

Chapter ATCP 11

ANIMAL MOVEMENT

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Note: Chapter Ag 11 as it existed in December 31, 1990 was repealed and a new ch. Ag 11 was created effective January 1, 1991; Chapter Ag 11 was renumbered ch. ATCP 11 under s. 13.93 (2m) (b) 1, Stats., Register, April, 1993, No. 478.

Subchapter I — Definitions

ATCP 11.01 Definitions. As used in this chapter:

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

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

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

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

(a) Licensed to practice veterinary medicine.

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

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

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

(a) The department under s. ATCP 10.18.

(b) The authorized animal health agency of the state in which the herd is located, under standards comparable to s. ATCP 10.18.

(5) "Anaplasmosis test" means the complement fixation test or other anaplasmosis diagnostic test which is approved by the department and conducted at a laboratory approved by the department or the federal bureau.

(6) "Approved equine quarantine station" means a facility approved by the department under s. ATCP 11.32 to receive equine animals imported from foreign countries in which contagious equine metritis has been reported.

(7) "Approved feed lot" means a feedlot which holds an approved feedlot permit under s. ATCP 11.14.

(8) "Approved veal lot" means a veal lot which holds an approved veal lot permit under s. ATCP 11.13.

(9) "Bison" means American bison of any age or sex, commonly known as buffalo.

(10) "Boar" means an uncastrated male swine that is sexually mature.

(11) "Bovine animal" means cattle or American bison of any age or sex.

(12) "Brucellosis" means the contagious, infectious and communicable disease caused by bacteria of the genus *Brucella*.

Note: Brucellosis is also known as Bang's disease, undulant fever and contagious abortion.

(13) "Brucellosis test" means:

(a) For bovine animals, a blood serum agglutination test, a particle concentration fluorescent immuno assay (PCFIA), or approved supplemental tests conducted according to procedures approved by the department.

(b) For swine, the swine brucellosis card test, the blood serum agglutination test, or approved supplemental tests

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conducted according to procedures approved by the department.

(14) "Bull" means an uncastrated sexually mature male bovine animal.

(15) "Calf" means a sexually immature bovine animal of either sex.

(16) "Cattle" means any of the various animals of the domesticated genus *Bos*.

(17) "Certificate of veterinary inspection" means a written certificate prepared by an accredited veterinarian in compliance with s. ATCP 11.02 (2).

(18) "Certified brucellosis-free herd" means a herd of cattle or goats which is certified as brucellosis-free by one of the following:

(a) The department under s. ATCP 10.14 or 10.61.

(b) The authorized animal health agency in the state where the herd is located, under standards comparable to s. ATCP 10.14 or 10.61.

(18j) "Cervical test" means a test, used in cervidae to detect the presence of bovine tuberculosis, which involves injection of 0.1 ml. (or 5,000 international units) of United States department of agriculture contract PPD Bovis tuberculin in the midcervical region, and which is read by observation and palpation 72 hours after injection, plus or minus 6 hours.

(18m) "Cervid" is the singular form of the plural "Cervidae". "Cervidae" means members of the family of animals which includes deer, elk, moose, caribou, reindeer and the sub-family musk deer.

(19) "Commingled" means kept or brought together with other animals in any environment which permits direct physical contact between the animals.

(20) "Communicable" means transmissible either directly or indirectly.

(20m) "Comparative cervical test" means a tuberculosis test conducted in suspect cervidae by a state or federal veterinary medical officer, who is specifically approved to conduct the test.

(21) "Contagious" means spread by contact, body secretions or fomites.

(22) "Cow" means a female bovine animal after first calving.

(23) "Department" means the state of Wisconsin department of agriculture, trade and consumer protection.

(24) "Equine animal" means a horse, mule, zebra, donkey or ass.

(25) "Equine market" means a market which is open to the public for marketing or trading in equine animals for any purpose.

(26) "Exotic disease" means any communicable, contagious or infectious disease of livestock or poultry not known to exist in Wisconsin.

(27) "Exotic ruminant" means a ruminant not native to Wisconsin. "Exotic ruminant" includes llamas and other

camelids, but does not include bovine animals and cervidae.

(28) "Exposed" means subjected to a causative agent which may cause the exposed animal to contract a contagious, infectious or communicable disease.

(29) "Fair" means a state fair, county or district fair, exhibition, show, exposition, rodeo or trail ride.

(30) "Federal bureau" means the animal and plant health inspection service of the United States department of agriculture, or any other unit of that department which may be vested with authority to administer federal laws and regulations relating to animal disease control.

(31) "Feeder cattle" means bovine animals, kept for the sole purpose of feeding prior to slaughter, which are not more than 18 months old as evidenced by the absence of permanent teeth, and whose sexual status is one of the following:

(a) Non-spayed female that is not parturient or post-parturient.

(b) Spayed heifer.

(c) Steer.

(32) "Feeder swine" means swine, excluding boars, weighing less than 175 pounds and kept for the sole purpose of feeding for slaughter.

(33) "Flock" means one of the following, as the context requires:

(a) All of the poultry on one farm, except that any group of poultry which has been segregated from other poultry for a period of at least 21 days may, at the discretion of the department, be considered a separate flock.

(b) Any group of sheep maintained on common ground for any purpose; or 2 or more groups of sheep, under common ownership or supervision, whose members intermingle between groups even if the groups are geographically separated.

(34) "Foreign disease" means any communicable, contagious or infectious disease of livestock and poultry not known to exist in the United States.

(35) "Hatchery" means premises used to hatch poultry, including buildings, incubators, hatchers and auxiliary equipment.

(36) "Heifer" means a female bovine animal up to first calving.

(37) "Herd" means either of the following:

(a) A group of animals maintained on common ground for any purpose.

(b) Two or more groups of animals of the same species, under common ownership or supervision, whose members intermingle between groups even if the groups are geographically separated.

(38) "Infectious" means caused by a pathogenic agent.

(39) "Interstate health certificate" means a written health certificate prepared by an accredited veterinarian in compliance with s. ATCP 11.02 (1).

(40) "Leukosis" means the condition of cattle caused by bovine type C oncovirus manifested by the presence of bovine leukosis virus antibodies, which may result in lymphosarcoma or lymphocytosis.

(41) "Livestock" means farm animals including bovine animals, sheep, goats, swine and horses.

(42) "Livestock dealer" has the meaning specified under s. 95.70 (1) (a), Stats., and includes any person who leases livestock to others.

(43) "Livestock dealer premises" means any location where a livestock dealer keeps, receives or sells livestock, or conducts livestock transactions, and which is owned, leased, or controlled by the livestock dealer.

(44) "Livestock market" has the meaning specified under s. 95.70 (1) (b), Stats.

(45) "Livestock trucker" has the meaning specified under s. 95.70 (1) (c), Stats.

(46) "Mare" means a female equine animal over 731 days of age.

(47) "Mastitis" means a contagious and infectious disease of bovine animals, manifested by inflammation of the mammary gland, which is caused by a variety of microorganisms.

(48) "Managerie animal" means a domestic or non-domestic animal kept individually or as part of a collection primarily for purposes of exhibition or competition.

(49) "Mycoplasmosis" means a disease of poultry caused by *Mycoplasma gallisepticum*.

(50) "National poultry improvement plan" means the national poultry improvement plan established by the federal bureau.

(51) "Negative" means an official diagnostic test result which discloses no evidence of disease.

(52) "Official back tag" means an identification back tag, approved by the federal bureau, that conforms to the 8-character alpha-numeric national uniform backtagging system.

Note: Examples of official back tags include the official Wisconsin bovine back tag and the official Wisconsin swine back tag.

(53) "Official ear tag" means an identification ear tag, approved by the federal bureau, that conforms to the 9-character alpha-numeric national uniform eartagging system.

Note: The official ear tag uniquely identifies each individual animal with no duplication of the alpha-numeric identification, regardless of the materials or colors used. Examples of official ear tags include the official Wisconsin identification tag, the official U.S.D.A. Wisconsin vaccination tag, and the official Wisconsin swine ear tag.

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

- (a) The animal's official ear tag number.
- (b) The animal's breed association tattoo.
- (c) The animal's breed association registration number.

(d) Other identification approved by the department.

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

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

(57) "Open spade brand" means a branding mark consisting of the outline of an inverted heart with a short stalk at the bottom, used for the identification of spayed heifers.

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

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

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

(61) "Part 78 market" means a licensed livestock market which is approved by the department and the federal bureau to receive cattle in interstate commerce, pursuant to s. ATCP 11.12 and 9 CFR 78.

(62) "Part 76 market" means a licensed livestock market which is approved by the department and the federal bureau to receive swine in interstate commerce, pursuant to s. ATCP 11.21 and 9 CFR 76.

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

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

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

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

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

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

- (a) The department under s. ATCP 10.30.

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

(69) "Racing animal" means a greyhound or other racing canine, and equine animals which participate in organized races such as county, district, or state fairs, or other organized racing events where cash, points, or awards are given as prizes.

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

(70m) "Single cervical test" means a tuberculosis test, used in herds of cervidae with known exposure to *Mycobacterium bovis*, which is conducted using 0.2 ml. (10,000 international units) of United States department of agriculture PPD Bovis tuberculin, or 0.1 ml (10,000 international units) of special double strength tuberculin.

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

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

(73) "Stallion" means a male equine animal over 731 days of age but does not include a gelding.

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

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

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

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

(78) "Swine growth performance test station" or "swine test station" means a premises where swine are assembled for purposes of determining feeding efficiency.

(79) "Test mare" means a mare which is used in determining the disease status of stallions with respect to contagious equine metritis.

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

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

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

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

(a) The department under s. ATCP 10.33.

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

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

(85) "Zoo" or "zoological park" means any park, building, cage, enclosure, or other structure or premise in which a live animal or animals are kept for public exhibition or viewing, regardless of whether admission or other consideration is paid by the viewer.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91; emerg. cr. (18j), (18m), (20m) and (70m), eff. 3-18-91; cr. (18j), (18m), (20m), (70m) and (85), am. (27), Register, November, 1991, No. 431, eff. 12-1-91.

