

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS
(EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS)

PART 85
DISEASED ANIMALS

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AUTHORITY: Implementing and authorized by the Illinois Diseased Animals Act [510 ILCS 50/1], Section 6 of the Illinois Bovine Brucellosis Eradication Act [510 ILCS 30/6], Livestock Auction Market Law [225 ILCS 640/1], and Equine Infectious Anemia Control Act [510 ILCS 65].

SOURCE: Regulations Relating to Diseased Animals, filed January 17, 1972, effective January 27, 1972; filed August 19, 1975, effective August 29, 1975; filed December 29, 1976, effective January 8, 1977; amended at 2 Ill. Reg. 24, p. 12, effective June 15, 1978; amended at 3 Ill. Reg. 33, p. 337, effective August 17, 1979; amended at 5 Ill. Reg. 724, effective January 2, 1981; codified at 5 Ill. Reg. 10456; amended at 7 Ill. Reg. 1746, effective January 28, 1983; amended at 8 Ill. Reg. 5925, effective April 23, 1984; amended at 9 Ill. Reg. 4489, effective March 22, 1985; amended at 9 Ill. Reg. 18411, effective November 19, 1985; amended at 10 Ill. Reg. 20464, effective January 1, 1987; amended at 12 Ill. Reg. 8283, effective May 2, 1988; amended at 13 Ill. Reg. 3642, effective March 13, 1989; amended at 14 Ill. Reg. 1919, effective January 19, 1990; amended at 14 Ill. Reg. 15313, effective September 10, 1990; amended at 16 Ill. Reg. 11756, effective July 8, 1992; emergency amendment at 17 Ill. Reg. 14052, effective August 16, 1993 for a maximum of 150 days; amended at 18 Ill. Reg. 1850, effective January 24, 1994; amended at 20 Ill. Reg. 278, effective January 1, 1996; emergency amendment at 20 Ill. Reg. 6581,

effective April 30, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 13039, effective Sept. 25, 199; amended at 21 Ill. Reg. 17049, effective January 1, 1998; amended at 23 Ill. Reg. 411, effective January 1, 1999; amended at 23 Ill. Reg. 7862, effective July 1, 1999; amended at 24 Ill. Reg. 997, effective January 10, 2000; amended at 24 Ill. Reg. 16612, effective November 1, 2000; amended at 26 Ill. Reg. 76, effective January 1, 2002; emergency amendment at 26 Ill. Reg. 6846, effective April 19, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 18245, effective December 13, 2002; emergency amendment at 27 Ill. Reg. 9638, effective June 10, 2003, for a maximum of 150 days; emergency expired November 6, 2003; amended at 28 Ill. Reg. 2086, effective February 1, 2004.

NOTE: Capitalization denotes statutory language.

Section 85.5 Definitions

Definitions for the rules of this Part are located in the general definitions Section (8 Ill. Adm. Code 20.1) and apply to the rules of this Part. The following definitions shall also apply to the rules of this Part:

"Accredited veterinarian" means a veterinarian who is licensed by the state in which he practices, is approved by the animal health authority of that state, and is accredited by the United States Department of Agriculture (9 CFR 160, 161 and 162; 2003).

"Exposed to" means an animal that has come in contact with another animal or an environment that is capable of transmitting a contagious, infectious or reportable disease. An animal will no longer be considered as "exposed to" when it is beyond the standard incubation time for the disease and the animal has been tested negative for the specific disease or there is no evidence that the animal is contagious, except for animals exposed to Johne's disease. Animals more than two years of age originating from a herd where Johne's disease has been diagnosed will be considered no longer "exposed to" with a negative test. The negative test must have been conducted within 30 days prior to the sale or movement. No restrictions or tests are required for animals under two years of age. An exemption to the "exposed to" language will be granted to animals originating from a herd that is enrolled in the Voluntary Johne's Disease Risk Management Program. Participating herds will no longer be restricted.

"Recognized slaughtering center" means an establishment where slaughtering is conducted under Federal or State inspection.

(Source: Amended at 28 Ill. Reg. 2086, effective February 1, 2004)

Section 85.7 Incorporation by Reference

No incorporation by reference in this Part includes any later amendments, editions or deletions beyond the date specified.

(Source: Added at 9 Ill. Reg. 18411, effective November 19, 1985)

Section 85.10 Reportable Diseases

a) Suspected cases of the following diseases shall be reported immediately to the Department:

- anthrax
- avian influenza
- bluetongue
- brucellosis -- bovine, swine, equine and Caprine
- chronic wasting disease (CWD) - cervids
- contagious equine metritis
- equine infectious anemia
- equine viral encephalitides
- fowl typhoid
- hog cholera
- infectious encephalomyelitis -- avian
- infectious laryngotracheitis
- monkeypox
- Mycoplasma gallisepticum -- turkeys
- Mycoplasma synoviae -- turkeys
- Newcastle disease
- paramyxovirus infection
- paratuberculosis -- (Johne's disease)

piroplasmosis
 plague
 pseudorabies -- (Aujeszky's disease)
 psittacosis -- (ornithosis)
 pullorum disease
 Q fever
 rabies
 salmonella enteritidis -- poultry
 salmonella typhimurium -- poultry
 scabies -- cattle and sheep
 scrapie
 transmissible spongiforme encephalopathy (TSE)
 trichinellosis
 tuberculosis -- bovine
 tularemia
 vesicular conditions of any type
 West Nile Virus
 any contagious or infectious disease presently considered as "exotic", i.e., not known to exist in the United States

- b) Any herd owner, flock owner, veterinarian or other person having knowledge of the disease, failing to report a suspect case of any of the above diseases immediately after discovery, or who is responsible for the spread of the disease, shall be subject to penalty as provided by law.
- c) Reports of any of the above diseases shall be made to the Department, telephone 217/782-4944.

(Source: Amended at 28 Ill. Reg. 2086, effective February 1, 2004)

Section 85.12 Contagious or Infectious Diseases

- a) The Department will designate a disease as contagious or infectious when it is determined that the disease is a threat to the animal industry. A disease will be considered a threat to the animal industry for any of the following reasons:
 - 1) is of unknown cause or previously not a recognized disease;
 - 2) can cause interstate or international trade restrictions;
 - 3) is highly communicable to other animals or species;
 - 4) has the potential to produce uncontrollable death loss; or
 - 5) is not endemic in the animal industry.
- b) The following diseases are considered to be contagious or infections:
 - African horse sickness
 - African swine fever
 - akabane
 - anthrax
 - avian influenza
 - bluetongue
 - Borna disease
 - bovine petechial fever
 - brucellosis
 - chronic wasting disease (CWD) - cervids
 - contagious bovine pleuropneumonia
 - contagious equine metritis (CEM)
 - dourine
 - ephemeral fever
 - equine infectious anemia (EIA)
 - equine viral encephalitides
 - epizootic lymphangitis
 - fowl typhoid
 - foot and mouth disease
 - fowl typhoid
 - glanders
 - heartwater
 - hemorrhagic septicemia
 - hog cholera
 - horse pox

infectious encephalomyelitis -- avian
infectious laryngotracheitis
Japanese B encephalitis
Jembrana disease
louping-ill
lumpy skin disease
monkeypox
Mycoplasma gallisepticum -- turkeys
Mycoplasma synoviae -- turkeys
Nairobi sheep disease
Newcastle disease
peste des petits -- ruminants
paramyxovirus infection -- avian
paratuberculosis -- (Johne's disease)
piroplasmiasis
plague
pseudorabies -- (Aujeszky's disease)
psittacosis -- (ornithosis)
pullorum disease
Q fever
rabies
Rift Valley fever
rinderpest
salmonella enteritidis -- poultry
salmonella typhimurium -- poultry
scabies -- cattle and sheep
scrapie
sheep and goat pox
swine vesicular disease
transmissible spongiform encephalopathy (TSE)
trichinellosis
tuberculosis
tularemia
vesicular conditions of any type
vesicular exanthema of swine
Wesselsbron disease
West Nile Virus
any contagious or infectious disease presently considered as "exotic", i.e., not known to exist in the United States

(Source: Amended at 28 Ill. Reg. 2086, effective February 1, 2004)

Section 85.15 Truck Cleaning and Disinfection

Any truck or other conveyance in which diseased livestock is transported shall be cleaned and disinfected immediately after the diseased livestock is unloaded as prescribed in the Code of Federal Regulations (9 CFR 71.7, 71.10-71.12; 2003).

