

Chapter Ag 11

MOVEMENT OF ANIMALS (IMPORT, SALE & EXHIBITION)

| | |
|---|--|
| Subchapter I — Definitions | Ag 11.32 Equine quarantine stations (p. 112-24) |
| Ag 11.01 Definitions (p. 109) | |
| Subchapter II — General Provisions | Subchapter VI Poultry |
| Ag 11.02 Interstate health certificate; certificate of veterinary inspection (p. 110-6) | Ag 11.40 Poultry imports (p. 112-25) |
| Ag 11.03 Special import permit (p. 110-3) | Subchapter VII — Other Animals |
| Subchapter III — Bovine Animals | Ag 11.50 Sheep imports (p. 112-26) |
| Ag 11.10 Identification of bovine animals (p. 110-8) | Ag 11.51 Goat imports (p. 112-26) |
| Ag 11.11 Bovine animals; import (p. 112-8) | Ag 11.52 Dogs and domestic cats; import (p. 112-26) |
| Ag 11.12 Part 78 market (p. 112-13) | Ag 11.53 Circus, rodeo, menagerie and racing animals; import (p. 112-27) |
| Ag 11.13 Approved veal lot (p. 112-14) | Ag 11.54 Llamas and exotic ruminants; import (p. 112-27) |
| Ag 11.14 Approved feed lot (p. 112-15) | Ag 11.55 Cervidae import requirements (p. 112-28) |
| Ag 11.15 Calves to be moved from livestock market within 24 hours after sale. (p. 112-15) | Ag 11.56 Keeping and moving cervidae within Wisconsin (p. 112-28) |
| Ag 11.16 Intrastate movement of bovine animals; brucellosis test (p. 112-16) | Subchapter VIII — Movement and Exhibition |
| Subchapter IV — Swine | Ag 11.60 Sale or movement of diseased animals (p. 112-29) |
| Ag 11.20 Swine imports (p. 112-17) | Ag 11.61 Removal of livestock from slaughtering establishments (p. 112-31) |
| Ag 11.21 Part 76 market (p. 112-19) | Ag 11.62 Exhibitions and fairs (p. 112-31) |
| Ag 11.22 Slaughter swine identification (p. 112-20) | Subchapter IX — Enforcement |
| Ag 11.23 Swine; intrastate movement (p. 112-21) | Ag 11.70 Quarantines. (p. 112-33) |
| Subchapter V — Equine Animals | Ag 11.71 Destruction or removal of animals illegally imported. (p. 112-34) |
| Ag 11.30 Equine animals; import (p. 112-22) | Ag 11.72 Prohibited conduct. (p. 112-34) |
| Ag 11.31 Equine markets (p. 112-23) | |

Note: Chapter Ag 11 as it existed in December 31, 1990 was repealed and a new chapter Ag 11 was created effective January 1, 1991.

Subchapter I — Definitions

Ag 11. 01 Definitions. As used in this chapter:

(1) "Accredited tuberculosis-free herd" means a herd of cattle or goats which is certified as tuberculosis-free by one of the following:

(a) The department under s. Ag 10.17 or 10.62.

(b) The authorized animal health agency of the state in which the herd is located, under standards comparable to s. Ag 10.17 or 10.62.

(2) "Accredited veterinarian" means a veterinarian who is both of the following:

(a) Licensed to practice veterinary medicine.

(b) Specifically authorized by the federal bureau and responsible state agency, pursuant to 9 CFR 160 to 162, to perform animal disease eradication and control functions under state and federal animal health laws.

(3) "Anaplasmosis" means the infectious disease of cattle caused by *Anaplasma marginale*.

(4) "Anaplasmosis-free herd" means a herd of cattle which is certified as anaplasmosis-free by one of the following:

(a) The department under s. Ag 10.18.

(b) The authorized animal health agency of the state in which the herd is located, under standards comparable to s. Ag 10.18.

(5) "Anaplasmosis test" means the complement fixation test or other anaplasmosis diagnostic test which is approved by the department and conducted at a laboratory approved by the department or the federal bureau.

(6) "Approved equine quarantine station" means a facility approved by the department under s. Ag 11.32 to receive equine animals imported from foreign countries in which contagious equine metritis has been reported.

(7) "Approved feed lot" means a feedlot which holds an approved feedlot permit under s. Ag 11.14.

(8) "Approved veal lot" means a veal lot which holds an approved veal lot permit under s. Ag 11.13.

(9) "Bison" means American bison of any age or sex, commonly known as buffalo.

(10) "Boar" means an uncastrated male swine that is sexually mature.

(11) "Bovine animal" means cattle or American bison of any age or sex.

(12) "Brucellosis" means the contagious, infectious and communicable disease caused by bacteria of the genus *Brucella*.

Note: Brucellosis is also known as Bang's disease, undulant fever and contagious abortion.

(13) "Brucellosis test" means:

(a) For bovine animals, a blood serum agglutination test, a particle concentration fluorescent immuno assay (PCFIA), or approved supplemental tests conducted according to procedures approved by the department.

(b) For swine, the swine brucellosis card test, the blood serum agglutination test, or approved supplemental tests conducted according to procedures approved by the department.

(14) "Bull" means an uncastrated sexually mature male bovine animal.

(15) "Calf" means a sexually immature bovine animal of either sex.

(16) "Cattle" means any of the various animals of the domesticated genus *Bos*.

(17) "Certificate of veterinary inspection" means a written certificate prepared by an accredited veterinarian in compliance with s. Ag 11.02 (2).

