

 **05hr_CRule_06-009_AC-Ag_pt01d**



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

3 **NOTE:** A keeper of farm-raised deer may request a hearing on a suspension or
4 revocation notice under sub. (3), pursuant to s. 227, Stats., and ch. ATCP 1. A
5 request for a hearing does not automatically stay a summary suspension or
6 revocation.
7

8 **ATCP 10.52 Chronic wasting disease in farm-raised deer. (1) TESTING REQUIRED.**

9 A person who keeps farm-raised deer in this state shall have a chronic wasting disease test
10 performed on each of the following farm-raised deer that is at least 16 months old:

11 (a) A farm-raised deer that dies or is killed while kept by that person.

12 (b) A farm-raised deer that the person ships directly to a slaughtering establishment.

13 (2) **MOVING LIVE FARM-RAISED DEER FROM HERDS IN THIS STATE.** No person may move a
14 live farm-raised deer from a herd in this state unless the movement complies with s. ATCP
15 10.56(1).

16 (3) **COLLECTING TEST SAMPLES.** (a) A person qualified under sub. (4) shall collect each
17 test sample under sub. (1). Except as provided in par. (b), the person shall collect the test sample
18 before any part of the farm-raised deer carcass leaves the premises where the farm-raised deer
19 died, or was killed or slaughtered.

20 (b) A keeper of farm-raised deer who holds a valid herd registration certificate under s.
21 ATCP 10.46(1) may separate the head of a farm-raised deer carcass from the rest of the carcass,
22 and may ship the head to the person who collects the test sample under sub. (1), if the keeper
23 identifies both the head and the rest of the carcass according to s. ATCP 10.46(13) before either
24 the head or the rest of the carcass leaves the herd premises.

25 (c) A person who collects a test sample under sub. (1) shall do all of the following:

1 1. Comply with standard veterinary procedures when collecting the test sample.

2 2. Submit the test sample to a laboratory approved under sub. (5) within 10 days.

3 **(4) PERSONS QUALIFIED TO COLLECT TEST SAMPLES.** (a) A person may not collect a test
4 sample under sub. (1) unless the person has completed sample collection training approved by
5 the department and is one of the following:

6 1. A Wisconsin certified veterinarian.

7 2. An employee of the department or the federal bureau.

8 3. A person approved by the department or the federal bureau.

9 (b) The department may by written notice, without prior notice or hearing, disqualify a
10 person from collecting samples under sub. (1). The notice shall specify the reason for
11 disqualification. The department may disqualify a person if the person lacks required
12 qualifications, fails to collect samples that are consistently testable, or fails to meet other
13 responsibilities under this chapter. A disqualified person may not collect test samples under sub.
14 (1).

15 **NOTE:** A disqualified person may request a hearing on a disqualification under par. (b),
16 pursuant to s. 227, Stats., and ch. ATCP 1. A request for a hearing does not
17 automatically stay a summary disqualification.

18 (c) No person may misrepresent, directly or by implication, that any person is qualified
19 to collect test samples under sub. (1).
20

21 **(5) APPROVED LABORATORIES.** Tests under sub. (1) shall be performed at a laboratory
22 that the department and the federal bureau have approved to conduct chronic wasting disease
23 tests.

1 **(6) REPORTING TEST RESULTS.** Whenever any person receives a laboratory test result that
2 is positive for chronic wasting disease, that person shall report that test result according to s.
3 ATCP 10.03.

4 **NOTE:** The reporting requirement under sub. (5) applies to *any*
5 laboratory test result that is positive for chronic wasting disease,
6 not just the result of a test required under sub. (1). Telephone and
7 FAX reports should be made to the following numbers:
8

9 Phone: (608) 224-4872

10 FAX: (608) 224-4871

11
12 Written reports should be made 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 **(7) HERD QUARANTINE.** The department shall quarantine a farm-raised deer herd, under
20 s. ATCP 10.91, whenever any farm-raised deer from that herd tests positive for chronic wasting
21 disease. The department shall conduct an epidemiological evaluation of the quarantined herd to
22 determine the appropriate disposition of the herd.

23 **(8) CONDEMNED FARM-RAISED DEER.** (a) The department may order the slaughter or
24 destruction of a farm-raised deer, as provided in s. 95.23(1m) or 95.31, Stats. If the department
25 orders the slaughter or destruction of a farm-raised deer, the department shall direct the
26 disposition of the carcass. The owner or custodian of the farm-raised deer shall dispose of the
27 carcass as the department directs.

28 (b) The owner of a farm-raised deer slaughtered or destroyed under par. (a) may request
29 an indemnity as provided under s. 95.23(1m) or 95.31, Stats. The owner shall file the request
30 with the department, on a form provided by the department. The owner shall include, with the

1 request, a slaughter confirmation signed by an authorized employee of the department or the
2 federal bureau. The owner of a farm-raised deer does not qualify for an indemnity if the owner
3 or custodian of the deer fails to dispose of the carcass properly.

4 (9) KEEPER SHALL NOTIFY VETERINARIAN. Whenever a keeper of farm-raised deer
5 observes signs or symptoms of chronic wasting disease in any animal in the herd, the keeper
6 shall report the signs or symptoms to a Wisconsin certified veterinarian. The keeper shall make
7 the report within 24 hours after observing the signs or symptoms.

8 **ATCP 10.53 Farm-raised deer; chronic wasting disease herd status program. (1)**

9 GENERAL. A person who keeps farm-raised deer in this state may enroll the herd in the chronic
10 wasting disease herd status program under this section.

11 *NOTE:* No person may move a live farm-raised deer from a herd in this
12 state unless the herd is enrolled in the status program under this
13 section. See ss. ATCP 10.52(2) and 10.56(1).

14 (2) APPLICATION. To enroll a herd in the status program under this section, a person
15 shall submit an application on a form provided by the department. The application shall include
16 all the following:

17 (a) The name, address and telephone number of the herd owner, and any trade names
18 under which the herd owner does business.

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

21 (c) The herd location, including the county, town, section and fire number assigned to
22 that location.

1 (d) A report of a complete herd census completed no more than 30 days prior to the date
2 of application. The applicant shall submit the census report on a form provided by the
3 department. The census report shall include all the following:

- 4 1. The number, species and sex of farm-raised deer in the herd.
- 5 2. The number of farm-raised deer at least one year old.
- 6 3. The number of farm-raised deer less than one year old.
- 7 4. The official individual identification of each farm-raised deer that is at least one year
8 old.

9 (e) A written statement, by a Wisconsin certified veterinarian, which certifies all of the
10 following:

- 11 1. That the veterinarian is the herd veterinarian, having established a valid veterinarian-
12 client relationship with the herd keeper and a valid veterinarian-patient relationship with the
13 herd.
- 14 2. That no farm-raised deer in the herd has shown any clinical signs of chronic wasting
15 disease in the past 12 months.

16 **NOTE:** A person may obtain an application form under sub. (2) by
17 calling (608) 224-4872, by visiting the department website at
18 www.datcp.state.wi.us, or by 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 (3) ACTION ON APPLICATION. The department shall grant or deny an application under
26 sub. (2) within 30 days after the department receives a complete application. Except as provided

1 in sub. (9), a herd is enrolled on the day that the department accepts the application. The
2 department shall notify the herd keeper of the enrollment date.

3 (4) CONTINUED ENROLLMENT. A person who enrolls a herd in the status program under
4 this section shall do all the following to continue that enrollment:

5 (a) Identify every farm-raised deer in the herd with official individual identification
6 before the farm-raised deer is one year old.

7 (b) Have a chronic wasting disease test performed, according to s. ATCP 10.52, on each
8 of the following farm-raised deer that is at least 16 months old:

- 9 1. A farm-raised deer that dies or is killed while kept by that person.
10 2. A farm-raised deer that the person ships to slaughter.

11 (c) Notify the herd veterinarian within 24 hours after observing any signs or symptoms
12 of chronic wasting disease in the herd.

13 (d) Complete an annual herd census and file a report of that herd census under sub. (5).

14 (e) Create and maintain complete herd records under sub. (6).

15 (f) Provide the department with an annual written statement from the herd veterinarian.

16 A Wisconsin certified veterinarian shall sign and submit the statement within 30 days before or
17 after the anniversary of the herd's enrollment under sub. (3). The statement shall certify all the
18 following:

19 1. That the veterinarian is the herd veterinarian, having established a valid veterinarian-
20 client relationship with the herd keeper and a valid veterinarian-patient relationship with the
21 herd.

22 2. That the herd has not had any signs of chronic wasting disease, or any positive test
23 results for chronic wasting disease, in the past 12 months.

1 (5) ANNUAL HERD CENSUS. A person shall complete an annual herd census under sub.
2 (4)(d) within 30 days before or after the anniversary of the herd's enrollment under sub. (3). The
3 person shall file an annual census report under sub. (4)(d), on a form provided by the department,
4 within 10 days after completing the annual herd census. The report shall include all of the
5 following:

6 (a) The number, species and sex of farm-raised deer in the herd.

7 (b) The number of farm-raised deer at least one year old.

8 (c) The number of farm-raised deer less than one year old.

9 (d) The official individual identification and any auxiliary identification of each farm-
10 raised deer that is at least one year old.