(Source: Amended at 28 Ill. 2086, effective February 1, 2004)

Section 85.20 Disposal of Sick, Diseased, or Crippled Animals at Stockyards, Auction Markets, or Marketing Centers

No person, firm, or corporation shall remove from any public stockyards, auction markets or marketing centers any sick, diseased, or crippled animals for the purpose of producing meat to be sold for human consumption, except in cases where the Department releases such animals after antemortem inspection, provided that this restriction shall not apply to any recognized slaughtering center.

(Source: Amended at 23 Ill. Reg. 411, effective January 1, 1999)

Section 85.25 Sale of Livestock Quarantined Because of Disease

Except as otherwise provided by statute and/or rule, the sale of livestock quarantined because of disease or exposure to disease is prohibited unless permission of the Department is first obtained. The Department will then prescribe the conditions under which such sale may be made. The factors that will

be considered for sanctioning the sale of quarantined livestock include:

- a) What disease is involved.
- b) If a human health hazard is involved.
- c) If the animals are infected or only exposed.
- d) If adequate slaughtering plant facilities for handling, processing, cleaning and disinfecting are available.

(Source: Amended at 20 Ill. Reg. 278, effective January 1, 1996)

Section 85.30 Identification Ear Tags for Livestock

- a) All livestock, except purebred or crossbred animals registered with an approved registry association, tested for brucellosis and/or tuberculosis in the State of Illinois shall be identified by an ear tag placed in the right ear, which tag shall bear the prefix number "33," followed by 3 letters and then by 4 numbers, and on the reverse side shall bear the word "Illinois."
- b) Purebred or crossbred animals registered with an approved registry association may be identified for test or vaccination by registration number, dam's registration number, microchip, or record association approved individual tattoo.

(Source: Amended at 20 Ill. Reg. 278, effective January 1, 1996)

Section 85.35 Identification Tags Not to be Removed

No person shall remove identification tags, numbers, brands, ear tags, microchips, or market cattle identification program backtags from livestock to evade the provisions of the law.

(Source: Amended at 20 Ill. Reg. 278, effective January 1, 1996)

Section 85.40 Livestock for Immediate Slaughter Not to be Diverted En Route

All livestock consigned for slaughter within 10 days, from public stockyards, auction market, marketing center, livestock dealer or any other point where livestock are gathered at regular intervals for immediate slaughter within Illinois, shall be accompanied by slaughter permit and slaughtered within 10 days. All such animals shall be delivered direct to a recognized slaughtering center and shall not be diverted en route.

(Source: Amended at 20 Ill. Reg. 13039, effective September 25, 1996)

Section 85.45 Anthrax

- a) No anthrax vaccine shall be used within the State of Illinois unless the veterinarian has secured a permit from the Department for its use. Permits will be granted for the use of anthrax vaccine only in areas where the disease is known to exist or has been known to exist.
- b) No anthrax vaccine shall be sold within the State of Illinois except to licensed veterinarians who have received a permit from the Department for the use of such vaccine on designated premises or within a specified area.
- c) When any animals are vaccinated against anthrax, the premises and all animals thereon shall be placed under quarantine.

(Source: Amended at 20 Ill. Reg. 278, effective January 1, 1996)

Section 85.50 Goats

- a) Brucellosis in Goats
 - 1) When a serologic test for brucellosis in goats discloses one or more reactors, the entire herd shall be placed under quarantine and the reactor(s) immediately isolated from the remainder of the herd, reactor tagged and branded, and slaughtered. After removal of the reactor(s), the entire herd shall be retested at time intervals and the number of times as requested by the Department. The length of the quarantine period shall be determined by the Department.
 - 2) All brucellosis agglutination blood tests of goats shall be made at an approved laboratory.
- b) Requirements for Establishing and Maintaining Certified Brucellosis-Free Herds of Goats
 - 1) General Requirements
 - A) Certified brucellosis-free herd certificates, which shall be valid for one year, unless revoked due to disclosure of brucellosis in the herd, shall be issued by the Department.
 - B) Certificates shall be extended for a period of one year upon evidence of a negative

- herd retest and compliance with all requirements for maintenance of a certified brucellosis-free herd.
- C) A "herd" shall be considered as including all animals 6 months of age and over and shall consist of at least 5 animals.
 - D) All animals in the herd shall be identified by registration number, individual tattoo, or ear tag.
 - E) All official blood tests of goats shall be conducted at an approved laboratory.
 - 2) To Qualify for Certification
 - A) Herds shall be certified upon completion of 2 consecutive negative complete herd tests not less than 10 nor more than 14 months apart.
 - B) Animals classified as suspects, in herds that are otherwise negative, must be retested at 30-day intervals until their status has been determined. If the suspects are sold or otherwise disposed of before their status has been determined, the entire herd must be retested to achieve a negative herd status. If the suspects are classified as reactors upon retest, the herd is considered to be infected. Diseased goats may only be consigned directly to a slaughtering facility and must be accompanied by a "Permit for Movement, VS Form 1-27".
 - C) If on the initial herd test, or as a result of any retests of animals in the herd, one or more reactors are disclosed, the entire herd shall be placed under quarantine and the reactor(s) immediately isolated from the remainder of the herd, reactor tagged and branded, and slaughtered. After removal of the reactor(s), the entire herd shall be retested at time intervals and the number of times as requested by the Department. The length of the quarantine period shall be determined by the Department.
 - 3) To Qualify for Recertification
 - A) A negative herd test conducted within 60 days prior to the anniversary date is required for continuous certification. Upon receipt of a negative herd test, the Department shall extend certification for 12 months from the anniversary date.
 - B) If the annual test for recertification is conducted within 60 days following the anniversary date and all the animals are negative, certification will be restored and the certification period will be 12 months from the anniversary date.
 - C) If the annual test for recertification is not conducted within 60 days following the anniversary date, certification is canceled and recertification requirements are then the same as for initial certification.
 - D) If suspects or reactors are disclosed on a recertification test, their disposition and herd retest requirements shall be the same as specified in subsection (b)(2)(B) and (C) of this Section.
 - E) All official blood tests of goats shall be conducted at an approved laboratory.
 - 4) Additions to Certified Brucellosis-Free Herds
 - A) Animals originating from other certified herds may be added without tests.
 - B) Animals originating from herds not certified may be added; provided, they are negative to an official brucellosis test within 60 days prior to addition, are held in isolation from other members of the certified herd for a minimum period of 30 days and are retested and negative at the end of this isolation period.
 - C) Purchased additions shall not receive new herd status for sale or exhibition purposes until they have been members of the herd for at least 30 days and are included in a complete herd retest.
 - c) Other Contagious Diseases. All goats, including dairy goats, will not be allowed to be exhibited in Illinois and must be removed immediately from the exhibition area if showing signs of any of the following conditions:
 - 1) Lesions of contagious ecthyma (sore mouth).
 - 2) Active lesions of ringworm with resulting loss of hair.
 - 3) Caseous lymphadenitis as evidenced by draining abscesses.

