

Kansas Administrative Regulations

Kansas Department of Agriculture— Division of Animal Health

Article 3.—Swine Brucellosis and Cervids

9-3-15. Participation in the chronic wasting disease herd certification program.

(a) Each participating herd shall be maintained or held only on premises for which a current domesticated cervid permit has been issued by the commissioner. If a herd owner wishes to maintain separate herds, the herd owner shall maintain separate herd inventories, records, working facilities, water sources, equipment, and land use. There shall be a buffer zone of at least 30 feet between the perimeter fencing around each separate herd, and no commingling may occur. Movement between herds shall be recorded as if the herds were separately owned.

(b) Each application for enrollment of a herd in the CWD herd certification program shall be submitted on a form provided by the commissioner and shall include the following:

(1) Documentation that a current domesticated cervid permit has been issued to the owner of the premises on which the herd is held or maintained;

(2) a copy of an initial herd inventory, including:

(A)(i) Documentation of at least one form of official identification for each animal and one form of other visible identification; and

(ii) all cervids in the herd must be identified with both forms of identification by the time they are 12 months of age.

(B)(i) the name and either the residential or business address of the person from whom each domesticated cervid was acquired; and

(ii) the geographic location from which each domesticated cervid was acquired if this location is different from the residential or business address in K.A.R. 9-3-15(b)(2)(B)(i).

(C) the date each domesticated cervid was acquired or, if born on the premises, the year of birth of the domesticated cervid;

(D) a description of each domesticated cervid, including the following characteristics:

(i) The species or breed;

(ii) the age;

(iii) all official identification numbers;

(iv) the sex; and

(v) any other identification for that animal, including an ear tag, an ear tattoo, an ear notch, or any brands, scars or other permanent markings that help identify the animal.

(E) the name, domestic cervid permit number, and either the residential or business address of the person to whom any domesticated cervid is sold, given, or bartered or to whom the domesticated cervid is otherwise delivered;

(F) the geographic location to which the domesticated cervid is delivered, if this location is different from the residential or business address in K.A.R. 9-3-15(b)(2)(E); and

(G) the date of the movement; and

(H) if the domesticated cervid dies, is euthanized, or is slaughtered, the following additional information:

(i) The date of the death of the animal;

(ii) the cause of death of the animal;

(iii) the method of disposition of the animal; and

(iv) a copy of CWD test results within seven days of receiving them from the laboratory.

(I) for intrastate purposes, copies of DCMN that were submitted to the Kansas department of agriculture may suffice to meet the information required in K.A.R. 9-3-15(b)(2)(A-G).

(J) adequate herd records and documentation of the history of the herd since it originated or over at least the previous 60 months, whichever is less, including the following:

(i) For each animal added to the herd, any available records documenting the herd status of the herd from which the animal was transferred; and

(ii) records establishing that no animal has displayed any clinical signs of CWD and that the herd has not had any CWD-positive animals.

(c) The date of the initial application into the CWD herd certification program shall be the anniversary date. On initial application, a herd inventory as listed in K.A.R. 9-3-15(b)(2), shall be completed and submitted by the owner and confirmed by means of visual inspection by a representative of the commissioner.

(d) An application accompanied by a herd inventory as listed in K.A.R. 9-3-15(b)(2), including all official identification and any other identification, shall be submitted annually and confirmed at annual inspection by an accredited veterinarian or by a representative of the commissioner. Each herd inventory shall be accurate, complete and reconciled with past inventories and shall be filed at least 11 months and no more than 13 months after the last anniversary date of the participating herd's enrollment in the CWD-herd certification program. A physical inspection of the identification listed on the herd inventory shall be conducted and confirmed by an accredited veterinarian or by a representative of the commissioner at least once every three years.

(e) An approved test for CWD shall be administered to the carcass of each animal that is 12 months of age or older at the time the animal dies or is slaughtered, unless an exception is granted by the commissioner. Test samples shall be submitted within seven days of death. The herd owner or representative shall forward the final testing reports to the Kansas department of agriculture division of animal health within seven days of receipt by the owner.

(f) In the event of a missed test, a CWD risk assessment shall be done on the remaining herd and the commissioner shall determine how the herd's CWD herd

certification program status will be affected. Risk assessments should take into consideration:

- (1) CWD status level of the herd;
- (2) amount of surveillance testing that has been conducted;
- (3) length of time the herd has met surveillance requirements; and
- (4) number of tests that have been missed.

(g) Based on the results of the risk assessment, the commissioner may:

(1) Order ante-mortem CWD test results to replace a missed test result, provided that:

(A) Ante-mortem CWD tests will be performed upon agreement with the herd owner;

(B) ante-mortem CWD tests will be performed at the expense of the herd owner; and

(C) ante-mortem CWD testing shall consist of testing up to five head of like and representative animals for each test that was missed.

(2) order euthanasia of a representative herd mate to replace a missed test; or

(3) provide exceptions for isolated incidents or mass mortality events.

(h) The first occurrence of a missed test within a herd resulting from collection of inappropriate tissues or lack of one of the required sample locations that was collected by a licensed veterinarian, state or federal agency representative shall not result in assessment of penalties or reduction of herd status.

(i) For the purposes of a state risk assessment, upon agreement with the herd owner, the commissioner may request an ante-mortem CWD test of CWD-exposed animals, CWD-exposed herds, or CWD-positive herds. This may be accomplished either by owner pay or as appropriated funds are available.

(j) Failure to comply with this regulation shall result in a reduction or loss of herd status.

(Authorized by and implementing 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 *****