11 (e) The number, species and sex of farm-raised deer added to the herd since the last
12 reported herd census. The report shall indicate whether these new farm-raised deer were born in
13 the herd or added from another source. If farm-raised deer were added from another source, the
14 report shall identify the source from which those farm-raised deer were obtained.

15 (f) The number, species and sex of farm-raised deer that have died or left the herd since
16 the last reported herd census. The report shall indicate, for each farm-raised deer that has died or
17 left the herd, all of the following:

18 1. Whether the farm-raised deer died on the premises, was shipped directly to a
19 slaughtering establishment, or was shipped live to a place other than a slaughtering
20 establishment.

21 2. If the farm-raised deer was shipped live to a place other than a slaughtering
22 establishment, the name and address of the person to whom it was shipped and the place to
23 which it was shipped.

1 3. If the farm-raised deer died on the herd premises, its age and the disposition of its
2 carcass. If the carcass left the premises, the report shall identify the carcass destination and
3 recipient. If the farm-raised deer was at least 16 months old, the report shall include a copy of
4 the laboratory report showing the chronic wasting disease test result required under sub. (4)(b).

5 4. If the farm-raised deer was shipped directly to a slaughtering establishment, its age
6 and the name and address of the slaughtering establishment. If the farm-raised deer was at least
7 16 months old, the report shall include a copy of the laboratory report showing the chronic
8 wasting disease test required under sub. (4)(b).

9 **(6) HERD RECORDS.** The keeper of a herd enrolled in the status program under this
10 section shall keep the following herd records, shall retain the records for at least 5 years, and
11 shall make the records available to the department for inspection and copying upon request:

12 (a) A record of each farm-raised deer added to the herd from another source, including:

- 13 1. The species, age, sex and official individual identification of the farm-raised deer.
14 2. The name and address of the person from whom the farm-raised deer was obtained.
15 3. The address and livestock premises code, if any, of the herd from which the farm-
16 raised deer was obtained.

17 4. A copy of the certificate of veterinary inspection that accompanied the farm-raised
18 deer.

19 (b) A record of each farm-raised deer leaving the herd, including all the following:

- 20 1. Whether the farm-raised deer died on the premises, was shipped directly to a
21 slaughtering establishment, or was shipped live to a place other than a slaughtering
22 establishment.

1 2. If the farm-raised deer was shipped live to a place other than a slaughtering
2 establishment, the name of the person to whom it was shipped, the place to which it was shipped,
3 and a copy of the certificate of veterinary inspection that accompanied the farm-raised deer.

4 3. If the farm-raised deer died on the premises, the apparent cause of death, the age of
5 the farm-raised deer, and the disposition of its carcass. If the carcass left the premises, the record
6 shall identify the carcass destination and recipient.

7 4. If the farm-raised deer was shipped directly to a slaughtering establishment, the age of
8 the farm-raised deer and the name and address of the slaughter establishment.

9 (c) A record of all chronic wasting disease tests conducted on farm-raised deer in the
10 herd.

11 (d) Records received from the herd veterinarian related to veterinary services provided to
12 the herd.

13 (7) HERD ENROLLMENT; SUSPENSION. (a) The department may by written notice,
14 without prior notice or hearing, suspend a herd's enrollment in the herd status program under this
15 section if any of the following occur:

16 1. The herd keeper falsifies any information in an enrollment application, or falsifies any
17 subsequent information required for continued enrollment.

18 2. The herd keeper fails to comply with requirements under sub. (4) for continued
19 enrollment.

20 3. The herd keeper violates sub. (10) related to herd additions.

21 4. The herd keeper fails to surround the herd with both a primary and secondary barrier,
22 or a solid barrier approved by the department, if the herd is located within a chronic wasting
23 disease eradication zone established by the Wisconsin department of natural resources by rule.

1 5. Fewer than 92% of the farm-raised deer that left the herd by death, escape or slaughter
2 in any 2 of the 5 preceding years, including farm-raised deer whose remains were not testable
3 because of deterioration when found, were tested for chronic wasting disease according to sub.
4 (4)(b).

5 6. A chronic wasting disease test positive farm-raised deer was previously a member of
6 the herd.

7 7. The department reasonably suspects that the herd may include one or more deer
8 infected with chronic wasting disease.

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

11 **NOTE:** No live farm-raised deer may be moved from a herd while a suspension under
12 sub. (7) is in effect. See ss. ATCP 10.52(2) and 10.56(1). A herd keeper may
13 request a hearing on a suspension, pursuant to s. 227.42, Stats., and ch. ATCP 1.
14 A request for hearing does not automatically stay a summary suspension.
15

16 **(8) HERD ENROLLMENT; REVOCATION.** (a) The department shall by written notice,
17 without prior notice or hearing, revoke a herd's enrollment in the herd status program under this
18 section if a farm-raised deer in the herd tests positive for chronic wasting disease.

19 (b) The department may by written notice, without prior notice or hearing, revoke a
20 herd's enrollment in the herd status program under this section if a herd keeper fails, within a
21 reasonable time, to correct conditions for which that the department has suspended the herd's
22 enrollment under sub. (7). A reasonable period of time to correct conditions under sub. (7)(a)4.
23 is 6 months.

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

1 **NOTE:** No live farm-raised deer may be moved from a herd after a herd
2 enrollment is revoked under sub. (8). See ss. ATCP 10.52(2) and
3 10.56(1). A herd keeper may request a hearing on a revocation,
4 pursuant to s. 227.42, Stats., and ch. ATCP 1. A request for
5 hearing does not automatically stay a summary revocation.

6 **(9) HERD ENROLLMENT; REINSTATEMENT.** (a) Except as provided in par. (b), the
7 department may reinstate a herd's enrollment in the herd status program, following a valid
8 suspension or revocation, if the department finds that changed circumstances warrant
9 reinstatement. The department may specify a reinstatement date that it deems appropriate. The
10 department may reinstate enrollment retroactively following a valid suspension, as it deems
11 appropriate, but may not reinstate enrollment retroactively following a valid revocation.

12 (b) The department may not reinstate enrollment following a valid revocation under sub.
13 (8)(a).

14 (c) If the department finds that that a suspension or revocation was invalid when issued,
15 the department shall reinstate the enrollment retroactive to the date of the invalid suspension or
16 revocation.

17 **(10) HERD ADDITIONS.** (a) No person may add a cervid to a herd enrolled in the status
18 program under this section unless one of the following applies:

19 1. The cervid is a farm-raised deer that originates from another herd in this state that is
20 enrolled under this section.

21 2. The cervid is a farm-raised deer that is imported in compliance with s. ATCP 10.55,
22 and originates from a herd that is one of the following:

23 a. Enrolled in a state-recognized chronic wasting disease program that is at least equal to
24 the program under this section.

25 b. Enrolled in a federal program that complies with federal uniform methods and rules.

1 (b) A person shall notify the department whenever that person adds, to a herd enrolled
2 under this section, a farm-raised deer originating from a herd that has been enrolled under par.
3 (a) for a shorter period than the receiving herd. The person shall give the notice within 14 days
4 after the person adds the farm-raised deer to the enrolled herd. The notice shall identify all of the
5 following:

- 6 1. The official individual identification of the farm-raised deer.
- 7 2. The date on which the farm-raised deer was added to the herd.
- 8 3. The keeper and location of the farm-raised deer's herd of origin, and the date on
9 which that herd was first enrolled in a program under par. (a).

10 (c) If a person adds a farm-raised deer to a herd that is enrolled in the herd status
11 program under this section, the entire herd is deemed to be enrolled beginning on the later of the
12 following dates:

- 13 1. The date specified in sub. (3).
- 14 2. The date on which the farm-raised deer's herd of origin was enrolled in a program
15 under par. (a).

16 **(11) NEW HERD; ENROLLMENT DATE.** If a person assembles a new herd consisting solely
17 of farm-raised deer from source herds that are already enrolled in a program under sub. (10)(a),
18 the new herd is enrolled in the program under this section on the latest enrollment date assigned
19 to any of those source herds if all the following apply:

20 (a) The herd keeper submits an enrollment application under sub. (2) within 90 days after
21 the keeper acquires the first farm-raised deer to create the new herd, and the department accepts
22 that enrollment application.

23 (b) The herd keeper complies with this section.

1 (c) The herd keeper includes the following information in the initial herd census report
2 under sub. (2)(d), in addition to the information required under sub. (2)(d):

3 1. The official individual identification of every farm-raised deer in the new herd,
4 including those less than one year old.

5 2. The source herd from which each farm-raised deer in the new herd originated,
6 including the address of the source herd, the name and address of the source herd keeper, and the
7 livestock premises code if any for the source herd premises.

8 3. The date on which each farm-raised deer was added to the new herd.

9 (d) The herd keeper conducts a chronic wasting disease test, according to s. ATCP 10.52,
10 on any farm-raised deer in the new herd that dies or is killed or slaughtered before the herd is
11 enrolled under this section. This paragraph does not apply to a farm-raised deer that is less than
12 16 months old.

13 (e) The herd is not kept at a location where a prior herd was depopulated because of
14 exposure to or infection with chronic wasting disease.

15 (f) The farm-raised deer in the new herd were moved in compliance with ss. ATCP 10.55
16 and 10.56.

