

Clearinghouse Rule 95-060

STATE OF WISCONSIN)
) ss. Clearinghouse Rule
DEPARTMENT OF AGRICULTURE,) No. 95-060
TRADE & CONSUMER PROTECTION)

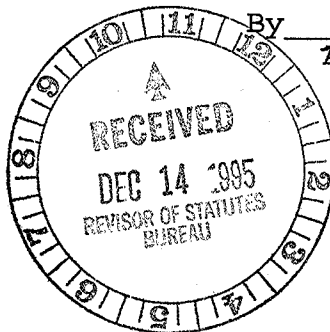
CERTIFICATION:

I, Alan T. Tracy, Secretary of the State of Wisconsin, Department of Agriculture, Trade and Consumer Protection, and custodian of the department's official records, hereby certify that the attached rulemaking order relating to animal diseases and animal movements was signed and adopted by the Department on December 12, 1995.

I further certify that I have compared the attached copy to the original on file in the department, and that the attached copy is a complete and accurate copy of the original.

Signed and sealed this 12th day of December, 1995.

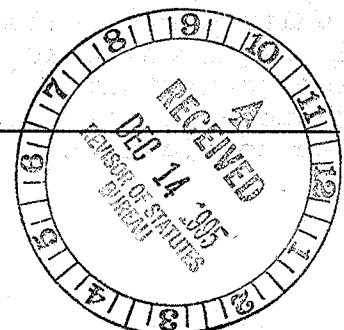
STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION



By 
Alan T. Tracy, Secretary

ORDER OF THE STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION
ADOPTING RULES

1 The state of Wisconsin department of agriculture, trade and
2 consumer protection hereby adopts an order to repeal ATCP
3 10.01(15j) and (35) to (37), 10.03(1)(c), 10.15(4), 10.22,
4 11.01(18j) and (40), 11.11(1)(a)2 and (2), 11.11(6)(b)5 and
5 11.62(3)(a) and (3)(b)(title); to renumber ATCP 11.62(3)(b); to
6 renumber and amend ATCP 11.54(1); to amend ATCP 10.01(1) and
7 (38), 10.10(2)(b)2 and (3), 10.14(1)(b) and (5)(b), 10.16(1),
8 10.17(1) and (2)(title), 10.17(5)(c) and (d)(intro.), 10.62(5)(b)
9 and (c), 11.01(1) and (41), 11.02(1)(a)2, (3)(i) and (4)(b),
10 11.11(1)(a)1, (1)(c)2 and 3, (3)(b)2 and 5 to 9, (3)(c)1, (5)(b)5
11 to 7 and (5)(c)1, 11.22(1) and (2)(a)1, 11.53(2)(cm),
12 11.54(title) and (2), 11.56(1), (2)(c) and (2)(e)1, 11.71(2) and
13 12.05(2)(b); to repeal and recreate ATCP 10.01(10), (17m), (61m)
14 and (70), 10.02, 10.11(1) and (2), 10.15(1) and (2), 10.17(3),
15 10.66, 11.01(13), (20m), (70m) and (81), 11.10(1)(a),
16 11.16(note), 11.55(2) and 12.01(13); and to create 10.01(6m),
17 (13m), (69m) and (69r), 10.151, 10.65, 10.67, 11.01(8m), (16m),
18 (71m), (80m) and (80r), 11.02(6), 11.16(2)(L), 11.54(1)(a) to
19 (c), (3) and (4), and 11.56(2)(g); relating to animal health and
20 diseases of bovine animals, cervidae, goats, south American
21 camelidae and swine.



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

Statutory Authority: ss. 93.07(1), 95.19(3), 95.26(6) and
95.27(8), Stats.
Statutes Interpreted: ss. 95.19, 95.22, 95.23, 95.25, 95.26,
95.27, 95.30, 95.31, 95.43 and 95.49,
Stats.

OVERVIEW

This rule modifies current animal health rules related to bovine animals (cattle and American bison), cervidae (e.g., captive deer and elk), goats, south American camelidae (e.g., llamas) and swine. This rule also modifies current disease reporting requirements, and clarifies health documentation for animals imported to consignment sales.

DISEASE REPORTING

Under current rules, a veterinarian must report to the department whenever the veterinarian diagnoses or suspects certain "reportable diseases" listed in the current rules. This rule requires diagnostic laboratories, as well as veterinarians, to report.

This rule deletes the following diseases from the current list of "reportable diseases."

- Bluetongue.
- Potomac horse fever.
- Sheep foot rot.
- Swine dysentery.

Under current rules, a veterinarian must report to the department whenever the veterinarian tests an animal for leukosis (unless the test sample is analyzed at a department laboratory). This rule eliminates the current reporting requirement related to leukosis tests.

**INTERSTATE HEALTH CERTIFICATES; CONSIGNMENT
SALES OF IMPORTED ANIMALS**

Under this rule, if an animal is imported on consignment to a livestock dealer or market operator, for sale on behalf of the out-of-state seller to a purchaser in this state, any interstate health certificate or certificate of veterinary inspection which is required to accompany the imported animal must continue to accompany that animal until the animal is delivered to the custody of its purchaser. An accredited veterinarian attending the consignment sale who issues a

certificate of veterinary inspection for the consigned animal may include health information contained on the import certificate.

SWINE

This rule clarifies that swine backtagged for slaughter must be backtagged with an official swine backtag.

GOATS

Under current rules, no goat may be added to an accredited tuberculosis-free herd unless the goat originates from a tuberculosis-free state, or meets one of several other requirements. Under this rule, a goat may also be added to an accredited tuberculosis-free herd if it originates from a tuberculosis-free nation.

BOVINE ANIMALS

Brucellosis

Under current department rules, a veterinarian may not perform brucellosis tests in Wisconsin unless the veterinarian is an accredited veterinarian. Consistent with federal rules, this rule also requires accredited veterinarians to be trained by the department before they perform brucellosis tests in this state.

Under current rules, an accredited veterinarian who performs a brucellosis vaccination must report the vaccination to the department within 15 days. This rule clarifies that if the veterinarian does not report the vaccination to the department, the vaccinated animal will not be considered an "official vaccinate." That, in turn, may affect the owner's ability to export the animal.

Under current rules, a female bovine animal may not be imported into this state unless the animal is an "official vaccinate" or qualifies under one of 7 exemptions to the vaccination requirement. This rule eliminates the vaccination requirement altogether.

Under current rules, every bovine animal imported into this state must test negative on a pre-import brucellosis test unless the animal qualifies under one of 10 exemptions. This rule expands certain exemptions, as follows:

- Under current rules, the pre-import testing requirement does not apply to an animal from a brucellosis-free state if that animal is tested within 60 days after it is imported. Under

this rule, neither a pre-import test nor a post-import test is required for an animal imported from a brucellosis-free state or nation.

- Under current rules, the pre-import testing requirement does not apply to a steer or spayed heifer originating from a brucellosis-free or class A state. This rule exempts all steers and spayed heifers from pre-import testing, regardless of where those animals originate.

Under s. 95.49, Stats., and current rules, bovine animals must be tested for brucellosis before they are moved within this state. This rule exempts cattle (but not American bison) from the current testing requirement, provided that Wisconsin remains a brucellosis-free state. Testing prior to intrastate movement will still be required under s. 95.49, Stats., unless that statute is amended or repealed.

Under current rules, a bovine animal must be tested for brucellosis before it is exhibited at a fair or livestock exhibition. (There are several exemptions.) This rule completely eliminates the current testing requirement.

Tuberculosis

This rule clarifies that current rules related to tuberculosis in "bovine animals" apply to American bison as well as cattle.

Current rules prescribe standards for tuberculosis testing and for handling reactor animals. The current rules do not indicate how suspect animals are to be handled. This rule specifies how suspect animals are to be handled. Under this rule:

- If an animal is classified as a tuberculosis suspect animal by a caudal fold tuberculin test, the animal must be handled in one of the following ways:
 - The suspect may be retested using the comparative cervical tuberculin test within 10 days after the tuberculin was injected for the caudal fold tuberculin test.
 - The suspect may be retested using the comparative cervical tuberculin test at least 60 days after the tuberculin was injected for the caudal fold tuberculin test.
 - The suspect may be shipped to slaughter with department approval. A slaughtered animal must be necropsied, and specimens must be sent to the national veterinary services laboratory for testing regardless of whether the necropsy discloses lesions compatible with

tuberculosis.

- If an animal is classified as a tuberculosis suspect animal by a comparative cervical tuberculin test, the animal must be handled in one of the following ways:
 - The animal may be retested using the comparative cervical tuberculin test at least 60 days after the tuberculin was injected for the last previous comparative cervical tuberculin test.
 - The animal may be shipped to slaughter under a permit issued by the department. A slaughtered animal must be necropsied, and specimens must be collected and sent to the national veterinary services laboratory for testing regardless of whether the necropsy discloses lesions compatible with tuberculosis.
- If an animal is classified as a suspect animal on 2 successive comparative cervical tuberculin tests, the animal must be classified and handled as a reactor unless the department determines that the animal should not yet be classified as a reactor. In determining when an animal should not be classified as a reactor, the department will consider the tuberculosis test responses and necropsy information from other animals in the herd, whether the animal in question was a natural addition to the herd or had been purchased, and the number and frequency of additions or purchased animals to the herd over the 5 previous years.

If the department determines that the animal should not yet be classified as a reactor, the animal must be handled in one of the following ways:

- The animal may be retested using the comparative cervical tuberculin test at least 60 days after the tuberculin was injected for the last previous comparative cervical tuberculin test.
 - The animal may be shipped to slaughter with department approval. A slaughtered animal must be necropsied, and specimens must be sent to the national veterinary services laboratory for testing regardless of whether necropsy discloses lesions compatible with tuberculosis.
- If the animal is classified as a suspect animal on 3 successive comparative cervical tuberculin tests, the animal must be classified and handled as a reactor.

Under current rules, the department may certify a herd of bovine animals as an "accredited tuberculosis-free herd" if all animals

in the herd over 20 months old are tested annually and found negative for bovine tuberculosis. Under this rule, the department may certify a bovine herd as an "accredited tuberculosis-free herd" if all animals in the herd over 24 months old are tested annually and found negative for bovine tuberculosis. This change is consistent with current federal standards.

Under this rule, a herd of bovine animals is classified as a known infected herd if the national veterinary services laboratory, in a bacteriological culture, isolates mycobacterium bovis in a specimen collected from a herd member. If a herd is classified as a known infected herd, the department must summarily revoke its certification as an "accredited tuberculosis-free herd." The department may not certify a known infected herd as an "accredited tuberculosis-free herd" for at least 5 years after the herd is released from quarantine.

Under current rules, a bovine animal may not be imported into this state unless it tests negative on a pre-import tuberculosis test. There are a number of exemptions. Under one of those exemptions, an animal originating from an accredited tuberculosis-free herd is exempt from testing if the animal is accompanied by an interstate health certificate or certificate of veterinary inspection which includes the source herd number, the date on which the source herd was last tested, and a veterinarian's statement that the imported animal was included in the last source herd test. Under this rule, the veterinarian issuing the certificate is no longer required to certify that the imported animal was included in the last source herd test.

Leukosis

Under current rules, the department may certify a herd of cattle as a "leukosis-free herd" if the herd meets certain requirements. This rule eliminates the "leukosis-free herd" certification program, which has not been used by Wisconsin farmers.

CERVIDAE

Performing Tuberculosis Tests on Cervidae

Under current rules, a tuberculosis test on cervidae may only be performed by an accredited veterinarian, an employe of the department, or an employee of the United States department of agriculture's animal and plant health inspection service ("APHIS").

Under this rule, a tuberculosis test on cervidae may only be performed by a veterinarian employed by the department or APHIS, except that an accredited veterinarian may do any of the following if the accredited veterinarian is trained by the

department to perform tuberculosis tests in cervidae:

- Perform a single cervical tuberculin test on a cervid from a herd other than a quarantined herd.
- Obtain a blood sample for a blood tuberculosis test, unless the test is performed on a cervid from a quarantined herd.

