**Section 85.120 Cervidae**

a) Elk entering Illinois shall originate from a certified brucellosis-free herd or be negative to a brucellosis card test, standard plate agglutination (SPT) test, or complement-fixation (CF) test conducted within 60 days prior to entry 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, 2003 and not including any later amendments or editions beyond the date specified) and the USDA with the following amendments:

1) For initial certification, all sexually intact cervids in the herd 6 months of age or older must have two consecutive negative tests 9 to 15 months apart.

2) For continuous certification, all test-eligible animals in the herd must have a negative test between 33 and 39 months after the last certification date. If suspects or reactors are found on recertification testing, certification status will be terminated and a herd investigation will be initiated.

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 Certificate of Veterinary Inspection (CVI) 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 (the area contained within a 15 mile radius from any location where CWD has been diagnosed in the past 5 years);

4) shows that the cervidae are not originating from a herd under quarantine for any contagious, infectious or communicable disease;

5) shows that the animals originate from a herd that has been monitored for at least 5 years under a state/federallyapproved CWD herd certification program. If a state/federallyapproved CWD herd certification program does not exist for the susceptible cervidae species in question, the following criteria must be met:

A) Any additions to the herd are natural additions or have been in the herd for at least one year;

B) Complete herd records, including records of purchases, deaths and causes of deaths are maintained for at least 5 years;

C) The herd has been under veterinary supervision for a minimum of 5 years;

D) The animals have not been exposed to any animal from a herd diagnosed with CWD in the past 5 years;

E) The CVI 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

F) Contains a statement signed by the owner certifying that all statements on the certificate of veterinary inspection are correct;

6) lists the cervid's unique individual official identification as defined in 9 CFR 55.25, 81.1 and 81.2 (2013) (approved ear tag, flank or ear tattoo or electronic implant). In addition, each animal must be identified with a secondary identifier that is unique for the animal in the herd of origin;

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 consignor and/or source herds;

iii) Number and unique official and secondary 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 CWD susceptible species dying or that has been euthanized due to an unknown cause and that has exhibited a neurological disorder is classified as a CWD-Suspect animal and must have its brain and medial retropharyngeal lymph nodes removed for CWD evaluation. Any CWD susceptible species 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. Herds containing CWD-Suspect animals shall be classified as CWD-Suspect herds and a herd plan will be developed. No cervid may move out of a CWD-Suspect herd other than direct to slaughter until confirmatory testing has been completed on all CWD-Suspect animals and the test results are reported as CWD not detected.

2) If CWD is diagnosed in a herd, the herd shall be classified as CWD-Positive and will be quarantined and a CWD herd plan will be 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, been euthanized or been slaughtered in the herd during that period were examined for CWD.

3) If a herd received an animal from an affected herd within 60 months prior to the death of the affected animal, the trace-forward herd shall be classified as CWD-Exposed and a CWD herd plan will be developed. A CWD-Exposed 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 classified as CWD-Positive and managed as in subsection (e)(2). If CWD is not detected in the animal, a herd plan shall be developed that includes a five year surveillance of the herd, with mandatory reporting of the death of all animals and examination of all mortalities for CWD.

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, if the herd was participating in the Certified Monitored Chronic Wasting Disease program, and 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 60 months after changing herds, the herd of origin shall be considered as the trace-back herd and shall be classified as CWD-Exposed. A herd plan will be developed. The herd will be quarantined for five years from the last case traced back to the herd with mandatory mortality reporting and CWD testing of all animals.

5) For CWD susceptible species changing ownership or moving within the State, the owner must obtain a permit issued by the Department prior to movement and the cervidae must 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; and

D) Number of animals and unique official and secondary identification of the animals.