(Source: Amended at 23 Ill. Reg. 7862, effective July 1, 1999)

Section 85.55 Scrapie in Sheep and Goats

- a) No sheep or goats which are known to be from an infected or source flock (9 CFR 79; 2003) and no progeny of sheep or goats known to be from an infected or source flock shall be transported or moved into or within the State of Illinois, except as provided in 8 Ill. Adm. Code 40.190(c).
- b) Scrapie monitored herds may be established and maintained in accordance with the

- Voluntary Scrapie Flock Certification Program Standards.
- c) When a herd has been designated as an infected our source flock, the flock will be placed under quarantine and will remain under quarantine until the flock has been depopulated or enters into the Voluntary Scrapie Flock Certification Program, or develops an approved flock plan (9 CFR 79.1(2003)). No animals will be allowed to move from the quarantined flock except for slaughter or medical treatment or examination.

(Source: Amended at 28 Ill. Reg. 2086, effective February 1, 2002)

Section 85.60 Bluetongue

No cattle or sheep infected with or exposed to bluetongue, and no cattle or sheep from an area under quarantine because of bluetongue, may be transported within or moved into the State of Illinois.

(Source: 2 Ill. Reg. no. 24, page 12, effective June 15, 1978)

Section 85.65 Sheep Foot Rot (Repealed)

(Source: Repealed at 7 Ill. Reg. 1746, effective January 28, 1983)

Section 85.70 Cattle Scabies

- a) Cattle may enter Illinois in accordance with provisions of Title 9, of the Code of Federal Regulations, Part 73, as adopted by the U.S. Department of Agriculture.
- b) Cattle within Illinois known to be infested with, or exposed to, cattle scabies shall be placed under State quarantine which shall remain in effect until released by the Department after it has been determined that cattle scabies no longer exists on the premises. Such cattle shall also be officially treated for cattle scabies, or shipped to slaughter, in accordance with provisions of Memorandum of Understanding between the Illinois Department of Agriculture and the U.S. Department of Agriculture pertaining to Title 9, of the Code of Federal Regulations, Part 73, as adopted by the U.S. Department of Agriculture.

(Source: 5 Ill. Reg. no. 3, page 724, effective January 2, 1981)

Section 85.75 Cattle Scabies -- Additional Requirements on Cattle from Certain Designated Areas

- a) A prior permit must be obtained from the Department before cattle, except those consigned direct to slaughter, may enter Illinois from certain designated areas determined to have high incidence of cattle scabies. The Director of the Department shall have authority to specify the designated areas from which movement of cattle into Illinois will be restricted.
- b) Cattle from such areas, except those consigned to a recognized exhibition and moved from Illinois following exhibition (county and State fairs, other State-supported exhibitions, and breed registry exhibitions); dairy cattle; or those consigned direct to slaughter, shall be dipped for cattle scabies within 10 days prior to entry or treated in accordance with the procedures as set forth in 9 CFR 73.12 (2003).
- c) Each such animal shall be treated with a solution of approved acaricide and water or other method of treatment approved by the United States Department of Agriculture (9 CFR 73.10 and 73.12; 2003).

(Source: Amended at 28 Ill. Reg. 2086, effective February 1, 2004)

Section 85.80 Sheep and Goats

- a) All sheep and goats entering Illinois for breeding, exhibition or feeding purposes, except for sheep or goats consigned directly to a livestock auction market, shall be accompanied by an official health certificate showing individual approved identification and including the following statement: "The sheep or goats listed above were not exhibiting clinical signs of scrapie at the time of examination". The health certificate shall indicate the sheep or goats were examined within 60 days prior to entry and found free of any infectious or communicable disease and that they have not recently been exposed thereto.
- b) Any sheep or goats which show lesions of contagious ecthyma (sore mouth) or club lamb fungus disease (sheep ringworm) shall not be exhibited in the State and must be removed immediately from the exhibition area.
- c) Illinois sheep or goats changing ownership or being moved for exhibition within the State must be accompanied by an official health certificate issued within 30 days for change of ownership or 90 days for exhibition showing individual approved identification and including the following

statement: "The sheep or goats listed above were not exhibiting clinical signs of scrapie at the time of examination."

- d) Sheep or goats originating in Illinois from a flock with a laboratory diagnosis of scrapie are not permitted to exhibit, unless they have been in the Voluntary Scrapie Flock Certification Program for at least three years.

(Source: Amended at 26 Ill. Reg. 76, effective January 1, 2002)

Section 85.85 Diseased Animals

- a) Any animal affected with or recently exposed to any infectious, contagious, or communicable disease shall not be shipped or transported in any manner, or moved into the State of Illinois, except as permitted by the laws and rules of the State of Illinois.
- b) Officials of the United States Department of Agriculture may approve interstate shipment of some such animals for consignment direct to a recognized slaughtering center for immediate slaughter.
- c) Animals with active lesions of ringworm with resulting loss of hair or multiple warts visible without close examination will not be permitted to be exhibited in the State and must be removed immediately from the exhibition area.
- d) Any animal infected with or recently exposed to any contagious or infectious disease cannot be moved into or within Illinois except to slaughter or to a location for medical examination or treatment. Any animal infected with or exposed to any contagious or infectious disease moving through an auction market, marketing center, stockyard or sale can be sold only through slaughter only sales and must be kept separate and apart from any breeding or feeding animals on the premises.
- e) Any animal that has died as a result of any contagious, infectious, or reportable disease can be moved from the premises as long as it is being disposed of under the provisions of the Illinois Dead Animal Disposal Act (225 ILCS 610).

(Source: Amended at 21 Ill. Reg. 17049, effective January 1, 1998)

Section 85.90 Copy of Health Certificate Shall be Furnished

- a) A copy of the certificate of health under which livestock is brought into the State of Illinois, bearing the approval or, if not approved, the disapproval of the Animal Health Official of the state of origin, shall be furnished the Department.
- b) No person shall change the names, numbers, words, phrases, or other information upon an official health certificate permit, or other official documents to evade the provisions of the law.
- c) All official brucellosis tests of animals which are intended for interstate movement shall be made at an approved laboratory.

(Source: Amended at 21 Ill. Reg. 17049, effective January 1, 1998)

Section 85.95 Requests for Permits

- a) Requests for entry permits shall be directed to the Department and shall set forth the following information: Name and address of Illinois consignee, number and kind of animals, origin of shipment, and if for cattle, the age, sex, and breed of the cattle.
- b) Exhibition livestock health requirements may also be secured from the Department.