Subchapter II — General Provisions

ATCP 11.02 Interstate health certificate; certificate of veterinary inspection. (1) INTERSTATE HEALTH CERTIFICATE.

An interstate health certificate is a written certificate, signed by an accredited veterinarian, which is issued to facilitate the movement of animals. An interstate health certificate contains health information related to one or more animals which are specifically identified on the certificate. An interstate health certificate issued under this chapter shall include all of the following:

(a) Identification of each animal covered by the certificate. Official individual identification is required for bovine animals, swine, equine animals, sheep, goats and cervidae. Official individual identification is not required for any of the following, provided that the certificate clearly identifies the shipment destination and the number of animals included in the shipment:

1. Poultry.

2. Veal calves or steers originating from a brucellosis-free or class A state.

(b) The species, breed, sex and age of the animal.

(c) The name and address of the person shipping the animal, and the location from which the animal is shipped.

(d) The name and address of the person receiving the animal, and the location at which the animal will be received.

(e) Any specific health information, including information related to herd of origin, vaccination status or diagnostic test results, which is required for the import or movement of the animal under this chapter.

(f) Other information required by this chapter.

(g) The following statement, or one substantially similar, signed by an accredited veterinarian:

"I certify that I have inspected the individual animals described above and find that they are free from signs of infectious, contagious or communicable disease. I certify that the vaccinations and results of tests are as listed above."

(h) The signature of a veterinarian accredited in the state origin, and the date of signature.

(2) CERTIFICATE OF VETERINARY INSPECTION. A certificate of veterinary inspection is a written certificate, signed by an accredited veterinarian, which is issued in lieu of an interstate health certificate to facilitate the movement of animals. A certificate of veterinary inspection, like an interstate health certificate, contains health information related to one or more animals which are specifically identified on the certificate. A certificate of veterinary inspection issued under this chapter shall include the same information required for an interstate health certificate under sub. (1), except that the following statement or one substantially similar shall be substituted for the statement under sub. (1) (g):

"I certify, as an accredited veterinarian, that the above described animals have been inspected by me and that they are not showing signs of contagious or infectious disease, except where noted. The vaccinations and results of tests are as indicated on the certificate. To the best of my knowledge, the animals listed on this certificate meet the state of destination and federal interstate requirements. No further warranty is made or implied."

(3) CERTIFICATE REQUIRED FOR IMPORT. No person may import any of the following animals into this state unless the animal is accompanied by a valid interstate health certificate or certificate of veterinary inspection:

- (a) Bovine animals, except as provided under s. ATCP 11.11 (1) (c).
- (b) Swine, except as provided under s. ATCP 11.20 (1) (b).
- (c) Equines, except as provided under s. ATCP 11.30 (1) (b).
- (d) Poultry.
- (e) Sheep.
- (f) Goats.
- (g) A dog or cat over 5 months old.
- (h) Circus, rodeo, racing or menagerie animals.
- (i) Llamas or other exotic ruminants.
- (j) Cervidae.

Note: See applicable import requirements for each livestock species, including required contents of interstate health certificates, under subchapters III to VII. See also ss. ATCP 11.12 (2) and 11.21 related to the removal of imported animals from part 78 livestock markets and part 76 swine markets in this state.

(4) CERTIFICATE VALID FOR 30 DAYS. (a) Except as provided under par. (b), an interstate health certificate or certificate of veterinary inspection is valid for 30 days after it is signed, provided that all required tests are conducted within the time periods prescribed under this chapter.

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

(5) FILING COPIES OF CERTIFICATE. If an interstate health certificate or certificate of veterinary inspection is required to accompany an import shipment of animals

under sub. (3), the veterinarian who signs the certificate shall file copies as follows:

(a) Within 7 days after the shipment date, the veterinarian shall file a copy of the certificate with the chief livestock health official of the state of origin.

Note: The chief livestock health official of the state of origin will verify the veterinarian's accreditation status, and certain other information contained on the certificate, and forward an approved copy to the department.

(b) For import shipments of swine and bovine animals, the veterinarian shall mail or telefax a copy of the certificate to the department on or before the shipment date. The veterinarian shall also file a copy with the state of origin under par. (a).

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91; emerg. am. (1) (a) (intro.) and (3) (i), eff. 3-18-91; am. (1) (a) (intro.), cr. (3) (j), Register, November, 1991, No. 431, eff. 12-1-91.

ATCP 11.03 Special import permit. (1) PERMIT AUTHORIZATION. The state veterinarian may issue a special written permit authorizing a named person to import specifically identified animals into this state, even though the import shipment would otherwise be prohibited under this chapter, if special circumstances warrant the permit. The permit may contain any conditions which the state veterinarian deems necessary. No permit may authorize more than one import shipment.

(2) PERMIT APPLICATION. To obtain a special import permit under sub. (1), an applicant shall submit a signed written application to the department. The application shall contain the following information:

- (a) The name and address of the person shipping the animals.
- (b) The name and address of the person receiving the animals.
- (c) A complete description of the animals to be imported, including official individual identification of each animal if required under s. ATCP 11.02 (1) (a).
- (d) The reason for importing the animals.
- (e) Reasons why the state veterinarian should permit the import shipment, notwithstanding the provisions of this chapter.
- (f) Other information required by the department.

(3) ACTION ON PERMIT APPLICATION. The state veterinarian shall grant or deny a permit application under sub. (2) within 30 days after a complete application is received by the department.

(4) PERMIT COPY KEPT ON FILE. The department shall keep a copy of every permit issued by the state veterinarian under this section. A copy shall be kept for at least 3 years after the permit is issued.

Note: The state veterinarian may not authorize an import shipment which is prohibited by statute, rather than by administrative rule under this chapter.

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

Subchapter III — Bovine Animals

ATCP 11.10 Identification of bovine animals. (1) OFFICIAL INDIVIDUAL IDENTIFICATION. (a) *Official eartag.* Except as Register, April, 1993, No. 448

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provided under par. (b), every veterinarian who vaccinates or identifies a bovine animal, or who tests a bovine animal for brucellosis, tuberculosis, anaplasmosis, leukosis or paratuberculosis, shall insert an official eartag in the right ear of the animal unless the animal is already identified with an official eartag. An official eartag shall conform to the 9-character national uniform eartagging system.

Note: An official eartag uniquely identifies each individual animal with no duplication of alphanumeric identification, regardless of the materials or colors used. Official eartags include the official USDA Wisconsin identification tag (silver) and the official USDA Wisconsin vaccination tag (orange).

(b) PUREBRED IDENTIFICATION. If a bovine animal is a purebred animal registered with a breed association, either of the following may serve in place of an official eartag to identify the animal:

1. A breed association registration number which uniquely identifies the animal, and which corresponds to breed association registration papers for that animal.

2. A breed association tattoo which uniquely identifies the animal, and which corresponds to breed association registration papers for that animal.

(c) Right ear reserved for identification tag. No person may insert any eartag, other than an official eartag or breed association eartag, in the right ear of any bovine animal. This paragraph does not prohibit the use of parasite control tags.

(2) IDENTIFYING OFFICIAL BRUCELLOSIS VACCINATES. (a) *Vaccination tattoo.* Every veterinarian who vaccinates a bovine animal for brucellosis shall apply a vaccination tattoo to the inner surface of the right ear of the animal. The vaccination tattoo shall consist of a number representing the quarter of the year in which the animal was vaccinated, followed by a symbol in the form of a shield containing the letter "V" and the last numeral of the year in which the animal was vaccinated. Number 1 represents the first quarter of the year (January, February and March). Number 2 represents the second quarter of the year (April, May and June). Number 3 represents the third quarter of the year (July, August and September). Number 4 represents the fourth quarter of the year (October, November and December). No retattooing is permitted.

(b) Vaccination tag. 1. Except as provided under subd. 2, every veterinarian who vaccinates a bovine animal for brucellosis shall insert a vaccination tag in the right ear of the animal. A vaccination tag, which is a form of official eartag under sub. (1), shall be orange in color and shall conform to the 9-character alphanumeric national uniform ear tagging system. The alphanumeric characters shall consist of the prefix "35," followed by the letter "V," "T" or "S," followed by 2 alphabetic and 4 numeric characters. A vaccination tag may not be applied to an unvaccinated animal. A vaccination tag may not be replaced if lost or removed, but may be replaced by a silver official Wisconsin eartag.

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

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(3) REACTOR IDENTIFICATION. (a) *Tuberculosis.* Within 15 days after a bovine animal is classified as a tuberculosis reactor, the animal shall be branded and identified for destruction. The reactor shall be branded on the left jaw with the letter "T," which shall be not less than 2 nor more than 3 inches high, and shall be identified with an official reactor eartag, bearing a serial number, which is inserted in the left ear of the animal.

(b) *Brucellosis.* Within 15 days after a bovine animal is classified as a brucellosis reactor, the animal shall be branded and identified for destruction. The reactor shall be branded on the left jaw with the letter "B," which shall be not less than 2 nor more than 3 inches high, and shall be identified with an official reactor eartag, bearing a serial number, which is inserted in the left ear of the animal.

(4) SLAUGHTER IDENTIFICATION. (a) *Backtag required.* If a livestock trucker, livestock dealer, livestock market operator, stockyard operator or slaughtering establishment operator receives any bovine animal over 2 years old for slaughter, or for sale or shipment to slaughter, that person shall identify the bovine animal with an official backtag at the time of receipt and make a corresponding record of the identification under par. (b). The backtag shall be affixed to the animal at a point 4 inches behind the shoulder and 4 inches below the topline. If a bovine animal under this paragraph is already backtagged at the time of receipt, the person receiving the bovine animal shall record the backtag number and other information required under par. (b). This paragraph does not apply to steers or official spayed heifers.

(b) *Recordkeeping; general.* Every person who is required to backtag a bovine animal or keep a record under par. (a) shall record the following information:

1. The number of each official backtag applied to a bovine animal. If a bovine animal is already backtagged at the time of receipt, the person receiving the animal shall record that official backtag number.

