TEXAS ANIMAL HEALTH COMMISSION
2105 KRAMER LANE
AUSTIN, TEXAS 78758

AUDIT SUBCOMMITTE MEETING AGENDA
May 24, 2016 8:00 A.M.

1.	WELCOME AND CALL TO ORDER	MR. JOE LEATHERS
2.	APPROVAL OF THE FEBRUARY 16, 2016, MEETING MINUTES (Action Item)	MR. LEATHERS
3.	AUDIT OF FEDERAL FUNDS MANAGEMENT (Action Item)	MR. MONDAY RUFUS
4.	PUBLIC COMMENT	MR. LEATHERS
5.	ADJOURNMENT	MR. LEATHERS

Meeting Accessibility: Under the Americans with Disabilities Act, an individual with a disability must have equal opportunity for effective communication and participation in public meetings. Upon request, agencies must provide auxiliary aids and services, such as interpreters for the deaf and hearing impaired, readers, large print or Braille documents. In determining the type of auxiliary aid or service, agencies must give primary consideration to the individual's request. Those requesting auxiliary aids or services should notify the contact person listed on the meeting notice several days before the meeting by mail, telephone, or RELAY Texas. TTY: 7-1-1

TEXAS ANIMAL HEALTH COMMISSION
AUDIT SUBCOMMITTEE MEETING MINUTES
February 16, 2016

Item 1: Welcome and Call to Order by Chair
Chairman Ralph Simmons called the meeting to order at 8:00 am. All members of the Audit Sub Committee were in attendance.

Item 2: Approval of Minutes
A motion to APPROVE the June 9, 2015 minutes of the Audit Subcommittee was made by Commissioner Jordan and seconded by Commissioner Leathers. The motion carried.

Item 3: Fiscal Year 2015 Annual Audit Report
Mr. Monday N. Rufus, P.C. presented the 2015 Annual Audit Report.

A motion to APPROVE the Annual Audit Report was made by Commissioner Jordan and seconded by Commissioner Leathers. The motion carried.

Item 4: Audit of Information Systems: Business Continuity
Mr. Monday Rufus detailed the internal audit of Information Systems Business Continuity Plan.

A motion to APPROVE the internal audit of Information Systems Business Continuity was made by Commissioner Jordan and seconded by Commissioner Leathers. The motion carried.

Item 5: Audit of Region 4 Office
Mr. Monday Rufus detailed the internal audit of the Region 4 Office.

A motion to APPROVE the internal audit of the Region 4 Office was made by Commissioner Jordan and seconded by Commissioner Leathers. The motion carried.

Item 6: Audit of Texas State – Federal Lab
Mr. Monday Rufus detailed the internal audit of the Texas State-Federal Lab.

A motion to APPROVE the internal audit of the Texas State-Federal Lab was made by Commissioner Jordan and seconded by Commissioner Leathers. The motion carried.

Item 7: Public Comment

There was no Public Comment at this meeting.

Item 8: Adjournment

Commissioner Jordan moved and Commissioner Leathers seconded the motion to adjourn. The motion carried. The meeting was adjourned at 8:30 am.

Audit Subcommittee Meeting
May 24, 2016

ITEM 2

MOTION

MR. LEATHERS, I MOVE THAT WE **APPROVE** THE FEBRUARY 16, 2016 MEETING MINUTES AS DISCUSSED TODAY

Motion:_____

Second:_____

TEXAS ANIMAL HEALTH COMMISSION

Internal Audit of Federal Funds Management

Fiscal Year 2016

(Report No: TAHC 016-002)

MONDAY RUFUS & CO., P.C.

CERTIFIED PUBLIC ACCOUNTANTS AND ADVISORS

MONDAY RUFUS & CO., P.C.
Certified Public Accountants & Advisors

Audit Committee and Commissioners
Austin, Texas

We have conducted and internal audit of the Federal Funds Management at the Texas Animal Health Commission as of February 22**,** 2016. The results of our audit disclosed that the Commission has adequate systems and effective controls in place to provide assurance that the federal funds are being properly managed.

We appreciate the courtesy and cooperation the management of the Commission showed during the course of the engagement.

Monday Rufus & Co., P.C.

February 22, 2016
Austin, Texas

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Executive Summary

The Texas Animal Health Commission's (Commission) enabling statutes are in Chapters 161 through 168 of the Texas Agriculture Code, Vernon's Annotated Texas Statutes. The Commission is vested with the responsibility of protecting all livestock, domestic animals, and domestic fowl from diseases stated in the statute, and is authorized to regulate the entry of livestock, domestic animals, and domestic fowl into the state; and control the movement of livestock. The Commission is funded by a combination of state general revenue funds and federal funds from the United States Department of Agriculture (USDA). The Commission's staff of 161 full-time-equivalent (FTEs) is comprised of field inspectors, veterinarians, epidemiologists, laboratory personnel, and administrative staff. The Commission works closely with local, state, federal, livestock producers, industry partners, and the public, on animal health issues. The Commission is also supported by the veterinary community and the United States Department of Agriculture (USDA) to assure proper tracing of the movement of exposed and infected animals to determine the origin of infection and minimize the transmission of disease.

The Commission's legislatively approved appropriated budget for fiscal year 2015 was projected at $10,427,543 of which $1,942,303 (19%) was comprised of federal funds. The federal funds are mainly made up of cooperative agreements between the Commission and the USDA and are used to address cattle, swine, avian, diseases, and other animal programs. Cooperative agreement(s) funding from USDA is usually awarded for specific disease programs for one year periods which are usually different from the state's fiscal year period which starts on September 1st and ends on August 31st of the subsequent year. Therefore, if the same animal disease program is funded by USDA in a subsequent year (e.g. 04/01/2015-03/31/2016) the Commission will be requesting federal funds and reporting on cooperative agreements of overlapping state fiscal periods of 2015 and 2016.

The Commission follows the Veterinary Services (VS) Grants and Agreements Program Guide for each USDA cooperative agreement which requires a Project Proposal, Work Plan, Budget, and a Detailed Financial Plan. The VS Cooperative Agreement Program provides funding for surveillance, monitoring, reporting, and prevention and control activities through a comprehensive approach for animal health management.

The Veterinary Services (VS) which is an agency of the USDA has identified the following distinct categories of Cooperative Agreements which are listed below:

1. Umbrella Agreement
   - Covers all animal disease activities with the exception of animal disease traceability
2. Animal Disease Traceability
   - Covers all activities identified for traceability
3. Other Agreements
   - Avian Health Agreements
     - Covers all activities for avian health when specific funds are allocated just for this type
   - Swine Enteric Corona Disease Agreements
     - Covers specific activities associated with SECD specific funding

Federal funds play a significant role in the Commission's operations and activities and are taken into consideration during the agency's legislative budgetary processes. The fiscal year 2014-2015 Legislative Appropriation Bill gave the Commission authority to carry forward (hereby appropriated) any unexpended balances from fiscal year 2014 to fiscal year 2015 which may assist in matching federal funds. The Commission is also authorized to increase its total number of Full-Time-Equivalents (FTE) employees above those appropriated in the Act for programs related to animal identification of or surveillance, control, or eradication of animal health pests or diseases contingent upon federal funds being available to pay for salary costs.

The Commission's Financial Services requests federal funds from each USDA cooperative agreement on a quarterly basis using a Request for Advance or Reimbursement (SF-270 Form). A Federal Financial Report (SF-425 form) which reports the current status of the federal and non-federal matching funds is also submitted. Quarterly Accomplishment Reports and supporting detail documentation from various internal and external sources are submitted to USDA/APHIS/VS for each cooperative agreement program activity.

Internal Audit Results

The Commission has an adequate system and controls in place for proper management of federal funds. The Commission is in compliance with the requirements of the USDA Veterinary Services Grants and Agreements Program Guide in applying for grants or cooperative agreements, requesting reimbursement from cooperative agreements, and in submitting financial and program status reports regarding federal funds.

Summary of Management's Response

Objectives and Observations

Objective

The primary objectives of the internal audit were to determine the following:

- *Reliability and Integrity of Information*
- *Compliance with Policies, Procedures, Laws, and Regulations*
- *Efficiency and Effectiveness of Operating Procedures*
- *Safeguarding of Assets*

RESULTS

Internal Audit Objective1: Reliability and Integrity of Information

Request for Advance or Reimbursement (SF 270) and Federal Financial Report (SF 425) documents were accurately prepared and timely submitted to the USDA in compliance with each cooperative agreement requirements during fiscal year 2015.

Commission federal funds accounting records agreed with the cooperative agreements awarded amounts, requested and deposited reimbursements, and remaining award balances in the cooperative agreements at the end of fiscal year 2015.

Commission federal funds financial activity reported for cooperative agreements at the end of fiscal year 2015 agreed to the federal funds activity reported in the Fiscal Year 2015 Annual Financial Report submitted to the State Auditor's Office as of August 31, 2015.

Internal Audit Objective 2: Compliance with Policies, Procedures, Laws, and Regulations

Required USDA reports and supporting documentation are timely submitted as required by the USDA, Veterinary Services Grants and Agreements Program Guide (February 2015).

Agency state matching funds expended were in compliance with the funds budgeted in the USDA cooperative agreements.

Internal Audit Objective 3: Efficiency and Effectiveness of Operating Procedures

The Commission's Financial Services federal funds accounting records agreed to cooperative agreements financial activity during fiscal year 2015.

The Financial Services coordinates with other agency divisions to ensure timely submittal of required USDA cooperative agreements quarterly financial and accomplishment reports program activities reports.

Internal Audit Objective 4: Safeguarding of Assets

The USDA Veterinary Services Grants and Agreements Program Guide requires that any individual who is authorized to execute proposal, contracts, agreements, etc. on behalf of the Commission be included in an Authorized Signatures list in the cooperative agreement.

Two or more Commission signatures from executive management were noted on required cooperative agreement reports and supporting documentation submitted to the USDA.

The requested amounts on the SF 270 (*Request for Advance or Reimbursement*) and SF 425 (*Federal Financial Report)* for cooperative agreements prepared by Financial Services agreed to deposits reported to the State Comptroller's Uniform Statewide Accounting System (USAS).

Appendix 1

Objective and Scope

Objective

The primary audit objectives of the internal audit were to evaluate the following:

- Reliability and Integrity of Information
- Compliance with Policies, Procedures, Laws, and Regulations
- Efficiency and Effectiveness of Operating Procedures
- Safeguarding of Assets

Scope

The scope of the internal audit included reviewing the effectiveness of control systems to ensure the reliability and integrity of the federal funds management information, compliance with policies and procedures, and required documentation to ensure compliance with the USDA Fiscal Year 2015, VS Grants and Agreements Program Guide and the Texas Administrative Code Rules.

