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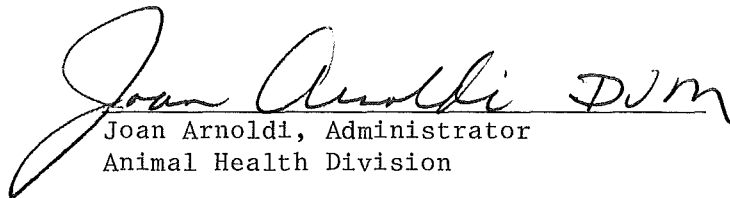
STATE OF WISCONSIN )  
 ) SS.  
DEPARTMENT OF AGRICULTURE, )  
TRADE & CONSUMER PROTECTION )

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Joan Arnoldi, Administrator, Animal Health Division, State of Wisconsin Department of Agriculture, Trade and Consumer Protection, and custodian of the official files of said Division, do hereby certify that the annexed order amending rules relating to the importation of equine animals, the operation of equine markets, and the establishment and operation of approved equine quarantine stations, Chapter Ag 10, Wis. Adm. Code, was duly approved and adopted by the Department on October 7, 1985.

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the Department offices in the city of Madison, this 7th day of October, 1985.

  
Joan Arnoldi, Administrator  
Animal Health Division

12-1-85

1 ORDER

2 OF THE

3 STATE OF WISCONSIN

4 DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION

5 ADOPTING, AMENDING AND REPEALING RULES

6 To repeal and recreate Ag 10.01(26), Ag 10.075 and Ag 10.09;  
7 and to create Ag 10.01(30) through (35), and Ag 10.095; relating  
8 to the importation of equine animals, the operation of equine  
9 markets, and the establishment and operation of approved equine  
10 quarantine stations.

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Analysis Prepared by the Department  
of Agriculture, Trade and Consumer Protection

These rules change current rules related to the importation of equine animals and the operation of equine markets in this state, and create new rules related to approved equine quarantine stations.

Under current rules, subject to certain exceptions, no person may import any equine animal into the state without an interstate health certificate signed by a veterinarian. The interstate health certificate must currently state, among other things, that the animal has been examined and shows no symptoms of infection or communicable disease, and that insofar as can be determined the animal has not been exposed to any infectious or communicable disease within the preceding 2 months. Under the rule amendments, the veterinarian must certify that the animal shows no symptoms of infectious, contagious or communicable disease; but the veterinarian will no longer be required to certify that the animal has not been exposed to any infectious or communicable disease within the preceding 2 months.

Under current rules, no interstate health certificate is required for equine animals imported directly to a slaughtering establishment for slaughter; for equine animals imported directly to a licensed livestock market or registered equine market for immediate sale or shipment to slaughter; or for circus, rodeo or menagerie animals imported pursuant to specific department rules under s. Ag 10.08, Wis. Adm. Code. These exemptions are preserved under the amendments. No interstate health certificate will be required for an equine animal which is imported directly to an equine market for sale and shipment to slaughter, provided that the importer and the market operator agree that the equine

animal is to be received by the equine market solely for the purpose of sale to slaughter. Under the rules imported slaughter animals without interstate health certificates must be separated from all other equine animals at the market, and shipped to slaughter within 10 days.

Under current rules, if an interstate health certificate is required for an imported equine animal, the interstate health certificate must normally contain a negative test result for equine infectious anemia. A negative test result for equine infectious anemia is not currently required on the interstate health certificate if the equine animal is imported directly to an equine market and held in quarantine at the equine market until the animal is tested and found negative for equine infectious anemia. Testing, including lab testing, must currently be completed within 48 hours after the equine animal arrives at the market. Animals may currently be released from quarantine only by an accredited veterinarian. All imported equine animals which test positive for equine infectious anemia must currently be destroyed within 10 days, or be branded with a "35A" brand by a state or federal animal health inspector and shipped to slaughter within 10 days.

Under the amendments, as under current rules, if an interstate health certificate is required for an imported equine animal, the interstate health certificate must normally include a negative test result for equine infectious anemia. Under the amendments, a negative test result for equine infectious anemia will not be required on the interstate health certificate if:

- (1) the equine animal is a nursing foal accompanying its dam; or
- (2) the equine animal is imported directly to an equine market and isolated from other equine animals at the equine market. Imported equine animals, other than nursing foals or slaughter animals, may not be removed from the market until they are tested and found negative for equine infectious anemia. Blood samples for testing must be drawn within 48 hours, and the samples must be promptly submitted for lab testing. (Lab testing would no longer have to be completed within the 48 hour period, as is required under current rules.) If an equine animal tests negative for equine infectious anemia, it may be removed from the market without a release from an accredited veterinarian. As under current rules, imported equine animals which test positive must be destroyed within 10 days, or be branded under department supervision and shipped to slaughter within 10 days.