17 **ATCP 10.54 Farm-raised deer; identification. (1) OFFICIAL INDIVIDUAL**

18 IDENTIFICATION. (a) Whenever a veterinarian does any of the following to a farm-raised deer,
19 the veterinarian shall identify the farm-raised deer with an official individual identification
20 unless the farm-raised deer already bears an official individual identification:

21 1. Vaccinates, identifies or tests a farm-raised deer in order to complete a certificate of
22 veterinary inspection or other official document or certification.

23 2. Tests the farm-raised deer for any disease identified in s. ATCP 10.03.

1 (c) A keeper of farm-raised deer shall identify each of the following farm-raised deer
2 with an official individual identification unless that farm-raised deer already bears an official
3 individual identification:

- 4 1. Each farm-raised deer that the person receives from another person.
- 5 2. Each farm-raised deer that the person ships or delivers to another person.
- 6 3. Each farm-raised deer that the person moves from one farm-raised deer herd to
7 another.
- 8 4. Each farm-raised deer that the person moves between locations that are registered
9 under one registration certificate under s. ATCP 10.46(4)(b).

10 (d) Whenever an animal dealer or animal market operator receives any farm-raised deer,
11 the animal dealer or animal market operator shall immediately identify that farm-raised deer with
12 an official official individual identification unless the farm-raised deer already bears an official
13 individual identification or is backtagged for slaughter under sub. (2).

14 (e) No animal dealer or animal market operator may deliver a farm-raised deer to the
15 custody of any other person unless that farm-raised deer bears an official individual
16 identification or is backtagged for slaughter under sub. (2).

17 (f) No person may remove, alter or tamper with the official individual identification
18 given to any farm-raised deer, except as approved by the department or the federal bureau.

19 (2) SLAUGHTER IDENTIFICATION. (a) Whenever an animal trucker, animal dealer, animal
20 market operator or slaughtering establishment operator receives any farm-raised deer for
21 slaughter, or for sale or shipment to slaughter, that recipient shall immediately identify that farm-
22 raised deer with an official backtag or other official slaughter identification approved by the
23 department unless the farm-raised deer already bears official slaughter identification.

1 (b) *Record of receipt.* Whenever any person under par. (a) receives a farm-raised deer
2 for slaughter, or for sale or shipment to slaughter, that recipient shall immediately record the
3 following information related to that farm-raised deer:

- 4 1. The official slaughter identification under par. (a).
- 5 2. The date on which that recipient received the farm-raised deer.
- 6 3. The name and address of the person from whom that recipient received the farm-
7 raised deer.

8 (c) A person who is required to keep records under par. (b) shall do all of the following:

- 9 1. Retain each record for at least 5 years.
- 10 2. Make the records available to the department, upon request, for inspection and
11 copying.

12 **ATCP 10.55 Farm-raised deer; imports. (1) GENERAL.** No person may import a
13 farm-raised deer into this state without an import permit under s. ATCP 10.07(2). Imports of
14 farm-raised deer shall comply with this section.

15 **NOTE:** See also ss. ATCP 10.81 (importing circus, rodeo, racing and menagerie
16 animals) and 10.84 (importing wild animals).
17

18 **(2) CERTIFICATE OF VETERINARY INSPECTION; REQUIREMENT.** (a) Except as provided in
19 par. (b), a valid certificate of veterinary inspection shall accompany every farm-raised deer
20 imported into this state.

21 (b) A certificate of veterinary inspection is not required under par. (a) for a farm-raised
22 deer imported directly to a slaughtering establishment for slaughter if all the following apply:

- 23 1. The farm-raised deer is accompanied by a completed federal bureau form VS 1-27.

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

1 2. The farm-raised deer, if at least 16 months old, is tested for chronic wasting disease
2 after being slaughtered. Testing shall comply with test standards in s. ATCP 10.52.

3 (3) CERTIFICATE OF VETERINARY INSPECTION; CONTENTS. A certificate of veterinary
4 inspection under sub. (2)(a) shall include all of the following:

5 (a) A tuberculosis certification under sub. (4).

6 (b) A report of compliance with brucellosis testing requirements specified, in the
7 brucellosis uniform methods and rules, for interstate movement of farm-raised deer.

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. 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 (c) If the import occurs in 2006, one of the following statements or a substantially
21 similar statement:

22 1. **“All cervids identified on this certificate originate from a farm-raised herd whose**
23 **members have all been born in the herd or kept in the herd for at least 12**
24 **months. No cervids have been added from any outside source, nor has the herd**
25 **been exposed to cervids from any outside source, during the past 12 months. No**
26 **cervid in the herd has been diagnosed with, or shown clinical signs of, chronic**
27 **wasting disease in the past 5 years. There has been no epidemiological evidence**
28 **of chronic wasting disease in the herd during the past 5 years. The herd has**
29 **been enrolled for the past 3 years in a state-recognized chronic wasting disease**
30 **program that is at least equal to the program under s. ATCP 10.53, Wis. Adm.**
31 **Code. The herd keeper keeps complete herd records, including records of all**
32 **deaths and causes of death during the past 5 years, and makes these records**
33 **available to state animal health officials.”**
34

1 2. **“All cervids identified on this certificate originate from a farm-raised herd**
2 **enrolled for the past 5 years under a state-recognized chronic wasting disease**
3 **program that is at least equal to the program under s. ATCP 10.53, Wis. Adm.**
4 **Code.”**

5
6 (d) If the import occurs in 2007, one of the following statements or a substantially
7 similar statement:

8 1. **“All cervids identified on this certificate originate from a farm-raised herd whose**
9 **members have all been born in the herd or kept in the herd for at least 12**
10 **months. No cervids have been added from any outside source, nor has the herd**
11 **been exposed to cervids from any outside source, during the past 12 months. No**
12 **cervid in the herd has been diagnosed with, or shown clinical signs of, chronic**
13 **wasting disease in the past 5 years. There has been no epidemiological evidence**
14 **of chronic wasting disease in the herd during the past 5 years. The herd has**
15 **been enrolled for the past 4 years in a state-recognized chronic wasting disease**
16 **program that is at least equal to the program in s. ATCP 10.53, Wis. Adm. Code.**
17 **The herd owner keeps complete herd records, including records of all deaths**
18 **and causes of death during the past 5 years, and makes these records available to**
19 **state animal health officials.”**

20
21 2. **“All cervids identified on this certificate originate from a farm-raised herd**
22 **enrolled for the past 5 years under a state-recognized chronic wasting disease**
23 **program that is at least equal to the program under s. ATCP 10.53, Wis. Adm.**
24 **Code.”**

25
26 (e) If the import occurs after December 31, 2007, the following statement or a
27 substantially similar statement:

28 **“All cervids identified on this certificate originate from a herd enrolled for the**
29 **past 5 years under a state-recognized chronic wasting disease program that is at**
30 **least equal to the program under s. ATCP 10.53, Wis. Adm. Code.”**

31
32 (4) TUBERCULOSIS STATUS. A certificate of veterinary inspection under sub. (2)(a) shall
33 certify one of the following:

34 (a) The farm-raised deer originates from a herd that qualifies as an accredited
35 tuberculosis-free herd under s. ATCP 10.49(1)(a).

36 (b) The farm-raised deer originates from a herd that qualifies as a tuberculosis qualified
37 herd, based on a whole herd test completed within 180 days prior to the import date.

1 (c) The farm-raised deer satisfies all of the following requirements:

2 1. It originates from a herd that qualifies as a tuberculosis qualified herd, based on a
3 whole herd test completed at least 181 days but not more than 365 days prior to the import date.

4 2. It has tested negative on a tuberculosis test conducted not more than 90 days prior to
5 the import date.

6 (d) The farm-raised deer satisfies all of the following requirements:

7 1. It has tested negative on 2 tuberculosis tests conducted 90 to 150 days apart and within
8 240 days prior to the import date.

9 2. It has been continuously isolated since the first tuberculosis test, in a manner that
10 prevents it from contracting tuberculosis from other cervids.

11 (5) POST-IMPORT TESTING. The owner of a farm-raised deer imported from a
12 tuberculosis modified accredited state shall do all the following, unless the farm-raised deer is
13 imported directly to a slaughtering establishment for slaughter:

14 (a) Test the farm-raised deer for tuberculosis at least 90 days but not more than 120 days
15 after it is imported.

16 (b) Confine the farm-raised deer to the premises where it is first received in this state
17 unless one of the following applies:

18 1. The farm-raised deer tests negative for tuberculosis under par. (a).

19 2. The farm-raised deer is imported directly to an exhibition in this state, and is returned
20 directly from that exhibition to its state of origin.

21 **ATCP 10.56 Moving farm-raised deer in Wisconsin. (1) CERTIFICATE OF**
22 **VETERINARY INSPECTION REQUIRED.** A valid certificate of veterinary inspection shall accompany

1 every farm-raised deer that is moved from a herd in this state, except that no certificate of
2 veterinary inspection is required for any of the following:

3 (a) A farm-raised deer moved directly to slaughter, if all the following apply:

4 1. The farm-raised deer is accompanied by a completed federal bureau form VS 1-27, or
5 a department permit under s. ATCP 10.08(3).

