Level 1:

- Failure to report a negative test result for diseases specified in s. ATCP 10.04(1), within 10 days

Level 2:

- Failure to report Appendix B diseases within 10 days
- Failure to report a positive result of any disease specified in s. ATCP 10.04(1), unless that disease is also a reportable disease. In the case of the latter, the enforcement action should be consistent with that prescribed based on the Appendix classification.

Level 3:

- Failure to report Appendix A disease within 1 day

ANIMAL IDENTIFICATION

Level 2:

- Veterinarian failure to apply official ID to an animal as required for testing, identifying on an official document, or vaccinating
- Failure of an TMD to identify an animal as required
- Failure of an animal's keeper to identify it in any manner specified in rule
 - ****Sheep and goat ID should start at level 1****

Level 3:

- Removing, or tampering with an animal's official ID

FAILURE OR REFUSAL TO ALLOW ENTRY OR RECORDS ACCESS

In the event that a division employee arrives at a premises to conduct an inspection or investigation, scheduled or not scheduled, and they are not allowed to complete the inspection or investigation, they will take the following action(s):

For licensed entities:

- If it is deemed that access to the premises, or records, is necessary immediately, then a Special Inspection Warrant may be necessary. See SOP 300 for further instruction. The initial contact should be document as a refusal to allow access, resulting in a failed inspection. The inspection completed with the inspection warrant is a re-inspection.
- If there is no immediate need to access the premises, staff will clearly explain to the licensee that failure to allow inspection at the time will result in an automatic fail, and the next inspection will be a re-inspection.
- If records are formally requested from a licensed entity and they fail to provide the records a warning notice will be issued, citing the date by which records must be received by the department. If the records are not received by the date referenced on the warning notice then the case will be referred for level 3 action.

For unlicensed entities:

- If it is deemed that access to the premises, or records, is immediate then a Special Inspection Warrant may be necessary. See SOP 300.00 for further instruction.
- If access to records is required, and the need is not immediate, then refer the case for level 3 action.
- Whenever staff official request records from an unlicensed entity and that entity does not comply with the request, the case will move to level 3 enforcement actions.

Wis. Admin. Code Ch. ATCP 10 & Ch. Wis. Stat. 95			
ANIMAL DISEASES AND MOVEMENT			
Wis. Adm. Code/Stat. Section	<i>Brief Description of Requirement (Not complete rule language, not intended to be used for citation, for complete rule language refer to the actual rule/statute.)</i>	<i>Enforcement Level</i>	<i>Notes and Associated Protocols/Policy/Interpretations</i>
Subchapter I General Provisions			
Disease Reporting			
ATCP 10.03(1)	1 Day reporting of ch. ATCP 10 Appendix A diseases	See General Violation Categories; Reporting Test Results	
ATCP 10.03(2)	10 Day reporting of ch. ATCP 10 Appendix B diseases		
ATCP 10.03(3)	Disease reports confirmed in writing within 10 days		
Disease Testing			
ATCP 10.04(1)(b)	Reporting positive test results for Brucellosis, Johne’s Disease, Pseudorabies, Tuberculosis, CWD or VHS as specified in s. ATCP 10.03.	See General Violation Categories; Reporting Test Results	
ATCP 10.04(1)(c)	Reporting negative test results for Brucellosis, Johne’s Disease, Pseudorabies, Tuberculosis, CWD or VHS as specified in s. ATCP 10.03.		
ATCP 10.04(2)	Failure of a custodian/owner to present or restrain animals for testing	See General Violation Categories; Presentation and Restraint of Animals for Testing	

Official Individual ID Application and Record Keeping Requirements		
ATCP 10.045(1)	Record kept for all IDs applied, including: date of distribution/application, ID number, name and address of owner	Any individual aspect not kept, level 2. Nothing kept is minimum of re-inspection
ATCP 10.045(2)(a)	Records maintained and made available for 5 years	See General Violation Categories; Failure or Refusal to Allow Entry or Records Access
ATCP 10.045(2)(b)	Records available to department upon request	
Tuberculosis Testing and Control		
ATCP 10.055(1)	Qualified samplers	See General Violation Categories; Testing, Sampling, Inspecting and Vaccination
ATCP 10.055(2)	Testing approval	
ATCP 10.055(3)	Test reporting	See General Violation Categories; Reporting Test Results
ATCP 10.055(4)	Sale or movement restricted for positive animals	3
Certificate of Veterinary Inspection		
ATCP 10.06(1)	CVI obtained prior to import for all non-exempt animals	See General Violation Categories; Animal Movement
ATCP 10.06(2)	CVI prepared and signed by accredited or WI certified veterinarian	
ATCP 10.06(3)	CVI Issued on a DATCP approved form	
ATCP 10.06(4) CVI Contents	(a) Number, species, breed, sex and age of animals	
	(b) Official ID as required	
	(c) Name, phone number and address of shipper	
	(d) Shipping premises information: 1. Address 2. Premises code, if applicable 3. Health certification numbers, if applicable	
	(e) Name and address of receiver	
	(f) Receiving premises information	
	(g) Permit number required in s. ATCP 10.07(2) or 10.08(3) Other information required for import under ch. ATCP 10	
ATCP 10.06(5)	CVI valid for 30 days	
ATCP 10.06(6)	Filing Copies of CVI	1
ATCP 10.06(7)(a)	Imported animals sold on consignment through an AD or AM accompanied to buyer by import CVI	2
ATCP 10.06(7)(b)	CVIs issued for consigned, imported animals	2
ATCP 10.06(7)(c)	Filing CVIs issued for consigned, imported animals	1
Animal Imports		
ATCP 10.07(1)(a)	Import compliance with ch. ATCP 10 and 12	See General Violation Categories; Animal Movement
ATCP 10.07(1)(c)	Failure to comply with additional import requirement issued under s. ATCP 10.07(1)(b)	See General Violation Categories; Noncompliance with a Department Order
ATCP 10.07(2)	Import Permit required as applicable	See General Violation Categories; Animal Movement
ATCP 10.07(2m)(c)	Blanket import permit compliant with requirements	
ATCP 10.07(e)	Import permit or blanket permit received prior to import	
ATCP 10.07(2m)(h)	CVIs submitted for animals import on blanket permit	

ATCP 10.07(4)1 – 3	Requirements to be a Federally Approved Livestock Market	See General Violation Categories: Animal Movement **If they are importing as if they are an approved market without being one, movements to the market from out of state are illegal movements.	
ATCP 10.07(4)(c) Federally Approved Livestock Market	Markets shall not: 1. Release to buyer unless import requirements are met 2. Fail to disclose state of origin	2	Minimum of re-inspection. If systemic issues observed use level 3 actions.
ATCP 10.07(4)(d)	Federally approved market, record keeping and retention	See 12.06	
Moving Diseased Animals			
ATCP 10.08/ Wis. Stat. 95.19			
Import, sale, movement or exhibition of any animal, no person may do any of the following:			
ATCP 10.08(1)(a)	Knowingly conceal animal infection or exposure to contagious or infectious diseases	3	
ATCP 10.08(1)(b)	Knowingly misrepresent that the animal has not been exposed to or infected with any infectious disease.	3	
ATCP 10.08(1)(c)	Knowingly permit an animal that has been exposed to or infected with a contagious or infectious disease to commingle with other animals	3	
ATCP 10.08(2)	Sale or movement of animals exposed to, infected by, or identified as a suspect or reactor to any of the diseases listed in (a) through (s)	3	
ATCP 10.08(3)(b)	Reporting of post-mortem examination results	1	
ATCP 10.08(4)	Removal of livestock from a slaughtering establishment	2	
ATCP 10.08(5)	Release of an exposed or diseased captive wild animal	3	
Subchapter III			
Bovine			
Brucellosis Testing and Control			
ATCP 10.11(1) Wis. Stat. 95.43	Qualified samplers	See General Violation Categories; Testing, Sampling, Inspecting and Vaccination	
ATCP 10.11(2)	Test Procedures		
ATCP 10.11(3)	Test reporting	See General Violation Categories; Reporting Test Results	
ATCP 10.11(5) Handling Reactors	1. Slaughter of reactors 2. Premises clean up	3	Assumes instruction provided for handling of the reactors and movement was a failure to comply with those instructions. 2 if no permit but slaughter is provable.
ATCP 10.11(6)	Identification of exposed animals before movement	2	
Tuberculosis Testing and Control			
ATCP 10.13(1)	Qualified samplers	See General Violation Categories; Testing, Sampling, Inspecting and Vaccination	
ATCP 10.13(1m)	Testing approval		
ATCP 10.13(2)	Test procedures		
ATCP 10.13(3) Wis. Stat. 95.40	Test reporting	See General Violation Categories; Reporting Test Results	
ATCP 10.13(4)/ Wis. Stat. 95.30	Sale or movement restricted for positive animals	3	

