

Chapter Ag 10

ANIMAL DISEASE PREVENTION AND CONTROL

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Note: Chapter Ag 10 as it existed on December 31, 1990 was repealed and a new Chapter Ag 10 was created effective January 1, 1991.

Subchapter I — Definitions

Ag 10.01 Definitions. As used in this chapter:

(1) "Accredited tuberculosis-free herd" means a herd of cattle or goats which is certified as tuberculosis-free by one of the following:

(a) The department under s. Ag 10.17 or 10.62.

(b) The authorized animal health agency of the state in which the herd is located, under standards comparable to s. Ag 10.17 or 10.62.

(2) "Accredited veterinarian" means a veterinarian who is both of the following:

(a) Licensed to practice veterinary medicine.

(b) Specifically authorized by the federal bureau and responsible state agency, pursuant to 9 CFR 160 to 162, to perform animal disease eradication and control functions under state and federal animal health laws.

(3) "Anaplasmosis" means the contagious, infectious disease of cattle caused by *Anaplasma marginale*.

(4) "Anaplasmosis-free herd" means a herd of cattle which is certified as anaplasmosis-free by one of the following:

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- (a) The department under s. Ag 10.18.
- (b) The authorized animal health agency of the state in which the herd is located, under standards comparable to s. Ag 10.18.
- (5) "Anaplasmosis test" means the complement fixation test or other anaplasmosis diagnostic test which is approved by the department and conducted at a laboratory approved by the department or the federal bureau.
- (6) "Bison" means American bison of any age or sex, commonly known as buffalo.
- (7) "Boar" means an uncastrated male swine that is sexually mature.
- (8) "Bovine animal" means cattle and American bison of any age or sex.
- (9) "Brucellosis" means the contagious, infectious and communicable disease caused by bacteria of the genus *Brucella*.
- Note: Brucellosis is also known as Bang's disease, undulant fever, and contagious abortion.
- (10) "Brucellosis test" means:
- (a) For bovine animals, a blood serum agglutination test, a particle concentration fluorescence immunoassay (PCFIA) or approved supplemental tests conducted according to procedures approved by the department.
- (b) For swine, the swine brucellosis card test, the blood serum agglutination test, or approved supplemental tests conducted according to procedures approved by the department.
- (11) "Bull" means an uncastrated sexually mature male bovine animal.
- (12) "Calf" means a sexually immature bovine animal of either sex.
- (13) "Cattle" means any of the various animals of the domesticated genus *Bos*.
- (14) "Certificate of veterinary inspection" means a written certificate prepared by an accredited veterinarian in compliance with s. Ag 11.02(2).
- (15) "Certified brucellosis-free herd" means a herd of cattle or goats which is certified as brucellosis-free by one of the following:
- (a) The department under s. Ag 10.14 or 10.61.
- (b) The authorized animal health agency in the state where the herd is located, under standards comparable to s. Ag 10.14 or 10.61.
- (16) "Commingled" means kept or brought in contact with other animals in any environment which permits direct contact between the animals.
- (17) "Communicable" means transmissible either directly or indirectly.
- (18) "Contagious" means spread by contact, body secretions or fomites.

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(45) "Official individual identification" means a set of identifying characters which is uniquely associated with an individual animal, and which consists of one of the following:

- (a) The animal's official ear tag number.
- (b) The animal's breed association tattoo.
- (c) The animal's breed association registration number.
- (d) Other identification approved by the department.

(46) "Official spayed heifer" means a female bovine animal which has had its ovaries removed and is identified by an open spade brand or spay certificate.

(47) "Official vaccinate" means a female bovine animal which is vaccinated against brucellosis, and identified and reported as a vaccinate, in compliance with s. Ag 10.10 or comparable laws of another state.

(48) "Originates" means coming from a herd in which the animal was born or spent the last 4 months before being imported to this state or moved to the current herd. A herd of origin does not include a temporary assembly of animals for sale or shipment.

(49) "Paratuberculosis" means the infectious and communicable disease of domestic ruminants, commonly known as Johne's disease, which is caused by *Mycobacterium paratuberculosis*.

(50) "Paratuberculosis herd sample" means a collection of individual samples taken concurrently from all animals in the herd that are at least 20 months of age on the date that the samples are taken.