Under this rule, no person may perform a tuberculosis test on a quarantined herd or known infected herd, except with the department's approval. Nor may any person perform any comparative cervical tuberculin test or blood tuberculosis test on any cervid in this state unless the cervid is first tested with the single cervical tuberculin test.

Tuberculosis Status of Individual Cervidae

This rule revises current standards for determining the tuberculosis status of individual cervidae. Under this rule:

- If a cervid from a herd other than a known infected herd is tested using the single cervical tuberculin test, the cervid must be classified as either negative or suspect, based on the test results.
- If a cervid from a known infected herd is tested using the single cervical tuberculin test, the cervid must be classified as either negative or reactor, based on the test results.
- If a cervid is tested using the comparative cervical tuberculin test or the blood tuberculosis test, the cervid must be classified as either negative, suspect or reactor, based on the test results.

Retesting and Handling Tuberculosis Suspects

This rule revises current rules related to the retesting and handling of cervidae which have been classified as tuberculosis suspects. Under this rule, if a cervid from a herd other than a known infected herd is classified as a tuberculosis suspect by the single cervical tuberculin test, the suspect cervid must be handled in one of the following ways:

- It may be retested using the comparative cervical test within 10 days after the tuberculin was injected for the single cervical tuberculin test, or at least 90 days after the tuberculin was injected for the single cervical tuberculin test.
- It may be retested using the blood tuberculosis test at least 12 days but not more than 45 days after the tuberculin

was injected for the single cervical tuberculin test.

- It may be slaughtered with department approval. A slaughtered suspect must be handled according to the procedure specified below.

Under this rule, if a cervid from a herd other than a known infected herd is classified as a tuberculosis suspect by a comparative cervical tuberculin test, the suspect cervid must be handled in one of the following ways:

- It may be retested using the comparative cervical test until it tests negative or is classified as a reactor. Each comparative cervical test must be conducted at least 90 days after the tuberculin was injected for the last previous comparative cervical test.
- It may be slaughtered with department approval. A slaughtered suspect must be handled according to the procedure specified below.

Under this rule, if a cervid from a herd other than a known infected herd is classified as a tuberculosis suspect by a blood tuberculosis test, the suspect cervid must be handled in one of the following ways:

- It may be retested using the blood tuberculosis test until it tests negative or is classified as a reactor. Each blood tuberculosis test must be conducted at least 30 days but not more than 90 days after the last previous blood tuberculosis test.
- It may be slaughtered with department approval. A slaughtered suspect must be handled according to the procedure specified below.

Under this rule, if a cervid from a herd other than a known infected herd is classified as a tuberculosis suspect by 2 comparative cervical tuberculin tests or by 2 blood tuberculosis tests, the cervid must be classified and handled as a reactor unless the department determines that the animal should not yet be classified as a reactor. In determining when an animal should not be classified as a reactor, the department will consider the tuberculosis test responses and necropsy information from other animals in the herd, whether the animal in question was a natural

addition to the herd or had been purchased, and the number and frequency of additions or purchased animals to the herd over the 5 previous years.

Under this rule, if a cervid from a herd other than a known infected herd is classified as a tuberculosis suspect by 3 comparative cervical tuberculin tests or 3 tuberculosis blood tests, the cervid must be classified and handled as a reactor.

Handling Tuberculosis Reactors

This rule requires that, within 24 hours after a cervid is classified as a reactor, the cervid must be branded and identified for slaughter. A reactor must be slaughtered within 15 days. A slaughtered reactor must be handled according to the procedure specified below. Within 15 days after a reactor is slaughtered, the herd owner must clean and disinfect the premises where the reactor was kept.

Slaughtering Cervidae

This rule prohibits any person from slaughtering a tuberculosis suspect, a tuberculosis reactor, or any cervid from a quarantined or known infected herd without department approval. No suspect, reactor, or cervid from a quarantined or known infected herd may be used for food unless it is slaughtered at a licensed meat establishment subject to state or federal slaughter inspection.

Under this rule, whenever a suspect, a reactor, or a cervid from a known infected herd is slaughtered, it must be necropsied by or in the presence of a state or federal veterinarian. Specimens from the slaughtered cervid must be submitted to the national veterinary services laboratory for histopathological examination and bacterial culture, regardless of whether the necropsy discloses lesions compatible with tuberculosis. No slaughtered suspect, reactor, or cervid from a known infected herd may be used for food until the results of the histopathological examination are known, and the department authorizes use of the carcass for food.

Tuberculosis Suspect; Herd Quarantine

Under this rule, whenever a tuberculosis suspect is found in a herd other than a known infected herd, the department must quarantine the entire herd. The department may perform tuberculosis tests on other cervidae in the herd, regardless of whether the suspect is found to be a reactor or is found to be infected with tuberculosis. The department may release the herd quarantine, whether or not it has tested any other cervidae in the herd, if either of the following occurs:

- The suspect cervid retests negative according to this rule.

- The suspect cervid is slaughtered, necropsied and tested according to this rule, and neither the histopathology nor the bacterial culture reveals any evidence of tuberculosis.

Tuberculosis Reactor; Herd Quarantine

Under this rule, whenever a tuberculosis reactor is found in a herd other than a known infected herd, the department must quarantine the entire herd. The department may test other cervidae in the herd, regardless of whether the reactor is found to be infected with tuberculosis. The department may release the herd quarantine, whether or not it has tested any other cervidae in the herd, if neither the histopathology nor the bacterial culture on the slaughtered reactor reveals any evidence of tuberculosis.

Lesions Compatible With Tuberculosis; Herd Quarantine and Testing

Under this rule, if histopathological examination of a specimen from a suspect or reactor reveals lesions that are compatible with tuberculosis, but a bacteriological culture fails to isolate mycobacterium bovis, the department must keep the entire herd quarantined until the entire herd tests negative on a single cervical tuberculin test. The herd test must be performed at least 90 days after the last tuberculosis test that identified a suspect or reactor in the herd. For at least 2 years after the department releases the herd quarantine, the department must annually test the entire herd using the single cervical tuberculin test, until the department determines that further testing is unnecessary.

Known Infected Herd

Under this rule, a herd of cervidae is classified as a known tuberculosis infected herd if the national veterinary services laboratory, in a bacteriological culture, isolates mycobacterium bovis in a specimen collected from a herd member. When a herd is classified as a known infected herd, every suspect cervid in the herd is automatically reclassified as a reactor.

Under this rule, the department may condemn and order the destruction of cervidae in a known infected herd if the department finds that their destruction is necessary to prevent or control the spread of tuberculosis among cervidae or other domestic animals. The department may condemn and order the destruction of cervidae in a known infected herd, regardless of whether those cervidae are classified as suspects or reactors.

Under this rule, the department must quarantine all cervidae in a known infected herd that are not destroyed. The department may not release the quarantine until the entire herd tests negative on 3 successive whole herd tests performed using the single

cervical tuberculin test. The whole herd tests must be performed according to this rule. For at least 5 years after the department releases the herd quarantine, the department must annually test the entire herd using the single cervical tuberculin test.

Under this rule, no whole herd test may be performed on a known infected herd sooner than 90 days after the last tuberculosis test which identified a suspect or reactor in the herd. Once a known infected herd tests negative on a whole herd test, subsequent whole herd tests must be performed at least 180 days apart.

Under this rule, a cervid from a known infected herd may be tested using the blood tuberculosis test only if the blood for the test is drawn simultaneously with a whole herd single cervical test.

Whole Herd Negative Test

Under this rule, whole herd negative tests are necessary to permit release of a quarantine. The rule specifies that a test will be considered a whole herd negative test if every animal in the herd is tested and one of the following applies:

- Every animal tests negative on the single cervical tuberculin test.
- In a herd other than a known infected herd, every suspect animal on the single cervical tuberculin test is retested using either the comparative cervical tuberculin test or the blood tuberculosis test and every suspect is negative on the retest.
- Every suspect or reactor is slaughtered and specimens are sent to the national veterinary services laboratory for testing, and every animal is negative on the bacteriological culture test.

Tuberculosis Indemnities

This rule permits the department to pay tuberculosis indemnities under s. 95.31, Stats., only for cervidae that are classified as reactors, or for cervidae in a known infected herd that are condemned by the department. A person claiming indemnities must file a claim according to this rule. The department may not pay indemnities if the claimant fails to comply with this rule, or fails to comply with the terms of the department's condemnation order. If the department postpones a condemnation order at the request of a herd owner in order to permit further herd testing, the department may not pay tuberculosis indemnities which exceed the amount that the department would have paid had it not postponed the condemnation order.

Certifying an "Accredited Tuberculosis Free Herd"

Under this rule, the department may certify a herd of cervidae as an "accredited tuberculosis free herd" if the herd tests negative on 3 consecutive single cervical tuberculin tests conducted not less than 9 months nor more than 15 months apart. Each herd test must include all herd members over 12 months old, and all herd members under 12 months old that were not born in the herd.

Under this rule, the department's certification or recertification of an "accredited tuberculosis free herd" takes effect retroactively, beginning on the date of the last herd test whose results are used to justify the certification or recertification.

The department may recertify a herd as an "accredited tuberculosis free herd" if the herd tests negative on a single cervical tuberculin test conducted not less than 21 months nor more than 27 months after the effective date of the current certification. If testing for recertification is not performed within 27 months after the effective date of the current certification, the current certification expires.

Certifying a "Tuberculosis Qualified Herd"

Under this rule, the department may certify a herd of cervidae as a "tuberculosis qualified herd" if the herd tests negative on a single cervical tuberculin test. The herd test must include all herd members over 12 months old, and all animals under 12 months old that were not born in the herd.

Under this rule, the department's certification or recertification of a "tuberculosis qualified herd" takes effect retroactively, beginning on the date of the last herd test whose results are used to justify the certification or recertification. The department may recertify a herd if the herd retests negative not less than 9 months nor more than 15 months after the effective date of the current certification. If retesting is not performed within 9 to 15 months after the effective date of the current certification, the current certification expires.

Certifying a "Tuberculosis Monitored Herd"

Under this rule, the department may annually certify a herd of cervidae as a "tuberculosis monitored herd" if the number of herd members slaughtered and inspected for tuberculosis over the preceding 3-year period is sufficient to detect any tuberculosis which may be present in the herd at the 2% prevalence level. The rule includes a table showing how many animals must be slaughtered and inspected over a 3-year period to meet this requirement. At least 25% of the required number must be slaughtered and inspected in each year of the 3-year period.

Herds Not Qualified for Certification

Under this rule, if lesions which are histopathologically compatible with tuberculosis are found in any member of a herd, the department may not certify that herd as an "accredited tuberculosis free herd," a "tuberculosis qualified herd" or a "tuberculosis monitored herd" for at least 2 years after the department releases its quarantine on that herd.

Under this rule, if the department classifies a herd as a known infected herd, the department may not certify that herd as an "accredited tuberculosis free herd," a "tuberculosis qualified herd" or a "tuberculosis monitored herd" for at least 5 years after the department releases its quarantine on that herd.

Adding Cervidae to Certified Herd

Under this rule, no person may add a cervid to an "accredited tuberculosis free herd," a "tuberculosis qualified herd" or a "tuberculosis monitored herd" unless one of the following applies:

- The cervid is born into the herd.
- The cervid originates from an "accredited tuberculosis free herd" and has never been exposed to cervidae from any herd other than an "accredited tuberculosis free herd."
- The cervid originates from a "tuberculosis qualified" or "tuberculosis monitored herd" and meets all of the following requirements:
 - It has never been exposed to cervidae from a herd other than an "accredited tuberculosis free herd," a "tuberculosis qualified herd" or a "tuberculosis monitored herd."
 - It tests negative on a single cervical tuberculin test conducted not more than 90 days before it arrives at the premises where the receiving herd is located, and retests negative on a single cervical test conducted not less than 90 days after it arrives. The cervid must be isolated from all other animals in the receiving herd until it retests negative.
- The cervid tests negative on 2 tuberculosis tests before it arrives at the premises where the receiving herd is located, and retests negative at least 90 days after it arrives at those premises. The pre-arrival tests must be conducted at least 90 days apart, with the second pre-arrival test conducted not more than 90 days before the arrival date. Beginning on or before the date of the first pre-arrival

test, the cervid must be isolated from every other member of its herd of origin. The cervid must also be isolated from all members of the receiving herd until it retests negative on the post-arrival test.

