



State of Wisconsin
Governor Tony Evers

Department of Agriculture, Trade and Consumer Protection
Secretary Randy Romanski

DATE: December 9, 2025

TO: Board of Agriculture, Trade and Consumer Protection

FROM: Randy Romanski, Secretary
Darlene Konkle, DVM, MS, DACVIM, Administrator, Division of Animal Health

SUBJECT: ATCP 10 and 12, Swine PRRS and PEDv

PRESENTED BY: Angela Fisher, Program and Policy Analyst, Division of Animal Health
Julie McGwin, DVM, Veterinary Program Manager, Division of Animal Health

REQUESTED ACTION:

At the January 29, 2026, Board meeting, the Department will request approval of a proposed final rule regarding chapters ATCP 10 and 12 (Swine PRRS and PEDv).

EXECUTIVE SUMMARY:

- *Stage of the rules process:* Final rule approval.
- *Overall purpose of the rulemaking:* The purpose of the rulemaking is to evaluate whether to modify or repeal rules related to porcine reproductive and respiratory syndrome (PRRS) and porcine epidemic diarrhea virus (PEDv).
- *Main Points:* The proposed final rule would repeal current testing requirements and movement restrictions related to PRRS and PEDv. In response to public comments, the Department is proceeding with the proposed rule to repeal current testing requirements and movement restrictions related to PRRS and PEDv.
- *When the Board last saw this rule:* The Board last saw this rule at the September 18, 2025, DATCP Board meeting, when the Board approved the hearing and comment period.
- *The next step in the rulemaking process:* If the Board approves, the Department will transmit the rule to the Governor for approval.

SUMMARY:

The Department requests approval of the proposed final rule regarding chapters ATCP 10 and 12, relating to porcine reproductive and respiratory syndrome (PRRS) and porcine epidemic diarrhea virus (PEDv). The Board last saw this rule at the September 18, 2025, DATCP Board meeting, when the Board approved the hearing and comment period.

The proposed rule would repeal current testing requirements and movement restrictions related to PRRS and porcine epidemic diarrhea virus PEDv. The rule with these testing requirements and movement restrictions went into effect in 2018, and was created with input and support from swine producers and industry groups. The main goal of the rule was to control the spread and reduce the prevalence of PRRS and PEDv in Wisconsin. At the

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time, it was anticipated that other states would develop similar regulations; however, other states have not developed similar regulations. In 2024, the Department received a letter from Wisconsin's largest swine industry group requesting that the department initiate rulemaking to repeal PRRS and PEDv swine movement rules.

The Department held a public hearing on Thursday, October 30, 2025, at 9:00AM. The hearing was hybrid, combining in-person access in Madison and remote access via internet and telephone. The written comment period was open through Monday, November 10, 2025. In addition to publication in the Administrative Register, the Department sent an email notice to swine premises, veterinarians, animal markets, animal dealers, animal truckers, fairs, and other industry stakeholders.

The Department received comments from 36 commenters. Thirty-five commenters expressed support of the rule draft to repeal current testing requirements and movement restrictions related to PRRS and PEDv. One registered speaker at the public hearing left before stating a position. A summary of public comments is included in the attached final rule.

In response to public comments, the Department is proceeding with the proposed rule to repeal current testing requirements and movement restrictions related to PRRS and PEDv.

If the Board approves, the Department will transmit the rule to the Governor for approval.

**THE DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER
PROTECTION'S PROPOSED ORDER TO ADOPT PERMANENT RULES**

PROPOSED ORDER

The Wisconsin Department of Agriculture, Trade and Consumer Protection proposes an order *to repeal* ATCP 10.291, 10.30 (1) (a) 3. and (2) (d) 2., 10.32 (2), 10.87 (1) (d), ATCP 12.02 (8) (m), 12.03 (9) (k), and 12.06 (1m) (k); *to consolidate, renumber, and amend* ATCP 10.30 (2) (d) (title) and 1. and 10.32 (title) and (1); *and to amend* ATCP 10.30 (1) (b) 2. and (2) (b) 2. and 3., *relating to* swine PRRS and PEDv, and affecting small business.