(51) "Paratuberculosis official vaccinate" means a bovine animal originating from a paratuberculosis program herd or a documented paratuberculosis-free herd, which was vaccinated with the *Mycobacterium paratuberculosis* bacterin between 5 and 35 days of age, and was identified with an official ear tag or other official identification and appropriately tattooed.

(52) "Paratuberculosis reactor" means a ruminant which has a positive fecal culture for *Mycobacterium paratuberculosis*, or which is positive to any other test approved by the department for identification of paratuberculosis.

(53) "Paratuberculosis sample" means a fecal sample or other sample approved by the department.

(54) "Paratuberculosis test" means a test approved by the department, conducted at a laboratory approved by the department or the federal bureau, to determine whether an animal is infected with *Mycobacterium paratuberculosis*.

(55) "Person" includes any individual, corporation, partnership, association, or firm.

(56) "Poultry" means domesticated fowl, including chickens, turkeys, waterfowl, and game birds, except doves and pigeons, which are bred for the primary purpose of producing eggs or meat.

(57) "Pseudorabies" means the contagious, infectious, and communicable disease of livestock and other animals which is caused by the pseudorabies herpes virus, and which is also known as Aujeszky's disease, mad itch, or infectious bulbo-paralysis.

(58) "Pseudorabies test" means the negative serum neutralization (SN) test or another pseudorabies diagnostic test which is approved by the department and conducted at a laboratory approved by the department or the federal bureau.

(59) "Pullorum" means a disease of poultry caused by *Salmonella pullorum*.

(60) "Qualified pseudorabies negative herd" means a herd of swine which is certified as being pseudorabies negative by one of the following:

(a) The department under s. Ag 10.30.

(b) The authorized animal health agency in the state where the herd is located, under standards comparable to s. Ag 10.30.

(61) "Reactor" means an animal which has reacted positively in a conclusive diagnostic test for an infectious, contagious or communicable disease.

(62) "Slaughtering establishment" means a slaughtering establishment which is licensed by the department, or subject to inspection by the United States department of agriculture. "Slaughtering establishment" includes all premises used in connection with a slaughter operation.

(63) "Sow" means a sexually mature female swine.

(64) "State veterinarian" means the administrator of the animal health division of the department, or a veterinarian who is authorized by the administrator to act on his or her behalf.

(65) "Steer" means a castrated male bovine animal.

(66) "Supplemental brucellosis test" means the complement fixation test, card test, rivanol plate test, individual brucellosis ring test and other tests approved by the department for the diagnosis of brucellosis.

(67) "Suspect" means an animal which is suspected of having a disease, based on test results or other reliable information, but which is not yet confirmed to have the disease.

(68) "Swine" means a domestic hog or any variety of wild hog.

(69) "Tuberculosis" means the contagious, infectious and communicable disease caused by *Mycobacterium bovis*.

(70) "Tuberculosis test" means an approved screening test or confirmatory test to determine whether an animal may be infected with tuberculosis. "Tuberculosis test" includes a caudal fold test or a comparative cervical test.

(71) "Typhoid" or "fowl typhoid" means a disease of poultry caused by *Salmonella gallinarum*.

(72) "Validated brucellosis-free herd" means a herd of swine which is certified as brucellosis-free by one of the following:

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(a) The department under s. Ag 10.33.

(b) The authorized animal health agency of the state in which the herd is located, under standards comparable to s. Ag 10.33.

(73) "Veal calf" means a bovine animal of either sex, not more than 120 days old, which is kept for the sole purpose of feeding prior to slaughter for veal.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

## Subchapter II — General Provisions

**Ag 10.02 Reportable diseases.** Except as otherwise provided in this section, a veterinarian shall report the following diseases in writing to the department within 10 days after the disease is diagnosed or suspected. The diseases marked with an asterisk require emergency action and shall be reported to the department's animal health division immediately by telephone or other rapid means. An emergency report shall be confirmed in writing within 10 days. Veterinarians are not required to report any disease that has been diagnosed at the department's animal health laboratory, or rabies diagnosed at the state laboratory of hygiene of the department of health and social services.