2. The date on which each bovine animal was received and identified under this subsection.

3. The name and address of the person from whom the bovine animal was received.

4. Whether the animal was of a beef or dairy breed.

(c) *Livestock dealers and markets; backtagged animals not shipped directly to slaughter.* If any backtagged animal is removed from the premises of a livestock dealer or livestock market, but not shipped directly to slaughter, the livestock dealer or market operator shall keep a record correlating the animal's backtag number with its official individual identification. If the animal has no official individual identification, the dealer or market operator shall insert an official eartag in the animal's right ear before the animal leaves the premises.

(d) *Records kept and made available.* Records under pars. (b) and (c) shall be kept for a period of 2 years, and shall be made available for inspection and copying upon request.

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

ATCP 11.11 Bovine animals; import. (1) **INTERSTATE HEALTH CERTIFICATE.** (a) *Requirement.* Except as provided

under par. (c), no person may import a bovine animal into this state unless the animal is accompanied by an interstate health certificate or a certificate of veterinary inspection. The certificate shall comply with applicable requirements under s. ATCP 11.02, and shall also include the following information:

1. The official individual identification of the animal. Official individual identification is not required for veal calves or steers imported from a brucellosis-free or class A state, provided that the certificate clearly identifies the shipment destination and the number of animals included in the shipment.

2. A record of official brucellosis vaccination if the animal is subject to the vaccination requirement under sub. (2), or if the animal is claimed to be an official vaccinate. A record of official brucellosis vaccination shall consist of the original vaccination eartag number, vaccination tattoo characters including at least the shield and year of vaccination, or a copy of a vaccination report showing the animal's breed association registration number or breed tattoo at the time of vaccination.

3. A report of a negative brucellosis test conducted not more than 30 days before the animal enters this state, unless the animal is exempt from the brucellosis testing requirement under sub. (3).

4. If the animal is imported from a brucellosis class B or C state, the import permit number assigned by the department under sub. (4).

5. A report of a negative tuberculosis test conducted not more than 60 days before the animal enters this state, unless the animal is exempt from the tuberculosis testing requirement under sub. (5).

6. A report of a negative anaplasmosis test conducted not more than 30 days before the animal enters this state, unless the animal is exempt from the anaplasmosis testing requirement under sub. (6).

7. If the animal is imported to an approved veal lot or approved feed lot, the permit number assigned to that veal lot or feed lot under s. ATCP 11.13 or 11.14.

8. Any other information required under this section.

(b) *Filing* A veterinarian who signs an interstate health certificate or certificate of veterinary inspection under par. (a) shall file copies of the certificate with the department and the state of origin, as required by s. ATCP 11.02 (5).

(c) *Exemptions.* Neither an interstate health certificate nor a certificate of veterinary inspection is required under par. (a) for any of the following:

1. An animal imported directly to a licensed slaughter establishment for slaughter.

2. An animal imported from a brucellosis-free or class A state directly to a part 78 market under appropriate documents required by the federal bureau.

3. A calf under 30 days old originating from a brucellosis-free or class A state.

(2) **BRUCELLOSIS VACCINATION.** (a) *Requirement.* Except as provided under par. (b), no person may import a female

bovine animal into this state unless the animal is an official vaccinate.

(b) *Exemptions.* The vaccination requirement under par. (a) does not apply to any of the following:

1. An animal which is less than 120 days old.

2. An animal imported directly to a licensed slaughter establishment for slaughter.

3. An animal imported directly to a part 78 market under appropriate documents required by the federal bureau.

4. Feeder cattle imported directly to an approved feedlot.

5. An official spayed heifer.

6. An animal imported from a brucellosis-free state, a brucellosis class A state, or a certified brucellosis-free herd if the animal is imported solely for either of the following:

(a) For exhibition at a fair or livestock exhibition, provided that the animal returns to its herd of origin after being exhibited.

(b) For sale at a consignment sale attended by an accredited veterinarian, provided that the animal leaves this state immediately after sale.

(3) **BRUCELLOSIS TEST.** (a) *Requirement.* Except as provided under par. (b), no person may import a bovine animal into this state unless the animal tests negative on a pre-import brucellosis test. Except as provided under par. (c), the pre-import brucellosis test shall be conducted not more than 30 days before the animal enters this state.

(b) *Exemptions.* A pre-import brucellosis test is not required under par. (a) for any of the following:

1. An animal imported directly to a licensed slaughter establishment for slaughter.

2. An animal imported from a brucellosis-free or brucellosis class A state directly to a part 78 market under appropriate documents required by the federal bureau.

3. Feeder cattle imported directly to an approved feedlot.

4. Veal calves imported directly to an approved veal lot.

5. A male or female calf under 6 months old originating from a brucellosis-free or brucellosis class A state.

6. Any animal originating from a brucellosis Class A state if the animal is tested for brucellosis within 60 to 120 days after entering this state.

7. A steer or official spayed heifer originating from a brucellosis-free or class A state.

8. An official vaccinate under 20 months old originating from a brucellosis-free or class A state.

9. Any animal originating from a certified brucellosis-free herd in a brucellosis-free or class A state if the animal is accompanied by an interstate health certificate or certificate of veterinary inspection which includes the brucellosis-free herd certification number of the herd of origin, the date on which the herd of origin was last tested for brucel-

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losis, and the veterinarian's statement that the animal was included in that last herd test.

10. An animal identified under s. ATCP 11.11 (4) (d) which is imported under department permit from a brucellosis class B or C state in compliance with s. ATCP 11.11 (4).

(c) *Exhibition animals; extended time for pre-import test.* If a bovine animal is not exempt from pre-import brucellosis testing under par. (b), but is imported solely for exhibition at a fair or livestock exhibition, the pre-import test required under par. (a) may be conducted within 90 days before the animal enters this state, provided that both of the following apply:

1. The animal originates from a brucellosis-free state, a brucellosis class A state, or a certified brucellosis-free herd.

2. The animal returns to its herd of origin after being exhibited at the fair or livestock exhibition.

Note: A bovine animal imported for exhibition at a fair or livestock exhibition in this state must also meet applicable brucellosis testing requirements under s. ATCP 11.62 (3).

(d) *Test method.* A brucellosis test, if required under this section, shall be conducted at a laboratory approved by the department or the federal bureau. The brucellosis test shall be conducted by the tube, plate, or buffered acidified plate antigen (BAPA) test method, or by another test method approved by the department.

(e) *Reactor may not be imported.* A brucellosis reactor may not be imported into this state for slaughter or any other purpose, except that reactors originating from a state contiguous to Wisconsin may be imported directly to a licensed slaughter establishment for slaughter if reactors from this state may be imported to that contiguous state for slaughter under equivalent terms and conditions.

(4) IMPORTS FROM BRUCELLOSIS CLASS B OR C STATES.

(a) *Permit required.* No person may import any bovine animal into this state from a brucellosis class B or C state without an import permit from the department. A permit may be issued only for animals identified under par. (d). A separate permit is required for each shipment. An animal imported under permit shall meet all applicable import requirements under this section.

(b) *Permit application.* To obtain a permit under par. (a), an applicant shall apply to the department in writing or by telephone. The department may, in its discretion, decline to accept a telephone application. An application shall include the following information:

1. The name and address of the person shipping the animals.

2. The name and address of the person receiving the animals.

3. A complete description of the animals, including the official individual identification of each animal to be imported.

4. The reason for importing the animals.

5. Information indicating that applicable import requirements under this section are met.

6. Any other relevant information required by the department.

(c) *Action on permit application.* The department shall grant or deny a permit application under par. (b) within 5 days after a complete application is received by the department. A permit may be issued by telephone, at the department's discretion, if the department makes a written record of the telephone permit. A permit may include any terms or conditions which the department deems necessary. If no interstate health certificate or certificate of veterinary inspection is filed with the department under sub. (1), or if the certificate does not conform to the permit application under par. (b), the permit is invalid.

(d) *Animals permitted.* No import permit may be issued under this subsection for any but the following animals from a brucellosis class B or C state:

1. Feeder cattle which are "F" branded and shipped directly to an approved feed lot.

2. Veal calves which are "F" branded and shipped directly to an approved veal lot.

3. A female calf under 120 days old originating from a certified brucellosis-free herd.

4. A male animal originating from a certified brucellosis-free herd. An animal which is over 6 months old when imported under this subdivision shall be tested for brucellosis within 60 to 120 days after entering this state.

5. An official vaccinate originating from a certified brucellosis-free herd. An official vaccinate which is over 20 months old when imported under this subdivision shall be tested for brucellosis within 60 to 120 days after entering this state.

(5) TUBERCULOSIS TEST. (a) *Requirement.* Except as provided under par. (b), no person may import a bovine animal into this state unless the animal tests negative on a pre-import tuberculosis test. Except as provided under par. (c), the pre-import tuberculosis test shall be conducted not more than 60 days before the animal enters this state.

(b) *Exemptions* A pre-import tuberculosis test is not required under par. (a) for any of the following:

1. An animal imported directly to a licensed slaughter establishment for slaughter.

2. An animal imported directly to a part 78 market under appropriate documents required by the federal bureau.

3. Feeder cattle imported directly to an approved feedlot.

4. A calf under 6 months old.

5. An animal originating from an accredited tuberculosis-free state, provided that Wisconsin animals may be shipped to that state without a prior tuberculosis test.

6. An animal originating from an accredited tuberculosis-free herd if the animal is accompanied by an interstate health certificate or certificate of veterinary inspection which includes the tuberculous-free herd certification number of the herd of origin, the date on which the herd of

origin was last tested for tuberculosis, and the veterinarian's statement that the animal was included in that last herd test.

7. An animal originating from an area designated by the federal bureau as a modified accredited tuberculosis-free area, if an accompanying interstate health certificate or certificate of veterinary inspection states that all animals over 20 months old in the herd of origin tested negative for tuberculosis in a herd test conducted within the preceding 12 months, and that the animal was included in that last herd test.

(c) *Exhibition animals; extended time for pre-import test.* If a bovine animal is not exempt from pre-import tuberculosis testing under par. (b), but is imported solely for exhibition at a fair or livestock exhibition, the pre-import test required under par. (a) may be conducted within 90 days before the animal enters this state, provided that both of the following apply:

1. The animal originates from an accredited tuberculosis-free state, or an accredited tuberculosis-free herd.
2. The animal returns to its herd of origin after being exhibited at the fair or livestock exhibition.

