

**MINUTES OF THE 366th COMMISSION MEETING
TEXAS ANIMAL HEALTH COMMISSION
February 19, 2008**

Item 1 - Welcome and call to order by Chairman Morales

The Texas Animal Health Commission Meeting was called to order by Chairman Ernie Morales at 8:30 a.m. in the Texas Animal Health Commission conference room. Chairman Morales introduced the new commissioners: Dicky Winters representing the Exotic Livestock and Fowl industry, Ken Jordan representing the Livestock Market industry, Mark Wheelis representing the Equine industry, and Randy Brown representing the General Public. Two commissioners were reappointed: Chuck Real representing the Swine industry and Dr. William Edmiston representing the Sheep and Goat industry. Mr. Ernie Morales was appointed Chairman of Texas Animal Health Commission replacing outgoing chairman, Mr. Richard Traylor.

Commissioner Mike Vickers was not present.

Item 2 - Approval of Minutes

A motion to approve the minutes of the 365th Commission Meeting held on November 20, 2007 was made by Commissioner Simmons and seconded by Commissioner Locke. The motion carried unanimously.

Item 3 – Report of the Executive Director and Approval of Actions for the Period 11/20/07 through 2/19/08.

An Out-Of-Office report describing meetings and trips from November 20, 2007 through February 18, 2008 was contained in the Commissioners' notebooks. This information was not presented as part of the oral report.

Dr. Hillman expressed his sincere appreciation for the efforts of the outgoing commissioners. They served the livestock industries, the public and the agency very well during their tenure on the Commission. He also welcomed the four new commissioners and the two commissioners who were reappointed.

Dr. Hillman presented a report of significant activities and issues that occurred since the last commission meeting.

Animal Identification

TAHC continues outreach efforts to register Texas Premises for those producers who seek to have their premises registered. A mass mailing conducted at the end of 2007 resulted in approximately 2500 new applications for a premises identification number. The total Texas premises registered as of February 11, 2008 was 30,554. This is approximately 16% of total premises that USDA has estimated for the state. Nationally, approximately 32% of total premises have been registered.

TAHC has purchased 13 handheld computers and equipped them with a USDA developed software package that includes a tuberculosis test chart to evaluate their effectiveness in reading RFID tags directly into the handheld and the electronic transfer of the data to a laptop. Following satisfactory results, 40 additional units with the USDA tuberculosis program software package were ordered and received. An additional software package has been ordered for use on agency laptop computers for electronic data collection and transfer. These capabilities will allow staff to collect information and populate tuberculosis or brucellosis test charts using handheld devices and then electronically transfer the data to the lab, area offices, epidemiologist, and into the animal disease control database.

At the November 2007 Commission meeting, the agency delayed until March 31, 2008, full implementation of the intrastate provisions of the dairy cattle identification regulation which was approved by commissioners in September. During this extended grace period, TAHC has worked with USDA to make USDA silver metal eartags (brucellosis tags) available to dairymen for identification of their animals. Distribution of the tags is being managed through the TAHC area offices. The tags are provided at no cost to the dairy producer. Other options, including utilization of RFID tags are still available.

Fever Ticks

- The number of fever tick infested premises has increased to ninety-two (92) at the end of January 2008. Sixty-three (63) are in the Tick Eradication Quarantine Area and twenty-nine (29) in the Temporary Preventive Quarantine Areas and other portions of the Free Area.
- Fever tick infested wildlife were identified on twenty-three (23) of the fifty-two (52) new infested premises. To date this fiscal year, fever ticks have been found on forty-eight (48) head of wildlife.
- The emergency \$13 million funding request for Commodity Credit Corporation funds developed by Veterinary Services has been submitted by Undersecretary Knight to the Office of Management and Budget. We are hopeful that Mr. Knight will visit South Texas in the near future to gain insight into the fever tick problems. We do not know when the requested funds will be forthcoming.
- At the previous Commission meetings the need for development of additional treatment options for the elimination of fever ticks were noted. The Agriculture Research Service (ARS) developed some potential products, including mixing ivermectin into molasses as a treatment product to eliminate fever ticks on cattle. In January a meeting was held in Washington, DC, with representatives from Veterinary services, ARS, FDA and EPA to discuss the potential for approval of ivermectin-molasses as a fever tick treatment. I participated in this meeting as a representative of TAHC. The results of the meeting were discouraging as neither FDA nor EPA was inclined to look favorably at the use of this product as a medicated feed.
- TAHC and USDA staff continues to make presentations and reports at industry and public meetings in the fever tick impact areas and at statewide meetings.