Under this rule, no cervid qualifies as a member of an "accredited tuberculosis free herd," a "tuberculosis qualified herd" or a "tuberculosis monitored herd" if the cervid is added to the herd in violation of this rule.

Suspending or Revoking Herd Certification

Under this rule, the department may for cause suspend or revoke a herd's certification as an "accredited tuberculosis free herd," a "tuberculosis qualified herd" or a "tuberculosis monitored herd."

Under this rule, the department must summarily suspend a herd certification if any cervid in the herd is classified as a tuberculosis suspect or reactor. The department may reinstate the herd certification if, upon further testing or analysis, the department releases the herd from quarantine.

Under this rule, the department must summarily revoke a herd certification if the department finds that any of the following apply:

- The herd is a known infected herd.
- A herd member is found to have lesions that are histopathologically compatible with tuberculosis.
- A cervid has been added to the herd in violation of this rule.

Importing Cervidae

Under current rules, no person may import a cervid more than 6 months old into this state unless the cervid is imported directly to slaughter, or unless both of the following apply:

- The cervid tests negative for tuberculosis within 60 days prior to the import date.
- The cervid originates from a herd that tested negative for tuberculosis not more than one year prior to the import date.

This rule changes the current import restrictions for cervidae. Under this rule, no person may import a cervid into this state unless both of the following apply:

- The cervid tests negative on 2 pre-import tuberculosis tests

conducted at least 90 days apart. The second test must be conducted not more than 90 days before the cervid is imported into this state.

- The cervid is completely isolated from other members of the herd of origin during the pre-import testing period. The isolated cervid must be separated from other herd members by at least 10 feet, and may not share common feeders, water utensils or handling facilities.

The pre-import testing and isolation requirements under this rule do not apply to any of the following:

- A cervid imported directly to slaughter.
- A cervid originating from an "accredited tuberculosis free herd," provided that the cervid is accompanied by an interstate health certificate or certificate of veterinary inspection which includes the source herd number and the date on which the source herd was last tested for tuberculosis.
- A cervid originating from a "tuberculosis qualified herd," provided that all of the following apply:
 - The cervid tests negative on a tuberculosis test conducted not more than 90 days prior to the date of import.
 - The cervid is accompanied by an interstate health certificate or certificate of veterinary inspection which includes the source herd number and the date on which the source herd was last tested for tuberculosis.
- A cervid originating from a "tuberculosis monitored herd," provided that all of the following apply:
 - The cervid tests negative on a tuberculosis test conducted not more than 90 days prior to the date of import.
 - The cervid is accompanied by an interstate health certificate or certificate of veterinary inspection which includes the source herd number, the date on which the source herd was first certified as a "tuberculosis monitored herd," and the date on which the source herd was last recertified.
- A cervid imported under department permit to an accredited zoo, or for use as a circus or menagerie animal, if the cervid tests negative on a tuberculosis test conducted not more than 90 days prior to the date of import.

Under this rule, cervidae tested for import into this state must

be tested with the single cervical tuberculin test unless the department authorizes an alternative test.

Moving Cervidae Within this State

Under current rules, subject to certain exceptions, cervidae must be tested for tuberculosis before they are moved within this state. This rule clarifies that the cervidae must be tested using the single cervical tuberculin test.

Under current rules, a cervid may be moved from one zoo to another in this state without a tuberculosis test. This rule clarifies that a tuberculosis test is required unless the zoos are accredited by the American Association of Zoological Parks and Aquariums.

Under this rule, a cervid may be moved within this state without tuberculosis testing if the cervid originates from an "accredited tuberculosis free herd," a "tuberculosis qualified herd" or a "tuberculosis monitored herd."

Under current rules, a cervid may be moved within this state without tuberculosis testing if it is moved directly to an isolation and testing facility approved by the department. This rule provides that the department may approve a facility for a period of 2 years, and may renew its approval for additional 2-year periods.

OTHER ANIMALS

South American Camelidae

Under current rules, no llama may be imported into this state unless both of the following conditions are met:

- The department issues an import permit.
- The imported llama is accompanied by a valid interstate health certificate or certificate of inspection.

This rule extends these current requirements to all south american camelidae, including llamas, alpacas, vicunas and guanacos.

This rule also prohibits any person from importing any south american camelid into this state unless one of the following applies:

- The animal tests negative for tuberculosis on an axillary tuberculosis test conducted not more than 60 days prior to the date of import.
- The animal is imported directly to a zoo accredited by the american association of zoological parks and aquariums. No person may remove the imported animal from the receiving zoo, except to another accredited zoo, unless the animal tests negative for tuberculosis on an axillary tuberculosis test conducted not more than 60 days prior to the date of movement.

Under this rule, no south american camelid may be imported into this state unless one of the following applies:

- The animal tests negative for brucellosis not more than 30 days prior to the date of import.
- The animal is imported directly to a zoo accredited by the american association of zoological parks and aquariums. No person may remove the imported animal from the receiving zoo, except to another accredited zoo, unless the animal tests negative for brucellosis not more than 30 days prior to the date of movement.

1 SECTION 1. ATCP 10.01(1) is amended to read:
2 ATCP 10.01(1) "Accredited tuberculosis-free herd" means a
3 herd of ~~eattle~~ bovine animals, cervidae or goats which is
4 certified as tuberculosis-free by one of the following:
5 (a) The department under s. ATCP 10.17, ~~or~~ 10.62 or
6 10.67(1).
7 (b) The authorized animal health agency of the state in
8 which the herd is located, under standards comparable to s. ATCP
9 10.17, ~~or~~ 10.62 or 10.67(1).

1 **SECTION 2.** ATCP 10.01(6m) is created to read:

2 ATCP 10.01(6m) "Blood tuberculosis test" means a laboratory
3 test, approved by the department and the federal bureau, which is
4 performed on blood samples collected under s. 10.66(6), and which
5 is used to detect tuberculosis in cervidae.

6 **SECTION 3.** ATCP 10.01(10) is repealed and recreated to
7 read:

8 ATCP 10.01(10) "Brucellosis test" means a test, approved by
9 the federal bureau and the department, that is used to determine
10 whether an animal is infected with brucellosis.

11 **SECTION 4.** ATCP 10.01(13m) is created to read:

12 ATCP 10.01(13m) "Caudal fold tuberculin test" means a test
13 under s. ATCP 10.15(1) that is used to detect tuberculosis in
14 bovine animals.

15 **SECTION 5.** ATCP 10.01(15j) is repealed.

16 **SECTION 6.** ATCP 10.01(17m) is repealed and recreated to
17 read:

18 ATCP 10.01(17m) "Comparative cervical tuberculin test"
19 means one of the following, as applicable:

20 (a) A test under s. ATCP 10.15(2) that is used to detect
21 tuberculosis in bovine animals.

22 (b) A test under s. ATCP 10.66(5) that is used to detect
23 tuberculosis in cervidae.

24 **SECTION 7.** ATCP 10.01(35) to (37) are repealed.

1 **SECTION 8.** ATCP 10.01(38) is amended to read:

2 ATCP 10.01(38) "Livestock" means farm animals including
3 bovine animals, sheep, goats, swine and ~~horses~~ equine animals.

4 **SECTION 9.** ATCP 10.01(61m) is repealed and recreated to
5 read:

6 ATCP 10.01(61m) "Single cervical tuberculin test" means a
7 test under s. ATCP 10.66(4) that is used to detect tuberculosis
8 in cervidae.

9 **SECTION 10.** ATCP 10.01(69m) and (69r) are created to read:

10 ATCP 10.01(69m) "Tuberculosis monitored herd" means a herd
11 of cervidae that is certified as a tuberculosis monitored herd by
12 one of the following:

13 (a) By the department under s. ATCP 10.67(3).

14 (b) By the authorized animal health agency of the state in
15 which the herd is located, using standards comparable to those
16 specified under s. ATCP 10.67(3).

17 (69r) "Tuberculosis qualified herd" means a herd of
18 cervidae that is certified as a tuberculosis qualified herd by
19 one of the following:

20 (a) By the department under s. ATCP 10.67(2).

21 (b) By the authorized animal health agency of the state in
22 which the herd is located, under standards comparable to s. ATCP
23 10.67(2).

24

1 SECTION 11. ATCP 10.01(70) is repealed and recreated to
2 read:

3 ATCP 10.01(70) "Tuberculosis test" means a test, approved
4 by the department, which is used to detect tuberculosis in
5 animals. "Tuberculosis test" includes any of the following tests
6 when authorized or required under this chapter:

7 (a) A caudal fold tuberculin test or a comparative cervical
8 tuberculin test for bovine animals.

9 (b) A single cervical tuberculin test, a comparative
10 cervical tuberculin test, or a blood tuberculosis test for
11 cervidae.

12 (c) An axillary tuberculosis test for exotic ruminants or
13 south american camelidae.

14 SECTION 12. ATCP 10.02 is repealed and recreated to read:

15 ATCP 10.02 REPORTABLE DISEASES. (1) DISEASES REPORTED
16 WITHIN ONE DAY. A veterinarian or diagnostic laboratory that
17 diagnoses or finds evidence of any of the following diseases
18 shall report that diagnosis or finding to the department, in the
19 manner provided under sub. (3), within one day after making the
20 diagnosis or finding:

21 (a) Any disease that is foreign or exotic to Wisconsin.

22 (b) Avian influenza.

23 (c) Brucellosis.

24 (d) Equine encephalomyelitis.

25 (e) Pseudorabies.

26 (f) Rabies.

- 1 (g) Tuberculosis.
- 2 (h) Vesicular conditions, including vesicular stomatitis.

3 (2) DISEASES REPORTED WITHIN 10 DAYS. A veterinarian or
4 diagnostic laboratory that diagnoses or finds evidence of any of
5 the following diseases shall report that diagnosis or finding to
6 the department, in the manner provided under sub. (3), within 10
7 days after making the diagnosis or finding:

- 8 (a) Anaplasmosis.
- 9 (b) Anthrax.
- 10 (c) Equine infectious anemia.
- 11 (d) Mycoplasma gallisepticum infection of poultry.
- 12 (e) Paratuberculosis also known as Johne's disease.
- 13 (f) Pullorum.
- 14 (g) Salmonellosis in poultry.
- 15 (h) Scrapie.

16 (3) FORM OF REPORT. (a) A veterinarian or diagnostic
17 laboratory may report under sub. (1) by telephone or by any other
18 effective means of communication. If a veterinarian or
19 diagnostic laboratory reports in any manner other than in writing
20 or by telefax, the veterinarian or diagnostic laboratory shall
21 confirm the report in writing or by telefax within 10 days.

22 (b) A veterinarian or diagnostic laboratory shall report
23 under sub. (2) in writing or by telefax within 10 days after
24 making the diagnosis.

1 (4) EXEMPTION. This section does not require a
2 veterinarian to report a diagnosis or finding made by the
3 department or the Wisconsin department of health and social
4 services.

5 SECTION 13. ATCP 10.03(1)(c) is repealed.

6 SECTION 14. ATCP 10.10(2)(b)2 and (3) are amended to read:

7 ATCP 10.10(2)(b)2 A vaccination tag is not required under
8 this paragraph for a registered purebred animal, provided that
9 the veterinarian who performs the vaccination records the
10 animal's breed association registration number or breed tattoo on
11 the vaccination report filed with the department under sub. ~~(2)~~
12 (3).