Analysis Prepared by the Department of Agriculture, Trade and Consumer Protection

Statutes Interpreted: Wis. Stat. §§ 95.19 (3), 95.20, 95.22 (2), 95.45 (4) (c)

Statutory Authority: Wis. Stat. §§ 95.19 (3), 95.20, 95.22 (2), 95.45 (4) (c)

Explanation of Agency Authority

Wis. Stat. § 95.19 (3) (a) authorizes the Department to promulgate rules authorizing the transport under a Department permit of an animal exposed to or infected with a contagious or infectious disease for slaughter or other purposes prescribed by the Department. Wis. Stat. § 95.19 (3) (b) authorizes the Department to promulgate rules to specify those contagious or infectious diseases to which the prohibitions of sub. (2) and the rules promulgated under par. (a) apply.

Wis. Stat. § 95.20 authorizes the Department to prohibit or regulate the importing of animals into this state or the movement of animals within this state if the Department has reasonable grounds to believe that regulation or prohibition is necessary to prevent the introduction or spread of a disease in this state that threatens the health of animals or of humans.

Wis. Stat. § 95.22 (2) authorizes the Department to promulgate rules that specify all of the following: the diseases that a veterinarian or the Department of natural resources must report, the deadline for reporting the disease after the date of its discovery, the information that a veterinarian or the Department of natural resources must include in his or her report, and procedures to be used in preparing or submitting the report.

Wis. Stat. § 95.45 (4) (c) authorizes the Department to promulgate rules to impose requirements on the form, issuance, and filing of certificates of veterinary inspection.

Related Statutes and Rules

Related statutes and rules are Wis. Stat. ch. 93 relating to the Department of Agriculture, Trade and Consumer Protection, Wis. Stat. ch. 95 relating to animal health, Wis. Admin. Code ch. ATP 10 relating to Animal Diseases and Movement, and Wis. Admin. Code ch. ATP 12 relating to animal markets, dealers, and truckers.

Plain Language Analysis

The proposed rule would repeal current testing requirements and movement restrictions related to porcine reproductive and respiratory syndrome (PRRS) and porcine epidemic diarrhea virus (PEDv).

The rule with these testing requirements and movement restrictions went into effect in 2018, and was created with input and support from swine producers and industry groups. The main goal of the rule was to control the spread and reduce the prevalence of PRRS and PEDv in Wisconsin. At the time, it was anticipated that other states would develop similar regulations; however, other states have not developed similar regulations. In 2024, the Department received a letter from Wisconsin's largest swine industry group requesting that the Department initiate rulemaking to repeal PRRS and PEDv swine movement rules.

Summary of, and Comparison with, Existing or Proposed Federal Statutes and Regulations

The Department administers animal disease control programs in cooperation with the United States Department of Agriculture Animal and Plant Health Inspection Service (USDA APHIS). This rule does not duplicate or conflict with any federal regulations.

Summary of Comments Received

Public Hearing and Comment Period on Draft Rule

The Department submitted the hearing draft documents to the Legislative Council Rules Clearinghouse on September 18, 2025. On September 22, 2025, the hearing draft documents were published in the Administrative Register, the Department posted the hearing draft documents on the Department website, and the Department sent an email notice to swine premises, veterinarians, animal markets, animal dealers, animal truckers, fairs, and other industry stakeholders.

The Department held a public hearing on Thursday, October 30, 2025, at 9:00AM. The hearing was hybrid, combining in-person access in Madison and remote access via internet and

telephone. The written comment period was open through Monday, November 10, 2025, at 11:59PM.

The Department received comments from 36 commenters. There were 10 speakers at the public hearing, 2 non-speaker position registrations at the public hearing, and 25 written comments received by email, physical mail, through the DATCP website, and through the Clearinghouse Rule website. One (1) speaker at the public hearing also submitted written comments.

Thirty-five (35) commenters expressed support of the rule draft to repeal current testing requirements and movement restrictions related PRRS and PEDv. One (1) registered speaker at the public hearing left before stating a position.

