

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Note: Chapter Ag 10 as it existed on December 31, 1990 was repealed and a new Chapter Ag 10 was created effective January 1, 1991.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

(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 the fecal culture test, enzyme-linked immunosorbent assay test, also known as the ELISA test, or other 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:

(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; emerg. cr. (15j), (15m), (17m) and (61m), eff. 3-18-91; am. (54), Register, June, 1991, No. 426, eff. 7-1-91.

## 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.

\*(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) INVESTIGATION AND VOLUNTARY CONTROL MEASURES. The department may investigate the causes and prevalence of mastitis in dairy herds, and may recommend mastitis control measures to herd owners.



(2) **ORDER PROHIBITING SALE OF MILK.** If a department veterinarian or other accredited veterinarian finds clinical evidence of mastitis in one or more cows, the department may issue an order prohibiting the sale of milk from those cows. A person adversely affected by the order is entitled to a hearing before the department upon request.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91; r. and recr. Register, June, 1991, No. 426, eff. 7-1-91.

**Ag 10.21 Johne's disease testing.** (1) **HERD OWNER RELIEVED FROM IMPLIED WARRANTY IN SALE OF CATTLE.** (a) Except as provided in par. (b), the implied warranty under s. 95.195 (1), Stats., does not apply to the sale of a bovine animal from a herd which is classified by the department under s. Ag 10.215, provided that the herd owner discloses the information required under s. Ag 10.216 to the buyer prior to sale. To obtain an annual herd classification under s. Ag 10.215, the herd owner shall comply with the annual herd testing requirements under this section.

Note: Paratuberculosis (Johne's disease) is a chronic subclinical disease of bovine animals. Under s. 95.195 (1), Stats., in each contract for the sale of an animal, there is an implied warranty that the animal is not infected with paratuberculosis (Johne's disease) unless the seller does one of the following:

(a) Notifies the buyer in writing before the sale that the animal is not warranted as being uninfected with paratuberculosis; or

(b) Complies with the testing and disclosure requirements under this section and s. Ag 10.216.

Under current technology, a single test is not adequate to determine that an individual bovine animal is free of paratuberculosis. Tests which are not part of a herd test, or tests which are conducted on groups of animals assembled for a short time prior to sale, are of little or no value in determining the risk of paratuberculosis infection. Test results are only meaningful if tested animals are part of a herd and all animals in the herd are tested. The testing alternative under this section is therefore available only to herd owners, and is not available to livestock dealers or other sellers of bovine animals.

(b) The sale of a bovine animal is subject to the implied warranty under s. 95.195 (1), even though the animal is from a classified herd, if the animal was added to that classified herd from another herd less than 6 months before the last annual herd test under this section. This paragraph does not apply if the animal was added to the classified herd from a herd which was classified as a paratuberculosis documented-free herd under s. Ag 10.215 (1) (a).

(2) **ANNUAL HERD TEST.** To obtain an annual herd classification under s. Ag 10.215, a herd owner shall have the herd tested annually for paratuberculosis. If samples for an annual herd test are not taken within 14 months after the last annual herd test samples were taken, the existing herd classification expires and the herd owner may not claim protection under sub. (1) until the herd is reclassified.

(3) **ANIMALS TESTED.** In an annual herd test, every animal 20 months of age or older, including any animal which was added to the herd within the last 6 months, shall be individually tested for paratuberculosis.

(4) **TEST SAMPLES.** Paratuberculosis test samples for an annual herd test shall be taken by a person authorized under sub. (5). Each test sample shall be identified with the official individual identification of the animal from which the sample was taken, together with the date on which the sample was taken.



(5) WHO MAY COLLECT TEST SAMPLES. Paratuberculosis test samples for an annual herd test shall be collected by one of the following:

- (a) An accredited veterinarian.
- (b) An employe of the department or the federal bureau.

(6) TEST METHOD. In an annual herd test, animals shall be tested for paratuberculosis using the fecal culture test, the enzyme-linked immunosorbent assay or ELISA test or another test which is approved by the department.

(7) TESTING LABORATORY. In an annual herd test, paratuberculosis test samples shall be analyzed at a department laboratory, a federal bureau laboratory, or a laboratory approved by the department or the federal bureau. Samples shall be forwarded to the testing laboratory by the person under sub. (5) who collects the samples.

(8) TEST RESULTS; REVIEW BY DEPARTMENT. The testing laboratory under sub. (7) shall promptly report to the department epidemiologist all individual test results obtained from an annual herd test. Based on the individual test results, the epidemiologist shall determine the overall prevalence of paratuberculosis in the herd, and shall classify the herd by risk category under s. Ag 10.215. The epidemiologist shall determine the prevalence of paratuberculosis in the herd based on the number of animals identified as test positive, the total number of animals tested, and the test accuracy in terms of the sensitivity and specificity of the test used.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91; r. and recr. Register, June, 1991, No. 426, eff. 7-1-91.

**Ag 10.215 Paratuberculosis herd classification. (1) RISK CATEGORIES.** Within 30 days after the department epidemiologist receives the test results from an annual herd test under s. Ag 10.21 (8), the epidemiologist shall classify the herd in one of the following paratuberculosis risk categories:

(a) *Documented paratuberculosis-free herd.* Animals from a documented paratuberculosis-free herd are at negligible or insignificant risk of contracting paratuberculosis. A herd shall be classified in this risk category if either of the following conditions are met:

1. In 3 consecutive herd tests, the herd has been tested by the fecal culture test and found completely negative for paratuberculosis. Samples for each herd test shall be taken not less than 10 months nor more than 14 months after samples were taken for the preceding herd test.