13 (3) REPORTING REQUIREMENT. An accredited veterinarian who
14 performs a brucellosis vaccination shall file a vaccination
15 report with the department within 15 days after the veterinarian
16 performs the vaccination ~~is performed~~. The veterinarian shall
17 file the vaccination report ~~shall be filed~~ on a form provided by
18 the department, and shall include in the report the official
19 individual identification of the vaccinated animal. A The
20 veterinarian shall provide a copy of the ~~completed form shall be~~
21 furnished vaccination report to the owner of the ~~official~~
22 vaccinate vaccinated animal, and shall retain another copy ~~shall~~
23 ~~be retained by the accredited veterinarian who performed the~~
24 vaccination. If a veterinarian fails to file a vaccination
25 report with the department under this subsection, the vaccinated
26 animal does not qualify as an official vaccinate.

1 SECTION 15. ATCP 10.11(1) and (2) are repealed and
2 recreated to read:

3 ATCP 10.11(1) WHO MAY TEST. (a) No person may collect a
4 brucellosis test sample from a bovine animal in this state unless
5 that person is one of the following:

6 1. An accredited veterinarian who is trained by the
7 department to collect brucellosis test samples.

8 2. An authorized employe or agent of the department or the
9 federal bureau.

10 3. A person who collects samples at a slaughtering
11 establishment under the supervision of the department or the
12 federal bureau.

13 (b) Except as provided under sub. (2)(b), a brucellosis
14 test sample collected from a bovine animal shall be analyzed by
15 the department, or by a laboratory which the department or the
16 federal bureau has approved to analyze brucellosis test samples.

17 (2) TEST METHOD. (a) Except as provided under par. (b), a
18 brucellosis test shall be performed using a blood serum
19 agglutination test, a particle concentration fluorescence
20 immunoassay (PCFIA), or a supplemental test that is approved by
21 the department and conducted according to procedures approved by
22 the department.

23 (b) An on-site brucellosis screening test satisfies the
24 brucellosis testing requirement under s. ATCP 11.16 and s. 95.49,
25 Stats., provided that all of the following conditions are met:
26

1 1. The screening test is conducted by an accredited
2 veterinarian who is trained by the department to conduct
3 brucellosis screening tests.

4 2. The screening test is conducted at a livestock market
5 licensed under s. 95.68, Stats.

6 3. The veterinarian performing the screening test submits
7 to the department within 24 hours a test sample for confirmatory
8 testing under par. (a).

9 **SECTION 16.** ATCP 10.14(1)(b) and (5)(b) are amended to
10 read:

11 ATCP 10.14(1)(b) A report of one negative brucellosis herd
12 test, conducted at a department laboratory within 3 months
13 following the last BRF negative milk test under par. (a).

14 (5)(b) The animal originated from another certified
15 brucellosis-free herd, or from a brucellosis-free state or
16 nation, and tested negative for brucellosis ~~within~~ not less than
17 60 to nor more than 120 days after entering the herd.

18 **SECTION 17.** ATCP 10.15(1) and (2) are repealed and
19 recreated to read:

20 ATCP 10.15(1) CAUDAL FOLD TUBERCULIN TEST. (a) No person
21 may perform a caudal fold tuberculin test on a bovine animal
22 unless that person is one of the following:

- 23 1. An accredited veterinarian.
- 24 2. A veterinarian employed by the department or the federal
25 bureau.
- 26

1 (b) To perform a caudal fold tuberculin test on a bovine
2 animal, a veterinarian shall intradermally inject 0.1 ml of
3 United States department of agriculture bovine purified protein
4 derivative (PPD) tuberculin in either side of the animal's caudal
5 fold.

6 (c) The same veterinarian who injects the tuberculin under
7 par. (b) shall read the test results, unless the department or
8 the federal bureau specifically authorizes another veterinarian
9 to read the test results. The veterinarian shall read the test
10 results by visually observing and palpating the injection site
11 between 66 and 78 hours after the tuberculin is injected.

12 (d) If visual observation or palpation under par. (c) shows
13 any response, regardless of size, the tested animal is classified
14 as a tuberculosis suspect.

15 (e) A veterinarian who performs a caudal fold tuberculin
16 test on any bovine animal shall report the test results to the
17 department, on a form provided by the department, not more than
18 10 days after the veterinarian reads the test results. The
19 veterinarian shall provide a copy of the report to the animal
20 owner.

21 (f) If a bovine animal is classified as a tuberculosis
22 suspect under par. (d) based on the results of a caudal fold
23 tuberculin test, the veterinarian who performed the test shall
24 report that fact to the department within one day after the
25 veterinarian reads the test results. The veterinarian may report
26

1 by any means, including telephone or telefax, provided that the
2 veterinarian also files a written report under par. (e) within 10
3 days.

4 (2) COMPARATIVE CERVICAL TUBERCULIN TEST. (a) No person,
5 other than an authorized veterinarian employed by the department
6 or the federal bureau, may perform a comparative cervical
7 tuberculin test on a bovine animal.

8 (b) To perform a comparative cervical tuberculin test on a
9 bovine animal, a veterinarian shall intradermally inject
10 biologically balanced bovine PPD and avian PPD tuberculin at
11 separate sites in the animal's cervical area.

12 (c) The same veterinarian who injects the tuberculin under
13 par. (b) shall read the test results unless the department or the
14 federal bureau specifically authorizes another veterinarian to
15 read the test results. Between 66 and 78 hours after the
16 tuberculin is injected, the veterinarian shall read the test
17 results by comparing the responses of the 2 tuberculin injection
18 sites.

19 (d) If a bovine animal is classified as a tuberculosis
20 suspect on 2 successive comparative cervical tuberculin tests,
21 the animal shall be classified as a tuberculosis reactor unless
22 the department determines that the animal should not yet be
23 classified as a reactor. In making that determination, the
24 department shall consider the following:

25 1. The tuberculosis test responses of other animals in the
26 herd.

1 2. Necropsy information from other animals from the herd.

2 3. Whether the animal was a natural addition to the herd.

3 4. The number and frequency of additions of purchased
4 animals to the herd over the 5 previous years.

5 (e) If a bovine animal is classified as a tuberculosis
6 suspect on 3 successive comparative cervical tuberculin tests,
7 the animal shall be classified as a tuberculosis reactor.

8 SECTION 18. ATCP 10.15(4) is repealed.

9 SECTION 19. ATCP 10.151 is created to read:

10 **ATCP 10.151 HANDLING TUBERCULOSIS SUSPECTS AND REACTORS.**

11 (1) ANIMAL CLASSIFIED AS SUSPECT BY CAUDAL FOLD TUBERCULIN TEST.

12 If a bovine animal is classified as a tuberculosis suspect based
13 on the results of a caudal fold tuberculin test, the suspect
14 animal shall be handled in one of the following ways:

15 (a) It may be retested using the comparative cervical
16 tuberculin test within 10 days after the tuberculin was injected
17 for the caudal fold tuberculin test.

18 (b) It may be retested using the comparative cervical
19 tuberculin test at least 60 days after the tuberculin was
20 injected for the caudal fold tuberculin test.

21 (c) It may be slaughtered under sub. (4) with department
22 approval.

23 (2) ANIMAL CLASSIFIED AS SUSPECT BY COMPARATIVE CERVICAL
24 TUBERCULIN TEST. If a bovine animal is classified as a
25 tuberculosis suspect based on the results of a comparative

1 cervical tuberculin test, the suspect animal shall be handled in
2 one of the following ways:

3 (a) It may be retested using the comparative cervical
4 tuberculin test until it tests negative or is classified as a
5 tuberculosis reactor. Each comparative cervical tuberculin test
6 shall be conducted at least 60 days after the tuberculin was
7 injected for the last previous comparative cervical tuberculin
8 test.

9 (b) It may be slaughtered under sub. (4) with department
10 approval.

11 (3) ANIMAL CLASSIFIED AS REACTOR. (a) Within 24 hours
12 after a bovine animal is classified as a tuberculosis reactor,
13 the animal shall be identified for slaughter in both of the
14 following ways:

15 1. The reactor shall be branded on the left jaw with the
16 letter "T" not less than 2 nor more than 3 inches high, except
17 that branding is not required if the reactor is shipped directly
18 to slaughter in a vehicle sealed by the department.

19 2. An official reactor ear tag, bearing a serial number,
20 shall be placed in the reactor's left ear.

21 (b) Within 15 days after a bovine animal is classified as a
22 tuberculosis reactor, the animal shall be slaughtered with
23 department approval. The department may, for good cause, extend
24 the slaughter deadline by up to 15 days. The reactor shall be
25 slaughtered in compliance with sub. (4).

26

1 (4) SLAUGHTERING TUBERCULOSIS SUSPECTS AND REACTORS.

2 Whenever a bovine animal classified as a tuberculosis suspect or
3 reactor is slaughtered, the slaughter shall comply with all of
4 the following requirements:

5 (a) The slaughtered animal shall be necropsied by or in the
6 presence of a veterinarian employed by the department or the
7 federal bureau.

8 (b) The veterinarian who performs or supervises the
9 necropsy of the slaughtered animal shall collect tissue samples
10 from the animal, and shall submit the tissue samples to the
11 national veterinary services laboratory for histopathological
12 examination and bacterial culture, regardless of whether the
13 necropsy discloses any lesions compatible with tuberculosis.

14 (c) If the slaughtered animal may be used for food, it
15 shall be slaughtered at a slaughtering establishment. No
16 tuberculosis suspect or reactor may be used for food until the
17 results of the histopathological examination are known, and the
18 department releases the animal carcass for use as food.

19 SECTION 20. ATCP 10.16(1) is amended to read:

20 ATCP 10.16(1) A reactor is ~~slaughtered more than 15 days~~
21 ~~after it is identified by a reactor tag and branded as provided~~
22 ~~in s. ATCP 10.15(4), unless the department for good cause extends~~
23 ~~the deadline for slaughter. The deadline for slaughter shall not~~
24 ~~be extended by more than 15 days~~ not slaughtered within the time
25 period established under s. ATCP 10.151(3).
26

1 SECTION 21. ATCP 10.17(1) and (2)(title) are amended to
2 read:

3 ATCP 10.17(1) INITIAL CERTIFICATION. The department may
4 certify a herd of ~~eattle~~ bovine animals as an accredited
5 tuberculosis-free herd if the herd owner provides proof that all
6 animals in the herd over ~~20~~ 24 months old have been found
7 negative for tuberculosis in 2 successive tuberculosis tests.
8 The tests shall be conducted not less than 10 months nor more
9 than 14 months apart. If a bacterial culture performed by the
10 national veterinary services laboratory shows that any animal in
11 the herd is infected with tuberculosis, the department may not
12 certify that herd as an accredited tuberculosis-free herd for at
13 least 5 years after the department releases its quarantine on
14 that herd.

15 (2)(title) RECERTIFICATION. The department may annually
16 recertify a herd of bovine animals as an accredited tuberculosis-
17 free herd if all animals in the herd over ~~20~~ 24 months old are
18 ~~annually tested with a tuberculosis test and found~~ test negative
19 for tuberculosis. ~~Annual testing for recertification shall be on~~
20 a tuberculosis test performed not less than 10 months nor more
21 than 14 months after the last ~~annual~~ certification date. If
22 testing for recertification is not completed within 14 months
23 after the last ~~annual~~ certification date, certification expires.
24 If certification expires, the herd may not be recertified except
25 under sub. (1).

26

1 **SECTION 22.** ATCP 10.17(3) is repealed and recreated to
2 read:

3 ATCP 10.17(3) **KNOWN INFECTED HERD; CERTIFICATE REVOKED.** If
4 a bacterial culture performed by the national veterinary services
5 laboratory shows that any animal in an accredited tuberculosis-
6 free herd is infected with tuberculosis, the department shall
7 summarily revoke the herd's certification as an accredited
8 tuberculosis-free herd. The state veterinarian may issue a
9 summary revocation order on behalf of the department.

10 **SECTION 23.** ATCP 10.17(5) (c) and (d) (intro.) are amended to
11 read:

12 ATCP 10.17(5) (c) The animal originated from an accredited
13 tuberculosis-free state or nation and was isolated from other
14 herd members until it tested negative for tuberculosis at least
15 60 days after entering the herd.

