

No. 719, S.]

[Published July 18, 1951.

**CHAPTER 485.**

AN ACT to amend 95.41 (section heading) and 95.46 (4) and to create 20.74 (7), 95.41 (4) and 95.465 of the statutes, relating to the production and distribution of M-phase vaccine, and making an appropriation.

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

SECTION 1. 20.74 (7) of the statutes is created to read:

20.74 (7) On July 1, 1951, \$25,000 to be used to supplement the appropriations under section 20.60 for the eradication and control of Brucellosis, for the construction, purchase or leasing of a laboratory and the equipment thereof for the production of M-phase vaccine. In addition to such sum, all receipts from the sale of such vaccine shall be paid into the general fund and appropriated therefrom for the operation, expert personnel, maintenance of the laboratory and other production expenses.

SECTION 2. 95.41 (section heading) of the statutes is amended to read:

95.41 (section heading) TUBERCULIN; EAR TAGS; VACCINE, SUPPLIED.

SECTION 3. 95.41 (4) of the statutes is created to read:

95.41 (4) The department shall arrange for the production of M-phase vaccine in Wisconsin. Commercial production may be authorized under its supervision. If such supervised commercial production cannot be negotiated the department shall engage in the production thereof. No M-phase vaccine shall be sold to or used by any person in this state other than an approved veterinarian until such vaccine is approved by federal regulation.

SECTION 4. 95.46 (4) of the statutes is amended to read:

95.46 (4) All veterinarians shall use only vaccine produced under federal regulations \* \* \* or produced by or under the direction or supervision of the department in consultation with the college of agriculture. They shall identify the vaccinates as required in subsection (3) and shall record in triplicate on forms prepared by the department such information as it may require. The veterinarian shall transmit one copy of such record to the department within 5 days, one copy to the owner of the animals, and he shall preserve one copy for his own file.

SECTION 5. 95.465 of the statutes is created to read:

95.465 M-PHASE VACCINE. (1) Wherever the terms "vaccine", "vaccinate" or "vaccination" are used in any part of this chapter relating to Brucellosis they shall be construed to include M-phase vaccine and bovine animals treated therewith in compliance with the laws and regulations relating to vaccination.

(2) M-phase vaccine shall be used in this state only at the written request of the owners of the animals to be so treated. Owners, so electing, shall be required to pay the cost thereof, except that as to animals treated under the Brucellosis control program such cost shall be reduced by an amount equal to the cost of other approved vaccine distributed by the state.

(3) Each request for the use of M-phase vaccine shall be construed as releasing and discharging the state from any and all liability for any injury or damage which may result to the owner or to any of his property by reason of the use of such vaccine.

Approved June 27, 1951.