(Source: Amended at 20 Ill. Reg. 278, effective January 1, 1996)

Section 85.100 Consignments to Stockyards, Auction Markets, Recognized Slaughtering Centers, or Marketing Centers

- a) All out-of-state livestock consigned to a public stockyard, an auction market, recognized slaughtering center, or marketing center shall be accompanied from point of origin by a permit issued by the Department, or by a consignment ISSUED BY THE OWNER OR SHIPPER OF THE LIVESTOCK, DESIGNATING THE NAME OF THE OWNER OR SHIPPER, PLACE OF ORIGIN, PUBLIC STOCKYARD, RECOGNIZED SLAUGHTERING CENTER, OR MARKETING CENTER OF DESTINATION, DATE OF SHIPMENT, AND NUMBER AND DESCRIPTION OF LIVESTOCK and shall not be diverted en route.
- b) A copy of the CONSIGNMENT SHALL BE HELD BY THE PUBLIC STOCKYARD, RECOGNIZED SLAUGHTERING CENTER, OR MARKETING CENTER FOR A PERIOD OF NOT LESS THAN 6 MONTHS FOR INSPECTION BY LEGALLY AUTHORIZED

OFFICIALS OF THE UNITED STATES DEPARTMENT OF AGRICULTURE, AND THE ILLINOIS DEPARTMENT OF AGRICULTURE, AND OTHER OFFICIALS HAVING POLICE POWERS. (See Section 1 of the Livestock Auction Market Law [225 ILCS 640/1]).

(Source: Amended at 23 Ill. Reg. 411, effective January 1, 1999)

Section 85.105 Obligation of Transportation Company and Truck Operators

- a) Before accepting any livestock or dogs for shipment into the State of Illinois or consigned to points within the State of Illinois, every person, transportation company, or truck operator shall require that a certificate of health or permit, or any other forms required to accompany animals or poultry as required in the regulations of the Department, be furnished them to be attached to the consignment and accompany the livestock or dog to its destination. Such person, transportation company, or truck operator shall have the certificate of health OR permit in his or its possession at all times from the loading of such livestock to the delivery of the livestock at its destination, and available for inspection upon demand. Such consignment shall show date, names of consignor and consignee, number and description of animals, and shall accompany all animals consigned to public stockyards.
- b) No livestock shall be diverted en route within the State or consigned to points out of the State. When severe weather conditions, closures for any reason of slaughter plants, stockyards or auction markets, or other extenuating circumstances arise and/or the welfare of the livestock being shipped warrants such, a special permit for diversion en route shall be granted by the Department.

(Source: Amended at 20 Ill. Reg. 13039, effective September 25, 1996)

Section 85.110 Additional Requirements on Cattle From Designated States

Female cattle, except those consigned direct to slaughter or calves under 6 months of age, entering Illinois for feeding purposes from states designated by the U. S. Department of Agriculture as Class B and Class C states under provisions of the Brucellosis Eradication Uniform Methods and Rules (February 1, 1998) as approved by the United States Animal Health Association (P.O. Box K227, Suite 114, 1610 Forest Avenue, Richmond, Virginia 23228) and the U.S. Department of Agriculture shall, in addition to present entry requirements now on file, be tagged in the right ear with an official ear tag identifying the cattle to the state of origin. The ear tag series shall be recorded on the official interstate health certificate, or on the owner-shipper statement. These official, uniformly numbered ear tags may be applied by anyone.

(Source: Amended at 23 Ill. Reg. 7862, effective July 1, 1999)

Section 85.115 Salmonella enteritidis serotype enteritidis

- a) The United States Department of Agriculture has declared Salmonella enteritidis serotype enteritidis as a communicable disease in poultry. The rules pertaining to Salmonella enteritidis serotype enteritidis located at 9 CFR 82.30-82.36 (2003) are hereby adopted for the State of Illinois. The flocks affected by these regulations are those identified in 9 CFR 82.31.
- b) All flocks found to be infected with Salmonella enteritidis serotype enteritidis shall be quarantined. The quarantine shall remain in effect until the flock has been depopulated and premises disinfected as prescribed in 9 CFR 82.32(c) or the entire flock is tested negative for Salmonella enteritidis serotype enteritidis in accordance with the provisions of 9 CFR 82.32(e).
- c) Interstate movement of poultry, eggs, equipment and manure from infected or test flocks shall be as specified in 9 CFR 82.33. Intrastate movement requirements shall be the same as interstate movement requirements.
- d) If a flock is determined to be an infected flock as defined in 9 CFR 82.32(c), the Department shall pay indemnity if State funds are available and all of the following conditions are met:
 - 1) The infected flock is implicated through epidemiological evidence in a human disease outbreak;
 - 2) The flock owner voluntarily agrees to depopulate with appropriate State indemnity;
 - 3) The entire flock which is to be depopulated shall have originated from a flock that is classified "U.S. S. Enteritidis Monitored" for egg type birds and "U.S. S. Enteritidis Clean" for meat type birds under the National Poultry Improvement Plan and Auxiliary Provisions (9 CFR 145 and 147, 2003);
 - 4) The flock owner must have been feeding the infected flock in accordance with the provisions of the National Poultry Improvement Plan and Auxiliary Provisions (9 CFR

- 145.23(d), 2003);
- 5) The infected flock shall be slaughtered in accordance with 9 CFR 82.33(b). Proof of kill will be reported to the Department by the meat and poultry inspector of the slaughtering establishment where the infected poultry is slaughtered;
 - 6) The premises has been disinfected in accordance with 9 CFR 82.32(c); and
 - 7) Replacement poultry shall be from flocks that are classified "U.S. S. Enteritidis Monitored" or "U.S. S. Enteritidis Clean" under the National Poultry Improvement Plan and Auxiliary Provisions.
- e) The amount of indemnity paid, based on the availability of State funds, shall be 75 percent of the fair market value and the health thereof at the time of slaughter, minus the salvage value. The following conditions shall be considered when determining the fair market value and health of the infected flock:
- 1) Initial purchase price of each bird;
 - 2) Age of the bird and its egg production capabilities or value for producing progeny; and
 - 3) Feed and veterinary medical production costs as justified by documentation by the flock owner in the form of sales receipts and veterinary bills.
- f) The Department and the infected flock owner must agree upon the value of the poultry destroyed, and in the case as agreement cannot be made, indemnity will not be paid for the flock.

(Source: Amended at 28 Ill. Reg. 2086, effective February 1, 2004)

Section 85.120 Cervidae

- a) Elk entering Illinois shall originate from a certified brucellosis-free herd or be negative to a brucellosis card test or PCFIA test conducted within 60 days on all animals 6 months of age and over.
- b) Certified brucellosis-free cervid herds shall be established and maintained in accordance with the Brucellosis Uniform Methods and Rules as approved by the United States Animal Health Association (P.O. Box K227, Suite 114, 1610 Forest Avenue, Richmond, Virginia 23228; September 30, 1998, as amended May 14, 1999, and not including any later amendments or editions beyond the date specified) and the United States Department of Agriculture.
- c) All cervidae entering Illinois must also be in compliance with the Illinois Wildlife Code [520 ILCS 5].
- d) All cervidae entering Illinois must be accompanied by a permit from the Department and Certification of Veterinary Inspection that:
 - 1) has been issued by an accredited veterinarian of the state of origin or a veterinarian in the employ of the United States Department of Agriculture;
 - 2) is approved by the Animal Health Official of the state of origin;
 - 3) shows that the cervidae are free from visible evidence of any contagious, infectious or communicable disease or exposure thereto, do not originate from a CWD endemic area (any county and surrounding counties where CWD has been diagnosed in the past five years)
 - 4) shows that the cervidae are not originating from a herd under quarantine for any contagious, infectious or communicable disease;
 - 4) shows that the animals originate from a herd that has been monitored for at least 5 years under a state-approved CWD certification program or originate from a herd that meets the following criteria:
 - a. The herd has been monitored under a state-approved CWD herd certification program for at least 5 years. This requirement will change to 3 years on June 1, 2003, 4 years on January 1, 2004 and to 5 years on January 1, 2005;
 - b. Any additions to the herd are natural additions or have been in the herd for at least one year;
 - c. Complete herd records, including records of purchases, deaths and causes of deaths are maintained for at least five years;
 - d. The herd has been under veterinary supervision for a minimum of 5 years;
 - e. The animals have not been exposed to any animal from a herd diagnosed with CWD in the past five years;
 - f. Contains a statement by the veterinarian for the herd of origin certifying that the herd has been under veterinary supervision for a minimum of 5 years and has had no exposure to any cervid from a CWD trace-back or trace-forward herd;