16 (d) (intro.) The animal originated from a herd in a modified
17 accredited tuberculosis-free state or nation. An animal does not
18 qualify under this paragraph unless all of the following
19 conditions are met:

20 **SECTION 24.** ATCP 10.22 is repealed.

21 **SECTION 25.** ATCP 10.62(5) (b) and (c) are amended to read:

22 ATCP 10.62(5) (b) The goat originates from a herd in an
23 accredited tuberculosis-free state or nation.

24 (c) The goat originates from a herd in a modified
25 accredited tuberculosis-free state, ~~and~~ or nation; all goats over
26 12 months old in that herd tested of origin test negative for

1 ~~tuberculosis in a herd test of all goats over 12 months of age,~~
2 ~~conducted not more than 12 months before the goat was added is~~
3 ~~moved from that herd to the accredited tuberculosis-free herd.~~
4 ~~The goat shall also be found ; and the goat tests~~ negative for
5 ~~tuberculosis in a test performed not more than 60 days before the~~
6 ~~animal it is added to the accredited tuberculosis-free herd.~~

7 SECTION 26. ATCP 10.65 is created to read:

8 ATCP 10.65 CERVIDAE; HERD IDENTIFICATION AND TESTING. (1)

9 HERD IDENTIFICATION. No person may keep a herd of cervidae in
10 this state unless that person has reported the existence of that
11 herd to the department. The report shall be made in writing and
12 shall identify all of the following:

- 13 (a) The location of the herd.
- 14 (b) The number and types of animals in the herd.
- 15 (c) The name and address of the herd owner.
- 16 (d) The name and address of the local herd custodian if
17 other than the herd owner.

18 (2) AVAILABILITY FOR TESTING. The owner or custodian of a
19 herd of cervidae shall make the herd available to the department
20 for disease testing upon request.

21 SECTION 27. ATCP 10.66 is repealed and recreated to read:

22 ATCP 10.66 TUBERCULOSIS IN CERVIDAE. (1) WHO MAY PERFORM

23 A TUBERCULOSIS TEST. No person other than a veterinarian
24 employed by the department or the federal bureau may perform a
25 tuberculosis test on a cervid in this state, except that an
26 accredited veterinarian may do any of the following if that

1 accredited veterinarian is trained by the department to perform
2 tuberculosis tests on cervidae:

3 (a) Perform a single cervical tuberculin test on a cervid
4 from a herd other than a quarantined herd.

5 (b) Obtain a blood sample for a blood tuberculosis test,
6 except from a member of a quarantined herd.

7 (2) TESTING RESTRICTIONS. No person may do either of the
8 following:

9 (a) Perform a tuberculosis test on a cervid from a
10 quarantined herd or known infected herd, except with the
11 department's approval.

12 (b) Perform a comparative cervical tuberculin test or blood
13 tuberculosis test on any cervid in this state until that cervid
14 is tested using the single cervical tuberculin test.

15 (3) IDENTIFYING TESTED CERVIDAE. If a veterinarian
16 conducts a tuberculosis test on a cervid that does not yet have
17 an official individual identification, the veterinarian shall
18 identify that cervid by inserting an official eartag in the
19 cervid's right ear when the cervid is tested. An official eartag
20 shall conform to the national uniform eartagging system. A breed
21 association tattoo which uniquely identifies the cervid may be
22 used in place of an official eartag.

23 (4) SINGLE CERVICAL TUBERCULIN TEST. (a) To perform a
24 single cervical tuberculin test on a cervid, a veterinarian shall
25 inject intradermally 0.1 ml, 5,000 international units, of United
26 States department of agriculture contract PPD bovis tuberculin in

1 the cervid's midcervical region.

2 (b) The same veterinarian who injects the tuberculin under
3 par. (a) shall read the test results, unless the department or
4 the federal bureau specifically authorizes another veterinarian
5 to read the test results. The veterinarian shall read the test
6 results by visually observing and palpating the injection site
7 between 66 and 78 hours after the tuberculin is injected.

8 (c) A cervid from a herd other than a known infected herd,
9 when tested using the single cervical tuberculin test, shall be
10 classified as negative or suspect. The cervid shall be
11 classified as suspect if the veterinarian performing the test
12 detects any response, regardless of size, when the veterinarian
13 visually examines or palpates the tuberculin injection site.

14 (d) A cervid from a known infected herd, when tested with
15 the single cervical tuberculin test, shall be classified as
16 negative or reactor. The cervid shall be classified as a reactor
17 if the veterinarian performing the test detects any response,
18 regardless of size, when the veterinarian examines or palpates
19 the tuberculin injection site.

20 (5) COMPARATIVE CERVICAL TUBERCULIN TEST. (a) To perform
21 a comparative cervical tuberculin test on a cervid, a
22 veterinarian shall intradermally inject biologically balanced
23 bovine PPD and avian PPD tuberculin at separate sites in the
24 cervid's cervical area.

1 (b) The same veterinarian who injects the tuberculin under
2 par. (a) shall read the test results unless the department or the
3 federal bureau specifically authorizes another veterinarian to
4 read the test results. The veterinarian shall read the test
5 results between 66 and 78 hours after the tuberculin is injected
6 by comparing the responses of the 2 tuberculin injection sites.

7 (c) A cervid from a herd other than a known infected herd,
8 when tested using the comparative cervical tuberculin test, shall
9 be classified as negative, suspect or reactor. If the cervid is
10 classified as suspect on 2 comparative cervical tuberculin tests,
11 the cervid shall be classified as a reactor unless the department
12 determines that the cervid should not yet be classified as a
13 reactor. Before the department determines that the cervid should
14 not yet be classified as a reactor, the department shall consider
15 the tuberculosis test responses and necropsy information from
16 other animals in the herd, whether the animal in question was a
17 natural addition to the herd or had been purchased, and the
18 number and frequency of additions of purchased animals to the
19 herd over the 5 previous years. If the cervid is classified as
20 suspect on 3 comparative cervical tuberculin tests, the cervid
21 shall be classified as a reactor.

22 (d) No cervid from a known infected herd may be tested
23 using the comparative cervical tuberculin test.

24 (6) BLOOD TUBERCULOSIS TEST. (a) A veterinarian
25 collecting a blood sample for a blood tuberculosis test shall
26 collect that blood in a manner approved by the department. The

1 veterinarian shall handle and ship the sample, in a manner
2 approved by the department, to a laboratory that is approved by
3 the department and qualified to perform a blood tuberculosis
4 test.

5 (b) A cervid from a herd other than a known infected herd,
6 when tested using the blood tuberculosis test, shall be
7 classified as negative, suspect or reactor. If the test results
8 are equivocal, the cervid shall be classified as suspect. If the
9 cervid is classified as suspect on 2 blood tuberculosis tests,
10 the cervid shall be classified as a reactor unless the department
11 determines that the cervid should not yet be classified as a
12 reactor. Before the department determines that the cervid should
13 not yet be classified as a reactor, the department shall consider
14 the tuberculosis test responses and necropsy information from
15 other animals in the herd, whether the animal in question was a
16 natural addition to the herd or had been purchased, and the
17 number and frequency of additions of purchased animals to the
18 herd over the 5 previous years. If the cervid is classified as
19 suspect on 3 blood tuberculosis tests, the cervid shall be
20 classified as a reactor.

21 (c) A cervid from a known infected herd may only be tested
22 with a blood tuberculosis test if the blood is collected
23 simultaneously with a whole herd single cervical test. When a
24 cervid from a known infected herd is tested using the blood
25 tuberculosis test, it shall be classified as negative or reactor.

1 A cervid which would otherwise be classified as a suspect shall
2 be classified as a reactor if it is from a known infected herd.

3 (7) CERVID CLASSIFIED AS SUSPECT BY SINGLE CERVICAL
4 TUBERCULIN TEST. If a cervid is classified as a tuberculosis
5 suspect based on a single cervical tuberculin test, the suspect
6 cervid shall be handled in one of the following ways:

7 (a) It may be retested using the comparative cervical
8 tuberculin test within 10 days after the tuberculin was injected
9 for the single cervical tuberculin test, or at least 90 days
10 after the tuberculin was injected for the single cervical
11 tuberculin test.

12 (b) It may be retested using the blood tuberculosis test at
13 least 12 days but not more than 45 days after the tuberculin was
14 injected for the single cervical tuberculin test.

15 (c) It may be slaughtered under sub. (11) with department
16 approval.

17 (8) CERVID CLASSIFIED AS SUSPECT BY COMPARATIVE CERVICAL
18 TUBERCULIN TEST. If a cervid is classified as a tuberculosis
19 suspect based on a comparative cervical tuberculin test, the
20 suspect cervid shall be handled in one of the following ways:

21 (a) It may be retested using the comparative cervical
22 tuberculin test until it tests negative or is classified as a
23 tuberculosis reactor. Each comparative cervical tuberculin test
24 shall be conducted at least 90 days after the tuberculin was
25 injected for the last previous comparative cervical tuberculin
26 test.

1 (b) It may be slaughtered under sub. (11) with department
2 approval.

3 (9) CERVID CLASSIFIED AS SUSPECT BY BLOOD TUBERCULOSIS
4 TEST. If a cervid is classified as a tuberculosis suspect based
5 on a blood tuberculosis test, the suspect cervid shall be handled
6 in one of the following ways:

7 (a) It may be retested using the blood tuberculosis test
8 until it tests negative or is classified as a tuberculosis
9 reactor. Each blood tuberculosis test shall be conducted at
10 least 30 days but not more than 90 days after the last previous
11 blood tuberculosis test.

12 (b) It may be slaughtered under sub. (11) with department
13 approval.

14 (10) CERVID CLASSIFIED AS REACTOR. (a) Within 24 hours
15 after a cervid is classified as a tuberculosis reactor, the
16 cervid shall be identified for slaughter in both of the following
17 ways:

18 1. The reactor shall be branded on the left jaw with the
19 letter "T" not less than 2 nor more than 3 inches high, except
20 that branding is not required if the cervid is shipped directly
21 to slaughter in a vehicle sealed by the department.

22 2. An official reactor ear tag, bearing a serial number,
23 shall be placed in the reactor's left ear.

24 (b) Within 15 days after a cervid is classified as a
25 tuberculosis reactor, the cervid shall be slaughtered with
26 department approval. The department may, for good cause, extend

1 the slaughter deadline by up to 15 days. A reactor shall be
2 slaughtered in compliance with sub. (11).

3 (c) Within 15 days after a reactor is slaughtered under
4 par. (b), the herd owner or custodian shall clean and disinfect
5 the premises where the reactor was kept. The department may, for
6 good cause, extended the deadline for cleaning and disinfecting
7 the premises by up to 15 days.

8 NOTE: See sub. (17) and s. 95.31, Stats.

9 (11) SLAUGHTERING CERVIDAE. (a) No person may slaughter
10 any of the following without written authorization from the
11 department:

12 1. A cervid currently classified as a tuberculosis suspect
13 or reactor.

14 2. A cervid from a herd that is currently classified as a
15 known infected herd under sub. (15).

16 3. A cervid from a herd that is currently quarantined under
17 this section.

18 (b) Whenever a cervid identified under par. (a) is
19 slaughtered, it shall be necropsied by or in the presence of a
20 veterinarian employed by the department or the federal bureau.
21 The veterinarian who performs or supervises the necropsy shall
22 collect tissue samples from the cervid, and shall submit the
23 tissue samples to the national veterinary services laboratory for
24 histopathological examination and bacterial culture, regardless
25 of whether the necropsy reveals any lesions compatible with
26 tuberculosis.

1 (c) No cervid identified under par. (a) may be used for
2 food unless that cervid is slaughtered at a slaughtering
3 establishment. No cervid identified under par. (a)1 or 2 may be
4 used for food until the results of the histopathological
5 examination under par. (b) are known, and the department releases
6 the animal carcass for use as food.

7 (12) TUBERCULOSIS SUSPECT; HERD QUARANTINE. (a) Whenever
8 a tuberculosis suspect is found in a herd of cervidae other than
9 a known infected herd, the department shall quarantine the entire
10 herd. The department may perform tuberculosis tests on other
11 members of the herd, regardless of whether the suspect cervid is
12 found to be a reactor or is found to be infected with
13 tuberculosis.

