

Draft Minnesota Rules, Chapter 1721

Proposed Revisions to 1721.0370 to 1721.0420

Farmed Cervidae

Preface

This is a DRAFT document. None of the changes are adopted or reflect current law.

The Board's proposed changes (or new language) are underscored. Existing language in the current rules that the Board proposes to remove or repeal is stricken with a ~~strike out~~.

Guiding principles in this revision:

- Incorporate changes made by the Minnesota legislature in 2019 to Minnesota Statute 35.155
- Update, simplify, and clarify existing rules
- Add or change definitions to improve clarity
- Add or change language to align the rules with current and relevant scientific evidence related to transmission of CWD
- Omit language that is inconsistent with federal guidelines for regulating farmed Cervidae
- Add or change language to allow the Board to better respond to and manage animal disease events

It is the Board's intent to continue work on its Farmed Cervidae rulemaking.

The Board encourages your review and welcomes your comments and feedback at:
<https://minnesotaoah.granicusideas.com/>

**Minnesota Rules Chapter 1721
Board of Animal Health**

Deer and Elk

1721.0370 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of parts 1721.0370 to 1721.0420, the terms in this part have the meanings given them.

Subp. 2. **Animal.** "Animal" means an animal that is a member of the family Cervidae.

~~Subp. 3. **Annual inventory.** "Annual inventory" means a compiled, complete, and accurate record of all forms of animal identification tags in each animal in the herd that is required to be identified with official animal identification tags, with the age, gender, and species breed of the animal, associated with the identification each tag.~~

~~Subp. 4. **Authorized CWD Sample Collector.** An "Authorized CWD Sample Collector" means an individual who has met all training, sample collection and submission requirements of the board to be authorized.~~

Subp. ~~5~~3. **Brucellosis certified free herd.** "Brucellosis certified free herd" means a farmed Cervidae herd that has tested negative to at least two consecutive official brucellosis tests of all test-eligible animals, conducted at nine to fifteen month intervals, and meets all requirements of the voluntary certification program, as required to be recognized by the board ~~as brucellosis free.~~

Subp. ~~6~~4. **CWD.** "CWD" means chronic wasting disease.

Subp. ~~7~~5. **~~CWD certified state level 6 herd.~~** "~~CWD certified state level 6 herd~~" means a farmed Cervidae herd that is enrolled in a CWD herd certification program approved by the board and has reached level 6 herd status as specified in part 1721.0420, subpart 1, item F.

~~Subp. 6. **CWD contaminated premises.** "CWD contaminated premises" means a premises on which a CWD positive animal has been identified. A CWD contaminated premises is further categorized depending on the degree of contamination as follows:~~

~~A. A premises shall be categorized as having minimal environmental contamination if there is no evidence that there has been transmission of CWD on the premises and there is no evidence of long-standing infection of the herd. The number of positive animals identified on a premises of this type must be three or fewer. This category shall be used in cases where history and records indicate that the positive animal likely contracted the disease on another premises. Positive animals on a premises in this category must be preclinical at the time of CWD diagnosis or very early in the clinical course of the disease.~~

~~B. A premises shall be categorized as having moderate to severe environmental contamination if there is evidence that transmission of CWD has occurred or where a positive animal dies of CWD or is euthanized late in the clinical course of the disease.~~

Subp. ~~7~~8. **~~CWD endemic area management zone.~~** "~~CWD endemic area management zone~~" means a geographic area as determined by the board where CWD is present in wild Cervidae populations.

Subp. ~~8~~79. **~~CWD herd certification program.~~** "~~CWD herd certification program~~" means a herd CWD surveillance and control program administered by a state, federal, or provincial government agency. For a CWD herd certification program to be approved by the board, it must meet the requirements in part 1721.0420.

~~Subp. 102. **CWD test.** "CWD test" means any test for the diagnosis of CWD approved by the board. A list of CWD tests approved by the board is available through the Internet on the board's website or by calling the board office.~~

Subp. ~~9~~110. **Farmed Cervidae.** "Farmed Cervidae" means Cervidae that are raised for any purpose and are registered in a manner approved by the board. Farmed Cervidae are livestock and are not wild animals for purposes of game farm, hunting, or wildlife laws.

Subp. ~~9~~121. **Herd.** "Herd" means all Cervidae:

- (1) in a group of at least one animal; and
- (2) maintained on common ground for any purpose; or
- (3) under common ownership or supervision, geographically separated, but that have an interchange or movement of animals without regard to whether the animals are infected with or exposed to diseases.

~~Subp. 120. **Official CWD test.** "Official CWD test" means any test for the diagnosis of CWD approved by the board. A list~~

of CWD tests approved by the board is available through the Internet on the board's website at <http://mn.gov/bah> or by calling the board office at 651-296-2942.

Subp. 1322. **Official Animal Identification.** A device or means of animal identification approved for use by APHIS to uniquely identify individual animals.

Subp. 1431. **-Physical Inventory.** A "Physical Inventory" is means the visualization of all the numbers and letters of all forms of animal identification tags in each animal in the herd that is required to be officially identified with official animal identification at the time the physical inventory is performed, and the recording of all the animal identification completely and accurately with the age, gender, and breed of the animal.

Subp. 154. **Redundant Gate.** A "Redundant Gate" means two gates at entry areas for farmed Cervidae enclosures regularly used for feeding, managing, or handling farmed cervids, with one outer gate that allows all equipment to get completely inside the space between this outer gate and a second, inner gate, which is the entrance to the farmed cervid enclosure, and allows for enough space for the outer gate to be secured before opening the inner gate and entrance to the enclosure.

Subp. 1652. **Successful CWD Test Result.** "Successful CWD Test Result" means a test result where the CWD status of the animal is known, including the test results of not detected, suspect, or positive.

Subp. 1761. **Terminal Hunt Facility.** A "Terminal Hunt Facility" is a facility at which all farmed Cervidae in the facility are killed on the premises and the carcasses removed by the end of the calendar year in which they were moved to the facility and removed annually.

Subp. 4112187. **Tuberculosis accredited free herd.** "Tuberculosis accredited free herd" means a herd of farmed Cervidae that has tested negative to at least two consecutive official tuberculosis tests of all test-eligible animals, conducted at nine to fifteen month intervals, and meets all requirements is recognized of the accreditation program, as required by the board as tuberculosis free.

Subp. 4213198. **Wild Cervidae.** "Wild Cervidae" means Cervidae that live in the wild.