ATCP 10.13(6)(a)	Completed within 15 days: 1. Identify reactors and ship to slaughter on movement permit	2	
Wis. Stat. 95.25(2m)	Providing animal handling facilities	See General Violation Categories; Presentation and Restraint of Animals for Testing	
Johne's Disease Testing			
ATCP 10.15(1)	Qualified samplers	See General Violation Categories; Testing, Sampling, Inspecting and Vaccination	
ATCP 10.15(2)	Sample collection procedures		
ATCP 10.15(4)	Test reporting	See General Violation Categories; Reporting Test Results	
ATCP 10.15(6)	Follow-up test required	1	
Johne's Disease; Sales of Cattle			
ATCP 10.16(2)	Reactor sales	2	
Johne's Disease Herd Vaccination			
ATCP 10.17(1)	Herd agreement required	2	
Johne's disease herd classification			
ATCP 10.18(5)	Misrepresenting herd classification	2	
Bovine Animals; Identification			
ATCP 10.21(1)(a)	Veterinarian application of official ID	See General Violation Categories; Animal Identification	
ATCP 10.21(1)(b)	No more than 1 official ID applied		
ATCP 10.21(2)(a)1.	Slaughter identification required		
ATCP 10.21(2)(a)2.	Records kept for each animal	See right column	See General Violation Categories; Record Keeping
ATCP 10.21(2)(b) Record Requirements	1. Official ID or back tag number	2	
	2. Date received	1	
	3. Name and address of person received from	2	
	4. Breed of animal	1	
	5. Official ID if not moving to slaughter AD or AM to apply if needed	2	
ATCP 10.21(2)(c)	Records maintained and made available for 5 years	See General Violation Categories; Failure or Refusal to Allow Entry or Records Access	
Bovine Animals; Imports			
ATCP 10.22(1)(a)	CVI required	See General Violation Categories; Animal Movement	
ATCP 10.22(2)(a)	Negative brucellosis test required		
ATCP 10.22(3)(a)	Import permit required (Class B or C states)		
ATCP 10.22(4)	Import of brucellosis reactors	3	
ATCP 10.22(5)	Negative TB test prior to import, unless exempt	See General Violation Categories; Animal Movement	
ATCP 10.22(6)(a)	Imports from TB modified accredited states or modified accredited zones		
ATCP 10.22(6)(c)	Post-import testing required		
ATCP 10.22(6)(d)	Post-import confinement		
ATCP 10.22(6)(g)	Import from accredited free zones with split multiple TB statuses		
ATCP 10.22(7)(a)	Import of TB reactors	3	
ATCP 10.22(7)(b)	Import of TB suspects	3	
ATCP 10.22(7m)	Import of M-branded bovine	2	Animal must be removed (AH-IC-101) or slaughtered (accompanied by a VS 1-27)
ATCP 10.22(8)	Import of Johne's disease reactors	2	

Approved Import Feed Lots			
ATCP 10.22(9)(c) Facility Requirements	1. No commingling	2	
	2. No shared feeding/watering facilities	2	
	3. Lot devoid of vegetation	1	
	4. Animals official identified as required	See General Violation Categories: Animal Identification	
ATCP 10.22(9)(d)	Removing feeder cattle	3	
ATCP 10.22(9)(e)	Records maintained and made available for 5 years	See General Violation Categories: Failure or Refusal to Allow Entry or Records Access	
ATCP 10.22(9)(e)1. Records for Shipments Received	Date of receipt	1	See General Violation Categories: Record Keeping
	# of head in shipment	1	
	Official ID	2	
	Name and address of shipper	2	
ATCP 10.22(9)(e)2. Records for Shipments Leaving	Date of shipment	1	
	# of head in shipment	2	
	Official ID	2	
	Name and address of receiver	1	
ATCP 10.22(9)(e)3. Death Records	Official ID	2	
	Date of death	1	
Intermediate Livestock Handling Facilities			
ATCP 10.22(10)(d) Facility Requirements	1. Cattle not held more than 7 days	2	
	2. Officially sealed trailers not permitted to drop off	3	
	3. Cattle enter under permit	1	
	4. Cattle move to slaughter under permit	2/3	2 if moved to different slaughter facility, 3 if not moved to slaughter
	5. Cattle housed separately based on shipment	2	
	6. Medical separation from feeders and breeding stock	2	
	7. Cleaning and disinfecting	1	
	8. Proper signage	1	
	9. Records maintained and made available for 5 years	See General Violation Categories: Failure or Refusal to Allow Entry or Records Access	
ATCP 10.22(10)(d)9.a. Records for Shipments Received	Date of receipt	1	See General Violation Categories: Record Keeping
	# of head in shipment	1	
	Shipper name and address	2	
	Name and address of shipment origin	2	
	Official ID	2	
	Movement permit	2	
ATCP 10.22(10)(d)9.b. Records for Shipments Leaving	Date of shipment	1	See General Violation Categories: Record Keeping
	# of head in shipment	1	
	Shipper name and address	2	
	Receiver name and address	2	
	Official ID	2	
	Movement permit	2	
ATCP 10.22(10)(d)9.c. Death Records	Date	1	See General Violation Categories: Record Keeping
	Official ID	2	
	Necropsy or test result reports	1	
	Movement Permit #	2	
	Disposition of carcass	1	
ATCP 10.22(10)(e)	Movement permit required	See General Violation Categories: Animal Movement	

**Subchapter VII
Swine**

Swine Pseudorabies; Vaccination

ATCP 10.25(1)(a)	Vaccination permit required	3	
ATCP 10.25(1)(c)	Vaccination performed by, or under direction of, an authorized veterinarian	3	
ATCP 10.25(2)	Vaccine labeling	2	
ATCP 10.25(3)(a)	Sale to licensed veterinarians	3	
ATCP 10.25(3)(c)	Reporting vaccine delivery	2	

Swine Pseudorabies; Testing and Control

ATCP 10.26(1)	Qualified samplers	See General Violation Categories; Testing, Sampling, Inspecting and Vaccination	
ATCP 10.26(2)	Test procedures	See General Violation Categories; Reporting Test Results	
ATCP 10.26(3)	Test reporting	See General Violation Categories; Reporting Test Results	
ATCP 10.26(9)(a)	Separation of infected or exposed swine	3	
ATCP 10.26(9)(b)	Movement permit required	3	
Wis. Stat. 95.27(7)	Carcass disposal	3	

Swine Brucellosis; Testing and Control

ATCP 10.28(1)	Qualified samplers	See General Violation Categories; Testing, Sampling, Inspecting and Vaccination	
ATCP 10.28(2)	Test procedures	See General Violation Categories; Reporting Test Results	
ATCP 10.28(3)	Test reporting	See General Violation Categories; Reporting Test Results	
ATCP 10.28(4)(b)	Completed within 15 days: 1. Identify reactors and ship to slaughter on movement permit 2. Premises cleanup	2	

PRRS and SECD

ATCP 10.291 (1)-(3)	Test collection and sample submission	See General Violation Categories; Testing, Sampling, Inspecting and Vaccination	
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Swine Imports

ATCP 10.30(1)(a)	CVI required	See General Violation Categories; Animal Movement	
ATCP 10.30(1)(c)	Prompt delivery of CVI to department	2	
ATCP 10.30(2)(a)	Import permit required	See General Violation Categories; Animal Movement	
ATCP 10.30(3)(a)	Import of swine from pseudorabies qualified negative herd	See General Violation Categories; Animal Movement	
ATCP 10.30(9)	Laboratory import permits	See General Violation Categories; Animal Movement	
ATCP 10.30(10)	Import of garbage fed swine	3	

Slaughter Swine Identification

ATCP 10.31(1)(a)	Animals officially identified as required	2	See Waiver 18-S-001 regarding requirements for slaughter establishment owners.
ATCP 10.31(1)(b)	Record keeping	-	See General Violation Categories; Record Keeping
ATCP 10.31(2)(a) Record Contents	1. Official or slaughter ID	2	
	2. Date animal was received	1	
	3. Date ID was applied, or note that animal was already ID'd	1	
	4. Name and address of person received from	2	
	5. Class	1	
ATCP 10.31(2)(b)	Records made available for 5 years	See General Violation Categories; Failure or Refusal to Allow Entry or Records Access	

