

**MINUTES OF THE 358th COMMISSION MEETING  
TEXAS ANIMAL HEALTH COMMISSION  
February 16, 2006**

The Texas Animal Health Commission Meeting was called to order by Chairman Richard Traylor at 8:00 a.m. in Salon D at the Red Lion Hotel, 6121 North IH-35, Austin, TX.

Commissioners Chuck Real and Ron Davenport were not present

**Item 1 - Welcome and call to order by Chairman Traylor**

**Item 2 - Approval of Minutes**

A motion to approve the minutes of the 357th Commission Meeting held on December 6, 2005 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 12/6/05 through 2/15/06**

Dr. Hillman presented a report of significant activities and issues that occurred from December 6, 2005 through February 15, 2006.

Significant activities discussed:

**Animal Identification Issues**

The majority of activities relative to animal identification conducted during this period were related to the proposed premises identification rule. These activities included:

- Media interviews
- Meetings with several industry organizations to discuss animal id and the proposed rules.
- Review of comments received and the development of a response to comments regarding the proposed Premises Registration regulations
- Attended a meeting with Secretary Johanns to discuss animal id and animal tracking issues.

**Fever Ticks**

- The number of fever tick infested premises has continued to decline from the high of 122 infested premises last summer. However, the tick force has continued to identify new infested premises each month of the fall and winter. At the end of January, 2006 there were 33 infested herds in the Tick Quarantine Area and 23 infested herds in the Free Area for a total of 56 infested herds. This is a reduction by 16 herds since October, 2005. This downward trend is good news and reflects a lot of hard work by owners of infested premises, the federal tick force and TAHC staff.
- We are working with USDA to complete a draft Strategic Plan for the Fever Tick program. A number of needs have been identified which include additional staff and equipment, increased maintenance budget, additional research, and increased efforts with Mexico to gain control of the fever tick in Northern Mexico.
- The Executive Director participated in the BiNational Tick Committee meetings held in January in conjunction with the NCBA meeting.

**Tuberculosis**

- Testing of beef purebred and seedstock beef herds is almost completed.
- USDA has announced the intent to publish a proposed TB rule which would define the test eligible age for cattle moving in interstate commerce. The major challenge for Texas is that we, along with New Mexico and California, have operated under a waiver of the test requirements for interstate movement of stocker and feeder heifers since 2002. A

change in the CFR would likely eliminate the waiver. If Texas has not attained Free Status by the time the change in the CFR occurs, removal of the waiver would have a significant impact on our cattle industry.

- We have submitted to USDA a request for a TB program review and reclassification to Free Status.

Dr. Dee Ellis will provide additional TB program information in his Animal Health Activities report.

#### **Brucellosis**

- We have not identified any new Brucellosis infected herds since the last Commission meeting. Dr. Ellis and Dr. Max Coats will provide additional program details in their reports.

#### **Rulemaking and Fees**

- The Premises Registration and Fee rule is before the Commission for action today. Mr. Gene Snelson will present the rule later in the agenda and the Executive Director will make a presentation about premises and animal identification at that time.

#### **Budget Issues 2006/2007**

- First point testing numbers continue to run well ahead of last year and may continue this trend for some time because of the drought. Additionally, we do not have new cooperative agreements for TB or Fever Ticks.
- We are continuing the freeze on merit raises and we are holding vacant positions open as long as possible to conserve resources. We have also put on hold the potential lease of additional space because of budget concerns.

#### **Sunset Review**

- TAHC management staff continues to provide information and answer questions for Sunset Commission staff. We anticipate that Sunset Commission staff will present its report and recommendations from the review of TAHC to the Sunset Commission in early May.

#### **Waivers**

- Since the December 6, 2005 Commission meeting, TAHC has approved seven requests for waiver. Six of these requests were for movement of cattle between Texas and New Mexico for grazing under commuter herd agreements. The other request was for waiver of the Fever Tick dipping schedule on a tick infested premises to reduce the load of off-host ticks on the premises and reduce the potential spread to wildlife hosts.

#### **Planned Activities**

- Continue NAIS Implementation Projects
- Animal Identification Meetings
- Texas Sheep and Goat Raisers Association Meeting
- Texas and Southwestern Cattle Raisers Association meeting
- Western States Livestock Health Association meeting – March in Reno
- SAHA meeting scheduled for April 18 – 20, 2006
- Participate in meetings of stakeholder organizations
- Fever tick program activities – strategic planning
- Sunset Review activities
- Strategic Planning

Dr. Hillman also provided a written report of his out-of-office meetings and trips from December 6, 2005 through February 15, 2006.

A motion to approve the actions of the Executive Director for the period from 12/6/2005 through 2/15/06 was made by Commissioner Martinez and seconded by Commissioner Dyess. The motion carried unanimously.

#### **Item 4 – Presentation of Animal Disease Report**

Dr. Coats provided a verbal and written presentation on animal disease activities.

