

Ag 10

STATE OF WISCONSIN)
DEPARTMENT OF AGRICULTURE,) SS
TRADE AND CONSUMER PROTECTION)

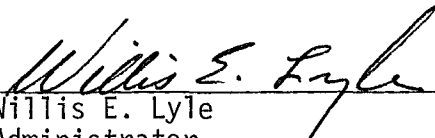
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SEP 24 1979
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REVISOR OF STATUTES
BUREAU

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Willis E. Lyle, Administrator, Animal Health Division, State of Wisconsin Department of Agriculture, Trade and Consumer Protection, and custodian of the official records of said Division, do hereby certify that the annexed order amending rules relating to bovine mastitis, section Ag 10.35, Wis. Adm. Code, was duly approved and adopted by the Department on September 21, 1979.

I further certify that said copy has been compared by me with the original on file in the Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the Department offices in the city of Madison, this 21st day of September, 1979.



Willis E. Lyle
Administrator
Animal Health Division

ORDER OF THE STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE, TRADE & CONSUMER PROTECTION
ADOPTING, AMENDING OR REPEALING RULES

Pursuant to authority vested in the State of Wisconsin Department of Agriculture, Trade and Consumer Protection by sections 93.07(1) and (10), 97.24(4), and 97.52, Wis. Stats., the State of Wisconsin Department of Agriculture, Trade and Consumer Protection hereby repeals, amends and adopts rules as follows:

Section Ag 10.35 (1) through (4) of the WISCONSIN ADMINISTRATIVE CODE are amended to read:

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

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

subjected to bacteriological and microscopic examination to determine whether the milk is insanitary and adulterated under sub. (3). Holding orders may be issued on the milk pending laboratory examination.

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

(4) CONTROL PROCEDURES; EXCLUSION OF MILK. The department may investigate causes of mastitis in infected herds and in cooperation with the herd owner's veterinarian suggest methods of control. If corrective action is not taken by the herd owner and subsequent tests indicate that milk from the herd is insanitary and adulterated under sub. (3), the department may by order, prohibit the further sale or delivery of milk from an infected herd until:

(a) the herd owner follows a mastitis control program prescribed by a veterinarian or approved by the department, and (b) the incidence of mastitis in the herd has been eliminated or substantially reduced as determined by a direct cell count of herd milk disclosing less than 750,000 cells per ml. As an additional control measure, the department may quarantine individual animals or an entire

herd as necessary. A herd owner under an order of quarantine may petition the department for a hearing in the manner prescribed by section Ag 10.10 (1), Wis. Adm. Code.

Dated: September 21, 1979.

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By Willis E. Lyle
Willis E. Lyle, Administrator
Animal Health Division

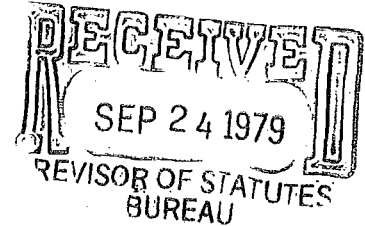
CORRESPONDENCE/MEMORANDUM

STATE OF WISCONSIN

Date: September 24, 1979

File Ref:

To: Secretary of State



From: G. A. Schueler, Counsel
Department of Agriculture, Trade
and Consumer Protection

Subject: Filing of Section Ag 10.35, Bovine Mastitis; Detection and Control.

On August 14, 1979, the department erroneously filed with the Secretary of State and the Revisor of Statutes, under s. 227.023(1), Stats., certified copy of amendments to section Ag 10.35, bovine mastitis rules, represented as having been rules adopted by the department on August 13, 1979. As the proposed rule changes were first published in the July, 1979, Administrative Register under 30-day notice procedures, the department could not formally adopt, file or publish the proposed rules as final rules of the department until after expiration of the 30-day notice period, or September 1, 1979. The rules as filed August 14, 1979, therefore, do not represent rules validly adopted by the department.

As the 30-day notice period has now expired, the department is at this time formally adopting s. Ag 10.35 rule changes and refileing them with the Secretary of State's office and the Revisor of Statutes and ask that you rescind and nullify the prior adoption of these rules on August 14, 1979. We are sorry for this oversight and hope that this has not inconvenienced you in any way. It will be important, however, to cancel the prior August 14 filing so that the records in the Secretary of State's office will show the proper adoption of these rule changes.

GAS:clm

cc: ✓ Gary Poulson, Revisor of Statutes