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

8 2. The farm-raised deer, if at least 16 months old, is tested for chronic wasting disease
9 after being slaughtered. Testing shall comply with test standards in s. ATCP 10.52.

10 (b) A farm-raised deer moved, pursuant to a permit under s. 10.08(3), between
11 institutions that are accredited by the American association of zoological parks and aquariums.

12 (c) A farm-raised deer moved between 2 locations that are covered by the same
13 registration certificate under s. ATCP 10.46(3)(b).

14 (2) CERTIFICATE OF VETERINARY INSPECTION; CONTENTS. A certificate of veterinary
15 inspection under sub. (1)(a) shall be signed by a Wisconsin certified veterinarian who is the herd
16 veterinarian for the herd of origin. The certificate shall include all of the following:

17 (a) The tuberculosis certification under sub. (3).

18 (b) The chronic wasting disease certification under sub. (4).

19 (3) TUBERCULOSIS CERTIFICATION. A certificate of veterinary inspection under sub.
20 (1)(a) shall certify one of the following:

21 (a) The farm-raised deer originates from an accredited tuberculosis-free herd under s.
22 ATCP 10.49.

1 (b) The farm-raised deer originates from a herd that qualifies as a tuberculosis qualified
2 herd under s. ATCP 10.49, based on a whole herd test completed within the preceding 365 days.

3 (c) The farm-raised deer meets all of the following requirements:

4 1. It originates from a tuberculosis monitored herd under s. ATCP 10.49.

5 2. It has tested negative on a tuberculosis test conducted no more than 90 days prior to
6 the movement date.

7 3. It has been continuously isolated since the test under subd. 2., in a manner that
8 prevents it from contracting tuberculosis from other cervids.

9 (d) The farm-raised deer meets all of the following requirements:

10 1. It has tested negative on 2 tuberculosis tests conducted 90 to 270 days apart, and
11 within 360 days prior to the movement date.

12 2. It has been isolated since the first test under subd. 1., in a manner that prevents it from
13 contracting tuberculosis from other cervids.

14 **NOTE:** The department offers a pamphlet describing suggested bio-
15 security measures to prevent the transmission of tuberculosis. You
16 may obtain a copy by calling (608) 224-4872, by visiting the
17 department website at www.datcp.state.wi.us, or by writing to the
18 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 (e) It is being moved, pursuant to a department permit under s. ATCP 10.08(3), to a
27 tuberculosis isolation and testing facility for which the department has issued a permit under s.
28 ATCP 10.46(14).

1 (4) CHRONIC WASTING DISEASE CERTIFICATION. A certificate of veterinary inspection
2 under sub. (1)(a) shall certify that the farm-raised deer originates from a herd that meets all of the
3 following requirements:

4 (a) It has shown no clinical signs of chronic wasting disease in the past 12 months.

5 (b) It has been enrolled in the chronic wasting disease herd status program under s.
6 ATCP 10.53 for at least the following number of years:

7 1. Three years if the farm-raised deer is being moved in 2006, and is not being moved
8 from premises where a herd of farm-raised deer has been depopulated because of chronic
9 wasting disease.

10 2. Four years if the farm-raised deer is being moved in 2007, and is not being moved
11 from premises where a herd of farm-raised deer has been depopulated because of chronic
12 wasting disease.

13 3. Five years if the farm-raised deer is being moved after December 31, 2007, or is being
14 moved from premises where a herd of farm-raised deer has been depopulated because of chronic
15 wasting disease.

16 Subchapter VIII

17 FISH

18 **ATCP 10.60 Definitions.** In this subchapter:

19 (1) "Fish farm" means a facility at which a person hatches fish eggs or holds live fish.
20 "Fish farm" does not include a wild source.

21 (2) "Food processing plant" means a facility that is required to be licensed under s.
22 97.29, Stats.

1 (3) “Operator” means a person who owns or controls a fish farm. “Operator” includes
2 the operator’s employees and agents.

3 (4) “Ornamental fish” means goldfish, koi, tropical freshwater fish that cannot survive in
4 temperatures below 38°F, saltwater fish, and other fish that the department designates in writing.

5 **NOTE:** You may obtain a current list of fish designated as “ornamental
6 fish” by contacting the department at the following address:

7
8 Wisconsin Department of Agriculture,
9 Trade and Consumer Protection
10 Division of Animal Health
11 P.O. Box 8911
12 Madison, WI 53708-8911
13 Phone: (608) 224-4872

14
15 As the department adds fish to the list, it will also initiate rules to update sub. (4)
16 accordingly.

17
18 (5) “Qualified fish health inspector” means an individual who qualifies under s. ATCP
19 10.67(1).

20 (6) “Qualified laboratory” means a laboratory that qualifies under s. ATCP 10.67(2).

21 (7) “Retail food establishment” means a facility that is required to be licensed under s.
22 97.30, Stats.

23 (8) “Restaurant” means a facility that is required to be licensed under s. 254.64, Stats.

24 (9) “Salmonid” means fish or fish eggs of the family that includes trout, salmon,
25 grayling, char, Dolly Vardon, whitefish, cisco and inconnu.

26 (10) “Untreated water” means water that has not been rendered free of pathogens by a
27 method approved by the department.

28 (11) “Wild source” means waters of the state that are not registered as fish farms, or
29 waters outside this state that are not fish farms.

1 **NOTE:** The Wisconsin department of natural resources is considered a “person” for
2 purposes of this subchapter. See s. ATCP 10.01(77).
3

4 **ATCP 10.61 Fish farms. (1) REGISTRATION CERTIFICATE REQUIRED.** Except as
5 provided in sub. (2), no person may operate a fish farm for any of the following purposes without
6 an annual registration certificate from the department for that fish farm:

7 (a) Hatching fish eggs or holding live fish for any of the following purposes:

- 8 1. Sale or distribution.
- 9 2. Introduction into the waters of the state.
- 10 3. Fishing.
- 11 4. Use as bait or fertilizer.
- 12 5. Use as human food or animal feed.
- 13 6. Education, demonstration or research.

14 (b) Holding live fish or fish eggs owned by another person.

15 **NOTE:** A Wisconsin department of natural resources (DNR) fish
16 stocking permit is needed to stock fish into the waters of the state.
17 However, a DNR fish stocking permit is not needed to stock fish
18 into a fish farm registered under sub. (2). See s. 29.736, Stats.
19

20 A DNR sport fishing license is not required to fish at a registered
21 fish farm. Persons fishing at a registered fish farm do not need to
22 comply with season, size or bag limits. See s. 29.001(27), Stats.
23

24 Toxicants required for fish farming operations may be used in self-
25 contained fish rearing facilities (as defined in s. 29.001(76), Stats.)
26 if there is no discharge from the facility, or if the discharge of the
27 chemical is allowed under a Wisconsin pollutant discharge
28 elimination system (WPDES) permit. A DNR aquatic pesticide
29 use permit is required in other cases. See ss. 29.088(2)(g),
30 29.601(5)(b) and 283.31, Stats.
31

32 Pesticide applications must comply with ch. ATCP 29,
33 administered by the department of agriculture, trade and consumer

1 protection. Pesticide applications may also be subject to other
2 federal, state and local regulations.

3
4 (2) EXEMPTIONS. A person may do any of the following without a registration certificate
5 under sub. (2):

6 (a) Hold, rear, sell or distribute live ornamental fish, or hatch the eggs of ornamental
7 fish, unless the ornamental fish or fish eggs are commingled with non-ornamental fish or fish
8 eggs or are reared for bait, human food or animal feed.

9 (b) Hold or rear live fish, or hatch fish eggs, in a fully enclosed building solely for
10 purposes of display or research within that building, provided that they are not commingled with
11 fish or fish eggs that will be used for any other purposes and the facility does not discharge to
12 waters of the state any untreated water used to hold those fish or fish eggs.

13 (c) Exhibit live fish in a public forum for not more than 15 days in a calendar year, or for
14 a longer period of time that the department authorizes in writing for a specific exhibit.

15 (d) Hold live fish or fish eggs for not more than 30 days at a food processing plant, retail
16 food establishment or restaurant pending slaughter or sale to consumers at that facility, provided
17 that they are not commingled with fish or fish eggs that will be used for other purposes and the
18 facility does not discharge to waters of the state any untreated water used to hold or process
19 those fish or fish eggs.

20 (e) Transport live fish or fish eggs to or from a fish farm.

21 (f) Operate as a bait dealer licensed under s. 29.509, Stats., provided that the person does
22 not hatch fish eggs or rear fish for any purpose other than for retail sale as bait.

23 (3) TYPE 1 OR TYPE 2 REGISTRATION CERTIFICATE. (a) Except as provided in par. (b), a
24 person required to hold a fish farm registration certificate under sub. (1) may hold either a type 1

1 or type 2 registration certificate. Each registration certificate shall bear a livestock premises
2 code.

3 (b) A person may not sell, trade or distribute live fish or fish eggs from a fish farm
4 without a type 2 registration certificate, except that a person holding a type 1 registration
5 certificate may do any of the following:

6 1. Allow fishing at the fish farm, including public fishing for a fee.

7 2. Sell, trade or distribute live fish or fish eggs to a food processing plant, retail food
8 establishment or restaurant at which the fish or fish eggs are held for not more than 30 days
9 pending slaughter or sale to consumers at that facility, provided that the facility does not
10 discharge to waters of the state any untreated water used to hold or process those fish or fish
11 eggs.

