

# **05hr\_CRule\_06-009\_AC-Ag\_pt01c**



Details:

(FORM UPDATED: 07/12/2010)

## **WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS**

### **2005-06**

(session year)

### **Assembly**

(Assembly, Senate or Joint)

### **Committee on ... Agriculture (AC-Ag)**

#### **COMMITTEE NOTICES ...**

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**
- Record of Comm. Proceedings ... **RCP**

#### **INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL**

- Appointments ... **Appt**
- Clearinghouse Rules ... **CRule**
- Hearing Records ... bills and resolutions
  - (**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)
  - (**sb** = Senate Bill)                              (**sr** = Senate Resolution)                      (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

- 1           1. An animal in the herd tests positive for pseudorabies.
- 2           2. The herd owner fails to comply with certification requirements.

3           (b) The state veterinarian may issue a summary suspension or revocation notice under  
4 par. (a). The notice shall state the reason for the suspension or revocation.

5           **NOTE:** A herd owner affected by a suspension or revocation may request a hearing  
6                   before the department under ch. 227.42, Stats., and ch. ATCP 1. A request for a  
7                   hearing does not automatically stay the summary suspension or revocation.

8  
9           **ATCP 10.28 Swine brucellosis; testing and control. (1) WHO MAY COLLECT TEST**  
10 **SAMPLES.** A person who collects a swine brucellosis test sample, for purposes of this chapter or  
11 ch. ATCP 12, shall be one of the following:

12           (a) An accredited veterinarian. If the veterinarian collects the test sample from a swine  
13 in this state, the veterinarian shall also be a Wisconsin certified veterinarian.

14           (b) An authorized employee or agent of the department or the federal bureau.

15           **(2) TEST PROCEDURES.** Swine brucellosis test sample collection and testing shall comply  
16 with the brucellosis uniform methods and rules. A laboratory approved by the department or the  
17 federal bureau shall conduct swine brucellosis tests.

18           **NOTE:** The brucellosis uniform methods and rules are on file with the  
19                   department, the secretary of state and the revisor of statutes.  
20                   Copies may be obtained from the USDA website at:  
21                   [www.aphis.usda.gov/vs/index.html](http://www.aphis.usda.gov/vs/index.html). Copies may be obtained by  
22                   writing to the following address:

23  
24                   Wisconsin Department of Agriculture,  
25                   Trade and Consumer Protection  
26                   Division of Animal Health  
27                   P.O. Box 8911  
28                   Madison, WI 53708-8911  
29

1           (3) REPORTING TEST RESULTS. A veterinarian who collects a swine brucellosis test  
2 sample from a swine in this state shall report the test results to the department and the swine  
3 owner according to s. ATCP 10.04(1).

4           (4) REACTORS. (a) The department or the federal bureau shall classify, as a brucellosis  
5 reactor, any swine that qualifies as a reactor under the brucellosis uniform methods and rules.

6           (b) Within 15 days after the department or the federal bureau classifies a swine as a  
7 brucellosis reactor, the herd owner shall do all the following:

8           1. Have the swine identified as a reactor, and shipped to a slaughtering establishment for  
9 slaughter, according to the brucellosis uniform methods and rules. The operator shall obtain a  
10 department permit under s. ATCP 10.08(3) for the slaughter shipment.

11           2. Clean and disinfect the premises where the swine was kept.

12           (c) The department may, for good cause, extend a deadline under par. (a), but may not  
13 extend a deadline under par. (a)1. by more than 15 days.

14           **NOTE:** The brucellosis uniform methods and rules are on file with the  
15 department, the secretary of state and the revisor of statutes. Copies  
16 may be obtained from the USDA website at:  
17 [www.aphis.usda.gov/vs/index.html](http://www.aphis.usda.gov/vs/index.html). Copies may also be obtained by  
18 writing to the following address:

19  
20                           Wisconsin Department of Agriculture,  
21                           Trade and Consumer Protection  
22                           Division of Animal Health  
23                           P.O. Box 8911  
24                           Madison, WI 53708-8911

25           (d) A swine owner may request an indemnity under s. 95.26(7), Stats., for a brucellosis  
26 reactor slaughtered under par. (b)1. The animal owner shall file the request with the department,  
27 on a form provided by the department. The owner shall include, with the request, a slaughter

1 confirmation signed by an authorized employee of the department or the federal bureau. A swine  
2 owner does not qualify for an indemnity if the owner fails to comply with par. (b).

3 **ATCP 10.29 Swine brucellosis-free herd; certification. (1) CERTIFICATION.** The  
4 department may certify a herd of swine as a validated brucellosis-free herd if the herd qualifies  
5 for that certification under the brucellosis uniform methods and rules. To maintain the herd  
6 certification, the herd owner shall comply with applicable requirements under the brucellosis  
7 uniform methods and rules.

8 **NOTE:** The brucellosis uniform methods and rules are on file with the  
9 department, the secretary of state and the revisor of statutes. Copies  
10 may be obtained from the USDA website at:  
11 [www.aphis.usda.gov/vs/index.html](http://www.aphis.usda.gov/vs/index.html). Copies may also be obtained by  
12 writing to the following address:

13  
14 Wisconsin Department of Agriculture,  
15 Trade and Consumer Protection  
16 Division of Animal Health  
17 P.O. Box 8911  
18 Madison, WI 53708-8911  
19

20 **(2) SUSPENDING OR REVOKING CERTIFICATION.** (a) The department may summarily  
21 suspend or revoke a certification under sub. (1) if any of the following occur:

- 22 1. A swine in the herd tests positive for brucellosis.  
23 2. The herd owner fails to comply with sub. (1).

24 (b) The state veterinarian may issue a summary suspension or revocation notice under  
25 par. (a). The notice shall state the reason for the suspension or revocation.

26 **NOTE:** A herd owner affected by a suspension or revocation may request a hearing  
27 before the department under ch. 227.42, Stats., and ch. ATCP 1. A request for a  
28 hearing does not automatically stay a summary suspension or revocation.  
29

30 **ATCP 10.30 Swine imports. (1) CERTIFICATE OF VETERINARY INSPECTION. (a)**  
31 *Requirement.* Except as provided in par. (b), no person may import a swine into this state unless

1 the swine is accompanied by a valid certificate of veterinary inspection. The certificate shall  
2 include all of the following information:

3 1. The official individual identification of the swine.

4 **NOTE:** A person may use, as the official individual identification of  
5 feeder swine, the premises identification of the premises where the  
6 feeder swine originated. See s. ATCP 10.01(71)(j).

7 2. The import permit number if an import permit is required under sub. (2).

8 3. If sub. (5)(a) applies, a statement certifying that no pseudorabies vaccine has been  
9 used on the swine.

10 4. If sub. (3)(a) applies, the identification number of the pseudorabies qualified negative  
11 herd or pseudorabies qualified negative grow-out herd from which the swine originates, and the  
12 date of the last herd qualifying test.

13 5. If sub. (4)(a) applies, a report of a negative brucellosis test conducted not more than  
14 30 days before the swine enters this state.

15 6. Any other information required under this section.

16 (b) *Exemptions.* Paragraph (a) does not apply to any of the following:

17 1. Swine imported directly to a slaughtering establishment for slaughter.

18 2. Swine imported directly to a federally approved livestock import market under s.  
19 ATCP 10.07(4).

20 **NOTE:** ATCP 10.07(4)(c) prohibits the operator of a federally approved  
21 livestock import market from releasing imported swine to a  
22 location in this state unless the swine meet import requirements  
23 under this chapter. Animals shipped directly to slaughter are  
24 exempt from certain import requirements that would otherwise  
25 apply.

1           3. A swine imported directly to a veterinary facility for treatment, provided that the  
2 swine is returned to its state of origin immediately following treatment and there is no change of  
3 ownership while the swine is in this state.

4           4. A swine returning directly to its place of origin in this state following treatment in a  
5 veterinary facility outside this state, provided that the swine was shipped directly to the  
6 veterinary facility and there was no change of ownership while the swine was outside the state  
7 for veterinary treatment.

8           (c) *Prompt delivery to department.* Within 24 hours after a veterinarian issues a  
9 certificate of veterinary inspection for swine that are being imported to this state from a state  
10 designated as a pseudorabies stage I, II or III state by the federal bureau, the veterinarian shall  
11 deliver a copy of that certificate to the department. The veterinarian may deliver the certificate  
12 by fax or other electronic transmission.

13           (2) **IMPORT PERMIT.** (a) *Requirement.* Except as provided in par. (b), no person may  
14 import any swine into this state without an import permit under s. 10.07(2).

15           (b) *Exemptions.* Paragraph (a) does not apply to any of the following:

- 16           1. Swine imported directly to a slaughtering establishment for slaughter.
- 17           2. Swine imported directly to a federally approved livestock import market.
- 18           3. Swine originating from a state designated as a pseudorabies stage IV or V state by the  
19 federal bureau.
- 20           4. Micro pigs imported directly to a laboratory pursuant to a written import permit under  
21 sub. (9).

22           (c) *Permit application.* An application for a permit under par. (a) shall comply with s.  
23 ATCP 10.07(2) and shall also include the following information if sub. (3)(a) applies:

1           1. The identification number of the pseudorabies qualified negative herd or pseudorabies  
2 qualified negative grow-out herd from which the swine originate.

3           2. The date of the last herd test that qualified the herd of origin as a pseudorabies  
4 qualified negative herd or pseudorabies qualified negative grow-out herd.

5           (d) *Herd Plan.* The department may not issue an import permit under par. (a) for  
6 animals originating from a state designated as a pseudorabies stage I or II state by the federal  
7 bureau unless the person receiving the import shipment has entered into a herd plan with the  
8 department.

9           **(3) SWINE MUST ORIGINATE FROM A PSEUDORABIES QUALIFIED NEGATIVE HERD.** (a)  
10 *Requirement.* Except as provided in par. (b), no person may import swine into this state unless  
11 the swine originate from a pseudorabies qualified negative herd or, if the swine originate from an  
12 off-site facility, a pseudorabies qualified negative grow-out herd that qualifies on the basis of  
13 monthly testing.