6) For CWD susceptible species entering Illinois for immediate slaughter, the owner must:

A) Notify the Department at 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; and

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 official and secondary identification numbers 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 telephone or writing the Department.

f) Requirements for Establishing and Maintaining Certified Monitored Chronic Wasting Disease (CWD) Herds

1) General requirements

A) Certification for Certified 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) A CWD Certified Monitored Herd Management Agreement must be completed, signed and submitted to the Department for approval.

D) All animals shall be individually identified as defined in 9 CFR 55.25, 81.1 and 81.2 (2013) (approved ear tag, flank or ear tattoo, or electronic implant). In addition, each animal must be identified with a secondary identifier that is unique for the animal in the herd of origin.

E) Herd premises must have perimeter fencing adequate to prevent ingress and egress of cervidae.

2) To qualify or renew a herd for certified monitored status

A) An annual herd inventory and facility inspection must be completed and verified by an accredited veterinarian, or a state or federal veterinarian, animal health investigator or animal health technician, 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. Herds that have not completed the required inventory and inspection within this period of time will be removed from the program. Reinstatement of herds will be at Monitored Herd level 1 status. The inventory and facility inspection must include:

i) Unique official and secondary 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;

v) Visusal inspection of fencing and cervidae within the enclosure;

vi) Review of herd records for inventory and identification accuracy and to verify the records retention requirement is met; and

vii) Signature of both the owner and the person verifying the inventory and facility inspection.

B) The owner must:

i) Submit the obex and medial retropharyngeal lymph nodes of all animals 12 months of age or older that have died or been killed or slaughtered for CWD examination at an approved laboratory;

ii) Immediately report to the Department all mortalities of animals within a CWD susceptible species that are 12 months of age and older;

iii) Individually identify all animals with official identification and secondary identification that is unique to the animal in the herd. All natural additions to the herd must be officially and secondarily identified before they are 12 months of age;

iv) Immediately report to the Department all animals that escape or disappear from the herd and make every reasonable effort to recapture the animals once it is discovered there has been an escape;

v) Submit all CWD susceptible species for a physical inventory (under individual restraint) every 3 years (or as otherwise required) by an accredited veterinarian, or a state or federal veterinarian, an animal health investigator or animal health technician, or an authorized representative of the Illinois Department of Natural Resources;

vi) Maintain herd inventory records for a minimum of 5 years for each animal in the herd;

vii) 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.

4) Herd additions are allowed under the following circumstances:

A) Animals may enter the herd from herds of equal or higher status.

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.

C) Acquiring animals from Contained Monitored CWD Herds will result in the herd status being reclassified as a Contained Monitored CWD Herd.

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.

D) Animals from Contained Monitored CWD Herds are not eligible for interstate movement except for movement direct to slaughter.

2) To qualify or renew a herd for certified contained monitored status

A) An annual herd inventory must be completed and verified by an accredited veterinarian, or a state or federal veterinarian, animal health investigator or animal health technician, 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. Herds that have not completed the required inventory and inspection within this period of time will be removed from the program. Reinstatement of herds will be at Contained Monitored Herd level 1 status. 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:

i) Submit the obex and medial retropharyngeal lymph nodes of all animals within a CWD susceptible species that are 12 months of age or older and that have died or been killed or slaughtered for CWD examination at an approved laboratory;

ii) Individually identify all animals entering or leaving the herd with official identification and secondary identification that is unique to the animal in the herd; 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 certified contained monitored status

A) The Department will issue certified contained monitored status upon completion of the annual herd inventory and review by the Department.

B) Herds will be classified as follows:

i) Monitored Herd, followed by number of years of participation; and

ii) Certified Contained Monitored Herd, followed by number of years of participation. A herd will be certified at the end of five years of participation.

4) Herd additions are allowed under the following circumstances:

A) Animals must be individually identified with official identification and secondary identification that is unique to the animal in the herd;

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.

h) For cervids entering or moving within Illinois for slaughter purposes, the owner must contact the Department 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 the name and address of the slaughter facility.

(Source: Amended at 38 Ill. Reg. 20655, effective October 16, 2014)