14 (b) The department may release a quarantine under par. (a),
15 regardless of whether the department has tested other herd
16 members, if either of the following occurs:

17 1. The suspect cervid retests negative on a comparative
18 cervical tuberculin test or blood tuberculosis test under this
19 section.

20 2. The suspect cervid is slaughtered under sub. (11) and
21 neither the histopathology nor the bacterial culture reveals any
22 evidence of tuberculosis.

23 (13) TUBERCULOSIS REACTOR; HERD QUARANTINE. (a) Whenever
24 a tuberculosis reactor is found in a herd of cervidae other than
25 a known infected herd, the department shall quarantine the entire
26 herd. The department may perform tuberculosis tests on other

1 members of the herd, regardless of whether the reactor is found
2 to be infected with tuberculosis.

3 (b) The department may release a quarantine under par. (a),
4 regardless of whether the department has tested other herd
5 members, if the reactor is slaughtered under sub. (11) and
6 neither the histopathology nor the bacterial culture reveals any
7 evidence of tuberculosis.

8 (14) LESIONS COMPATIBLE WITH TUBERCULOSIS; HERD QUARANTINE
9 AND TESTING. (a) If the histopathological examination performed
10 on specimens obtained from a slaughtered cervid from a herd other
11 than a known infected herd reveals lesions that are compatible
12 with tuberculosis, but the bacterial culture on that cervid fails
13 to isolate mycobacterium bovis, the department shall quarantine
14 the herd until the whole herd tests negative for tuberculosis
15 under sub. (16). The whole herd test shall be performed at least
16 90 days after the injection of the tuberculin for the last single
17 cervical tuberculosis test which identified a suspect or reactor
18 in the herd.

19 (b) Whenever the department releases a herd quarantine
20 under par. (a), the department shall continue to test the whole
21 herd at least once annually using the single cervical tuberculin
22 test. The department shall perform annual whole herd testing for
23 at least 2 years, until the department determines that further
24 testing is unnecessary.

25 (15) KNOWN INFECTED HERDS. (a) A herd of cervidae is
26 classified as a known infected herd if the national veterinary

1 services laboratory isolates mycobacterium bovis in a bacterial
2 culture taken from a herd member. When a herd is classified as a
3 known infected herd, every suspect cervid in the herd is
4 automatically reclassified as a reactor.

5 (b) The department may condemn and order the destruction of
6 cervidae in a known infected herd if the department finds that
7 their destruction is necessary to prevent or control the spread
8 of tuberculosis among cervidae or domestic animals in this state.

9 NOTE: See sub. (18) and s. 95.31, Stats.

10 (c) The department shall quarantine all cervidae in a known
11 infected herd that are not condemned and destroyed under par.

12 (b). The department may not release the quarantine until the
13 entire herd tests negative on 3 successive whole herd tests under
14 sub. (16).

15 (d) Each whole herd test under par. (c) shall be performed
16 at least 90 days after injection of the tuberculin for the last
17 previous single cervical tuberculosis test that identified a
18 suspect or reactor in the herd. If a known infected herd tests
19 negative on any whole herd test under sub. (16), each subsequent
20 whole herd test under par. (c) shall be performed at least 180
21 days after injection of the tuberculin for the last previous
22 single cervical tuberculosis test.

23 (e) Whenever the department releases a herd quarantine
24 under par. (c), the department shall continue to test the whole
25 herd at least once annually using the single cervical tuberculin
26 test. The department shall continue with annual whole herd

1 testing for at least 5 years, until the department determines
2 that further testing is unnecessary.

3 (f) When the department releases the quarantine under par.
4 (c), the herd is no longer classified as a known infected herd.

5 (16) WHOLE HERD NEGATIVE TEST. A herd completes a negative
6 whole herd test whenever one of the following occurs:

7 (a) Every cervid in the herd tests negative on the single
8 cervical tuberculin test.

9 (b) If the herd is other than a known infected herd, every
10 cervid in the herd is tested using the single cervical tuberculin
11 test, and every suspect cervid retests negative on the
12 comparative cervical tuberculin test or the blood tuberculosis
13 test.

14 (c) If the herd is other than a known infected herd, every
15 cervid in the herd is tested using the single cervical tuberculin
16 test, every suspect is slaughtered under sub. (11), and the
17 bacteriological culture on every slaughtered suspect is negative.

18 (d) If the herd is a known infected herd, every cervid in
19 the herd is tested using the single cervical tuberculin test,
20 every reactor is slaughtered under sub. (11), and the
21 histopathological examination and bacteriological culture on
22 every slaughtered reactor are negative.

23 (17) REMOVING CERVIDAE FROM QUARANTINED HERD. No person
24 may remove any cervid from a herd quarantined under this section
25 unless, with the department's approval, the cervid is shipped
26 directly to slaughter under sub. (11).

1 (18) TUBERCULOSIS INDEMNITY. (a) The department may pay
2 tuberculosis indemnities under s. 95.31, Stats., only for the
3 following cervidae:

4 1. Reactors slaughtered under sub. (10).

5 2. Cervidae condemned and destroyed under sub. (15)(b).

6 (b) A person claiming tuberculosis indemnities for cervidae
7 under par. (a) shall file that claim in writing on a form
8 provided by the department. The claimant shall include, with the
9 claim, a slaughter report certified by the department or an
10 accredited veterinarian. The department may not pay indemnities
11 except in response to a claim properly filed under this
12 paragraph.

13 NOTE: A copy of the claim form may be obtained by
14 request from:

15
16 Wisconsin Department of Agriculture, Trade and
17 Consumer Protection
18 Division of Animal Health
19 P.O. Box 8911
20 Madison, Wi. 53708-8911
21

22 (c) The department may not pay tuberculosis indemnities for
23 cervidae under par. (a) if any of the conditions under s. 95.36,
24 Stats., apply.

25 (d) The department may not pay tuberculosis indemnities for
26 cervidae under par. (a) if the herd owner or custodian fails to
27 comply with the terms and conditions specified under sub. (10) or
28 in the department's condemnation order.

29 (e) If the department postpones a condemnation order at the
30 request of the herd owner or custodian to permit further herd
31 testing, the department may not pay tuberculosis indemnities

1 under par. (a) for that herd which exceed the amount which the
2 department would have paid had it not postponed the condemnation
3 order.

4 SECTION 28. ATCP 10.67 is created to read:

5 ATCP 10.67 CERVIDAE; HERD CERTIFICATION. (1) ACCREDITED
6 TUBERCULOSIS-FREE HERD. (a) Initial certification. The
7 department may certify a herd of cervidae as an accredited
8 tuberculosis-free herd if the herd tests negative on at least 3
9 consecutive single cervical tuberculin tests conducted not less
10 than 9 months nor more than 15 months apart.

11 (b) Recertification. The department may recertify a herd
12 of cervidae as an accredited tuberculosis-free herd if the herd
13 tests negative on a single cervical tuberculin test conducted not
14 less than 21 months nor more than 27 months after the effective
15 date of the current certification.

16 (c) Certification effective date. Each certification under
17 par. (a) and each recertification under par. (b) takes effect
18 retroactively, beginning on the date of the last herd test whose
19 results are used to justify the certification or recertification.

20 (d) Expired certification. If testing for recertification
21 under par. (b) is not performed within 27 months after the
22 effective date of the current certification, the current
23 certification expires. If a certification expires, the
24 department may not recertify the herd unless the herd requalifies
25 for certification under par. (a).

1 (e) Herd members included in herd test. Each herd test
2 under this section shall include all herd members over 12 months
3 old, and all herd members under 12 months old that were not born
4 in the herd.

5 (2) TUBERCULOSIS QUALIFIED HERD. (a) Initial
6 certification. The department may certify a herd of cervidae as
7 a tuberculosis qualified herd if the herd tests negative on a
8 single cervical tuberculin test.

9 (b) Recertification. The department may recertify a herd
10 of cervidae as a tuberculosis qualified herd if the herd tests
11 negative on a single cervical tuberculin test conducted not less
12 than 9 months nor more than 15 months after the effective date of
13 the current certification.

14 (c) Certification effective date. Each certification under
15 par. (a) and each recertification under par. (b) takes effect
16 retroactively, beginning on the date of the last herd test whose
17 results are used to justify the certification or recertification.

18 (d) Expired certification. If testing for recertification
19 under par. (b) is not performed within 15 months after the
20 effective date of the current certification, the current
21 certification expires. If a certification expires, the
22 department may not recertify the herd unless the herd requalifies
23 for certification under par. (a).

24 (e) Herd members included in herd test. Each herd test
25 under this section shall include all herd members over 12 months

1 old, and all herd members under 12 months old that were not born
2 in the herd.

3 (3) TUBERCULOSIS MONITORED HERD. (a) Certification. The
4 department may annually certify a herd of cervidae as a
5 tuberculosis monitored herd if the number of herd members over
6 one year old that are slaughtered and inspected for tuberculosis
7 over the preceding 3-year period is sufficient to detect any
8 tuberculosis that may be present in the herd at the 2% prevalence
9 level. Table 1 shows, for various herd sizes, the number of
10 cervidae that must be slaughtered and inspected over a 3-year
11 period in order to meet this requirement. At least 25% of the
12 cervidae required to be slaughtered and inspected over a 3-year
13 period must be slaughtered and inspected in each year of that 3-
14 year period.

TABLE 1 **Slaughter Rate**

2% Prevalence

Herd Population	3-Year Slaughter Rate	Herd Population	3-Year Slaughter Rate
10	10	20	20
30	30	40	40
50	48	60	55
70	62	80	68
90	73	100	78
120	86	140	92
160	97	180	101
200	105	250	112
300	117	350	121
400	124	450	127
500	129	600	132
700	134	800	136
900	137	1000	138
1200	140	1400	141
1600	142	1800	143

TABLE 1 Slaughter Rate 2% Prevalence			
Herd Population	3-Year Slaughter Rate	Herd Population	3-Year Slaughter Rate
2000	143	3000	145
4000	146	5000	147
6000	147	7000	147
8000	147	9000	148
10000	148		

To determine the 3-year slaughter requirement for an actual herd, use the herd size from Table 1 that most nearly approximates the actual herd size.

(b) Certification expires. An annual certification under par. (a), if not renewed, expires one year after it is issued.

(c) Slaughter records. The department may not certify a tuberculosis monitored herd under this subsection unless the herd owner provides the department with slaughter records that document compliance with certification requirements under par.

(a).

(4) HERDS NOT QUALIFIED FOR CERTIFICATION. (a) If lesions histopathologically compatible with tuberculosis are found in any member of a herd of cervidae, the department may not certify that herd as an accredited tuberculosis-free herd, a tuberculosis

1 qualified herd or a tuberculosis monitored herd for at least 2
2 years after the department releases its quarantine on that herd.

3 (b) If a herd of cervidae is classified as a known infected
4 herd under s. ATCP 10.66(15), the department may not certify that
5 herd as an accredited tuberculosis-free herd, a tuberculosis
6 qualified herd or a tuberculosis monitored herd for at least 5
7 years after the department releases its quarantine on that herd.

8 (5) ADDING CERVIDAE TO CERTIFIED HERD. No person may add a
9 cervid to an accredited tuberculosis-free herd, a tuberculosis
10 qualified herd or a tuberculosis monitored herd unless one of the
11 following applies:

12 (a) The cervid is born into the herd.

13 (b) The cervid originates from an accredited tuberculosis-
14 free herd and has never been exposed to cervidae from any herd
15 other than an accredited tuberculosis-free herd.

16 (c) The cervid originates from a tuberculosis qualified
17 herd or a tuberculosis monitored herd, and meets all of the
18 following requirements:

19 1. It has never been exposed to cervidae from a herd other
20 than an accredited tuberculosis free herd, a tuberculosis
21 qualified herd or a tuberculosis monitored herd.