Moving Commercial Swine in Wisconsin			
ATCP 10.32(2) PRRS SECD	Test 90 days prior to movement to a non-terminal event	2	
Subchapter V Equine Animals			
Equine Infectious Anemia			
ATCP 10.35(1)(a)	EIA testing required for purchase/sale	2	
ATCP 10.35(2)	Qualified samplers	See General Violation Categories: Testing, Sampling, Inspecting and Vaccination	
ATCP 10.35(3)	Test procedures		
ATCP 10.35(4)(a)	Quarantine of positive animals		
ATCP 10.35(4)(b)	Notification of event participants	2	
ATCP 10.35(4)(e)	Quarantined animals separated from non-infected animals and biting flies	3	
ATCP 10.35(4)(f)	Movement or sale of quarantined animals without permit	3	
ATCP 10.35(6)(b)	Preventing execution of branding order	3	
ATCP 10.35(6)(d)	Branded animals separated from non-infected animals and biting flies	3	
Equine Animals; Imports			
ATCP 10.36(1)	CVI required	See General Violation Categories; Animal Movement	
ATCP 10.36(3)	Negative EIA test required		
ATCP 10.36(5)(a)	EIA positive imports prohibited	3	
ATCP 10.36(5)(b)	Owner duties for post-import EIA positives	3	
Foreign Equine Imports; Quarantine Station			
ATCP 10.37(1)(a)	Import of equines at risk for equine metritis	3	
ATCP 10.37(1)(b)	Official ID required	2	
ATCP 10.37(2)	Comingling of quarantined animals	3	
ATCP 10.37(3)	Quarantine station permit required	2	
ATCP 10.37(4)	Construction, maintenance and cleanliness	2	
ATCP 10.37(5)	Compliance with written testing and treatment protocols	3	
ATCP 10.37(6)(a) Record Content	1. Animal ID	2	See General Violation Categories; Record Keeping
	1. Arrival date	1	
	1. Removal date	1	
	1. Owner information	2	
	2. Procedures and protocols	2	
ATCP 10.37(6)(b)	Records maintained and made available for 5 years	See General Violation Categories; Failure or Refusal to Allow Entry or Records Access	
Subchapter VI POULTRY AND FARM-RAISED GAME BIRDS			
Poultry and Farm-Raised Game Birds; Breeding, Hatching, and Exhibition			
ATCP 10.40(1)	Requirements for bird and eggs used for breeding, hatching and exhibition	See General Violation Categories; Animal Movement	
ATCP 10.40(4)(a)	Qualified samplers	See General Violation Categories; Testing, Sampling, Inspecting and Vaccination	
ATCP 10.40(4)(b) Testing Procedures	1. Official identification		
	2. Labeling of samples		
	3. Isolation of tested birds		
ATCP 10.40(4)(e)	Sample collection		
ATCP 10.40(5)	Import compliance with s. ATCP 10.42	2	
ATCP 10.40(6)(c)	Commingling of enrolled and non-enrolled birds	2	

ATCP 10.40(7)(a) & (b) Poultry Sales	1. Reporting of sales	2	
	2. Documentation to buyer	2	
Poultry Imports			
ATCP 10.42(a)	VS 9-3 or CVI required	2	
ATCP 10.42(b)	Imports from hatcheries hatching both turkeys and other poultry prohibited	2	
Subchapter VII Farm-Raised Deer			
Farm-Raised Deer; Disease Testing			
ATCP 10.45(1)	Farm-raised deer available for testing	3	
ATCP 10.45(2)	Keeper to restrain farm-raised deer for testing	3	
ATCP 10.45(3)(a) Wis. Stat. 95.55(4)	Handling facility required equipment	3	
ATCP 10.45(3)(b)	Alternate facility provided by keeper	3	
Farm-Raised Deer Herds; Registration			
ATCP 10.46(1)(a) Wis. Stat. 95.55(1)	Registration certificate required	See General Violation Categories; Operating Without a License	
ATCP 10.46(2)(b) Wis. Stat. 95.55(5)	Sale of hunts not complaint with s. ATCP 10.47 prohibited	3	
ATCP 10.46(2)(e) Notifying the Department of Registration Termination	1. Submission of final census	2	
	2. Submission of disposition records	1	
ATCP 10.46(4)(b) Single Registration Herd at 2+ Locations	1. Two forms of official ID	2	
	2. Movement records kept	2	
ATCP 10.46(5) Separately Registered Herds Kept at Same Location	(a) CVI required for movement between medically separated herds	2	
	(b)2. Deer moving with no CVI, additional requirements	2	
	(e) Two forms of ID for CWD enrolled animals	2	
ATCP 10.46(10)(a) Records for Animals Entering the Herd from Another Herd	1. Two forms of ID	2	See General Violation Categories; Record Keeping
	2. Species, age and sex	1	
	3. Date animal entered herd	1	
	4. Name and address of person obtained from and identity of transporter	2	
	5. Address of herd of origin	2	
	6. Copy of accompanying CVI	2	
ATCP 10.46(10)(ae)	Record of natural additions: Month and year of birth Sex	1	
ATCP 10.46(10)(am) Records for Live Deer Leaving the Herd	1. Two forms of ID	2	
	2. Species, age and sex	1	
	3. Date that animal left	1	
	4. Name and address of receiver	2	
	4.Name of transporter	1	
	5. Address of receiving herd	2	
	6. Copy of accompanying CVI	2	
ATCP 10.46(10)(as)	Record of escaped deer	See 10.46(12) for content requirements	

ATCP 10.46(10)(b) Records for Deer Shipped to Slaughter	1. Official ID of back tag number	2	See General Violation Categories; Record Keeping
	2. Species, age and sex	1	
	3. Date shipped to slaughter	1	
	4. Name and address of slaughter facility	2	
	5. Name and address of transporter	1	
	6. Copy of any movement documents	2	
	7. CWD results	2	
ATCP 10.46(10)(c) Records for Deer that Die or are Slaughtered on Premises	1. Species, age and sex	1	
	2. ID and carcass identification	2	
	3. Date of death or harvest	1	
	4. Carcass disposition	1	
	5. CWD results	2	
ATCP 10.46(10)(d)	Records maintained and made available for 5 years	See General Violation Categories; Failure or Refusal to Allow Entry or Records Access	
ATCP 10.46(11) Prohibitions	(a) Non-compliant additions to herd	See 10.56 or 10.55 as appropriate to the situation	
	(b) Additions of free-ranging animals	3	
	(c) Removal of live animals or carcasses without required identification	2	
	(d) Commingling with bovine animals	1	With instruction to fix. May result in loss of status for one or both herds.
ATCP 10.46(12) General Reporting	Failure to report to DATCP	2	1- if report was made to DNR
ATCP 10.46(12)(a)Reporting Escaped Farm-Raised Deer	1. Species/Age/Sex	1 (2 if none of these are kept)	“Unknown” may be an acceptable answer for some of these requirements
	1. Animal ID	2	
	1. Location of escape	1	
	1. Reason for escape	1	
	1. Date/Time of escape	1	
	1. Prevention methods	1	
	2. CWD testing as required	2	
ATCP 10.46(12)(am) Reporting Escaped Farm-Raised Deer Killed Prior to Return	Date deer was killed	1	See General Violation Categories; Record Keeping
	Date of CWD sample submission	1	
	Result of CWD test	2	
ATCP 10.46(12)(b) Reporting Escaped Farm-Raised Deer Returns	Date of return	1	
	Time elapsed before return	2	
ATCP 10.46(13)(a)	Carcass identification	1	
Farm-Raised Deer; Hunting Ranches			
ATCP 10.47(2)	Offering of hunts for consideration without meeting requirements	3	
ATCP 10.47(4)	Compliance with CWD testing	2	
ATCP 10.47(4)	CWD test results provided to hunters	1	
ATCP 10.47(4m)	Individual ID for non-natural additions	2	
ATCP 10.47(5)	Removal of official ID	3	
ATCP 10.47(6)	Carcass identification	2	
ATCP 10.47(7) Records	(a) Farm-raised deer keeper records	2	See General Violation Categories; Record Keeping
	(b)1. Name and address of person harvesting a deer	1	
	(b)2. Date deer was harvested	1	
	(b)4. CWD test results	2	
	(b)5. Disposition of carcass	1	
	(b)6. Carcass identification	2	

	(c) Records maintained and made available for 5 years	See General Violation Categories; Failure or Refusal to Allow Entry or Records Access	
ATCP 10.47(8) Prohibited Conduct	(a) Violations of s. 29.314(3), Stats. (Shining while hunting)	1	Refer to DNR
	(b) Violate, or assist violations of ch. ATCP 10 or 12	See applicable section(s) of ch. ATCP 10 or 12	
Tuberculosis in Farm-Raised Deer			
ATCP 10.48(1)	Qualified samplers	See General Violation Categories; Testing, Sampling, Inspecting and Vaccination	
ATCP 10.48(2)	Testing approval	See General Violation Categories; Testing, Sampling, Inspecting and Vaccination	
ATCP 10.48(4)	Test reporting	See General Violation Categories; Reporting Test Results	
ATCP 10.48(6)(b)	Identify reactors and ship to slaughter on movement permit	3	Assumes instruction provided for handling of the reactors and movement was a failure to comply with those instructions. 2 if no permit but slaughter is provable.
Wis. Stat. 95.30	Disposal of animals infected with TB	3	
Brucellosis in Farm-Raised Deer			
ATCP 10.50(1)	Qualified samplers	See General Violation Categories; Testing, Sampling, Inspecting and Vaccination	
ATCP 10.50(2)	Test Procedures	See General Violation Categories; Testing, Sampling, Inspecting and Vaccination	
ATCP 10.50(3)	Test reporting	See General Violation Categories; Reporting Test Results	
ATCP 10.50(4)(b) Brucellosis Reactors	1. Identify reactors and ship to slaughter on movement permit	3/2	Assumes instruction provided for handling of the reactors and movement was a failure to comply with those instructions./movement to slaughter without a permit = 2 (if slaughter is provable)
	2. Premises cleanup	3	
Chronic Wasting Disease in Farm-Raised Deer			
ATCP 10.52(1m)	Testing required for eligible deer	See Field Services Protocol FSP - 1 CWD Testing Enforcement	
ATCP 10.52(2)	Movements compliant with s. ATCP 10.56(1)	See 10.56(1)	
ATCP 10.52(3)(a)	1. Qualified samplers	See General Violation Categories; Testing, Sampling, Inspecting and Vaccination	
	2. Sample collected within 7 days		
	3. Collection prior to removal from farm		
ATCP 10.52(3)(b)	Head and carcass identified prior to shipment for sampling	See General Violation Categories; Testing, Sampling, Inspecting and Vaccination	
ATCP 10.52(3)(c) Sample Collector Responsibilities	1. Procedures for sample collection		
	1m. Labeling of sample		
	2. Submission of sample to laboratory or veterinarian		
ATCP 10.52(3)(d)	Veterinarian submission to laboratory		
ATCP 10.52(4)(a)	Persons qualified to collect test samples	See General Violation Categories; Reporting Test Results	
ATCP 10.52(4)(c)	Misrepresentation of tester qualification		
ATCP 10.52(5)	Test performed at approved laboratory		
ATCP 10.52(6)	Reporting of positive test results	See General Violation Categories; Reporting Test Results	
ATCP 10.52(9)	Keeper to notify veterinarian of signs/symptoms of CWD	1	
Farm-Raised Deer; Chronic Wasting Disease Herd Status Program			
ATCP 10.53(5m)	Final herd census	See 10.46(2)(e)	
ATCP 10.53(6) Herd Records	Records maintained and made available for 5 years	See General Violation Categories; Failure or Refusal to Allow Entry or Records Access	
	(a) Record of non-natural additions	2	