(d) *Reactor may not be imported.* If a bovine animal has a response to a caudal fold tuberculosis test, the animal may not be imported into this state, except to a licensed slaughter establishment for slaughter, until a comparative cervical test is performed on the animal. No animal which is classified as a reactor or suspect based on a comparative cervical test may be imported into this state, except to a licensed slaughter establishment for slaughter.

(6) **ANAPLASMOSIS TEST.** (a) *Requirement.* Except as provided under par. (b), no person may import a bovine animal into this state unless the animal tests negative for anaplasmosis prior to import. Except as provided under par. (c) the pre-import test shall be based on a test sample taken not more than 30 days before the animal enters this state. The test sample shall be tested at a laboratory approved by the department or the federal bureau, using the complement fixation test or another test approved by the department.

(b) *Exemptions.* A pre-import anaplasmosis test is not required under par. (a) for any of the following:

1. An animal imported directly to a licensed slaughter establishment for slaughter.
2. An animal imported directly to a part 78 market under appropriate documents required by the federal bureau.
3. Feeder cattle imported directly to an approved feedlot.
4. A calf under 6 months old.
5. A steer or official spayed heifer.
6. An animal originating from Canada and imported directly from Canada.

(c) *Exhibition animals; extended time for pre-import test.* If a bovine animal is not exempt from pre-import anaplasmosis testing under par. (b), but is imported solely for exhibition at a fair or livestock exhibition, the pre-import

test required under par. (a) may be based on a sample taken not more than 90 days before the animal enters this state, provided that the animal returns to its herd of origin after being exhibited at the fair or livestock exhibition.

(d) *Reactor may not be imported.* No bovine animal may be imported into this state, except to a licensed slaughter establishment for slaughter, if the animal is an anaplasmosis reactor or originates from a herd in which there are one or more anaplasmosis reactors. An animal is an anaplasmosis reactor under this paragraph if it shows a positive reaction to the complement fixation test at a 1:10 dilution.

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

ATCP 11.12 Part 78 market. (1) APPROVAL REQUIRED. No livestock market operator may receive interstate shipments of bovine animals as a part 78 market unless the market is specifically approved by the department and the federal bureau as a part 78 market, and is operated in compliance with 9 CFR 78.

Note: This section does not require every livestock market to operate as a part 78 market. However, under s. ATCP 11.11, bovine animals imported to a part 78 market are exempt from certain import restrictions and pre-import testing requirements until they leave the part 78 market. These exemptions do not apply unless the receiving market is specifically approved as a part 78 market. Regardless of whether a livestock market is approved as a part 78 market, it must be licensed by the department under s. 95.70, Stats., and s. ATCP 12.02.

(2) **REMOVING BOVINE ANIMALS FROM PART 78 MARKET.** No person may remove a bovine animal from a part 78 market to any other location in this state unless all applicable import requirements under s. ATCP 11.11 are met. Moving an animal from a part 78 market to any other location in this state constitutes importation of that animal for purposes of s. ATCP 11.11. A part 78 market operator is responsible for ensuring that all applicable import requirements under s. ATCP 11.11 are met before any animal is released from the market.

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

ATCP 11.13 Approved veal lot. (1) PERMIT. The department may issue a permit designating a veal lot as an "approved veal lot." A permit expires on June 30th following the 5th anniversary of the date on which the permit was issued. Under s. 93.06 (7), Stats., the department may deny, suspend or revoke a permit for cause, including violations of this chapter or other animal health laws.

Note: Not every veal lot is required to hold an approved veal lot permit under this section. However, veal calves imported directly to an approved veal lot are exempt from certain import restrictions and pre-import testing requirements, as provided in s. ATCP 11.11.

(2) **PERMIT APPLICATION.** To obtain an approved veal lot permit, a veal lot operator shall submit an application on a form provided by the department. The application shall identify the location of the veal lot by county, township and section, and shall include other relevant information required by the department. No fee is required. The department shall grant or deny a permit application within 30 days after a complete application is filed with the department.

(3) **REQUIREMENTS.** An approved veal lot shall meet all of the following requirements:

(a) Veal calves shall be enclosed so that they cannot commingle with any other cattle on the premises.

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(b) Separate feeding and watering facilities shall be provided for veal calves.

(c) The veal lot shall be devoid of vegetation.

(4) REMOVAL OF VEAL CALVES. Except as specifically authorized by the department in writing, no veal calves or cattle commingled with veal calves may be removed from an approved veal lot except to a licensed slaughtering establishment for slaughter.

(5) RECORDS. The operator of an approved veal lot shall keep complete and accurate records of all veal calves entering and leaving the approved veal lot. Records shall be held for at least 2 years after the veal calves leave the approved veal lot, and shall be made available for inspection and copying by the department upon request. Records shall include:

(a) A record of each veal calf shipment received at the approved veal lot, including the date of receipt, the number of veal calves included in the shipment, the name and address of the shipper, the address from which the shipment originated, and the official individual identification of the veal calves if any.

(b) A record of each veal calf shipment leaving the approved veal lot, including the date of shipment, the number of veal calves included in the shipment, the name and address of the person receiving the shipment, and the official individual identification of the veal calves if any.

(c) A record of any veal calves which died at the approved veal lot.

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

ATCP 11.14 Approved feed lot. (1) PERMIT. The department may issue a permit designating a feed lot as an "approved feed lot." A permit expires on June 30 following the 5th anniversary of the date on which the permit was issued. Under s. 93.06 (7), Stats., the department may deny, suspend or revoke a permit for cause, including violations of this chapter or other animal health laws.

Note: Not every feed lot is required to hold an approved feed lot permit under this section. However, feeder cattle imported directly to an approved feed lot are exempt from certain import restrictions and pre-import testing requirements, as provided in s. ATCP 11.11.

(2) PERMIT APPLICATION. To obtain an approved feedlot permit, a feedlot operator shall submit an application on a form provided by the department. The application shall identify the location of the feedlot by county, township and section, and shall include other relevant information required by the department. No fee is required. The department shall grant or deny a permit application within 30 days after a complete application is filed with the department.

(3) REQUIREMENTS. An approved feedlot shall meet all of the following requirements.

(a) Feeder cattle shall be enclosed so that they cannot commingle with any other cattle on the premises.

(b) Separate feeding and watering facilities shall be provided for feeder cattle.

(c) The feed lot shall be devoid of vegetation.

(4) REMOVAL OF FEEDER CATTLE. Except as specifically authorized by the department in writing, no feeder cattle or cattle commingled with feeder cattle may be removed from an approved feed lot except to a licensed slaughtering establishment for slaughter.

(5) RECORDS. The operator of an approved feed lot shall keep complete and accurate records of all feeder cattle entering and leaving the approved feedlot. Records shall be held for at least 2 years after the feeder cattle leave the approved feedlot, and shall be made available for inspection and copying by the department upon request. Records shall include:

(a) A record of each feeder cattle shipment received, including the date of receipt, the number of feeder cattle included in the shipment, the official individual identification of each animal included in the shipment, the name and address of the shipper, and the address from which the shipment originated.

(b) A record of each feeder cattle shipment leaving the approved feed lot, including the date of shipment, the number of feeder cattle included in the shipment, the official individual identification of each animal included in the shipment, and the name and address of the person receiving the shipment.

(c) A record of any feeder cattle which died at the approved feedlot.

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

ATCP 11.15 Calves to be moved from livestock market within 24 hours after sale. A person purchasing calves less than 12 weeks old at a livestock market shall remove the calves from the market within 24 hours after purchase. The market operator shall provide the calves with adequate food, water and shelter while the calves are held at the market.

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

ATCP 11.16 Intrastate movement of bovine animals; brucellosis test. (1) REQUIREMENT. Except as provided under sub. (2), no person may move any bovine animal between locations in this state unless the animal tests negative for brucellosis in a brucellosis test conducted within 30 days prior to movement, and the animal is accompanied by a report of the negative brucellosis test. An on-site brucellosis screening test, conducted by an accredited veterinarian at a livestock market licensed under s. 95.70, Stats., satisfies the brucellosis testing requirements under this subsection and s. 95.49, Stats., provided that the veterinarian submits the test sample to the department within 24 hours for confirmatory testing.

(2) EXEMPTIONS. The brucellosis testing requirement under sub. (1) does not apply to any of the following:

(a) An official vaccinate.

(b) A steer or official spayed heifer.

(c) An animal shipped directly to a licensed slaughter establishment for slaughter.

(d) A male animal under 6 months old.

(e) A female beef breed animal under 299 days old.

(f) A female dairy breed animal under 239 days old.

(g) An animal, not known to be a brucellosis reactor, which is moved to the premises of a livestock market operator or livestock dealer licensed under s. 95.70, Stats., provided that the animal is tested in compliance with sub. (1) before leaving the licensed market or dealer premises.

(h) An animal which is moved solely for exhibition at a fair or livestock exhibition, provided that both of the following apply:

1. The animal is accompanied by a report of a negative brucellosis test conducted within 90 days prior to movement.

2. The animal returns to its herd of origin after being exhibited at the fair or livestock exhibition.

(i) An animal moved between 2 farms, both of which are owned or operated by the animal owner.

(j) Feeder cattle shipped to an approved feedlot.

(k) Female beef breed feeder cattle under one year old.

(3) INTRASTATE MOVEMENT OF IMPORTED BOVINE ANIMAL FROM CONSIGNMENT SALE. (a) If an imported bovine animal is moved from a consignment sale location to another location within this state, the interstate health certificate or certificate of veterinary inspection which accompanied the imported animal from its state of origin may be used to document compliance with sub. (1), or to document that the animal is an official vaccinate under sub. (2) (a). The import certificate, if used for this purpose, shall be accompanied by a new certificate of veterinary inspection, signed by an accredited veterinarian who attended the consignment sale in this state, which contains the following statement or one substantially similar:

"The vaccination record and test results on this certificate have been copied from the incoming health certificate which was issued by (*accredited veterinarian*), who certified the information at (*address and state of origin*) on (*date*). A copy of the incoming certificate and the test results are attached."