The 35 commenters who stated support of the rule draft expressed some or all of the following:

- 32 of the 35 commenters expressed that the current requirements have created costs and compliance burdens (such as testing expenses, veterinary fees, paperwork, and time delays), as well as frustration for farmers, veterinarians, producers, and/or show pig breeders.
- 24 of the 35 commenters expressed that the current requirements have not reduced the spread or prevalence of PRRS or PEDv in Wisconsin.
- 23 of the 35 commenters expressed that no other state has adopted similar regulations.
- 18 of the 35 commenters expressed that the current requirements leave Wisconsin farmers at a competitive disadvantage.
- 17 of the 35 commenters expressed that the current requirements have not improved swine health or herd health outcomes.
- 14 of the 35 commenters expressed that the proposed rule repeal would reduce costs and administrative burdens, and align Wisconsin with other states.
- 6 of the 35 commenters expressed that the current requirements have created instability, especially near state lines.
- 6 of the 35 commenters expressed that the current requirements put small- and mid-size farms at a competitive disadvantage to larger facilities, due to the proportion of testing costs per pig.
- 5 of the 35 commenters expressed that completing extra PRRS and PEDv testing because the pigs spent time in a local nursery barn is an extra expense and time constraint for small to mid-size farmers. If the pigs tested positive for one of these diseases in the nursery, the pigs would have to stay there to get fed out for market, but the nursery barn does not have enough room to feed out all those pigs to market size. This would result in those pigs being out of compliance and not eligible for their market, and would disrupt the pig flow and cash flow on family farms.
- 4 of the 35 commenters expressed that the current requirements make farmers, producers, and businesses hesitant to invest in Wisconsin.
- 4 of the 35 commenters expressed that the community has very few veterinarians that are willing to help farmers submit samples for testing and fill out a herd plan if the hogs do come back with a positive result.
- 3 of the 35 commenters expressed that the current requirements have made it difficult to continue business operations at times due to movement restrictions.

- 3 of the 35 commenters expressed that work to reduce disease incidences/ support preventative measures/ enhance biosecurity and disease traceability will continue with Wisconsin's participation in the voluntary national Swine Health Improvement Plan (SHIP).
- 3 of the 35 commenters expressed that although the current regulations have broadened the awareness of PRRS and PEDv and addressed biosecurity needs, the negative impacts outweigh the benefits.
- 3 of the 35 commenters expressed that the ELISA test measures antibodies, so it does not differentiate between infection and vaccination or past infection.
- 2 of the 35 commenters expressed that the current requirements leave farmers in neighboring states who ship swine to Wisconsin at a competitive disadvantage.
- 2 of the 35 commenters expressed that the current requirements have caused farmers, producers, and businesses to leave or consider leaving Wisconsin.
- 1 of the 35 commenters expressed that it's impossible to keep PRRS out of the state with a sow kill floor located in Wisconsin, because PRRS spreads as an aerosol.
- 1 of the 35 commenters expressed that after 2018 livestock markets had to designate separate slaughter market days, which was difficult at some markets and caused producers to lose marketing opportunities. A lot of producers didn't want to go through the cost of testing, so the number of hogs going through the markets dropped as people moved to private unregulated sales.
- 1 of the 35 commenters expressed that testing fair pigs adds an unnecessary cost of \$200 to the kids, especially when the only pigs on the farm are fair pigs that are slaughtered within two weeks of the fair, and that testing should have only been required for farrowing operations.
- 1 of the 35 commenters expressed that an additional reason for repealing the current requirements is the lack of yearly results from testing.
- 1 of the 35 commenters expressed that a semi load of pigs with PRRS could cross through Wisconsin and never have to be tested.
- 1 of the 35 commenters expressed that the current rule has not been enforced to the degree intended, and likely most pigs are moving without compliance to the rule.
- 1 of the 35 commenters expressed that in addition to participation in SHIP, Wisconsin is scheduled to be a PEDv pilot state within SHIP, so measures will continue to provide additional insight on opportunities to eradicate endemic diseases like PEDv.
- 1 of the 35 commenters expressed that although the 2018 rule was adopted with good intentions, its practical results have shown that it does not serve Wisconsin's pork industry effectively.
- 1 of the 35 commenters expressed that many farmers manage pigs across multiple states, and the current requirements make interstate transport difficult, which ultimately reduces the number of pigs raised in Wisconsin.
- 1 of the 35 commenters expressed that with a shortage of rural veterinarians in Wisconsin, complying with the current requirements becomes even more difficult.
- 1 of the 35 commenters expressed that although testing is performed before pigs arrive in Wisconsin, animals can still contract these diseases during transport.
- 1 of the 35 commenters expressed that the Wisconsin Pork Association (WPA) offered a rebate program to help offset the costs of testing for producers, and tracked data from over 860 tests. Overall the data showed a low incidence of PRRS and PEDv when