(18) "Certified brucellosis-free herd" means a herd of cattle or goats which is certified as brucellosis-free by one of the following:

- (a) The department under s. Ag 10.14 or 10.61.
- (b) The authorized animal health agency in the state where the herd is located, under standards comparable to s. Ag 10.14 or 10.61.
- (18j) "Cervical test" means a test, used in cervidae to detect the presence of bovine tuberculosis, which involves injection of 0.1 ml. (or 5,000 international units) of United States department of agriculture contract PPD Bovis tuberculin in the midcervical region, and which is read by observation and palpation 72 hours after injection, plus or minus 6 hours.
- (18m) "Cervid" is the singular form of the plural "Cervidae". "Cervidae" means members of the family of animals which includes deer, elk, moose, caribou, reindeer and the sub-family musk deer.
- (19) "Commingled" means kept or brought together with other animals in any environment which permits direct physical contact between the animals.
- (20) "Communicable" means transmissible either directly or indirectly.
- (20m) "Comparative cervical test" means a tuberculosis test conducted in suspect cervidae by a state or federal veterinary medical officer, who is specifically approved to conduct the test.
- (21) "Contagious" means spread by contact, body secretions or fomites.
- (22) "Cow" means a female bovine animal after first calving.
- (23) "Department" means the state of Wisconsin department of agriculture, trade and consumer protection.
- (24) "Equine animal" means a horse, mule, zebra, donkey or ass.
- (25) "Equine market" means a market which is open to the public for marketing or trading in equine animals for any purpose.
- (26) "Exotic disease" means any communicable, contagious or infectious disease of livestock or poultry not known to exist in Wisconsin.
- (27) "Exotic ruminant" means a ruminant not native to Wisconsin. "Exotic ruminant" includes llamas and other camelids, but does not include bovine animals and cervidae.
- (28) "Exposed" means subjected to a causative agent which may cause the exposed animal to contract a contagious, infectious or communicable disease.
- (29) "Fair" means a state fair, county or district fair, exhibition, show, exposition, rodeo or trail ride.
- (30) "Federal bureau" means the animal and plant health inspection service of the United States department of agriculture, or any other unit of that department which may be vested with authority to administer federal laws and regulations relating to animal disease control.
- (31) "Feeder cattle" means bovine animals, kept for the sole purpose of feeding prior to slaughter, which are not more than 18 months old as

evidenced by the absence of permanent teeth, and whose sexual status is one of the following:

- (a) Non-spayed female that is not parturient or post-parturient.
- (b) Spayed heifer.
- (c) Steer.

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

(33) "Flock" means one of the following, as the context requires:

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

(b) Any group of sheep maintained on common ground for any purpose; or 2 or more groups of sheep, under common ownership or supervision, whose members intermingle between groups even if the groups are geographically separated.

(34) "Foreign disease" means any communicable, contagious or infectious disease of livestock and poultry not known to exist in the United States.

(35) "Hatchery" means premises used to hatch poultry, including buildings, incubators, hatchers and auxiliary equipment.

(36) "Heifer" means a female bovine animal up to first calving.

(37) "Herd" means either of the following:

(a) A group of animals maintained on common ground for any purpose.

(b) Two or more groups of animals of the same species, under common ownership or supervision, whose members intermingle between groups even if the groups are geographically separated.

(38) "Infectious" means caused by a pathogenic agent.

(39) "Interstate health certificate" means a written health certificate prepared by an accredited veterinarian in compliance with s. Ag 11.02 (1).

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

(41) "Livestock" means farm animals including bovine animals, sheep, goats, swine and horses.

(42) "Livestock dealer" has the meaning specified under s. 95.70 (1) (a), Stats., and includes any person who leases livestock to others.

(43) "Livestock dealer premises" means any location where a livestock dealer keeps, receives or sells livestock, or conducts livestock transactions, and which is owned, leased, or controlled by the livestock dealer.

(44) "Livestock market" has the meaning specified under s. 95.70 (1) (b), Stats.

(45) "Livestock trucker" has the meaning specified under s. 95.70 (1) (c), Stats.

(46) "Mare" means a female equine animal over 731 days of age.

(47) "Mastitis" means a contagious and infectious disease of bovine animals, manifested by inflammation of the mammary gland, which is caused by a variety of microorganisms.

(48) "Managerie animal" means a domestic or non-domestic animal kept individually or as part of a collection primarily for purposes of exhibition or competition.

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

(50) "National poultry improvement plan" means the national poultry improvement plan established by the federal bureau.

(51) "Negative" means an official diagnostic test result which discloses no evidence of disease.

(52) "Official back tag" means an identification back tag, approved by the federal bureau, that conforms to the 8-character alpha-numeric national uniform backtagging system.

Note: Examples of official back tags include the official Wisconsin bovine back tag and the official Wisconsin swine back tag.

(53) "Official ear tag" means an identification ear tag, approved by the federal bureau, that conforms to the 9-character alpha-numeric national uniform eartagging system.

Note: The official ear tag uniquely identifies each individual animal with no duplication of the alpha-numeric identification, regardless of the materials or colors used. Examples of official ear tags include the official Wisconsin identification tag, the official U.S.D.A. Wisconsin vaccination tag, and the official Wisconsin swine ear tag.

(54) "Official individual identification" means a set of identifying characters which is uniquely associated with an individual animal, and which consists of one of the following:

- (a) The animal's official ear tag number.
- (b) The animal's breed association tattoo.
- (c) The animal's breed association registration number.
- (d) Other identification approved by the department.

(55) "Official spayed heifer" means a female bovine animal which has had its ovaries removed and is identified by an open spade brand or spay certificate.

(56) "Official vaccinate" means a female bovine animal which is vaccinated against brucellosis, and identified and reported as a vaccinate, in compliance with s. Ag 10.10 or comparable laws of another state.

(57) "Open spade brand" means a branding mark consisting of the outline of an inverted heart with a short stalk at the bottom, used for the identification of spayed heifers.

(58) "Originates" means coming from a herd in which the animal was born or spent the last 4 months before being imported to this state or moved to the current herd. A herd of origin does not include a temporary assembly of animals for sale or shipment.

