

## CHAPTER 104

~~WILDLIFE~~CERVID IMPORTATION, TRANSPORTATION AND DISEASE MONITORING

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

**571—104.1(481A) Definitions.**

*"Accredited veterinarian"* means a Category II-accredited veterinarian ~~approved by the deputy administrator of veterinary services, as authorized by the~~ Animal and Plant Health Inspection Service (APHIS), of the U.S. Department of Agriculture (USDA), and the state veterinarian in accordance with Part 161 of Title 9, Chapter 1, of the Code of Federal Regulations, ~~revised as of January 1, 2000,~~ to perform functions required by cooperative state/federal animal disease control and eradication programs.

*"Adjacent herd"* means one of the following:

1. ~~A herd of Cervidae occupying premises that border an affected herd, including herds separated by roads or streams.~~

2. ~~A herd of Cervidae occupying premises that were previously occupied by an affected herd within the past five years as determined by the department.~~

*"Affected herd"* means a cervid herd from which any animal has been diagnosed ~~as affected with~~ chronic wasting disease (CWD) positive ~~and which has not been in compliance with the control program for CWD as described in rules 571—104.2(481A) through 571—104.22(481A).~~

*"Approved laboratory"* means an American Association of Veterinary Laboratory Diagnosticians (AAVLD) accredited laboratory or the National Veterinary Services Laboratories, Ames, Iowa.

*"Brucellosis"* means bovine brucellosis.

*"Captive cervid"* means all cervidae that are legally acquired and held on licensed hunting preserves ~~private property for personal use or use by others.~~

*"Certificate"* means an official document, issued by a state veterinarian or federal animal health official or an accredited veterinarian at the point of origin, containing information on the individual identification of each animal being moved, the number of animals, the purpose of the movement, the points of origin and destination, the consignor, the consignee, and any other information required by the department.

*"Certificate of veterinary inspection"* means an approved certificate of veterinary inspection which is a legible record accomplished on an official form of the state or province of origin, issued by a licensed, accredited veterinarian and approved by the livestock sanitary official of the state or province of origin; or an equivalent form of the U.S. Department of Agriculture issued by a federally employed veterinarian.

*"Certified CWD cervid herd"* means a herd of Cervidae that has met the qualifications for and has been issued a certified CWD cervid herd certificate signed by the department.

*"Cervidae"* or *"cervids"* means any member of the Cervidae family, whether free ranging or captive, except those classified as farm deer by Iowa Code section 481A.1(20) "*h.*" Only ~~members of the species fallow deer~~ (dDama dama) (~~fallow deer~~), sika deer (eCervus nippon) (~~sika deer~~), red deer (Cervus elaphus) and captive elk (eCervus canadensis) (~~elk and red deer~~) are not included. "Farm deer" does not include any unmarked free ranging elk, moose or ~~caribou~~ mule deer.

*"Cervid CWD surveillance identification program"* or *"CCWDSI program"* means a CWD surveillance program that requires identification and laboratory diagnosis on all deaths of Cervidae over six months of age including, but not limited to, deaths by slaughter, hunting, illness, and injury. A copy of approved laboratory reports shall be maintained by the owner for purposes of completion of the annual inventory examination for recertification. Such diagnosis shall include examination of brain and any other tissue as directed by the department. If there are deaths for which tissues were not submitted for laboratory diagnosis due to postmortem changes or unavailability, the department shall determine compliance.

*"Cervid herd"* means a group of Cervidae or one or more groups of Cervidae maintained on common ground or under common ownership or supervision that are geographically separated but can have interchange or movement.

*"CWD"* means chronic wasting disease, an infectious and contagious prion disease of cervids.

*"CWD affected"* means a designation applied to Cervidae diagnosed as affected with CWD based on laboratory results, with or without clinical signs, or ties to an epidemiological investigation.

“CWD exposed” or “exposed” means a designation applied to Cervidae that are either part of an affected herd or for which epidemiological investigation indicates contact with CWD affected animals or contact with animals from a CWD affected herd in the past five years.

~~“CWD suspect” means a designation applied to Cervidae for which laboratory evidence or clinical signs suggest a diagnosis of CWD but for which laboratory results are inconclusive.~~

“Department” means the department of natural resources or its designee.

“Designated epidemiologist” means a person who has demonstrated the knowledge and ability to perform the functions required under these rules and who has been selected by the department.