	(am) Record of natural additions	1	
	(b) Record of animals leaving the herd	See 10.46(10)(am), (b) and (c)	
	(c) CWD records	2	
	(d) Veterinary records	1	
ATCP 10.53(10)	Herd additions	See 10.55 or 10.56	
Farm-Raised Deer; Identification			
ATCP 10.54(1)(a)	Official identification required	See General Violation Categories: Animal Identification	
ATCP 10.54(1)(am)	Identification for CWD testing		
ATCP 10.54(1)(c)	Two forms of identification placed by keeper		
ATCP 10.54(1)(d)	Two forms of identification placed by AM or AD		
ATCP 10.54(1)(e)	AM/AD delivery of unidentified animals		
ATCP 10.54(1)(f)	Removal of official ID		
ATCP 10.54(2)(a)	(a) TMDs and slaughter establishments identify slaughter animals as necessary	2	
ATCP 10.54(2)(b) Records Kept by TMDs and Slaughter Establishments	1. Official ID or slaughter ID	2	
	2. Date animal was received	1	
	3. Name and address of person animal was received from	2	
ATCP 10.54(2)(c)	Records maintained and made available for 5 years	See General Violation Categories: Failure or Refusal to Allow Entry or Records Access	
Farm-Raised Deer; Imports			
ATCP 10.55(1)	Import permit required	See General Violation Categories: Animal Movement	
ATCP 10.55(2)(a)	CVI required		
ATCP 10.55(2)(b)	1. VS 1-27 or CVI required for deer moving to slaughter		
	2. CWD testing according to state of origin		
ATCP 10.55(3) CVI Contents	(a) TB certification		
	(b) Report of compliance with brucellosis testing requirements		
	(d) Official ID		
	(e) Required statements		
ATCP 10.55(4)	TB status on CVI		
Moving Farm-Raised Deer in Wisconsin			
ATCP 10.56(1)	CVI required	See General Violation Categories: Animal Movement	
ATCP 10.56(1)(a)1.	VS 1-27 or permit for movement		
ATCP 10.56(2) CVI Contents	Signed by herd veterinarian		
	(a) TB certification		
	(b) CWD certification		
ATCP 10.56(3)	TB Certification on CVI		
ATCP 10.56(4)	CWD certification on CVI		
Subchapter VIII Fish			
Fish Farms			
ATCP 10.61(1) Wis. Stat 95.60(3m)	Registration certificate required	See General Violation Categories: Operating Without a License	
ATCP 10.61(10)(a) Records of Fish and Eggs Received	1. Name, address and registration number of person fish or eggs received from	1 (2 if missing 2+)	See General Violation Categories: Record Keeping *If a FHC was issued and the copy is simply missing from the records, level 2 action can be taken when a
	2. Date on which fish or eggs received	1	
	3. Location at with the fish or eggs were received	2	
	4. Species, quantity and size	1 (2 if missing 2+)	

	5. Import permit or health certificate	3*	valid copy is produced to the department
ATCP 10.61(10)(b)	Records maintained and made available for 5 years	See General Violation Categories; Failure or Refusal to Allow Entry or Records Access	
ATCP 10.61(10)(c) Records of Sales and Delivery of Fish and Eggs	1. Name, address and registration number of person fish or eggs sold or delivered to	1 (2 if missing 2+)	See General Violation Categories; Record Keeping *If a FHC was issued and the copy is simply missing from the records, level 2 action can be taken when a valid copy is produced to the department
	2. Date on which fish or eggs were sold/delivered	1	
	3. Location at which the fish or eggs were sold/delivered	2	
	4. Species, quantity and size	1 (2 if missing 2+)	
	5. Import permit or health certificate	3*	
ATCP 10.61(11)	(a) Misrepresentation of source or disposition	3	
	(b) Evidence of origin required for transport	1	
	(c) Registration certificate and registration application accompanies shipments	1	
Wis. Stat. 95.60(6)	Rearing of lake sturgeon	Contact supervisor for enforcement guidance	
Fish Imports			
ATCP 10.62(1) Wis. Stat. 95.60(2)	Import permit required	See General Violation Categories; Animal Movement	
ATCP 10.62(6)	Fish may not be imported to unauthorized recipients	2	
ATCP 10.62(7) Import Records	(a) Import permit	2	See General Violation Categories; Record Keeping *If any individual component is present then treat as level 1 **If a FHC was issued and the copy is simply missing from the records, level 2 action can be taken when a valid copy is produced to the department
	(b) Date of import shipment	1	
	(c) Identification of source	2*	
	(d) Species, quantity and size or class	1 (2 if missing 2+)	
	(e) Receiver information	2*	
	(f) Name and address of hauler	1	
	(g) Fish health certificates	3**	
ATCP 10.62(8)	Records maintained and made available for 5 years	See General Violation Categories; Failure or Refusal to Allow Entry or Records Access	
ATCP 10.62(9)	Importing of diseased fish	3	
Fish Introduced into Waters of the State			
ATCP 10.63(1)	Health certificate required	3	If a FHC was issued and the copy is simply missing from the records, level 2 action can be taken when a valid copy is produced to the department
ATCP 10.63(2)	Introduction of diseased fish	3	
Fish Moved Within This State			
ATCP 10.64(1)	Health certificate required	3	If a FHC was issued and the copy is simply missing from the records, level 2 action can be taken when a valid copy is produced to the department
ATCP 10.64(2)	Diseased fish movements	3	
Bait Fish from Wild Sources			
ATCP 10.645	Health certificate required for VHS susceptible fish	3	If a FHC was issued and the copy is simply missing from the records, level 2 action can be taken when a

			valid copy is produced to the department
Fish Health Certificates			
ATCP 10.65(2)	Certificate issued by qualified fish health inspector on department issued form	1	
ATCP 10.65(3)	Inspection required	2	
ATCP 10.65(3)(a)	Certificate includes source and description of shipment content	2	
ATCP 10.65(3)(b)	Certificate includes fish farm and operator information	1	
ATCP 10.65(4)	(a) Certify that imported fish are free of diseases listed in 1. -5.	2	
	(b) Certify that fish listed on certificates issued under s. ATCP 10.61(3)(g)2. Or 10.63(1) are free of diseases listed in 1. - 4.	2	
	(c) Certify that fish listed on certificates issued under s. ATCP 10.64(1) are free of diseases listed in 1. - 3.	2	
	(d) Certify that fish listed on certificates issued under s. ATCP 10.645 are free of diseases listed under 1. - 3.	2	
	(e) Laboratory test results to confirm statements in (a) - (d)	2	
	(f) Testing or egg disinfection performed	2	
Fish Reintroduced into their Original Wild Source			
ATCP 10.655(2) Records	Maintained for 5 years	2	See General Violation Categories; Record Keeping
	(a) Legal name and address of applicant	2	
	(b) Location of collection	2	
	(c) Location of reintroduction	2	
	(d) Purpose of reintroduction	1	
	(e) Documentation of DNR approval	2	
	(f) Documentation of compliance with s. ATCP 10.655(1)(c) - (e)	2	
	(g) Other relevant information as required	1	
Fish Diseases; Reporting			
ATCP 10.66(1)	Reporting of Appendix B and foreign/exotic diseases		See General Violation Categories; Reporting Test Results
Fish Health Inspectors and Laboratories			
ATCP 10.67(3) Misrepresentation	(a) Misrepresenting qualified fish health inspector status		See General Violation Categories; Testing, Sampling, Inspecting and Vaccination
	(b) Misrepresenting qualified laboratory status		
	(c) Misrepresenting matters related to inspections or laboratory tests	3	
Subchapter IX Sheep			
Sheep; Brucella ovis-Free Flock			
ATCP 10.68(4) Handling Reactors	(a) Segregation and castration	2	
	(b) Shipment to slaughter with movement permit	2	
Sheep Imports			
ATCP 10.69(1)	CVI required		See General Violation Categories; Animal Movement
Moving Sheep in Wisconsin			
ATCP 10.70(1)	Official ID required		See General Violation Categories; Animal Movement
Subchapter X			