(59) "Paratuberculosis" means the infectious and communicable disease of domestic ruminants, commonly known as Johne's disease, which is caused by *Mycobacterium paratuberculosis*.

(60) "Paratuberculosis reactor" means a ruminant which has a positive fecal culture for *Mycobacterium paratuberculosis*, or which is positive to any other test approved by the department for identification of paratuberculosis.

(61) "Part 78 market" means a licensed livestock market which is approved by the department and the federal bureau to receive cattle in interstate commerce, pursuant to s. Ag 11.12 and 9 CFR 78.

(62) "Part 76 market" means a licensed livestock market which is approved by the department and the federal bureau to receive swine in interstate commerce, pursuant to s. Ag 11.21 and 9 CFR 76.

(63) "Person" includes any individual, corporation, partnership, association or firm.

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

(65) "Pseudorabies" means the contagious, infectious and communicable disease of livestock and other animals which is caused by the pseudorabies herpes virus, and which is also known as Aujeszky's disease, mad itch, or infectious bulbo-paralysis.

(66) "Pseudorabies test" means the negative serum neutralization (SN) test or another pseudorabies diagnostic test which is approved by the department and conducted at a laboratory approved by the department or the federal bureau.

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

(68) "Qualified pseudorabies negative herd" means a herd of swine which is certified as being pseudorabies negative by one of the following:

(a) The department under s. Ag 10.30.

(b) The authorized animal health agency in the state where the herd is located, under standards comparable to s. Ag 10.30.

(69) "Racing animal" means a greyhound or other racing canine, and equine animals which participate in organized races such as county, district, or state fairs, or other organized racing events where cash, points, or awards are given as prizes.

(70) "Reactor" means an animal which has reacted positively in a conclusive diagnostic test for an infectious, contagious or communicable disease.

(70m) "Single cervical test" means a tuberculosis test, used in herds of cervidae with known exposure to *mycobacterium bovis*, which is con-

Register, November, 1991, No. 431

ducted using 0.2 ml. (10,000 international units) of United States department of agriculture PPD Bovis tuberculin, or 0.1 ml (10,000 international units) of special double strength tuberculin.

(71) "Slaughtering establishment" means a slaughtering establishment which is subject to licensing by the department, or inspection by the United States department of agriculture. "Slaughtering establishment" includes all premises used in connection with a slaughter operation.

(72) "Sow" means a sexually mature female swine.

(73) "Stallion" means a male equine animal over 731 days of age but does not include a gelding.

(74) "State veterinarian" means the administrator of the animal health division of the department, or a veterinarian who is authorized by the administrator to act on his or her behalf.

(75) "Steer" means a castrated male bovine animal.

(76) "Suspect" means an animal which is suspected of having a disease, based on test results or other reliable information, but which is not yet confirmed to have the disease.

(77) "Swine" means a domestic hog or any variety of wild hog.

(78) "Swine growth performance test station" or "swine test station" means a premises where swine are assembled for purposes of determining feeding efficiency.

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

(80) "Tuberculosis" means the contagious, infectious and communicable disease caused by *Mycobacterium bovis*.

(81) "Tuberculosis test" means an approved screening test or confirmatory test to determine whether an animal may be infected with tuberculosis. "Tuberculosis test" includes a caudal fold test or a comparative cervical test.

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

(83) "Validated brucellosis-free herd" means a herd of swine which is certified as brucellosis-free by one of the following:

(a) The department under s. Ag 10.33.

(b) The authorized animal health agency of the state in which the herd is located, under standards comparable to s. Ag 10.33.

(84) "Veal calf" means a bovine animal of either sex, not more than 120 days old, which is kept for the sole purpose of feeding prior to slaughter for veal.

(85) "Zoo" or "zoological park" means any park, building, cage, enclosure, or other structure or premise in which a live animal or animals are

kept for public exhibition or viewing, regardless of whether admission or other consideration is paid by the viewer.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91; emerg. cr. (18j), (18m), (20m) and (70m), eff. 3-18-91; cr. (18j), (18m), (20m), (70m) and (85), am. (27), Register, November, 1991, No. 431, eff. 12-1-91.

Subchapter II — General Provisions

Ag 11.02 Interstate health certificate; certificate of veterinary inspection.

(1) **INTERSTATE HEALTH CERTIFICATE.** An interstate health certificate is a written certificate, signed by an accredited veterinarian, which is issued to facilitate the movement of animals. An interstate health certificate contains health information related to one or more animals which are specifically identified on the certificate. An interstate health certificate issued under this chapter shall include all of the following:

(a) Identification of each animal covered by the certificate. Official individual identification is required for bovine animals, swine, equine animals, sheep, goats and cervidae. Official individual identification is not required for any of the following, provided that the certificate clearly identifies the shipment destination and the number of animals included in the shipment:

1. Poultry.

2. Veal calves or steers originating from a brucellosis-free or class A state.

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

(c) The name and address of the person shipping the animal, and the location from which the animal is shipped.

(d) The name and address of the person receiving the animal, and the location at which the animal will be received.

(e) Any specific health information, including information related to herd of origin, vaccination status or diagnostic test results, which is required for the import or movement of the animal under this chapter.

(f) Other information required by this chapter.

(g) The following statement, or one substantially similar, signed by an accredited veterinarian:

"I certify that I have inspected the individual animals described above and find that they are free from signs of infectious, contagious or communicable disease. I certify that the vaccinations and results of tests are as listed above."

(h) The signature of a veterinarian accredited in the state origin, and the date of signature.