14           (b) *Exemptions.* Paragraph (a) does not apply to any of the following:

15           1. Swine imported directly to a slaughtering establishment for slaughter.

16           2. Swine imported directly to a federally approved livestock import market.

17           3. Swine originating from a state designated as a pseudorabies stage IV or V state by the  
18 federal bureau.

19           4. Swine originating from a state designated as a pseudorabies stage III state by the  
20 federal bureau, if the swine are imported for feeding for slaughter.

21           5. Breeder swine or show pigs that originate from a state designated as a pseudorabies  
22 stage III state by the federal bureau, if the swine or show pigs have tested negative for  
23 pseudorabies on a test conducted not more than 30 days before the swine enters this state.

1           6. Micro pigs imported directly to a laboratory pursuant to a written import permit under  
2 sub. (9).

3           **(4) BRUCELLOSIS TEST.** (a) *Requirement.* Except as provided in par. (b), no person may  
4 import swine into this state unless the swine test negative on a pre-import brucellosis test  
5 conducted not more than 30 days before the swine enter this state.

6           (b) *Exemptions.* Paragraph (a) does not apply to any of the following:

7           1. Swine imported directly to a slaughtering establishment for slaughter.

8           2. Swine imported directly to a federally approved livestock import market.

9           3. Swine originating from a state designated as a brucellosis stage III state by the federal  
10 bureau, unless testing is required under s. ATCP 10.07(1)(b).

11           4. Swine originating from a validated brucellosis-free herd.

12           5. Feeder swine.

13           6. Micro pigs imported directly to a laboratory pursuant to a written permit under sub.  
14 (9).

15           **(5) PSEUDORABIES VACCINATES; IMPORTS PROHIBITED.** (a) *Prohibition.* Except as  
16 provided in par. (b), no person may import into this state any swine that have been vaccinated for  
17 pseudorabies.

18           (b) *Exemptions.* Paragraph (a) does not apply to any of the following:

19           1. Swine imported directly to a slaughtering establishment for slaughter.

20           2. Micro pigs imported directly to a laboratory pursuant to a written permit under sub.

21 (9).

1           **(6) IMPORTED SWINE; ISOLATION AND PSEUDORABIES TESTING.** (a) *Requirement.* Except  
2 as provided in par. (b), a person receiving imported swine in this state shall do all of the  
3 following:

4           1. Isolate the imported swine from all other swine on the premises until the imported  
5 swine test negative for pseudorabies.

6           2. Have all the imported swine tested for pseudorabies not less than 30 days nor more  
7 than 45 days after the swine enter this state.

8           (b) *Exemptions.* Paragraph (a) does not apply to any of the following:

9           1. Swine imported directly to a slaughtering establishment for slaughter.

10          2. Swine imported directly to a federally approved livestock import market.

11          3. Swine originating from a state designated as a pseudorabies stage IV or V state by the  
12 federal bureau, unless testing is required under s. ATCP 10.07(1)(b).

13          4. An import shipment of swine that includes no breeder swine or show pigs, if the  
14 person receiving that shipment tests a representative statistical sample of these swine for  
15 pseudorabies. The person shall test the statistical sample not less than 30 days nor more than 45  
16 days after the swine enter this state. The person shall isolate all of the imported swine until the  
17 sample swine test negative for pseudorabies.

18          5. Micro pigs imported directly to a laboratory pursuant to a written permit under sub.  
19 (9).

20           **(7) SLAUGHTER SWINE IMPORTED FROM PSEUDORABIES STAGE I OR II STATE.** No person  
21 may import slaughter swine from a state designated as a pseudorabies stage I or II state by the  
22 federal bureau unless all the following apply:

23           (a) The swine are shipped in a sealed vehicle directly to a slaughter establishment.

1 (b) The swine are accompanied by a completed federal bureau form VS 1-27 and an  
2 import permit issued by the department under s. ATCP 10.07(2).

3 **NOTE:** Federal bureau form VS 1-27 must be completed by an accredited veterinarian,  
4 an authorized state animal health official or the federal bureau.

5 (8) SWINE IMPORTED FROM PSEUDORABIES STAGE I OR II STATE. (a) *Separation from*  
6 *breeding stock.* All of the following requirements apply to swine imported for finish feeding  
7 prior to slaughter, from a state designated as a pseudorabies stage I or II state by the federal  
8 bureau, and to all swine commingled with those swine:

9 1. The swine shall at all times be kept separate from breeding stock.

10 2. The swine may not be removed from the premises where they are received for feeding  
11 in this state, except for direct shipment to slaughter.

12 (9) LABORATORY IMPORT PERMIT. The department may issue a written import permit  
13 under s. ATCP 10.07(2) authorizing the import of micro pigs directly to a laboratory in this state,  
14 subject to all of the following conditions which shall be stated in the permit:

15 (a) The laboratory shall use the micro pigs for bona fide scientific research, studies or  
16 tests.

17 (b) The micro pigs shall be imported to the laboratory in a closed, biologically controlled  
18 environment that keeps the pigs biologically isolated from other swine.

19 (c) The micro pigs shall be confined in the laboratory so they are biologically isolated  
20 from other swine.

21 (d) The laboratory operator shall euthanize all of the micro pigs at the end of the study,  
22 test or experiment, and shall dispose of all carcasses in a manner that prevents biological  
23 exposure to other swine.

1           (10) GARBAGE-FED SWINE; IMPORT PROHIBITED. Swine fed on raw commercial garbage  
2 may not be imported into this state for slaughter or any other purpose. Swine fed on cooked  
3 commercial garbage may not be imported into this state unless the department first issues an  
4 import permit under s. ATCP 10.07(2) that identifies the imported swine as swine fed on cooked  
5 commercial garbage.

6           **ATCP 10.31 Slaughter swine identification. (1) IDENTIFICATION REQUIRED.** Except  
7 as provided in sub. (3), an animal trucker, animal dealer, animal market operator, federally  
8 approved livestock import market operator, or slaughtering establishment operator shall do all  
9 the following whenever that person receives a sow, boar or stag for slaughter, or for sale or  
10 shipment to slaughter:

11           (a) Identify the swine with an official swine backtag or other approved slaughter  
12 identification, unless the swine already bears an official slaughter identification.

13           (b) Make a record under sub. (2) for that swine.

14           (2) RECORD. (a) A record under sub. (1) (b) shall include all the following:

15           1. The swine's slaughter identification number.

16           2. The date on which the swine was received.

17           3. The date on which the slaughter identification was applied. If the swine already bore  
18 a slaughter identification when received, the record shall note that fact.

19           4. The name and address of the person from whom the swine was received.

20           5. The swine's class.

21           (b) The record under par. (a) shall be retained for at least 5 years, and shall be made  
22 available for inspection and copying upon request.

1           **(3) LOW-VOLUME SLAUGHTER ESTABLISHMENTS; EXEMPTION.** The department may, by  
2 written notice, exempt a slaughtering establishment from sub. (1) if all the following apply:

3           (a) The slaughtering establishment receives all of its swine directly from producers.

4           (b) The slaughtering establishment records the herd of origin of every swine slaughtered.

5           (c) The slaughtering establishment slaughters not more than 100 swine per day, and  
6 operates no more than 5 days per week.

7           **ATCP 10.32 Moving swine in Wisconsin. (1) PSEUDORABIES TEST REQUIRED.** Except  
8 as provided in sub. (2), no person may move swine within this state unless all the following  
9 apply:

10          (a) The swine have tested negative on a pseudorabies test conducted not more than 30  
11 days prior to the intrastate movement.

12          (b) A copy of the negative test report under par. (a) accompanies the swine. The  
13 operator of a swine growth performance test station shall keep copies of pseudorabies test reports  
14 for all swine moved into or out of the test station. The test station operator shall retain the copies  
15 for a period of 5 years, and make them available to the department for inspection and copying  
16 upon request.

17          **(2) EXEMPTIONS.** Subsection (1) does not apply if any of the following apply:

18          (a) This state has a federal bureau designation as a pseudorabies stage IV or V state at  
19 the time the swine are moved.

20          (b) The swine are moved from a qualified pseudorabies negative herd or a qualified  
21 pseudorabies negative grow-out herd, where they originate.

22          (c) The swine are moved directly to a slaughtering establishment for slaughter.

1 (d) The swine are moved to the premises of an animal dealer or animal market operator  
2 who complies with the testing requirement under sub. (1) before the swine are moved from those  
3 premises.

4 (e) The swine are moved only between premises owned or operated by the same person,  
5 who is at all times the owner of the swine.

## 6 **Subchapter V**

### 7 **EQUINE ANIMALS**

8 **ATCP 10.35 Equine infectious anemia. (1) SALE OF EQUINE ANIMAL; TESTING**  
9 **REQUIRED.** (a) Except as provided in par. (b), no person may sell or transfer ownership of any  
10 equine animal in this state unless one of the following applies:

11 1. The animal has tested negative for equine infectious anemia during the current  
12 calendar year and the official test report accompanies the animal.

13 2. The sale or transfer of ownership occurs on or before January 31, the animal has tested  
14 negative for equine infectious anemia during the preceding calendar year, and the official test  
15 report accompanies the animal.

16 (b) Paragraph (a) does not apply to any of the following:

17 1. A nursing foal accompanying its dam.

18 2. An equine animal sold directly to a slaughtering establishment for slaughter.

19 3. An equine animal consigned to an animal market for sale directly to slaughter. If the  
20 animal is not shipped directly to a slaughter establishment within 10 days after it is received at  
21 the market, it shall be tested immediately.

1           4. An equine animal sold to an animal market operator, provided that the animal market  
2 operator ships the animal directly to slaughter or has the animal tested for equine infectious  
3 anemia within 10 days after purchase.