Tuberculosis

- TAHC and USDA, VS – Texas staff continue with significant Bovine Tuberculosis program activities. The TAHC Chairman and the Executive Director participated in border states animal health official meetings and BiNational TB Committee meetings in Reno in early February. Based on information provided at these meetings, we anticipate that USDA will publish the long-anticipated proposed domestic and international TB regulations in the coming months. The proposed “roping steer” rule has been sent back to staff for additional work. The proposed rules will need to be carefully evaluated when they are published.
- Dr. Ellis provided additional details about Bovine TB activities in his Animal Health Programs report.

Brucellosis

- The State of Texas has finally been classified by USDA as a Brucellosis Class-Free state. Notice of the change in status was published in the Federal Register, as an interim rule, effective February 1, 2008. Texas was the last state in the country to achieve Brucellosis-Free status.
- While Texas has reached a milestone in the brucellosis program, it is important to continue brucellosis surveillance to assure that any unidentified infection or new introductions of the disease can be rapidly identified. The national brucellosis program standards recommend that first-point testing be continued for two years after a state

achieves free status. Additionally, slaughter surveillance will be continued for a number of years into the future to identify any re-introduction of disease and to document that the U.S. is free of the disease.

- Dr. Ellis provided additional Brucellosis Program information in his Animal Health Programs report

Legislative, Budget and Personnel Issues

- During the last legislative session a rider was included in the TAHC budget bill. The rider – The 2008 General Appropriations Act, Animal Health Commission Rider 12: Transfer Study, requires the Legislative Budget Board (LBB) to prepare a study evaluating the feasibility, and related fiscal impact, of transferring the Animal Health Commission (AHC) to the Texas Department of Agriculture. The review team, led by Keith Yawn, prepared an initial request for information to obtain data necessary to conduct the study. This request was submitted to TAHC in early January for a response. TAHC's full response was provided to the LBB by February 1, 2008, which was the deadline for response. A copy of this response was included in the Commissioners' notebooks.
- The Feral Swine Working Group, under the chairmanship of Commissioner Chuck Real, continues to work on rulemaking relative to feral swine.
- The agency budgetary condition is stable. At the current time, TAHC does not have a cooperative agreement for fever tick activities, except for a small pass through cooperative agreement for procurement of doramectin. The CCC fund request does include an earmark for a TAHC cooperative agreement.
- TAHC continues to experience staff changes with retirements and subsequent recruitment of new staff. Dr. Thurman Fancher, Director of Area 6 and Mr. Bill Powers, Government and Industry Relations Liaison are retiring. Both of these staff members will be missed.

Waivers

There were two requests for waiver received by the Executive Director since the last Commission Meeting:

- The first was a request to waive the requirement that ewe lambs born to scrapie infected ewes be destroyed. The request was to waive this requirement for one ewe lamb. This request for waiver was not approved.
- The second request was for a two-week extension of the brucellosis test interval for re-certification of a herd for brucellosis because of scheduling conflicts. The waiver request was approved.

Planned Future Activities

- Fever Tick Activities
- TB Program Activities
- Animal identification activities
- FAZD committee meeting
- Presentation at TVMA meeting
- Participation in industry organization meetings
- Participation in a USAHA strategic planning session
- NAHLN meeting
- Southern Animal Health Association Meeting

Commissioner Edmiston moved and Commissioner Dyess seconded the motion to approve the actions of the Executive Director for the period from November 20, 2007 through February 19, 2008. The motion carried unanimously.