12 3. Move live fish between type 1 fish farms which that person operates in this state.

13 **NOTE:** A person holding a type 1 registration certificate may, at any time
14 during the registration year, convert that certificate to a type 2
15 certificate by paying the additional fee under sub. (7).

16 (4) ANNUAL EXPIRATION DATE. An annual fish farm registration certificate under sub.
17 (1) expires on December 31 of each year.

18 (5) PERSONS OPERATING 2 OR MORE FISH FARMS. A person who operates 2 or more fish
19 farms shall obtain a separate registration certificate under sub. (1) for each fish farm. A person
20 may obtain annual registration certificates for 2 or more fish farms by filing a single annual
21 application under sub. (6) and paying a single annual fee under sub. (7). There is no additional
22 charge for additional fish farms. A registration certificate is not transferable between persons or
23 locations.

24 **NOTE:** A person registering 2 or more fish farms may choose to register
25 those fish farms as type 1 or type 2 fish farms. The applicant

1 submits only one annual application and pays only one annual fish
2 farm registration fee. There is no additional charge to register
3 additional fish farms on the same application form. If any of the
4 fish farms is registered as a type 2 fish farm, the applicant must
5 pay the type 2 registration fee.

6 (6) APPLYING FOR A REGISTRATION CERTIFICATE. To obtain an annual fish farm
7 registration certificate under sub. (1), a fish farm operator shall file an application with the
8 department on a form provided by the department. An operator may, by filing a single
9 application form, obtain registration certificates for 2 or more fish farms. An application shall
10 include all of the following:

11 (a) The name, address and telephone number of the fish farm operator.

12 (b) The location of each fish farm for which the operator seeks a registration certificate.

13 The location shall include the county, town, section number and fire number of the fish farm.

14 (c) For each fish farm under par. (b), a statement indicating whether the operator seeks a
15 type 1 or type 2 registration certificate.

16 (d) The fees required under sub. (7).

17 (e) The name, address and telephone number of the individual responsible for
18 administering each of the fish farms under par. (b) on behalf of the operator, if the individual
19 administering that fish farm is not the operator.

20 (f) The species of fish hatched or kept at each fish farm under par. (b).

21 (g) A description of each fish farm under par. (b), including fish farm facilities and
22 activities. The application shall disclose whether the fish farm operator engages in any of the
23 following activities:

24 1. Buying, trading or importing fish or fish eggs for resale, processing or exchange
25 within this state, other than solely for breeding, bait or human consumption.

1 2. Distributing fish or fish eggs, other than fish or fish eggs produced on the operator's
2 fish farm, from any place in this state to any place outside this state.

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

5 (i) Other relevant information required by the department.

6 **NOTE:** You may obtain a fish farm registration form by contacting the
7 department at the following address:

8
9 Wisconsin Department of Agriculture,
10 Trade and Consumer Protection
11 Division of Animal Health
12 P.O. Box 8911
13 Madison, WI 53708-8911
14 Phone: (608) 224-4872

15
16 A fish farm operator may also need certain permits from the
17 Wisconsin department of natural resources (DNR). Contact DNR
18 to find out about DNR permit requirements.

19 **(7) REGISTRATION FEES.** (a) Except as provided in par. (b), an operator shall pay the
20 following annual fee to obtain registration certificates for one or more fish farms:

- 21 1. A total nonrefundable fee of \$25 if the fish farms are all type 1 fish farms.
22 2. A total nonrefundable fee of \$50 if any of the fish farms is a type 2 fish farm.

23 (b) The following persons are exempt from registration fees under this subsection:

24 1. A bona fide scientific research organization that is operating a fish farm solely for the
25 purpose of scientific research.

26 2. A primary or secondary school.

27 3. The state of Wisconsin and its agencies.

28 (c) A fish farm operator shall pay the full annual registration fee for a fish farm
29 registered for less than a full calendar year.

1 (d) An applicant for an annual fish farm registration certificate under sub. (1) shall pay,
2 in addition to the annual registration fee prescribed by this subsection, a surcharge equal to the
3 amount of that fee if the department determines that, within 365 days prior to submitting an
4 application, the applicant operated a fish farm without a registration certificate in violation of
5 sub. (1) or (3)(b). Payment of the surcharge does not relieve the applicant of any other penalty or
6 liability that may result from the violation, nor does it constitute evidence of a violation.

7 **NOTE:** Under s. 93.21(5)(b), Stats., a person who files a late application
8 for renewal of a registration certificate must pay, in addition to the
9 fee prescribed under sub. (7), an additional fee equal to 20 percent
10 of that registration fee.
11

12 **(8) ACTION ON REGISTRATION APPLICATION.** The department shall grant or deny a
13 registration application within 30 business days after the department receives a complete
14 application under sub. (6).

15 **(9) DENYING, SUSPENDING OR REVOKING A REGISTRATION CERTIFICATE.** The department
16 may deny, suspend or revoke a fish farm registration certificate for cause, including any of the
17 following:

18 (a) Filing an incomplete or fraudulent application, or misrepresenting any information on
19 an application.

20 (b) Violating applicable provisions of ch. 95, Stats. or this chapter.

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

22 **NOTE:** A fish farm operator adversely affected by the denial, suspension
23 or revocation of a fish farm registration certificate may request a
24 hearing under s. 227.42, Stats., and ch. ATCP 1. The department
25 will not deny registration to a new owner of a fish farm merely
26 because ownership has changed.

1 **(10) RECORDS.** (a) A fish farm operator shall keep all of the following records related to
2 fish or fish eggs that the operator ships from or receives at the fish farm:

3 1. The name, address, fish farm registration number, and livestock premises code if any,
4 of the person from whom the operator received, or to whom the operator delivered fish or fish
5 eggs.

6 2. The date on which the operator received or delivered the fish or fish eggs.

7 3. The location at which the operator received or delivered the fish or fish eggs.

8 4. The species, quantity and size of fish or fish eggs received or delivered.

9 5. Any import permit or health certificate required under s. ATCP 10.62.

10 (b) An operator required to keep records under par. (a) shall retain those records for at
11 least 5 years and shall make them available to the department, upon request, for inspection and
12 copying.

13 **(11) FISH SOURCE.** (a) No person selling or distributing fish or fish eggs may
14 misrepresent, directly or by implication, the source or disposition of those fish or fish eggs.

15 (b) A person transporting fish or fish eggs from a fish farm shall have documentary
16 evidence showing that the person obtained those fish from that fish farm. Evidence may include
17 a bill of sale, bill of lading, import permit, health certificate, certificate of veterinary inspection
18 or other document which identifies the fish farm.

19 **ATCP 10.62 Fish imports. (1) IMPORT PERMIT REQUIRED.** (a) Except as provided in
20 sub. (2), no person may import live fish or fish eggs into this state for any of the following
21 purposes without a written import permit from the department that covers all of the imported fish
22 or fish eggs:

23 1. Introducing the fish or fish eggs into waters of the state.

1 2. Using the fish or fish eggs as bait.

2 3. Holding the fish or hatching the fish eggs at a fish farm for which a registration
3 certificate is required under s. ATCP 10.61(1).

4 4. Selling or distributing the fish or fish eggs for any of the purposes listed under subds.
5 1. to 3.

6 (b) An import permit under par. (a) expires one year from the date on which it is issued,
7 unless the department specifies an earlier expiration date in the permit. A permit is not
8 transferable between importers. A permit does not authorize any of the following:

9 1. An import shipment that violates the terms of the permit.

10 2. An import shipment that is not covered by a valid health certificate under sub. (3)(f).

11 (c) An import permit under par. (a) shall include all of the information required under
12 sub. (3). A complete copy of the import permit shall accompany every import shipment under
13 par. (a).

14 **NOTE:** If a single import permit covers 2 or more import shipments, a copy of the
15 permit must accompany each shipment. A person importing any of the following
16 must also obtain an import permit from the Wisconsin department of natural
17 resources (DNR):

- 18 • Live fish or fish eggs of species not native to Wisconsin. *See* s.
19 29.735(1), Stats.
- 20 • Live rough fish or rough fish eggs, except goldfish, dace and
21 suckers. *See* s. 29.407(4), Stats.

22 An application for an import permit under this section also serves
23 as an application for a DNR import permit. The department will
24 forward the permit application to DNR if DNR permit
25 requirements apply.

26 Under s. 29.736, Stats., no person may use imported fish or fish
27 eggs to stock waters of the state without a stocking permit from
28 DNR (unless the stocking is subject to an exemption under s.
29

1 29.736, Stats.). An import permit application under this section
2 does not serve as an application for a DNR stocking permit.
3

4 (2) EXEMPTIONS. No permit is required under sub. (1) to import any of the following:

5 (a) Live ornamental fish or the eggs of ornamental fish, unless the ornamental fish or fish
6 eggs are commingled with non-ornamental fish or fish eggs, or are reared for bait, human food or
7 animal feed.

8 (b) Live fish or fish eggs that will be held for the remainder of their lives in fully
9 enclosed buildings solely for purposes of display or research, provided that all of the following
10 apply:

11 1. The fish or fish eggs are not commingled with fish or fish eggs that are held or used
12 for other purposes.