Under the amendments, an "equine market" is defined as any market which is open to the public for purposes of marketing or trading in equine animals, whether or not the market is also used for trading in other animals. As under current rules, no person would be permitted to operate an equine market, other than a livestock market licensed under s. 95.70, Stats., without a registration certificate from the department.

The amendments will create new provisions related to approved equine quarantine stations. Under the amendments, no mare or stallion may be imported into this state from a foreign country where contagious equine metritis has been reported unless the mare or stallion is imported directly to an approved equine quarantine station in a sealed vehicle, and is accompanied by a shipping permit issued by the department prior to the date of importation. The vehicle seal may not be removed except by an authorized employe or agent of the department at an approved equine quarantine station. An imported mare or stallion received at an approved equine quarantine station is automatically quarantined until the quarantine is released in writing by the department.

Under the amendments, no person is allowed to operate an approved equine quarantine station without an annual permit from the department. Before any permit is issued, the station operator and an accredited veterinarian designated by the station inspector must enter into a written agreement with the department establishing procedures to be followed in the identification, handling, testing and treatment of equine animals quarantined at the station. Procedures must be performed by the designated veterinarian, except as otherwise authorized. The operator of an approved equine quarantine station must keep complete and accurate records, which must be made available for inspection and copying by the department upon request. Records must be kept for at least 2 years after they are made, and must include records on the movement of equine animals into and out of the quarantine station, the names and addresses of animal owners, and a complete record of testing and treatment procedures followed for each equine animal.

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1 Pursuant to authority vested in the state of Wisconsin  
2 department of agriculture, trade and consumer protection by  
3 ss. 93.07(1) and (10), Stats., the department hereby repeals,  
4 amends and adopts rules interpreting sections 93.07(10),  
5 95.18, 95.19, 95.20 and 95.23, Stats., as follows:

6 SECTION 1. Ag 10.01(26) is repealed and recreated to read:  
7 Ag 10.01(26) "Licensed livestock market" means a livestock  
8 market licensed under s. 95.70, Stats.

9 SECTION 2. Ag 10.01(30) through (35) are created to read:

1       Ag 10.01(30) "Approved equine quarantine station" means a fac-  
2       ility approved by the department to receive equine animals imported  
3       from foreign countries in which contagious equine metritis has been  
4       reported.

5       (31) "Equine animal" means a horse, mule or ass.

6       (32) "Equine market" means a market which is open to the pub-  
7       lic for purposes of marketing or trading in equine animals, whether  
8       or not the market is also used for marketing or trading in other  
9       animals.

10       (33) "Mare" means a female horse over 731 days of age, or any  
11       other sexually mature female equine animal.

12       (34) "Stallion" means a male horse over 731 days of age, or  
13       any other sexually mature male equine animal, but does not include a  
14       gelding.

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

18       SECTION 3. Ag 10.075 is repealed and recreated to read:

19       Ag 10.075 EQUINE ANIMALS; IMPORTATION.

20       (1) INTERSTATE HEALTH CERTIFICATE; REQUIREMENT. No person  
21       may import any equine animal into this state unless the equine  
22       animal is accompanied by a valid interstate health certificate  
23       which complies with sub. (2). This does not apply to:

24       (a) An equine animal imported directly to a slaughtering  
25       plant for slaughter.

26       (b) An equine animal imported directly to an equine market  
27       under s. Ag 10.09 if, pursuant to an agreement between the

1 importer and the operator of the equine market, the equine animal  
2 is received at the equine market solely for sale and direct ship-  
3 ment to a slaughtering establishment for slaughter. Slaughter  
4 animals shall be kept separate from all other equine animals at the  
5 equine market, and shall be shipped directly to a slaughtering  
6 establishment for slaughter within 10 days after they are received  
7 at the equine market.

8 (c) An equine animal imported in compliance with s. Ag 10.08.

9 (2) INTERSTATE HEALTH CERTIFICATE; VALIDITY; CONTENTS. An  
10 interstate health certificate accompanying an imported equine  
11 animal is not valid if executed more than 30 days prior to the date  
12 on which the equine animal is imported into this state. The inter-  
13 state health certificate shall include all of the following:

14 (a) Specific identification of the equine animal to which the  
15 interstate health certificate refers. Identification shall refer  
16 to a tattoo or other uniquely identifying markings on the equine  
17 animal.

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

19 (c) The names and addresses of the persons shipping and  
20 receiving the import shipment containing the imported equine  
21 animal.

22 (d) A statement that the equine animal has been examined by  
23 the veterinarian who executes the interstate health certificate,  
24 and that the equine animal is free of symptoms of infectious,  
25 contagious, or communicable disease.