4           **(2) WHO MAY COLLECT TEST SAMPLE.** A person who collects an equine infectious  
5 anemia test sample, for purposes of this chapter or ch. ATCP 12, shall be one of the following:

6           (a) An accredited veterinarian. If the veterinarian performs the test in this state, the  
7 veterinarian shall also be a Wisconsin certified veterinarian.

8           (b) An authorized employee or agent of the department or the federal bureau.

9           **(3) SAMPLE IDENTIFICATION AND TESTING.** A person who collects an equine infectious  
10 anemia test sample shall identify the sample with the official individual identification of the  
11 equine animal from which the sample was collected. Equine infectious anemia tests shall be  
12 conducted at a laboratory approved by the department or the federal bureau.

13           **(4) TEST POSITIVE AND EXPOSED ANIMALS.** (a) No person may move an equine animal  
14 that tests positive for equine infectious anemia, except as provided in this section. The  
15 department shall summarily quarantine every test positive animal. The quarantine notice shall  
16 include all of the following:

17           1. Notice of the positive equine infectious anemia test.

18           2. Notice that the owner or custodian may request a retest under sub. (5).

19           3. Notice that the state veterinarian may issue a branding order under sub. (6).

20           4. Notice of quarantine conditions, including the conditions under pars. (e) and (f).

21           (b) If the department finds that a test positive animal under par. (a) has participated in an  
22 event where it could have exposed other equine animals, the department shall notify the event

1 sponsor. The event sponsor shall notify other event participants their animals may have been  
2 exposed.

3 (c) The department may summarily quarantine any of the following:

4 1. Equine animals kept on the same premises with a test positive animal under par. (a).

5 2. Equine animals that may have been exposed to a test positive animal under par. (a).

6 (d) A quarantine under par. (a) or (c) shall comply with s. ATCP 10.91.

7 (e) An equine animal quarantined under par. (a) or (c) shall be kept in a stall or other  
8 facility from which flies are effectively excluded, or at least 300 yards from all equine animals  
9 that are not known to be infected.

10 **NOTE:** Equine infectious anemia is spread by biting flies.

11  
12 (f) No person may move, sell or transfer custody of an equine animal quarantined under  
13 par. (a) or (c) without a permit under s. ATCP 10.08(3).

14 **NOTE:** A person adversely affected by a quarantine under par. (a) or (c) may, within 30  
15 days after the quarantine is served, request a hearing on the quarantine as  
16 provided in s. ATCP 10.91(6). A request for hearing does not automatically stay  
17 a quarantine notice.

18  
19 (5) RETEST. (a) The department shall retest an animal quarantined under sub. (4)(a) if,  
20 within 10 days after the quarantine notice is served, the owner of the quarantined animal files a  
21 written retest request with the department and pays a retest fee of \$25. A retest request does not  
22 stay a quarantine notice under sub. (4)(a).

23 (b) A veterinarian employed by the department or the federal bureau shall collect the test  
24 sample for any retest under par. (a). The veterinarian shall verify that the retested animal is the  
25 same animal originally tested. The veterinarian shall collect the retest sample at least 14 days

1 after the department receives the retest request, but not more than 45 days after the initial test  
2 sample was collected.

3 (c) If a retest result is negative, the department may do any of the following:

4 1. Release the quarantine issued under sub. (4)(a).

5 2. Conduct additional testing to clarify the disease status of the animal.

6 (6) BRANDING ORDER. (a) The state veterinarian shall issue a branding order for each  
7 test positive animal quarantined under sub. (4)(a), unless one of the following applies:

8 1. The time for requesting a retest, or a hearing on the quarantine order, has not yet  
9 expired.

10 2. A person has made a timely request for hearing on the quarantine order, and the  
11 contested case proceeding is not yet completed.

12 3. A person has made a valid request for a retest under sub. (5), and the retest is not yet  
13 completed.

14 4. A retest fails to confirm the initial test result.

15 5. The state veterinarian is restrained by a judicial order, or by order of the department  
16 secretary or administrative law judge under ch. ATCP 1.

17 6. The department has released its quarantine under sub. (4)(a).

18 7. The state veterinarian determines that branding is not appropriate or necessary.

19 (b) A branding order under par. (a) shall be served on the owner and on the custodian of  
20 the animal to be branded. A veterinarian employed by the department or the federal bureau shall  
21 execute the branding order by applying a "35a" freeze brand to the left side of the animal's neck.  
22 The veterinarian may not execute the branding order sooner than 14 days after the branding order

1 is served on the owner and custodian of the animal, unless the owner and custodian consent in  
2 writing to the branding. No person may, except by judicial or administrative process, prevent the  
3 lawful execution of a branding order under this paragraph.

4 **NOTE:** A person adversely affected by a branding order may request a hearing on the  
5 order, pursuant to s. 227.42, Stats., and ch. ATCP 1. A request for hearing does  
6 not automatically stay the branding order.

7  
8 (c) An equine animal branded under par. (b) is released from the quarantine under sub.  
9 (4)(a), and may be moved without a permit under s. ATCP 10.08(3).

10 (d) An equine animal branded under par. (b) shall be kept in a stall or other facility from  
11 which flies are effectively excluded, or at least 300 yards from all equine animals that are not  
12 known to be infected.

13 **NOTE:** Equine infectious anemia is spread by biting flies.

14  
15 **ATCP 10.36 Equine animals; imports. (1) CERTIFICATE OF VETERINARY INSPECTION;**  
16 **REQUIREMENT.** Except as provided in sub. (2), no person may import an equine animal into this  
17 state unless the animal is accompanied by a valid certificate of veterinary inspection. The  
18 certificate shall include all of the following:

19 (a) The official individual identification of the equine animal.

20 (b) A report of a negative test for equine infectious anemia if required by sub. (3).

21 **(2) CERTIFICATE OF VETERINARY INSPECTION; EXEMPTIONS.** Subsection (1) does not  
22 apply to any of the following:

23 (a) An animal imported directly to a slaughtering establishment for slaughter.

24 (b) An animal imported directly to an animal market licensed under s. ATCP 12.02 if  
25 any of the following apply:

1           1. The animal is shipped directly to a slaughtering establishment, for slaughter, within 10  
2 days after it arrives at the animal market and before it is commingled with any equine animal that  
3 is not shipped to slaughter.

4           2. A Wisconsin certified veterinarian issues a certificate of veterinary inspection for the  
5 equine animal before the animal leaves the animal market or is commingled with any other  
6 equine animal at the market. The certificate shall include a report of a negative test for equine  
7 infectious anemia if required under sub. (3).

8           (c) An animal imported directly to a veterinary facility for treatment, provided that the  
9 animal is returned to its place of origin immediately after treatment.

10          (d) An animal returning to its place of origin in this state immediately after treatment in a  
11 veterinary facility outside this state.

12          (e) An animal imported for a trail ride, horse show or exhibition if all the following  
13 apply:

14           1. Ownership does not change while the animal is in this state.

15           2. The animal remains in this state for no more than 7 days.

16           3. The animal is accompanied by a report of a negative equine infectious anemia test that  
17 complies with sub. (3).

18           4. The animal originates from a state that allows Wisconsin equine animals to attend trail  
19 rides, horse shows or exhibitions in that state under similar conditions.

20          **(3) EQUINE INFECTIOUS ANEMIA TEST; REQUIREMENT.** Except as provided in sub. (4), no  
21 person may import any equine animal into this state unless one of the following applies:

22           (a) The animal has tested negative on an equine infectious anemia test conducted during  
23 the calendar year in which the animal is imported into this state.

1 (b) The animal is imported on or before January 31 of any calendar year and the animal  
2 tested negative for equine infectious anemia during the preceding calendar year.

3 (4) EQUINE INFECTIOUS ANEMIA TEST; EXEMPTIONS. Subsection (3) does not apply to any  
4 of the following:

5 (a) A nursing foal accompanying its dam.

6 (b) An animal imported directly to an animal market licensed under s. ATCP 12.02,  
7 provided that one of the following applies:

8 1. The animal is shipped directly to a slaughtering establishment, for slaughter, within 10  
9 days after it arrives at the animal market and before it is commingled with any other animal that  
10 is not shipped to slaughter.

11 2. The animal market operator has the animal tested for equine infectious anemia within  
12 10 days after it arrives at the market, and obtains the test results before the animal leaves the  
13 animal market and before it is commingled with any other equine animal at the animal market.

14 **NOTE:** If an animal tests positive for equine infectious anemia under par. (b)2., it must  
15 be treated according to sub. (4)(b).

16  
17 (c) An animal imported directly to a veterinary facility for treatment, provided that the  
18 animal is returned to its place of origin immediately after treatment.

19 (d) An animal returning to its place of origin in this state immediately after treatment in a  
20 veterinary facility outside this state.

21 (e) An animal imported pursuant to a permit under s. ATCP 10.07(2), if the import  
22 complies with all of the following permit conditions:

23 1. An equine infectious anemia test sample is collected from the animal before the  
24 animal is imported.

1           2. The animal is confined to the premises at which it is first received in this state until the  
2 test results are known. The animal may not be commingled with any other equine animals on the  
3 premises during that confinement period.

4           **NOTE:** If an animal tests positive for equine infectious anemia under par. (e), it must be  
5 treated according to sub. (4)(b).  
6

7           **(5) EQUINE INFECTIOUS ANEMIA; TEST POSITIVE ANIMALS.** (a) No person may import an  
8 equine animal that has tested positive for equine infectious anemia.

9           (b) If an equine animal tests positive for equine infectious anemia under sub. (4)(b)2. or  
10 (e) after it enters this state, the owner or custodian of the animal shall do one of the following:

11           1. Euthanize the animal on the premises where it is located.

12           2. Ship the animal directly to a slaughtering establishment for slaughter, pursuant to a  
13 department permit under s. ATCP 10.08(3).

14           3. Return the animal to its state of origin, pursuant to a department permit under s. ATCP  
15 10.08(3).

