

Kansas Administrative Regulations

Kansas Department of Agriculture— Division of Animal Health

Article 3.—Swine Brucellosis and Cervids

9-3-17. CWD-positive herds.

Each CWD-positive herd shall be subject to the following requirements:

(a) A herd quarantine shall be issued by the commissioner immediately after receiving a report from an approved laboratory of a positive test for CWD in an animal from a herd;

(b) A herd plan shall be initiated by the owner and a representative of the commissioner within 21 days of the date the herd quarantine is issued. Once developed, the herd plan shall be approved by the owner, the state APHIS representative, and the commissioner.

(1) A herd plan shall:

(A) Specify the means of identification of each animal in the herd;

(B) require regular inspection of the herd by a veterinarian for clinical signs of disease;

(C) require reporting to the Kansas animal health commissioner or APHIS officials of any clinical signs of a central nervous system disease or chronic wasting condition in the herd;

(D) require record keeping of all animal movements into and from the herd, all deaths and cause of death;

(E) require CWD testing of all mortalities six months of age or older;

(F) detail how animal movement into and from the herd may occur; and

(G) have a duration of no more than 60 months from the last contact with any CWD-positive, CWD-exposed, or CWD-suspect animal.

(2) A herd plan may include but not limited to:

(A) Requirements for complete or partial depopulation of the herd;

(B) specific requirements for a duration of time during which a premises may not contain CWD-susceptible species after CWD-positive, CWD-exposed, or CWD-suspect animals are removed from the premises;

(C) requirements for premises cleaning and disinfection; and

(D) requirements for fencing.

(3) A herd plan may be reviewed and changes to it suggested at any time by any signatory party in response to changes to the herd situation or premises or improvements in understanding of the nature of CWD epidemiology or techniques to prevent its spread. The revised herd plan shall become effective after it is reviewed and approved by the commissioner, the assigned USDA representative, and the herd owner.

(c) The herd owner may request identity testing of the CWD-positive sample at the expense of the herd owner;

(d) The herd owner may request testing of the CWD-positive sample to determine the CWD strain at the expense of the owner;

(e) If state indemnity funds are not available or prioritized, the commissioner may consider alternatives, including use of ante-mortem testing;

(f) Each domesticated cervid permittee shall notify the commissioner of the death of any animal in a CWD-positive herd. The notice shall be given to the commissioner within 24 hours of the discovery of the animal's death. An approved test shall be administered by a designee of the commissioner to the carcass of each animal in the CWD-positive herd that dies;

(g) If an animal in a CWD-positive herd shows symptomatic or clinical signs of CWD, the domesticated cervid permittee shall notify the commissioner. The animal shall be euthanized and administered an approved test by a designee of the commissioner;

(h) The carcasses from each CWD-positive or CWD suspect herd shall be disposed of only by a method and at a site approved by the commissioner. In the event a complete herd depopulation is implemented, the carcasses shall be disposed of only by a method and at a site approved by the commissioner and, if required by Kansas

department of health and environment rules and regulations, the secretary of the Kansas department of health and environment or the secretary's designee; and

(i) The quarantine on the CWD-positive herd shall be removed after five consecutive years in which there are no animals in the CWD-positive herd with any clinical signs of CWD and no positive results on an approved test and the requirements of the herd plan have been met. The owner of a CWD-positive herd may apply to reenroll the herd in the CWD herd certification program with a year-five herd status.

(Authorized by K.S.A. 47-610 and K.S.A. 2025 Supp. 47-2101; implementing K.S.A. 47-610, K.S.A. 47-614, K.S.A. 47-622 and K.S.A. 2025 Supp. 47-2101; effective Sept. 19, 2014; amended Aug. 14, 2026.)

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