Animal Disease updates included:

- Cattle Brucellosis - One quarantined cattle herd as of January 31, 2006
- Japanese Cattle – 82 left – (72 head in Area 4 and 10 head in Area 7)
- Indemnity – FY 2006 – Federal \$33,871.33; State 0.00; TOTAL: \$33,871.33
- Ticks – 56 premises under an infested quarantine; 290 adjacent or check premises –
- Tuberculosis – No herds are currently quarantined for Tuberculosis
- EIA – Calendar Year 2004 – 259,582 tests - .03% of infection; Calendar Year 2005 – 239,036 tests - .02% of infection; Calendar Year 2006 – 20,513 - .02% of infection
- Swine – Currently there are no swine herds under quarantine for Pseudorabies or Brucellosis; Swine First Point Testing – October 1998 through January 2006 – total tests conducted 52,313
- Scrapie – Two flocks have been disclosed in 2006
- CWD – State whole herd monitoring program continuing – 504 total herds enrolled; TPWD, effective June 21, 2005, will not issue any out-of-state purchase permits for white-tailed deer and mule deer. Texas now has over 10,300 negative CWD samples with no positives. A CWD rule was written and published by USDA//APHIS for public review and comment on Dec. 23, 2003; the public comment period closed on Feb. 23, 2004. Release of the revised rules is still pending. The monitoring and surveillance intrastate program for elk was approved by the Commission at the August 16, 2005 meeting.
- Poultry – The following countries have imposed restrictions of Texas origin poultry/poultry products as a result of the Avian Influenza outbreaks in the US – Argentina, Brazil, Columbia, Egypt, French Polynesia, Hong Kong, India, Indonesia, Kazakhstan, Mexico, Peru, South Africa, South Korea, Sri Lanka, Taiwan

#### **Item 5 – Administration/Budget Status Report**

Mike Jensen, Deputy Director of Finance and Administration presented the TAHC – Method of Financing – Fiscal Year 2006 report as of January 31, 2006. He also presented by Budget Category and Department summaries of the cumulative expenditures and the balances as of 1/31/06. As of January 31, 2006, 33.60% of the budget had been spent.

Commissioner Edmiston moved and Commissioner Wood seconded the motion to approve adjustments to the Fiscal Year 2006 Operating Budget as discussed today. The motion carried unanimously.

#### **Item 6 – Animal Health Activities**

Dr. Dee Ellis presented updated information regarding Animal Health Activities and provided summary materials in the Commission notebooks.

##### Current Tuberculosis Test Statistics:

- Statistics handout was provided in the Commissioners Notebooks
- Purebred Beef/Seedstock Herds on target
- Target to finish testing by year end
- No newly infected herds detected
- Approximately \$200,000 in cooperative funds left
- Request for USDA to establish Free state status sent
- Brucellosis – Still one infected herd – Area 2

- Scrapie – New Cooperative Agreement requested
- Contains \$330,000 for voluntary surveillance testing
- Helps producer identify resistant rams
- Helps TAHC find infected flocks

Emergency Management

- State Animal Response Team (SART) Planning with TVMA and others
- County Animal Issues Committees
  1. 35 Counties with committees, 100 more organizing
  2. County committees develop county animal response plans (CART)
  3. Governor has declared disaster planning will include regional level COG's
- Governor's Division of Emergency Management requests hurricane evacuation plan
  1. TAHC established as lead agency for animal evacuation issues
  2. All communities in surge zone to have evacuation plan by May 1
- TAHC will help train all county agents for CART support
- Texas Homeland Security implementation plan for animals submitted
- First Texas Homeland Security Critical Infrastructure meeting held

**Item 7 – Consideration of and Possible Action on Agency Contracts and Purchases.**

Contracts, purchases, leases greater than \$5,000 but less than \$10,000 for the period December 1, 2005 through January 31, 2006

- Four – BOVIGAM Mycobacterium bovis Gamma Interferon Test Kits - \$8, 920.00

Contracts, purchases, leases \$10,000 or greater for the period December 1, 2005 through January 31, 2006

- Two (2) Temporary Data Entry Operators - \$18,624.00

Commissioner Rangel moved and Commissioners Martinez and Edmiston seconded the motion to approve the contracts and purchases request for the period from December 1, 2005 through January 31, 2006. The motion carried unanimously.

**Item 8 – Presentation of the National Animal Identification System (NAIS)**

Prior to Dr. Hillman making his presentation, Chairman Traylor gave a brief background explanation regarding the Premises Registration Regulations. He explained that following Dr. Hillman's presentation public comment would be taken from those who completed the requested cards. Each individual would be given 3 minutes to speak. Dr. Hillman gave an overview of the Premises and Animal Identification Program.

**Item 9 – Consideration of and possible action on Regulation ADOPTION regarding: Chapter 50: New Chapter for Premises and Animal Identification**

Gene Snelson, General Counsel presented the proposed regulations for implementing the Premises and Animal Identification Program including staff recommended changes resulting from public comments received during the comment period. This Chapter contains five sections: 50.1 Definitions; 50.2 Registration Information; 50.3 Registration Requirements and Fees; 50.4 Public Information; and 50.5 Violations.

Following Mr. Snelson's presentation of the proposed regulations, Chairman Traylor opened the floor for public comment. Sixty-two individuals provided public comment.

Following all public comment, there was discussion by the Commissioners regarding the proposed regulations. The comments were directed to all those in attendance at the Commission Meeting.

Following discussion by the Commissioners, Commissioner Windham moved and Commissioner

Locke seconded the motion to postpone action regarding the adoption of regulations. The motion carried unanimously.

**Item 12– Recognition of Public Comment**

Public Comment was taken under Item 9

**Item 13 – Set Dates for the 359<sup>th</sup> & 360<sup>th</sup> Meeting**

359<sup>th</sup> Meeting – May 4, 2006

360<sup>th</sup> Meeting – August 1, 2006

**Item 14 – Adjourn**

The meeting adjourned at 4:00 pm