16           **ATCP 10.37 Foreign equine imports; quarantine station.** (1) EQUINES AT RISK FOR  
17 EQUINE METRITIS. (a) No person may receive in this state any stallion or mare imported from  
18 another nation in which contagious equine metritis has been reported unless all of the following  
19 apply:

20           1. The stallion or mare is imported directly to an approved equine quarantine station in a  
21 sealed vehicle that has been sealed at a place, and by an agent, approved by the federal bureau.  
22 The vehicle seal may not be removed, except at an approved equine quarantine station by an  
23 authorized employee or agent of the department.

1           2. The department issues a permit under s. ATCP 10.07(2) authorizing the import  
2 shipment, and a copy of the permit.

3           (b) All equine animals, including test mares, which are received at an approved equine  
4 quarantine station shall be identified with an official individual identification.

5           (2) QUARANTINE. An imported equine animal received at an approved equine quarantine  
6 station is automatically quarantined until the department releases the quarantine. A quarantined  
7 animal may not be removed from the quarantine station, or commingled with other equine  
8 animals at the quarantine station, except that a written agreement under sub. (5) may permit  
9 contact between a quarantined stallion and a test mare. A test mare that has been in contact with  
10 an imported quarantined stallion is also quarantined until the department releases the quarantine.

11           (3) APPROVED EQUINE QUARANTINE STATION; PERMIT. A quarantine station does not  
12 qualify as an approved equine quarantine station unless the operator holds a current annual  
13 permit from the department. Each permit shall bear a livestock premises code. A permit expires  
14 on June 30 of each year. An operator shall apply for a permit on a form provided by the  
15 department. The department shall grant or deny a permit application within 90 days after it  
16 receives a complete application. An application shall include all of the following:

17           (a) The legal name and mailing address of the applicant, and any trade or business name  
18 under which the applicant operates the quarantine station.

19           (b) A statement indicating whether the applicant is an individual, corporation,  
20 partnership, cooperative, limited liability company, trust or other legal entity.

21           (c) The location of the quarantine station, specified by county, town, section and fire  
22 number.

1 (d) The name and address of the Wisconsin certified veterinarian who will perform all  
2 identification, handling, testing and treatment of equine animals at the quarantine station  
3 according to sub. (5).

4 (e) Additional information, if any, required under s. ATCP 17.02(4) for purposes of  
5 livestock premises registration.

6 (f) Other relevant information required by the department.

7 (4) CONSTRUCTION REQUIREMENTS; SANITARY OPERATION. An approved equine  
8 quarantine stations shall be constructed and maintained to prevent any violation of sub. (2), and  
9 shall be kept in a clean and sanitary condition.

10 (5) TESTING AND TREATMENT PROCEDURES; WRITTEN AGREEMENT. Before the  
11 department issues any permit under sub. (3) for an approved equine quarantine station, the  
12 operator and the Wisconsin certified veterinarian designated under sub. (3)(d) shall enter into a  
13 written agreement with the department. The agreement shall establish the procedures and  
14 protocols that will be used to identify, handle, test and treat equine animals quarantined at the  
15 station. The approved equine quarantine station shall be operated in compliance with the agreed  
16 procedures and protocols. The designated veterinarian shall perform the procedures and  
17 protocols, except as otherwise authorized by the department.

18 (6) RECORDS. (a) The operator of an approved equine quarantine station shall keep  
19 complete and accurate records, including all of the following:

20 1. For each equine animal received at the quarantine station, the animal's official  
21 individual identification, date of arrival, date of removal, and owner's name and address.

22 2. A complete record of the procedures and protocols used to identify, handle, test and  
23 treat each equine animal.

1 (b) The operator shall keep each record under par. (a) for at least 5 years, and shall make  
2 the record available for inspection and copying by the department upon request.

### 3 Subchapter VI

#### 4 POULTRY AND FARM-RAISED GAME BIRDS

5 **ATCP 10.40 Poultry and farm-raised game birds; breeding, hatching and**  
6 **exhibition. (1) BIRDS AND EGGS USED FOR BREEDING OR HATCHING.** No person may use, sell or  
7 distribute poultry or farm-raised game birds or their eggs for breeding or hatching, or for  
8 exhibition at a fair or livestock exhibition, unless one of the following applies:

9 (a) The birds or eggs originate from a flock that is enrolled in the national poultry  
10 improvement plan under s. ATCP 10.41 and meets all of the following requirements:

11 1. The flock is currently classified "U.S. pullorum-typhoid clean" under the national  
12 poultry improvement plan.

13 2. In the case of turkeys, the flock is currently classified "Mycoplasma gallisepticum  
14 clean" under the national poultry improvement plan.

15 (b) The birds or eggs originate from a flock that qualifies as an affiliate flock under the  
16 national poultry improvement plan.

17 (c) The birds or eggs originate from a flock that is enrolled as a Wisconsin tested flock  
18 under sub. (2) or a Wisconsin associate flock under sub. (3).

19 **NOTE:** A person who sells birds or eggs under par. (c) must report the sale to the  
20 department, and must document to the buyer that the flock is enrolled under sub.  
21 (2) or (3). See sub. (7).

22 (d) In the case of birds, the birds meet all of the following requirements:

23 1. They have individually tested negative for pullorum, fowl typhoid and, in the case of  
24 turkeys, Mycoplasma gallisepticum, within the preceding 90 days and prior to any change of  
25

1 ownership. Testing for purposes of a fair or livestock exhibition shall be completed before the  
2 birds arrive at the fair or livestock exhibition.

3 2. They originate from a flock in which no bird has tested positive for pullorum, fowl  
4 typhoid or *Mycoplasma gallisepticum*.

5 **NOTE:** A person who sells birds under par. (d) must report the sale to the department,  
6 and must document to the buyer that the birds comply with par. (d). *See* sub. (7).

7  
8 (e) The birds or eggs are pigeons or pigeon eggs.

9 (g) The birds are not used for breeding or hatching, and are moved from the flock  
10 premises only for youth exhibition at a county fair pursuant to sub. (8).

11 **(2) WISCONSIN TESTED FLOCK.** (a) The owner of a flock of poultry or farm-raised game  
12 birds may annually enroll that flock as a Wisconsin tested flock. An annual enrollment expires  
13 on June 30 of each year.

14 (b) A flock owner shall apply for enrollment under par. (a) on a form provided by the  
15 department. There is no fee to enroll. The enrollment application shall include all of the  
16 following:

- 17 1. The legal name and address of the flock owner.  
18 2. The address and livestock premises code of the flock premises.  
19 3. The approximate size of the flock, and the type of birds included in the flock.  
20 4. Disease testing information under par. (c).

21 **NOTE:** A flock owner may request an enrollment application form by calling  
22 (608) 224-4877, by visiting the department website at  
23 [www.datcp.state.wi.us](http://www.datcp.state.wi.us), or by writing to the following address:

24  
25 Wisconsin Department of Agriculture,  
26 Trade and Consumer Protection  
27 Division of Animal Health  
28 P.O. Box 8911  
29 Madison, WI 53708-8911

1  
2 (c) An enrollment application under par. (b) shall include proof that the flock has tested  
3 negative for all of the following during the calendar year of the enrollment application, in a test  
4 under sub. (4) that included all sexually mature birds then in the flock:

- 5 1. Pullorum.
- 6 2. Fowl typhoid.
- 7 3. Mycoplasma gallisepticum, in the case of turkeys.

8 (d) For purposes of par. (c), a sexually mature bird is a bird over 4 months old except  
9 that, in the case of turkeys, it is a bird over 6 months old.

10 (e) The department shall grant or deny an enrollment application under par. (b) within 30  
11 days after the department receives a complete application. If the department grants enrollment,  
12 the department shall issue a certificate that documents the enrollment.

13 (3) WISCONSIN ASSOCIATE FLOCK. (a) The owner of a flock of poultry or farm-raised  
14 game birds may annually enroll that flock as a Wisconsin associate flock . A Wisconsin  
15 associate flock enrollment expires on June 30 of each year.

16 (b) A flock owner shall apply for enrollment under par. (a) on a form provided by the  
17 department. There is no fee to enroll. An enrollment application shall include all of the  
18 following:

- 19 1. The legal name and address of the flock owner.
- 20 2. The address and livestock premises code of the flock premises.
- 21 3. The number and type of birds in the flock.
- 22 4. An invoice or other documentation showing that all of the birds in the flock were  
23 acquired directly from a flock enrolled under sub. (2), sub. (3) or s. ATCP 10.41.

1           5. A statement certifying that the flock owner keeps no other poultry or farm-raised  
2 game birds on the flock premises.

3           **NOTE:** A flock owner may request an enrollment application form by calling  
4           (608) 224-4877, by visiting the department website at  
5           [www.datcp.state.wi.us](http://www.datcp.state.wi.us), or by writing to the following address:

6  
7           Wisconsin Department of Agriculture,  
8           Trade and Consumer Protection  
9           Division of Animal Health  
10          P.O. Box 8911  
11          Madison, WI 53708-8911  
12

13          (c) The department shall grant or deny an enrollment application under par. (b) within 30  
14 days after the department receives a complete application. If the department grants enrollment,  
15 the department shall issue a certificate that documents the enrollment.

16          (4) DISEASE TESTING. Disease testing, for purposes of this section and s. ATCP 10.41,  
17 shall comply with all of the following standards:

18          (a) Blood samples for testing shall be drawn by one of the following:

19           1. An individual who has completed sample collection training, provided by the  
20 department, within 2 years prior to collecting the blood samples.

21           2. An individual approved by the federal bureau or by the state in which the blood  
22 samples are drawn, if the blood samples are drawn in another state pursuant to the national  
23 poultry improvement plan.

24          (b) Except as provided in par. (c) or (d):

25           1. An individual who draws blood samples for laboratory testing shall identify each bird  
26 with official individual identification, or with another identification number that uniquely  
27 identifies that bird.