13 2. No untreated water used to hold the fish or fish eggs is discharged to waters of the
14 state.

15 (c) Live fish or fish eggs imported directly to a food processing plant, retail food
16 establishment or restaurant where they will be held for not more than 30 days pending slaughter
17 or sale to consumers at that facility, provided that all of the following apply:

18 1. The fish or fish eggs are not commingled with fish or fish eggs that are held or used
19 for other purposes.

20 2. The receiving facility does not discharge to waters of the state any untreated water
21 used to hold or process the fish or fish eggs.

22 (d) Live fish or fish eggs that are directly imported by the Wisconsin department of
23 natural resources.

1 (3) IMPORT PERMIT; CONTENTS. An import permit under sub. (1) shall include all of the
2 following:

3 (a) The name, address and telephone number of the importer to whom the permit is
4 issued.

5 **NOTE:** The importer may or may not be the import recipient, or the operator of the
6 import source. The importer is the person who owns the imported fish or fish
7 eggs when the import shipment enters this state.
8

9 (b) Identification of the fish farm or wild source from which the importer may import
10 live fish or fish eggs under the permit. Identification of a fish farm source shall include all of the
11 following:

12 1. The name and address of the fish farm operator.

13 2. The address, and the livestock premises code if any, of the fish farm.

14 (c) A description of the fish or fish eggs that the permit holder may import from the
15 source identified under par. (b). The description shall include the species of fish or fish eggs, the
16 quantity of each species, and the size of each species.

17 (d) Identification of each person authorized to receive import shipments under the
18 permit, including all of the following identification:

19 1. The recipient's name and address.

20 2. The address, and livestock premises code if any, of the premises in this state at which
21 the recipient will take delivery of the imported fish or fish eggs.

22 3. The category in which the recipient qualifies under sub. (6). If a recipient qualifies
23 under sub. (6) by holding a fish farm registration certificate under s. ATCP 10.61, a stocking
24 permit under s. 29.736, Stats, Stats., or a bait dealer license under s. 29.509, Stats., the import

1 permit shall include the recipient's fish farm registration number, stocking permit number or bait
2 dealer license number.

3 (e) The name and address of the fish hauler, if different from the importer.

4 (f) One or more valid health certificates under s. ATCP 10.65 that, together, cover all of
5 the fish or fish eggs imported under the permit. A health certificate does not cover an import
6 shipment that occurs after the health certificate expires.

7 **(4) APPLYING FOR A PERMIT.** A person shall apply for an import permit under sub. (1) on
8 a form provided by the department. The application shall include all of the following:

9 (a) Permit information required under sub. (3), other than permit information added by
10 the department.

11 (b) Original copies of health certificates required under sub. (3)(f), or duplicate copies if
12 the applicant has previously filed original copies of the same certificates.

13 (c) A nonrefundable fee of \$50.

14 **NOTE:** You may obtain an import permit application form by contacting the department
15 at 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 Phone: (608) 224-4872

23 **(5) ACTION ON PERMIT APPLICATION.** The department shall grant or deny an application
24 under sub. (4) within 30 days after the department receives a complete application.

25 If the department denies the application, the department shall issue the denial notice in writing
26 and shall state the reasons for the denial.

1 **NOTE:** A permit applicant may request a hearing on a denial notice,
2 pursuant to s. 227.42, Stats., and ch. ATCP 1.

3
4 **(6) IMPORT RECIPIENTS.** A person may import live fish or fish eggs to the following
5 persons, and no others, pursuant to an import permit under sub. (1):

6 (a) A person holding a current fish farm registration certificate, under s. ATCP 10.61,
7 which authorizes that person to hold live fish or fish eggs of the type imported.

8 (b) The state of Wisconsin department of natural resources.

9 (c) A person holding a current fish stocking permit, under s. 29.736, Stats., which
10 authorizes that person to stock live fish or fish eggs of the type imported.

11 (d) A person holding a current bait dealer license under s. 29.509, Stats., which
12 authorizes that person to hold live fish or fish eggs of the type imported.

13 (e) Other persons identified by the department in the permit.

14 **(7) IMPORT RECORDS REQUIRED.** If a person is required to hold an import permit under
15 sub. (1) for an import shipment of fish or fish eggs, that person shall keep all of the following
16 records related to that import shipment:

17 (a) The import permit under sub. (1).

18 (b) The date of the import shipment.

19 (c) Identification of the fish farm or wild source from which the person imported the fish
20 or fish eggs. Fish farm identification shall include all of the following:

21 1. The name and address of the fish farm operator.

22 2. The address, and the livestock premises code if any, of the fish farm.

23 (d) The species, quantity, and size or class of fish or fish eggs included in the import
24 shipment.

1 (e) The following information related to the person who received the import shipment in
2 this state:

3 1. The recipient's name and address.

4 2. The address, and livestock premises code if any, of the premises in this state at which
5 the recipient took delivery of the import shipment.

6 3. The recipient's fish farm registration number under s. ATCP 10.61, stocking permit
7 number under s. 29.736, Stats, or a bait dealer license number under s. 29.509, Stats., if relevant
8 to the recipient's qualification under sub. (6).

9 (f) The name and address of the fish hauler, if different from the importer.

10 **NOTE:** An importer must keep records under sub. (7), regardless of
11 whether the importer is located in this state or another state. The
12 department may deny, suspend or revoke an import permit under
13 sub. (1) if the importer fails to keep records, or fails to make them
14 available to the department for inspection and copying upon
15 request.

16
17 **(8) IMPORT RECORDS; RETENTION AND AVAILABILITY.** A person who is required to keep
18 import records under sub. (7) shall retain those records for at least 5 years, and shall make them
19 available to the department for inspection and copying upon request.

20 **(9) IMPORTING DISEASED FISH.** No person may import any live fish or fish eggs into this
21 state if that person knows, or has reason to know, that those fish or fish eggs are infected or show
22 clinical signs of any reportable disease under s. ATCP 10.66.

23 **(10) SUSPENDING OR REVOKING AN IMPORT PERMIT.** (a) The department may by written
24 notice, without prior notice or hearing, suspend or revoke an import permit under sub. (1) for
25 cause, including any of the following:

1 1. Filing an incomplete or fraudulent permit application, or misrepresenting any
2 information on a permit application.

3 2. Violating applicable provisions of ch. 95, Stats. or this chapter.

4 3. Violating the terms of the import permit, or exceeding the import authorization
5 granted by the permit.

6 (b) The state veterinarian may issue a notice under par. (a) on behalf of the department.

7 A notice under par. (a) shall state the reasons for the suspension or revocation.

8 **NOTE:** A permit holder may request a hearing on the suspension or revocation of an
9 import permit, pursuant to s. 227.42, Stats., and ch. ATCP 1. A request for
10 hearing does not automatically stay a summary suspension or revocation under
11 par. (a).
12

13 **ATCP 10.63 Fish introduced into waters of the state. (1) VALID HEALTH CERTIFICATE**

14 REQUIRED. No person may introduce any fish or fish eggs into waters of the state unless those
15 fish or fish eggs are covered by a valid health certificate under s. ATCP 10.65. A qualified fish
16 health inspector shall issue the health certificate based on an inspection of the fish or fish eggs,
17 or of the farm from which they originate. A health certificate does not cover an introduction that
18 occurs after the health certificate expires.

19 **NOTE:** See also fish stocking regulations under s. 29.736, Stats.
20

21 **(2) DISEASED FISH.** No person may introduce live fish or fish eggs into waters of the
22 state if that person knows, or has reason to know, that those fish or fish eggs are infected or show
23 clinical signs of any reportable disease under s. ATCP 10.66.

24 **ATCP 10.64 Fish moved within this state. (1) VALID HEALTH CERTIFICATE REQUIRED.**

25 No person may move any live fish or fish eggs between fish farms in this state unless those fish
26 or fish eggs are covered by a valid health certificate under s. ATCP 10.65. A qualified fish
27 health inspector shall issue the health certificate based on an inspection of the fish or fish eggs,

1 or of the farm from which they originate. A health certificate does not cover a movement that
2 occurs after the health certificate expires.

3 (2) DISEASED FISH. No person may move any live fish or fish eggs between fish farms
4 in this state if that person knows, or has reason to know, that those fish or fish eggs are infected
5 or show clinical signs of any reportable disease under s. ATCP 10.66.

6 **ATCP 10.65 Fish health certificates. (1) GENERAL.** A fish health certificate under s.
7 ATCP 10.62(3)(f), 10.63(1) or 10.64(1) shall comply with this section.

8 (2) ISSUING A HEALTH CERTIFICATE. A qualified fish health inspector shall issue a fish
9 health certificate on a form provided by the department, and shall file a copy of the health
10 certificate with the department within 7 days after issuing the health certificate.

11 **NOTE:** To obtain a health certificate form, contact the department at the
12 following address:

13
14
15
16
17
18
19
20

Wisconsin Department of Agriculture,
Trade and Consumer Protection
Division of Animal Health
P.O. Box 8911
Madison, WI 53708-8911
Phone: (608) 224-4872

21 (3) INSPECTION REQUIRED. A qualified fish health inspector shall issue a fish health
22 certificate based on his or her personal inspection of one of the following, using appropriate
23 inspection, sampling and diagnostic methods specified in the certificate form:

24 (a) An individual shipment of fish or fish eggs. The health certificate shall clearly
25 identify the source and contents of the individual shipment. The description shall include the
26 species of fish or fish eggs, the quantity of fish or fish eggs of each species, and the size of fish
27 of each species.