- (1) Anaplasmosis.
- (2) Anthrax.
- \* (3) Any disease which is foreign or exotic to Wisconsin.
- \* (4) Avian influenza.
- (5) Bluetongue.
- \* (6) Brucellosis.
- (7) Equine infectious anemia.
- \* (8) Equine encephalomyelitis (Eastern, Western or Venezuelan).
- (9) Mycoplasmosis (*Mycoplasma gallisepticum*).
- (10) Paratuberculosis (Johne's disease).
- (11) Potomac horse fever.
- \* (12) Pseudorabies.
- (13) Pullorum.
- (14) Rabies.
- (15) Salmonellosis in poultry (*Salmonella typhimurium* or *Salmonella dublin*).
- (16) Scrapie.
- (17) Sheep foot rot.
- (18) Swine dysentery.
- \* (19) Tuberculosis.

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\*(20) Vesicular conditions, including vesicular stomatitis.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

**Ag 10.03 Disease testing; reports. (1) VETERINARIAN TO FILE REPORT.** Whenever a veterinarian tests an animal for any of the following diseases, the veterinarian shall report the test results to the department within 10 days unless the test sample is analyzed at a department laboratory:

- (a) Anaplasmosis.
- (b) Brucellosis.
- (c) Leukosis.
- (d) Paratuberculosis (Johne's disease).
- (e) Pseudorabies.
- (f) Tuberculosis.

**(2) SAMPLES AND REPORTS TO INCLUDE OFFICIAL INDIVIDUAL IDENTIFICATION.** Every test sample and every test report submitted to the department under sub. (1) shall be identified with the official individual identification of the animal to which the sample or test report pertains. If the animal has no official individual identification, the veterinarian shall identify the animal.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

**Ag 10.04 State not a warrantor.** Nothing in this chapter constitutes a warranty by the state of Wisconsin or the department that any animal is free of disease.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

### Subchapter III — Bovine Disease

**Ag 10.10 Brucellosis; official vaccinates. (1) VACCINATION PROCEDURE.** No bovine animal may be designated as an official vaccinate unless the animal is vaccinated for brucellosis in compliance with all of the following procedures:

(a) A beef breed animal shall be vaccinated when the animal is between 120 and 299 days of age, and a dairy breed animal shall be vaccinated when the animal is between 120 and 239 days of age.

(b) The vaccine used to immunize the bovine animal shall be a *Brucella* vaccine approved by the federal bureau.

(c) The vaccine shall be administered subcutaneously by an accredited veterinarian.

**(2) IDENTIFYING OFFICIAL BRUCELLOSIS VACCINATES.** (a) *Vaccination tattoo.* Every veterinarian who vaccinates a bovine animal for brucellosis shall apply a vaccination tattoo to the inner surface of the right ear of the animal. The vaccination tattoo shall consist of a number representing the quarter of the year in which the animal was vaccinated, followed by a symbol in the form of a shield containing the letter "V" and the last numeral of the year in which the animal was vaccinated. Number 1 represents the first quarter of the year (January, February and March).

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(b) If an anaplasmosis-free herd certificate is revoked, the herd may be recertified under sub. (1) following the release of any quarantine affecting the herd. The requirement for the second of 2 successive negative herd tests under sub. (1) is waived and the herd may be recertified if all animals test negative on the first herd test.

(4) STATUS OF INDIVIDUAL ANIMALS. No animal qualifies as a member of an anaplasmosis-free herd unless one or more of the following apply:

(a) The animal was in the herd for at least 60 days prior to the last herd test for certification or recertification under this section.

(b) The animal, which has been in the herd for at least 60 days, originated from another anaplasmosis-free herd.

(c) The animal, which has been in the herd for at least 60 days, tested negative for anaplasmosis within 30 days before entering the herd.

(d) The animal was born to a member of the herd.

(6) HERD ADDITIONS. No animal may be added to a certified anaplasmosis-free herd unless one or both of the following apply:

(a) The animal originates from another anaplasmosis-free herd, and was in that herd of origin when the herd of origin was last tested for anaplasmosis.

(b) The animal tested negative for anaplasmosis within 30 days before entering the herd.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

**Ag 10.19 Anaplasmosis control.** (1) QUARANTINE. The department shall quarantine every herd of bovine animals in which an anaplasmosis reactor is found.

(2) SEGREGATION; TREATMENT OR SLAUGHTER. Bovine animals classified as anaplasmosis reactors or suspects shall be segregated and treated under department supervision, or shipped to slaughter under a permit issued by the department or an accredited veterinarian. Animals segregated for treatment may be returned to the herd if all segregated animals are retested and found negative for anaplasmosis at least 45 days after treatment is completed. Animals returned to the herd under this subsection may be released from quarantine if the rest of the herd is released from quarantine under sub. (3).