Methodology

Our procedures included collecting information and documentation; performing selected tests and other procedures; analyzing and evaluating the results of the tests; reviewing operating policies and procedures, laws and regulations, and conducting interviews with the appropriate staff of the Commission; testing for compliance with policies, procedures and laws; and review of other pertinent reports and documentation.

Information collected and reviewed included the following:

- OMB Circular A-133: Part 4, Department of Agriculture
- Code of Federal Regulations: Subtitle B, Regulations of the USDA
- USDA, VS Grants and Agreements Program Guide (February 2015)
- USDA-APHIS-MRPBS-FMD-RAB Cooperative Agreement Audit (Sept 2015)
- Texas Administrative Code, Title 4
- The Commission's Legislative Appropriations (2014-2015)
- Interviews with the Director of Financial and Procurement Services and staff
- Fiscal Year 2016 Management's Risk Assessment Concerns
- State Auditor's Office Audit Reports
- Review of other pertinent reports and documents

Other Information

Our internal audit was conducted in accordance with *generally accepted government auditing standards.* Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our internal audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our internal audit objectives. Our internal audit also conforms with the Institute of Internal Auditor's (IIA) *International Standards for the Professional Practice of Internal Auditing.*

Appendix 2:

Federal Funds

USDA Veterinary Services (VS) Federal Cooperative Agreements	2013 Award	2014 Award	2015 Award
*Umbrella	$1,936,856.00	$2,072,107.00	$2,062,752.00
Traceability (ADT)		500,000.00	500,000.00
Traceability (AHTS)	500,000.00		
Cattle Fever Tick			325,000.00
Swine Surveillance		9,300.00	17,300.00
EPS Livestock Market	120,120.00	133,100.00	
IDEXX		80,000.00	
SECD		67,200.00	
TB Gamma	87,173.02	82,993.00	
PRV Surveillance	8,030.00		
Total USDA Federal Funds**	**$2,652,179.02**	**$2,944,700.00**	**$2,905,052.00**

Breakdown of *Umbrella Cooperative Agreement	2013 Award	2014 Award	2015 Award
Avian	$231,500.00	$272,950.00	$261,610.24
Swine	296,914.00	306,367.00	307,012.80
Cattle	1,282,587.00	1,349,819.00	1,350,856.32
Equine	118,205.00	122,548.00	122,805.12
Zoonosis	7,650.00	20,423.00	20,467.51
Total Umbrella Federal Funds	**$1,936,856.00**	**$2,072,107.00**	**$2,062,751.99**

**USDA is usually awarded for specific disease programs for one year periods which are usually different from the state's fiscal year period which starts on September 1st and ends on August 31st of the subsequent year.

Appendix 3

Background

In 1893, the agency was initiated to fight the Texas Cattle Fever epidemic, which had created a nationwide problem. Since then, the Texas Animal Health Commission (Commission) and the United States Department of Agriculture (USDA) have worked cooperatively with livestock producers on animal health issues. In recent years, the agency's primary objectives have been to control and eradicate livestock diseases, such as: Brucellosis in cattle and swine; tuberculosis in cattle; goats and cervidae; hog cholera in swine; pseudorabies in swine; scabies in cattle and sheep; Venezuelan equine encephalomyelitis (VEE); and equine infectious anemia (EIA) in horses.

The Commission's enabling statutes are in Chapters 161 through 168 of the Texas Agriculture Code, Vernon's Annotated Texas Statutes. The Commission is vested with the responsibility of protecting all livestock, domestic animals, and domestic fowl from diseases stated in the statute, or recognized as maladies by the veterinary profession. The Commission is authorized to act to eradicate or control any disease or agency of transmission for any disease that affects livestock, exotic livestock, domestic animals, domestic fowl, exotic fowl, or canines, regardless of whether or not the disease is communicable. In order to carry out these duties and responsibilities, the Commission is authorized to control the sale and distribution of all veterinary biologics, except rabies vaccine; regulate the entry of livestock, domestic animals, and domestic fowl into the state; and control the movement of livestock.

To carry out its mission, the Commission is supported by the veterinary community, competent laboratory system and epidemiology activities which oversee the diagnosis of diseases, and assures appropriate tracing of the movement of exposed and infected animals to determine the origin of infection and minimize the transmission of disease.

The Commission is composed of twelve members who are appointed by the Governor with the advice and consent of the Senate. The Governor designates the Chair.

The Commissioners appoint an Executive Director who supervises the Commission's activities. The Commission's operating budget is prepared and approved by the Commissioners on an annual basis, whereas the State legislative appropriation request is determined every two years. Both the budget and appropriations are reviewed and approved by the State Legislature. The Commission is divided into three divisions. The two operating divisions are the Animal Health Programs Division and Administrative Division, all of which report directly to the Executive Director. The Executive Division is headed by the Executive Director.

The Commission is funded by a combination of state general revenue funds and federal funds from the U.S. Department of Agriculture (USDA). For the 2014 – 2015 biennium, the TAHC has an authorized workforce of 161 full-time equivalent employees (FTEs). The Commission's staff is comprised of field inspectors, veterinarians, epidemiologists, laboratory personnel, and administrative staff.

Appendix 4

Report Distribution
As required by Gov't Code 2102.0091 copies of this report should be filed with the following:

Governor's Office of Budget and Planning
Attn: Kate McGraft
Phone: (512) 463-1778
internalaudits@governor.state.tx.us

Legislative Budget Board
Attn: Ed Osner
Phone: (512) 463-1200
Ed.Osner@lbb.state.tx.us

State Auditor's Office
Attn: Internal Audit Coordinator
Phone: (512) 936-9500
iacoordinator@sao.state.tx.us

Sunset Advisory Commission
Attn: Ken Levine
Phone: (512) 463-1300
sunset@sunset.state.tx.us

Texas Animal Health Commission
Coleman H. Hudgins Locke, Chair
Brandon Bouma
William Edmiston, Jr., D.V.M
Jim Eggleston
Ken Jordan
Thomas "Tommy" Kezar
Joe L. Leathers
Thomas E. Oates
Stephen Selman
Leo D. Vermedahl
Mike Vickers, D.V.M.
Eric D. White
Jay R. Winter

Texas Animal Health Commission Management
Andy Schwartz, D.V.M., Interim Executive Director

Audit Subcommittee Meeting
May 24, 2016

ITEM 3

MOTION

MR. LEATHERS, I MOVE THAT WE **APPROVE** THE AUDIT
OF FEDERAL FUNDS MANAGEMENT AS DISCUSSED TODAY

Motion:_____

Second:_____

TEXAS ANIMAL HEALTH COMMISSION
2105 KRAMER LANE
AUSTIN, TEXAS 78758

395th COMMISSION MEETING AGENDA
May 24, 2016 8:30 A.M.

1.	WELCOME AND CALL TO ORDER	CHAIRMAN COLEMAN LOCKE
2.	APPROVAL OF THE MINUTES OF THE 394th MEETING (Action Item)	CHAIRMAN
3.	REPORT OF THE INTERIM EXECUTIVE DIRECTOR & APPROVAL OF WAIVER REQUESTS FOR THE PERIOD 2/17/16 THROUGH 5/24/16 (Action Item)	DR. ANDY SCHWARTZ
4.	PRESENTATION OF EPIDEMIOLOGY AND ANIMAL DISEASE TRACEABILITY ACTIVITIES	DR. SUSAN ROLLO
5.	DISCUSSION ON RULES FOR CHRONIC WASTING DISEASE RESTRICTION ZONES (Action Item)	DR. SUSAN ROLLO
6.	PRESENTATION OF FIELD ANIMAL HEALTH PROGRAM ACTIVITIES	DR. T.R. LANSFORD
7.	PRESENTATION OF USDA VETERINARY SERVICES UPDATE	DR. HALLIE HASEL
8.	APPOINT NEW AUDIT SUBCOMMITTEE CHAIR AND MEMBERS (Action Item)	CHAIRMAN
9.	AUDIT SUBCOMMITTEE REPORT (Action Item)	MR. JOE LEATHERS
10.	PRESENTATION OF AUTHORIZED PERSONNEL UPDATE	DR. SUSAN CULP
11.	PRESENTATION OF COMMUNICATION INITIATIVES	MR THOMAS SWAFFORD
12.	PRESENTATION OF LABORATORY UPDATE	DR. ROGER PARKER
13.	PRESENTATION OF EMERGENCY MANAGEMENT PROGRAM ACTIVITIES	MR. JEFF TURNER
14.	BUDGET STATUS REPORT (Action Item)	MR. STEVEN LUNA
15.	CONSIDERATION OF AND POSSIBLE ACTION ON AGENCY CONTRACTS AND PURCHASES (Action Item)	MS. LARISSA SCHMIDT
16.	PRESENTATION OF LEGAL & COMPLIANCE ACTIVITIES	MR. GENE SNELSON
17.	CONSIDERATION OF AND POSSIBLE ACTION ON REGULATION **PROPOSALS** REGARDING: (Action Item) (a) Chapter 47, Authorized Personnel, CWD Authorized Personnel Requirements	MR. GENE SNELSON
18.	CONSIDERATION OF AND POSSIBLE ACTION ON REGULATION **ADOPTIONS** REGARDING: (Action Item) (a) Chapter 41, Fever Ticks, Fever Tick Vaccine	MR. GENE SNELSON
19.	RECOGNITION OF PUBLIC COMMENT	CHAIRMAN
20.	CLOSED EXECUTIVE SESSION TO RECEIVE LEGAL ADVICE, DISCUSS PENDING OR CONTEMPLATED LITIGATION, AND SETTLEMENT OFFERS AS PERMITTED BY SECTION 551.071 OF THE TEXAS GOVERNMENT CODE	CHAIRMAN
21.	CLOSED EXECUTIVE SESSION TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF SPECIFIC COMMISSION EMPLOYEES AS PERMITTED BY SECTION 551.074 OF THE TEXAS GOVERNMENT CODE	CHAIRMAN
22.	RECONVENE TO CONSIDER ANY ACTION NEEDED FOLLOWING CLOSED EXECUTIVE SESSION (Action Item)	CHAIRMAN

23. SET DATE FOR THE 396th MEETING CHAIRMAN

24. ADJOURNMENT CHAIRMAN

Meeting Accessibility: Under the Americans with Disabilities Act, an individual with a disability must have equal opportunity for effective communication and participation in public meetings. Upon request, agencies must provide auxiliary aids and services, such as interpreters for the deaf and hearing impaired, readers, large print or Braille documents. In determining the type of auxiliary aid or service, agencies must give primary consideration to the individual's request. Those requesting auxiliary aids or services should notify the contact person listed on the meeting notice several days before the meeting by mail, telephone, or RELAY Texas. TTY: 7-1-1

MINUTES OF THE 394th COMMISSION MEETING
Texas Animal Health Commission
February 16, 2016

The TAHC Commissioners met in the agency's headquarters in Austin on Tuesday, February 16, 2016. Chairman Ernie Morales began the meeting at 8:30 a.m.