1 (b) A fish farm. The fish health certificate shall include the name and address of the fish
2 farm operator, the name and address of the fish farm, and the fish farm's livestock premises code
3 if any.

4 **NOTE:** A certificate form that specifies inspection, sampling and
5 diagnostic requirements under sub. (3) constitutes an order under s.
6 93.07(10), Stats., which is subject to review in a contested case
7 hearing under ch. 227, Stats., and ch. ATCP 1 unless the
8 department adopts those requirements by rule. If a fish health
9 certificate does not comply with instructions on the certificate
10 form, the health certificate is invalid.

11
12 **(4) CERTIFICATE CONTENTS.** (a) A fish health certificate under s. ATCP 10.62(3)(f) shall
13 certify that the fish and fish eggs in the inspected shipment, or at the inspected fish farm, are free
14 of all of the following:

15 1. Visible signs of contagious or infectious disease.

16 2. Infectious hematopoietic necrosis, viral hemorrhagic septicemia (VHS) and whirling
17 disease (*Myxobolus cerebralis*) if an import shipment covered by the health certificate includes
18 salmonids.

19 3. White sturgeon iridovirus if an import shipment covered by the health certificate
20 includes sturgeon.

21 4. Viral hemorrhagic septicemia (VHS) if an import shipment covered by the health
22 certificate includes fish or fish eggs from a state or province where that disease is known to
23 occur.

24 5. Other diseases, if any, specified on the certificate form.

25 (b) A fish health certificate issued under s. ATCP 10.63(1) or 10.64(1) shall certify that
26 the fish and fish eggs in the inspected shipment, or at the inspected fish farm, are free of all of
27 the following:

- 1 1. Visible signs of contagious or infectious disease.
- 2 2. Whirling disease (*Myxobolus cerebralis*) if a shipment covered by the health
- 3 certificate includes salmonids.
- 4 3. Other diseases, if any, specified on the certificate form.

5 (c) A fish health certificate shall include test results from a qualified laboratory to
6 confirm the statements under pars. (a) and (b) if those test results are required by the certificate
7 form.

8 **NOTE:** A certificate form that includes requirements under par. (a)5.,
9 (b)3. or (c) constitutes an order under s. 93.07(10), Stats., which is
10 subject to review in a contested case hearing under ch. 227, Stats.,
11 and ch. ATCP 1 unless the department adopts those requirements
12 by rule. If a health certificate does not comply with instructions on
13 the certificate form, the health certificate is invalid.

14
15 (d) Fish egg certification under this subsection may be based on brood
16 stock inspection and, if testing is required by the certificate form, testing of the
17 brood stock.

18 (4) EXPIRATION DATE. (a) A health certificate based on an inspection under sub. (3)(a)
19 expires 30 days after it is issued unless the department by written notice specifies a different
20 expiration date.

21 (b) A health certificate based on an inspection under sub. (3)(b) expires one year after it
22 is issued unless the department by written notice specifies a different expiration date.

23 (5) DEPARTMENT ACTION. (a) The department may, for cause, do any of the following
24 by issuing written notice to the person who issued a fish health certificate:

- 25 1. Invalidate the health certificate.
- 26 2. Change the expiration date of the health certificate.

1 3. Impose conditions or limitations on the health certificate.

2 **NOTE:** In addition to giving the required notice under par. (a), the department will also
3 attempt to notify other persons identified on the health certificate.

4
5 (b) Cause under par. (a) may include any of the following:

6 1. An apparent violation of this section.

7 2. Reasonable grounds to suspect that the health certificate may be inaccurate or
8 unreliable.

9 3. New disease concerns that are not adequately addressed by the health certificate.

10 4. Special disease concerns related to the source from which the fish or fish eggs
11 originate, and which are not adequately addressed by the health certificate.

12 **ATCP 10.66 Fish diseases; reporting. (1) REPORT REQUIRED.** Except as provided in
13 sub. (2), a person who tests for or obtains credible diagnostic evidence of any of the following
14 diseases in this state shall report that diagnosis or evidence to the department in writing, by mail,
15 e-mail or fax, within 10 days after making the diagnosis or obtaining the evidence:

16 (a) Any aquatic animal disease that is foreign or exotic to Wisconsin.

17 (b) Channel catfish virus (CCV).

18 (c) Enteric septicemia of catfish (ESC).

19 (d) Infectious hematopoietic necrosis virus (IHN).

20 (e) White sturgeon iridovirus (WSI).

21 (f) Mycobacteriosis infection.

22 (g) Proliferative kidney disease (PKD).

23 (h) *Streptococcus iniae*.

24 (i) Viral hemorrhagic septicemia (VHS).

1 (j) Whirling disease (*Myxobolus cerebralis*, or WD).

2 (k) Spring Viremia of carp (SVC).

3 (L) Largemouth bass virus.

4 (2) EXEMPTIONS. (a) Subsection (1) does not require a person to report a diagnosis
5 made by, or a diagnostic evidence received from, the department, the Wisconsin veterinary
6 diagnostic laboratory, or the Wisconsin department of health and family services.

7 (b) A person is not required to make a report under sub. (1) if another person reports the
8 same information under sub. (1) or (2).

9 **NOTE:** For example, if a qualified fish health inspector submits a test sample to a
10 laboratory and receives a positive test result for a disease identified under sub. (1),
11 the inspector is not required to report the test result to the department if the
12 laboratory does so.
13

14 (3) NOTICE TO THE DEPARTMENT OF NATURAL RESOURCES. If the department determines
15 that a disease reported under sub. (1) may present a threat to fish or other aquatic animals in
16 waters of the state, the department shall notify the department of natural resources of the report
17 contents.

18 **ATCP 10.67 Fish health inspectors and laboratories. (1) QUALIFIED FISH HEALTH**
19 **INSPECTORS.** (a) The following individuals are qualified fish health inspectors, for purposes of
20 this subchapter, unless disqualified under par. (b):

21 1. A Wisconsin certified veterinarian who has completed a fish health inspection training
22 program approved by the department.

1 2. For purposes of an action taken under this chapter outside this state, any accredited
2 veterinarian.

3 3. An individual who is currently certified by the American fisheries society as a fish
4 health inspector or fish pathologist, and who has completed fish health inspection training
5 approved by the department.

6 4. An individual who is currently authorized by a state to conduct official fish health
7 inspections in that state, and who has completed a fish health inspection training program
8 approved by the department.

9 (b) The department may for cause, by written notice and without prior notice or hearing,
10 disqualify an individual from acting as a qualified fish health inspector under this subchapter.
11 Cause may include a violation of this subchapter, or the issuance of unreliable health certificates
12 under this subchapter. The state veterinarian may issue a disqualification notice on behalf of the
13 department. The notice shall specify the cause for which it is issued.

14 **NOTE:** An individual disqualified under sub. (1)(b) may request a hearing on the
15 disqualification, pursuant to s. 227.42, Stats., and ch. ATCP 1. A request for
16 hearing does not automatically stay a summary disqualification.
17

18 **(2) QUALIFIED LABORATORIES.** (a) The following laboratories are qualified laboratories,
19 for purposes of this subchapter, unless disqualified under par. (c):

20 1. A laboratory approved by the federal bureau for purposes of disease testing related to
21 interstate movement of fish or fish eggs.

22 2. A laboratory approved by the department for purposes of disease testing related to
23 compliance with this subchapter, including imports of fish or fish eggs.

24 3. A federal or state veterinary diagnostic laboratory.

1 **NOTE:** You may obtain information related to qualified laboratories by
2 contacting the department at the 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 Phone: (608) 224-4872

10
11 (b) A laboratory operator may request department approval under par. (a)2. The
12 department may require documentation to show that the laboratory is qualified to test fish and
13 fish eggs for relevant diseases. The department shall approve or disapprove a laboratory within
14 30 days after the department receives the approval request or, if the department requests
15 documentation under this paragraph, within 30 days after the department receives all of the
16 requested documentation.

17 (c) The department may for cause, by written notice and without prior notice or hearing,
18 disqualify a laboratory from acting as a qualified laboratory under this subchapter. Cause may
19 include a violation of this subchapter, a record of incorrect test results under this subchapter, or
20 other material evidence that the laboratory is not qualified. The state veterinarian may issue a
21 disqualification notice on behalf of the department. The notice shall specify the cause for
22 disqualification.

23 **NOTE:** The operator of a laboratory disqualified under sub. (1)(b) may request a hearing
24 on the disqualification, pursuant to s. 227.42, Stats., and ch. ATCP 1. A request
25 for hearing does not automatically stay a summary disqualification.
26

27 (3) **MISREPRESENTATION.** No person may misrepresent any of the following, directly or
28 by implication:

29 (a) That an individual is a qualified fish health inspector.

30 (b) That a laboratory is a qualified laboratory.

1 (c) Any relevant matters related to a fish health inspection or laboratory test under this
2 subchapter.