compared to national averages. Over the last 7 years, only 4% and 0.1% of the farms tested were positive for PRRS or PEDv, respectively. Over the past 7 years, fees have averaged \$91.34 per test, and have been as high as \$250 per test. Since 2018, WPA has invested nearly \$200,000 in rebates and analyzing data, not including the cost of staff time to administer the rebate program.

- 1 of the 35 commenters expressed that getting a quarantine letter from the state is very stressful, especially for 4-H kids. If pigs are brought into Wisconsin without a test they get quarantined. Families test to get off of quarantine and sometimes have to test a second time if the first test was 90 days before the county fair, which is costly and anywhere from \$90 to \$200 a piece and an added cost for kids.
- 1 of the 35 commenters expressed that the way the current rule was diluted to make it more feasible for producers to manage but took out the ability to be effective. The current rule does not create 90% confidence of disease testing. The current rule does not include regulations on how to sample and where to sample. The current rule treats a positive ELISA as the same as a positive PCR, and should not. The test being good for 90 days is not helpful for finding positive pigs. Taking veterinarians out of the sampling procedure makes room for people to cheat the system. The herd plans are time consuming and unnecessarily detailed, and it is not possible for veterinarians to find out if the client is following the herd plan. If pigs are moved after the herd plan is written, it defeats the purpose of the herd plan. PRRS can spread on the wind for up to a mile.

In response to public comments, the Department is proceeding with the proposed rule to repeal current testing requirements and movement restrictions related to PRRS and PEDv.

Clearinghouse Comments on Draft Rule

The Department received comments from the Legislative Council Rules Clearinghouse regarding: form, style, and placement in Administrative Code; and conflict with or duplication of existing rules.

The Department made changes to address all Clearinghouse comments regarding form, style, and placement in Administrative Code.

The Department did not make changes regarding conflict with or duplication of existing rules. The Department does not establish testing procedures in rule for other swine diseases in Appendix B. The testing procedure may vary depending on the situation.

Comparison with Rules in Adjacent States

Illinois

Illinois does not have any similar regulations regarding testing requirements or movement restrictions for PRRS and PEDv.

Iowa

Iowa does not have any similar regulations regarding testing requirements or movement restrictions for PRRS and PEDv.

Michigan

Michigan does not have any similar regulations regarding testing requirements or movement restrictions for PRRS and PEDv.

Minnesota

Minnesota does not have any similar regulations regarding testing requirements or movement restrictions for PRRS and PEDv.

Summary of Factual Data and Analytical Methodologies

The proposed rule would repeal current testing requirements and movement restrictions related to PRRS and PEDv.

The rule with these testing requirements and movement restrictions went into effect in 2018, and was created with input and support from swine producers and industry groups. The main goal of the rule was to control the spread and reduce the prevalence of PRRS and PEDv in Wisconsin. At the time, it was anticipated that other states would develop similar regulations; however, other states have not developed similar regulations. In 2024, the Department received a letter from Wisconsin's largest swine industry group requesting that the Department initiate rulemaking to repeal PRRS and PEDv swine movement rules.

It is unknown whether the prevalence of PRRS and PEDv in Wisconsin has decreased due to the rule, so it is unknown whether repealing the rule would impact the prevalence of PRRS and PEDv in Wisconsin.

Analysis and Supporting Documents used to Determine Effect on Small Business or in Preparation of an Economic Impact Analysis

The affected entities would include many small businesses, pursuant to the definition under Wis. Stat. § 227.114 (1). The overall economic impact is anticipated to be minimal or reduced.

Swine producers would be affected by this rule. Direct costs to swine producers would decrease because of the repeal of PRRS and PEDv testing requirements. The rule would also reduce administrative burdens. Also affected by this rule would be animal markets, animal dealers, animal truckers, Wisconsin fairs, swine show organizers, swine exhibitors, veterinarians, veterinary diagnostic laboratories, and slaughter plants. In general, the rule change would result in less recordkeeping, paperwork, and organizational efforts by these entities.

