

No. 530, S.]

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CHAPTER 282

AN ACT to amend 95.19, 95.26 (2) and 95.70 (1) (c); to repeal and recreate 95.49 (1) (h) and (4); and to create 95.23 (4) and 95.37 (2) of the statutes, relating to movement of diseased animals, the Brucellosis control program, and other animal health provisions.

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

SECTION 1. 95.19 of the statutes is amended to read:

95.19 No person shall bring into this state, or remove from one part of the state to another, or receive in charge, or exhibit at any fair, any animal afflicted with or that has been exposed to any contagious or infectious disease nor shall any person, knowing or having reason to suspect that there is any such animal upon his premises or upon any premises of which he has control, attempt to conceal the existence of such diseases upon such premises, or permit such animal to run at large or come in contact with other animals susceptible to such disease. The department is authorized to issue permits thereunder for the movement of such animals to a slaughtering establishment maintaining either federal inspection or veterinarian inspection approved by the department or for the purpose of scientific observation or research. *In the movement of such animals for slaughter they may be temporarily assembled or held only at stockyards, including the stockyards of a slaughterer, which have been approved by the department for this purpose. Such animals shall be separately handled at such stockyards, without commingling with other animals, and shall be held in separate isolation pens which are conspicuously posted by the department.* Any person who * * * violates any provision of this section or any regulation or order issued pursuant thereto by the department, in addition to the penalty prescribed therefor, shall be liable to any person injured thereby for the damages by him sustained.

SECTION 2. 95.23 (4) of the statutes is created to read:

95.23 (4) When any animals or materials infected or suspected of being infected have been quarantined, no person shall remove them from the premises, or otherwise fail to comply with the terms of the quarantine, except upon written permit from the department.

SECTION 3. 95.26 (2) of the statutes is amended to read:

95.26 (2) All milk and cream received at every dairy plant shall be tested at * * * *not more than 6-month intervals* by the A.B.R. test, and Brucellosis tests shall be applied promptly to cattle when the milk or cream therefrom discloses a positive reaction to the A.B.R. test. Brucellosis tests, approximately every 12 months, shall be applied to cattle which are not tested by means of A.B.R. tests. All cattle, except steers, spayed heifers, calves under 8 months of age and official vaccinates under 30 months of age, shall be subject to the Brucellosis test. Brucellosis tests and official vaccination provided for in this section may be performed by any veterinarian approved by the department and selected by the cattle owner. When Brucellosis tests are not conducted by any such veterinarian within 15 days of the date notice to test is mailed to such cattle owner, the department shall conduct such tests. Except where compensated by the federal government, approved veterinarians performing testing and vac-

cination under this section shall be paid by the state at uniform rates established by the department. Blood samples drawn for the Brucellosis test shall be submitted to the department promptly for laboratory examination.

SECTION 4. 95.37 (2) of the statutes is created to read:

95.37 (2) Claims for indemnity based on condemnation and appraisal may be paid notwithstanding the death of the animal by means other than slaughter if satisfactory proof of death is filed with such claim.

SECTION 5. 95.49 (1) (h) and (4) of the statutes are repealed and recreated to read:

95.49 (1) (h) Animals not known to be reactors moved to the premises of a livestock market or dealer licensed and inspected under s. 95.70, for sale and removal as provided in sub. (4).

(4) Cattle moved to the premises of a livestock market or dealer pursuant to the exemption from Brucellosis test in sub. (1) (h) may be removed only in compliance with the Brucellosis test requirements in sub. (1).

SECTION 6. 95.70 (1) (c) of the statutes is amended to read:

95.70 (1) (c) "Livestock market" means any premises open to the public for the purpose of trading in cattle, sheep or swine and on which facilities are maintained for the yarding, feeding and watering of animals prior to sale * * *.

Approved July 31, 1959.