(b) A reconsignment certificate of veterinary inspection, completed by an accredited veterinarian in the state of origin, and also signed by an accredited veterinarian in this state, serves in lieu of the statement under par. (a). A reconsignment certificate of veterinary inspection shall be completed on an approved form which is specifically designed for use in connection with imports to consignment sales.

Note: Section ATCP 11.16 interprets current requirements under s. 95.49, Stats.

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

Subchapter IV — Swine

ATCP 11.20 Swine imports. (1) **INTERSTATE HEALTH CERTIFICATE.** (a) *Requirement.* Except as provided under par. (b), no person may import any swine into this state unless the swine is accompanied by an interstate health certificate or a certificate of veterinary inspection. The certificate shall comply with all applicable requirements under s. ATCP 11.02 and shall also include the following information:

1. The official individual identification of the swine.

2. A statement by the signing veterinarian that no pseudorabies, swine dysentery or transmissible gastroenteritis has been diagnosed in the herd of origin within the last 60 days.

3. A statement by the signing veterinarian that no pseudorabies vaccine has been used on the swine, unless vaccination is permitted under sub. (4) (b).

4. A report of a negative pseudorabies test conducted not more than 30 days before the swine enters this state, unless the swine is exempt from pseudorabies testing under sub. (2) (b).

5. A report of a negative brucellosis test conducted not more than 30 days before the swine enters this state, unless the swine is exempt from brucellosis testing under sub. (3) (b).

6. Any other information required under this section.

(b) *Exemptions.* Neither an interstate health certificate nor a certificate of veterinary inspection is required under par. (a) for any of the following:

1. Healthy swine imported directly to a licensed slaughter establishment for immediate slaughter.

2. Healthy swine imported directly to a part 76 market under s. ATCP 11.21.

(2) PSEUDORABIES TEST. (a) *Requirement.* Except as provided under par. (b), no person may import any swine into this state unless the swine tests negative on a pseudorabies test conducted not more than 30 days before the swine enters this state.

(b) *Exemptions.* A pre-import pseudorabies test is not required under par. (a) for any of the following:

1. Healthy swine imported directly to a licensed slaughtering establishment for immediate slaughter.

2. Healthy swine imported directly to a part 76 market under s. ATCP 11.21.

3. Swine originating from a qualified pseudorabies negative herd as defined under s. ATCP 11.01 (68).

4. Feeder swine originating from a low-incidence pseudorabies area, as determined by the department in writing.

5. Feeder swine originating from a feeder swine pseudorabies monitored herd under sub. (7). This exemption does not apply unless an accredited veterinarian certifies, in the interstate health certificate or certificate of veterinary inspection which accompanies the feeder swine, that the herd of origin qualifies as a pseudorabies monitored herd under sub. (7).

(3) BRUCELLOSIS TEST. (a) *Requirement.* Except as provided under par. (b), no person may import any swine into this state unless the swine tests negative on a brucellosis test conducted not more than 30 days before the swine enters this state. A brucellosis test is negative under this paragraph if the swine brucellosis card test is negative or the agglutination test discloses no reaction in a dilution of 1:25.

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(b) *Exemptions.* A pre-import brucellosis test is not required under par. (a) for any of the following:

1. Healthy swine imported directly to a licensed slaughter establishment for immediate slaughter.
2. Healthy swine imported directly to a part 76 market under s. ATCP 11.21.
3. Feeder swine imported in compliance with sub. (6).

(4) **PSEUDORABIES VACCINATES PROHIBITED; EXEMPTIONS** (a) *Prohibition.* Except as provided under par. (b), no person may import into this state any swine which has been vaccinated for pseudorabies.

(b) *Exemptions.* The prohibition under par. (a) does not apply to any of the following:

1. Healthy swine imported directly to a licensed slaughter establishment for immediate slaughter.
2. Healthy swine imported directly to a part 76 market under s. ATCP 11.21.

(5) **IMPORTED SWINE TO BE ISOLATED UPON ARRIVAL AND TESTED FOR PSEUDORABIES; EXEMPTIONS.** (a) *Requirement.* Except as provided under par. (b), swine imported into this state shall be isolated from all other swine on the receiving premises until the swine are tested and found negative for pseudorabies. A pseudorabies test shall be conducted not less than 30 days nor more than 45 days after the swine enter this state.

(b) *Exemptions.* The isolation and testing requirement under par. (a) does not apply to any of the following:

1. Healthy swine imported directly to a slaughter establishment for immediate slaughter.
2. Healthy swine imported directly to a part 76 market under s. ATCP 11.21.
3. Feeder swine imported in compliance with sub. (6).

(6) **FEEDER SWINE IMPORTS.** (a) *Import destination.* No feeder swine may be imported into this state unless the feeder swine is imported directly to one of the following destinations:

1. A licensed slaughter plant for immediate slaughter.
2. A part 76 market under s. ATCP 11.21.
3. A farm for finish feeding prior to slaughter.

(b) *Feeder swine imported to farms.* Feeder swine which are imported to a farm, either directly or via a part 76 market, shall at all times be kept separate from breeder swine on the farm. Imported feeder swine may not be removed from the farm except for slaughter. Swine which are commingled with imported feeder swine at a part 76 market, and which are subsequently shipped to a farm, are considered imported feeder swine under this paragraph.

(7) **FEEDER SWINE PSEUDORABIES MONITORED HERD.** To qualify as a feeder swine pseudorabies monitored herd, a herd of swine shall be annually tested and found negative for pseudorabies. Annual pseudorabies testing shall be performed on a representative sample of swine selected from the entire breeding herd. Each sample group shall in-

clude randomly selected representatives of all breeding groups within the herd, and shall include boars and recent additions to the herd. In herds with 10 or fewer breeding swine, all breeding swine in the herd shall be tested. In herds with more than 10 but no more than 35 breeding swine, the sample group shall include at least 10 breeding swine. In herds with 36 or more breeding swine, the sample group shall include at least 30 breeding swine or 30% of the breeding swine, whichever is less.

(8) **GARBAGE-FED SWINE; IMPORT PROHIBITED.** Swine which have fed on raw commercial garbage may not be imported into this state for slaughter or any other purpose. Swine which have fed on cooked commercial garbage may not be imported into this state except under a special import permit under s. ATCP 11.03.

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

ATCP 11.21 Part 76 market. (1) APPROVAL REQUIRED. No swine market operator may receive interstate shipments of swine as a part 76 market unless the market is specifically approved by the department and the federal bureau as a part 76 market, and is operated in compliance with 9 CFR 76.

Note: This section does not require every swine market operator to operate as a part 76 market. However, under s. ATCP 11.20, swine imported to a part 76 market are exempt from certain import restrictions and pre-import testing requirements until they leave the part 76 market. These exemptions do not apply unless the receiving market is specifically approved as a part 76 market. Regardless of whether a swine market is approved as a part 76 market, it must be licensed by the department under s. 95.70, Stats., and s. ATCP 12.02.

(2) **REMOVING IMPORTED SWINE FROM PART 76 MARKET; GENERAL.** No person may remove any imported swine from a part 76 market to any other location in this state unless all applicable import requirements under s. ATCP 11.20 are met. Moving any swine from a part 76 market to any other location in this state constitutes importation of that swine for purposes of s. ATCP 11.20. A part 76 market operator is responsible for ensuring that all applicable import requirements under s. ATCP 11.20 are met before any swine is released from the market.

(3) **REMOVING IMPORTED FEEDER SWINE FROM PART 76 MARKET.** No imported feeder swine may be removed from a part 76 market except to a licensed slaughter establishment for slaughter, or to a farm to finish feeding prior to slaughter. Swine which are commingled with imported feeder swine at a part 76 market are also considered imported feeder swine under this subsection.

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

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

(2) RECORDKEEPING. (a) Every person who is required to backtag swine or keep records of swine receipts under sub. (1) shall record the following information:

1. The number of the official backtag applied to each sow, boar or stag. If a sow, boar or stag is already backtagged at the time of receipt, the person receiving the swine under sub. (1) shall record that official backtag number.
2. The date on which each sow, boar or stag was received and identified under this section.
3. The name and address of the person from whom the sow, boar or stag was received.
4. The class of sow, boar or stag received.

(b) Records under par. (a) shall be held for a period of 2 years and shall be made available to the department for inspection and copying upon request.

(3) LOW-VOLUME SLAUGHTER ESTABLISHMENTS; EXEMPTION. The department may, by written notice, exempt a slaughtering establishment from the backtagging requirement under sub. (1) if all of the following conditions are met:

(a) The slaughtering establishment receives all of its swine directly from producers.

(b) The slaughtering establishment can identify the herd of origin of every swine slaughtered, whether or not the swine are individually identified upon receipt.

(c) The slaughtering establishment slaughters not more than 100 swine per day for not more than 5 days per week.

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

ATCP 11.23 Swine; intrastate movement. (1) BRUCELLOSIS TEST. (a) *Requirement.* Except as provided under par. (b), no person may move within this state any boar over 5 months old intended for breeding, to any place inhabited by swine, unless the boar tests negative on a brucellosis test conducted not more than 30 days prior to the intrastate movement and the boar is accompanied by a report of the test.

(b) *Exemptions.* A pre-movement brucellosis test is not required under par. (a) for any of the following:

1. A boar originating from a validated brucellosis-free herd.
2. A boar moved directly to a licensed slaughter establishment for slaughter.
3. A boar moved to the premises of a livestock dealer or livestock market if the dealer or market operator complies with the testing requirement under par. (a) before the boar is moved from those premises.
4. A boar moved between 2 premises, both of which are owned or operated by the owner of the boar.

(2) PSEUDORABIES TEST. (a) *Requirement.* Except as provided under par. (b), no person may move within this state any of the following swine to a place inhabited by other swine, unless the swine tests negative on a pseudorabies test conducted not more than 30 days prior to the intrastate movement and the swine is accompanied by a report of the test:

1. A sow or boar intended for breeding, if the sow or boar is more than 5 months old or weighs more than 175 pounds.

2. Any swine moved to a swine growth performance test station.

3. Any swine removed from a swine growth performance test station, unless removed under written authorization from the department.

4. Any swine weighing more than 100 pounds which originates from a high pseudorabies incidence area, as determined by the department, if the department has notified the herd owner of its determination in writing.