Goats					
Goats; Brucellosis-Free Herd Certification					
ATCP 10.73(3)	Test procedure	See General Violation Categories: Testing, Sampling, Inspecting and Vaccination			
Goat Imports					
ATCP 10.76(1)(a)	CVI required	See General Violation Categories: Animal Movement			
ATCP 10.76(2)(a)	Imported animals moving directly to slaughter				
Imports from TB modified accredited states or zones	Animals not imported to AM				
	Movement from receiving premises				
	Post-import testing required				
Moving goats in Wisconsin					
ATCP 10.77(1)	Official ID required	See General Violation Categories: Animal Movement			
Subchapter XI Other Animals					
Dogs and Domestic Cats; Imports					
ATCP 10.80(1)	CVI required	See General Violation Categories: Animal Movement			
ATCP 10.80(1) CVI Requirements	(a) Age of animal				
	(b) Date of last rabies vaccination				
	(c) Due date for next rabies vaccination				
ATCP 10.80(2)(a)	Current rabies vaccination required				
Circus, Rodeo, and Menagerie Animals; Imports					
ATCP 10.81(1)	Import permit required	See General Violation Categories: Animal Movement			
ATCP 10.81(2) Permit Conditions	(a) CVI required	2			
	(c) Cleaning/disinfection and isolation required				
Exotic Ruminants; Imports					
ATCP 10.82(1)	CVI required	See General Violation Categories: Animal Movement			
ATCP 10.82(1) CVI Requirements	(a) Import permit number				
	(b) Report of negative TB test				
	(c) Report of negative brucellosis test				
ATCP 10.82(2)	Import permit required				
ATCP 10.82(3)	TB test required				
ATCP 10.82(4)	Brucellosis test required				
Ratites; Imports					
ATCP 10.83(1)	Import permit required	See General Violation Categories: Animal Movement			
ATCP 10.83(2)	CVI required				
Wild Animal Imports					
ATCP 10.84(1)(a) General Requirements	1. Import permit required	See General Violation Categories: Animal Movement			
	2. CVI required				
ATCP 10.84(3)	Import of prohibited animals	2 – Individual Pet owner 3- Business (ex. Pet store)	An Animal Removal Order will be used to order the animal removed for the state of WI. If animal unable to be removed it will humanely euthanized.		
South American Camelids; Imports					
ATCP 10.85	CVI with official ID required	See General Violation Categories: Animal Movement			
Elephant Imports					
ATCP 10.86(1)	CVI Required	See General Violation Categories: Animal Movement			
ATCP 10.86(1) CVI Requirements	(a) Import permit number				
	(b) Report of negative TB test				
ATCP 10.86(2)	Import permit required				
ATCP 10.86(3)(a)	TB test required				
ATCP 10.86(4)	Owner statement regarding TB exposure				

ATCP 10.86(4)	Exposed animals not imported without additional required testing		
Subchapter XII Fairs and Exhibitions			
ATCP 10.87(1) Organizer Responsibilities	(a) Compliance of organizers and exhibitors	1	
	(b) Obtain, review, keep and make records available for 5 years:	See General Violation Categories; Failure or Refusal to Allow Entry or Records Access	
	Exhibitor name and address	1	See General Violation Categories; Record Keeping
	ID of animals exhibited, number and type	2	
	Documentation showing compliance with disease testing requirements	2	
	Livestock premises code	1 (If systemic)	
	Documentation showing compliance with movement regulations	2	
(c) Appoint a licensed veterinarian when necessary	2		
ATCP 10.87(2)(b) Exhibitor Responsibilities- Records	1. Exhibitor name and address	1	See General Violation Categories; Record Keeping
	2. ID of animals exhibited, number and type	2	
	3. Documentation showing compliance with disease testing requirements	2	
	4. Livestock premises code	1	
	5. Documentation showing compliance with movement regulations	2	
ATCP 10.87(3) Swine	(a) CVI required	2	
	(b) Pseudorabies requirements for breeding swine	2	
	(c) Pseudorabies requirements for non-breeding swine	2	
ATCP 10.87(4)(a) Bovine	Bovine with mange, scab, ringworm or warts	1	
ATCP 10.87(5) Poultry and Farm-Raised Game Birds	Documentation of compliance with s. ATCP 10.40 required	See 10.40	
ATCP 10.87(6)(a) Equine	Negative EIA test required	2	
ATCP 10.87(7) Sheep	Official ID required	See General Violation Categories; Animal Identification	
ATCP 10.87(8) Goats	Official ID required		
Subchapter XIII Enforcement Quarantines			
ATCP 10.89(1)(c)	Violation of quarantine order	See General Violation Categories; Noncompliance with a Department Order	
Prohibited Conduct			
ATCP 10.92(1)	Violations of rules or orders under ch. ATCP 10 and 12	See applicable rule section	
ATCP 10.92(2)	Falsification of information filed with the department	3	
ATCP 10.92(3)	Misrepresentation of animal information		
ATCP 10.92(4) Wis. Stat. 95.38	Falsifying or tampering with official ID	See General Violation Categories; Animal Identification	
ATCP 10.92(5)	Failure to permit inspection	See General Violation Categories; Failure or Refusal to Allow Entry or Records Access	
ATCP 10.92(6)	Obstructions or interference with department employee	3	

ATCP 10.92(7)	False statements	3	
ATCP 10.92(8)	Misrepresentation of involved individuals	3	
ATCP 10.92(9)	Misrepresentation of animals origin, destination or shipment contents	3	
ATCP 10.92(10)	Commingling diseased animals	2	
ATCP 10.92(11)	Commingling of different species	2	
ATCP 10.92(12)	Misrepresentation of license, permit or registration	3	
ATCP 10.92(13)	Falsify or failure to submit records	3	See General Violation Categories; Failure or Refusal to Allow Entry or Records Access
ATCP 10.92(14)	Falsification or misappropriations of brand, tattoo and equipment	3	
ATCP 10.92(15)	Parking or storing vehicles containing animal remains or waste	2	
ATCP 10.92(16)	Depositing animal remains or waste	2	
ATCP 10.92(17)	Manure import permit	2	
ATCP 10.92(18)	Sale, movement or disposal of animals of unknown disease status	3	

**Wis. ADMIN. CODE CH. ATCP 12 & Wis. STAT. 95
ANIMAL MARKETS, DEALERS AND TRUCKERS**

Wis. Adm. Code/Stat. Section	<i>Brief Description of Requirement (Not complete rule language, not intended to be used for citation, for complete rule language refer to the actual rule/statute.)</i>	<i>Enforcement Level</i>	<i>Notes and Associated Protocols/Policy/Interpretations</i>
Animal Markets			
ATCP 12.02(1) Wis. Stat. 95.68(2)	License required		See General Violation Categories; Operating Without a License
ATCP 12.02(8)(a)	Compliance with construction requirements		See 12.02(9)(a) Class A and E or 12.09(b) Class B
ATCP 12.02(8)(b)	Premises kept clean and sanitary	1	
ATCP 12.02(8)(c)	Providing food, water, shelter, bedding and pen space for animals kept more than 12 hours	2	
ATCP 12.02(8)(d)	ID animals in compliance with s. ATCP 12.05		See General Violation Categories; Animal Identification
ATCP 12.02(8)(e)	Keep records in compliance with s. ATCP 12.06		See 12.06
ATCP 12.02(8)(f)	Handling of downer animals compliant with s. ATCP 12.07	3	
ATCP 12.02(8)(g)	Timely removal of animals from the market	1	
ATCP 12.02(8)(h)	Animal transport vehicles comply with s. ATCP 12.045		See 12.045
ATCP 12.02(8)(i)	No commingling of species within enclosures	2	
ATCP 12.02(8)(j)	Transport and handle animals safely and humanely	2	
ATCP 12.02(9)(a) Construction requirements for Class A and E Markets	1. Sloped floors	1	
	2. Constructed to be cleaned and sanitized, no earthen floors	1	
	3. Contact areas not sharp or protruding	1	
	4. Equipped with a chute and head gate (Except for equine and wild animal only markets)	1	
	5. Equine markets equipped for equine handling	1	
	6. Wild animal markets equipped to safely confine wild animals	1	