- and
- g. Contains a statement signed by the owner that certifying that all statements on the certificate of veterinary inspection are correct.
- 6) lists the cervid's unique individual identification (approved ear tag, tattoo or microchip);
- 7) shows the permit obtained from the Department:
 - A) Applicant for permit shall furnish the following information to the Department:
 - i) Name and post office mailing address of Illinois destination;
 - ii) Name and post office mailing address of the consignor and/or source herds;
 - iii) Number and unique identification of cervidae in shipment.
 - iv) Anniversary date and herd certification number of the source herds; and
 - v) Name and telephone number of the herd veterinarian of the source herds.
 - B) Grounds for refusal to issue permit are:
 - i) Violation of the Act or this Part;
 - ii) Presence of a disease that might endanger the Illinois livestock industry;
 - iii) Refusal to provide required information for the permit.
 - C) Permits will be issued by telephoning or writing the Department.
- e) Chronic wasting disease (CWD)
 - 1) Any cervid dying from an unknown cause and that has exhibited a neurological disorder must have its brain removed for CWD evaluation. Any cervid exhibiting symptoms of CWD must be kept separate and apart from other members of the herd and will be quarantined until the animal is either destroyed or determined not to have CWD. Animals quarantined for CWD will be subject to periodic inspection by Department personnel.
 - 2) If CWD is diagnosed in a herd, the herd will be quarantined and a herd plan developed. The quarantine will remain in effect until either the herd has been depopulated or there has been no evidence of CWD in the herd for five years from the date of the last case, and all animals that have died or have been slaughtered in the herd during that period were examined for CWD.
 - 3) If a herd received an animal from an affected herd within 36 months prior to the death of the affected animal, the trace-forward herd has two options:
 - A) The animal from the affected herd shall be removed and examined for CWD. If the animal is positive, the herd shall be placed under quarantine for at least five years, and a herd plan shall be developed. If the animal is negative, a herd plan shall be developed which includes a five year surveillance of the herd, with the mandatory reporting of the death of all animals and CWD examination.
 - B) If the trace-forward animal is not removed, the herd will be quarantined and a herd plan developed. The herd will be under quarantine for five years, unless the herd was participating in the Certified Monitored Chronic Wasting Disease program. Any surveillance done after the arrival of the trace animal will be counted as time in quarantine.
 - 4) If an animal dies of CWD within 36 months after changing herds, the herd of origin shall be considered as the trace-back herd. A herd plan will be developed, including a herd inventory with individual animal identification, verified by an accredited, state or federal veterinarian. The herd will be quarantined for five years from the last case traced back to the herd with mandatory death reporting and CWD testing of all animals.
 - 5) For cervidae changing ownership or moving within the State, the owner must obtain a permit issued by the Department prior to movement and originate from a herd that is enrolled in the Certified Monitored Chronic Wasting Disease (CWD) Program or the Contained Monitored Chronic Wasting Disease Program. The permit may be obtained no more than 72 hours in advance of the movement of the cervids by providing the following information:
 - A) Name and complete mailing address of person selling the cervids;
 - B) Certified Monitored Chronic Wasting Disease or Contained Monitored Chronic Wasting Disease Herd number;
 - C) Name and complete mailing address of person purchasing the cervids;
 - D) Number of animals and unique identification of the animals.
 - 6) For cervidae entering Illinois for immediate slaughter, the owner must:
 - A) Notify the Department least seven days prior to shipment providing the Department with the number of animals to be slaughtered and the name

- and address of the slaughter facility.
- B) Obtain a permit from the Department no more than 72 hours in advance of shipment confirming the name of the slaughter facility, the date the animals will be shipped, and the individual identification number for each animal.
- 7) Grounds for refusal to issue permit are:
- A) Violation of the Act or this Part;
 - B) Presence of a disease that might endanger the Illinois livestock industry; and
 - C) Refusal to provide required information for the permit
- 8) Permits may be requested by telephoning or writing the Department.
- f) Requirements for Establishing and Maintaining Certified Monitored Chronic Wasting Disease (CWD) Herds
- 1) General requirements
 - A) Certificates for Certified Monitored and Certified CWD Herds shall be valid for one year, unless revoked due to disclosure of CWD in the herd, and shall be issued by the Department.
 - B) Certificates shall be extended for a period of one year upon compliance with recertification requirements.
 - C) All animals shall be individually identified with an approved tag, microchip or tattoo. Elk are required to have two official/approved unique identifiers effective January 1, 2003.
 - 2) To qualify or renew a herd for certification
 - A) An annual herd inventory must be completed and verified by an accredited veterinarian, or a state or federal veterinarian or animal health investigator, or an authorized representative of the Illinois Department of Natural Resources within 9-15 months from the anniversary date of the enrollment of the herd in the program. The inventory must include:
 - i) Unique identification, age and sex of all animals in the herd;
 - ii) Disposition of all animals not present;
 - iii) Source of purchased additions
 - iv) Documentation of all interstate movement; and
 - v) Signature of both the owner and the person verifying the inventory.
 - B) The owner must:
 - i) Submit the brains of all animals 16 months of age or older that have died or been killed or slaughtered for CWD examination at an approved laboratory;
 - ii) Individually identify all animals with a unique identification; and
 - iii) Provide a detailed description of the physical facilities and the specific premises location of the herd either through GPS identification or through a detailed description of the location.
 - 3) Levels of certification
 - A) The Department will issue certification of herd monitoring upon completion of the annual herd inventory and review by the Department.
 - B) Herds will be certified as follows:
 - i) Monitored Herd, followed by number of years of participation; and
 - ii) Certified Herd, followed by number of years of participation. A herd will be certified at the end of five years of participation.
 - C) Once a herd has received certified status, slaughter surveillance and surveillance of animals killed in shooter operations will no longer be required, but animals must still be identified and the herd owner must still complete the annual herd inventory.
 - 4) Herd additions are allowed under the following circumstances:
 - A) Animals may enter the herd from herds of equal or higher status; and
 - B) Animals entering the herd from a herd of lower status will result in the herd's level reverting to the level of the purchased animals.
- g) Requirements for Establishing and Maintaining Contained Monitored Chronic Wasting Disease (CWD) Herds
- 1) General requirements
 - A) Certification for Contained Monitored CWD Herds shall be valid for one year, unless revoked due to disclosure of CWD in the herd, and shall be issued by the Department.
 - B) Certification shall be extended for a period of one year upon compliance with recertification requirements.