It is unknown whether the prevalence of PRRS and PEDv in Wisconsin has decreased due to the rule, so it is unknown whether repealing the rule would impact the prevalence of PRRS and PEDv in Wisconsin. PRRS is the most expensive disease currently affecting US swine. According to an analysis by Iowa State University, PRRS caused an estimated \$1.2 billion per year in lost production in the US pork industry from 2016 to 2020, an 80% increase from a decade earlier.

The existing rule went into effect in 2018, and was created with input and support from swine producers and industry groups. The main goal of the rule was to control the spread and reduce the prevalence of PRRS and PEDv in Wisconsin. At the time, it was anticipated that other states would develop similar regulations; however, other states have not developed similar regulations. In 2024, the Department received a letter from Wisconsin's largest swine industry group requesting that the Department initiate rulemaking to repeal PRRS and PEDv swine movement rules.

Fiscal Estimate and Economic Impact Analysis

The Fiscal Estimate and Economic Impact Analysis is attached.

Effect on Small Business

The affected entities would include many small businesses, pursuant to the definition under Wis. Stat. § 227.114 (1). The overall economic impact is anticipated to be minimal or reduced. Direct costs to swine producers would decrease because of the repeal of PRRS and PEDv testing requirements. The rule would also reduce administrative burdens. It is unknown whether the prevalence of PRRS and PEDv in Wisconsin has decreased due to the rule, so it is unknown whether repealing the rule would impact the prevalence of PRRS and PEDv in Wisconsin.

The Department's Regulatory Review Coordinator may be contacted by:

Email at Bradford.Steine1@wisconsin.gov

Telephone at (608) 224-5024

The Regulatory Flexibility Analysis is attached.

Department Contact Person

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RULE TEXT

- 1 SECTION 1. ATCP 10.291 is repealed.
- 2 SECTION 2. ATCP 10.30 (1) (a) 3. is repealed.
- 3 SECTION 3. ATCP 10.30 (1) (b) 2. is amended to read:

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date 8/26/25
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) ATCP 10 (Animal Disease and Movement) and ATCP 12 (Animal Markets, Dealers and Truckers)	
4. Subject Swine PRRS and PEDv, and affecting small business	
5. Fund Sources Affected <input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected 20.115 (2) (a)
7. Fiscal Effect of Implementing the Rule <input checked="" type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget	
8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input checked="" type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input checked="" type="checkbox"/> Small Businesses (if checked, complete Attachment A)	
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0 (reduced cost to businesses and individuals)	
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11. Policy Problem Addressed by the Rule The proposed rule would repeal current testing requirements and movement restrictions related to porcine reproductive and respiratory syndrome (PRRS) and porcine epidemic diarrhea virus (PEDv). The rule with these testing requirements and movement restrictions went into effect in 2018, and was created with input and support from swine producers and industry groups. The main goal of the rule was to control the spread and reduce the prevalence of PRRS and PEDv in Wisconsin. At the time, it was anticipated that other states would develop similar regulations; however, other states have not developed similar regulations. In 2024, the department received a letter from Wisconsin's largest swine industry group requesting that the department initiate rulemaking to repeal PRRS and PEDv swine movement rules.	
12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. In 2024, the department received a letter from Wisconsin's largest swine industry group requesting that the department initiate rulemaking to repeal PRRS and PEDv swine movement rules.	
13. Identify the Local Governmental Units that Participated in the Development of this EIA. Not applicable.	
14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred) The affected entities would include many small businesses, pursuant to the definition under Wis. Stat. § 227.114 (1). The overall economic impact is anticipated to be minimal or reduced. Swine producers would be affected by this rule. Direct costs to swine producers would decrease because of the repeal of PRRS and PEDv testing requirements. The rule would also reduce administrative burdens. Also affected by this rule would be animal markets, animal dealers, animal truckers, Wisconsin fairs, swine show organizers, swine exhibitors,	

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

veterinarians, veterinary diagnostic laboratories, and slaughter plants. In general, the rule change would result in less recordkeeping, paperwork, and organizational efforts by these entities.