	7. Adequate lighting for ID and testing of animals	1	
	8. Adequate pens for all animals	1	
ATCP 12.02(9)(b) Construction Requirements for Class B Markets	1. Equipped to restrain animals safely and effectively	1	
	2. Adequate lighting for ID and testing of animals	1	
	3. Pens large enough for their purpose with no sharp edges or protrusions	1	
ATCP 12.02(10)	Disease testing prior to movement from the market	2	
ATCP 12.02(11) Prohibitions	(a) Comingling of species within vehicle or enclosure	2	
	(b) Accept animals from unlicensed truckers or dealers	1	
	(c) Deliver animals to unlicensed trucks or dealers	1	
Animal Dealers			
ATCP 12.03(1) Wis. Stat. 95.69(2)	License required	See General Violation Categories; Operating Without a License	
ATCP 12.03(9)(a)	Premises kept clean and sanitary	2	
ATCP 12.03(9)(b)	Providing food, water, shelter, bedding and pen space for animals kept more than 12 hours	3	
ATCP 12.03(9)(c)	ID animals in compliance with s. ATCP 12.05	2	
ATCP 12.03(9)(d)	Keep records in compliance with s. ATCP 12.06	See 12.06	
Wis. Stat. 95.69(8m)	Auctioneer transaction records	See General Violation Categories; Failure or Refusal to Allow Entry or Records Access	
ATCP 12.03(9)(e)	Handling of downer animals compliant with s. ATCP 12.07	3	
ATCP 12.03(9)(f)	Notify the department of address change w/in 10 days	1	
ATCP 12.03(9)(g)	Carry/post AD license and present upon request	1	
ATCP 12.03(9)(h)	Animal transport vehicles comply with s. ATCP 12.045	See 12.045	
ATCP 12.03(9)(i)	Transport and handle animals safely and humanely	3	
ATCP 12.03(10) Prohibitions	(a) Comingling of species within vehicle or enclosure	2	
	(b) Accept animals transported by an unlicensed trucker	1	
	(c) Deliver animals to an unlicensed trucker for transport	1	
Animal Truckers			
ATCP 12.04(1) Wis. Stat. 95.71(2)	License required	See General Violation Categories; Operating Without a License	
ATCP 12.04(8)(a)	Animal transport vehicles comply with s. ATCP 12.045	See 12.045	
ATCP 12.04(8)(b)	ID animals in compliance with s. ATCP 12.05	2	
ATCP 12.04(8)(c)	Keep records in compliance with s. ATCP 12.06	See 12.06	
ATCP 12.04(8)(d)	Transport and handle animals safely and humanely	3	
ATCP 12.04(8)(e)	Handling of downer animals compliant with s. ATCP 12.07	3	
ATCP 12.04(8)(f)	Providing food, water, shelter, bedding and pen space for animals kept more than 12 hours	3	

ATCP 12.04(8)(g)	Notify the department of address change w/in 10 days	1		
ATCP 12.04(9) Prohibited Conduct	(a) Comingling of species within vehicle or enclosure	2		
	(b) Comingling healthy and diseased animals on transport vehicle, unless moving directly to slaughter. Downer animals separated by rigid barrier within transport vehicle.	3		
Animal Transport Vehicles				
ATCP 12.045(1)(a)/ Wis. Stat. 95.68(7) Wis. Stat. 95.69(7) Wis. Stat. 95.71(4)	Annual registration sticker required	1		
ATCP 12.045(1)(c)	Registrant to keep record of transport vehicle users for 5 years and make available upon request	See General Violation Categories; Failure or Refusal to Allow Entry or Records Access		
ATCP 12.045(6)(a)	Registration sticker displayed on both sides of transport vehicle	1		
ATCP 12.045(6)(b)	Name, business city, state and any TMD license number printed on either: 1. Both sides of power unit 2. Both sides of the animal transport vehicle, in close proximity to the registration sticker	1		
ATCP 12.045(6)(c)	Vehicle constructed, equipped and maintained to transport and contain animals safely	2		
ATCP 12.045(6)(d)	Vehicle kept clean and sanitary	2		
ATCP 12.045(6)(e)	If used for downer animals, must be cleaned and disinfected prior to transporting other animals	2		
Identification of Livestock				
ATCP 12.05(1)(a)	Bovine official ID immediately applied, if not already present, and recorded (Unless exempt)	2	See General Violation Categories; Animal Identification See General Violation Categories; Record Keeping	
ATCP 12.05(1)(b)	Bovine direct to slaughter ID 1. Back tag applied, if ID not already present, and recorded 2. Official ID applied and recorded if animal does not move to slaughter	2		
ATCP 12.05(2)(a)	Swine official ID immediately applied, if not already present, and recorded (Unless exempt)	2		
ATCP 12.05(2)(b)	Swine direct to slaughter ID 1. Back tag or premises identification ear tag applied, if ID not already present, and recorded 2. Official ID applied and recorded if animal does not move to slaughter	2		
ATCP 12.05(3)	Equine ID- Recorded if available, or if not available, prepared by a licensed and certified veterinarian according to s. ATCP 12.01(20)(c)	2		
ATCP 12.05(4)	Sheep official ID immediately applied (If required under s. ATCP 10.70 and not already present) and recorded	2		
				See General Violation Categories; Animal Identification

ATCP 12.05(5)(a)	Farm-raised deer (FRD) Official ID- 1. Official ID immediately applied, if not already present, and recorded (Unless back tagged for slaughter) 2. Dealers and markets may not delivery custody to another entity unless a FRD has 2 official IDs meeting the requirements of s. ATCP 10.53(2)(d)4., unless moving directly to slaughter	2	See General Violation Categories: Record Keeping
ATCP 12.05(5)(b)	FRD direct to slaughter ID- Back tag applied, if slaughter ID not already present, and recorded	2	
ATCP 12.05(6)	Goat official ID- Applied, if not already present, and recorded	2	
Records			
ATCP 12.06(1)	Records required for all animals received from or deliver to another person		See General Violation Categories: Record Keeping
ATCP 12.06(1m) Records Kept by Animal Markets and Animal Dealers	(a) Name, address, date and place of receipt, and trucker identity for all animals received	2	See General Violation Categories: Record Keeping
	(b) Name, address, date and place of delivery, and trucker identity for all animals delivered	2	
	(c) Official ID if required, if not required then a description including species, age and sex	2	
	(d) Back tag number, if any	2	
	(e) Wild animal ID number, if any	2	
	(f) CVI accompanying animals	2	
	(g) Animal's breed or class if bovine or swine.	1	
	(h) Equine infectious anemia(EIA) test results required under s. ATCP 10.36(3)	2	
	(i) Death record if the animal dies under the market or dealer's custody	1	
ATCP 12.06(1s) Records Kept by Animal Truckers	(a) Name, address, date and place of receipt of all animals received	2	See General Violation Categories: Record Keeping
	(b) Name, address, date and place of delivery of all animals delivered	2	
	(d) Number and description of animals including species, age and sex	1	
	(e) Slaughter back tag number, unless moving directly to slaughter from a licensed dealer or market	2	
	(f) Death record if the animal dies under the truckers custody	1	
	(g) The owner of the animal	2	
Handling Downer Animals			
ATCP 12.07	Humane handling, confinement and transportation of downed animals and timely euthanasia or rendering	3	
Prohibited Conduct			
ATCP 12.08(1)	Making false reports or statements	3	
ATCP 12.08(2)	Sale or movement in violation of ch. ATCP 10 or 12, or any orders issued under these chapters	See appropriate section in ATCP 10 or 12	

ATCP 12.08(3)	Buy, sell or lease in another individual's name	1	
ATCP 12.08(4)	Transport without CVI, inspection, permits or other documentation required by ch. ATCP 10, 12 or ch. 169, Stats.	See appropriate section in ATCP 10 or 12	
ATCP 12.08(5)	Fail or refuse to provide documentation or permit examination of animals in transit	3	
ATCP 12.08(6)	Failure to provide documentation to the department within 10 days of request	3	Request is to be a written document whenever possible
ATCP 12.08(7)	Knowingly comingling diseased and healthy animals, unless moving directly to slaughter	3	
ATCP 12.08(8)	Commingling different species during transit	2	
ATCP 12.08(9)	False advertisement of license status	2	
ATCP 12.08(10)	Receiving bovine or swine as a federally approved livestock market, if the facility is not approved under s. ATCP 10.07(4)	All documented cases of animal movements to be treated as an illegal imports. See General Violation Categories; Animal Movement	
ATCP 12.08(12)	Using brand or tattoo devices for official identification purposes, without authorization from the department	2	
ATCP 12.08(13)	Park or store a vehicle containing animal remains or waste in a place where it creates a health hazard of public nuisance	2	
ATCP 12.08(14)	Deposit animal remains or waste in a place where it creates a health hazard of public nuisance	2	
ATCP 12.08(15)	Conducting business without Animal Dealer ID card	1	
ATCP 12.08(16)	Sell, move or dispose of any live animal before disease (ch. ATCP 10 Appendix A or B) test results are known	3	
ATCP 12.08(17)	Transport animals more than 12 hours without potable water	3	
ATCP 12.08(18)	Transport equines in trailers of inadequate size	3	
ATCP 12.08(19)	Knowingly deliver animals containing prohibited residues or treated in violation of the applicable withholding period	3	
ATCP 12.08(20)	Delivery of downers animals without a signed drug certificate	3	
ATCP 12.08(21)	Falsification of a drug certificate	3	
ATCP 12.08(22)	Administering drugs, hormones, steroids, antibiotics or pesticides without owners consent	3	
ATCP 12.08(23)	False statements on licensing application	3	
ATCP 12.08(24)	Physical assault of department employee	3	
ATCP 12.08(25)	Dead livestock transport not compliant with s. 95.72(7)(a), Stats.	3	
ATCP 12.08(26)	Falsify, remove, alter or tamper with official ID required by s. ATCP 10 or 12	3	
ATCP 12.08(27)	Use of electric prods or striking of baby animals	3	

