

No. 221, S.]

[Published July 14, 1951.

CHAPTER 571.

AN ACT to repeal 95.265; to amend 95.16, 95.43, and 95.49 and to repeal and recreate 20.60 (2), 95.26, 95.47 (2) and 95.48 (1) (g) of the statutes, relating to a Brucellosis control program and making an appropriation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.60 (2) of the statutes recreated by chapter 319, laws of 1951, bill No. 174, A., is repealed and recreated to read:

20.60 (2) ANIMAL DISEASE ERADICATION; BRUCELLOSIS AND TUBERCULOSIS INDEMNITIES. On July 1, 1951, \$1,930,030, and annually, beginning July 1, 1952, \$1,924,940 for the eradication of diseases of domestic animals, and for the payment of Brucellosis and tuberculosis indemnities under the provisions of chapter 95. Of this appropriation there is allotted for the following purposes:

	1951-1952	1952-1953
Personal services	\$1,055,580	\$1,070,490
Materials and expense.....	250,950	250,950
Capital outlay	23,500	3,500
Tuberculosis indemnities	25,000	25,000
Brucellosis indemnities	575,000	575,000

With the approval of the emergency board, the allotments, as heretofore made, may be made interchangeable.

SECTION 2. 95.16 of the statutes is amended to read:

95.16 The term "contagious or infectious diseases" as used in the live stock sanitary laws shall include anthrax, blackleg, *hog cholera*, *erysipelas*, infectious stomatitis, rabies, *Brucellosis*, tuberculosis, hemorrhagic septicemia, * * * foot and mouth disease, * * * *actinobacillosis*, glanders * * *, mange * * *, dourine * * * and such other diseases as may be determined by the department to be contagious or infectious in fact.

SECTION 3. 95.26 of the statutes is repealed and recreated to read:

95.26 BRUCELLOSIS CONTROL PROGRAM. (1) In order to detect and control bovine Brucellosis the department shall conduct milk and cream tests and blood tests as provided in this section. Milk and cream shall be tested by the Abortus Brucella Ring Test, hereafter referred to as the A. B. R. test. Blood shall be tested by blood serum agglutination methods, hereafter referred to as Brucellosis test.

(2) (a) All milk and cream received at every dairy plant shall be tested at approximate 6-month intervals by the A. B. R. test.

(b) All herds producing milk or cream which reacts to the initial A. B. R. test shall promptly be given the Brucellosis test.

(c) Herds not tested by the A. B. R. test shall within 6 months from the effective date of this section be given the Brucellosis test.

(3) The owner of each herd shall elect to place it under control Plan A or Plan B. Any owner may at any time transfer from one plan to the other except when the herd is located in a Plan A county as provided in subsection (4); provided, however, that when an owner on Plan B, who has retained reactors transfers to Plan A, no animals in this herd shall be eligible for indemnity until after he has eliminated, without claim, all reactors disclosed on a complete herd test.

(a) Plan A shall require:

1. That the Brucellosis test be given the herd when the A. B. R. test indicates a reaction;

2. That herds not tested by the A. B. R. test shall be given the Brucellosis test at approximate 12-month intervals;

3. That Brucellosis test reactors be identified and slaughtered in compliance with laws and regulations of the department; and

4. That all female calves be given the official calfhood vaccination except that, where there are no reactors to the Brucellosis test, vaccination be given at the owner's option.

(b) Plan B shall require:

1. That all female calves shall be given the official calfhood vaccination.

2. That reactors may be retained and need not be identified but the results of the Brucellosis test shall be reported to the department.

3. That when the A. B. R. test indicates a reaction the herd shall be given an informative Brucellosis test at least every 18 months.

4. That herds not tested by the A. B. R. test be given an informative Brucellosis test every 18 months.

(4) Upon petition of 75 per cent of the cattle owners in a county the department may determine in the manner provided in section 95.25 that all herds in the county be under Plan A. The provisions of section 95.25 except subsection (8) shall apply to such work with like effect as though the word "Brucellosis" be substituted for the word "tuberculosis" and that consistent with Plan A the appropriate "A. B. R. test" or "Brucellosis test" be substituted for "tuberculin test". All the provisions under Plan A shall apply including the slaughter of Brucellosis test reactors.

(5) (a) Every producer of milk or cream shall not later than January 31, 1953, and not later than January 31 each year thereafter, file with his dairy plant a certificate signed by him and an approved veterinarian, stating whether his herd is under Plan A or Plan B and the results of the most recent A. B. R. test and the results of the most recent Brucellosis test, if any, on his herd and no dairy plant shall receive any milk or cream unless it has on file the proper certificate from the producer.