Item 1 – Welcome and Call to order by Chairman Morales
Commissioners Jay Winter, Beau White, and Tommy Kezar were not present.

Item 2 – Approval of the minutes of the 393rd Meeting
A motion to APPROVE the minutes of the 393rd Commission meeting held on October 6, 2015, was made by Commissioner Leathers and seconded by Commissioner Simmons. The motion carried.

Item 3 – Report of the Executive Director, Field Animal Health Program Activities and Approval of Waiver Requests for the Period 10/6/2015 to 2/16/2016
Dr. Schwartz presented the following:

- **Agency Business**
  - Preparation for 85th Legislative Session
    - Strategic Plan
    - Legislative Appropriations Request
  - Major disease challenges currently faced
    - Tuberculosis
      - Two concurrent investigations
    - Chronic Wasting Disease
      - Third affected premises found
      - Federal indemnity exhausted
      - Implementation of antemortem testing plans
    - Fever Ticks
      - Increase in infested premises
      - Advancing northward
      - Wildlife is a factor
    - Trichomoniasis
      - Implementation of adjacent testing
    - Highly Pathogenic Avian Influenza preparation
  - Survey of Employee Engagement
    - Results received December 2015
    - Share with employees, and develop plan to address concerns

- **USDA-APHIS-VS**
  - Umbrella Cooperative Agreement work plan submitted
  - Proposed Tuberculosis and Brucellosis rule – comments
  - HPAI Indemnity Payment interim rule – comments
  - Scrapie rule – awaiting action after comments received

- **Santa Theresa, NM port** – concerns over process when animal health issue is detected

- **Rule Proposal for consideration**
  - Fever Tick Vaccine

- **Rules for Passage**
  - EIA laboratory requirements
  - Removal of fee schedule for certain fees

- **Waiver Report – due to the change in staffing, this report is divided into two sections**
  - October 7th to December 31st, 2015
  - 4 waivers requested and 4 approved:
    - Tuberculosis – **Approved** – allowed organic Texas origin dairy heifers to enter from New Mexico to be tested upon arrival.
    - Brucellosis – **Approved** – allowed entry of Barbary Ram to be tested upon arrival.
    - Tuberculosis – **Approved** – allowed import of cervids that meet requirements of monitored program from Florida– Florida does not support monitored program.
    - Brucellosis – **Approved** – allowed entry of Kudu to Houston Zoo to be tested upon arrival.
  - January 1st, to February 15th, 2016
  - 2 waivers requested and 2 approved;
    - Brucellosis – **Approved** – allowed cattle to enter from Missouri with test that was just past 30 day requirement due to shipping delays.
    - Pseudorabies - **Approved** – allowed feral swine and domestic swine facilities owned by brothers to be less than 200 yards apart. Recent improvements to facilities increases bio-security and the feral swine pose little risk to the domestic animals.

A motion to APPROVE the actions of the Executive Director for the period from October 6, 2015 through February 16, 2016 was made by Commissioner Joran and seconded by Commissioner Locke. The motion carried.

Item 4 – Presentation of Epidemiology, and Animal Disease Traceability (ADT) Activities
Dr. Susan Rollo, Field Epidemiologist, presented the following report:

CATTLE
A. Tuberculosis:
Background on the Index Case and the Index Herds from Castro County, Texas:

Herd #1: The first herd (~10,000 head) confirmed with *Mycobacterium bovis* (MB) was identified on a slaughter trace in October 2014. Following the confirmation, the dairy herd was tested 3 times (November, February, July) in an effort to remove any infectious animals as per USDA rules (USDA, 2005). Each whole herd test yielded a large number suspect and subsequent confirmed positive infected animals (310 culture/PCR positive and about 300 pending from the 3rd test). The disease prevalence is high enough that repeated testing is unlikely to eliminate the infection due to the insidious nature of this bacteria and based on stochastic modeling (USDA, Cattle health modeling unit).

The Texas Animal Health Commission has worked with the United States Department of Agriculture Animal Plant Health Inspection Service Veterinary Services (USDA APHIS VS) on indemnification of the entire herd. The depopulation is in progress with about 55% of the herd completed (~5000 animals). The goal to complete this task is April 15, 2016.

Herd #2 (approximately 12,000 head) is under the same ownership. TB was confirmed in one cow on the first herd test in November 2014. This heifer had been recently added to the herd and originated from herd #1. No confirmed animals were found on the three subsequent removal tests. An assurance test was conducted in December 2015 and no reactors were identified which fulfills the assurance test requirements**. The hold order was released on January 13, 2016.** This herd will be tested annually for five subsequent years.

Background on Additional Tuberculosis Infected Herds in Parmer County and Lamb County, Texas:

The feed yard in Parmer County and the two dairies in Lamb County which are all under the same ownership remain under quarantine. The epidemiological investigation on this group is ongoing and the source of introduction has yet to be determined. However, additional dairies have been identified as either a potential sources of infection (trace-in) or potentially exposed (trace-out) herds. To date there have been 24 trace-out herds identified including 10 in other states which all have been notified. The additional dairies tested thus far, have not yielded any additional lesioned cattle. Several Texas dairies are scheduled for whole herd tests this spring.

Both dairies and the feed yard have been tested 4 times in 2015 (April, July, September, and December). As of November, there have been 46 confirmed MB compatible animals from this group including the original 6 steers that traced to this herd. Results are pending on the latest test in November.

Winter storm Goliath did have an impact on all these dairies, cattle losses ranged from 150-750 per herd.

In summary, there have been ~140,000 TB tests conducted on Texas dairy cattle including the multiple tests on the index herds and associated trace-out herds. Future projects related to these efforts include an upcoming project to conduct wildlife surveillance in the area to rule-out any potential wildlife sources of infection.

Other TB cases in the 2015:

One Mexican-origin beef animal slaughtered at Sam Kane was confirmed to have histo-compatible lesions and was PCR positive for *M. bovis*. This steer had no official ID and appears to have arrived at the feed yard directly from the Pharr port.

One health efforts related to TB

Texas Animal Health Commission has collaborated with the Department of State Health Services to ensure dairy employees that work in these infected dairies are screened and monitored for tuberculosis. In addition, DSHS has researched and provided guidance as to what types of PPE should be worn by workers and especially during decontamination of the dairy.

B. Trichomoniasis:

Through December CY 2015 there have been 553 positive bulls found in 35,454 tests (1.6% test positive). In CY 2014 the test positive percentage was approximately 2.45%.

C. Cattle Fever Tick:

The Temporary Preventive Quarantine Area (initiated on 10/7/14) in Cameron and Willacy Counties continues to face challenges. Currently, there are 15 infested premises in Cameron and 8 in Willacy. Approximately 10 premises have been identified since Oct 1, 2015 through hunter harvest surveillance (nilgai and white tailed deer (WTD)).

In regards to trace-in or trace-out herds associated with infested animals, 97% of the original traces have been completed in Cameron County and trace work from infested animals that originated in Willacy County is ongoing.

In region 5, 4 premises (2 in Jim Wells, 2 in Kleberg) have been infested with fever ticks in 2015. One of the premises in Jim Wells has completed inspection for release and all properties related to that infestation have been released in December. These infestations were identified through trace-out investigations from the TPQA in Cameron. A total of 235 properties (~2400 head of cattle and ~180 horses) have been under quarantine at some point in 2015 related to these infestations.

In addition, regional staff in region's 5 and 8 have initiated 82 traces of cattle sold or moved from infested pastures. These traces includes cattle that originated from infested pastures in Kleberg and Jim Wells counties. Additional traces from the recent discovery of 2 new infested premises in Zapata were also assigned to region 5 and 8. These properties were identified when investigating all trace-in cattle to an infested premise in Hidalgo (epi-linked to a premise in Cameron).

In Cameron and Willacy counties, hunter harvested WTD and nilgai are scratched for fever ticks. The infestation rate has increased since 2014 for both species. More infested nilgai were identified this winter in Willacy compared to the previous year, and this species appears to be an important contribution to the northern movement of the cattle fever tick.

	Infestation Rate Winter '15-'16		Infestation Rate Winter '14-'15	
	WTD % infested (sample size)	Nilgai % infested (sample size)	WTD % infested (sample size	Nilgai % infested (sample size)
Cameron (outside refuge)	13% (n=68)	22% (n=49)		
Willacy	9% (n=22)	38% (n=22)		
Laguna Atascosa Refuge	77% (n=66)	72% (n=50)	55%(n=67)	40% (n=15)

The epidemiology staff including both TAHC and USDA epidemiologists as well as support from CEAH have developed a working group to examine, review, and update all policies related to epidemiology used by the tick force. This group meets weekly since April and have made a number of accomplishments including reviewing and revising the herd plans, informational guides and other items. One promising new intervention is the utilization of the tick vaccine which will be implemented in the next month or so. In addition, a plan to place corn feeders in the TPQA is underway. Collaboration efforts with the USFWS is ongoing.

SWINE

A. **Brucellosis:** One infected herd has been disclosed in CY 2015 to date. This herd was depopulated in October 2015 with indemnity.
B. **Pseudorabies (PRV):** Three infected herds have been disclosed in CY 2015 so far.

EQUINE

- **Equine Piroplasmosis (EP):** There have been 11 positive horses disclosed in Texas this year, all racing Quarter Horses. Three belonged to one owner, and were illegally brought into Texas from Indiana 30 days prior to being tested. All of the positive horses have completed treatment.
- **Equine Infectious Anemia (EIA)**: In CY 2015, there have been five positive equine disclosed out of the 169,460 animals tested in Texas. (0.003% positive rate)
- **2015 Vesicular Stomatitis Virus (VSV) outbreak:** VSV was diagnosed in horses on two Texas premises in May 2015, in Pecos and Reeves counties. Both premises have been released. The VSV outbreak in other western states has been and continues to be extensive: Since the start on April 29, eight hundred twenty –three (823) affected premises in 8 states.

POULTRY

Highly Pathogenic Avian Influenza (HPAI): The HPAI outbreak that devastated poultry producers during the winter and spring of 2015 was the worst animal disease in U.S. history. It affected more than 48.8 million birds in 21 states before the final detection on June 17. No cases of HPAI have been detected in Texas in 2015. In 2016, one highly pathogenic H7N8 outbreak occurred in Indiana in January. The Texas Animal Health commission preparedness efforts are ongoing in preparation for any incursions that may directly affect Texas poultry.

