

Kansas Administrative Regulations

Kansas Department of Agriculture— Division of Animal Health

Article 3.—Swine Brucellosis and Cervids

9-3-6. Definitions.

Each of the following terms shall have the meaning specified in this regulation:

(a) “Adult domesticated cervid” means any domesticated cervid that is 12 months of age or older.

(b) “Affected herd” means any domesticated cervid herd in which tissues or fluids collected from a live animal or carcass of an animal tested positive for any infectious or contagious disease for which the herd may be quarantined, including chronic wasting disease (CWD), bovine tuberculosis (TB), or *Brucella abortus* (brucellosis), using an approved test conducted at an approved laboratory.

(c) “Animal” means a member of the family Cervidae, unless otherwise stated.

(d) “Ante-mortem CWD test” means a test to detect chronic wasting disease, performed by an accredited laboratory approved by the commissioner on samples collected from a live animal by a licensed accredited veterinarian.

(e) “APHIS” means the animal and plant health inspection service of the United States department of agriculture.

(f) “Approved laboratory” means any laboratory approved by APHIS to conduct brucellosis, TB, and CWD testing.

(g) “Approved test” means any test for brucellosis, TB, or CWD conducted under protocols established by APHIS.

(h) “Cervid” means any member of the family Cervidae and hybrids, including deer, elk, moose, caribou, reindeer, and related species.

(i) “Chemical restraint” means medical restraint in which a drug is used to restrict the freedom or movement of an animal.

(j) “Chronic wasting disease” and “CWD” mean a nonfebrile, transmissible spongiform encephalopathy that is insidious and degenerative and that affects the central nervous system of cervids.

(k) “Commingling” means grouping animals in a manner in which physical contact among animals could occur, including maintaining animals in the same pasture or enclosure, maintaining animals with less than 10 feet of physical separation, or allowing indirect contact via shared feeding and watering equipment. This term shall not include holding animals at a sale, during transportation, during artificial insemination, or in other situations in which only limited contact is involved.

(l) “Commissioner” means Kansas animal health commissioner.

(m) “CWD-exposed animal” means an animal that is part of a CWD-positive herd or that has been exposed to a CWD-positive animal or contaminated premises within the previous five years.

(n) “CWD-exposed herd” means a herd in which a CWD-positive animal has resided within five years before that animal’s diagnosis as CWD-positive, as determined by an APHIS employee or representative of the commissioner.

(o) “CWD-positive animal” means any cervid that tests positive on an approved test at an approved laboratory.

(p) “CWD-positive herd” means a herd in which a CWD-positive animal resided at the time the animal was diagnosed and which has not been released from quarantine.

(q) “CWD-source herd” means a herd that is identified through testing or epidemiological investigations to be the source of CWD-positive animals identified in other herds.

(r) “CWD-suspect animal” means any cervid for which an APHIS employee or Kansas department of agriculture representative has determined that unofficial CWD test results, laboratory evidence, or clinical signs suggest a diagnosis of CWD but for which official laboratory results have been inconclusive or not yet conducted.

(s) “CWD-suspect herd” means a herd for which unofficial CWD test results, laboratory evidence, or clinical signs suggest a diagnosis of CWD, as determined by an

APHIS employee or state representative, but for which confirmatory laboratory results have been inconclusive or not yet reported.

(t) “Depopulate” means to remove, from a premises, animals that are determined to be infected or exposed to a specific disease by means of euthanizing the animals or by moving the animals to an approved slaughter facility for slaughter.

(u) “Domesticated cervid” means “domesticated deer,” as defined in K.S.A. 47-2101 and amendments thereto.

(v) “Domesticated cervid permit” means the permit required by K.S.A. 47-2101, and amendments thereto, to sell, possess, or raise any cervid.

(w) “Domesticated cervid movement notification” (DCMN) means a form that is provided by the Kansas department of agriculture, division of animal health and signed by the shipper. The DCMN shall be completed for all movements of live cervids, carcasses, and/or parts of a carcass that are being transported off the premises. The DCMN shall be completed with the name and either the residential or business address and domestic cervid permit number of both the shipper and the destination, species or breed of cervid, age, sex, all identifiers, including all official identification numbers, and the reason for movement.

(x) “Herd” means a group of animals maintained on the same premises or two or more groups of animals maintained in a manner that results in commingling.

(y) “Herd inventory” means an accounting that lists each adult domesticated cervid by its sex, age, breed or species, official identification and any other identification and that is confirmed by an accredited veterinarian or by a representative of the commissioner.

(z) “Herd plan” means a signed written agreement between the herd owner, the commissioner, and the APHIS administrator, that lays out the steps to be taken to control the spread of a disease agent from a positive herd, to control the risk of disease spread in a CWD-exposed or suspect herd, or to prevent disease introduction into a herd, detailing any animal identification requirements, examination requirements, reporting requirements, testing requirements, traceability requirements, and allowable

movements into and out of an affected herd. The herd plan may also include requirements on fencing, decontamination, and cleanup of premises, as well as defining opportunities for business and operation continuity.

(aa) “Herd status” means the number of years during which a herd owner’s participating herd has been in an approved CWD monitoring program, indicating the probability that the herd is not affected by the disease. Herd status is determined by the length of time the herd has been monitored for CWD and by the herd owner’s full compliance with the program.

(bb) “Missed test” means an animal that is not correctly tested for CWD due to no sample being collected, an inappropriate sample being collected, poor sample quality, or a test that is not possible due to a test eligible animal being lost, dying, or being slaughtered, and not successfully tested for CWD.

(cc) “Official identification” means the identification required by K.S.A. 47-2101, and amendments thereto, which for any animal in a participating herd shall be in the form of a unique means of identification approved by APHIS and the commissioner. Acceptable forms of official identification shall include electronic implants, which are also known as microchips, electronic identification devices, tamper-resistant tags, and national uniform eartagging system tags but shall exclude ear tattoos and flank tattoos.

(dd) “Participating herd” means any herd enrolled in the CWD herd certification program.

(ee) “Premises” means the grounds and buildings occupied by a herd and equipment used in the husbandry of the herd.

(ff) “Program” means the CWD monitoring program or the APHIS CWD herd certification program, whichever is applicable.

(gg) “TB” means bovine tuberculosis.

(hh) “Trace-back herd” means a herd in which a CWD-positive animal formerly resided within five years prior to the diagnosis of CWD.

(ii) "Trace-forward herd" means a herd that has received exposed animals from a CWD-positive herd within five years prior to the diagnosis of CWD in the positive herd or from the identified date of entry of CWD into the positive herd.

(Authorized by and implementing K.S.A. 47-607d, K.S.A. 47-610, and K.S.A. 2025 Supp. 47-2101; effective Sept. 19, 2014; amended Aug. 14, 2026.)

***** Authenticated Kansas Administrative Regulation *****