- C) All animals being purchased or sold shall be individually identified with an approved tag, microchip or tattoo.
- 2) To qualify or renew a herd for certification
 - A) An annual herd inventory must be completed and verified by an accredited veterinarian, or a state or federal veterinarian or animal health investigator, or an authorized representative of the Illinois Department of Natural Resources within 9-15 months from the anniversary date after the enrollment of the herd in the program. The inventory must include:
 - i. Approximate number of animals in herd;
 - ii. Disposition of all animals not present;
 - iii. Source of purchased additions
 - iv. Documentation of all interstate movement; and
 - v. Signature of both the owner and the person verifying the inventory.
 - B) The owner must:
 - 1. Submit the brains of all animals 16 months of age or older that have died or been killed or slaughtered for CWD examination at an approved laboratory;
 - 2. Individually identify all animals entering or leaving the herd with a unique identification; and
 - 3. Provide a detailed description of the physical facilities and the specific premises location of the herd either through GPS identification or through a detailed description of the location.
- 3) Levels of certification
 - A) The Department will issue certification of contained monitoring herd status upon completion of the annual herd inventory and review by the Department.
 - B) Herds will be certified as follows:
 - a. Monitored Herd, followed by number of years participation; and
 - b. Certified Herd, followed by number of years of participation. A herd will be certified at the end of five years of participation.
 - C) Once a herd has received certified status, slaughter surveillance and surveillance of animals killed in shooter operations will no longer be required, but animals must still be identified and the herd owner must still complete the annual herd inventory.
- 4) Herd additions are allowed under the following circumstances:
 - A) Animals must be individually identified;
 - B) Animals may enter the herd from herds of equal or higher status; and
 - C) Animals entering the herd from a herd of lower status will result in the herd's level reverting to the level of the purchased animals.
- g) For cervids entering or moving within Illinois for slaughter purposes, the owner must contact the Department seven working days in advance of the animals being shipped for slaughter, providing the Department with the number of animals to be shipped and the slaughter facility that will be receiving the animals. Within 72 hours of the shipment, the Department must be contacted for a permit to move the animals, providing the Department with the individual identification of each animal to be slaughtered, the owner's name and mailing address, and confirming the slaughter facility.

(Source: Amended at 26 Ill. Reg. 18245, effective December 13, 2002)

Section 85.125 Ratites

- a) All ratites (i.e., emus, kiwis, cassowary, rheas, ostriches) entering Illinois shall comply with the following:
 - 1) Be negative to a test for Avian Influenza within 10 days prior to importation;
 - 2) Be accompanied by a Certificate of Veterinary Inspection issued within 30 days by an accredited veterinarian of the state of origin or a veterinarian in the employ of the United States Department of Agriculture indicating that the ratites are free from visible evidence of any contagious, infectious, or communicable disease or exposure thereto;
 - 3) Be permanently identified by means of a leg band, wing band, neck band or microchip; and
 - 4) Be accompanied by a permit issued by the Department. The permit number shall be issued to the veterinarian issuing the Certificate of Veterinary Inspection or the consignor of the ratites.

- A. Applicant for the permit shall furnish the following information to the Department:
 - Name and address of Illinois destination;
 - Name and address of consignor; and
 - Number of ratites in shipment.
 - B. Grounds for refusal to issue a permit are:
 - i) Violation of the Act or any rule of this Part; and
 - ii) presence of a disease which might endanger the Illinois poultry industry.
- b) Ratites imported into Illinois must be kept isolated from other ratites or poultry on the premises for a minimum of 14 days.

(Source: Added at 20 Ill. Reg. 13039, effective September 25, 1996)

Section 85.130 Vesicular Stomatitis

All veterinarians issuing Certificates of Veterinary Inspection for livestock including equine, bovine, porcine, caprine, ovine, and cervidae transported into Illinois from any state with a confirmed diagnosis of vesicular stomatitis within the past 30 days must include the following statement on the Certificate of Veterinary Inspection: "Vesicular stomatitis has not been diagnosed on the premises of origin within the past thirty days. I have examined the premises of origin and have found no signs of vesicular stomatitis."

(Source: Amended at 21 Ill. Reg. 17049, effective January 1, 1998)

Section 85.135 Requirements for Establishing and Maintaining a Herd Under the Voluntary Paratuberculosis (Johne's Disease) Certification Program

- a) The following definitions shall be applicable to this Section:
 - 1) "Accredited laboratory" means a laboratory operated by the Illinois Department of Agriculture, the University of Illinois College of Veterinary Medicine, or a laboratory approved by the Director (on the basis of its using USDA approved methods).
 - 2) "Animal" means cattle, bison, buffalo, goats, llamas, or members of the cervid family.
 - 3) "Cow-side", "pen-side" or "on-site" test means any test approved by the United States Department of Agriculture for *M. avium* paratuberculosis that can be performed in the field by an accredited veterinarian. Veterinarians must receive approval from the Department to use this test, and all results must be reported to the Department within 10 days. The test cannot be performed in a herd participating in the Voluntary Johne's Disease Certification Program.
 - 4) "Herd" means all animals under common ownership or supervision that are grouped on one or more parts of any single premises (lot, farm, ranch), or all animals on two or more premises geographically separated, but on which animals have been interchanged or where there has been contact between the premises. Contact of animals between separated premises under common management shall be assumed to have occurred unless otherwise established by the herd owner or manager. Each separate species of animal shall be considered as a separate herd.
 - 5) "Positive animal" means an animal infected with *Mycobacterium avium* paratuberculosis, only if *M. avium* paratuberculosis is demonstrated by an organism detection test on tissues or feces of the animal.
 - 6) "M. avium paratuberculosis-detection test" or "organism detection test" means any test sufficiently sensitive and specific for detection of *M. avium* paratuberculosis in fecal samples. Definitions of "sufficiently sensitive and specific" will be on the basis of results of performance of a check test and proficiency standards set by the Uniform Program Standards for the Voluntary Bovine Johne's Disease Control Program (April 2002). Any test approved by the U.S. Department of Agriculture for *M. avium* paratuberculosis organism detection (i.e., fecal culture test for *M. avium* paratuberculosis) is acceptable as long as it is performed at an accredited laboratory.
 - 7) "Serum antibody test" means any test sufficiently sensitive and specific for detection of antibodies to *M. avium* paratuberculosis in bovine. Definition of "sufficiently sensitive and specific" will be on the basis of results of performance of a check test and proficiency standards set by the Uniform Program Standards for the Voluntary Bovine Johne's Disease Control Program (April 2002), as recommended and approved by the U.S. Animal Health Association (P.O. Box K227, Suite 114, 1610 Forest Avenue, Richmond, Virginia 23228). Any test approved by the U.S. Department of Agriculture for serum antibody detection (i.e. ELISA for *M. avium* paratuberculosis) is acceptable as long as it is performed at an accredited laboratory.
- b) Criteria for herds qualified to enter into the certification program:

- 1) Participation in this program is voluntary and the producer/owner is responsible for the cost of testing.
 - 2) The herd has been in existence for at least one year or the herd was assembled with animals originating directly from paratuberculosis-certified herds only.
 - 3) A herd assembled with animals originating directly from certified herds only shall start at the lowest certification level of the herds from which the assembled animals were acquired. A negative first-herd test will qualify the newly-assembled herd for the first certification level.
 - 4) All animals must have an approved, permanent, unique, legible identification other than a plastic ear tag or neck chain. Acceptable means of an approved, permanent, unique, legible identification include registration or association numbers accompanied by identification document, ear tattoos, USDA uniform series ear tag (metal tags), freeze branding and electronic identification (microchips) as long as a reader is supplied by the owner or is readily available.
- c) Voluntary Johne's disease herd status for cattle shall be established and maintained in accordance with the Uniform Program Standards for the Voluntary Bovine Johne's Disease Control Program (April 2002) that was approved and adopted by the U.S. Animal Health Association (P.O. Box K227, Suite 114, 1610 Forest Avenue, Richmond, Virginia 23228), with the exception that the organism detection test will be accepted for testing at any level. Herd owners using either the Fast Track or the Standard Track certification program must sign a herd agreement prior to acceptance into the program.
- d) Criteria for certifying bison, buffalo, goats, llamas or members of the cervid family herds under the Illinois Voluntary Johne's Disease Herd Certification Program.
- 1) The following certification levels will be awarded compliance with certification requirements:
 - Level 1 - herd tested negative after one sampling
 - Level 2 - herd tested negative after two samplings
 - Level 3 - herd tested negative after three samplings
 - Level 4 - herd tested negative after four samplings
 - Level 5 - herd tested negative after five samplings
 - Level 5 Monitored - herd tested negative after six or more samplings
 - 2) Certification requirements:
 - A) For annual certification, all animals 24 months of age and older must be tested.
 - B) Certified herds must be tested every 12 months (+/- 2 months).
 - C) All tests must be performed at an accredited laboratory.
 - D) An organism detection test for *M. avium* paratuberculosis (i.e. fecal culture) must be conducted.
 - E) Fecal collection must be done either by, or under the direct supervision of, an accredited veterinarian, who must verify that the samples were collected from the animals identified on the test documents.
 - F) The owner must certify on an agreement form prescribed by the Department:
 - i) At the initial test date, the herd has been in existence for at least one year or was assembled only from herds enrolled in a *M. avium* paratuberculosis program and are at the same or higher level than the herd. Animals purchased from herds participating in *M. avium* paratuberculosis programs outside of Illinois must have that state's program approved by the Director prior to certification.
 - ii) At each test date, all animals in the herd 24 months of age or older were sampled and included in the herd test. A herd can qualify for certification through a split herd testing program. The producer must test all test-eligible animals at least once a year throughout a one-year (12 month) period. The anniversary date would be the date that the herd test is completed for the year. The testing schedule for the year must be described in the annual herd agreement.
 - iii) At each test date, a list identifying all animals previously tested but no longer in the herd must be provided to the Department.
 - iv) At each test date, all animals added to the herd since the last herd test were natural additions to the herd (born into the herd), purchased from participating herds, or were tested at the time of arrival on the premises (see Section 85.135(d)(6)).
 - v) At each test date, with a written statement sent to the Department certifying to the best of his/her knowledge, no animal that left the herd tested positive for

- paratuberculosis or was exhibiting clinical signs of Johne's disease.
- 3) Upon completion of the required testing and review by the Director, the Department shall issue a certificate verifying the herd's status.
 - 4) Handling of animals exhibiting clinical signs:
 - A) All animals exhibiting clinical signs of *M. avium* paratuberculosis must be tested and isolated from the herd pending the test results. An organism detection test (i.e., fecal culture) must be used on feces from animals exhibiting clinical signs.
 - B) A negative result on the *M. avium* paratuberculosis detection test will allow the herd to move to the next certification level.
 - 5) Suspension or revocation of herd certification:
 - A) Identification of a positive animal using the organism detection test during the certification herd test will result in the loss of certification status. The next negative test will qualify the herd for Level 1 certification.

If a positive animal is detected on any other test for Johne's disease during the current certification period other than by an organism detection test, the herd's certification will be suspended pending a confirmatory organism detection test of that animal.

- B) Herds not tested within 14 months after the last sampling will lose their certification status. The next negative herd test will qualify the herd for Level 1 certification.
- 6) Herd Additions. Animals purchased from another herd participating in a *M. avium* paratuberculosis certification program may enter the herd without further testing, and will be tested along with the herd at the next annual test. Animals originating from herds that are not participating in an *M. avium* paratuberculosis certification program must be isolated from the other members of the herd until a negative organism detection test has been received. Isolation means that the animal can have no opportunity to share feed or water receptacles with other members of the herd, and there can be no chance of fecal contamination from the animal.
- 7) Protocol if an animal sold from a certified herd is identified as positive:
 - A) If an animal sold from a certified negative herd is identified as positive by an organism detection test within 16 months after the date of sale, the selling certified herd may, within 120 days of being notified, be required to conduct a herd retest of all eligible animals. Determination of retesting of the herd will be made by the Director based upon, but not limited to, the level of certification of the herd, the last negative organism detection test of the herd and the status of the other animals in the purchasing herd, if known.
 - B) The selling certified herd will maintain its present certification status pending the results of the herd test or at the determination of the Director based on epidemiological evidence provided by a state or federal veterinarian.
 - C) If the herd retest is negative, the herd will maintain its "present" certification status. The herd owner/manager shall then have the option of maintaining his/her present test schedule or rescheduling his/her herd test date so that his/her next herd test is not due until 12 months after the retest.
 - D) If a positive animal is identified on this retest, the selling herd will lose its certification status. The next negative herd test will qualify the herd for Level 1 certification.

(Source: Amended at 28 Ill. Reg. 2086, effective February 1, 2004)

Section 85.140 Requirements for Establishing and Maintaining a Herd Under the Voluntary Paratuberculosis (Johne's disease) Risk Management Program

- a) The following definitions shall be applicable to this Section:

"Accredited laboratory" means a laboratory operated by the Illinois Department of Agriculture, the University of Illinois College of Veterinary Medicine, or a laboratory approved by the Director (on the basis of its using USDA approved methods).

"Herd" shall mean all animals under common ownership or supervision that are grouped on one or more parts of any single premises (lot, farm, ranch), or all animals on two or more premises geographically separated, but on which animals have been interchanged or where there has been contact between the premises. Contact of animals between separated

premises under common management shall be assumed to have occurred unless otherwise established by the herd owner or manager. Each separate species of animal shall be considered as a separate herd.

"M. avium paratuberculosis-Detection Test" or "organism detection test" means any test sufficiently sensitive and specific for detection of M. avium paratuberculosis in fecal samples. Definition of "sufficiently sensitive and specific" will be on the basis of results of performance of a check test and proficiency standards set by the Uniform Program Standards for the Voluntary Bovine Johne's Disease Control Program (April 2002). Any test approved by the U.S. Department of Agriculture for M. avium paratuberculosis organism detection (i.e., fecal culture test for M. avium paratuberculosis) is acceptable as long as it is performed at an accredited laboratory.