“Endemic area” means ~~an area or portion of~~ a state or province where CWD ~~or TB~~ has been confirmed in either wild ~~or captive~~ cervids. ~~The endemic area shall be determined by the state veterinarian or designee of the state or province of the cervid’s origin.~~

“Group” means one or more Cervidae.

“Herd of origin” means a cervid herd or any farm or other premises where the animals were born or where they currently reside.

“~~Herd~~Eradication plan” means a written herd management and testing plan that is designed by the herd owner, the owner’s veterinarian, if requested, and a designated epidemiologist to identify and eradicate CWD from an affected, ~~exposed, or adjacent~~ herd.

~~“Monitored CWD cervid herd” means a herd of Cervidae that is in compliance with the CCWDSI program as defined in this rule. Monitored herds are defined as one year, two year, three year, four year, and five year monitored herds in accordance with the time in years such herds have been in compliance with the CCWDSI program.~~

~~“Permit” means an official document that is issued by the department or USDA area veterinarian in charge or an accredited veterinarian for movement of affected, suspect, or exposed animals.~~

“Quarantine” means an imposed restriction prohibiting movement of cervids to any location without specific written permits.

“State” means any state of the United States; the District of Columbia; Puerto Rico; the U.S. Virgin Islands; or Guam.

~~“TB” means bovine tuberculosis.~~

“Tissue sample” refers to the medial retropharyngeal lymph node, which is the preferred tissue type for chronic wasting disease testing in white-tailed deer and mule deer, or the lymph node and obex (caudal brainstem) in other cervid species. When damaged or degraded, the obex can be substituted in deer though individuals in early disease can be missed.

“Trace back” means the process of identifying the herd of origin of CWD positive animals identified on licensed hunting preserves including herds that were sold for slaughter.

“Trace out” means the process of identifying herds that received CWD exposed animals, including licensed hunting preserves.

## **571—104.2(481A) Chronic wasting disease in captive cervids.**

**104.2(1) Testing required.** A person who keeps captive cervids in this state shall have chronic wasting disease tests performed on ~~the following:~~

~~a. Any captive cervid that dies or is killed on the premises. The individual must be reported immediately to the department and the head retained in sufficient condition so that an accredited veterinarian or trained employee of the department can~~ A person trained and authorized shall collect the tissue ~~est sample before any part of the carcass is removed from the herd premises and shall submit the sample for testing at an approved laboratory. This paragraph does not apply to cervids less than six months old.~~

~~b. Any captive cervid that is shipped to slaughter from the herd premises. A person trained and authorized shall collect the test sample after the cervid is slaughtered and shall submit the sample for testing at an approved laboratory. This paragraph does not apply to cervids less than six months old.~~

**104.2(2) Moving live farm deer to licensed hunting preserves** ~~captive cervids from herds in this state. A person shall not move a live captive cervid from a herd in this state unless the movement complies with these rules.~~ Transfer of live cervids to licensed hunting preserves must comply with department of agriculture import and movement requirements as per 21—65.9(163).

**104.2(3) Collecting ~~tissue~~<sup>est</sup> samples.** One of the following persons shall collect a ~~tissue~~<sup>est</sup> sample and submit it for testing:

- a. An ~~accredited-certified~~ veterinarian.
- b. An ~~trained~~ employee of the department ~~authorized by the department~~.
- c. ~~A person approved by the department. Before a person collects a test sample, that person shall complete training approved by the department. The person shall comply with standard veterinary procedures when collecting a test sample.~~

**104.2(4) Reporting disease findings.** ~~Accredited veterinarians unaffiliated with the department~~ Whenever any person receives a laboratory test result for chronic wasting disease, that person shall immediately report that ~~chronic wasting disease or other disease testing~~ results to the department. ~~The person shall report by telephone, fax or other rapid means within one day after receiving the test result and shall report in writing within ten days.~~ The person shall provide a copy of the test result to the owner of the tested cervid. ~~This reporting requirement applies to any laboratory test result for chronic wasting disease. Telephone and fax reports should be made to the following telephone numbers: (515)281-7127 or fax (515)281-6794. Written reports should be sent to: Iowa Department of Natural Resources, 502 E. 9th Street, Des Moines, Iowa 50319-0034, Attn: Wildlife Bureau.~~