CERVIDS

- First CWD case disclosed in White Tailed Deer in Texas, June 30, 2015, in Medina county
- Closely coordinated response effort with TPWD.
- In addition to the herd work and disease investigation itself, agency staff have participated in multiple CWD Taskforce meetings, CWD Working Group meetings, given testimony before the Culture, Recreation and Tourism Committee, issued joint press releases, and spoken at deer industry meetings. In addition, TAHC supported a CWD symposium in January that gathered national experts on CWD in hopes to consider the latest scientific knowledge and to gain insight on the most effective testing options other than post-mortem testing.
- To date, TAHC has provided 16 CWD sample collection courses to support the state-wide efforts.
- The index herd was depopulated with indemnity on September 30, 2015. Four positives have been identified in this herd.
- There are 744 unique IDs identified as either trace-in or trace-out animals associated with the first index herd. Of those, 50% have been tested for CWD, 33% have been liberated, and 10% died without being tested. Of the 63 trace out animals associated with the Lavaca county case, 33% have been tested. The majority of trace-in and trace-out herds have either been released or agreed to a herd plan with the exception of 10 that have pending herd plans.
- A second infected herd in Lavaca County has been disclosed due to an exposed buck (originated in index herd) that died in the pen and was tested. Two additional bucks from the same age group as the others have tested positive on an ante-mortem test. The remainder of the

herd will be indemnified and removed. There are 63 trace-out animals in 9 additional herds. Five herds have been released based on testing and epidemiological investigation.

- Recently, a second Medina county case from a hunting reserve (release site) has been identified by hunter harvest surveillance. The epidemiological investigation is ongoing, however, the release site and a breeding facility under the same ownership have been classified as index premises. The trace-out and trace-in herds related to this investigation have been notified and hold orders issued.
- Although the data analysis is in the preliminary stages on the newest case, it appears that there are approximately 1,800 trace-in or trace-out animals associated with both the release and breeder premises.
- Since July 1, 2015, TVMDL reports 563 CWD sample submissions related to this herd which would include direct trace-out animals, additional samples submitted from a herd as a requirement of their herd plan, and the index herd depopulation. TPWD has increased surveillance among hunter harvest sample submissions in the state. To date, 10,383 samples have been submitted for testing and close to half of those are still pending results.
- In summary, the CWD positive animals associated with the first herd have all been bucks that were born on the index premise in 2013. There has been a total of 7 deer that tested positive on either post-mortem or ante-mortem tests out of a total of 63 bucks (11% infection rate). Investigation of the new case is underway and collaboration with TPWD is ongoing.

ANIMAL DISEASE TRACEABILITY ACTIVITIES

Projects

- ADT is assessing the cost and benefits of implementing electronic permits and incentivizing the use of electronic CVIs
- The ADT staff are also comparing data management systems to utilize to efficiently process existing paper certificates of veterinary inspection (CVIs)

Approved Tagging Facilities and tag distribution:

Approved Tagging Sites: (no change) 80 livestock markets + 13 feeders = 93

Tag Distribution Partners: (added ICP in September) 204 AgriLife Extension Offices + 61 veterinarians + ICP-Cameron Co = 266

Total number of Official ID Tags distributed:
During the last quarter, October- December 2015 – 165,028
CY 2015 – 757,113
CY 2014 – 657,367

Scrapie tags ordered:
During the Last Quarter, October-December 2015 – 48,150
CY 2015 – 270,202
CY 2014 – 225,597

Current # of Active Premises ID Numbers: 32,144
# of New PINs issued:
During the Last Quarter, October-December 2015 – 76

CY 2015 – 311
CY 2014 – 223

Current Total # of LIDs: 21,867
# of New LIDs assigned:
During the Last Quarter, October-December 2015 – 1,543
CY 2015 – 7,782
CY 2014 – 10,314

Item 5 – Presentation of Animal Health Program Activities

Dr. T.R. Lansford, Assistant Executive Director of Animal Health Programs, provided an update on field activities:

- **Report Items**
  - Border Security
    - Establishment of Region 8
      - Staffing
      - Office
      - Equipment
    - Additional personnel in Region 6
    - Development of protocol to address apprehended/surrendered non-domestic livestock in areas other than Fever Tick Permanent Quarantine Zone
  - Cattle Fever Ticks – Region 5 and Region 8
    - New infestations throughout "winter" in Zapata, Starr, Cameron, and Willacy counties
    - Wildlife and weather are factors
    - Funding approval request for supplies to support wildlife treatment efforts in Cameron and Willacy counties
    - Kleberg county
      - No fever ticks found since June 2015
      - All premises now categorized as "check"
      - Temporary dipping vat operational in Riviera
    - Jim Wells county
      - Restocking of infested premises pending
      - Wildlife treatment scheduled
      - Infested white-tail deer found on infested premises during hunting season
      - Surveillance on adjacent premises has not disclosed additional fever ticks to this point
    - Fever tick vaccine
      - Signed (USDA/TAHC) agreement in hands of pharmaceutical company
      - Expected delivery date very soon
      - Development of CTEP/TAHC personnel training materials and schedule underway
      - Initial plans for producer meetings underway
  - Tuberculosis – Region 1

        - Investigating two dairy complexes
        - Complex 1 investigation
            - Depopulation of highly infected herd underway
        - Complex 2 investigation
            - Test and cull protocol continues; next test Feb. 29th

    - Chronic Wasting Disease
        - Impacts all Regions except Region 1
        - Continue to work through complexities of the few pending herd plans
        - Remain committed to updating herd plans to incorporate live animal testing as protocols develop
        - Staff working cooperatively with TPWD on Stakeholder Working Group and associated smaller focus group

    - Equine Herpesvirus Myeloencephalopathy (EHM)
        - Recent, significant outbreak (65 head) just across NM border at Sunland Park
        - Approximately 24 trace out horses reported to have shipped to Texas
        - Region 6 staff and Compliance Investigator Bob Young investigated
        - Other Regions discussed enhanced biosecurity with equine event venues

    - Other Activities
        - Stock show season
        - Hiring of veterinarians

Item 6 – Presentation of USDA Veterinary Services Update

Dr. Hallie Hasel presented the USDA, Veterinary Services report which included an update of the hiring of the new director and other staffing changes. A summary of USDA, VS activities regarding processing Tuberculosis indemnity, fever tick issues, and Chronic Wasting Disease funding.

Item 7 – Audit Subcommittee report

Commissioner Ralph Simmons gave the report from the Audit Subcommittee meeting that was held earlier that morning:

1. The committee approved the Fiscal Year 2015 Annual Audit Report.
2. The committee reviewed the Region 4 audit findings.
3. The committee reviewed the Texas State-Federal Laboratory audit findings.
4. The committee reviewed the Information Systems Business Continuity Plan audit findings.

A motion to APPROVE the actions of the Audit Subcommittee was made by Commissioner Jordan and seconded by Commissioner Locke. The motion carried.

Item 8 – Authorized Personnel update

Dr. Culp gave the Authorized Personnel Update:

- **Veterinary Authorized Personnel**
    - Since the October 6, 2015 Commission Meeting – new TAHC Veterinary Authorized Personnel Applications have been received from the following:

- 36 veterinarians transferred over from TAHC Brucellosis Approved Personnel.
- 17 applications from veterinarians new to Texas.
- 18 applications from graduates from the TAMU CVM Class of 2015.
- TAHC Authorized Personnel Training (4 hour basic course) will be offered in the Austin TAHC office in March 2016 as part of TAHC New Employee Orientation and is required for all new TAHC personnel.
- TAHC Authorized Personnel Training (4 hour basic course) and Bovine Trichomoniasis Certification (1 hours) will be offered in the Austin TAHC office on Tuesday April 12, 2016 in conjunction with USDA Accreditation Orientation.
- Working in partnership with Dr. John Davidson, Boehringer Ingelheim Vetmedica, Inc., TAHC began offering TACH Bovine Trichomoniasis Certification/Re-Certification continuing education classes to veterinary practitioners at local veterinary medical association meetings. The first meeting was in Amarillo with the High Plains Veterinary Medical Association on Thursday November 12, 2015. To date, this partnership has offered 3 Re-Certification meetings to 83 TAHC Authorized veterinarians. Seven upcoming meetings are confirmed in Mexia, Bowie, Beaumont, Uvalde, Bryan, Sulphur Springs and Weslaco. Five additional meetings are being planned in Midland, San Saba, Brenham, San Marcos and Guthrie. The meetings are free and veterinarians receive two hours of veterinary continuing education credits for attending.
- TAHC continues to offer TAHC Bovine Trichomoniasis Certification to TAMU CVM graduating senior students. This year this student certification will be in conjunction with the Brazos Valley VMA meeting scheduled for Tuesday May 3, 2016 at Christopher's Steakhouse in Bryan, TX.

- **Cervid Authorized Personnel**
  - Prior to October 2015, TAHC offered 18 Certified CWD Sample Collector Training opportunities for a total of **436 trained collectors**
  - Since October 2015, TAHC has offered 8 Certified CWD Sample Collector Training classes training a total of **334 additional trained collectors**
  - Veterinary student classes offered at TAMU CVM account for an additional **47 trained collectors**. An additional class at TAMU CVM is scheduled for April 2016
  - One upcoming Certified CWD Sample Collector Training is scheduled in February 2016 at Exotic Wildlife Association in Ingram, TX (50 attendees max)
- **Additional Training Programs**
  - TAMU CVM 4VM
  - Two Class of 2017 veterinary students inquiring about 4VM Externships with TAHC
  - Texas A&M Kingsville – USDA STEP UP TO CAREERS Program
    - Isaac Atkinson – 10 week internship in TAHC Region 5/8
- **Other Authorized Personnel Department Updates**
  - Disapproved CVI notification process for Texas veterinarians – monthly notification of CVI's disapproved by receiving states. One year into the new process, the numbers of disapproved CVI's coming back to Texas veterinarians appears to be decreasing significantly (Less than 100 total for January 2016). A monthly awareness/education program has been instituted to try to continue to decrease the number of disapproved CVI's returned and to help veterinarians comply with entry requirements for other states.

- The TAHC Authorized Personnel Compliance Review Committee was created in October 2014. This group meets monthly to review Authorized Personnel cases. This committee is responsible for the enforcement of the Texas Administrative Code, Chapter 47 Authorized Personnel.

- **Veterinary Medical Loan Repayment Program (VMLRP)**
  - Request for nominations for designated shortage areas went out in December, 2015. Three new nominations were submitted for 2016 (one public practice and two private practice). A total of eight area nominations were submitted to USDA NIFA in February 2016. A VMLRP stakeholder call was held and the recommendations of the stakeholder group was for TAHC to submit the three new nominations and to submit five of the six un-awarded area submissions from 2015 as carry over nominations for 2016.

Item 9 – Presentation of Communication Initiatives

Ms. Callie Ward provided the Communications Report:

News Releases

- Array of news releases (6) distributed since last commission meeting
- Included in Commission Book

Exhibits

- Past and upcoming exhibits (two exhibits per week for March)

Interviews

- Several media interviews (print, radio and TV)
  - Miscellaneous – see included list of media interviews

Social Media Platforms

- Facebook, Twitter, Instagram, LinkedIn, YouTube
- Examples of interaction included in Commission Book

Item 10 – Presentation of Laboratory Update

Dr. Susan Rollo, Field Epidemiologist, presented the following in place of Dr. Roger Parker, Lab Director:

Texas State-Federal Laboratory Update February 2016

- The TAHC-Lab is actively engaged within the National Animal Health Laboratory Network (NAHLN; coordinated by USDA). This is part of a nationwide strategy to coordinate the work of all organizations providing animal disease surveillance and testing services, which can prepare for and respond to a large-scale animal disease outbreak.