**Wis. ADMIN. CODE CH. ATCP 16 & Wis. STAT. 173
DOG SELLERS AND DOG FACILITY OPERATORS**

Wis. Adm. Code/Stat. Section	<i>Brief Description of Requirement (Not complete rule language, not intended to be used for citation, for complete rule language refer to the actual rule/statute.)</i>	<i>Enforcement Level</i>	<i>Notes and Associated Protocols/Policy/Interpretations</i>
Dog Sellers and Dog Facility Operators; License			
ATCP 16.02(1)/ Wis. Stat. 173.41(2)(a)	License required		See General Violation Categories; Operating Without a License
ATCP 16.02(4)	License displayed	1	
ATCP 16.02(5)	License number included in advertisements	1	
Records Kept by License Holders			
ATCP 16.14(1)	Records kept, retained for 5 years and available upon request		See General Violation Categories; Failure or Refusal to Allow Entry or Records Access
ATCP 16.14(2)	Dog Locations	1	See General Violation Categories; Record Keeping
ATCP 16.14(3) Dog Records	(a) Dog Description	2	
	(b) Location where dog is kept	1	
	(c) USDA ID, tattoo, microchip or other ID	2	
	(d) Statement that dog was born under licensee's custody, if applicable	1	
	(e) For dogs not born under licensee's custody: 1. Date acquired 2. Identity of person acquired from including name, address and USDA license # if applicable	1	
	(f) For dogs no longer under licensee's custody: 1. Date on which dog left licensee's custody 2. Disposition of the dog 3. Identify of the person to which custody was transferred	2	
	(g) CVI accompanying dogs coming into or leaving licensee's custody	2	
	(h) Health records including vaccinations, observations, treatment records and name of person administering care	1	
	(i) Breed registration records	1	
ATCP 16.14(4)	Behavior and socialization plan kept in accordance with s. ATCP 16.02(1)	1	
Dog Sales; Certificate of Veterinary Inspection			
ATCP 16.16(1)/ Wis. Stat. 173.41(8)(a)1	CVI required at time of sale by licensee	2	See General Violation Categories; Animal Movement
ATCP 16.16(2)	CVI signed by a certified/accredited veterinarian	2	
ATCP 16.16(3)(a)	CVI issued on an approved form	1	
ATCP 16.16(4) Required CVI Contents	(a) Name and address of seller	1	See General Violation Categories; Animal Movement
	(b) Breed, sex and age of dog	1	
	(c) Whether or not the dog is sexually intact	1	
	(d) Vaccination record including: 1. Vaccine manufacturer 2. Vaccine serial and lot numbers 3. Date vaccine administered	1	

	4. Name of person who administered the vaccine	1	
	(e) Import information required by ch. ATCP 10	1	
	(f) Brucellosis test information for dogs sold at auction	1	
	(g) Statement from veterinarian	1	
	(h) Date and signature of veterinarian	1	
Wis. Stat. 173.41(8)(a)2.	Vaccination records	See 16.16(4)(d)	See General Violation Categories; Animal Movement
Wis. Stat. 173.41(8)(b)	Brucellosis test information for dogs sold at auction	See 16.16(4)(f)	
ATCP 16.16(5)(a)	CVI signed by veterinarian within 10 days of examination	2	See General Violation Categories; Animal Movement
ATCP 16.16(6)	Copy of CVI provided to: 1. Person buying the dog 2. Person selling the dog 3. Veterinarian issuing the CVI	2	
Age at Which Dogs May be Sold			
ATCP 16.18/ Wis. Stat. 173.41(9)	Minimum 7 week age	2	Puppies accompanied by dam may be considered a mitigating factor (Level 1)
Dog Care; General			
ATCP 16.20(1)/ Wis. Stat. 173.41(10)(a) and (b) Food and Water	(a) Dogs fed at least once per day unless otherwise necessary	2	
	(c) Dog food properly stored	1	
	(d) Dogs have adequate access to water	2	
	(e) Dog food and water provided in durable containers	1	
	(f) Food and water containers appropriately cleaned and sanitized as necessary	1	
ATCP 16.20(2) Animal Health and Veterinary Care Wis. Stat. 173.41(10)(c) Wis. Stat. 173.41(10)(i)	(a) Dog handling	2	
	(b) Daily body, mobility and behavior checks	2	
	(c) Separation of diseased animals	2	
	(d) Grooming	1	
	(e) Veterinary exams	2	
	(f) Timely vet care or euthanasia	3	
ATCP 16.20(3) Housing and Transportation	(a) Dog kept in facilities compliant with ss. ATCP 16.22 and 16.24, except as provided in ATCP 16.20(3)(c)	See. 16.22, 16.24 16.20(3) is an exemption to 16.22 & 16.24 for facilities that are used only for breeding, raising, and selling dogs for scientific research if they meet specified requirements	
	(b) Dogs transported in compliance with s. ATCP 16.26	See 16.26	
ATCP 16.20(4) Wis. Stat. 173.41(10)(h)	Daily Exercise	2	
ATCP 16.20(5) Dog Grouping and Separation	(a) Compatible grouping	2	
	(b) Females in estrus not kept with sexually intact males except for breeding	2	Automatic re-inspection
	(c) Separation of aggressive dogs	2	Instruct licensee to separate immediately. Dogs harmed as a result

			should be considered an aggravating circumstance moving to level 3 action.
	(d) Puppies <4 months not primarily kept with adults other than dam or foster dam	2	Elevate if kept with adult dogs, harm is done and still not removed.
ATCP 16.20(6) Behavior and Socialization	(a) Dogs allowed daily, full-body physical contact with other dogs	1	
	(b) Dogs have positive human contact aside from feeding	1	
	(c) Dogs have play/enrichment objects in enclosures	2	
	(d) Dogs not deprived of contact, activity or enrichment	Compliance with this section creates an exemption to (a), (b) or (c)	
	(e) Licensee has a written behavior and socialization plan	1	
Dogs Kept Indoors			
ATCP 16.22(1) Primary Enclosures: General Wis. Stat. 173.41(10)(d) Enclosure Requirements	(a) Size and configuration of enclosures comply with ss. ATCP 16.22(2), (3), (4) or (5) as applicable	See applicable section below	
	(b) Floors and interior surfaces comply with all of the following: 1. Dirt floors prohibited 2. Appropriate wire mesh construction 3. Appropriate wire mesh size 4. Constructed and maintained to be kept clean, dry and safe. Cleaned and sanitized regularly.	2	If multiple Enclosures not compliant – Re-inspect
	(c) Stacking enclosures must comply with all of the following: 1. Floor of highest enclosure not higher than 52 inches	2	
	2. Arrangement allows for safe handling, ventilation, temperature, cleaning and inspection	2	
	3. Front side fully ventilated with easy to clean/sanitize solid flooring	2	
	4. Stable construction when full to capacity	2	
	5. Dogs not exposed to materials falling from higher enclosures	2	
	Wis. Stat. 173.41(10)(e)	Time in enclosure	See relevant exercise requirement based on enclosure size and type.
ATCP 16.22(2) Primary Enclosures for One or More Dogs That Get At Least 30 Minutes of Exercise Each Day Wis. Stat. 173.41(10)(d)	(a) Total floor area adequate based on size of all dogs in the enclosure	2	
	(b) Enclosure’s floor area is adequate for largest dog		
	(c) Enclosure’s floor area is adequate for additional dogs		
	(d) Enclosure’s height is adequate	2	
	(e) Dogs have access to at least 30 minutes of exercise daily	See 16.20(4)	

Enclosure Requirements			
ATCP 16.22(3) Primary Enclosure for One Dog That Gets At Least 120 Minutes of Exercise Each Day Wis. Stat. 173.41(10)(d) Enclosure Requirements	(a) No more than 1 dog in enclosure	2	
	(b) Enclosure's floor area is adequate	2	
	(c) Enclosure's height is adequate	2	
	(d) Dog has access to at least 120 minutes of exercise daily	<u>See 16.20(4)</u>	
ATCP 16.22(4) Whelping Enclosure Wis. Stat. 173.41(10)(d) Enclosure Requirements	(a) Appropriate enclosure type	1	
	(b) Solid floor for puppies	2	
	(c) Height adequate for dam	2	
	(d) Large enough for dam to nurse puppies	2	
	(e) Large enough for puppies	2	
	(f) Area accessible only to dam	1	
ATCP 16.22(5) Nursery Enclosure	(a) Large enough for puppies	2	
	(b) Large enough for socialization and exercise	2	
ATCP 16.22(6) Temporary Enclosure for One Dog	(a) No more than 1 dog in enclosure	2	
	(b) Enclosure's floor area is adequate	2	
	(c) Enclosure's height is adequate and dog can turn around/lie down	2	
ATCP 16.22(7) Lighting, Temperature and Ventilation Wis. Stat. 173.41(10)(g)	(a) Adequate lighting	2	
	(b) Adequate heating and cooling	2	
	(c) Adequate ventilation	2	Dependent on degree of problem. Smell causes a physical reaction, order immediate clean up with INON and re-inspection, Level 3. Severe refer for 951
ATCP 16.22(8) Cleaning and Sanitation	(a) Excreta removal	2	Systemic, several days of build-up level 3
	(b) Cleaning and sanitizing	1	
	(c) Cleaning and sanitizing before dog placement	1	Known disease outbreak will be considered an aggravating factor
	(d) Dog removal for cleaning and sanitizing	2	
	(e) Appropriate bedding	1	No access to solid floor will be considered an aggravating factor
Dogs Kept Outdoors			
ATCP 16.24(1) Dogs That May be Kept in Outdoor Primary Enclosures Wis. Stat. 173.41(10)(f) Outdoor Dog and Enclosure Requirements	(a) Dogs able to tolerate temperatures and conditions	2	Order time specific correction with WN and re-inspection
	(b) Dogs acclimated to outdoors	2	Order time specific correction with WN and re-inspection
ATCP 16.24(2) Outdoor Primary Enclosure; Minimum Area	(a) Enclosure's floor area is adequate for largest dog	2	For enclosures where size restricts normal movement order time specific correction (immediate if possible) WN w/ re-inspection. If problem is systemic, level 3