(3) RETESTING. If bovine animals from a quarantined herd under sub. (1) are found negative for anaplasmosis upon initial testing, those animals shall be retested not less than 60 days after all reactors and suspects are segregated from the herd or sent to slaughter under sub. (2). If, upon retest, all of the animals again test negative for anaplasmosis, they may be released from quarantine.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

**Ag 10.20 Mastitis; detection and control.** (1) SCREENING TESTS. The department may conduct screening tests to detect and control bovine mastitis. The department may conduct screening tests on milk from all dairy herds as frequently as the department considers necessary. Screening test results shall be reported to herd owners if the screening test results indicate a mastitis problem.

(2) FARM INSPECTIONS; TEST PROCEDURES. If 2 or more successive screening tests on milk from a dairy herd indicate the presence of mastitis, or if other evidence of mastitis exists within the herd, the department may conduct a farm inspection. All lactating animals in the herd may be examined by a department approved veterinarian. If clinical evidence of mastitis is found within the herd, the department may issue a notice prohibiting the sale of milk and shall advise the herd owner which animals are infected. If continued evidence of mastitis is found on any subsequent screening test, the department may take an official herd sample of all milk in bulk tanks or cans on the farm premises. The department shall conduct a bacteriological and microscopic examination of the herd sample to determine whether the milk is insanitary and adulterated under sub. (3). The department may place the milk under holding order pending laboratory examination.

(3) TEST STANDARDS; DETERMINATION OF ADULTERATION. (a) Milk from any herd is deemed to be from sick or diseased animals, and is insanitary and adulterated under s. 97.50, Stats., if any of the following conditions exist:

1. There is clinical evidence of mastitis in one or more cows.
2. A herd sample contains in excess of 750,000 somatic cells per ml.
3. The milk contains pathogenic microorganisms capable of producing mastitis.

(b) Insanitary and adulterated milk shall be rejected by the dairy plant to which the milk is offered for sale, as required under s. Ag 60.13.

(4) CONTROL PROCEDURES; EXCLUSION OF MILK. (a) The department may investigate causes of mastitis in infected herds. In cooperation with the herd owner's veterinarian, the department may suggest methods for mastitis control. If corrective action is not taken by the herd owner and subsequent tests indicate that milk from the herd is insanitary and adulterated, the department may issue an order to the herd owner or agent which does either or both of the following:

1. Prohibits further sale or delivery of milk from the herd. The prohibition shall remain in effect until the herd owner follows a mastitis control program approved by the department or prescribed by a veterinarian, and the incidence of mastitis in the herd is eliminated or substantially reduced as determined by a direct somatic cell count of less than 750,000 per ml.

2. Quarantines individual animals or an entire herd, as necessary for disease control, pursuant to s. Ag 10.70.

(b) A person adversely affected by an order under par. (a) may request a hearing before the department. A request for hearing does not stay the order.

(5) NOTICE TO DAIRY PLANTS. Copies of all notices and orders pertaining to an infected herd under this section shall be furnished to the dairy plant receiving milk from the infected herd. No dairy plant operator receiving notice of a department order prohibiting the sale or delivery of milk from an infected herd may accept milk from the herd while the order is in effect.

**Ag 10.21 Paratuberculosis (Johne's disease); herd certification or classification.** The department shall certify or classify every Wisconsin herd of cattle in one of 3 categories, as provided under subs. (1) to (3):

(1) **DOCUMENTED PARATUBERCULOSIS-FREE HERD.** (a) *Initial certification.* The department may certify a herd as a "documented paratuberculosis-free herd" if the herd owner or herd manager submits documentation showing that the herd has been tested and found negative for paratuberculosis, based on 4 consecutive paratuberculosis herd samples. Each successive paratuberculosis herd sample in the 4-sample series shall be taken not less than 10 months nor more than 14 months after the preceding herd sample. Certification shall commence retroactively on the most recent of the 4 herd sampling dates.