26 (e) A report of a negative test result for equine infectious  
27 anemia, based on a test under sub. (3). A negative test result

1 need not be reported on the interstate health certificate if the  
2 equine animal is:

3 1. A nursing foal accompanying its dam.

4 2. Imported directly to an equine market under s. Ag 10.09,  
5 provided that all of the requirements under s. Ag 10.09(2)(b) are  
6 met.

7 (3) EQUINE INFECTIOUS ANEMIA; TEST. A test for equine infec-  
8 tious anemia under this section shall be conducted:

9 (a) At a state laboratory, or a laboratory approved by the  
10 United States Department of Agriculture, Animal and Plant Health  
11 Inspection Service.

12 (b) No more than 12 months prior to the date on which the  
13 equine animal is imported into this state.

14 (c) Using the agar gel immuno - diffusion method or other  
15 test method approved by the department.

16 (4) MARES OR STALLIONS IMPORTED FROM FOREIGN COUNTRIES;  
17 CONTAGIOUS EQUINE METRITIS. No mare or stallion may be imported  
18 into this state from a foreign country in which contagious equine  
19 metritis has been reported unless the mare or stallion is imported  
20 directly to an approved equine quarantine station in accordance  
21 with the procedures under s. Ag 10.095(1).

22 (5) SPECIAL IMPORTATION PERMITS. The department may, by  
23 special permit, authorize the importation of equine animals where  
24 the importation is not otherwise authorized under this section.  
25 No more than one import shipment may be authorized under each per-  
26 mit. The importation shall comply with all terms and conditions  
27 prescribed by the department. The department shall grant or deny

1 a special permit application within 30 days after the permit app-  
2 lication is received by the department, provided that the applica-  
3 tion is accompanied by all requisite information and  
4 documentation.

5 SECTION 4. Ag 10.09 is repealed and recreated to read:

6 Ag 10.09 EQUINE MARKETS.

7 (1) REGISTRATION CERTIFICATE REQUIRED. No person may operate  
8 an equine market, other than a licensed livestock market, without  
9 a registration certificate from the department. Application for a  
10 registration certificate shall be made on a form provided by the  
11 department. The department shall grant or deny an application  
12 within 90 days after the application is received by the depart-  
13 ment, provided that the application is accompanied by all  
14 requisite information and documentation.

15 (2) RECEIPT OF IMPORTED EQUINE ANIMALS. (a) No equine market  
16 may receive an equine animal imported from outside this state  
17 unless the equine animal is accompanied by a valid interstate  
18 health certificate which complies with s. Ag 10.075(2). This does  
19 not apply to an equine animal which is received solely for sale  
20 and direct shipment to a slaughtering establishment for slaughter,  
21 pursuant to an agreement between the importer and the equine  
22 market operator under s. Ag 10.075(1)(b). Slaughter animals shall  
23 be kept separate from all other equine animals at an equine  
24 market, and shall be shipped directly to a slaughtering establish-  
25 ment for slaughter within 10 days after they are received at the  
26 equine market.

27 (b) If the health certificate accompanying an imported equine



1 animal does not include a report of a negative test result for  
2 equine infectious anemia under s. Ag 10.075(2)(e), the imported  
3 equine animal shall be bled for an equine infectious anemia test  
4 within 48 hours after being received at the equine market. The  
5 blood samples shall be promptly submitted for testing in con-  
6 formity with s. Ag 10.075(3). The imported equine animal may not  
7 be removed from the equine market, or commingled with any other  
8 equine animal at the equine market, until it tests negative for  
9 equine infectious anemia. This paragraph does not apply to a  
10 nursing foal accompanying its dam, or an equine animal which is  
11 designated as a slaughter animal. A slaughter animal shall be  
12 kept separate from all equine animals except other slaughter  
13 animals, and shall be shipped directly to a slaughtering estab-  
14 lishment for slaughter within 10 days after it is received at the  
15 equine market.

16 (3) DISPOSITION OF IMPORTED EQUINE ANIMALS WHICH TEST  
17 POSITIVE FOR EQUINE INFECTIOUS ANEMIA. An imported equine animal  
18 which tests positive for equine infectious anemia shall be:

19 (a) Destroyed on the premises within 10 days after the test  
20 results become known; or

21 (b) Branded under department supervision with a distinctive  
22 brand approved by the department, and be shipped directly to a  
23 slaughtering establishment for slaughter within 10 days after the  
24 test results become known.