  Mission of NAHLN: A nationally coordinated network and partnership of Federal, State, and university-associated animal health laboratories. NAHLN laboratories provide animal health diagnostic testing, methods research and development, and expertise for education and extension to detect biological threats to the nation's animal agriculture, thus protecting animal health, public health, and the nation's food supply.

  - TAHC-Lab currently approved as a NAHLN Contract Laboratory for Swine Pseudorabies testing (AutoLex – automated latex agglutination; gB1 ELISA – enzyme-linked immunosorbent assay)

  - Because of NAHLN organizational restructuring, the lab will become a Level 3 lab within the NAHLN pending acceptance of annual reapplication due in March 2016
  - Lab will be requesting approval by NAHLN to participate in Vesicular Stomatitis equine testing (CF – complement fixation; PCR – polymerase chain reaction)
  - Lab personnel actively participating in NAHLN conference calls, training webinars, web-hosted laboratory information portal, and membership surveys
- National proficiency test panels were recently passed:
  - Vesicular Stomatitis CF test – Michael Hamelwright, Nathan Kichline
  - Vesicular Stomatitis PCR detection – Caryne Hampton
  - Brucella RAP (Rapid Automated Presumptive) and FPA (Fluorescent Polarization Assay) – Bryan Krugman, Lindsey Wagnon
- Lab has recently been inspected by USDA to test for Contagious Equine Metritis by culture; approval pending
- Lab is equipped and capable of conducting PCR detection of Bovine Trichomoniasis from preputial washes; will be used on a limited basis, as determined by TAHC Region Directors, by TAHC personnel to test adjacent exposed animals
- In October 2015, Beckie Link (Lab Quality Manager) participated in the joint Annual Meeting of the USAHA (US Animal Health Association) and AAVLD (American Association of Veterinary Laboratory Diagnosticians)

Sample Volume, September - December 2015	
Sample Type	**Sample Numbers**
Bovine Brucellosis Slaughter Blood:	243,045
Bovine Brucellosis Market Blood:	19,503
Other Brucellosis Blood:	26,131
Bovine Brucellosis Milk:	987
Brucellosis Culture:	15
Bovine Tuberculosis Blood:	1,121
Swine Brucellosis Blood:	2,797
Swine Pseudorabies Blood:	2,699
Equine Infectious Anemia Blood:	82
Ectoparasite Identification:	481

Item 11 - Presentation of Emergency Management Program Activities

The Emergency Management Update was presented by Ms. Holli Tietjen, Assistant Emergency Management Coordinator:

Plans Update

TAHC Emergency Management staff continues working on required state planning documents as well as disease specific response plans. Staff has begun an extensive project with the Texas Division of Emergency Management (TDEM) to have animals included in most all state emergency management planning documents. Inclusion of animals, both agricultural and companion, into state documents will lead to development of similar document development at local levels. This project is anticipated to take three to five years to fully accomplish. Once animal planning is included in documents, preparedness, response and recovery efforts are expected to bring about higher levels of protection for all animals. As

for disease planning efforts, High Path Avian Influenza (HPAI) continues to be a threat to poultry across Texas. EM staff remains diligent in reviewing and revising planning documents and considerations as well as working with industry to assure preparedness levels remain heightened. Additionally, work continues on TAHC's foreign animal disease (FAD) response plans.

Emergency Management Responses

TAHC Emergency Management staff have been active in several response activities. In late October heavy rains across areas of Texas affected livestock and companion animals. The TAHC assisted in the coordination and response in this wide spread incident. Another significant incident which kept numerous personnel throughout the agency busy was the Winter Storm Goliath. TAHC assisted in rounding up and sorting livestock in the Panhandle as well as assist in carcass management issues. Finally, EM staff continues supporting development of incident action plans (IAPs) for the Cameron County Fever Tick outbreak. These documents assist in response and coordination of the incident.

Emergency Management and Industry Conferences

Emergency Management attended and participated in several conferences the past few months. EM staff attended the International Association of Emergency Management where we are active members of the Food and Agriculture Caucus. Additional conferences attended were the United States Animal Health Association and the Texas Environmental Health Association Conference.

Exercises

Numerous TAHC representatives participated in the Palo Duro II Foot and Mouth Disease (FMD) tabletop exercise held in Amarillo, Texas this past November. In this exercise, initial notification, diagnostics, and response activities were discussed. The Animal Health Commission along with USDA Veterinary Services, partnering state agencies, various local jurisdictions, and industry partners, Texas Cattle Feeders Association (TCFA), Texas Association of Dairymen (TAD), and the Texas Pork Producers Association (TPPA) discussed what would occur if an FMD outbreak occurred. This tabletop exercise is a prelude to a future functional exercise scheduled to be held in August 2016. Another significant exercise TAHC staff participated in was the Kansas Invisible Fire FMD exercise. Members of TAHC staff were actively engaged in exercise facilitation in Kansas. In Texas, TAHC Invisible Fire participants were in conference calls resulting in considerable discussions on how continued operations could occur if an FMD outbreak occurred.

Item 12 – Administration/Budget Status Report

Mr. Steven Luna, Director of Finance, gave a report on the agency's budget status:

<u>Biennium FY 2016 & FY 2017</u>

<u>Appropriations/Budget</u>

- General Revenue (GR) appropriations:
  - These totals are not contingent on revenue generated by fees approved by the Commission
  - State FY 2016
    - The TAHC is appropriated $11.3M for State FY 2016
  - State FY 2017

        - The TAHC is appropriated $10.5M for State FY 2017
- Federal Funds and Grants (Federal Fiscal Year runs April 1 to March 31)
    - State FY 2016
        - Federal FY 2015 funds to be available to the TAHC total $2.6M (approximately)
        - Received $1.89M – Year-To-Date (YTD)
    - State FY 2017
            - Federal FY 2016 unknown at this time
            - Estimate in approximately $2.1M
- Capital Budget Funding
    - State FY 2016
        - Out of the $11.3M appropriated in GR for State FY 2016, $411.5K is set aside for Capital Budget Purchases. The agency is restricted to the following Capital Budget Purchases:
            - $261.5K towards Fleet Vehicles, has been completely allocated towards the acquisition of trucks
            - $150K towards the Acquisition of Information Resource Technologies, has been or will be completely allocated towards the acquisition of hardware/software and towards annual licensing renewals
                - $86K Tech Refresh
                - $64K Equipment Replacement
    - State FY 2017
        - Out of the $10.5M appropriated in GR for State FY 2017, $411.5K is set aside for Capital Budget Purchases. The agency is restricted to the following Capital Budget Purchases:
            - $261.5K towards Fleet Vehicles, will be completely allocated towards the acquisition of trucks
            - $150K towards the Acquisition of Information Resource Technologies, will be completely allocated towards the acquisition of hardware/software and towards annual licensing renewals
                - $86K Tech Refresh
                - $64K Equipment Replacement

Revenues

- State FY 2016 & 2017
    - Fee Revenue is estimated per year to be approximately $512K.
        - TAHC Portion - $424K
        - State Portion $87K

Full Time Equivalent Employees (FTEs):

- State FY 2016
    - The TAHC is appropriated 183.2 FTE's
    - Currently there are 167.5 FTE's

        - Four (4) of which are fully federally funded, meaning that they do not count towards our FTE cap
- State FY 2017
    - The TAHC is appropriated 184.2 FTE's

Additional Appropriations:

- State FY 2016 & FY 2017
    - CAPPS (Centralized Accounting & Payroll/Personnel Systems) deployment
    - The TAHC is appropriated 1 FTE, which does not affect our FTE cap
    - $41K
- State FY 2016 – 2.5% Salary Increase (Statewide)
    - $175K

Budgetary Transfers:

- The TAHC has Unexpended Balance (UB) authority within the Biennium
- None to report at this time

A motion to APPROVE the Administration/Budget Status Report was made by Commissioner Jordan and seconded by Commissioner Simmons. The motion carried.

Item 13 – Consideration of and Possible Action on Agency Contracts and Purchases

Ms. Larissa Schmidt presented contracts and purchases for the consideration of the commissioners.

A motion to APPROVE the contracts and purchases request was made by Commissioner Leathers and seconded by Commissioner Jordan. The motion carried.

Item 14 – Presentation of Legal & Compliance Activities

Gene Snelson, General Counsel, started with a presentation of Legal and Compliance activities:

Compliance Action Requests

- Received 108 from 10/1/15 to 1/31/16
- Sent 72 warning/demand letters for no scrapie tags, no dairy ID, no TB test/CVI/Trich test/ID on out of state cattle, no CVI on out of state swine, no EIA test, failure to stop at inspection station, incomplete CVI, TPQA ID Requirements, and dealer records.

Investigations

- Conducted 78 from 10/1/15 to 1/31/16

Complaints

- Filed 32 from 10/1/15 to 1/31/16 for cattle and equine entry violations/no CVI, TB test, EIA test, no EIA and Piro test at equine event, selling equine without EIA test, and failure to stop at inspection station. Fines paid in the amount of $7,964.

Administrative Penalty

- Assessed one in the amount of $750 for transferring ownership of equine without negative EIA test since last Commission meeting.

Item 15 – Consideration of Agreed Order in the Matter of the Commission's Order to Inspect Cattle Issues to Danial Davis D/B/A Cascabel Cattle Co.

Gene Snelson presented an agreed order in the matter of the Commission's order to inspect cattle issued to Daniel Davis D/B/A Cascabel Cattle Co. for consideration:

The Texas Animal Health Commission and Daniel Davis have reached an agreement regarding the presentation of cattle located within the permanent quarantine zone. No action was needed by the Commissioners.

Item 16 – Consideration of and Possible Action on REGULATION PROPOSALS

Gene Snelson then discussed the following REGULATION PROPOSALS:

Each Regulation Proposal was reviewed and voted on individually.

(a) Chapter 41, Fever Ticks, Fever Tick Vaccine

(a) The Texas Animal Health Commission (commission) proposes amendments to §41.1, concerning Definition of Terms, and proposes a new §41.8, concerning Dipping, Treatment, and Vaccination of Animals, in Chapter 41, which is entitled "Fever Ticks."

The commission contemporaneously proposes the repeal of the existing §41.8, concerning Dipping and Treatment of Livestock.