(b) *Exemptions.* A pre-movement pseudorabies test is not required under par. (a) for any of the following:

1. A sow or boar under par. (a) 1, or any swine under par. (a) 2, originating from a qualified pseudorabies negative herd.

2. A swine moved directly to a licensed slaughter establishment for slaughter.

3. A swine moved to the premises of a livestock dealer or livestock market if the dealer or market operator complies with the testing requirement under par. (a) before the swine is moved from those premises.

4. A sow or boar under par. (a) 1 moved between 2 premises, both of which are owned or operated by the owner of the sow or boar.

(c) *Test reports.* If a pseudorabies test is required for any swine under this subsection, a report of the test shall accompany the swine when it is moved. The operator of a swine growth performance test station shall keep copies of pseudorabies test reports for all swine moved into or out of the test station. The test station operator shall retain the copies for a period of 2 years, and make them available to the department for inspection and copying upon request.

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

Subchapter V — Equine Animals

ATCP 11.30 Equine animals; import. (1) INTERSTATE HEALTH CERTIFICATE. (a) *Requirement.* Except as provided under par. (b), no person may import any equine animal into this state unless the animal is accompanied by a valid interstate health certificate or certificate of veterinary inspection. The certificate shall comply with applicable requirements under s. ATCP 11.02, and shall also include the following information:

1. Official individual identification of the equine animal.
2. A report of a negative test for equine infectious anemia conducted not more than 12 months before the animal enters this state, unless the animal is exempt from testing under sub. (2).

(b) *Exemptions.* Neither an interstate health certificate nor a certificate of veterinary inspection is required under par. (a) for any of the following:

1. An equine animal imported directly to a licensed equine slaughter establishment for slaughter.

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2. An equine animal imported directly to an equine market that holds a permit under s. ATCP 11.31 (1) if, pursuant to a prior written agreement between the importer and the equine market operator under s. ATCP 11.31 (2), the equine animal is received at the equine market solely for sale and direct shipment to slaughter.

3. An equine animal imported directly to a veterinary facility for treatment, provided that the importer notifies the department before the animal enters this state and the animal returns to the place of origin immediately after treatment.

(2) **EQUINE INFECTIOUS ANEMIA; TEST.** (a) *Requirement.* Except as provided under par. (b), no person may import any equine animal into this state unless the animal tests negative for equine infectious anemia in a test conducted not more than 12 months before the animal enters this state. The test shall be conducted at a state laboratory, or at a laboratory approved by the federal bureau, and shall use the agar gel immuno-diffusion method or another test method approved by the department.

(b) *Exemptions.* A pre-import test is not required under par. (a) for either of the following:

1. A nursing foal accompanying its dam.

2. An animal imported directly to an equine market that holds a permit under s. ATCP 11.31 (1), provided that the equine market operator complies with s. ATCP 11.31 (3).

(3) **MARES OR STALLIONS IMPORTED FROM FOREIGN COUNTRIES; CONTAGIOUS EQUINE METRITIS.** No mare or stallion may be imported into this state from a foreign country in which contagious equine metritis has been reported unless the mare or stallion is imported directly to an approved equine quarantine station in compliance with s. ATCP 11.32 (1).

(4) **CIRCUS, RODEO, RACING AND MENAGERIE ANIMALS; IMPORT.** No equine animal which is a circus, rodeo, racing or menagerie animal may be imported into this state without an import permit from the department, as provided under s. ATCP 11.53.

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

ATCP 11.31 Equine markets. (1) PERMIT REQUIRED. No person may operate an equine market, other than a licensed livestock market, without a permit from the department. Application for a permit shall be made on a form provided by the department, and shall include all relevant information requested by the department. The department shall grant or deny an application within 30 days after it receives a complete application.

(2) **RECEIPT OF IMPORTED EQUINE ANIMAL.** Except as provided under s. ATCP 11.30 (1) (b), no equine market may receive an equine animal imported from outside this state unless the equine animal is accompanied by a valid interstate health certificate or certificate of veterinary inspection. If an equine animal is received solely for sale and direct shipment to slaughter, pursuant to a prior written agreement between the importer and the equine market operator under s. ATCP 11.30 (1) (b) 2, the written agreement shall identify the animal and the date of receipt by the market operator. Slaughter animals shall be kept separate from all other equine animals at an equine market,

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and shall be shipped directly to a licensed equine slaughtering establishment for slaughter within 10 days after they are received at the equine market.

(3) **TESTING FOR EQUINE INFECTIOUS ANEMIA.** If an imported equine animal is not accompanied by a report of a negative test for equine infectious anemia under s. ATCP 11.30 (2), the imported equine animal shall be bled for an equine infectious anemia test within 48 hours after the animal is received at the equine market. The blood samples shall be tested in compliance with s. ATCP 11.30 (2). The imported equine animal may not be removed from the equine market, or commingled with any other equine animal at the equine market, until it tests negative for equine infectious anemia. This paragraph does not apply to a nursing foal accompanying its dam, or an equine animal which is received for slaughter in compliance with sub. (2).

(4) **IMPORTED EQUINE ANIMALS WHICH TEST POSITIVE FOR EQUINE INFECTIOUS ANEMIA.** An imported equine animal which tests positive for equine infectious anemia shall be:

(a) Destroyed on the premises within 10 days after the test results become known; or

(b) Branded under department supervision with a distinctive brand approved by the department, and shipped directly to an approved slaughtering establishment for slaughter within 10 days after the test results become known.

(5) **RECORDKEEPING.** (a) The operator of an equine market shall keep complete and accurate records, including:

1. A record of every equine animal received at the market, and the disposition of that animal.

2. All certificates of veterinary inspection and interstate health certificates.

3. All test results.

4. All written agreements under sub. (2).

(b) Records under par. (a) shall be retained for at least 2 years, and shall be made available for inspection and copying by the department upon request.

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

ATCP 11.32 Equine quarantine station. (1) STALLIONS OR MARES IMPORTED FROM FOREIGN COUNTRIES; RECEIPT AT APPROVED EQUINE QUARANTINE STATION. (a) No person may receive in this state any stallion or mare which is imported from a foreign country in which contagious equine metritis has been reported unless both of the following requirements are met:

1. The stallion or mare is imported directly to an approved equine quarantine station in a sealed vehicle. The vehicle shall be sealed at a federally approved quarantine station by a federally approved agent. The vehicle seal shall not be removed except by an authorized employe or agent of the department at the approved equine quarantine station.

2. The department authorizes the import shipment in advance, and the written authorization accompanies the import shipment.

(b) All equine animals, including test mares, which are received at an approved equine quarantine station shall be identified with a permanent individual identification of a type approved by the department.

(2) **QUARANTINE; RELEASE.** An imported stallion or mare received at an approved equine quarantine station under sub. (1) is automatically quarantined until the quarantine is released by the department in writing. A quarantined equine animal may not be removed from the quarantine station premises, or allowed in contact with other equine animals on the premises. Contact between a quarantined equine animal and a test mare is permitted, but only pursuant to a written agreement with the department under sub. (5). A test mare which has been in contact with an imported quarantined stallion is also quarantined until the quarantine is released by the department in writing.

(3) **APPROVED EQUINE QUARANTINE STATION; PERMIT.** No person may operate an approved equine quarantine station without an annual permit from the department. A permit expires on June 30 of each year. Application for a permit shall be made on a form prescribed by the department. The department shall grant or deny a permit application within 90 days after it receives a complete application. Every application shall include:

(a) The name and mailing address of the applicant, and any trade or business name to be used by the applicant.

(b) A statement indicating whether the applicant is an individual, partnership, corporation, cooperative, or other business association or entity.

(c) The location of the equine quarantine station, specified by county, township and section.

(d) The name and address of the accredited veterinarian who will perform all identification, handling, testing and treatment of equine animals at the approved equine quarantine station under procedures or protocols established by the department.

(e) Other relevant information required by the department.

(4) **CONSTRUCTION REQUIREMENTS; SANITARY OPERATION.** Approved equine quarantine stations shall be constructed and maintained to prevent contact between quarantined equine animals and any other equine animals on the premises, including test mares. An approved equine quarantine station shall be maintained in a clean and sanitary manner.

(5) **TESTING AND TREATMENT PROCEDURES; WRITTEN AGREEMENT.** Before any permit is issued for the operation of an approved equine quarantine station, the station operator and the accredited veterinarian designated under sub. (3) (d) shall enter into a written agreement with the department establishing procedures and protocols to be followed in the identification, handling, testing and treatment of equine animals quarantined at the station. The approved equine quarantine station shall be operated in compliance with the agreed procedures and protocols. Procedures and protocols shall be performed by the designated veterinarian except as otherwise authorized by the department.

(6) **RECORDKEEPING.** (a) The operator of an approved equine quarantine station shall keep complete and accurate records, including:

1. The identification, date of arrival, and date of removal of each imported equine animal received at the quarantine station.

2. The name and address of the owner of each equine animal received at the quarantine station, correlated with a specific identification of the equine animal.

3. A complete record of the procedures and protocols followed in conjunction with the identification, handling, testing and treatment of each imported equine animal.

(b) Records under par. (a) shall be retained for at least 2 years, and shall be made available for inspection and copying by the department upon request.

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

Subchapter VI — Poultry

ATCP 11.40 Poultry imports. (1) IMPORT REQUIREMENTS.

(a) No poultry or poultry eggs may be imported into this state unless they originate from flocks which are classified as "U.S. pullorum-typhoid clean" as provided in the national poultry improvement plan.

(b) Turkey poults less than 2 weeks of age may not be imported into this state unless they originate directly from hatcheries which hatch no eggs other than turkey eggs. Started poultry other than turkey poults may be imported if they originate from hatcheries which hatch no turkey eggs. Hatcheries shall comply with sanitation practices prescribed by the state of origin.

(c) All poultry, started poultry and poultry eggs for hatching imported into this state shall be accompanied by a certificate signed by the chief livestock official of the state of origin certifying that the poultry, started poultry or poultry eggs originate from flocks or hatcheries which comply with this section and s. ATCP 10.50, or an equivalent mandatory or voluntary program of the state of origin. Under a reciprocal agreement with a state having an equivalent voluntary or mandatory poultry disease control program, the department may approve alternative methods of certifying poultry and poultry eggs imported into this state.