2. In 2 consecutive herd tests, the herd has been tested by the ELISA test and found completely negative for paratuberculosis. Samples for the second herd test shall be taken not less than 10 months nor more than 14 months after samples were taken for the first herd test.

(b) *Low prevalence paratuberculosis herd.* A herd shall be classified as a low prevalence paratuberculosis herd if the latest annual herd test indicates a paratuberculosis prevalence of less than 5%, but the herd does not qualify as a documented paratuberculosis-free herd under par. (a). Negative test animals from a low prevalence paratuberculosis herd are at negligible or insignificant risk of contracting paratuberculosis. An animal

not tested because the animal is less than 20 months of age is at low risk of contracting the disease.

(c) *Moderate prevalence paratuberculosis herd.* A herd shall be classified as a moderate prevalence paratuberculosis herd if the latest annual herd test indicates a paratuberculosis prevalence of at least 5% but not more than 10%. A negative test animal from a moderate prevalence paratuberculosis herd has a 2% to 10% risk of contracting paratuberculosis at a later date. Any animal not tested because the animal is less than 20 months of age is at moderate risk for contracting the disease.

(d) *High prevalence paratuberculosis herd.* A herd shall be classified as a high prevalence paratuberculosis herd if the latest annual herd test indicates a paratuberculosis prevalence greater than 10%. All animals from a high prevalence paratuberculosis herd are at high risk for contracting paratuberculosis.

(2) NOTICE TO HERD OWNER. Upon classifying a herd under sub. (1), the department epidemiologist shall promptly provide the herd owner with all of the following information in writing:

(a) *Individual animal test results.* Individual test results for each animal included in the herd test. Test results shall be identified with each animal's official individual identification.

(b) *Herd prevalence.* The prevalence of paratuberculosis in the herd, as determined by the epidemiologist. Upon request by the herd owner, the epidemiologist shall explain the basis on which the herd prevalence was determined.

(c) *Herd classification.* The owner's herd classification, as determined by the epidemiologist under sub. (1). A herd classification takes effect when this classification notice is signed by the department epidemiologist, and immediately supersedes any prior classification. The classification notice shall be accompanied by the following disclaimer:

**"This herd classification expires 14 months after (date of latest herd test) unless the herd is retested prior to that date. This classification does not apply to animals which were added to the classified herd from another herd less than 6 months before the classified herd was tested."**

(d) *Individual animal risk factor.* The risk that animals from the herd will contract paratuberculosis in the future, based on the risk category in which the herd is classified under sub. (1). The risk statement shall be accompanied by the following disclaimer:

**"This risk statement does not apply to animals which were added to the classified herd from another herd less than 6 months before the classified herd was tested."**

(e) *Invitation to participate in herd management program.* An invitation to participate in the department's paratuberculosis herd management program under sub. (3), unless the herd is classified as a documented paratuberculosis-free herd under sub. (1) (a).

(f) *Right of hearing.* Notice that the herd owner is entitled to a prompt informal hearing to contest any disputed findings by the department epidemiologist under this section. If a disputed matter is not resolved after informal hearing, the herd owner is also entitled to a formal hearing under ch. 227, Stats.

(3) **HERD MANAGEMENT PROGRAM.** (a) *General.* If a herd is classified under sub. (1), the herd owner may enroll the herd in the department's paratuberculosis herd management program unless the herd is classified as a documented paratuberculosis-free herd under sub. (1) (a). The herd management program is a voluntary program designed to reduce or eliminate the prevalence of paratuberculosis in a participating herd. If a herd owner chooses to participate, the herd owner and herd veterinarian will enter into a written herd agreement with the department. The herd agreement will include recommended measures for the control or elimination of paratuberculosis in the herd, and may authorize paratuberculosis vaccination under par. (b).

(b) *Vaccination for paratuberculosis.* No person may vaccinate any animal for paratuberculosis except under a herd agreement with the approval of the department. The department will not authorize vaccination in any herd in which the prevalence of paratuberculosis is less than 15% unless special circumstances warrant vaccination in that herd.

History: Cr. Register, June, 1991, No. 426, eff. 7-1-91.

**Ag 10.216 Paratuberculosis; sale disclosures.** To obtain protection under s. Ag 10.21 (1) (a), a herd owner selling a bovine animal shall disclose all of the following paratuberculosis information to the buyer prior to sale:

(1) **INDIVIDUAL ANIMAL TEST RESULTS.** For each animal sold, the most recent paratuberculosis test result reported to the seller under s. Ag 10.215 (2) (a), if any.

(2) **HERD PREVALENCE.** The prevalence of paratuberculosis in the seller's herd, as last reported to the seller under s. Ag 10.215 (2) (b).

(3) **HERD CLASSIFICATION.** The risk classification of the seller's herd, as last reported to the seller under s. Ag 10.215 (2) (c).

(4) **INDIVIDUAL ANIMAL RISK FACTOR.** For each animal sold, the pertinent risk factor last reported to the seller under s. Ag 10.215 (2) (d).

History: Cr. Register, June, 1991, No. 426, eff. 7-1-91.

**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.

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