The purpose of the amendments to §41.1 is to add a fever tick vaccine definition. The purpose of a new §41.8 is to add a fever tick vaccine requirement for beef cattle located in a control purpose quarantine area, temporary preventative quarantine area or tick eradication quarantine area, and other beef cattle or premises epidemiologically determined by the commission to be at an increased risk for fever ticks. A new §41.8 will also clarify and better organize the different requirements for dipping, treatment, and vaccination. The title of §41.8 is being changed to accurately capture that the requirements apply to animals capable of hosting or transporting ticks capable of carrying Babesia and includes vaccination requirements.

Commissioner Locke moved and Commissioner Vickers seconded a motion to PROPOSE the amendments to Chapter 41, Fever Ticks, located in Title 4 of the Texas Administrative Code, and the repeal of Section 41.8 with re replacement of a new Section 41.8. The motion to approve the proposed amendments and to publish it in the Texas Register with a 30 day comment period passed.

Item 17 – Consideration of and Possible Action on REGULATION ADOPTIONS

Gene Snelson then discussed the following REGULATION ADOPTIONS:

Each Regulation Adoption was reviewed and voted on individually.

(a) Chapter 33, Fees, Repeal Lab and Herd Status/Certification Fees
(b) Chapter 49, Equine, EIA Testing

(a) The Texas Animal Health Commission (commission) adopts the repeal of §33.4, concerning Laboratory Fees, and §33.5, concerning Herd Status/Certification Fees, in Chapter 33, which is entitled "Fees".

The agency had fee authority for these rules under §161.060(b) of the Texas Agriculture Code, which is entitled "Authority to Set and Collect Fees". The authority allowed the commission by rule to set and collect a fee for any service provided by the commission, including: (1) the inspection of animals or facilities; (2) the testing of animals for disease; (3) obtaining samples from animals for disease testing;(4) disease prevention, control or eradication, and treatment efforts; (5) services related to the transport of livestock; (6) control and eradication of ticks and other pests; and (7) any other service for which the commission incurs a cost. Subsection 161.060(b) expired on August 31, 2015, as such the agency is repealing certain fee rules that are no longer authorized by statute.

A motion to ADOPT the amendment to Chapter 33, Fees, located in Title 4 of the Texas Administrative Code was made by Commissioner Jordan and seconded by Commissioner Oates. The motion carried.

(b) The Texas Animal Health Commission (commission) adopts a new §49.7, concerning Persons or Laboratories Performing Equine Infectious Anemia Tests, in Chapter 49, which is entitled "Equine".

The purpose of the new section is to add a requirement that a person or laboratory who performs an official Equine Infectious Anemia (EIA) test in the State of Texas must meet and be in compliance with the requirements found in Title 9 Code of Federal Regulations §75.4(c), which is entitled "*Approval of Laboratories, and Diagnostic or Research Facilities*".

House Bill 3738 was passed during the 84th Regular Texas Legislative Session amending the Texas Agriculture Code to require the commission to adopt rules that require a person or laboratory to be approved by the commission if the person or laboratory performs an official EIA test. The bill requires the rules to include approval requirements; provisions governing the issuance, renewal, and revocation of an approval; inspection requirements; recordkeeping requirements; equine infectious anemia testing methods approved by the commission; and proficiency standards.

The commission has certain EIA testing requirements for equine. The United States Department of Agriculture has a process for the approval of diagnostic laboratories which conduct EIA tests. This amendment proposes to adopt these same requirements for intrastate testing by reference to 9 CFR §75.4(c). There is discussion at the federal level that may alter the current federal role in regulating diagnostic laboratories which test for EIA and potentially leave the responsibility of approving such laboratories to the states. If the federal program is abandoned, the commission will propose and enact state standards.

A motion to ADOPT the amendment to Chapter 49, Equine, located in Title 4 of the Texas Administrative Code was made by Commissioner Vickers and seconded by Commissioner Jordan. The motion carried.

Item 18 – Public Comment
Public comment was heard at the time of the Emergency Management Report on emergency response activities related to Winter Storm Goliath.

Item 19 – Closed executive session to receive legal advice, discuss pending or contemplated litigations, and settlement offers as permitted by section 551.071 of the Texas Government Code.

Item 20 – Closed executive session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a specific commission employee as permitted by section 551.074 of the Texas Government Code.

Item 21 – Consideration of any action following the closed executive session.
There was no consideration of action following the closed session concerning pending or contemplated litigation.

The appointment of Dr. Andy Schwartz as Interim Executive Director was approved for a period of six months.

Item 22 – Adjournment
The date for the 395th Commission Meeting was not set at the time of the meeting, but is tentatively scheduled for mid-May 2016. Notice will be posted on the agency's website when the next Commission meeting date has been set.

Meeting adjourned at 11:20 a.m.

395th Commission Meeting
May 24, 2016

ITEM 2

MOTION

MR. CHAIRMAN, I MOVE THAT WE **APPROVE** THE MINUTES OF THE 394th COMMISSION MEETING AS DISCUSSED TODAY

Motion:_____

Second:_____

TAHC Executive Director Report

May 24, 2016

Andy Schwartz, DVM
Interim Executive Director

- **Opening remarks**

- **Agency Business**
  - Preparation for 85th Legislative Session
    - Strategic Plan – instructions received, draft in development
    - Customer Service Survey – awaiting results for inclusion in Plan
    - Legislative Appropriations Request will be based on Plan

  - Survey of Employee Engagement
    - Results received December 2015
    - SEE Committee has been named - to address concerns

  - Central Office building lease negotiations

  - Disease challenges currently faced
    - Tuberculosis
      - Two concurrent investigations – significant progress made
    - Chronic Wasting Disease
      - Fourth affected premises found (one new prem. since last meeting)
      - Federal indemnity – requesting partial depopulation of highest risk
      - Implementation of antemortem testing plans
      - Containment and Surveillance Zones – seeking industry input, coordinating with TPWD
      - Legislative briefing given May 10, 2016
    - Fever Ticks
      - No further advancement northward since February meeting
      - Consultation with Ecological Services, US Fish and Wildlife Services
      - Fever Tick vaccine received May 17-19, 2016
    - Trichomoniasis Working Group meeting held April 26, 2016
    - Highly Pathogenic Avian Influenza preparation continues
    - ILT in two backyard flocks and one commercial operation
    - Scrapie – first case discovered in Texas since 2008

- **USDA-APHIS-VS**
  - Proposed Tuberculosis and Brucellosis rule – comments submitted
  - Assistant Director for Texas has been named

- **Santa Theresa, NM port** – concerns over process when animal health issue is detected

- **Rule Proposal for consideration**
    - Chapter 47, Authorized Personnel, CWD Authorized Personnel

- **Rules for Passage Considerations**
    - Chapter 41, Fever Ticks, Fever Tick Vaccine

- **Waiver Report**
    - February 16th, 2016 to May 13th, 2016
    - 8 waivers requested and 6 approved:
        - Brucellosis – **Approved** – allowed potbellied swine to enter temporarily for exhibition purposes. Swine would have no contact with breeding animals.
        - Brucellosis – **Approved** – allowed entry of Impala and Kudu to be tested upon arrival in appropriate handling facilities.
        - Pullorum-Typhoid – **Approved** – allowed entry of Cassawary to be tested upon arrival in appropriate handling facilities.
        - Brucellosis – **Approved** – allowed entry of sheep that were just a few days over testing requirement limits and herd mates were tested negative.
        - Brucellosis – **Approved** – allowed entry of Ibex from Los Angeles Zoo that was over testing limit due to shipping delays.
        - Cervid – **Approved** – allowed entry of fallow deer from Florida that meet Texas certified herd requirements.
    - 2 Waivers not approved:
        - Fever ticks – **Not Approved** – Owner expressed concerns over USDA equipment used for follow up treatments. Premise is in permanent quarantine zone and newer TAHC equipment was offered for use.
        - Piroplasmosis – **Not Approved** – Owner wanted to move horses to Louisiana for racing purposes. TAHC has the policy of not allowing known quarantined animals to move to where they would have contact with non-infected animals. Further, the Louisiana animal health officials would not allow entry of horses.

End of report - AS

395th Commission Meeting
May 24, 2016

ITEM 3

MOTION

MR. CHAIRMAN, I MOVE THAT WE **APPROVE** THE REPORT OF THE INTERIM EXECUTIVE DIRECTOR & APPROVAL OF WAIVER REQUESTS FOR THE PERIOD 2/17/16 THROUGH 5/24/16 AS DISCUSSED TODAY

Motion:_____

Second:_____

Animal Health Programs, Epidemiology, and Animal Disease Traceability Report

TAHC Commission Meeting

May 24, 2016

Susan Rollo DVM PhD, Epidemiologist

I. CATTLE

A. Tuberculosis:

1. Background on the Index Case and the Index Herds from Castro County, Texas:

Herd #1: The first herd (~10,000 head) confirmed with *Mycobacterium bovis* (MB) was identified on a slaughter trace in October 2014. Following the confirmation, the dairy was tested 3 times in an effort to remove any infectious animals as per USDA rules (USDA, 2005). The disease prevalence was high enough that repeated testing was unlikely to eliminate the infection due to the insidious nature of this bacteria and based on stochastic modeling (USDA, Cattle health modeling unit). The Texas Animal Health Commission has worked with the United States Department of Agriculture Animal Plant Health Inspection Service Veterinary Services (USDA APHIS VS) on indemnification of the entire herd and the depopulation process began in January and was completed on **April 15, 2016**. The dairy has completed the cleaning and disinfection process using USDA guidelines and restocking is in progress.

Herd #2 (approximately 12,000 head) is under the same ownership. An assurance test in December 2015 yielded no reactors**. The hold order was released on January 13, 2016.** This herd will be tested annually for five subsequent years.

2. Background on Additional Tuberculosis Infected Herds in Parmer County and Lamb County, Texas: The feed yard in Parmer County and the two organic dairies in Lamb County which are all under the same ownership remain under quarantine. The epidemiological investigation of this group is ongoing and the source of introduction has yet to be determined.

To date there have been 25 trace-out herds identified including 10 in other states which all have been notified. The additional dairies tested thus far, have not yielded any additional lesioned cattle. One trace out organic dairy in Texas will be tested within the next 2 months.

Both dairies and the feed yard have undergone an assessment test and 4 removal tests since last April (April, July, September, December, and March). There have been 53 confirmed MB compatible animals from this group including the original 6 steers that traced to this herd. Results of the March test yielded 168 CFT responders. Thirty-three high risk cattle were tested in April and 9 had histocompatable lesions (all 9 from the feed yard). The removal of the balance of the CFT responders is pending an agreement of the recent appraisal.

Currently, funds have not been currently allocated by USDA for a depopulation of this group and a recent model predicts that at least 13 whole herd tests must occur to be 95% sure that TB is no longer in the herds. Therefore, a test and removal plan is under development for implementation.

In summary, there have been ~144,000 TB tests conducted on Texas dairy cattle including the multiple tests on the index herds and associated trace-out herds.

3. Other TB cases in the 2016:

Three Mexican-origin beef animal slaughtered have been confirmed with histo-compatible lesions for *M. bovis* and epidemiological investigations are ongoing.