(d) This subsection does not apply to poultry imported into this state which are consigned directly to a slaughtering establishment for immediate slaughter.

(2) **EXHIBITION.** No poultry except waterfowl may be exhibited at a fair or public exhibition unless the poultry comply with requirements under s. ATCP 11.62 (4).

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

Subchapter VII — Other Animals

ATCP 11.50 Sheep imports. No person may import a sheep into this state for any purpose except immediate slaughter unless the sheep is accompanied by a valid interstate health certificate or certificate of veterinary inspection. The certificate shall comply with s. ATCP 11.02, and shall state that the sheep originates from a flock which is

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free of foot rot and all other contagious and infectious diseases. No flock inspection is required for feeder lambs.

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

ATCP 11.51 Goat imports. No person may import a goat into this state unless the goat is accompanied by a valid interstate health certificate or certificate of veterinary inspection which complies with s. ATCP 11.02.

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

ATCP 11.52 Dogs and domestic cats; imports. No person may import any dog or domestic cat over 5 months of age into this state unless it is accompanied by a valid interstate health certificate or certificate of veterinary inspection. The certificate shall comply with s. ATCP 11.02, and shall contain a record of vaccination for rabies. The record shall show that the dog or domestic cat has been vaccinated by a licensed veterinarian, and that the dog or cat is not overdue for revaccination or repeat vaccination when it enters this state. Vaccinations shall comply with age and time standards and label instructions approved by the federal bureau for the type of vaccine used.

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

ATCP 11.53 Circus, rodeo, racing and menagerie animals; importation. (1) PERMIT REQUIRED. No person may import any circus, rodeo, racing, or menagerie animal into this state without an import permit from the department. A permit application shall be made on a form prescribed by the department, and shall include all relevant information required by the department. The department shall grant or deny a permit application within 20 business days after it receives a complete application. An import permit is valid for not more than 180 days.

(2) PERMIT CONDITIONS. A permit under sub. (1) is subject to the following conditions:

(a) Every animal shall be accompanied by a valid interstate health certificate or certificate of veterinary inspection. The certificate shall comply with s. ATCP 11.02, and shall contain the number of the import permit issued by the department under sub. (1).

(b) Every bovine animal shall have a negative brucellosis test conducted within 30 days prior to entry. The exemptions under s. ATCP 11.11 (3) (b) do not apply to circus, rodeo or menagerie animals.

(c) Every equine animal shall be tested and found negative for equine infectious anemia within 180 days before a permit application is filed with the department.

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

(d) All animals shall be isolated from noncircus, nonrodeo, and nonmenagerie animals, and from native wildlife in the state. Facilities and vehicles used for the animals shall be cleaned and disinfected before being used for other animals.

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(e) The importer shall notify the department of the locations at which animals will be exhibited in this state, and the dates when exhibition will occur. Notice shall be filed with the department within 15 days before the animals enter this state. This paragraph does not apply to racing animals or competitive pulling animals.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91; emerg. cr. (2) (cm), eff. 3-18-91; cr. (2) (cm), Register, November, 1991, No. 431, eff. 12-1-91.

ATCP 11.54 Llamas and exotic ruminants; import. (1) HEALTH CERTIFICATE. No person may import a llama or other exotic ruminant into this state unless the ruminant is accompanied by a valid interstate health certificate of veterinary inspection. The certificate shall comply with s. ATCP 11.02, and shall contain the number of the import permit assigned by the department under sub. (2).

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

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

ATCP 11.55 Cervidae import requirements. (1) INTERSTATE HEALTH CERTIFICATE REQUIRED. No person may import a cervid into this state unless the cervid is accompanied by a valid interstate health certificate or certificate of veterinary inspection. The certificate shall comply with s. ATCP 11.02, and shall also include the following information:

(a) A report of negative tuberculosis tests under sub. (2).

(b) The confirmation number assigned by the department under sub. (4).

(2) TUBERCULOSIS TESTS. (a) Requirement. Except as provided under par. (d) or s. ATCP 11.53 (2) (cm), no person may import a cervid into this state unless both the following conditions are met:

1. The cervid tests negative on a tuberculosis test conducted not more than 60 days before the cervid enters this state.

2. The cervid comes directly from a herd of origin under par. (c), and all animals over 6 months of age in the herd of origin test negative on a tuberculosis test conducted within 12 months before the imported cervid enters this state.

(b) *Method of testing.* Notwithstanding s. ATCP 11.01 (81), the tuberculosis test required under par. (a) shall be a cervical test, unless the department authorizes another test method in writing.

(c) *Herd of origin.* A herd of origin, for purposes of par. (a) 2, means a herd into which the cervid was born, or a herd in which the cervid spent at least the last 6 months before being imported into Wisconsin.

(d) *Exemptions.* Tuberculosis tests are not required under par. (a) for any of the following:

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

2. A cervid less than 6 months old.

(3) ANIMAL FROM SUSPECT HERD MAY NOT BE IMPORTED. If any animal in the herd of origin of any cervid has a response to any tuberculosis test, no cervid from that herd of origin may be imported into this state, except to a licensed slaughter establishment for slaughter.

(4) REPORT OF INTENDED IMPORT. No person may import a cervid into this state unless that person reports the proposed import to the department at least 5 days before the cervid is imported. The department shall confirm filing of the report by issuing a confirmation number, which must be included on the certificate issued under sub. (1). Confirmation of the report does not authorize import of the cervid, unless the cervid is accompanied by a health certificate, as required by sub. (1).

History: Emerg. cr. eff. 3-18-91; cr. Register, November, 1991, No. 431, eff. 12-1-91.

ATCP 11.56 Keeping and moving cervidae within Wisconsin. (1) HEALTH CERTIFICATE REQUIRED FOR MOVEMENT. Except as provided under sub. (2), no person may move any cervid between locations in this state unless the cervid is accompanied by a certificate of veterinary inspection or an interstate health certificate signed by an accredited veterinarian. The certificate shall state that the cervid tested negative for tuberculosis within 90 days prior to the move, using the cervical test.

(2) EXEMPTIONS. Sub. (1) does not apply if any of the following conditions are met:

(a) The cervid is shipped directly to a licensed slaughter establishment for slaughter.

(b) The cervid is moved directly between 2 premises, both of which are owned or operated by the cervid owner.

(c) The cervid is moved directly from a zoo or zoological park to another zoo or zoological park.

(d) The cervid is less than 6 months old.

(3) COMMINGLING WITH BOVINE ANIMALS PROHIBITED. No person may cause or allow cervidae to commingle with bovine animals on the same premises or in the same building, enclosure or vehicle. Cervidae and bovine animals kept in an outside environment on the same premises are not commingled if direct contact between the species is precluded by double fencing between adjoining pastures for each specie.

History: Emerg. cr. eff. 3-18-91; cr. Register, November, 1991, No. 431, eff. 12-1-91.

Subchapter VIII — Movement and Exhibition

ATCP 11.60 Sale or movement of diseased animals. (1) GENERAL. No person may, in connection with the import, sale, movement or exhibition of any animal, do any of the following:

(a) Knowingly conceal that the animal has been infected with or exposed to any contagious or infectious disease.

(b) Knowingly misrepresent that the animal has not been exposed to or infected with any contagious or infectious disease.

(c) Knowingly permit an animal that has been exposed to or infected with a contagious or infectious disease to commingle with other animals under conditions which may cause the disease to spread to an animal owned by another person.

(2) PARATUBERCULOSIS; SALE OR MOVEMENT OF INFECTED ANIMALS PROHIBITED. Except as provided under sub. (4), no person may sell or move any animal which is infected with paratuberculosis, as determined by a fecal culture or by a department epidemiologist.

Note: This subsection does not prohibit the sale of an animal from a herd in which paratuberculosis has been detected, provided that the animal is not individually infected. However, all sales are subject to the prohibitions under sub. (1). In each contract for the sale of an animal, there is an implied warranty under s. 95.195, Stats., that the animal is not infected with paratuberculosis, unless the seller does one of the following:

(1) Notifies the buyer in writing before the sale that the animal is not warranted as being uninfected with paratuberculosis.

(2) Complies with paratuberculosis testing and disclosure requirements prescribed by department rule.

(3) OTHER DISEASES; SALE OR MOVEMENT OF INFECTED OR EXPOSED ANIMALS PROHIBITED. Except as provided under sub. (4), no person may sell or move any animal which is infected with or exposed to any of the following contagious or infectious diseases:

(a) Anaplasmosis.

(b) Anthrax.

(c) Brucellosis.

(d) Equine encephalomyelitis.

(e) Equine infectious anemia.

(f) Foot and mouth disease.

(g) Hog cholera.

(h) Infectious stomatitis.

(i) Mycoplasma gallisepticum.

(j) Pseudorabies.

(k) Psoroptic mange.

(l) Pullorum.

(m) Rabies.

(n) Salmonellosis in poultry.

(o) Sheep foot rot.

(p) Swine dysentery.

(q) Tuberculosis.

(r) Vesicular exanthema.

Note: Animals infected with or exposed to other contagious or infectious diseases, not listed under this subsection, may be quarantined at the discretion of the department under s. ATCP 11.70.

(4) PERMIT TO MOVE. The department may issue a permit allowing the movement of animals under sub. (3) or

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(4) for slaughter or other purposes prescribed by the department in the permit. Movement of animals is subject to all terms and conditions prescribed by the department in the permit. The department shall grant or deny a permit under this subsection within 5 business days after the department receives a complete permit application containing all information required by the department.

(5) **BRUCellosIS EXPOSED ANIMALS.** (a) Except as provided under par. (c), a bovine animal shall be branded with the letter "S" on the left jaw prior to movement if any of the following applies:

1. The animal is part of a herd quarantined for brucellosis.

2. The animal has been in contact for 24 hours or longer with a brucellosis reactor.

3. The animal has had any contact with a brucellosis reactor if the reactor has aborted or calved within the past 30 days and has had a vaginal or uterine discharge.