(2) **CERTIFICATE OF VETERINARY INSPECTION.** A certificate of veterinary inspection is a written certificate, signed by an accredited veterinarian, which is issued in lieu of an interstate health certificate to facilitate the movement of animals. A certificate of veterinary inspection, like an interstate health certificate, contains health information related to one or more animals which are specifically identified on the certificate. A certificate of veterinary inspection issued under this chapter shall include

Register, November, 1991, No. 431

the same information required for an interstate health certificate under sub. (1), except that the following statement or one substantially similar shall be substituted for the statement under sub. (1) (g):

"I certify, as an accredited veterinarian, that the above described animals have been inspected by me and that they are not showing signs of contagious or infectious disease, except where noted. The vaccinations and results of tests are as indicated on the certificate. To the best of my knowledge, the animals listed on this certificate meet the state of destination and federal interstate requirements. No further warranty is made or implied."

(3) **CERTIFICATE REQUIRED FOR IMPORT.** No person may import any of the following animals into this state unless the animal is accompanied by a valid interstate health certificate or certificate of veterinary inspection:

- (a) Bovine animals, except as provided under s. Ag 11.11 (1) (c).
- (b) Swine, except as provided under s. Ag 11.20 (1) (b).
- (c) Equines, except as provided under s. Ag 11.30 (1) (b).
- (d) Poultry.
- (e) Sheep.
- (f) Goats.
- (g) A dog or cat over 5 months old.
- (h) Circus, rodeo, racing or menagerie animals.
- (i) Llamas or other exotic ruminants.
- (j) Cervidae.

Note: See applicable import requirements for each livestock species, including required contents of interstate health certificates, under subchapters III to VII. See also ss. Ag 11.12 (2) and 11.21 related to the removal of imported animals from part 78 livestock markets and part 76 swine markets in this state.

(4) **CERTIFICATE VALID FOR 30 DAYS.** (a) Except as provided under par. (b), an interstate health certificate or certificate of veterinary inspection is valid for 30 days after it is signed, provided that all required tests are conducted within the time periods prescribed under this chapter.

(b) If a bovine animal originating from a brucellosis-free state, a brucellosis class A state or a certified brucellosis-free herd is imported solely for exhibition at a fair or livestock exhibition and returns to its herd of origin after being exhibited, a certificate issued for the interstate movement of the animal is valid for 90 days.

(5) **FILING COPIES OF CERTIFICATE.** If an interstate health certificate or certificate of veterinary inspection is required to accompany an import shipment of animals under sub. (3), the veterinarian who signs the certificate shall file copies as follows:

(a) Within 7 days after the shipment date, the veterinarian shall file a copy of the certificate with the chief livestock health official of the state of origin.

Note: The chief livestock health official of the state of origin will verify the veterinarian's accreditation status, and certain other information contained on the certificate, and forward an approved copy to the department.

(b) For import shipments of swine and bovine animals, the veterinarian shall mail or telefax a copy of the certificate to the department on or before the shipment date. The veterinarian shall also file a copy with the state of origin under par. (a).

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91; emerg. am. (1) (a) (intro.) and (3) (i), eff. 3-18-91; am. (1) (a) (intro.), cr. (3) (i), Register, November, 1991, No. 431, eff. 12-1-91.

Ag 11.03 Special import permit. (1) PERMIT AUTHORIZATION. The state veterinarian may issue a special written permit authorizing a named person to import specifically identified animals into this state, even though the import shipment would otherwise be prohibited under this chapter, if special circumstances warrant the permit. The permit may contain any conditions which the state veterinarian deems necessary. No permit may authorize more than one import shipment.

(2) **PERMIT APPLICATION.** To obtain a special import permit under sub. (1), an applicant shall submit a signed written application to the department. The application shall contain the following information:

1. The name and address of the person shipping the animals.
2. The name and address of the person receiving the animals.
3. A complete description of the animals to be imported, including official individual identification of each animal if required under s. Ag 11.02 (1) (a).
4. The reason for importing the animals.
5. Reasons why the state veterinarian should permit the import shipment, notwithstanding the provisions of this chapter.
6. Other information required by the department.

(3) **ACTION ON PERMIT APPLICATION.** The state veterinarian shall grant or deny a permit application under sub. (2) within 30 days after a complete application is received by the department.

(4) **PERMIT COPY KEPT ON FILE.** The department shall keep a copy of every permit issued by the state veterinarian under this section. A copy shall be kept for at least 3 years after the permit is issued.

Note: The state veterinarian may not authorize an import shipment which is prohibited by statute, rather than by administrative rule under this chapter.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Subchapter III — Bovine Animals

Ag 11.10 Identification of bovine animals. (1) OFFICIAL INDIVIDUAL IDENTIFICATION. (a) *Official eartag.* Except as provided under par. (b), every veterinarian who vaccinates or identifies a bovine animal, or who tests a bovine animal for brucellosis, tuberculosis, anaplasmosis, leukosis or paratuberculosis, shall insert an official eartag in the right ear of the animal unless the animal is already identified with an official eartag. An official eartag shall conform to the 9-character national uniform eartagging system.

Register, November, 1991, No. 431

AGRICULTURE, TRADE & CONSUMER PROTECTION 110-9
Ag 11

Note: An official eartag uniquely identifies each individual animal with no duplication of alphanumeric identification, regardless of the materials or colors used. Official eartags include the official USDA Wisconsin identification tag (silver) and the official USDA Wisconsin vaccination tag (orange).

(b) **PUREBRED IDENTIFICATION.** If a bovine animal is a purebred animal registered with a breed association, either of the following may serve in place of an official eartag to identify the animal:

1. A breed association registration number which uniquely identifies the animal, and which corresponds to breed association registration papers for that animal.