Item 4 – Appointment of Audit Subcommittee Member

Commissioner Coleman Locke moved and Commissioner Ralph Simmons seconded a motion to approve the appointment of Commissioner Randy Brown to fill the existing vacancy on the Audit Subcommittee. The motion carried.

Item 5 – Audit Subcommittee Report

Commissioner Reta Dyess, Chair of the Audit Subcommittee gave a report of the Audit Subcommittee meeting held at 8:00 a.m. All members of the Subcommittee were present. The following items were covered:

- Review of the September 18, 2007 Audit Subcommittee Minutes – Approved by Subcommittee
- The Annual Audit Report for Fiscal Year 2007 – Approved by Subcommittee
- An Audit of the Program Records Department – Approved by Subcommittee
- A Review of the 2006 Audit of Fixed Assets – Approved by Subcommittee
- There was no Public Comment

Commissioner Reta Dyess moved and Commissioner Coleman Locke seconded a motion to approve the Audit Subcommittee Report as presented today. The motion carried unanimously.

Item 6 – Presentation of Animal Health Activities Update and Animal Disease & Epidemiological Report – Dr. Dee Ellis

A. ANIMAL HEALTH PROGRAMS

Bovine Brucellosis

- Brucellosis Free Status – Texas will continue close surveillance. There will be some lag time before other states will change their entry requirements based on the Brucellosis Free Status of Texas. Each state should be contacted regarding their specific regulations prior to movement.
- Continuing to see suspect/reactor titers
- B. suis and B. Strain 19 continue to be cultured

Bovine Tuberculosis

- April 1, 2008 is the new enforcement deadline for dairy identification rule implementation.
- USDA will provide free metal (silver) eartags. TAHC staff ordered 170,000 tags for the first few months of implementation. Owners must keep a log of what tags were used.
- Bucking Bull update – 160 traces closed – 1 herd remaining to test
- Area 1 is working on a pilot project with Oklahoma dairy and Texas calf ranch
- A newly detected infected dairy was disclosed in California which has generated a number of traces of cows and calves into Texas.

Poultry

- HPAI Surveillance in backyard flocks continues
- Live bird market owner discussions have been held in preparation for possible rule proposals – formalizing surveillance agreements with markets and suppliers.
- There have been infectious Laryngotracheitis investigations in Northeast Texas resulting from interception of smuggled birds from Oklahoma – No disease confirmation but 4 flocks were depopulated as a precaution.

Sheep and Goats

- Scrapie traces continue but seem to be declining – 26 sheep/3 goats pending – no infection found this year
- No infected herds in Texas
- National incidence in black face slaughter cases decreased by 38% in 2007
- USDA studying goat prevalence through national slaughter surveillance initiative

Swine

- Feral Swine Working Group - Recommendations will be presented and possible rule proposal will be ready for next Commission meeting.
- Final issues identified:
 - (1) Release of males to hunting preserves – id required (?)
 - (2) Fencing/biosecurity requirements for hunting preserves
 - (3) New definitions for swine classes
- Texas has submitted request for swine brucellosis free classification
- USDA swine brucellosis review tentatively scheduled for fall '08.
- Coordination with Wildlife Services for feral swine abatement activities
- 3 PRV herds detected
- USDA funding issues continue for depopulation and trace indemnity money

Equine

- Dr. Ellis named chair of USAHA EIA sub-committee
- USDA may consider funding EIA eradication program following CFR change
- Introduction of resolution at next USAHA meeting possible – will coordinate with Texas and national industry representatives.