B. Trichomoniasis:

Through April CY 2016 there have been 222 positive bulls found in 16,904 tests (1.3% test positive). In CY 2015 the test positive percentage was approximately 1.6%.

C. Cattle Fever Tick:

The Temporary Preventive Quarantine Area (initiated on 10/7/14) in Cameron and Willacy Counties continues to face challenges. Currently, there are 16 infested premises in Cameron and 8 in Willacy. Eight previously infested premises have been released in Cameron County. Approximately 10 premises have been identified since Oct 1, 2015 through hunter harvest surveillance (nilgai and white tailed deer (WTD)). In regards to trace-in or trace-out herds associated with infested premises, 100% of the original traces have been completed in Cameron and Willacy Counties.

In region 5, 2 infestations remain under quarantine. These infestations were identified through trace-out investigations from the TPQA in Cameron.

In Cameron and Willacy counties, the infestation rate in WTD and Nilgai has increased since 2014 for both species. More infested nilgai were identified this winter in Willacy compared to the previous year, and this species appears to be an important contribution to the northern movement of the cattle fever tick.

	Infestation Rate Winter '15-'16		Infestation Rate Winter '14-'15	
	WTD % infested (sample size)	Nilgai % infested (sample size)	WTD % infested (sample size	Nilgai % infested (sample size)
Cameron (outside refuge)	13% (n=68)	26% (n=61)		
Willacy	4% (n=53)	**13% (n=71)		
Laguna Atascosa Refuge	77% (n=66)	72% (n=51)	55% (n=67)	40% (n=15)

**All the positives are south of Highway 186.

In summary, the total premises infested, exposed, adjacent, or check (from the USDA March Highlights Letter)

Type of Quarantine	Premises		Syst. Area	Free Area	Total
	Released	Added			
Infested	0	1	43	41	84
Native Exposed	0	0	12	13	25
Mexico Exposed	0	0	27	0	27
Adjacent/Check	173	8	275	1,305	1,580

II. SWINE

A. Brucellosis: There have been no infected herds disclosed in CY 2016 to date.

B. Pseudorabies (PRV): Two infected herds have been disclosed in CY 2016.

III. EQUINE

A. Equine Piroplasmosis (EP): There have been 11 positive horses confirmed in Texas this year. There is one horse that tested positive after receiving a blood transfusion during abdominal surgery; she is still awaiting a transfusion study to determine whether she is in fact infected with *B. Cabali*. There are also two race horses that were misidentified by a submitting veterinarian and an investigation is ongoing to locate the two horses that are associated with the positive lab results.

B. Equine Infectious Anemia (EIA): In CY 2016, there have been ten positive equine disclosed out of the 78,040 animals tested in Texas (0.013% positive rate) and one pending confirmation.

C. **Equine Herpes Virus (EHV):** There have been 2 cases of EHV diagnosed this year in February. Both horses were race horses from the same barn in El Paso County and the quarantine was released in March.

IV. POULTRY

A. **Highly Pathogenic Avian Influenza (HPAI):** The HPAI outbreak that devastated poultry producers during the winter and spring of 2015 was the worst animal disease in U.S. history. It affected more than 48.8 million birds in 21 states before the final detection on June 17. No cases of HPAI have been detected in Texas in 2016. The Texas Animal Health commission preparedness efforts are ongoing in preparation for any incursions that may directly affect Texas poultry. A successful HPAI exercise was completed in Region 2 and a second exercise is planned for June.

B. **Infectious Laryngeal Tracheitis (ILT):** Four flocks have been identified with positive ILT results. Two from backyard flocks, 1 from a commercial flock (on 2 premises), and 1 flock of ~80 birds in Region 8. Subsequent testing in the back yard flocks showed no local disease spread. The investigation in the commercial flock is ongoing.

V. SHEEP AND GOATS

A. Scrapie: The first positive scrapie case in Texas since 2008 was identified in the Panhandle in April 2016. A clinical ewe was tested after an owner notified TAHC. Additional testing in the flock identified an additional suspect ewe. There was no official ID and an epidemiological investigation is ongoing.

VI. CERVIDS

A. **CWD Index herds**

1. **First CWD Index Herd-Medina County:** The first CWD case in Texas in white-tailed deer was identified in June 2015 in Medina Co. Subsequent testing identified 3 additional positive bucks from the same pen. All bucks were born on the premise in 2013. The herd of 226 deer was completely depopulated with USDA indemnity funds in October. In February, 64 deer were removed and tested from the associated release site and all deer tested 'not detected'. To date, there are approximately 20 Elk on the associated release site that are to be harvested before October 2016.
2. **Second CWD Index Herd (trace out from the first index herd)-Lavaca County:** In October 2015, a direct trace out buck from the first CWD index herd died and tested positive for CWD at a Lavaca County premise. The herd of 156 deer and associated fawns was completely depopulated with USDA indemnity funds in March and an

additional 4 bucks tested positive. All 5 bucks were cohorts of the 4 positive bucks from the first CWD index herd.

3. **Third CWD Index Herd-Medina/Uvalde County:** A hunter harvested buck was harvested in early January 2016. TAHC received the results on January 30, 2016 (due to lab backlog). The buck was born on the premise in 2012. In the fall of 2012, the buck was moved to a grow- out pen in a release site for 3 years. It was released for hunting in the fall of 2015. The buck was most likely infected while in the grow- out pen. Ante-mortem testing was used to evaluate the breeding pens located approximately 4 miles from the grow- out pens. A total of 300 deer were ante-mortem tested by tonsil biopsy in March 2016. All deer tested 'not detected' except for one buck which was born in 2013. This buck spent about 2 years in the same grow out pens in the same release site. This buck was euthanized and was also positive on post-mortem testing. A herd plan is under development for this premise which consists of approximately 800 adults.
4. **Fourth CWD Index Herd-Medina County:** A fourth index herd of approximately 900 adults was identified in April 2016 when a 44 month old doe tested positive. To date, 65 deer in adjacent pens to the pen where the positive doe resided, have been tested using ante-mortem testing with tonsil biopsy; all results were 'not detected'. TAHC has requested that USDA consider the possibility of using limited indemnity funds to conduct further diagnostic testing in this herd, including pen cohorts to the positive deer

B. CWD Surveillance and Testing :

1. Samples taken on positive deer including rectal biopsies, tonsil biopsies, obex, and medial retropharyngeal lymph nodes and positive results listed by date.

Case No.	CWD INDEX HERD NO.	Rectal Ante-mortem	Tonsil Ante-mortem	Tonsil Post-mortem	RPLN Ante-mortem	RPLN Post-mortem	Obex	Genotype
1	1					6/30/2015	6/30/2015	
2	1			8/11/2015		8/11/2015	8/11/2015	
3	1			ND		8/11/2015	ND	
4	1					8/14/2015	8/14/2015	
5	2					9/15/2015	9/15/2015	
6	2	11/13/2015	11/13/2015	4/13/2016	11/13/2015	4/13/2016	4/13/2016	GG
7	2	ND	11/13/2015	4/13/2016		4/13/2016	4/13/2016	GS
8	3					1/29/2016	1/29/2016	GG
9	3		3/28/2016			4/12/2016	4/12/2016	
10	4					3/28/2016	3/28/2016	
11	2			4/13/2016		4/13/2016	ND	
12	2			4/13/2016		4/13/2016	ND	

2. The status of all associated trace in and trace out herds for all 4 index herds

Category	Number
CLOSED FACILITY	45
MET REQUIREMENTS OF HOLD ORDER	167
HERD PLAN	42
HOLD ORDER, PLAN PENDING	84
Total	**338**

3. **Ante-mortem testing**
    a. **Ante-mortem testing as a risk assessment tool:** Risk can be assessed by testing a percentage of deer in herds where trace-forward or trace-in deer resided. A summary (to date) of the additional surveillance utilizing medial retropharyngeal lymph nodes (MRPLN), tonsil, and rectal biopsy is listed below.

Associated Index Herd	Tissue Sampled	
	Tonsil	MRPLN
1	**198**	**0**
2	**0**	**0**
3	**237**	**133**
4	**57**	**6**
TOTAL	**492**	**139**

b. **Ante-mortem testing to determine prevalence in the index herds**. Without available USDA indemnity funds, ante-mortem testing has been used on the index herds to assess the extent of infection in the herd. The objective is to mitigate risk at the same time as allowing the facility to remain in business.

Index Herd	Tissue Sampled	
	Tonsil	MRPLN
1	0	0
2	21	21
3	298	0
4	66	0
TOTAL	385	21

4. In summary, the CWD positive animals associated with the first herd have all been bucks that were born on the index premise in 2013. There have been a total of 9 deer that tested positive on post-mortem tests out of a total of 63 bucks (14% infection rate).
5. Outreach and Coordination Efforts: TAHC continues to work closely with Texas Parks and Wildlife in supporting that agency with their surveillance efforts and rule development. In addition to the herd work and disease investigation itself, agency staff have participated in multiple CWD Taskforce meetings, CWD Working Group meetings, given testimony before the Culture, Recreation and Tourism Committee, issued joint press releases, and spoken at deer industry meetings. In addition, TAHC supported a CWD symposium in January that gathered national experts on CWD in hopes to consider the latest scientific knowledge and to gain insight on the most effective testing options other than post-mortem testing.

ANIMAL DISEASE TRACEABILITY ACTIVITIES

Current Project(s)

- ADT is planning to update a third of the electronic data capture equipment, including the replacement of 25 handhelds and 25 RFID wands with cases. The purchase is currently out for bid.

Approved Tagging Facilities and tag distribution:

Approved Tagging Sites: (no change) 80 livestock markets + 13 feeders = 93

Tag Distribution Partners: (no change) 204 AgriLife Extension Offices + 61 veterinarians + ICP-Cameron Co = 266

Total number of Official ID Tags distributed:
During the first quarter, January- March 2016 – 184,162
CY 2015 – 757,113
CY 2014 – 657,367

Scrapie tags ordered:
During the First Quarter, January- March 2016 – 65,382
CY 2015 – 270,202
CY 2014 – 225,597

Current # of Active Premises ID Numbers: 32,194
# of New PINs issued:
During the First Quarter, January- March 2016 – 78
CY 2015 – 311
CY 2014 – 223

Current Total # of LIDs: 24,614
# of New LIDs assigned:
During the First Quarter, January- March 2016 – 1,860
CY 2015 – 7,782
CY 2014 – 10,314

TEXAS ANIMAL HEALTH COMMISSION
Program Disease Progress Report by Species

MARCH 2016

CATTLE

I. BRUCELLOSIS: No quarantined cattle herds as of MARCH 31, 2016.

Total # of brucellosis tests performed at Texas State-Federal laboratory during MAR 2016 = **65,584**.