22 2. It tests negative on a single cervical tuberculin test
23 conducted not more than 90 days before it arrives at the premises
24 where the receiving herd is located, and retests negative on a
25 single cervical test conducted not less than 90 days after it

1 arrives at those premises. The cervid shall be isolated from all
2 other animals in the receiving herd until it retests negative.

3 (d) The cervid tests negative on 2 tuberculosis tests
4 before it arrives at the premises where the receiving herd is
5 located, and retests negative at least 90 days after it arrives
6 at those premises. The pre-arrival tests shall be conducted at
7 least 90 days apart, and the second pre-arrival test shall be
8 conducted not more than 90 days before the arrival date.

9 Beginning on or before the date of the first pre-arrival test,
10 the cervid shall be isolated from every other animal in its herd
11 of origin. The cervid shall also be isolated from all members of
12 the receiving herd until it retests negative on the post-arrival
13 test.

14 (6) STATUS OF CERVIDAE ADDED TO HERD. (a) No cervid
15 qualifies as a member of an accredited tuberculosis free herd, a
16 tuberculosis qualified herd or a tuberculosis monitored herd if
17 the cervid is added to the herd in violation of sub. (5).

18 (b) No cervid qualifies as a member of an accredited
19 tuberculosis free herd, a tuberculosis qualified herd or a
20 tuberculosis monitored herd until it retests negative within 90
21 days after it is added to the herd if a retest is required under
22 sub. (5).

23 (7) SUSPENDING OR REVOKING HERD CERTIFICATION. (a) The
24 department may, for cause, suspend or revoke the certification of
25 a herd of cervidae as an accredited tuberculosis free herd, a
26 tuberculosis qualified herd or a tuberculosis monitored herd.

1 (b) The state veterinarian, on behalf of the department,
2 shall summarily suspend a herd certification under par. (a) if
3 any cervid in the herd is classified as a tuberculosis suspect or
4 reactor. The department may reinstate the herd certification if,
5 upon further testing or analysis, the department releases the
6 herd from quarantine under s. ATCP 10.66(12)(b) or (13)(b).

7 (c) The state veterinarian, on behalf of the department,
8 shall summarily revoke a herd certification under par. (a) if the
9 department finds that any of the following apply:

10 1. The herd is a known infected herd under s. ATCP
11 10.66(15).

12 2. A herd member is found to have lesions
13 histopathologically compatible with tuberculosis.

14 3. A cervid has been added to the herd in violation of sub.
15 (5).

16 SECTION 29. ATCP 11.01(1) is amended to read:

17 ATCP 11.01(1) "Accredited tuberculosis-free herd" means a
18 herd of ~~eattle~~ bovine animals, cervidae or goats which is
19 certified as tuberculosis-free by one of the following:

20 (a) The department under s. ATCP 10.17, ~~or~~ 10.62 or
21 10.67(1).

22 (b) The authorized animal health agency of the state in
23 which the herd is located, under standards comparable to s. ATCP
24 10.17, ~~or~~ 10.62 or 10.67(1).

1 **SECTION 30.** ATCP 11.01(8m) is created to read:

2 ATCP 11.01(8m) "Axillary tuberculosis test" means a test
3 under s. ATCP 11.54(3)(c) that is used to detect tuberculosis in
4 south american camelidae.

5 **SECTION 31.** ATCP 11.01(13) is repealed and recreated to
6 read:

7 ATCP 11.01(13) "Brucellosis test" means a test, approved by
8 the federal bureau and the department, that is used to determine
9 whether an animal is infected with brucellosis.

10 **SECTION 32.** ATCP 11.01(16m) is created to read:

11 ATCP 11.01(16m) "Caudal fold tuberculin test" means a test
12 under s. ATCP 10.15(1) that is used to detect tuberculosis in
13 bovine animals.

14 **SECTION 33.** ATCP 11.01(18j) is repealed.

15 **SECTION 34.** ATCP 11.01(20m) is repealed and recreated to
16 read:

17 ATCP 11.01(20m) "Comparative cervical tuberculin test"
18 means one of the following, as applicable:

19 (a) A test under s. ATCP 10.15(2) that is used to detect
20 tuberculosis in bovine animals.

21 (b) A test under s. ATCP 10.66(5) that is used to detect
22 tuberculosis in cervidae.

23 **SECTION 35.** ATCP 11.01(40) is repealed.

24 **SECTION 36.** ATCP 11.01(41) is amended to read:

25 ATCP 11.01(41) "Livestock" means farm animals including
26 bovine animals, sheep, goats, swine and ~~horses~~ equine animals.

1 SECTION 37. ATCP 11.01(70m) is repealed and recreated to
2 read:

3 ATCP 11.01(70m) "Single cervical tuberculin test" means a
4 test under s. ATCP 10.66(4) that is used to detect tuberculosis
5 in cervidae.

6 SECTION 38. ATCP 11.01(71m) is created to read:

7 ATCP 11.01(71m) "South american camelid" means a llama,
8 alpaca, vicuna or guanaco.

9 SECTION 39. ATCP 11.01(80m) and (80r) are created to read:

10 ATCP 11.01(80m) "Tuberculosis monitored herd" means a herd
11 of cervidae that is certified as a tuberculosis monitored herd by
12 one of the following:

13 (a) By the department under s. ATCP 10.67(3).

14 (b) By the authorized animal health agency of the state in
15 which the herd is located, using standards comparable to those
16 specified under s. ATCP 10.67(3).

17 (80r) "Tuberculosis qualified herd" means a herd of
18 cervidae that is certified as a tuberculosis qualified herd by
19 one of the following:

20 (a) By the department under s. ATCP 10.67(2).

21 (b) By the authorized animal health agency of the state in
22 which the herd is located, under standards comparable to s. ATCP
23 10.67(2).

24

1 SECTION 40. ATCP 11.01(81) is repealed and recreated to
2 read:

3 ATCP 11.01(81) "Tuberculosis test" means a test, approved
4 by the department, which is used to detect tuberculosis in
5 animals. "Tuberculosis test" includes any of the following tests
6 when authorized or required under this chapter:

7 (a) A caudal fold tuberculin test or a comparative cervical
8 tuberculin test for bovine animals.

9 (b) A single cervical tuberculin test, a comparative
10 cervical tuberculin test, or a blood tuberculosis test for
11 cervidae.

12 (c) An axillary tuberculosis test for exotic ruminants or
13 south american camelidae.

14 SECTION 41. ATCP 11.02(1)(a)2, (3)(i) and (4)(b) are
15 amended to read:

16 ATCP 11.02(1)(a)2 Veal calves or steers originating from a
17 brucellosis-free state or nation, or from a brucellosis class A
18 state.

19 (3)(i) ~~Llamas or other exotic~~ Exotic ruminants and south
20 american camelidae.

21 (4)(b) If a bovine animal originating from a brucellosis-
22 free state or nation, a brucellosis class A state or a certified
23 brucellosis-free herd is imported solely for exhibition at a fair
24 or livestock exhibition and returns to its herd of origin after
25 being exhibited, a certificate issued for the interstate movement
26 of the animal is valid for 90 days.

1 SECTION 42. ATCP 11.02(6) is created to read:

2 ATCP 11.02(6) ANIMAL IMPORTED TO CONSIGNMENT SALE;
3 CERTIFICATE TO ACCOMPANY ANIMAL WHEN SOLD. (a) If an animal is
4 imported on consignment to a livestock dealer or market operator,
5 for sale on behalf of an out-of-state seller, any interstate
6 health certificate or certificate of veterinary inspection which
7 is required to accompany the imported animal shall continue to
8 accompany that animal until the animal is delivered to the
9 custody of its purchaser.

10 (b) If an accredited veterinarian issues a certificate of
11 veterinary inspection in this state for an imported animal sold
12 on consignment in this state, the certificate may incorporate
13 pertinent health information obtained from the interstate health
14 certificate or certificate of veterinary inspection which
15 accompanies the imported animal. The veterinarian may issue the
16 certificate on the same certification form which accompanies the
17 imported animal if the form is specifically designed for that
18 purpose, or the veterinarian may issue a separate certificate
19 which includes the following statement or one substantially
20 similar:

21 "The vaccination record, test results, and source herd
22 information on this certificate have been copied from the
23 incoming health certificate which was issued by (accredited
24 veterinarian), who certified the information at (address and
25 state of origin) on (date). A copy of the incoming
26 certificate is attached."
27

28 (c) Within 7 days after an accredited veterinarian issues a
29 certificate of veterinary inspection under par. (b), that
30 veterinarian shall file with the department copies of that

1 certificate and the certificate which accompanies the imported
2 animal under par. (a).

3 **SECTION 43.** ATCP 11.10(1)(a) is repealed and recreated to
4 read:

5 ATCP 11.10(1)(a) Official eartag. Except as provided under
6 par. (b), a veterinarian who does any of the following to any
7 bovine animal shall insert, in the right ear of the animal, an
8 official eartag conforming to the national uniform eartagging
9 system unless the animal is already identified with an official
10 eartag:

11 1. Vaccinates, identifies or tests a bovine animal in order
12 to complete an interstate health certificate, certificate of
13 veterinary inspection, or other official document or
14 certification related to that animal.

15 2. Tests a bovine animal for any disease listed under s.
16 ATCP 10.03.

17 **SECTION 44.** ATCP 11.11(1)(a)1 is amended to read:

18 ATCP 11.11(1)(a)1 The official individual identification of
19 the animal. Official individual identification is not required
20 of veal calves or steers imported from a brucellosis-free state
21 or nation or from a brucellosis class A state, provided that the
22 certificate clearly identifies the shipment destination and the
23 number of animals included in the shipment.

24 **SECTION 45.** ATCP 11.11(1)(a)2 is repealed.
25

1 SECTION 46. ATCP 11.11(1)(c)2 and 3 are amended to read:

2 ATCP 11.11(1)(c)2 An animal imported from a brucellosis-
3 free state or nation or from a brucellosis class A state directly
4 to a part 78 market under appropriate documents required by the
5 federal bureau.

6 (c)3 A calf under 30 days old originating from a
7 brucellosis-free state or nation or from a brucellosis class A
8 state.

9 SECTION 47. ATCP 11.11(2) is repealed.

10 SECTION 48. ATCP 11.11(3)(b)2 and 5 to 9, (3)(c)1, (5)(b)5
11 to 7 and (5)(c)1 are amended to read:

12 ATCP 11.11(3)(b)2 An animal imported from a ~~brucellosis-~~
13 ~~free or~~ brucellosis class A state and imported directly to a part
14 78 market under appropriate documents required by the federal
15 bureau.

16 (3)(b)5 A male or female calf under 6 months old
17 originating from a ~~brucellosis-free or~~ brucellosis class A state.

18 (3)(b)6 Any animal originating from a brucellosis free
19 state or nation.

20 (3)(b)7 A steer or official spayed heifer ~~originating from~~
21 ~~a brucellosis free or class A state~~.

22 (3)(b)8 An official vaccinate under 20 months old
23 originating from a ~~brucellosis-free or~~ brucellosis class A state.

24 (3)(b)9 Any animal originating from a certified
25 brucellosis-free herd in a ~~brucellosis-free or~~ brucellosis class
26 A state if the animal is accompanied by an interstate health

1 certificate or certificate of veterinary inspection which
2 includes the brucellosis-free herd certification number of the
3 herd of origin, the date on which the herd of origin was last
4 tested for brucellosis, and the veterinarian's statement that the
5 animal was included in that last herd test.

6 (3)(c)1 The animal originates from a brucellosis-free state
7 or nation, a brucellosis class A state, or a certified
8 brucellosis-free herd.

9 (5)(b)5 An animal originating from an accredited
10 tuberculosis-free state or nation, provided that Wisconsin
11 animals may be shipped to that state or nation without a prior
12 tuberculosis test.