Fever Tick Activities

- Continue to supply inspectors from across the state to supplement response efforts
- Area 5 management actively involved weekly in Carrizo quarantine area
- Surveillance activities

B. EMERGENCY MANAGEMENT ACTIVITIES

- TAHC now has a full Emergency Management staff.
- Two TAHC vets will attend Foreign Animal Disease Diagnostician training in Plum Island for two weeks in April
- Currently updating Agency Mapping capability – GIS/GPS layering and software proficiency
- Working with TAMU FAZD center and Lawrence Livermore National Laboratory in California on FMD Modeling projects for interstate livestock movements and resource needs
- The Animal Issue Committee (AIC) guidance document is complete for Local Planning
- Texas Homeland Security strategic planning and grant activities are underway
- Emergency Management staff are developing a guidance document/template for events and functions to assist Counties in developing their plans.

Item 7 – Administration/Budget Status Report

Angela Lucas introduced Ms. Angela Jenkins, the new Director of Financial Services. Angela Lucas then presented a report of the agency's budget for Fiscal Year 2008 as of January 31, 2008.

- The Method of Financing Report was adjusted from the last Commission Meeting reflecting updated Federal Funding estimates and projected premise registration revenues .
- The report by Budget Category indicates all items are on target.
- Everything is on target on the Budget & Expenditures by Department report.

Commissioner Locke moved and Commissioner Baca seconded a motion to approve adjustments to the Fiscal Year 2008 Operating Budget as discussed today. The motion carried unanimously.

Item 8 – Consideration of Possible Action on Agency Contracts and Purchases

The following information was presented:

Contracts, Purchases, Leases Greater than \$5,000 but Less Than \$10,000 for the period:
11/07/07 through 01/31/08

- Absorbance Microplate Reader for Gamma – TB Testing – \$5,762.00
- Microplate Washer for Gamma – TB Testing - \$5,848.00
- Cattle Insecticide/Dip:CoRal – 10 cases - \$7,615.00
- Infocus DLP Projector – 5 - \$5,945.00
- Maintenance for Lab PCFIA Screen Machines – 9 - \$8,000

Contracts, Purchases, Leases \$10,000 or Greater for the period 11/01/07 through 1/31/08

- Janitorial Service - \$22,200.00
- Hand held two-way radios and accessories - \$40,000.00
- Emergency Management – local planning assistance - \$20,000

Commissioner Dyess moved and Commissioner Simmons seconded a motion to approve the contracts and purchases request for the period from November 1, 2007 through January 31, 2008. The motion carried unanimously.

Item 9 – Presentation of Awards

Retirement awards were presented by Dr. Bob Hillman to Mr. Bill Powers, Governmental and Industry Relations Liaison and Dr. Thurman Fancher, Area 6 Director.

Item 10 – Consideration of and Possible Action on Regulation PROPOSALS Regarding: Chapter 55, Swine, Section 55.3, the testing of swine.

Commissioner Real moved and Commissioner Locke seconded a motion to PROPOSE amendments to Chapter 55, Swine, Section 55.3, located in the Texas Administrative Code, regarding the testing of swine, as discussed today. The motion carried unanimously.

Item 11 – Consideration of and Possible Action on Regulation ADOPTIONS: Chapter 35, Brucellosis, Subchapter D, Eradication of Brucellosis in Cervidae, regarding herd certification

Commissioner Winters moved and Commissioner Reta Dyess seconded a motion to APPROVE amendments to Chapter 35, Brucellosis, Subchapter D, Eradication of Brucellosis in cervidae located in the Texas Administrative Code, as discussed. The motion carried unanimously.

Item 12 – – Recognition of Public Comment

Ken Horton, representing the Texas Pork Producers Association provided comments regarding Item 10 – the Regulation PROPOSAL regarding Chapter 55, Swine, Section 55.3, the testing of swine.

Item 13 – Set Date for the 367th Meeting

367th Meeting – May 15, 2008 – 8:30 am – Audit Subcommittee at 8:00 am

368th Meeting – July 29, 2008

Item 14 – Adjourn

Adjourned at 10:07 am