



ADMINISTRATIVE RULES OF MONTANA



32.4.1301 DEFINITIONS

In this subchapter, the following terms have the meanings or interpretations indicated below and must be used in conjunction with and supplemental to those definitions contained in 87-4-406, MCA, ARM 32.4.101, and any subsequent department rule or order including 9 CFR 55 and 81.

- (1) "Animal" means a cervid.
- (2) "Cervidae or cervid" means all members of the Cervidae family including deer, elk, moose, caribou, reindeer, and related species and hybrids thereof. Cervidae includes wild cervids, those animals on alternative livestock farms, and those animals owned by zoos and other public or private captive facilities not licensed as alternative livestock farms.
- (3) "Chronic wasting disease" or "CWD" means a transmissible spongiform encephalopathy of cervids.
- (4) "CWD" affected "cervid" or "affected animal" means a cervid diagnosed with CWD based on laboratory procedures.
- (5) "CWD affected cervid herd" or "affected herd" means a cervid herd from which any cervid has been diagnosed with CWD.
- (6) "CWD exposed cervid" or "exposed animal" means a cervid that is from an affected herd or for which epidemiological investigation indicates contact with CWD affected cervids or contact with cervids from a CWD affected herd or contact with a contaminated premises within the last five years.
- (7) "CWD exposed cervid herd" or "exposed herd" means herds for which epidemiological investigation indicates contact with CWD affected cervids or contact with cervids from a CWD affected herd or contact with a CWD positive animal within the five years prior to the animal's diagnosis.
- (8) "CWD monitored cervid herd" means a herd of alternative livestock farm cervids that has complied with the CWD surveillance requirements outlined in ARM 32.4.1302.
- (9) "CWD monitored herd status" means a designation made by the department that indicates the number of years an alternative livestock cervid herd has complied with CWD surveillance criteria.
- (10) "CWD test-eligible cervids" means cervids, excluding wild cervids, 12 months of age or greater that die for any reason.
- (11) "CWD trace herd" or "trace herd" is a cervid herd where an affected animal resided within five years prior to that animal's diagnosis with CWD, or any cervid herd which received animals from a CWD affected or exposed herd within the previous five years.

- (12) "Epidemiological investigation" means the scientific investigation conducted to determine the specific cause and source of a disease outbreak and to determine the population affected or exposed to the disease.
- (13) "Exporting herd" means a herd of cervids in another state or province from which a Montana importation permit is requested to allow the shipment of cervids into Montana.
- (14) "Herd of origin" means the herd into which an animal is born.
- (15) "Herd plan" means a written herd management plan that is designed by the herd owner and the state veterinarian in which each participant agrees to undertake actions specified in the herd plan to prevent, control or eradicate chronic wasting disease from an affected, exposed or trace herd while reducing human or wildlife exposure to the disease. The herd plan will include, but is not limited to, the appropriate herd test or surveillance frequencies, tests to be employed, and any additional disease or herd management practices deemed necessary to prevent, control, or eradicate a disease from the herd in an efficient and effective manner.
- (16) "High-risk animal" means a cervid that may have been exposed to chronic wasting disease. The state veterinarian will determine which animals within a herd are high-risk animals.
- (17) "Hold order" means a restriction placed on an identified population of animals prohibiting their movement from the premise, a portion of a premise or contact with other animals on the premise.

Authorizing statute(s): 81-2-103, 81-2-104, 87-4-422, MCA

Implementing statute(s): 81-2-103, 87-4-422, MCA

History: NEW, 1999 MAR p. 652, Eff. 4/9/99; AMD, 2010 MAR p. 2974, Eff. 12/24/10; AMD, 2013 MAR p. 414, Eff. 3/29/13; AMD, 2019 MAR p. 2380, Eff. 12/28/19.