(b) Such certificate shall be retained on file at the dairy plant at least 2 years. The operator of every licensed dairy plant shall not later than March 1 each year certify to the department on forms prescribed by it the herd Brucellosis status of every producer delivering milk or cream to the plant.

(6) (a) The A. B. R. tests required by this section shall be conducted by state or federal employed veterinarians and technicians. Brucellosis tests and calfhood vaccination provided for in this section shall be at state expense and may be conducted by an approved veterinarian of the herd owner's preference. Veterinarians shall promptly submit all blood samples drawn under this program to the department for laboratory examination.

(b) The department may acquire, equip and maintain laboratories, including mobile units and promulgate rules and regulations not inconsistent with law so as to effectively execute its functions under the Brucellosis control program.

(7) For each animal condemned and slaughtered, unless otherwise provided by law, the owner shall receive and, upon certificate of the department, the state shall pay one-third of the difference between the net salvage and the appraised or agreed value of the animal, but such payment shall not exceed \$50 for a registered animal and \$25 for an unregistered one.

SECTION 4. 95.265 of the statutes is repealed.

SECTION 5. 95.43 of the statutes is amended to read:

95.43 (1) The * * * Brucellosis test shall be applied to cattle only by approved veterinarians. Any veterinarian who fails to comply with the laws or regulations of the department relating to disease control may be denied such approval.

(2) *Except where not required under section 95.26*, every veterinarian who applies the Brucellosis test shall promptly retractor tag and permanently mark all reactors in conformity with the law and the regulations of the department, and shall promptly report the result of each test to the department. No person shall interfere in any way with the identification of reactors as required herein.

SECTION 6. 95.47 (2) of the statutes is repealed and recreated to read:

95.47 (2) Official vaccinates need not be identified as reactors:

(a) Prior to 24 months of age;

(b) After 24 months of age if the blood test reaction is not more than incomplete in a dilution not exceeding 1 to 100;

(c) After 24 months of age and prior to 30 months of age, regardless of blood test reaction, if the attending veterinarian, on the basis of experience and herd history, indicates that the reaction is not due to virulent infection.

SECTION 6a. 95.48 (1) (g) of the statutes is repealed and recreated to read:

95.48 (1) (g) On any animal born after January 1, 1951, unless it shall have been officially vaccinated and tattooed by an approved veterinarian and unless such vaccination was reported to the department as required by section 95.46.

SECTION 7. 95.49 of the statutes is amended to read:

95.49 (1) * * * It shall be unlawful for any person to sell * * * or transfer from one place to another any bovine animal unless it is accompanied by a report of complete negative * * * Brucellosis test conducted within 30 days * * * which report shall also state the control plan status of the herd, but the provisions of this paragraph do not apply to the following:

* * * (a) To preserve animals valuable because of blood lines or production records the department shall permit the sale and movement of animals which react to the * * * Brucellosis test into herds containing reactors. Such permits shall be granted only upon the written application of the buyer and seller which shall include the identification of

the animals to be moved and proof that the herd of the buyer does contain reacting animals. It shall be unlawful for any person to sell or transfer into other herds any animal which reacts in any degree to the * * * *Brucellosis* test unless such animal is accompanied by such written permit from the department.

(b) *Calves under 4 months of age and steers.*

* * * (c) * * * Official * * * *vaccinates not over 24 months of age without history of abortion* if * * * accompanied by an official calfhood vaccination report.

* * * (d) * * * Animals * * * *consigned directly to slaughter establishments and shipped in conformity with department regulations.*

(e) *Animals which are moved for exhibition purposes when accompanied by a report of a negative Brucellosis test conducted within 90 days.*

(f) *Animals from herds certified to be Brucellosis free by the department, if accompanied by a report of negative Brucellosis test of the entire herd, conducted within 12 months.*

* * * (2) The department is authorized to issue regulations governing the importation of cattle from other states, the movement of cattle in area-tested counties, and the introduction of cattle into supervised herds.

* * * (3) Except as provided in subsection * * * (1), it shall be unlawful for the lessor of any farm premises to permit any of the bovine animals on such farm to be commingled with bovine animals belonging to a tenant thereof unless * * * such animals * * * have passed a negative * * * test for * * * *Brucellosis* conducted within the last previous 30 days. Violation of this subsection shall constitute cause for rescission of the lease of such farm by the tenant.

SECTION 8. The department of agriculture and the university of Wisconsin shall report back to the 1953 session of the legislature the efficacy of the program as set up in this chapter.

SECTION 9. This act shall take effect July 1, 1951.

Approved July 6, 1951.