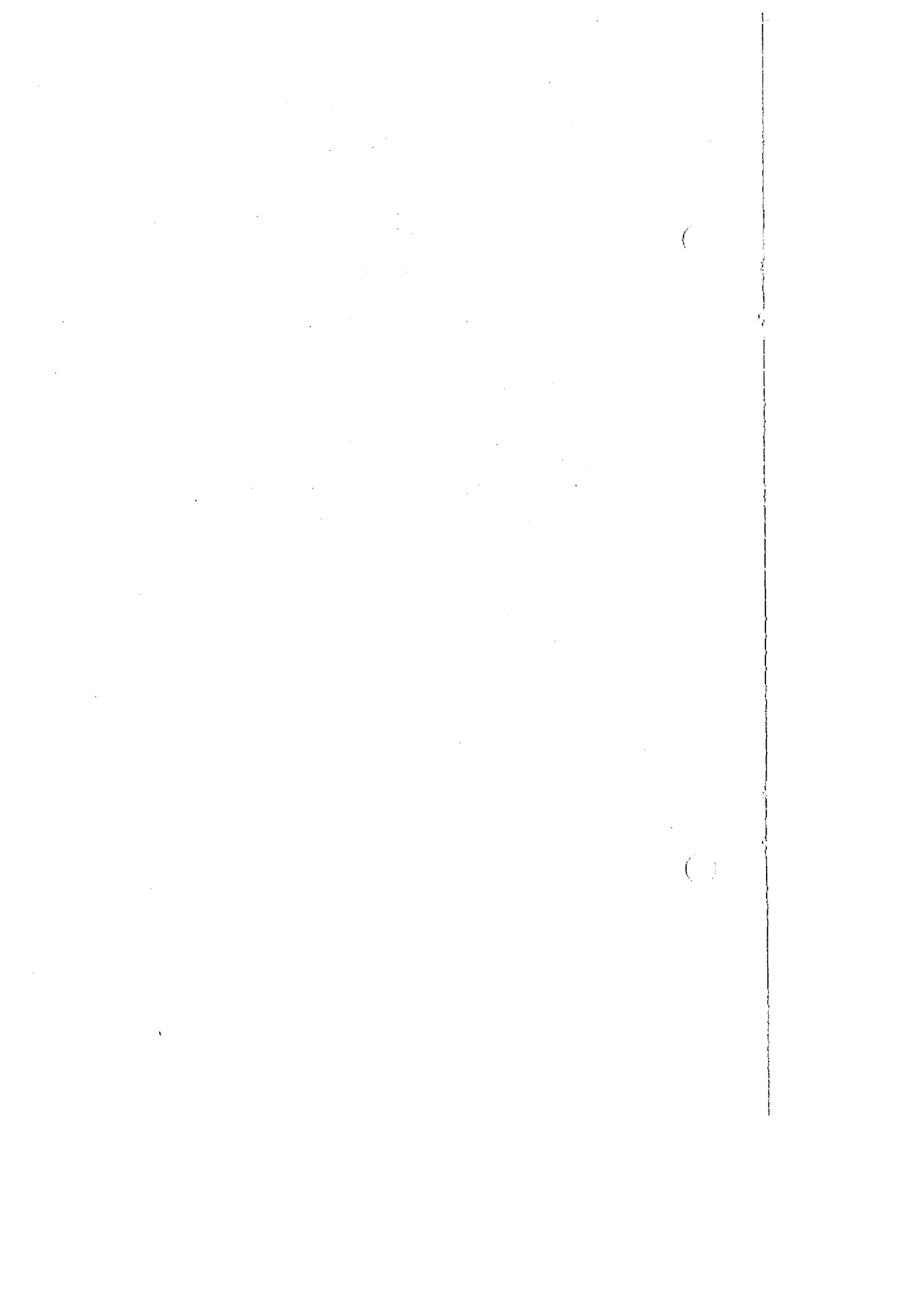
2. A breed association tattoo which uniquely identifies the animal, and which corresponds to breed association registration papers for that animal.

(c) *Right ear reserved for identification tag.* No person may insert any eartag, other than an official eartag or breed association eartag, in the right ear of any bovine animal. This paragraph does not prohibit the use of parasite control tags.

(2) **IDENTIFYING OFFICIAL BRUCELLOSIS VACCINATES.** (a) *Vaccination tattoo.* Every veterinarian who vaccinates a bovine animal for brucellosis shall apply a vaccination tattoo to the inner surface of the right ear of the animal. The vaccination tattoo shall consist of a number representing the quarter of the year in which the animal was vaccinated, followed by a symbol in the form of a shield containing the letter "V" and the last numeral of the year in which the animal was vaccinated. Number 1 represents the first quarter of the year (January, February and March). Number 2 represents the second quarter of the year (April, May and June). Number 3 represents the third quarter of the year (July, August and September). Number 4 represents the fourth quarter of the year (October, November and December). No retattooing is permitted.

(b) *Vaccination tag.* 1. Except as provided under subd. 2, every veterinarian who vaccinates a bovine animal for brucellosis shall insert a vacci-

Next page is numbered 112-7



Ag 11.53 Circus, rodeo, racing and menagerie animals; importation. (1) **PERMIT REQUIRED.** No person may import any circus, rodeo, racing, or menagerie animal into this state without an import permit from the department. A permit application shall be made on a form prescribed by the department, and shall include all relevant information required by the department. The department shall grant or deny a permit application within 20 business days after it receives a complete application. An import permit is valid for not more than 180 days.

(2) **PERMIT CONDITIONS.** A permit under sub. (1) is subject to the following conditions:

(a) Every animal shall be accompanied by a valid interstate health certificate or certificate of veterinary inspection. The certificate shall comply with s. Ag 11.02, and shall contain the number of the import permit issued by the department under sub. (1).

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

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

(cm) Every cervid shall be tested and found negative on a tuberculosis test conducted within 90 days before a permit application is filed with the department. Notwithstanding s. Ag 11.55 (1) (a) and (2), tuberculosis tests are not required for all members of the cervid's herd of origin if the cervid is imported under permit from a native wild population to a zoo or zoological park or as a circus or menagerie animal under this section.