~~**571—104.3(481A) Chronic wasting disease in captive cervids—herd monitoring program.** A person who keeps captive cervids in this state may enroll the herd in the cervid CWD surveillance identification (CCWDSI) program under this rule. A person shall not move a live captive cervid from a herd in this state unless the herd is enrolled in the CCWDSI program under this rule. To enroll a herd in the CCWDSI program under this rule, a person shall complete and submit a form as provided by the department. No person may enroll a herd in this program prior to October 15, 2002. All animals enrolled in this program must be identified as prescribed in 104.4(481A).~~

~~**571—104.4(481A) Identification of animals.** Beginning May 1, 2003, each captive cervid must be identified with two individual permanent identifications that are unique identifying numbers or marks and that can be a combination of any two of the following: ear tag, tattoo, microchip or other permanent identifier approved by the department in writing. Tags or marks shall be used to identify the herd premises and uniquely identify the individual animal. Licensed hunting preserves are exempt from this requirement except in regard to those eCervids purchased or otherwise acquired must have official individual identification permitting the lawful interstate or intrastate movement of individuals into the licensed hunting preserve as prescribed in 21—64.104(163) after October 15, 2002.~~

~~**571—104.5(481A) Supervision of the CCWDSI program**Herd Inventory. All individuals purchased or otherwise acquired and harvested or otherwise removed must be reported annually for renewal of the hunting preserve license. The department will conduct an annual site visit and visual inventory of Cervidae observed in a herd enrolled in the CCWDSI program.~~

~~**571—104.6(481A) Surveillance procedures.** For cervid herds enrolled in this mandatory certification program, surveillance procedures shall include the following:~~

~~**104.6(1) Slaughter establishments.** All slaughtered Cervidae over six months of age must have brain tissue and other appropriate tissues submitted at slaughter and examined for CWD by an approved laboratory. These tissue samples will be obtained by the department or accredited veterinarian on the premises at the time of slaughter.~~

~~**104.6(2) Cervid herds.** All cervid herds must be under continuous surveillance for CWD as defined in the CCWDSI program.~~

**571—104.7(481A) Official cervid CWD tests.** The following are recognized as official cervid tests for CWD:

- ~~1.—Histopathology;~~
- ~~2.1.~~ Immunohistochemistry.
- ~~3.2.~~ Enzyme-linked immunosorbent assay.
- ~~4.—Western blot;~~
- ~~5.—Negative stain electron microscopy;~~

~~6. Bioassay.~~

~~7.3.~~ Any other tests performed by an approved laboratory to confirm a diagnosis of CWD.

**571—104.8(481A) Investigation of CWD affected animals identified through surveillance.** Trace back must be performed for all animals originating from licensed hunting preserves that are diagnosed at an approved laboratory as ~~affected with~~ CWD positive. All herds of origin and all adjacent herds having contact with affected animals ~~as determined by the CCWDSI program~~ must be investigated epidemiologically by the department of agriculture with cooperation by the department. Licensed hunting preserves identified as having received animals from affected hers shall be initially quarantined pending results of trace out performed by the department of agriculture. ~~All herds of origin, adjacent herds, and herds having contact with affected animals or exposed animals must be quarantined.~~

**571—104.9(481A) Duration of quarantine.** Quarantines placed in accordance with these rules shall be removed as follows:

~~1. For herds of origin, quarantines shall be removed after five years of compliance with rules 571—104.2(481A) through 571—104.22(481A).~~

~~2.1.~~ For herds ~~having contact with affected or~~ that received exposed animals, quarantines shall be removed after five years of compliance with rules 571—104.2(481A) through 571—104.22(481A) and no positive detections.

~~3.2.~~ For ~~adjacent~~ herds where the trace out concludes an indeterminate risk, quarantines shall be removed as directed by the department in consultation with a designated epidemiologist.