1           2. An individual who draws blood samples for laboratory testing shall label each blood  
2 sample with the identification number of the bird from which it was drawn.

3           3. The flock owner or custodian shall isolate tested birds from untested birds until the  
4 department reviews test results and authorizes the flock owner or custodian to release tested birds  
5 from isolation.

6           (c) Paragraph (b) does not apply to a whole flock test of poultry or farm-raised game  
7 birds.

8           (d) Paragraph (b) does not apply when a test group of 30 or more birds is tested for  
9 purposes of flock classification under the national poultry improvement plan, provided that the  
10 flock owner or custodian isolates the test group from birds outside the test group until the  
11 department reviews the test results and authorizes release from isolation. If any bird in the test  
12 group tests positive, the department may require continued isolation and testing of all birds in the  
13 test group and may specify the disposition of all birds in the test group.

14           (e) Sample collection, on-site test methods and laboratory test methods shall comply  
15 with standards specified in the national poultry improvement plan. Laboratory tests shall be  
16 conducted by a laboratory approved by the department, the federal bureau, or another state under  
17 the national poultry improvement plan.

18           **NOTE:** See disease reporting requirements under s. ATCP 10.03.

19           (5) IMPORTS. No person may use, sell or distribute, for breeding or hatching, any  
20 poultry, poultry eggs, farm-raised game birds or farm-raised game bird eggs imported in  
21 violation of s. ATCP 10.42.

22           (6) COMMINGLING. (a) No turkey breeding flocks may be commingled with other  
23 species of domestic fowl or farm-raised game birds.

1 (b) No eggs of any other species of fowl may be hatched in a turkey hatchery.

2 (c) Birds belonging to a flock enrolled under sub. (2), sub. (3) or s. ATCP 10.41 may not  
3 be commingled with any birds that are not part of the flock.

4 (d) Birds do not qualify under sub. (1)(d) if they have been commingled with birds from  
5 another flock or source.

6 (7) POULTRY SALES. (a) A person who sells poultry or eggs under sub. (1)(c) shall do all  
7 of the following:

8 1. Report the sale to the department within 10 days, on a form provided by the  
9 department.

10 2. Provide, to the buyer, a copy of the current flock enrollment certificate under sub. (2)  
11 or (3).

12 (b) A person who sells poultry under sub. (1)(d) shall do all of the following:

13 1. Report the sale to the department within 10 days, on a form provided by the  
14 department.

15 2. Document, to the buyer, that the poultry comply with sub. (1)(d).

16 **NOTE:** A person may request a reporting form under par. (a)1. or (b)1. by calling (608)  
17 224-4877, by visiting the department website at [www.datcp.state.wi.us](http://www.datcp.state.wi.us), or by  
18 writing to the following address:

19  
20 Wisconsin Department of Agriculture,  
21 Trade and Consumer Protection  
22 Division of Animal Health  
23 P.O. Box 8911  
24 Madison, WI 53708-8911  
25

26 (8) YOUTH EXHIBITION AT COUNTY FAIR. (a) Subsection (1) does not apply to youth  
27 exhibition of poultry or poultry eggs at a county fair if a youth agricultural leader certifies all of  
28 the following:

- 1           1. The name and address of the youth exhibiting the poultry or eggs.
- 2           2. A description of the exhibited poultry or eggs.
- 3           3. That the youth acquired the poultry or eggs directly from a flock enrolled under sub.
- 4 (2), sub. (3) or s. ATCP 10.41, and has not commingled them with poultry or eggs from any
- 5 other source. This certification shall be based on written source documentation, and on an
- 6 inspection of the premises where the youth keeps the poultry or eggs.

7           (b) A certification under par. (a) shall be all of the following:

- 8           1. Issued in writing.
- 9           2. Filed with the county fair before the youth exhibits the poultry or eggs.

10           (c) For purposes of this subsection, a “youth agricultural leader” means any of the

11 following:

- 12           1. The leader of a bona fide youth agricultural organization to which the youth exhibitor
- 13 belongs.

14           **NOTE:** For example, a “youth agricultural leader” might include a 4-H leader or FFA

15 sponsor.

- 16           2. The county fair organizer, or the organizer’s agent.

17           **NOTE:** For example, a “youth agricultural leader” might include a county fair

18 superintendent or poultry exhibit coordinator.

19

20

21           **ATCP 10.41 National poultry improvement plan. (1) ANNUAL FLOCK ENROLLMENT.**

22           The owner of a flock of poultry or farm-raised game birds may annually enroll that flock in the

23 national poultry improvement plan. An annual enrollment expires on June 30 of each year.

24           **NOTE:** The national poultry improvement plan is on file with the

25 department, the secretary of state and the revisor of statutes.

26 Copies may be obtained from the USDA website at:

27 [www.aphis.usda.gov/vs/index.html](http://www.aphis.usda.gov/vs/index.html). A flock owner may also

28 request a copy by calling (608) 224-4877, by visiting the

1 department website at [www.datcp.state.wi.us](http://www.datcp.state.wi.us), or by writing to the  
2 following address:

3  
4 Wisconsin Department of Agriculture,  
5 Trade and Consumer Protection  
6 Division of Animal Health  
7 P.O. Box 8911  
8 Madison, WI 53708-8911

9 (2) ENROLLMENT APPLICATION. A flock owner shall apply for enrollment under sub. (1)  
10 on a form provided by the department. The application shall include the test results required  
11 under sub. (3) and the fee required under sub. (4). The department shall grant or deny an  
12 enrollment application within 30 days after the department receives a complete application.

13 **NOTE:** A flock owner may request an enrollment application form by calling  
14 (608) 224-4877, by visiting the department website at  
15 [www.datcp.state.wi.us](http://www.datcp.state.wi.us), or by writing to the following address:

16  
17 Wisconsin Department of Agriculture,  
18 Trade and Consumer Protection  
19 Division of Animal Health  
20 P.O. Box 8911  
21 Madison, WI 53708-8911

22 (3) ANNUAL DISEASE TESTING. An enrollment application under sub. (1) shall include  
23 proof that the flock has been tested for all of the following, within one year prior to the  
24 enrollment application date, according to the national poultry improvement plan:

- 25 (a) Pullorum.  
26 (b) Fowl typhoid.  
27 (c) *Mycoplasma gallisepticum*, in the case of turkeys.

28 (4) DISEASE-FREE CERTIFICATION. The department may certify a flock enrolled under  
29 sub. (1) as “U.S. pullorum-typhoid clean” or “*Mycoplasma gallisepticum* clean,” or both,  
30 according to standards in the national poultry improvement plan.

1           (5) FEE. An enrollment application under sub. (1) shall include the following annual  
2 enrollment fee, as applicable, based on flock type:

3           (a) \$20 if the flock consists solely of specialty breeds, other than breeds commonly  
4 raised for meat or egg production, and the flock owner raises the birds primarily for exhibition.

5           (b) \$20 if the flock owner does not hatch or collect eggs, and obtains stock solely from  
6 flocks enrolled in the national poultry improvement plan.

7           (c) \$30 if the flock includes farm-raised game birds, the flock owner does not hatch or  
8 collect eggs, and the flock owner obtains stock solely from flocks enrolled in the national poultry  
9 improvement plan.

10          (d) The following applicable fee for a breeding flock of poultry or farm-raised game  
11 birds:

12           1. \$40 if the flock includes no more than 1,000 breeders.

13           2. \$50 if the flock includes more than 1,000 breeders, but no more than 5,000 breeders.

14           3. \$100 if the flock includes more than 5,000 breeders, but no more than 10,000  
15 breeders.

16           4. \$200 if the flock includes more than 10,000 breeders.

17          (6) Testing under this section, including test sample collection, shall comply with  
18 applicable requirements in s. ATCP 10.40(3).

19          (7) COMPLIANCE AND INSPECTION. A flock enrolled in the national poultry improvement  
20 plan shall comply with all applicable requirements under the plan. The department shall inspect  
21 enrolled flocks and take other actions as appropriate, based on plan requirements.

22          **ATCP 10.42 Poultry imports. (1) IMPORT REQUIREMENTS.** Except as provided in sub.

23          (2):

1 (a) No live poultry, poultry eggs for hatching, farm-raised game birds or farm-raised  
2 game bird eggs for hatching may be imported to this state unless all of the following apply:

3 1. They originate from flocks that are enrolled in the national poultry improvement plan.

4 2. They originate from flocks that are classified as “U.S. pullorum-typhoid clean” and, in  
5 the case of turkeys and turkey eggs, “Mycoplasma gallisepticum clean” under the national  
6 poultry improvement plan.

7 3. They are accompanied by a certificate of veterinary inspection certifying that they  
8 originate from flocks that comply with this paragraph.

9 (b) Turkey poults may not be imported from hatcheries that hatch eggs other than turkey  
10 eggs. Started poultry, other than turkey poults, may not be imported from hatcheries that hatch  
11 turkey eggs. Hatcheries shall comply with sanitation practices prescribed by the state of origin.

12 (2) EXEMPTION. Subsection (1) does not apply to poultry or farm-raised game birds that  
13 are imported directly to a slaughtering establishment for immediate slaughter.

## 14 Subchapter VII

### 15 FARM-RAISED DEER

16 **ATCP 10.45 Farm-raised deer; disease testing. (1) AVAILABILITY FOR TESTING.** A  
17 keeper of farm-raised deer shall make the farm-raised deer available to the department for  
18 disease testing upon request.

19 (2) RESTRAINED FOR TESTING. A keeper of farm-raised deer shall restrain the farm-raised  
20 deer for disease testing, to ensure the safety of the farm-raised deer and the person performing  
21 the test. The keeper shall restrain the farm-raised deer by one of the following methods:

22 (a) By providing animal handling facilities that comply with sub. (3).

1 (b) By tranquilizing the farm-raised deer, to the satisfaction of the department, so they  
2 can be safely tested.