"Serum antibody test" means any test sufficiently sensitive and specific for detection of antibodies to M. avium paratuberculosis in bovine serum. Definition of "sufficiently sensitive and specific" will be on the basis of results of performance of a check test and proficiency standards set by the Uniform Program Standards for the Voluntary Bovine Johne's Disease Control Program (April 2002) that was approved by the U.S. Animal Health Association (P.O. Box K227, Suite 114, 1610 Forest Avenue, Richmond, Virginia 23228). Any test approved by the U.S. Department of Agriculture for serum antibody detection (i.e. ELISA for M. avium paratuberculosis) is acceptable as long as it is performed at an accredited laboratory.

b) Criteria for herds qualified to enter into the risk management program:

- 1) Participation in this program is voluntary and the producer/owner is responsible for the cost of testing.
- 2) The herd has been in existence for at least one year or the herd was assembled with animals originating directly from paratuberculosis-certified or risk managed herds only.
- 3) A herd assembled with animals originating directly from risk managed herds only shall start at the lowest certification level of the herds from which the assembled animals were acquired.
- 4) All animals must have an approved, permanent, unique, legible identification other than a plastic ear tag or neck chain. Acceptable types of an approved, permanent, unique, legible identification include registration or association numbers accompanied by identification document, ear tattoos, USDA uniform series ear tag (metal tags), freeze branding and electronic identification (microchips) as long as a reader is supplied by the owner or is readily available.

c) Criteria for enrolling and maintaining cattle, buffalo or bison, herds under the Illinois Voluntary Johne's Disease Risk Management Program.

- 1) The following certification levels will be awarded compliance with certification requirements:
 - A) Level A - 30 head or the whole herd has been tested with no positives disclosed.
 - B) Level B - the whole herd has been tested with less than 5 percent (4.99%) of the animals testing positive.
 - C) Level C - the whole herd has been tested with 5 percent to 14.99 percent of the animals testing positive.
 - D) Level D - the whole herd has been tested with 15 percent or greater of the animals testing positive, or 30 head were tested with one or more positive animals disclosed.
 - E) Potential Maximum Risk herds have had no animals tested or do not disclose any test results.
 - F) A level achievement year representing when the herd reached the status level will be added to the status designation (e.g. Level A since 1999).

2) Certification requirements:

- A) Testing shall be done annually within 10-14 months of the initial status testing anniversary date and a herd shall remain at that level for a year, regardless of the amount of testing completed during that time. A herd can qualify through a split herd testing program. The producer must test all test-eligible animals at least once a year throughout a one year (12 month) period with the exception of any "J" punched animals in the herd. "J" punched animals do not have to be tested, but must be accounted for on the annual herd agreement. The anniversary date would be the date that the herd test is completed for the year. The testing schedule for the year must be described in the annual herd agreement.

- B) Either a fecal culture or ELISA test may be used for certification.
 - C) Whole herd tests are conducted on all second and higher lactation animals and bulls two years of age and older.
 - D) Tests on 30 animals must be a random sampling of second and higher lactation animals and bulls two years of age and older. The same animals should not be tested in consecutive testing years.
 - E) All tests must be performed at an accredited laboratory.
 - F) Fecal and blood collection must be done either by, or under the direct supervision of, an accredited veterinarian, who must verify that the samples were collected from the animals identified on the test documents.
- 3) Upon completion of the required testing and review by the Director, the Department shall issue a certificate verifying the herd's status.
 - 4) Herds not tested within 14 months after the last sampling will lose their certification status.
- d) Criteria for enrolling and maintaining cervid or goat herds under the Illinois Voluntary Johne's Disease Risk Management Program.
- 1) The following certification levels will be awarded compliance with certification requirements:
 - A) Level A - 30 head or the whole herd has been tested with no positives disclosed.
 - B) Level B - the whole herd has been tested with less than 5% (0% to 4.99%) of the animals testing positive.
 - C) Level C - the whole herd has been tested with 5% to 14.99% of the animals testing positive.
 - D) Level D - the whole herd has been tested with 15% or greater of the animals testing positive, or 30 head were tested with one or more positive animals disclosed.
 - E) Potential Maximum Risk herds have had no animals tested or do not disclose any test results.
 - F) A level achievement year representing when the herd reached the status level will be added to the status designation (e.g. Level A since 2002).
 - 2) Certification requirements:
 - A) Testing shall be done annually within 10-14 months of the initial status testing anniversary date and a herd shall remain at that level for a year, regardless of the amount of testing completed during that time. A herd can qualify through a split herd testing program. The producer must test all test-eligible animals at least once a year throughout a one-year (12 month) period with the exception of any "J" punched animals in the herd. "J" punched animals do not have to be tested, but must be accounted for on the annual herd agreement. The anniversary date would be the date that the herd test is completed for the year. The testing schedule for the year must be described in the annual herd agreement.
 - B) The fecal culture must be used for certification.
 - C) Whole herd tests are conducted on all second and higher lactation animals and males two years of age and older.
 - D) Tests on 30 animals must be a random sampling of second and higher lactation animals and males two years of age and older. The same animals should not be tested in consecutive testing years.
 - E) All tests must be performed at an accredited laboratory.
 - F) Fecal collection must be done either by, or under the direct supervision of, an accredited veterinarian, who must verify that the samples were collected from the animals identified on the test documents.
 - 3) Upon completion of the required testing and review by the Director, the Department shall issue a certificate verifying the herd's status.
 - 4) Herds not tested within 14 months after the last sampling will lose their certification status.
- e) Additions to the herd. Animals purchased from another herd participating in a *M. avium* paratuberculosis certification program may enter the herd without further testing, and will be tested along with the herd at the next annual test. Animals originating from herds that are participating in Johne's Disease Risk Management Program and are of the same level of the purchasing herd can be added to the herd without further testing and be tested on the next annual test. If the purchased additions originate from herds that are of a lower risk management level or are from a herd that has not been tested, the purchasing herd will assume the level of the purchased additions or will lose its herd status unless the

animals have had a negative test within 30 days prior to purchase, or are isolated from the other members of the herd until a negative test has been received. Isolation means that the animal can have no opportunity to share feed or water receptacles with other members of the herd, and there can be no chance of fecal contamination from the animal.

(Source: Amended at 26 Ill. Reg. 18245, effective December 13, 2002)

Section 85.145 Johne's Disease Positive Animals

Any animals found to be positive for Johne's disease on an organism detection (culture) test shall be "J" punched in the left ear within 30 days after diagnosis. The "J" punch shall be no smaller than one inch in height for cattle or bison or one-half inch for cervids or goats. The herd will be placed under restriction until the herd has either enrolled in the Voluntary Johne's Disease Herd Program or Johne's Disease Risk Management Program. Herds restricted due to Johne's disease cannot sell any animals except to slaughter that are two years of age or older, unless the animals have been tested negative for Johne's disease within 30 days after sale or the herd is enrolled in the Johne's Disease Risk Management Program.

(Source: Amended at 26 Ill. Reg. 18245, effective December 13, 2002)

Section 85.150 Importation of Animals; Permit Required

- a) All animals entering Illinois for the purpose of livestock production or exhibition must be accompanied by a permit from the Department and an official certificate of veterinary inspection.
- b) The official certificate of veterinary inspection must:
 - 1) Be issued by an accredited veterinarian of the state of origin, by a veterinarian in the employ of the United States Department of Agriculture, or by a licensed veterinarian of the country of origin;
 - 2) Be approved by the animal health official of the state or country of origin;
 - 3) Show that the animals are free from visible evidence of contagious, infectious or communicable diseases; and
 - 4) Show the state or country of origin.
- c) Permits:
 - 1) Permits will be issued by telephoning or writing the Department.
 - 2) An applicant for permit shall furnish the following information to the Department:
 - A) Name and complete mailing address of Illinois destination;
 - B) Name and address of consignor; and
 - C) Number and species of animals in shipment.
 - 3) Grounds for refusal to issue a permit are:
 - A) Violation of the Act or this Part; or
 - B) Presence of a disease that might endanger the Illinois livestock industry or pose a threat to public health.

(Source: Added at 28 Ill. Reg. 2086, effective February 1, 2004)