**571—104.10(481A) Herd plan.** The ~~herd~~licensed hunting preserve owner, the owner's veterinarian, if requested, and a designated epidemiologist shall develop a plan for eradicating CWD in ~~each~~ affected herds. The plan must be designed to reduce and then eliminate CWD from the herd and prevent spillover into wild cervids; ~~to prevent spread of the disease to other herds, and to prevent reintroduction of CWD after the herd becomes a certified CWD cervid herd.~~ The herd plan must be developed and signed within 60 days after the determination that the herd is affected. The plan must address herd management and adhere to rules 571—104.2(481A) through 571—104.22(481A). The plan must be formalized as a memorandum of agreement between the owner and program officials within, ~~must be approved by~~ the department, ~~and must include plans to obtain certified CWD cervid herd status.~~

**571—104.11(481A) Identification and disposal requirements.** When practical, ~~A~~ affected and exposed animals ~~must~~ should remain on the premises where they are found until they are identified and disposed of in accordance with this rule.

**104.11(1)** The carcasses of affected or exposed animals may be disposed of at a permitted sanitary ~~disposal project~~landfill, incinerated in a department-approved incinerator, or buried on the premises. Appropriate disposal method(s) will be determined by the department. If burial is the approved method, it must be done in accordance with all of the following:

a. A maximum loading rate of 20 Cervidae per acre per year may be buried on the premises. Animals or parts thereof that are less than 40 pounds may be buried without regard to number.

b. The animals are buried in soils listed in tables contained in the county soil surveys and soil interpretation records (published by the Natural Resources Conservation Service) as being moderately well drained, well drained, somewhat excessively well drained, or excessively drained.

c. The lowest elevation of the burial pit is 6 feet ~~or less~~ below the surface.

d. The animals are immediately covered with a minimum of 6 inches of soil and finally covered with a total minimum of 30 inches of soil.

**104.11(2)** In addition to the disposal methods listed in 104.11(1), the Cervidae carcasses, or portions thereof, which come into the possession of the department for the purpose of disease testing or for any other reason may be disposed of by burial on public property under the jurisdiction of the department provided that burial is done in accordance with 104.11(1) "a" through "d" and the location of burial is situated to minimize the impact on public use of the property.

**571—104.12(481A) Cleaning and disinfecting.** Any machinery or equipment used for carcass disposal ~~Premises~~ must be cleaned and disinfected under department supervision within 15 days after affected animals have been removed.

~~**571—104.13(481A) Methods for obtaining certified CWD cervid herd status.** Certified CWD cervid herd status must include all Cervidae under common ownership. They cannot be commingled with other cervids that are not certified, and a minimum geographic separation of 30 feet between herds of different status must be maintained in accordance with the USDA Uniform Methods and Rules as defined in APHIS manual 91-45-011, revised as of January 22, 1999. A herd owner may qualify a herd for status as a certified CWD cervid herd by one of the following means:~~

~~**104.13(1) Purchasing a certified CWD cervid herd.** Upon request and with proof of purchase, the department shall issue a new certificate in the new owner's name. The anniversary date and herd status for the purchased animals shall be the same as for the herd to which the animals are added; or if part or all of the purchased herd is moved directly to premises that have no other Cervidae, the herd may retain the certified CWD status of the herd of origin. The anniversary date of the new herd is the date of the most recent herd certification status certificate.~~

~~**104.13(2) Complying with the CCWDSI program.** Upon request and with proof by records, a herd owner shall be issued a certified CWD cervid herd certificate by complying with the CCWDSI program for a period of five years.~~

~~**571—104.14(481A) Recertification of CWD cervid herds.** A herd is certified for 12 months. Annual inventories conducted by the department are required every 9 to 15 months from the anniversary date. For continuous certification, adherence to the provisions in these rules and all other state laws and rules pertaining to raising cervids is required. A herd's certification status is immediately terminated and a herd investigation shall be initiated if CWD-affected or exposed animals are determined to originate from that herd.~~

~~**571—104.15(481A) Movement into a certified CWD cervid herd.**~~

~~**104.15(1)** Animals originating from certified CWD cervid herds may move into another certified CWD cervid herd.~~

~~**104.15(2)** Animals originating from noncertified or nonmonitored herds that are moving into certified CWD cervid herds will change the status of the certified CWD cervid herd to the same level as the animals that are imported into that herd.~~

~~**104.15(3)** Animals originating from CWD-monitored herds cannot be certified until the years in the CCWDSI program total five years.~~

~~**571—104.16(481A) Movement into a monitored CWD cervid herd.**~~

~~**104.16(1)** Animals originating from a monitored CWD cervid herd may move into another monitored CWD cervid herd of the same status.~~