13 (5)(b)6 An animal originating from an accredited
14 tuberculosis free herd if the animal is accompanied by an
15 interstate health certificate or certificate of veterinary
16 inspection which includes the tuberculosis-free herd
17 certification number of the herd of origin, and the date on which
18 the herd of origin was last tested for tuberculosis, ~~and the~~
19 ~~veterinarian's statement that the animal was included in that~~
20 ~~last herd test.~~

21 (5)(b)7 An animal originating from an area designated by
22 the federal bureau as a modified accredited tuberculosis-free
23 area, if an accompanying interstate health certificate or
24 certificate of veterinary inspection states that all animals over
25 ~~20~~ 24 months old in the herd of origin tested negative for

1 tuberculosis in a herd test conducted within the preceding 12
2 months, and that the animal was included in that last herd test.

3 (5)(c)1 The animal originates from an accredited
4 tuberculosis-free state or nation, or an accredited tuberculosis-
5 free herd.

6 SECTION 49. ATCP 11.11(6)(b)5 is repealed.

7 SECTION 50. ATCP 11.16(2)(L) is created to read:

8 ATCP 11.16(2)(L) Cattle, provided that Wisconsin is
9 currently classified as a brucellosis-free state.

10 SECTION 51. ATCP 11.16(note) is repealed and recreated to
11 read:

12 NOTE: See also s. 95.49, Stats., which may require testing
13 of animals when this rule appears to provide an exemption. If
14 there is a conflict between the statute and this rule, the
15 statute should be obeyed.

16 SECTION 52. ATCP 11.22(1) and (2)(a)1 are amended to read:

17 ATCP 11.22(1) BACKTAG REQUIRED. Except as provided under
18 sub. (3), if a livestock trucker, livestock market operator,
19 stockyard operator or slaughtering establishment operator
20 receives any sow, boar or stag for slaughter, or for sale or
21 shipment to slaughter, that person shall identify the swine with
22 an official swine backtag at the time of receipt and make a
23 corresponding record of the identification under sub. (2). The
24 backtag shall be affixed to the swine between the ear and the
25 shoulder, below the topline. If a sow, boar or stag is already
26 backtagged at the time of receipt, the person receiving the swine
27 shall record the backtag number and other information required
28 under sub. (2).

1 (2)(a)1 The number of the official swine backtag applied to
2 each sow, boar or stag. If a sow, boar or stag is already
3 backtagged at the time of receipt, the person receiving the swine
4 under sub. (1) shall record that official backtag number.

5 SECTION 53. ATCP 11.53(2)(cm) is amended to read:

6 ATCP 11.53(2)(cm) Every cervid shall ~~be tested and found~~
7 test negative on a tuberculosis test conducted within not more
8 than 90 days before a permit application is filed with the
9 department. ~~Notwithstanding s. ATCP 11.55(1)(a) and (2),~~
10 ~~tuberculosis tests are not required for all members of the~~
11 ~~cervid's herd of origin if the cervid is imported under permit~~
12 ~~from a native wild population to a zoo or zoological park or as a~~
13 ~~circus or menagerie animal under this section.~~

14 SECTION 54. ATCP 11.54(title) is amended to read:

15 ATCP 11.54(title) EXOTIC RUMINANTS AND SOUTH AMERICAN
16 CAMELIDAE; IMPORT.

17 SECTION 55. ATCP 11.54(1) is renumbered (1)(intro.) and
18 amended to read:

19 (1)(intro.) HEALTH CERTIFICATE. No person may import a
20 ~~llama or ether~~ an exotic ruminant or south american camelid into
21 this state unless the ~~ruminant~~ animal is accompanied by a valid
22 interstate health certificate or certificate of veterinary
23 inspection. The certificate shall comply with s. ATCP 11.02, and
24 shall ~~contain the number of the import permit assigned by the~~
25 ~~department under sub. (2).~~ include the following information:
26

1 SECTION 56. ATCP 11.54(1)(a) to (c) are created to read:

2 ATCP 11.54(1)(a) The permit number of the permit obtained
3 under sub. (2).

4 (b) A report of a negative tuberculosis test under sub.
5 (3).

6 (c) A report of a negative brucellosis test under sub. (4).

7 SECTION 57. ATCP 11.54(2) is amended to read:

8 (2) IMPORT PERMIT. No person may import ~~a llama or other~~
9 an exotic ruminant or south american camelid into this state
10 without an import permit from the department. A permit
11 application shall be made on a form prescribed by the department,
12 and shall include all relevant information required by the
13 department. The department shall grant or deny a permit
14 application within 10 days after it receives a complete
15 application.

16 SECTION 58. ATCP 11.54(3) and (4) are created to read:

17 ATCP 11.54(3) TUBERCULOSIS TEST REQUIRED. (a) Except as
18 provided under par. (b), no person may import an exotic ruminant
19 or south american camelid into this state unless the animal tests
20 negative on an axillary tuberculosis test conducted not more than
21 60 days prior to the import date.

22 (b) Paragraph (a) does not apply to an exotic ruminant or
23 south american camelid imported directly to an institution
24 accredited by the american association of zoological parks and
25 aquariums. An animal imported to an accredited institution under
26 this paragraph may not be moved to any place which is not an

1 accredited institution unless the animal tests negative on an
2 axillary tuberculosis test not more than 60 days before the
3 animal is moved.

4 (c) To perform an axillary tuberculosis test, a
5 veterinarian shall inject 0.1 ml., 5,000 international units, of
6 Unites States department of agriculture contract PPD bovis
7 tuberculin in the axillary region. The same veterinarian who
8 injects the tuberculin shall read the test results, unless the
9 department or the federal bureau specifically authorizes another
10 veterinarian to read the test results. The veterinarian shall
11 read the test results, between 66 and 78 hours after the
12 tuberculin is injected, by examining and palpating the injection
13 site.

14 (d) The veterinarian performing an axillary tuberculosis
15 test under par. (c) shall be an accredited veterinarian or an
16 employe of the department or the federal bureau.

17 (4) BRUCELLOSIS TEST REQUIRED. (a) Except as provided
18 under par. (b) no person may import an exotic ruminant or south
19 american camelid into this state unless the animal tests negative
20 on a brucellosis test conducted not more than 30 days prior to
21 the import date.

22 (b) Paragraph (a) does not apply to an exotic ruminant or
23 south american camelid imported directly to an institution
24 accredited by the american association of zoological parks and
25 aquariums. An animal imported to an accredited institution under
26 this paragraph may not be moved to any place which is not an

1 accredited institution unless the animal tests negative on a
2 brucellosis test conducted not more than 30 days before the
3 animal is moved.

4 SECTION 59. ATCP 11.55(2) is repealed and recreated to
5 read:

6 ATCP 11.55(2) TUBERCULOSIS TESTS. (a) Requirement.

7 Except as provided under par. (b), no person may import a cervid
8 into this state unless all of the following conditions are met:

9 1. The cervid tests negative on 2 pre-import tuberculosis
10 tests conducted not less than 90 days apart. The second test
11 shall be conducted not more than 90 days prior to the import
12 date. The cervid shall be tested using the single cervical
13 tuberculin test unless the department authorizes the use of a
14 different tuberculosis test.

15 2. The cervid is isolated from all other animals beginning
16 no later than the date of the first tuberculosis test under subd.

17 1. The isolated cervid shall be separated from all other animals
18 by at least 10 feet. The isolated cervid may not share common
19 feeders, water utensils or handling facilities with other animals
20 during the isolation period.

21 (b) Exemptions. Paragraph (a) does not apply to any of the
22 following:

23 1. A cervid imported directly to a licensed slaughter
24 establishment for slaughter.

25 2. A cervid imported as a circus, rodeo, racing or
26 menagerie animal in compliance with s. ATCP 11.53.

1 3. A cervid imported directly from an accredited
2 tuberculosis free herd, provided that the cervid is accompanied
3 by an interstate health certificate or certificate of veterinary
4 inspection which includes the source herd number and the date on
5 which the source herd was last tested for tuberculosis.

6 4. A cervid originating from a tuberculosis qualified herd,
7 provided that the cervid is accompanied by an interstate health
8 certificate or certificate of veterinary inspection which
9 includes the source herd number, the date on which the source
10 herd was last tested for tuberculosis, and a certification that
11 the imported cervid tested negative on a single cervical
12 tuberculin test conducted not more than 90 days before the cervid
13 was imported into this state.

14 5. A cervid originating from a tuberculosis monitored herd,
15 provided that the cervid is accompanied by an interstate health
16 certificate or certificate of veterinary inspection which
17 includes the source herd number, the date on which the source
18 herd was first certified as a tuberculosis monitored herd, the
19 most recent date on which the source herd was recertified as a
20 tuberculosis monitored herd, and certification that the imported
21 cervid tested negative on a single cervical tuberculin test
22 conducted not more than 90 days before the cervid was imported
23 into this state.

1 SECTION 60. ATCP 11.56(1), (2)(c) and (2)(e)1 are amended
2 to read:

3 ATCP 11.56(1)(title) HEALTH CERTIFICATE REQUIRED FOR
4 INTRASTATE MOVEMENT. Except as provided under sub. (2), no
5 person may move any cervid between locations in this state unless
6 the cervid is accompanied by a certificate of veterinary
7 inspection or an interstate health certificate signed by an
8 accredited veterinarian. The certificate shall state that the
9 cervid tested negative ~~for tuberculosis within~~ on the single
10 cervical tuberculin test not more than 90 days prior to the move,
11 using the cervical test intrastate movement.

12 (2)(c) The cervid is only moved directly from a zoo or
13 zoological park to another zoo or zoological park between
14 institutions that are accredited by the american association of
15 zoological parks and aquariums.

16 (2)(e)1 The isolation and testing facility is approved by
17 the department. To obtain approval for an isolation and testing
18 facility, the facility operator shall file a written application
19 with the department. The department may inspect the facility to
20 determine whether it provides secure isolation, and is otherwise
21 adequate to serve as an isolation and testing facility. The
22 department shall grant or deny an application for facility
23 approval within 30 days after the department receives a complete
24 application. The department may approve a facility for a period
25 of 2 years, and may renew its approval based on a written renewal
26 application from the operator of the facility.

1 **SECTION 61.** ATCP 11.56(2)(g) is created to read:

2 ATCP 11.56(2)(g) The cervid originates from an accredited
3 tuberculosis-free herd, a tuberculosis qualified herd or a
4 tuberculosis monitored herd.

5 **SECTION 62.** ATCP 11.62(3)(a) and (3)(b)(title) are
6 repealed.

7 **SECTION 63.** ATCP 11.62(3)(b) is renumbered (3).

8 **SECTION 64.** ATCP 11.71(2) is amended to read:

9 ATCP 11.71(2) SERVICE OF NOTICE. An order under sub. (1)
10 shall be served upon a person having custody or control of the
11 animal affected by the order. The order may be served in person
12 or by certified mail. Service may be ~~provided~~ proved by
13 affidavit or by certified mail return receipt.

14 **SECTION 65.** ATCP 12.01(13) is repealed and recreated to
15 read:

16 ATCP 12.01(13) "Livestock" means farm animals including
17 bovine animals, sheep, goats, swine and equine animals.

18 **SECTION 66.** ATCP 12.05(2)(b) is amended to read:

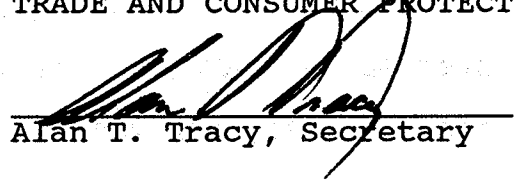
19 ATCP 12.05(2)(b) Slaughter identification. Whenever a
20 livestock dealer, livestock market operator or livestock trucker
21 receives any sow, boar or stag for sale or shipment to slaughter,
22 that person shall immediately identify the swine with an official
23 swine backtag and record the backtag number. If a sow, boar or
24 stag is already backtagged at the time of receipt, the person
25 receiving the swine shall record its backtag number.

26

1 **SECTION 67.** The rules contained in this order shall take
2 effect on the first day of the month following publication in the
3 Wisconsin administrative register, as provided under s.
4 227.22(2)(intro.), Stats.

Dated this 12th day of December, 1995.

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION


Alan T. Tracy, Secretary