(d) All animals shall be isolated from noncircus, nonrodeo, and nonmenagerie animals, and from native wildlife in the state. Facilities and vehicles used for the animals shall be cleaned and disinfected before being used for other animals.

(e) The importer shall notify the department of the locations at which animals will be exhibited in this state, and the dates when exhibition will occur. Notice shall be filed with the department within 15 days before the animals enter this state. This paragraph does not apply to racing animals or competitive pulling animals.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91; emerg. cr. (2) (cm), eff. 3-18-91; cr. (2) (cm), Register, November, 1991, No. 431, eff. 12-1-91.

Ag 11.54 Llamas and exotic ruminants; import. (1) **HEALTH CERTIFICATE.** No person may import a llama or other exotic ruminant into this state unless the ruminant is accompanied by a valid interstate health certificate of veterinary inspection. The certificate shall comply with s. Ag 11.02, and shall contain the number of the import permit assigned by the department under sub. (2).

(2) **IMPORT PERMIT.** No person may import a llama or other exotic ruminant into this state without an import permit from the department. A permit application shall be made on a form prescribed by the department, and shall include all relevant information required by the department,

ment. The department shall grant or deny a permit application within 10 days after it receives a complete application.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Ag 11.55 Cervidae import requirements. (1) **INTERSTATE HEALTH CERTIFICATE REQUIRED.** No person may import a cervid into this state unless the cervid is accompanied by a valid interstate health certificate or certificate of veterinary inspection. The certificate shall comply with s. Ag 11.02, and shall also include the following information:

- (a) A report of negative tuberculosis tests under sub. (2).
- (b) The confirmation number assigned by the department under sub. (4).

(2) **TUBERCULOSIS TESTS.** (a) *Requirement.* Except as provided under par. (d) or s. Ag 11.53 (2) (cm), no person may import a cervid into this state unless both the following conditions are met:

1. The cervid tests negative on a tuberculosis test conducted not more than 60 days before the cervid enters this state.

2. The cervid comes directly from a herd of origin under par. (c), and all animals over 6 months of age in the herd of origin test negative on a tuberculosis test conducted within 12 months before the imported cervid enters this state.

(b) *Method of testing.* Notwithstanding s. Ag 11.01 (81), the tuberculosis test required under par. (a) shall be a cervical test, unless the department authorizes another test method in writing.

(c) *Herd of origin.* A herd of origin, for purposes of par. (a) 2, means a herd into which the cervid was born, or a herd in which the cervid spent at least the last 6 months before being imported into Wisconsin.

(d) *Exemptions.* Tuberculosis tests are not required under par. (a) for any of the following:

1. A cervid imported directly to a licensed slaughter establishment for slaughter.

2. A cervid less than 6 months old.

(3) **ANIMAL FROM SUSPECT HERD MAY NOT BE IMPORTED.** If any animal in the herd of origin of any cervid has a response to any tuberculosis test, no cervid from that herd of origin may be imported into this state, except to a licensed slaughter establishment for slaughter.

(4) **REPORT OF INTENDED IMPORT.** No person may import a cervid into this state unless that person reports the proposed import to the department at least 5 days before the cervid is imported. The department shall confirm filing of the report by issuing a confirmation number, which must be included on the certificate issued under sub. (1). Confirmation of the report does not authorize import of the cervid, unless the cervid is accompanied by a health certificate, as required by sub. (1).

History: Emerg. cr. eff. 3-18-91; cr. Register, November, 1991, No. 431, eff. 12-1-91.

Ag 11.56 Keeping and moving cervidae within Wisconsin. (1) **HEALTH CERTIFICATE REQUIRED FOR MOVEMENT.** Except as provided under sub. (2), no person may move any cervid between locations in this state unless
Register, November, 1991, No. 431

the cervid is accompanied by a certificate of veterinary inspection or an interstate health certificate signed by an accredited veterinarian. The certificate shall state that the cervid tested negative for tuberculosis within 90 days prior to the move, using the cervical test.

(2) **EXEMPTIONS.** Sub. (1) does not apply if any of the following conditions are met:

(a) The cervid is shipped directly to a licensed slaughter establishment for slaughter.

(b) The cervid is moved directly between 2 premises, both of which are owned or operated by the cervid owner.

(c) The cervid is moved directly from a zoo or zoological park to another zoo or zoological park.

(d) The cervid is less than 6 months old.

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

History: Emerg. cr. eff. 3-18-91; cr. Register, November, 1991, No. 431, eff. 12-1-91.

Subchapter VIII — Movement and Exhibition

Ag 11.60 Sale or movement of diseased animals. (1) **GENERAL.** No person may, in connection with the import, sale, movement or exhibition of any animal, do any of the following:

(a) Knowingly conceal that the animal has been infected with or exposed to any contagious or infectious disease.

(b) Knowingly misrepresent that the animal has not been exposed to or infected with any contagious or infectious disease.

(c) Knowingly permit an animal that has been exposed to or infected with a contagious or infectious disease to commingle with other animals under conditions which may cause the disease to spread to an animal owned by another person.

(2) **PARATUBERCULOSIS; SALE OR MOVEMENT OF INFECTED ANIMALS PROHIBITED.** Except as provided under sub. (4), no person may sell or move any animal which is infected with paratuberculosis, as determined by a fecal culture or by a department epidemiologist.

Note: This subsection does not prohibit the sale of an animal from a herd in which paratuberculosis has been detected, provided that the animal is not individually infected. However, all sales are subject to the prohibitions under sub. (1). In each contract for the sale of an animal, there is an implied warranty under s. 95.195, Stats., that the animal is not infected with paratuberculosis, unless the seller does one of the following:

(1) Notifies the buyer in writing before the sale that the animal is not warranted as being uninfected with paratuberculosis.

(2) Complies with paratuberculosis testing and disclosure requirements prescribed by department rule.