	(b) Enclosure's floor area is adequate for additional dogs	2	For enclosures where size restricts normal movement order time specific correction (immediate if possible) WN w/ re-inspection. If problem is systemic, level 3
ATCP 16.24(3)	Adequate construction of outdoor enclosures, including adequate height for tallest dog	2	For enclosures where size restricts normal movement order time specific correction (immediate if possible) WN w/ re-inspection. If problem is systemic, level 3
ATCP 16.24(4) Shelter, Shade and Windbreak	(a) Adequate number of dog shelters complying with s. ATCP 16.24(5)	2	
	(b) Adequate shade area for all dogs	2	
	(c) Adequate windbreak for all dogs	2	
ATCP 16.24(5) Dog Shelter	(a) Durable construction including 4 sides, roof and flat floor	2	
	(b) Interior accessible to all dogs	2	
	(c) Adequately sized to accommodate all dogs	2	
	(d) Height is adequate for tallest dog	2	
	(e) Constructed and maintained to: 1. Prevent injury 2. Allow dogs to retain or dissipate body heat 3. All dogs to remain clean and dry 4. Protect from predators	2	
ATCP 16.24(6) Tethering	(a) Dogs not tethered unless all criteria are met	2	
	(b) Dog tethering at animal control/shelter facilities	1	Non-temporary tethering, tethering without personnel on premises or tethers not in compliance with (a) will be considered aggravating factors
ATCP 16.24(7) Runs and Exercise Areas	(a) 30 Minute access to acceptable exercise area: 1. Adequate size 2. Shaded area provided	2	
ATCP 16.24(8)	Facilities maintained to protect health and safety	2	
ATCP 16.24(8)(a)	Excreta removal	2	
ATCP 16.24(8)(b)	Pest and parasite control	1	
ATCP 16.24(8)(c)	Bedding requirements	1	No access to solid floor will be considered an aggravating factor
Transporting Dogs			
ATCP 16.26(1) Portable Enclosures	(a) Water-resistant and cleanable	2	
	(b) Keeps dogs clean and dry	2	
	(c) Protects health and safety	2	Harm to an animal as a result will be considered an aggravating factor
	(d) Ventilations openings	2	
	(e) Securely closed	2	
	(f) Cleaning and sanitization	2	
	(g) Positioning and securing: 1. Sufficient air 2. Emergency exit 3. Protection from elements 4. Protection from falling excreta 5. Secured to prevent movement	2	

ATCP 16.26(2) Care of Dogs During Transport	(a) Protection from hypo and hyperthermia via heating/cooling	3	
	(b) Adequate portable enclosure space	2	
	(c) Food and water according to s. ATCP 16.20(1)	See 16.20 (1)	
	(d) Separated as required by s. ATCP 16.20(5)	See 16.20(5)	
	(e) 4 Hour visual inspection	1	
	(f) 12 Hour removal or exercise, urination and defecation accommodations	3	
	(g) Removal at destination	3	
ATCP 16.26(3) Transport Vehicles	(a) Air quality	2	
	(b) Vehicle exhaust	2	
Prohibited Conduct			
ATCP 16.28(1)	Prevention or interference with employee duties	3	
ATCP 16.28(2)	Physical assault of an employee	3	
ATCP 16.28(3)	Request for records, subpoenas or investigative demands	3	
ATCP 16.28(4)	Violations of s. 95.13 or 95.19, stats.	See 95.13 or ATCP 10.08 (violations of 95.19)	
ATCP 16.28(5)	Accepting dogs from unlicensed persons requiring licensure	1	
Temporary Dog Markets			
Wis. Stat. 173.41(12)(a) Operator Responsibilities	1. Registration	1	
	2. Ensuring seller compliance	1	
	3. Obtaining and maintaining records	1	
	4. Veterinary contract	1	
Wis. Stat. 173.41(12)(b) Seller Responsibilities	1. Identity and address of seller	1	
	2. License number	1	
	3. Dog description and statement of origin	1	
	4. Compliance with s. 95.21(2) and import regulations	1	

**Wis. ADMIN. CODE CH. ATCP 17 & Wis. STAT. 95.51
LIVESTOCK PREMISES REGISTRATION**

Wis. Adm. Code/Stat. Section	<i>Brief Description of Requirement (Not complete rule language, not intended to be used for citation, for complete rule language refer to the actual rule/statute.)</i>	<i>Enforcement Level</i>	<i>Notes and Associated Protocols/Policy/Interpretations</i>
Livestock Premises; Registration Required			
ATCP 17.02(1)(a) Wis. Stat. 95.51(2)(a)	Registration required	See FSP 2 – Livestock Premises Registration Enforcement	
Receiving Livestock from unregistered locations			
ATCP 17.05(1)	Receipt of livestock from unregistered premises prohibited	Does not currently apply – no violation see ATCP 17.05(2)	

CH. WIS. STAT. 95
ANIMAL HEALTH

Wis. Adm. Code/Stat. Section	<i>Brief Description of Requirement (Not complete rule language, not intended to be used for citation, for complete rule language refer to the actual rule/statute.)</i>	<i>Enforcement Level</i>	<i>Notes and Associated Protocols/Policy/Interpretations</i>
Feeding Garbage to Swine			
Wis. Stat. 95.10(1)	Feeding garbage to swine, accepting garbage to swine occupied premises or moving garbage fed swine	2	
Wis. Stat. 95.10(5)	Removing swine from premises where commercial garbage is received, CVI required	2	
Wis. Stat. 95.10(6)	Import of garbage for feeding purposes or deposit onto premises	3	
False Pedigree			
Wis. Stat. 95.12	Intent to defraud by means of false pedigree		Refer to Supervisor - Confer with Bureau Dir. on appropriate action to be taken
Misrepresenting Breed of Domestic Animal			
Wis. Stat. 95.13	Misrepresentation of breed or registration status		Refer to Supervisor – Consult with BFS Dir. on appropriate action to be taken
Diseased Animals			
Wis. Stat. 95.19(2) Prohibitions	(a) Import, sale, transport or exhibiting exposed animals		See ATCP 10.08
	(b) Import, sale, transport or exhibiting infected animals		
	(c) Knowingly concealing the import, sale, transport or exhibiting of exposed/infected animals		
	(d) Knowingly misrepresenting that an animal has not been exposed or infected		
	(e) Commingling animals		
Rabies Control Program			
Wis. Stat. 95.21(2)(a)	Rabies vaccination	2	
Wis. Stat. 95.21(2)(b)	Rabies certificate issuance	1	
Wis. Stat. 95.21(2)(e)	Rabies vaccination tag issuance	1	
Wis. Stat. 95.21(2)(f)	Tag attached	1	
Sale of Certain Painted Utensils			
Wis. Stat. 95.235	Painted utensils with toxic effects	3	This is required to be prosecuted under 95.99(1) (criminal complaint)
Living Vaccine, Hog Cholera, Anthrax, Swine Erysipelas			
Wis. Stat. 95.24	(1) Possession without permit		Refer to Supervisor – Consult with BFS Dir. on appropriate action to be taken
	(3) Immunizing without written approval		
Biological Products			
Wis. Stat. 95.39	Sale or transfer of tuberculin or Brucella organism containing products		Refer to Supervisor – Consult with BFS Dir. on appropriate action to be taken
Neutralizing Tuberculosis Test			
Wis. Stat. 95.40(1)	Preventing proper reaction		Refer to Supervisor – Consult with BFS Dir. on appropriate action to be taken
Wis. Stat. 95.40(2)	Application for purposes other than TB test		
Transportation and Disposal of Animal Carcasses			
Wis. Stat. 95.50(2)	(a) Transport and disposal of diseased carcasses	2	Also consult with office
	(b) Disposal into waters of the state	2	
Wis. Stat. 95.50(3)	Timely disposal	2	Also refer to Sheriff/Police Department

Proper Use of Animal Care and Disease Control Products

Wis. Stat. 95.67	Chemical, biological or disease control products used on food producing animals	Refer to Supervisor - Confer with Bureau Dir. on appropriate action to be taken
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