~~**104.16(2)** Animals originating from a herd which is not a monitored CWD cervid herd or from a lower status monitored CWD cervid herd will change the status of the monitored CWD cervid herd to the same level as the animals that are imported into that herd until completion of CWD certification.~~

~~**571—104.17(481A) Recognition of monitored CWD cervid herds.** The department shall issue a monitored CWD cervid herd certificate including CWD-monitored herd status as CWD-monitored Level A during the first calendar year, CWD-monitored Level B during the second calendar year, CWD-monitored Level C during the third calendar year, CWD-monitored Level D during the fourth calendar year, CWD-monitored Level E during the fifth calendar year, and CWD certification at the end of the fifth year and thereafter.~~

~~**571—104.18(481A) Recognition of certified CWD cervid herds.** The department shall issue a certified CWD cervid herd certificate when the herd first qualifies for recertification. The department shall issue a renewal form annually.~~

**571—104.19(481A) Intrastate movement restrictions requirements.**

**104.19(1)** ~~Cervids purchased by licensed hunting preserves or those born in preserves can only be removed through onsite harvest or natural death. Individuals cannot be sent to other preserves within the state or other states or sent for slaughter at a state- or federally-inspected~~ All intrastate movements of Cervidae other than to a state-inspected or federally-inspected slaughter establishment shall be accompanied by an intrastate movement certificate of veterinary inspection signed by a licensed, accredited veterinarian.

**104.19(2)** ~~Such intrastate movement certificate shall include all of the following:~~

- ~~a. Consignor's name and address.~~
- ~~b. Consignee's name and address.~~
- ~~c. Individual identification of each animal as prescribed in 571—104.4(481A).~~
- ~~d. The following statement: "There has been no diagnosis, sign, or epidemiological evidence of CWD in this herd for the past two years."~~

**571—104.20(481A) Import requirements.**

**104.20(1)** ~~All Cervidae transported into Iowa must be accompanied by all of the following:~~

- ~~a. An official certificate of veterinary inspection.~~
- ~~b. A permit number requested by the licensed, accredited veterinarian signing the certificate and issued by the Iowa department of agriculture and land stewardship prior to movement.~~
- ~~c. One of the following statements must appear on the certificate:~~

~~"All Cervidae on this certificate have been part of the herd of origin for at least two years or were natural additions to this herd. There has been no diagnosis, sign, or epidemiological evidence of CWD in this herd for the past five years"; or~~

~~"All Cervidae on this certificate originate from a CWD-monitored or certified herd in which these animals have been kept for at least two years or were natural additions. There has been no diagnosis, sign, or epidemiological evidence of CWD in this herd for the past five years."~~

**104.20(2)** ~~All cervids transported into Iowa must be in compliance with the uniform methods and rules set forth in U.S. Department of Agriculture, Animal and Plant Health Inspection Service bulletins 91-45-001, "Tuberculosis Eradication in Cervidae," (effective February 3, 1989), 91-45-005 (effective May 15, 1994, including 1996 amendments) and 91-45-12, "Brucellosis in Cervidae," (effective September 30, 1998).~~

**104.20(3)** ~~Animal health officials of the state of origin must have access to herd records for the past five years including records of cervid deaths and causes of death.~~

**104.20(4)** ~~If the Cervidae listed on the certificate are enrolled in a CWD program, the anniversary date and program status for each individual animal must be listed.~~

**571—104.21(481A) Prohibited movement of cervid carcasses.** The importation into Iowa of cervid carcasses from a CWD endemic area is prohibited, except for the meat from which all bones have been removed, the cape (skin), and antlers. Antlers may be attached to a clean skull plate from which all brain tissue has been removed.

**571—104.22(481A) Inspection.** The department may inspect any shipment of cervids and accompanying certificate of veterinary inspection or shipment documentation. The department may quarantine or destroy any cervids that are found to be infected with CWD or other transmissible diseases ~~TB~~.

These rules are intended to implement Iowa Code sections 481A.47, 481A.62 and 484B.12.

~~{Filed emergency 12/19/01—published 1/9/02, effective 12/19/01}~~

~~{Filed emergency 5/9/02—published 5/29/02, effective 5/9/02}~~

~~{Filed emergency 9/13/02 after Notice 7/10/02—published 10/2/02, effective 9/13/02}~~

~~{Filed 2/14/03, Notice 12/11/02—published 3/5/03, effective 4/9/03}~~