Register, November, 1991, No. 431

(3) OTHER DISEASES; SALE OR MOVEMENT OF INFECTED OR EXPOSED ANIMALS PROHIBITED. Except as provided under sub. (4), no person may sell or move any animal which is infected with or exposed to any of the following contagious or infectious diseases:

1. Anaplasmosis.
2. Anthrax.
3. Brucellosis.
4. Equine encephalomyelitis.
5. Equine infectious anemia.
6. Foot and mouth disease.
7. Hog cholera.
8. Infectious stomatitis.
9. *Mycoplasma gallisepticum*.
10. Pseudorabies.
11. Psoroptic mange.
12. Pullorum.
13. Rabies.
14. Salmonellosis in poultry.
15. Sheep foot rot.
16. Swine dysentery.
17. Tuberculosis.
18. Vesicular exanthema.

Note: Animals infected with or exposed to other contagious or infectious diseases, not listed under this subsection, may be quarantined at the discretion of the department under s. Ag 11.70.

(4) PERMIT TO MOVE. The department may issue a permit allowing the movement of animals under sub. (3) or (4) for slaughter or other purposes prescribed by the department in the permit. Movement of animals is subject to all terms and conditions prescribed by the department in the permit. The department shall grant or deny a permit under this subsection within 5 business days after the department receives a complete permit application containing all information required by the department.

(5) BRUCELLOSIS EXPOSED ANIMALS. (a) Except as provided under par. (c), a bovine animal shall be branded with the letter "S" on the left jaw prior to movement if any of the following applies:

1. The animal is part of a herd quarantined for brucellosis.
2. The animal has been in contact for 24 hours or longer with a brucellosis reactor.
3. The animal has had any contact with a brucellosis reactor if the reactor has aborted or calved within the past 30 days and has had a vaginal or uterine discharge.

AGRICULTURE, TRADE & CONSUMER PROTECTION 112-31
Ag 11

(b) The "S" brand under par. (a) may not be less than 2 inches nor more than 3 inches high.

(c) This subsection does not apply to a brucellosis reactor branded in compliance with s. Ag 11.10 (3) (b).

(6) TUBERCULOSIS REACTORS. Tuberculosis reactors shall be shipped directly to slaughter, pursuant to a permit under sub. (4). The permit shall specify the place of slaughter.

(7) REPORT OF SLAUGHTER. An operator of a slaughtering establishment which receives an animal for slaughter under sub. (4) shall report to the department the description and results of any post-mortem examination of the animal. The report shall be filed within 7 days after the animal is received at the slaughtering establishment.

(8) PSEUDORABIES EXPOSED ANIMALS. (a) Swine that are infected with pseudorabies, or that are part of a herd under quarantine for pseudorabies, shall be held separate and apart from all other swine until slaughtered. A swine which comes in contact with infected swine or with swine from a quarantine herd shall be classified as "exposed" and may move only for slaughter, unless otherwise determined in writing by the department.

(b) Pseudorabies quarantined or exposed swine may not be moved except under a department permit which specifies the herd of origin and the place of destination. A separate permit shall accompany each movement until the animals are slaughtered. The department shall notify persons affected by the movement, as provided under s. Ag 10.31 (6).

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Ag 11.61 Removal of livestock from slaughtering establishments. No person may remove any livestock from a slaughtering establishment after the animal has been weighed and purchased by the slaughtering establishment unless the animal is removed under a special permit issued by the state veterinarian. The state veterinarian shall grant or deny a permit within 5 business days after he or she receives a complete application.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Ag 11.62 Exhibitions and fairs. (1) VETERINARIAN TO INSPECT LIVESTOCK. If a fair or livestock exhibition in this state lasts for more than 24 hours, the sponsors of the fair or exhibition shall appoint a licensed veterinarian to conduct a daily inspection of all livestock at the fair or exhibition. The veterinarian shall also review all records and test results required by this section. If a fair or livestock exhibition lasts less than 24 hours, all records and test results required by this section shall be reviewed by a licensed veterinarian or by the show chairperson.

(2) SWINE. (a) No person may exhibit any swine at a fair or livestock exhibition unless the swine are accompanied by a certificate of veterinary inspection or an interstate health certificate signed by an accredited veterinarian. The certificate shall state that the herd of origin has been inspected on the farm and that no apparent disease has been present in the herd for the past 30 days.

Register, November, 1991, No. 431

(b) No person may exhibit any breeding swine at a fair or livestock exhibition unless the swine tests negative for pseudorabies in a pseudorabies test performed within 30 days prior to exhibition.

(c) No person may exhibit any non-breeding swine at a fair or livestock exhibition unless one or both of the following applies;

1. All breeding swine have been removed from the premises of the fair or exhibition before the non-breeding swine arrives, and the non-breeding swine is shipped directly from the fair or exhibition to a slaughtering establishment for slaughter.

2. The non-breeding swine tests negative for pseudorabies in a test performed within 30 days before the swine is exhibited.

(3) **BOVINE ANIMALS.** (a) *Brucellosis test.* No person may exhibit any bovine animal at a fair or livestock exhibition unless it is accompanied by a report of a complete negative brucellosis test conducted within 90 days before the animal arrives at the fair or exhibition. This does not apply to:

1. Steers.

2. Calves under 6 months of age.

3. Official vaccinates under 20 months of age if accompanied by an official vaccination report.

4. An animal which is documented as being a member of a certified brucellosis free herd.

Note: Bovine animals imported to this state for exhibition at a fair or livestock exhibition must also comply with applicable import requirements under s. Ag 11.11. Bovine animals moved within this state must comply with applicable brucellosis testing requirements under s. Ag 11.16.

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

(4) **POULTRY.** No poultry, except waterfowl, may be exhibited at a fair or public exhibition unless one of the following applies:

(a) The poultry originate from a flock or state designated as "U.S. Pullorum-Typhoid Clean" under the national poultry improvement plan, or from a flock meeting equivalent standards.