3 **NOTE:** The department will not tranquilize farm-raised deer for testing, and assumes no  
4 liability related to the tranquilization of farm-raised deer.  
5

6 (c) By moving farm-raised deer, pursuant to a permit issued under s. ATCP 10.08(3), to  
7 an isolation and testing facility approved under s. ATCP 10.56(4) where the farm-raised deer can  
8 be safely tested.

9 **(3) HANDLING FACILITIES.** (a) Animal handling facilities under sub. (2)(a) shall include  
10 all of the following:

11 1. A holding pen in which farm-raised deer can be safely directed into an alleyway and  
12 then to a chute or individual restraining pen for testing.

13 2. An alleyway through which farm-raised deer can be safely guided into a chute or  
14 restraining pen for testing.

15 3. A chute or restraining pen which can safely hold farm-raised deer for testing.

16 4. Adequate fencing. Fences used to confine farm-raised deer in animal handling  
17 facilities shall be at least 7 feet 10 inches high, except that fences used to confine farm-raised  
18 deer of the genus rangifer shall be at least 5 feet high.

19 (b) If the department determines that animal handling facilities do not comply with par.  
20 (a), the department may order the keeper to provide acceptable facilities or an acceptable  
21 alternative method of restraining farm-raised deer under sub. (2). The keeper shall comply with  
22 the department's order within 30 days, unless for good cause the department specifies a different  
23 time period.

1           **ATCP 10.46 Farm-raised deer; keepers registered. (1) REGISTRATION CERTIFICATE**

2   REQUIRED. (a) Except as provided in par. (b), no person may keep farm-raised deer at any  
3   location in this state unless the department has issued a current annual registration certificate  
4   authorizing that person to keep farm-raised deer at that location. A registration certificate is not  
5   transferable between persons or herd locations. Each registration certificate shall bear a  
6   livestock premises code.

7           (b) Paragraph (a) does not apply to the operator of an establishment, licensed under s.  
8   97.42, Stats., at which that operator keeps live farm-raised deer for not more than 72 hours  
9   before slaughtering them.

10          **(2) AUTHORITY CONFERRED BY REGISTRATION CERTIFICATE.** (a) Except as provided in  
11   pars. (b) and (c), a person holding a registration certificate under sub. (1) may possess,  
12   propagate, kill, attempt to kill, pursue for the purpose of killing, capture or exhibit farm-raised  
13   deer kept at the registered premises, subject to this chapter.

14          (b) A person holding a registration certificate under sub. (1) may not sell, or offer to  
15   others, the opportunity to hunt farm-raised deer on the registered premises unless that person  
16   complies with s. ATCP 10.47.

17          (c) A registration certificate under sub. (1) does not entitle the certificate holder to  
18   operate as an animal dealer unless that person is also licensed under s. ATCP 12.03.

19          **NOTE:** An animal dealer license under s. ATCP 12.03 does not entitle  
20                 the license holder to keep farm-raised deer unless that person also  
21                 holds a registration certificate under sub. (1).

22          (d) A registration certificate under sub. (1) authorizes the certificate holder to operate a  
23   farm-raised deer quarantine and testing facility if the person also holds a permit for that facility  
24   under sub. (14).

1           **(3) REGISTRATION CERTIFICATE EXPIRES.** A registration certificate under sub. (1) expires  
2 on December 31 of each year. The holder of a registration certificate may renew that certificate  
3 by submitting an annual renewal application under sub. (6).

4           **(4) HERDS KEPT AT SEPARATE LOCATIONS.** A person keeping farm-raised deer at more  
5 than one location shall do one of the following:

6           (a) Obtain a separate registration certificate under sub. (1) for each location. No person  
7 may move farm-raised deer between separately registered locations without complying with s.  
8 ATCP 10.56.

9           (b) Register multiple locations under a single registration certificate under sub. (1) if all  
10 the following apply:

11           1. The herd is enrolled and participating in the chronic wasting disease status program  
12 under s. ATCP 10.53.

13           2. Every farm-raised deer is identified with official individual identification before it is  
14 moved between any of the locations.

15           (c) All farm-raised deer kept at locations covered by a single registration certificate  
16 under par. (b) are considered a single herd for disease control purposes.

17           (d) Farm-raised deer may be moved between locations covered by the same registration  
18 certificate under par. (b) without a certificate of veterinary inspection under s. ATCP 10.56(1).

19           **(5) SEPARATE HERDS KEPT AT SAME LOCATION.** A single herd registration certificate  
20 under sub. (1) covers all farm-raised deer kept at the same location, except that a person may  
21 register separate herds at the same location if all the following apply:

22           (a) There is medically significant separation of the herds, and adequate fencing and  
23 facilities to maintain that separation at all times.

1 (b) The person files a separate registration application under sub. (6) for each herd.

2 (c) The department inspects the herd premises for compliance with par. (a) before  
3 registering any herd at a location where another herd is also registered. The registrant shall pay  
4 the fee required under sub. (7)(b). No inspection is required for the renewal of an existing herd  
5 registration if the department has previously inspected the herd premises under this paragraph.

6 (d) The person complies with s. ATCP 10.56 if the person moves any farm-raised deer  
7 between the herds.

8 (e) The person adopts and implements appropriate bio-security measures to prevent  
9 disease transmission between the herds, including measures to prevent commingling of farm-  
10 raised deer between the herds.

11 **(6) APPLYING FOR REGISTRATION CERTIFICATE.** To obtain an annual registration  
12 certificate under sub. (1), a person shall file an application on a form provided by the department.  
13 The application shall include the fees required under sub. (7) and all information required under  
14 s. ATCP 17.02(4) for purposes of livestock premises identification. The registration application  
15 form shall include all of the following information:

16 (a) The name, address and telephone number of the herd owner.

17 (b) The name, address and telephone number of the herd custodian, if other than the herd  
18 owner.

19 (c) The location at which the farm-raised deer will be kept, including the county, town,  
20 section and fire number assigned to that location.

21 (d) The number of farm-raised deer in the herd.

22 (e) A breakdown, by species, age and sex, of the farm-raised deer in the herd.

1 (f) Additional information, if any, required under s. ATCP 17.02(4) for purposes of  
2 livestock premises registration.

3 **NOTE:** A person may obtain a registration form by calling (608) 224-  
4 4872, by visiting the department website at [www.datcp.state.wi.us](http://www.datcp.state.wi.us),  
5 or by writing to the following address:

6  
7 Wisconsin Department of Agriculture,  
8 Trade and Consumer Protection  
9 Division of Animal Health  
10 P.O. Box 8911  
11 Madison, WI 53708-8911

12 (7) FEES. (a) A person applying for a registration certificate under sub. (1) shall pay the  
13 following registration fees:

14 1. A nonrefundable annual fee of \$50 if the herd includes no more than 15 farm-raised  
15 deer.

16 2. A nonrefundable annual fee of \$100 if the herd includes more than 15 farm-raised  
17 deer.

18 3. Any supplemental fees required under pars. (b) to (d).

19 (b) A person who applies to register a herd at the same location where another herd is  
20 registered shall pay a nonrefundable fee of \$150 for each day needed to complete an inspection  
21 under sub. (4)(c).

22 (c) An applicant shall pay a registration fee surcharge of \$100 if the department  
23 determines that, within 365 days prior to submitting the registration application, the applicant  
24 kept farm-raised deer without a required registration certificate. In addition to the surcharge, the  
25 applicant shall pay the fee due for the year in which the applicant failed to obtain the required  
26 registration certificate.

1 (d) A person who applies for the renewal of a herd registration certificate after that  
2 certificate has expired shall pay, in addition to all other fees required under this subsection, a fee  
3 equal to 20% of those fees.

4 **NOTE:** See s. 93.21(5)(b), Stats.

5 (8) ACTION ON REGISTRATION APPLICATION. The department shall grant or deny an  
6 application under sub. (6) within 30 days after the department receives a complete application,  
7 except that the department shall grant or deny the application within 60 days if the department is  
8 required to perform an inspection under sub. (5)(c).

9 (9) DENYING, SUSPENDING OR REVOKING A REGISTRATION CERTIFICATE. The department  
10 may deny, suspend or revoke a registration certificate under sub. (1) for cause, including any of  
11 the following:

12 (a) Filing an incomplete or fraudulent application, or misrepresenting any information on  
13 an application.

14 (b) Violating ch. 95, Stats. or this chapter.

15 (c) Violating the terms of the registration certificate.

16 (10) RECORDS. (a) A person who keeps farm-raised deer shall keep all of the following  
17 records related to each live farm-raised deer that leaves the herd other than for slaughter, or that  
18 enters the herd from another herd:

19 1. The official individual identification of the farm-raised deer.

20 2. The species, age and sex of the farm-raised deer.

21 3. The date on which the farm-raised deer entered or left the herd.

1           4. The name and address of the person from whom the person received, or to whom the  
2 person shipped, the farm-raised deer. The record shall also identify the person who had custody  
3 of the farm-raised deer during shipment.

4           5. The address of the herd from which the farm-raised deer originated, or to which it was  
5 shipped.

6           6. A copy of any certificate of veterinary inspection that accompanied the farm-raised  
7 deer under s. ATCP 10.56.

8           (b) A person who keeps farm-raised deer shall keep all of the following records related  
9 to each farm-raised deer that the person ships live to slaughter:

10           1. The official individual identification of the farm-raised deer.

11           2. The species, age and sex of the farm-raised deer.

12           3. The date on which the farm-raised deer was shipped to slaughter.

13           4. The name and address of the slaughter facility.

14           5. The name and address of the person who transported the farm-raised deer to slaughter.

15           6. A copy of any slaughter movement document required under this chapter.

16           **NOTE:** For example, see s. ATCP 10.56(2)(a) related to slaughter  
17 movement documents.

18           7. Chronic wasting disease test results required under s. ATCP 10.52(1)(b).

19           (c) A person who keeps farm-raised deer shall keep all of the following records related to  
20 every farm-raised deer that dies, or is killed or slaughtered, on the herd premises:

21           1. The species, age and sex of the farm-raised deer.