(b) The "S" brand under par. (a) may not be less than 2 inches nor more than 3 inches high.

(c) This subsection does not apply to a brucellosis reactor branded in compliance with s. ATCP 11.10 (3) (b).

(6) **TUBERCULOSIS REACTORS.** Tuberculosis reactors shall be shipped directly to slaughter, pursuant to a permit under sub. (4). The permit shall specify the place of slaughter.

(7) **REPORT OF SLAUGHTER.** An operator of a slaughtering establishment which receives an animal for slaughter under sub. (4) shall report to the department the description and results of any post-mortem examination of the animal. The report shall be filed within 7 days after the animal is received at the slaughtering establishment.

(8) **PSEUDORABIES EXPOSED ANIMALS.** (a) Swine that are infected with pseudorabies, or that are part of a herd under quarantine for pseudorabies, shall be held separate and apart from all other swine until slaughtered. A swine which comes in contact with infected swine or with swine from a quarantine herd shall be classified as "exposed" and may move only for slaughter, unless otherwise determined in writing by the department.

(b) Pseudorabies quarantined or exposed swine may not be moved except under a department permit which specifies the herd of origin and the place of destination. A separate permit shall accompany each movement until the animals are slaughtered. The department shall notify persons affected by the movement, as provided under s. ATCP 10.31 (6).

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

ATCP 11.61 Removal of livestock from slaughtering establishments. No person may remove any livestock from a slaughtering establishment after the animal has been weighed and purchased by the slaughtering establishment unless the animal is removed under a special permit issued by the state veterinarian. The state veterinarian shall grant or deny a permit within 5 business days after he or she receives a complete application.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.
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ATCP 11.62 Exhibitions and fairs. (1) VETERINARIAN TO INSPECT LIVESTOCK. If a fair or livestock exhibition in this state lasts for more than 24 hours, the sponsors of the fair or exhibition shall appoint a licensed veterinarian to conduct a daily inspection of all livestock at the fair or exhibition. The veterinarian shall also review all records and test results required by this section. If a fair or livestock exhibition lasts less than 24 hours, all records and test results required by this section shall be reviewed by a licensed veterinarian or by the show chairperson.

(2) **SWINE.** (a) No person may exhibit any swine at a fair or livestock exhibition unless the swine are accompanied by a certificate of veterinary inspection or an interstate health certificate signed by an accredited veterinarian. The certificate shall state that the herd of origin has been inspected on the farm and that no apparent disease has been present in the herd for the past 30 days.

(b) No person may exhibit any breeding swine at a fair or livestock exhibition unless the swine tests negative for pseudorabies in a pseudorabies test performed within 30 days prior to exhibition.

(c) No person may exhibit any non-breeding swine at a fair or livestock exhibition unless one or both of the following applies:

1. All breeding swine have been removed from the premises of the fair or exhibition before the non-breeding swine arrives, and the non-breeding swine is shipped directly from the fair or exhibition to a slaughtering establishment for slaughter.

2. The non-breeding swine tests negative for pseudorabies in a test performed within 30 days before the swine is exhibited.

(3) **BOVINE ANIMALS.** (a) *Brucellosis test.* No person may exhibit any bovine animal at a fair or livestock exhibition unless it is accompanied by a report of a complete negative brucellosis test conducted within 90 days before the animal arrives at the fair or exhibition. This does not apply to:

1. Steers.

2. Calves under 6 months of age.

3. Officially vaccinated under 20 months of age if accompanied by an official vaccination report.

4. An animal which is documented as being a member of a certified brucellosis free herd.

Note: Bovine animals imported to this state for exhibition at a fair or livestock exhibition must also comply with applicable import requirements under s. ATCP 11.11. Bovine animals moved within this state must comply with applicable brucellosis testing requirements under s. ATCP 11.16.

(b) **PARASITES AND WARTS.** Bovine animals infected with mange, scab, ringworm or warts may not be exhibited at any fair or livestock exhibition. Animals found to be infected, or showing evidence of infection with mange, scabies, ringworm or warts after arrival at a fair or livestock exhibition shall be isolated from other animals susceptible to the disease, and shall be removed from the premises. This paragraph does not apply to animals showing evidence of ringworm or wart infection if, in the opinion of the veterinarian in charge of the fair or exhibition, the le-

sion or wart is inactive and not capable of transmitting the disease.

(4) **POULTRY.** No poultry, except waterfowl, may be exhibited at a fair or public exhibition unless one of the following applies:

(a) The poultry originate from a flock or state designated as "U.S. Pullorum-Typhoid Clean" under the national poultry improvement plan, or from a flock meeting equivalent standards.

(b) The poultry test negative for pullorum-typhoid on a test approved by the department within 90 days before the poultry arrive at the fair or exhibition. Testing is required only for sexually mature birds over 4 months of age having a full complement of fully developed adult feathers. Turkeys may be tested for exhibition or fairs by the use of the negative plate test.

(5) **HEALTH RECORDS.** Every person who exhibits livestock or poultry at a fair or exhibition in this state shall make available for inspection by the department, at the fair or exhibition, copies of all required health certificates and test reports. Copies of these documents may be filed with the show chairman or attending veterinarian, who shall ensure that the documents are available for inspection by the department.

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

Subchapter IX — Enforcement

ATCP 11.70 Quarantines. (1) SUMMARY ACTION. The department may summarily issue quarantine orders to control contagious, infectious or communicable diseases which may affect domestic or exotic animals in this state. No person may remove any animal from premises under quarantine, or fail to comply with the terms and conditions of a quarantine order.

(2) **SERVICE OF NOTICE.** A quarantine order under this section shall be served upon a person having custody or control of the quarantined animals, or shall be posted on the premises affected by the quarantine order. A quarantine order may be served by any of the following methods:

- (a) Personal service.
- (b) Certified mail.
- (c) Posting a copy of the order at 2 conspicuous places on the premises affected by the quarantine.

(3) **PROOF OF SERVICE.** Service of a quarantine order may be proved by affidavit or by certified mail return receipt.

(4) **CONTENTS OF ORDER.** A quarantine order shall contain the following information:

- (a) The name and address of a person having custody or control of the quarantined animals, if known.
- (b) A description of the animals affected by the quarantine.
- (c) A description of the premises affected by the quarantine.
- (d) The reason or justification for the quarantine.

(e) All terms and conditions applicable to the quarantine.

(f) Notice that persons adversely affected by the quarantine may request a hearing to review the quarantine order.

(5) **DURATION OF QUARANTINE.** A quarantine remains in effect until a written notice of release is issued by the department, unless the quarantine is set aside after review under sub. (6).

(6) **REVIEW OF QUARANTINE.** A person adversely affected by a quarantine may, within 30 days after the quarantine order is issued, request a hearing before the department to review the quarantine. The department shall conduct an informal hearing as soon as reasonably possible, and not later than 10 days after receiving a request for hearing. If the matter is not resolved after informal hearing, the person requesting the hearing may seek a formal hearing before the department under ch. 227, Stats. A request for hearing does not stay a quarantine order.

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

ATCP 11.71 Destruction or removal of animals illegally imported. (1) SUMMARY ACTION. The department may summarily order the destruction or removal from this state of any animal imported into this state if either of the following applies:

(a) The owner or custodian of the animal fails to produce a valid certificate of veterinary inspection or an interstate health certificate, if a certificate is required under this chapter.

(b) The animal is imported in violation of this chapter, or in violation of any permit condition under this chapter.

(2) **SERVICE OF NOTICE.** An order under sub. (1) shall be served upon a person having custody or control of the animal affected by the order. The order may be served in person or by certified mail. Service may be provided by affidavit or by certified mail return receipt.

(3) **CONTENTS OF ORDER.** An order under sub. (1) shall contain all of the following information:

- (a) The name and address of the person having custody or control of the animals, if known.
- (b) A description of the animals affected by the order.
- (c) The reason or justification for the order.
- (d) A reasonable deadline for compliance with the order.
- (e) Notice that persons adversely affected by the order may request a hearing to review the order.

(4) **REVIEW OF ORDER.** A person adversely affected by an order under sub. (1) may, within 30 days after receiving the order, request a hearing before the department to review the order. If a hearing is requested, the department shall conduct an informal hearing as soon as reasonably possible, and not later than 10 days after receiving the request for hearing. If the matter is not resolved after informal hearing, the person requesting the hearing may seek a formal hearing before the department under ch. 227, Stats. A request for hearing under this subsection does not postpone the deadline for compliance with the order unless

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the deadline is postponed by further order of the department.

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

ATCP 11.72 Prohibited conduct. No persons may:

(1) Knowingly make any false report or statement to the department concerning:

(a) The ownership, identification, age, vaccination status, test status, or health status of livestock; or

(b) The purchase, sale or movement of livestock.

(2) Sell or move any animal in violation of s. ATCP 11.60, or in violation of a quarantine order under s. ATCP 10.70 or 11.70.

(3) Buy, sell, lease or exchange livestock in the name of any person other than a licensed livestock dealer, a licensed livestock market operator, or the person holding or acquiring an ownership or leasehold interest in the livestock.

(4) Transport any livestock without health certificates, permits, or other documents required by ch. ATCP 10 or this chapter.

(5) Fail or refuse, upon reasonable demand by an authorized agent of the department, to permit the examination of:

(a) Animals in transit; or

(b) Health or shipping documents or accompanying animals in transit.

(6) Fail to provide, within 10 days following the receipt of a written request from the department, any relevant report or document relating to the transportation of animals. The department may extend the compliance deadline under this subsection for good cause shown.

(7) Cause or permit a susceptible healthy animal to commingle with a diseased animal while in transit, unless the entire load of animals is shipped directly to slaughter or the commingling is authorized by the department.

(8) Cause or permit the commingling of different livestock species during transit.

(9) Advertise or claim to be licensed by the department, unless the advertisement or claim is true.

(10) Use or possess any unauthorized brand or tattoo device, or use or possess an official brand or official tattoo device without express authorization from the department.

(11) Park or store a vehicle containing animal remains or animal waste in any place where it creates a health hazard or a public nuisance.

(12) Deposit animal remains or animal waste in any place where the deposit creates a health hazard or a public nuisance.

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