(b) The poultry test negative for pullorum-typhoid on a test approved by the department within 90 days before the poultry arrive at the fair or exhibition. Testing is required only for sexually mature birds over 4 months of age having a full complement of fully developed adult feathers. Turkeys may be tested for exhibition or fairs by the use of the negative plate test.

(5) **HEALTH RECORDS.** Every person who exhibits livestock or poultry at a fair or exhibition in this state shall make available for inspection by Register, November, 1991, No. 431

the department, at the fair or exhibition, copies of all required health certificates and test reports. Copies of these documents may be filed with the show chairman or attending veterinarian, who shall ensure that the documents are available for inspection by the department.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Subchapter IX — Enforcement

Ag 11.70 Quarantines. (1) **SUMMARY ACTION.** The department may summarily issue quarantine orders to control contagious, infectious or communicable diseases which may affect domestic or exotic animals in this state. No person may remove any animal from premises under quarantine, or fail to comply with the terms and conditions of a quarantine order.

(2) **SERVICE OF NOTICE.** A quarantine order under this section shall be served upon a person having custody or control of the quarantined animals, or shall be posted on the premises affected by the quarantine order. A quarantine order may be served by any of the following methods:

(a) Personal service.

(b) Certified mail.

(c) Posting a copy of the order at 2 conspicuous places on the premises affected by the quarantine.

(3) **PROOF OF SERVICE.** Service of a quarantine order may be proved by affidavit or by certified mail return receipt.

(4) **CONTENTS OF ORDER.** A quarantine order shall contain the following information:

(a) The name and address of a person having custody or control of the quarantined animals, if known.

(b) A description of the animals affected by the quarantine.

(c) A description of the premises affected by the quarantine.

(d) The reason or justification for the quarantine.

(e) All terms and conditions applicable to the quarantine.

(f) Notice that persons adversely affected by the quarantine may request a hearing to review the quarantine order.

(5) **DURATION OF QUARANTINE.** A quarantine remains in effect until a written notice of release is issued by the department, unless the quarantine is set aside after review under sub. (6).

(6) **REVIEW OF QUARANTINE.** A person adversely affected by a quarantine may, within 30 days after the quarantine order is issued, request a hearing before the department to review the quarantine. The department shall conduct an informal hearing as soon as reasonably possible, and not later than 10 days after receiving a request for hearing. If the matter is not resolved after informal hearing, the person requesting the hearing may seek a formal hearing before the department under ch. 227, Stats. A request for hearing does not stay a quarantine order.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Register, November, 1991, No. 431

Ag 11.71 Destruction or removal of animals illegally imported. (1) **SUMMARY ACTION.** The department may summarily order the destruction or removal from this state of any animal imported into this state if either of the following applies:

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

(b) The animal is imported in violation of this chapter, or in violation of any permit condition under this chapter.

(2) **SERVICE OF NOTICE.** An order under sub. (1) shall be served upon a person having custody or control of the animal affected by the order. The order may be served in person or by certified mail. Service may be provided by affidavit or by certified mail return receipt.

(3) **CONTENTS OF ORDER.** An order under sub. (1) shall contain all of the following information:

(a) The name and address of the person having custody or control of the animals, if known.

(b) A description of the animals affected by the order.

(c) The reason or justification for the order.

(d) A reasonable deadline for compliance with the order.

(e) Notice that persons adversely affected by the order may request a hearing to review the order.

(4) **REVIEW OF ORDER.** A person adversely affected by an order under sub. (1) may, within 30 days after receiving the order, request a hearing before the department to review the order. If a hearing is requested, the department shall conduct an informal hearing as soon as reasonably possible, and not later than 10 days after receiving the request for hearing. If the matter is not resolved after informal hearing, the person requesting the hearing may seek a formal hearing before the department under ch. 227, Stats. A request for hearing under this subsection does not postpone the deadline for compliance with the order unless the deadline is postponed by further order of the department.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Ag 11.72 Prohibited conduct. No persons may:

(1) Knowingly make any false report or statement to the department concerning:

(a) The ownership, identification, age, vaccination status, test status, or health status of livestock; or

(b) The purchase, sale or movement of livestock.

(2) Sell or move any animal in violation of s. Ag 11.60, or in violation of a quarantine order under s. Ag 10.70 or 11.70.

(3) Buy, sell, lease or exchange livestock in the name of any person other than a licensed livestock dealer, a licensed livestock market operator, or the person holding or acquiring an ownership or leasehold interest in the livestock.

Register, November, 1991, No. 481

AGRICULTURE, TRADE & CONSUMER PROTECTION 112-35
Ag 11

(4) Transport any livestock without health certificates, permits, or other documents required by ch. Ag 10 or this chapter.

(5) Fail or refuse, upon reasonable demand by an authorized agent of the department, to permit the examination of:

(a) Animals in transit; or

(b) Health or shipping documents or accompanying animals in transit.

(6) Fail to provide, within 10 days following the receipt of a written request from the department, any relevant report or document relating to the transportation of animals. The department may extend the compliance deadline under this subsection for good cause shown.

(7) Cause or permit a susceptible healthy animal to commingle with a diseased animal while in transit, unless the entire load of animals is shipped directly to slaughter or the commingling is authorized by the department.

(8) Cause or permit the commingling of different livestock species during transit.

(9) Advertise or claim to be licensed by the department, unless the advertisement or claim is true.

(10) Use or possess any unauthorized brand or tattoo device, or use or possess an official brand or official tattoo device without express authorization from the department.

(11) Park or store a vehicle containing animal remains or animal waste in any place where it creates a health hazard or a public nuisance.

(12) Deposit animal remains or animal waste in any place where the deposit creates a health hazard or a public nuisance.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.