It is unknown whether the prevalence of PRRS and PEDv in Wisconsin has decreased due to the rule, so it is unknown whether repealing the rule would impact the prevalence of PRRS and PEDv in Wisconsin. PRRS is the most expensive disease currently affecting US swine. According to an analysis by Iowa State University, PRRS caused an estimated \$1.2 billion per year in lost production in the US pork industry from 2016 to 2020, an 80% increase from a decade earlier.

The existing rule went into effect in 2018, and was created with input and support from swine producers and industry groups. The main goal of the rule was to control the spread and reduce the prevalence of PRRS and PEDv in Wisconsin. At the time, it was anticipated that other states would develop similar regulations; however, other states have not developed similar regulations. In 2024, the department received a letter from Wisconsin's largest swine industry group requesting that the department initiate rulemaking to repeal PRRS and PEDv swine movement rules.

15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The affected entities would include many small businesses, pursuant to the definition under Wis. Stat. § 227.114 (1). The overall economic impact is anticipated to be minimal or reduced. Direct costs to swine producers would decrease because of the repeal of PRRS and PEDv testing requirements. The rule would also reduce administrative burdens. It is unknown whether the prevalence of PRRS and PEDv in Wisconsin has decreased due to the rule, so it is unknown whether repealing the rule would impact the prevalence of PRRS and PEDv in Wisconsin.

Without the proposed rule, the current PRRS and PEDv testing requirements and movement restrictions would remain in place.

16. Long Range Implications of Implementing the Rule

Direct costs to swine producers would decrease because of the repeal of PRRS and PEDv testing requirements. The rule would also reduce administrative burdens. It is unknown whether the prevalence of PRRS and PEDv in Wisconsin has decreased due to the rule, so it is unknown whether repealing the rule would impact the prevalence of PRRS and PEDv in Wisconsin.

17. Compare With Approaches Being Used by Federal Government

The department administers animal disease control programs in cooperation with the United States Department of Agriculture Animal and Plant Health Inspection Service (USDA APHIS). This rule does not duplicate or conflict with any federal regulations.

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois

Illinois does not have any similar regulations regarding testing requirements or movement restrictions for PRRS and PEDv.

Iowa

Iowa does not have any similar regulations regarding testing requirements or movement restrictions for PRRS and PEDv.

Michigan

Michigan does not have any similar regulations regarding testing requirements or movement restrictions for PRRS and PEDv.

Minnesota

Minnesota does not have any similar regulations regarding testing requirements or movement restrictions for PRRS and PEDv.

19. Contact Name

Angela Fisher

20. Contact Phone Number

608-224-5051

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

The affected entities would include many small businesses, pursuant to the definition under Wis. Stat. § 227.114 (1). The overall economic impact is anticipated to be minimal or reduced. Direct costs to swine producers would decrease, because of the repeal of PRRS and PEDv testing requirements. The rule would also reduce administrative burdens. It is unknown whether the prevalence of PRRS and PEDv in Wisconsin has decreased due to the rule, so it is unknown whether repealing the rule would impact the prevalence of PRRS and PEDv in Wisconsin.

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

The affected entities would include many small businesses, pursuant to the definition under Wis. Stat. § 227.114 (1). The overall economic impact is anticipated to be minimal or reduced.

Swine producers would be affected by this rule. Direct costs to swine producers would decrease, because of the repeal of PRRS and PEDv testing requirements. The rule would also reduce administrative burdens. Also affected by this rule would be animal markets, animal dealers, animal truckers, Wisconsin fairs, swine show organizers, swine exhibitors, veterinarians, veterinary diagnostic laboratories, and slaughter plants. In general, the rule change would result in less recordkeeping, paperwork, and organizational efforts by these entities.

It is unknown whether the prevalence of PRRS and PEDv in Wisconsin has decreased due to the rule, so it is unknown whether repealing the rule would impact the prevalence of PRRS and PEDv in Wisconsin. PRRS is the most expensive disease currently affecting US swine. According to an analysis by Iowa State University, PRRS caused an estimated \$1.2 billion per year in lost production in the US pork industry from 2016 to 2020, an 80% increase from a decade earlier.