(b) *Annual recertification.* The department may annually recertify a herd as a "documented paratuberculosis-free herd" if the herd owner or herd manager submits a negative paratuberculosis herd test, based on a paratuberculosis herd sample taken not less than 10 nor more than 14 months after the beginning of the most recent certification period. If a herd sample is not submitted within 14 months after the last annual certification date, certification expires. If certification expires, the herd may not be recertified except under sub. (1).

(c) *Herd additions.* No animal may be added to a "documented paratuberculosis-free herd" unless the addition is approved by the department. Violation of this paragraph constitutes grounds for revocation of a "documented paratuberculosis-free herd" certificate, regardless of whether the animal is actually infected with paratuberculosis.

(d) *Status of individual animals.* No animal qualifies as a member of a "documented paratuberculosis-free herd" unless one of the following applies:

1. The animal was born to a herd member.
2. The animal was added to the herd under par. (c).
3. The animal tested negative for paratuberculosis as part of the 2 most recent herd tests.

(e) *Certificate revocation; reactor herd.* If testing of a "documented paratuberculosis-free herd" discloses any positive paratuberculosis reactors among the herd, the certification shall be summarily revoked by written notice and the herd shall be classified as a "paratuberculosis non-program" herd under par. (3). The revocation notice shall be signed by the state veterinarian, and shall be served on the herd owner or agent. A person adversely affected by a summary revocation notice may request a hearing before the department. A request for hearing does not stay the summary suspension. If certification is revoked, the herd owner or manager may enter into a herd management agreement and qualify the herd for certification as a "paratuberculosis control program herd" under sub. (2).

(2) **PARATUBERCULOSIS CONTROL PROGRAM HERD.** The owner or manager of a herd of cattle in which paratuberculosis has been diagnosed may enter into a written herd management agreement with the department. The herd management agreement shall include appropriate measures to control paratuberculosis in the herd or to prevent introduction of the disease. Calfhood vaccination shall be limited to those herds in which

paratuberculosis has been confirmed, and which are subject to a herd management agreement. The herd owner, the herd veterinarian, and the department shall be parties to the herd management agreement. Upon execution of a written herd management agreement, the herd may be certified as a "paratuberculosis control program herd." The herd management agreement may be terminated by the department for cause, or by the herd owner or manager upon 60 days prior notice to the department. Termination of the herd management agreement terminates certification of the herd as a "paratuberculosis control program herd." The herd will then be classified as a "paratuberculosis non-program herd."

(3) **PARATUBERCULOSIS NON-PROGRAM HERD.** Every herd of cattle in this state which is not certified under sub. (1) or (2) shall be classified as a "paratuberculosis non-program herd."

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

**Ag 10.22 Leukosis-free herd; certification.** (1) **INITIAL CERTIFICATION.** The department may certify a herd of cattle as a "leukosis-free herd" if the herd owner or manager provides proof that all animals in the herd, 6 months of age or older, have been found negative for leukosis in 3 consecutive leukosis tests. Herd samples for each successive test shall be taken no sooner than 90 days and no later than 120 days from the date of the preceding test and shall be referred promptly to the department for testing.

(2) **ANNUAL RECERTIFICATION.** The department may annually recertify a herd of cattle as leukosis-free if all animals in the herd, 6 months of age or older, are retested and found negative for leukosis. Testing for recertification shall be performed not less than 10 months nor more than 14 months after the last annual certification date. Annual recertification may be based on a single leukosis test. If testing for recertification is not completed within 14 months after the last annual certification date, certification expires. If certification expires, the herd may not be recertified except under sub. (1).

(3) **CERTIFICATE REVOCATION.** (a) If a leukosis test shows that any animal in a certified leukosis-free herd is positive for leukosis, the certificate shall be summarily revoked by written notice to the herd owner or agent. The revocation notice shall be signed by the state veterinarian. A person adversely affected by a summary revocation may request a hearing before the department. A request for hearing does not stay the summary revocation.

(b) If a leukosis-free herd certificate is revoked, the herd may be recertified under sub. (1) following the release of any quarantine affecting the herd.

(4) **STATUS OF INDIVIDUAL ANIMALS.** No animal qualifies as a member of a "leukosis-free herd" unless one or more of the following apply:

(a) The animal was in the herd at the time of the last herd test for certification or recertification.

(b) If the animal entered the herd after the last herd test for certification or recertification, the animal tested negative for leukosis in 3 consecutive leukosis tests, as provided under sub. (5) (a).

(c) The animal was born to a member of the herd.