3 Subchapter IX

4 SHEEP

5 **ATCP 10.68 Sheep; brucella ovis-free flock. (1) INITIAL CERTIFICATION.** The
6 department may certify a flock of sheep as a certified brucella ovis-free flock if the flock owner
7 provides proof that all rams in the flock over 6 months old have tested negative for brucella ovis
8 in 2 successive enzyme linked immune serum assay (ELISA) tests, or other tests approved by the
9 department. The tests shall be conducted at least 45 days but not more than 60 days apart.

10 **(2) RENEWAL.** The department may renew a certification under sub. (1) if, within 14
11 months after the last certification date, the flock owner submits the results of another flock test
12 showing that all rams in the flock have tested negative for brucella ovis. If a herd owner fails to
13 meet the deadline under this subsection, certification expires and may not be reinstated except by
14 the procedure under sub. (1).

15 **(3) REVOCATION.** The department may by written notice to the flock owner, without
16 prior notice or hearing, summarily revoke a flock certification under this section if any ram in the
17 flock tests positive for brucella ovis. The state veterinarian may issue the revocation notice on
18 behalf of the department.

19 **NOTE:** A flock owner affected by a revocation notice under sub. (3) may request a
20 hearing under s. 227.42, Stats., and ch. ATCP 1. A request for a hearing does not
21 automatically stay a summary suspension or revocation.
22

23 **(4) HANDLING REACTORS.** If a ram tests positive for brucella-ovis, the flock owner shall
24 do one of the following:

25 (a) Segregate and castrate the ram, under department supervision.

1 (b) Ship the ram directly to a slaughtering establishment for slaughter, pursuant to a
2 completed federal bureau form VS 1-27 or a department permit under s. ATCP 10.03(8).

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
6 (5) STATUS OF INDIVIDUAL ANIMALS. No ram qualifies as a member of a brucella ovis-
7 free flock unless at least one of the following applies:

8 (a) The ram was included in the initial certification under sub. (1).

9 (b) The ram originates from another brucella ovis-free flock.

10 (c) The ram has been in the flock for at least 60 days, and was in the flock at the time of
11 the last flock test for brucella-ovis.

12 (d) The ram was born to a flock member.

13 (6) FLOCK ADDITIONS. No ram may be added to a brucella ovis-free flock unless at least
14 one of the following applies:

15 (a) The ram originates from another brucella ovis-free flock, and was included in the last
16 flock test of that flock.

17 (b) The ram tests negative for brucella ovis within 30 days before entering the brucella
18 ovis-free flock, and again within 45 to 60 days after entering the flock.

19 **ATCP 10.69 Sheep imports.** (1) Except as provided in sub. (2), no person may import
20 a sheep into this state unless the sheep is accompanied by a valid certificate of veterinary
21 inspection. The certificate shall include the official individual identification of the sheep.

22 (2) A certificate of veterinary inspection is not required under sub. (1) for any of the
23 following:

24 (a) A sheep imported directly to a slaughtering establishment for slaughter.

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

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

8 **ATCP 10.70 Moving sheep in Wisconsin.** (1) Except as provided in sub. (2), no
9 person may sell or move a sheep within this state unless that sheep bears an official individual
10 identification.

11 (2) Subsection (1) does not apply to any of the following:

12 (a) A neutered sheep under 12 months old.

13 (b) A sheep under 12 months old that is shipped directly to a slaughtering establishment
14 for slaughter.

15 **Subchapter X**

16 **GOATS**

17 **ATCP 10.73 Goats; brucellosis-free herd certification.** (1) INITIAL CERTIFICATION.

18 The department may certify a herd of goats as a brucellosis-free herd if the herd owner provides
19 proof that all goats over 6 months old have tested negative for brucellosis in 2 consecutive
20 brucellosis tests conducted at least 10 months apart, but not more than 14 months apart.

21 (2) RENEWAL. The department may renew a certification under sub. (1) if, within 14
22 months after the last certification date, the herd owner submits proof that the herd has again
23 tested negative for brucellosis in a herd test that included all goats over 6 months old. If a herd

1 owner fails to meet the deadline under this subsection, certification expires and may not be
2 reinstated except by the procedure under sub. (1).

3 (3) TEST PROCEDURE. Testing under this section shall comply with the brucellosis
4 uniform methods and rules.

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

10
11 Wisconsin Department of Agriculture,
12 Trade and Consumer Protection
13 Division of Animal Health
14 P.O. Box 8911
15 Madison, WI 53708-8911

16 (4) REVOCATION. The department may by written notice to the herd owner, without
17 prior notice or hearing, summarily revoke a certified brucellosis-free herd certification if any
18 goat in the herd is found positive for brucellosis. The state veterinarian may issue a revocation
19 notice on behalf of the department.

20 **NOTE:** A herd owner may request a hearing on a revocation under sub. (4), pursuant to
21 s. 227.42, Stats., and ch. ATCP 1. A request for hearing does not automatically
22 stay a revocation.
23

24 **ATCP 10.74 Goats; tuberculosis-free herd. (1) INITIAL CERTIFICATION.** The
25 department may certify a herd of goats as an accredited tuberculosis-free herd if the herd
26 qualifies for that certification under the tuberculosis uniform methods and rules.

27 **NOTE:** The tuberculosis uniform methods and rules are on file with the
28 department, the secretary of state and the revisor of statutes. Copies
29 may be obtained from the USDA website at:
30 www.aphis.usda.gov/vs/index.html. Copies may also be obtained by
31 writing to the following address:

32
33 Wisconsin Department of Agriculture,

1 Trade and Consumer Protection
2 Division of Animal Health
3 P.O. Box 8911
4 Madison, WI 53708-8911

5 (2) MAINTAINING CERTIFICATION. To maintain a herd certification under sub. (1), a herd
6 owner shall comply with applicable requirements in the tuberculosis uniform methods and rules.

7 (3) SUSPENDING OR REVOKING CERTIFICATION. (a) The department may by written
8 notice to the herd owner, without prior notice or hearing, summarily suspend or revoke a herd
9 certification under sub. (1) if any of the following occur:

10 1. A goat in the herd tests positive for tuberculosis.

11 2. The herd owner fails to comply with sub. (2).

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

14 **NOTE:** A herd owner affected by a suspension or revocation notice under sub. (3) may
15 request a hearing under s. 227.42, Stats., and ch. ATCP 1. A request for a hearing
16 does not automatically stay a summary suspension or revocation.
17

18 **ATCP 10.75 Goats; Johne's disease.** The state program for Johne's disease in goats is
19 equivalent to the program for bovine animals in ss. ATCP 10.15 to 10.19, except that test eligible
20 animals in the goat program shall be 18 months of age or older.

21 **ATCP 10.76 Goat imports. (1) CERTIFICATE OF VETERINARY INSPECTION.** (a) Except
22 as provided in par. (b), no person may import a goat into this state unless the goat is
23 accompanied by a valid certificate of veterinary inspection. The certificate shall include the
24 official individual identification of the goat.

25 (b) A certificate of veterinary inspection is not required under par. (a) for any of the
26 following:

1 1. A goat imported directly to a slaughtering establishment for slaughter.

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

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

9 **(2) IMPORTS FROM TUBERCULOSIS MODIFIED ACCREDITED STATES.** (a) No person may
10 import a goat from a tuberculosis modified accredited state, other than to a slaughtering
11 establishment for slaughter, unless all of the following apply:

12 1. The goat is accompanied by a valid certificate of veterinary inspection. The certificate
13 shall include the import permit number under subd. 2., the whole herd tuberculosis test result
14 under subd. 3., and the individual test result under subd. 4.

15 2. The goat is imported pursuant to an import permit under s. ATCP 10.07(2).

16 3. The goat originates from a herd that has tested negative on a whole herd tuberculosis
17 test conducted within 12 months prior to the import date. The whole herd test shall include every
18 goat that is at least 12 months old.

19 4. The goat has tested negative on a tuberculosis test conducted within 60 days prior to
20 the import date.

21 **NOTE:** Federal bureau rules for interstate shipment of animals may
22 specify a different time period for tuberculosis testing prior to
23 interstate shipment. An importer must comply with federal bureau
24 rules. However, compliance with federal bureau rules does not
25 excuse a violation of subd. 4.
26

1 (b) A goat from a tuberculosis modified accredited state may not be imported to an
2 animal market.

3 (c) A goat imported from a modified accredited state may not be removed from the
4 premises where it is first received in this state unless one of the following applies:

5 1. The goat test negative for tuberculosis under par. (d).

6 2. The goat is shipped directly from the premises to a slaughtering establishment for
7 slaughter.

8 3. The goat is imported directly to an exhibition in this state, and is returned directly
9 from that exhibition to its state of origin.

10 (d) The owner of a goat imported from a tuberculosis modified accredited state shall
11 have the goat tested for tuberculosis not less than 60 days nor more than 90 days after it is
12 imported.

13 **ATCP 10.77 Moving goats in Wisconsin. (1)** Except as provided in sub. (2), no
14 person may sell or move a goat within this state unless that goat bears an official individual
15 identification.

16 (2) Subsection (1) does not apply to any of the following:

17 (a) A neutered goat under 12 months old.

18 (b) A goat under 12 months old that is shipped directly to a slaughtering establishment
19 for slaughter.