22           2. Any identification attached to the farm-raised deer, including any carcass  
23 identification required under sub. (13).

1           3. The date on which the farm-raised deer died, or was killed or slaughtered. If the farm-  
2 raised deer was found dead on the premises, the person shall record the date on which the farm-  
3 raised deer was found dead.

4           4. The disposition of the carcass, regardless of whether the carcass leaves the premises.  
5 If the carcass leaves the herd premises, the disposition record shall include the disposition date,  
6 the name and address of the carcass recipient, and the carcass identification required under sub.  
7 (13).

8           5. Chronic wasting disease test results required under s. ATCP 10.52(1)(a).

9           (d) A person required to keep records under pars. (a) to (c) shall retain those records for  
10 at least 5 years, and shall make the records available to the department for inspection and  
11 copying upon request.

12           (11) PROHIBITIONS. No person keeping a herd of farm-raised deer may do any of the  
13 following:

14           (a) Add a farm-raised deer to the herd, from outside the herd, unless the farm-raised deer  
15 is one of the following:

16           1. Imported into this state in compliance with s. ATCP 10.55.

17           2. Moved, in compliance with s. ATCP 10.56, from another herd that holds a current  
18 annual registration certificate under sub. (1).

19           (b) Take or accept into the herd, on a temporary or permanent basis, any cervid from a  
20 free-ranging herd.

21           **NOTE:** Among other things, paragraph (b) prohibits a keeper of farm-  
22 raised deer from accepting orphan fawns or injured deer for  
23 temporary care pending return to the free-ranging herd. Persons  
24 accepting orphan fawns and injured deer must hold a rehabilitation

1 license under s. 169.24, Stats., and must keep those fawns and  
2 injured deer separate from any farm-raised deer herd.

3 (c) Move a live farm-raised deer or any portion of a farm-raised deer carcass from the  
4 premises at which it has been kept unless the farm-raised deer has an official individual  
5 identification.

6 (d) Cause or allow farm-raised deer to commingle with bovine animals on the same  
7 premises or in the same building, enclosure or vehicle.

8 **(12) REPORTING ESCAPED FARM-RAISED DEER.** A person keeping farm-raised deer shall  
9 report to the department whenever any of those farm-raised deer escapes to the wild. The person  
10 shall report the escape within 24 hours after the escape occurs.

11 *NOTE:* A person may report an escape under sub. (12) by telephone, by  
12 calling (608) 224-4872.

13 **(13) CARCASS IDENTIFICATION.** (a) No person may remove any farm-raised deer carcass  
14 from the premises where the farm-raised deer was kept unless that carcass is identified with  
15 official individual identification, or with a dead tag issued by the department. No part of a  
16 carcass may leave the premises unless every part of the carcass bears official individual  
17 identification or a dead tag, and the farm-raised deer keeper keeps records that identify and  
18 correlate all of the official individual identification and dead tag numbers related to that farm-  
19 raised deer.

20 (b) The department shall, upon request, issue dead tags under par. (a) to persons holding  
21 valid farm-raised deer herd registration certificates under this section. The department may  
22 charge fees for dead tags to cover the department's reasonable costs to produce and distribute the  
23 dead tags.

1           **NOTE:** A person may obtain dead tags from the department by calling (608)  
2           224-4889, by visiting the department website at [www.datcp.state.wi.us](http://www.datcp.state.wi.us),  
3           or by writing to the following address:  
4

5                     Wisconsin Department of Agriculture,  
6                     Trade and Consumer Protection  
7                     Division of Animal Health  
8                     P.O. Box 8911  
9                     Madison, WI 53708-8911

10           **(14) TUBERCULOSIS ISOLATION AND TESTING FACILITY.** (a) The department may issue an  
11 annual permit, authorizing the holder of an annual registration certificate under sub. (1) to  
12 operate a tuberculosis isolation and testing facility on the registered premises. A permit expires  
13 on December 31 of each year.

14           (b) The holder of a permit under par. (a) may not keep any farm-raised deer on the  
15 registered premises, other than those held in the tuberculosis isolation and testing facility. No  
16 farm-raised deer may be moved from the premises, except in compliance with s. ATCP 10.56.

17           (c) To obtain a permit under par. (a), a person shall file an application with the  
18 department on a form provided by the department. The department may inspect the facility to  
19 determine whether it provides secure isolation and is adequate to serve as a tuberculosis isolation  
20 and testing facility. The department shall grant or deny an application for approval within 30  
21 days after the department receives a complete application.

22           (d) The department may suspend or revoke a permit under par. (a) for cause, including a  
23 violation of this chapter.

24           **ATCP 10.47 Farm-raised deer; hunting preserves. (1) DEFINITIONS.** In this section,  
25 “hunt” means to kill, attempt to kill or pursue for the purpose of killing a farm-raised deer.  
26 “Hunt” does not include the killing, attempted killing or pursuit of a farm-raised deer, on  
27 premises owned or controlled by the deer owner, by any of the following:

1 (a) The deer owner.

2 (b) A person who gives no consideration for the opportunity to kill, attempt to kill or  
3 pursue the farm-raised deer, or for any part of the deer's carcass.

4 (c) A person who kills the farm-raised deer for meat, provided that the department  
5 conducts an ante mortem inspection of the deer and a post-mortem inspection of the carcass  
6 under s. 97.42, Stats., and ch. ATCP 55.

7 (d) The department, the Wisconsin department of natural resources, USDA, or other  
8 persons or entities that the department authorizes in writing.

9 (2) REQUIREMENTS. No person may grant or offer, for consideration, the opportunity to  
10 hunt farm-raised deer on any premises in this state unless all of the following apply:

11 (a) The person holds a valid farm-raised deer herd registration certificate under s. ATCP  
12 10.46(1) for the premises, and keeps the farm-raised deer at the registered premises.

13 (b) The person holds a valid hunting preserve certificate under sub. (3) for the premises.

14 (c) Farm-raised deer, when hunted, have unimpeded access to at least 80 contiguous  
15 acres of land.

16 (d) The person complies with applicable requirements under this section.

17 (3) HUNTING PRESERVE CERTIFICATE. (a) The department may issue a hunting preserve  
18 certificate for premises registered under s. ATCP 10.46(1). A hunting preserve certificate  
19 expires 10 years after it is issued, on the anniversary date of its issuance. A certificate is not  
20 transferable between persons or premises. A hunting preserve certificate is not valid if the  
21 certificate holder no longer holds a valid farm-raised deer herd registration certificate under s.  
22 ATCP 10.46(1).

1 (b) A person shall apply for a hunting preserve certificate under par. (a) on a form  
2 provided by the department. The application shall include all of the following:

- 3 1. The applicant's name, address, and registration number under s. ATCP 10.46(1).
- 4 2. The address of the premises, registered under s. ATCP 10.46(1), for which the  
5 applicant seeks a hunting preserve certificate.
- 6 3. Documentation showing that farm-raised deer hunted on the premises will have  
7 unimpeded access to at least 80 contiguous acres of land.
- 8 4. A nonrefundable fee of \$150.

9 **NOTE:** A person may obtain an application form under par. (b) by calling  
10 (608) 224-4889, by visiting the department website at  
11 [www.datcp.state.wi.us](http://www.datcp.state.wi.us), or by writing to the following address:  
12

13 Wisconsin Department of Agriculture,  
14 Trade and Consumer Protection  
15 Division of Animal Health  
16 P.O. Box 8911  
17 Madison, WI 53708-8911

18 (c) The department shall grant or deny an application under par. (b) within 90 business  
19 days after the department receives a complete application. The department shall inspect the  
20 premises before issuing a hunting preserve certificate, and may inspect records as necessary to  
21 determine whether the applicant and premises qualify for a certificate.

22 (4) CHRONIC WASTING DISEASE TESTING. A person required to hold a hunting preserve  
23 certificate under this section shall comply with chronic wasting disease testing requirements  
24 under s. ATCP 10.52. The person shall give a hunter the results of each chronic wasting disease  
25 test conducted on a farm-raised deer killed by that hunter on the person's hunting preserve.

1           (5) REMOVING OR ALTERING OFFICIAL IDENTIFICATION. No person may remove, alter or  
2 tamper with the official individual identification given to a farm-raised deer, except as authorized  
3 by the department or the federal bureau.

4           (6) CARCASS IDENTIFICATION. A person who is required by sub. (2)(b) to hold a hunting  
5 preserve certificate shall identify the carcass of every farm-raised deer killed on the hunting  
6 preserve, before the carcass leaves the premises. Identification shall comply with s. ATCP  
7 10.46(13).

8           (7) RECORDS. A person who is required by sub. (2)(b) to hold a hunting preserve  
9 certificate shall do all of the following:

10           (a) Keep the records required under s. ATCP 10.46(10).

11           (b) Keep all of the following records related to each farm-raised deer that is killed on the  
12 hunting preserve:

13           1. The name and address of the person who killed the farm-raised deer.

14           2. The date when the farm-raised deer was killed, and the location of the premises where  
15 it was killed.

16           3. The name and address of the person who collected the test sample for the chronic  
17 wasting disease test required under sub. (4).

18           4. The laboratory test reports from the chronic wasting disease test required under sub.  
19 (4).

20           5. The disposition of the carcass. This record shall include the name and address of the  
21 person who took custody of the carcass. If the carcass is buried or otherwise disposed of, the  
22 record shall identify the disposal method and location.

1           6. The official individual identification of the carcass, or the dead tag number attached to  
2 the carcass under s. ATCP 10.46(13), if the carcass leaves the premises. If the carcass has both  
3 an official individual identification and a dead tag, the record shall include both numbers.

4           (c) Retain the records under pars. (a) and (b) for at least 5 years, and make the records  
5 available to the department for inspection and copying upon request.

6           **(8) PROHIBITED CONDUCT.** No person required to hold a hunting preserve certificate  
7 under sub. (2) may do any of the following:

8           (a) Violate or allow others to violate s. 29.314(3), Stats.