25 SECTION 5. Ag 10.095 is created to read:

26 Ag 10.095 EQUINE QUARANTINE STATIONS.

27 (1) STALLIONS OR MARES IMPORTED FROM FOREIGN COUNTRIES;

1 RECEIPT PROHIBITED EXCEPT AT APPROVED EQUINE QUARANTINE STATION.  
2 No person may receive in this state any stallion or mare which is  
3 imported from a foreign country in which contagious equine  
4 metritis has been reported unless the stallion or mare is imported  
5 directly to an approved equine quarantine station in a sealed  
6 vehicle. The sealed vehicle shall have been sealed at a federal,  
7 or federally approved, quarantine station by a federal, or  
8 federally approved, agent. The imported stallion or mare shall be  
9 accompanied by a shipping permit issued by the department prior to  
10 the date on which the stallion or mare is imported into this  
11 state. The vehicle seal may not be removed except by an  
12 authorized employe or agent of the department at an approved  
13 equine quarantine station. All equine animals, including test  
14 mares, which are received at an approved equine quarantine station  
15 shall be identified with a permanent individual identification of  
16 a type approved by the department.

17 (2) QUARANTINE; RELEASE. An imported stallion or mare  
18 received at an approved equine quarantine station under sub. (1)  
19 is quarantined until the quarantine is released by the department  
20 in writing. A quarantined equine animal may not be removed from  
21 the premises, or be allowed in contact with other equine animals  
22 on the premises. Contact between a quarantined equine animal and  
23 a test mare is permitted, but only pursuant to a written agreement  
24 with the department under sub. (5). A test mare which has been in  
25 contact with an imported quarantined stallion is quarantined until  
26 the quarantine is released by the department in writing.

27 (3) APPROVED EQUINE QUARANTINE STATION; PERMIT. No person

1 may operate an approved equine quarantine station without an  
2 annual permit from the department. Permits shall expire on  
3 June 30 of each year. Application for a permit shall be made on a  
4 form prescribed by the department. The department shall grant or  
5 deny a permit application within 90 days after the application is  
6 received, provided that the application is accompanied by all  
7 requisite information and documentation. Every application shall  
8 include:

9 (a) The name and mailing address of the applicant, and any  
10 trade or business name to be used by the applicant.

11 (b) A statement indicating whether the applicant is an  
12 individual, partnership, corporation, cooperative corporation, or  
13 other business association or entity.

14 (c) The location of the equine quarantine station, specified  
15 by county, township and section.

16 (d) The name and address of the accredited veterinarian who  
17 will perform all identification, handling, testing and treatment  
18 of equine animals at the approved equine quarantine station under  
19 procedures or protocols established by the department.

20 (e) Other information which the department may require, if  
21 the information is reasonably relevant to the department's action  
22 on the permit application.

23 (4) CONSTRUCTION REQUIREMENTS; SANITARY OPERATION. Approved  
24 equine quarantine stations shall be constructed and maintained to  
25 prevent contact between quarantined equine animals and any other  
26 equine animals on the premises, including test mares. An approved  
27 equine quarantine station shall be maintained in a clean and

1 sanitary manner.

2 (5) TESTING AND TREATMENT PROCEDURES; WRITTEN AGREEMENT.

3 Before any permit is issued for the operation of an approved  
4 equine quarantine station, the station operator and the accredited  
5 veterinarian designated under sub. (3)(d) shall enter into a  
6 written agreement with the department establishing procedures and  
7 protocols to be followed in the identification, handling, testing  
8 and treatment of equine animals quarantined at the station. The  
9 approved equine quarantine station shall be operated in compliance  
10 with the agreed procedures and protocols. Procedures and pro-  
11 tocols shall be performed by the designated veterinarian except as  
12 otherwise authorized by the department.

13 (6) RECORDKEEPING. The operator of an approved equine quar-  
14 antine station shall keep complete and accurate records, which  
15 shall be made available for inspection and copying by the depart-  
16 ment upon request. Records shall be kept for at least 2 years  
17 after they are made and shall include:

18 (a) The identification, date of arrival, and date of removal  
19 of each imported equine animal received at the quarantine station.

20 (b) The name and address of the owner of each equine animal  
21 received at the quarantine station, correlated with a specific  
22 identification of the equine animal.

23 (c) A complete record of the procedures and protocols  
24 followed in conjunction with the identification, handling, testing  
25 and treatment of each imported equine animal.

26 SECTION 6. The rules contained in this order shall take  
27 effect on the first day of the month following publication in the

1 Wisconsin administrative register as provided in s. 227.026(1)  
2 (intro.), Stats.

3 Dated this 7th day of October, 1985.

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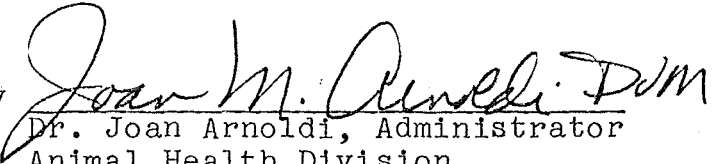
STATE OF WISCONSIN  
DEPARTMENT OF AGRICULTURE,  
TRADE AND CONSUMER PROTECTION

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By

  
Dr. Joan Arnoldi, Administrator  
Animal Health Division

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