

No. 592, A.]

[Published June 20, 1957.

CHAPTER 212

AN ACT to repeal 95.26 (6) (a) and 95.49 (1) (a) and (2); to renumber 95.26 (6) (b); to amend 93.07 (10) and 95.49 (1) (intro. par.) and (b); to repeal and recreate 95.23 and 95.26 (2), (3), (4) and (5); and to create 95.49 (5) of the statutes, clarifying the Brucellosis control program and deleting obsolete provisions.

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

SECTION 1. 93.07 (10) of the statutes is amended to read:

93.07 (10) To protect the health of domestic animals of the state; to determine and employ the most efficient and practical means for the

prevention, suppression, control and eradication of communicable diseases among domestic animals, and for these purposes it 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 may deem necessary.

SECTION 2. 95.23 of the statutes is repealed and recreated to read:

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.

(2) Upon request of an authorized inspector or agent of the department, sheriffs and police officers shall assist in the enforcement of the laws relating to animal health.

(3) Upon reasonable notice from the department, owners or persons in charge of animals shall cause them to be restrained or confined so that they may be identified, examined and tested or otherwise treated or disposed of as authorized by law.

SECTION 3. 95.26 (2), (3), (4) and (5) of the statutes are repealed and recreated to read:

95.26 (2) All milk and cream received at every dairy plant shall be tested at approximate 6-month intervals by the A.B.R. test, and Brucellosis tests shall be applied promptly to cattle when the milk or cream therefrom discloses a positive reaction to the A.B.R. test. Brucellosis tests, approximately every 12 months, shall be applied to cattle which are not tested by means of A.B.R. tests. All cattle, except steers, spayed heifers, calves under 8 months of age and official vaccinates under 30 months of age, shall be subject to the Brucellosis test. Brucellosis tests and official vaccination provided for in this section may be performed by any veterinarian approved by the department and selected by the cattle owner. When Brucellosis tests are not conducted by any such veterinarian within 15 days of the date notice to test is mailed to such cattle owner, the department shall conduct such tests. Except where compensated by the federal government, approved veterinarians performing testing and vaccination under this section shall be paid by the state at uniform rates established by the department. Blood samples drawn for the Brucellosis test shall be submitted to the department promptly for laboratory examination.

(3) Female calves eligible for official vaccination as provided in s. 95.47 shall be so vaccinated against Brucellosis, but such vaccination shall not be required when the calves are located at premises where no reactors have been found during a period of 12 months prior to the date on which the calf became eligible for vaccination.

(4) Cattle which are classified as "reactors" to the Brucellosis test (whether or not conducted pursuant to this section) shall be slaughtered. A report of any test disclosing reactors shall be mailed to the owner thereof. The reactors shall be identified by a reactor tag and permanent mark as prescribed by the department. The owner shall effect slaughter of the reactors within 15 days of the date they are so identified, except that the department, for cause shown, may extend such time an additional 15 days. In the event the owner of reactors shall fail to comply with this subsection within the time limited, the department shall cause the removal and slaughter of such reactors. No indemnity shall be paid on

any reactors disposed of by the department. No milk shall be sold from any reactors or from any herd of cattle in which reactors are kept contrary to the provisions of this section.

(5) When reactors to any Brucellosis test are disclosed in a herd of cattle the department shall quarantine the herd by serving written notice thereof, either personally or by mail, on the owner or person in charge, but such quarantine shall not be imposed if the department, upon the basis of the clinical history of the herd with respect to Brucellosis and the recommendation of the attending veterinarian, determines it is improbable that the cattle will contract Brucellosis. No cattle subject to the Brucellosis test shall be removed from premises where the cattle are quarantined, except upon written permit of the department. The quarantine shall remain in force until the remaining cattle have been retested with the Brucellosis test not sooner than 30 days following the removal of all reactors and such retest discloses no additional reactors. Such retests shall be conducted as the department finds necessary to eliminate all reactors.

SECTION 4. 95.26 (6) (a) of the statutes is repealed.

SECTION 5. 95.26 (6) (b) of the statutes is renumbered 95.26 (6).

SECTION 6. 95.49 (1) (intro. par.) of the statutes is amended to read:

95.49 (1) (intro. par.) It * * * is 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 * * * , but * * * this paragraph * * * shall not apply to the following:

SECTION 7. 95.49 (1) (a) of the statutes is repealed.

SECTION 8. 95.49 (1) (b) of the statutes is amended to read:

95.49 (1) (b) Calves under * * * 8 months of age, *spayed heifers* and steers.

SECTION 9. 95.49 (2) of the statutes is repealed.

SECTION 10. 95.49 (5) of the statutes is created to read:

95.49 (5) This section shall not be construed to authorize the movement of any animals in violation of any other provision of ch. 95 or of any quarantine or animal health regulation issued by the department as authorized by law.

Approved June 17, 1957.