9           (b) Violate or assist any violation of this chapter or ch. ATCP 12.

10           **ATCP 10.48 Tuberculosis in farm-raised deer. (1) WHO MAY TEST.** (a) A person  
11 who performs a test tuberculosis test on a farm-raised deer, or collects a sample for a  
12 tuberculosis test on a farm-raised deer, shall be one of the following:

13           1. An accredited veterinarian. If the veterinarian performs the test or collects the sample  
14 in this state, the veterinarian shall also be a Wisconsin certified veterinarian.

15           2. A veterinarian employed by the department or the federal bureau.

16           (b) A veterinarian may not perform a single cervical tuberculin test on a farm-raised deer  
17 in this state, for purposes of this chapter or ch. ATCP 12, unless the veterinarian has completed  
18 department training on that test within 3 years prior to the test date.

19           (c) A veterinarian may not collect a sample from a farm-raised deer, for a comparative  
20 cervical tuberculin test under this chapter or ch. ATCP 12, unless authorized to do so by the  
21 department or the federal bureau.

1 (d) A veterinarian may not perform a tuberculosis test on or collect a test sample from a  
2 farm-raised deer from a quarantined or known infected herd, except with the department's  
3 approval.

4 (4) VETERINARIAN TO REPORT. A veterinarian who performs a tuberculosis test on a  
5 farm-raised deer, or collects a test sample for a tuberculosis test on a farm-raised deer, shall  
6 report the test result according to s. ATCP 10.04.

7 **NOTE:** A test report must include the animal's official individual identification. If the  
8 animal has no official individual identification, the veterinarian must identify the  
9 animal an official individual identification. See s. ATCP 10.04(1)(e).  
10

11 (5) TEST POSITIVE ANIMALS. Whenever the department receives a positive tuberculosis  
12 test report under sub. (4), the department shall classify the tested farm-raised deer as a  
13 tuberculosis suspect and shall conduct additional testing to determine whether the farm-raised  
14 deer is a tuberculosis reactor under the tuberculosis uniform methods and rules.

15 (6) TUBERCULOSIS REACTORS. (a) The department shall classify a farm-raised deer as a  
16 as a tuberculosis reactor if the farm-raised deer qualifies as a reactor under the tuberculosis  
17 uniform methods and rules.

18 (b) Within 15 days after the department classifies a farm-raised deer as a tuberculosis  
19 reactor, the keeper of the farm-raised deer shall do all of the following:

20 1. Have the farm-raised deer identified as a reactor, and shipped directly to slaughter,  
21 according to the tuberculosis uniform methods and rules. The operator shall obtain a department  
22 permit under s. ATCP 10.08(3) for the slaughter shipment.

23 2. Clean and disinfect the premises where the farm-raised deer was kept.

24 (c) The department may for good cause extend a deadline under par. (b), but may not  
25 extend a deadline under par. (b)1. by more than 15 additional days.

1 (d) An animal owner may request an indemnity under s. 95.25(5), Stats., for a  
2 tuberculosis reactor that is slaughtered under par. (b)1. The animal owner shall file the request  
3 with the department, on a form provided by the department. The owner shall include, with the  
4 request, a slaughter confirmation signed by an authorized employee of the department or the  
5 federal bureau. An animal owner does not qualify for an indemnity if the owner fails to comply  
6 with par. (b).

7 (7) SLAUGHTERED ANIMALS. (a) A tuberculosis reactor shall be slaughtered and  
8 inspected according to the tuberculosis uniform methods and rules.

9 (b) If a tuberculosis suspect is slaughtered, it shall be slaughtered and inspected  
10 according to the tuberculosis uniform methods and rules.

11 **NOTE:** The tuberculosis uniform methods and rules are on file with the  
12 department, the secretary of state and the revisor of statutes. Copies  
13 may be obtained from the USDA website at:  
14 [www.aphis.usda.gov/vs/index.html](http://www.aphis.usda.gov/vs/index.html). Copies may also be obtained by  
15 writing to the following address:

16  
17 Wisconsin Department of Agriculture,  
18 Trade and Consumer Protection  
19 Division of Animal Health  
20 P.O. Box 8911  
21 Madison, WI 53708-8911  
22

23 **ATCP 10.49 Farm-raised deer; tuberculosis herd certification. (1) INITIAL**  
24 **CERTIFICATION.** The department may certify a herd of farm-raised deer as one of the following if  
25 the herd qualifies for that certification under 9 CFR 77:

26 (a) An accredited tuberculosis-free herd.

27 (b) A tuberculosis monitored herd.

28 (c) A tuberculosis qualified herd.

1           (2) MAINTAINING CERTIFICATION. To maintain a herd certification under sub. (1), a  
2 keeper of farm-raised deer shall comply with applicable requirements in the tuberculosis uniform  
3 methods and rules.

4           (3) SUSPENDING OR REVOKING CERTIFICATION. (a) The department may, by written  
5 notice, summarily suspend or revoke a herd certification under sub. (1) if any of the following  
6 occur:

- 7           1. Any farm-raised deer in the herd tests positive for tuberculosis.  
8           2. The herd owner fails to comply with sub. (2).

9           (b) The state veterinarian may issue a summary suspension or revocation notice under  
10 par. (a). The notice shall state the reason for the suspension or revocation.

11           **NOTE:** A keeper of farm-raised deer may request a hearing on a suspension or  
12           revocation under sub. (3), pursuant to s. 227.42, Stats., and ch. ATCP 1. A  
13           request for a hearing does not automatically stay a summary suspension or  
14           revocation.  
15

16           **ATCP 10.50 Brucellosis in farm-raised deer. (1) WHO MAY TEST.** A person who  
17 collects a brucellosis test sample from a farm-raised deer, for purposes of this chapter or ch.  
18 ATCP 12, shall be one of the following:

19           (a) An accredited veterinarian. If the veterinarian collects the sample in this state, the  
20 veterinarian shall also be a Wisconsin certified veterinarian.

21           (b) An authorized employee or agent of the department or the federal bureau.

22           (2) TEST PROCEDURES. A person who collects a brucellosis test sample under sub. (1)  
23 shall comply with applicable requirements in the brucellosis uniform methods and rules. The  
24 person shall submit the sample to a state or federal laboratory that the department or the federal  
25 bureau has approved to conduct brucellosis tests.

1 (3) VETERINARIAN TO REPORT. A veterinarian who collects a brucellosis test sample  
2 from a farm-raised deer in this state shall report the test result according to s. ATCP 10.04.

3 **NOTE:** A test report must include the animal's official individual identification. If the  
4 animal has no official individual identification, the veterinarian must identify the  
5 animal an official individual identification. See s. ATCP 10.04(1)(e).  
6

7 (4) BRUCELLOSIS REACTORS. (a) The department shall classify a farm-raised deer as a  
8 brucellosis reactor if the farm-raised deer qualifies as a reactor under the brucellosis uniform  
9 methods and rules.

10 (b) Within 15 days after the department classifies a farm-raised deer as a brucellosis  
11 reactor, the keeper of the farm-raised deer shall do all the following:

12 1. Ensure the farm-raised deer is identified as a reactor, and shipped directly to slaughter,  
13 according to the brucellosis uniform methods and rules. The operator shall obtain a department  
14 permit under s. ATCP 10.08(3) for the slaughter shipment.

15 2. Clean and disinfect the premises where the farm-raised deer was kept.

16 (c) The department may for good cause extend a deadline under par. (b), but may not  
17 extend a deadline under par. (b)1. by more than 15 days.

18 (d) An animal owner may request an indemnity under s. 95.26(7), Stats., for a brucellosis  
19 reactor slaughtered under par. (b)1. The animal owner shall file the request with the department,  
20 on a form provided by the department. The owner shall include, with the request, a slaughter  
21 confirmation signed by an authorized employee of the department or the federal bureau. An  
22 animal owner does not qualify for an indemnity if the owner fails to comply with par. (b).

23 **NOTE:** The brucellosis uniform methods and rules are on file with the  
24 department, the secretary of state and the revisor of statutes. Copies  
25 may be obtained from the USDA website at:  
26 [www.aphis.usda.gov/vs/index.html](http://www.aphis.usda.gov/vs/index.html). Copies may also be obtained by  
27 writing to the following address:

1  
2 Wisconsin Department of Agriculture,  
3 Trade and Consumer Protection  
4 Division of Animal Health  
5 P.O. Box 8911  
6 Madison, WI 53708-8911  
7

8 **ATCP 10.51 Farm-raised deer; brucellosis herd certification. (1) INITIAL**

9 CERTIFICATION. The department may certify a herd of farm-raised deer as one of the following if  
10 the herd qualifies for that certification under the brucellosis uniform methods and rules.

11 (a) A brucellosis-free herd.

12 (b) A brucellosis monitored herd.

13 **NOTE:** The brucellosis uniform methods and rules are on file with the  
14 department, the secretary of state and the revisor of statutes. Copies  
15 may be obtained from the USDA website at:  
16 [www.aphis.usda.gov/vs/index.html](http://www.aphis.usda.gov/vs/index.html). Copies may also be obtained by  
17 writing to the following address:  
18

19 Wisconsin Department of Agriculture,  
20 Trade and Consumer Protection  
21 Division of Animal Health  
22 P.O. Box 8911  
23 Madison, WI 53708-8911  
24

25 **(2) MAINTAINING CERTIFICATION.** To maintain a herd certification under sub. (1), a  
26 keeper of farm-raised deer shall comply with applicable requirements in the brucellosis uniform  
27 methods and rules.

28 **(3) SUSPENDING OR REVOKING CERTIFICATION.** (a) The department may, by written  
29 notice, summarily suspend or revoke a herd certification under sub. (1) if any of the following  
30 occur:

- 31 1. A farm-raised deer in the herd tests positive for brucellosis.  
32 2. The keeper of the farm-raised deer fails to comply with sub. (2).