The existing rule went into effect in 2018, and was created with input and support from swine producers and industry groups. The main goal of the rule was to control the spread and reduce the prevalence of PRRS and PEDv in Wisconsin. At the time, it was anticipated that other states would develop similar regulations; however, other states have not developed similar regulations. In 2024, the department received a letter from Wisconsin's largest swine industry group requesting that the department initiate rulemaking to repeal PRRS and PEDv swine movement rules.

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- ☒ Less Stringent Compliance or Reporting Requirements
- ☐ Less Stringent Schedules or Deadlines for Compliance or Reporting
- ☐ Consolidation or Simplification of Reporting Requirements
- ☐ Establishment of performance standards in lieu of Design or Operational Standards
- ☐ Exemption of Small Businesses from some or all requirements
- ☒ Other, describe:

Repealing testing and reporting requirements

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

No accommodation for small business would be needed for this proposed rule. The proposed rule would repeal current testing requirements and movement restrictions, which would reduce direct costs and administrative burdens.

5. Describe the Rule's Enforcement Provisions

Not applicable. The proposed rule would repeal current testing requirements and movement restrictions.

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- ☐ Yes ☒ No

Wisconsin Department of Agriculture, Trade and Consumer Protection

Regulatory Flexibility Analysis

Rule Subject: Swine PRRS and PEDv, and affecting
small business
Adm. Code Reference: ATCP 10 and 12
Rules Clearinghouse No.: CR 25-075
DATCP Docket No.: 25-R-03

Rule Summary

The proposed rule would repeal current testing requirements and movement restrictions related to porcine reproductive and respiratory syndrome (PRRS) and porcine epidemic diarrhea virus (PEDv).

The rule with these testing requirements and movement restrictions went into effect in 2018, and was created with input and support from swine producers and industry groups. The main goal of the rule was to control the spread and reduce the prevalence of PRRS and PEDv in Wisconsin. At the time, it was anticipated that other states would develop similar regulations; however, other states have not developed similar regulations. In 2024, the department received a letter from Wisconsin's largest swine industry group requesting that the department initiate rulemaking to repeal PRRS and PEDv swine movement rules.

Small Businesses Affected

The affected entities would include many small businesses, pursuant to the definition under Wis. Stat. § 227.114 (1). The overall economic impact is anticipated to be minimal or reduced.

Swine producers would be affected by this rule. Direct costs to swine producers would decrease because of the repeal of PRRS and PEDv testing requirements. The rule would also reduce administrative burdens. Also affected by this rule would be animal markets, animal dealers, animal truckers, Wisconsin fairs, swine show organizers, swine exhibitors, veterinarians, veterinary diagnostic laboratories, and slaughter plants. In general, the rule change would result in less recordkeeping, paperwork, and organizational efforts by these entities.

It is unknown whether the prevalence of PRRS and PEDv in Wisconsin has decreased due to the rule, so it is unknown whether repealing the rule would impact the prevalence of PRRS and PEDv in Wisconsin. PRRS is the most expensive disease currently affecting US swine. According to an analysis by Iowa State University, PRRS caused an estimated \$1.2 billion per year in lost production in the US pork industry from 2016 to 2020, an 80% increase from a decade earlier.

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Reporting, Bookkeeping and other Procedures

The proposed rule does not create any new reporting, bookkeeping, or other procedures. The proposed rule would repeal current testing requirements and movement restrictions.

Professional Skills Required

The proposed rule does not create any new professional skills requirements.

Accommodation for Small Business

No accommodation for small business would be needed for this proposed rule. The proposed rule would repeal current testing requirements and movement restrictions, which would reduce direct costs and administrative burdens.

Conclusion

The affected entities would include many small businesses, pursuant to the definition under Wis. Stat. § 227.114 (1). The overall economic impact is anticipated to be minimal or reduced. Direct costs to swine producers would decrease because of the repeal of PRRS and PEDv testing requirements. The rule would also reduce administrative burdens. It is unknown whether the prevalence of PRRS and PEDv in Wisconsin has decreased due to the rule, so it is unknown whether repealing the rule would impact the prevalence of PRRS and PEDv in Wisconsin.

Dated this 9th day of December, 2025.

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By Darlene M. Konkle
Darlene Konkle, DVM, MS, DACVIM
State Veterinarian and Division Administrator
Division of Animal Health