Slaughter 4-54 brucellosis tests = 55,654
L/S Market 4-54 brucellosis tests = 4,194
State Inspected 4-54 brucellosis tests = 109
Swine brucellosis tests = 409
Private vet brucellosis tests = 2,797
Program Herd brucellosis tests = 1,449

II. TUBERCULOSIS: As of MARCH 31, 2016:

Currently there are four (4) herds under quarantine for Tuberculosis effective 3/31/16.

Nine (9) Slaughter TB Trace Investigations are in progress. Seven (7) traces were initiated in FY 2015 and two (2) traces were initiated in FY2016. The investigations are continuing. No Slaughter tuberculosis cases were closed during MARCH 2016.

III. TRICHOMONIASIS: Trich Testing for CY' 2016.

	Total Texas Bulls Tested	Total TX Bulls PCR Negative	Total TX Bulls Culture Neg	Total Bulls Pos on PCR	Total Bulls Pos Culture	Total Bulls Trich Positive
Jan	3123	2,793	264	48	0	48
Feb	4130	3,769	270	70	0	70
Mar	5329	4,878	335	78	0	78
Apr						
May						
June						
July						
Aug						
Sept						
Oct						
Nov						
Dec						
Totals	**12,582**	**11,440**	**869**	**196**	**0**	**196**

III. TRICHOMONIASIS: Trich Testing for CY' 2016 – continued. . .

	January	February	March	April	May	June	July	August	September	October	November	December	TOTALS by Reg.
R1	0	10	6										16
R2	18	10	26										54
R3	0	8	3										11
R4	7	11	22										40
R5	2	11	4										17
R6	2	13	3										18
R7	19	10	14										43
R8	0	0	0										0
TOTALS by Month	48	73	78	0	0	0	0	0	0	0	0	0	199

Region	# Herds w/HO for Trich	# positive trich bulls
1	3	6
2	7	26
3	2	3
4	8	22
5	1	4
6	2	3
7	6	14
8	0	0
Mar-15		

IV. TICKS: Tick Information not yet available for MARCH 2016

As of FEBRUARY 29, 2016:

83 premises under an infested quarantine:

43 in the Tick Eradication Quarantine Area
40 in the Free Area

1,880 adjacent or check premises:
273 in the Quarantined Area
1,472 in the Free Area

Compared to FEBRUARY 28, 2015:

49 premises under an infested quarantine:

23 in the Tick Eradication Quarantine Area
26 in the Free Area

923 adjacent or check premises:
215 in the Quarantined Area
708 in the Free Area

BOVINE QUARANTINES – MARCH 2016:

Evergreen Farms* - Castro County - Region 1 – TB Reactor - Quarantined date: 1/13/15.
Hilltop Dairy – Lamb County – Region 1 – TB Reactor – Quarantined date: 8/13/15.
Boehning Dairy – Lamb County – Region 1 – TB Reactor – Quarantined date: 8/13/15.
Lazbuddie Feeders – Parmer County – Region 1 – TB Reactor – Quarantined date: 8/13/15.

*Tradition Feed yard is included in the quarantine for Evergreen Farms.

EQUINE

V. EQUINE INFECTIOUS ANEMIA – EIA

	Priv/Prog Negative tests	Initial Priv/Prog Positive tests		Total tests	% of infection
CY '16	58,851	2	=	58,852	.003%

EIA statistics reflect tests performed at TVMDL and private labs.

VI. EQUINE PIROPLASMOSIS (PIRO)

Number of Piro Positives and total horses tested at TVMDL – 2016

MONTH	# Piro Positives	Total Tested
Jan	0	1691
Feb*	0	962
Mar	1	1144
Apr		
May		
Jun		
Jul		
Aug		
Sep		
Oct		
Nov		
Dec		
TOTAL	**1**	**3,797**

*FEB 2016 = 1 Piro Inconclusive

EQUINE QUARANTINES – MARCH 2016:

Jeff Wiggins – Rains Co. – Region 4 – EIA – Quarantined date: 6/29/15.
Dagoberto Sanchez – Hidalgo Co. – Region 5 – PIRO – Quarantined date: 5/16/13. Three premises partially released.
Tomas Lugo – Liberty Co. – Region 2 – EIA – Quarantined date: 2/18/16
Juan Gonzales Stables – El Paso Co. – Region 6 – EHV – Quarantined date: 2/17/16. **Released 3/7/16.**
Charlie Chamberlain – Upshur County – Region 4 – EIA – Quarantined date 3/11/16.

SWINE

VII. SWINE STATUS REPORT – As of March 31, 2016

Swine Herds under Quarantine in Texas Because of Pseudorabies

Currently, there is one swine herd under quarantine for Pseudorabies.

Lonnie Freeman (Home Place)
Region 2 – Polk County
Date of Quarantine: 3/4/2016
Reason for test: Waste Feeder High Risk Herd

Swine Herds under Quarantine in Texas Because of Brucellosis

Currently, there are **no** swine herds under quarantine for Brucellosis.

Swine First Point Testing – MARCH 2016:

Total number of swine brucellosis tests conducted = 182
(129 Rap Negative, 52 Rap Positive, 1 Rap Invalid, 48 FPA Negative, 2 FPA Positive, 1 FP Invalid)
(2 total Rivanol, both are Negative)

Total number of swine pseudorabies tests conducted = 182
(10 Screen test Positive, 1 g1 positive, 9 g1 Negative

As of MARCH 31, 2016:

Total number of permitted feral swine holding facilities = 121
Total number of permitted feral Hunting Preserves = 30
Total number of Swine Waste Permits = 109

VIII. AVIAN

AI Testing Totals

03/01/2016 to 03/31/2016

	LBM System			Excluding LBM System			Testing Totals		
Region	Flocks	Samples	Tests	Flocks	Samples	Tests	Flocks	Samples	Tests
1	0	0	0	0	0	0	0	0	0
2	10	190	19	0	0	0	10	190	19
3	2	40	4	0	0	0	2	40	4
4	1	30	3	1	30	3	2	60	6
5	0	0	0	0	0	0	0	0	0
6	0	0	0	0	0	0	0	0	0
7	1	280	28	0	0	0	1	280	28
8	0	0	0	0	0	0	0	0	0
Total	14	540	54	1	30	3	15	570	57

MARCH 2016 -- Number of Poultry Facility Inspections = 266

IX. EXOTICS

X. SHEEP & GOATS: Scrapie

There have been no Scrapie cases opened or closed as of March 31, 2016.

XI. CERVIDAE: Chronic Wasting Disease (CWD)

State herd certification program continuing. As of MARCH 31, 2016:

Total of **232** herds currently with status.

CERVID QUARANTINES – MARCH 2016

Robert E. Patterson – Medina Co. – Region 5 – White-tailed deer tested positive for CWD - Quarantined Date: 7/2/15.
Thomas Hammond – Medina Co. – Region 5 –all CWD susceptible species – Quarantined Date: 2/5/16.

XII : FAD INVESTIGATIONS – Federal FY 2016

FAD# 16TX	REPORTED BY	ASSIGNED TO	OWNER	CITY	COUNTY	SUSPECTED DISEASE	SPECIES	ASSIGN DATE	EXAM DATE	Priority	Lab	Acc #	RESULT DATE	RESU
16TX0001	TVMDL/Hopkins Co	Hayes	Misty Fitzpatrick	Sulphur Springs	Hopkins	VSV	Equine	10.5.2015	9/30/2015	2	NVSL	15-031761	10/7/2015	N
16TX0002	Joe Bluhar	Bohl	Ruvea Ybarra	Uvalde	Uvalde	VSV	Equine	10.13.15	10/12/2015	2	NVSL	15-032686	10/16/2015	N
16TX0003	TVMDL/Sandra Leyendcker DVM		Mario Gonzales	Laredo	Webb	VSV	Equine	10.23.15	10.21.15	2	NVSL	15-034041	10/30/2015	N
16TX0004	Dr Abraham	Hayes	Joe Nichols	Wylie	Dallas	VSV	Equine	10.27.2015	10/27/2015	3	NVSL	15-034457	10/29/2015	N
16TX0005	Dr. Vancil	Hayes	John Owens	Troup	Cherokee	VSV/FMD	Bovine	10/29/2015	10/29/2015	3	FADDL	15-034924	11/9/2015	N
16TX0006	TVMDL/Leyendecke	Miller	Ricardo Garcia	Laredo	Webb	VSV	Equine	10.29.2015	10/28/2015	3	NVSL	15-034814	11/3/2015	N
16TX0007	Byron Norton, DVM	Hayes	Bryan Hendrix	Princeton	Collins	VSV/FMD	Bovine	11.4.2015	11/4/2015	2	FADDL	15-035624	11/13/2015	N
16TX0008	DVM	Finch	Jim Snow	Petitt	Hockley	VSV	Equine	11.6.2015	11/9/2015	2	NVSL	15-035816	11/17/2015	N
16TX0009	Dr Wallace	Dow	Guillermo Munoz	Wylie	Dallas	VSV	Equine	11.12.2016	11/10/2015	2	NVSL	15-036677	11/20/2015	N
16TX0010	TVMDL/ Dr Schulze	Michalke	Janette Sims	Montgomery	Montgome	VSV	Equine	12.2.2015	12/1/2015	2	NVSL	15-038806	12/4/2015	N
16TX0011	Dr T Martin	Dow	Rhonda Skiver	Grandview	Johnson	VSV/FMD	Bovine	12.9.2015	12/9/2015	2	FADDL	15-040641	12/23/2015	P-VS\
16TX0012	DR PELZEL		ANNIE MURRY		WISE	VSV	Equine	12/23/2015	12/19/2015	2	NVSL	15-041468	12/24/2015	N
16TX0013	TVMDL/ Dr. Sodek	TVMDL	RKW Ranch		Fayette	VSV/FMD	Bovine	12/29/2015	12/22/2015	2	FADDL	15-041873	1/4/2016	N
16TX0014	Joseph Miga DVM	Brodie Miller	Carlos Lopez	San Antonio	Bexar	VSV/FMD	Bovine	12/30/2015		2	FADDL	16-000018	1/7/2016	N
16TX0015	Dr. Gary Hefner	Hayes	Shelby Bates	McKinney	Collins	VSV	Equine	1/5/2016	1/5/2016	3	NVSL	16-000273	1/6/2016	N
16TX0016	TVMDL		Feral swine			CSF	Porcine	1/8/2016	11/10/2015	2	FADDL	16-004459	2/16/2016	N
16TX0017	Rosslyn Biggs	Brodie Miller	Harris Horse Transpor	Bigfoot	Frio	VSV	Equine	1/13/2016	1/18/2016	3	NVSL	16-001704	1/26/2016	P-VS\
16TX0018	TVMDL	Tommy Barton	Machelle Sanders	Navasota	Grimes	VSV/FMD	Bovine	1/28/2016	1/27/2016	3	FADDL	16-003441	2/2/2016	N
16TX0019	Dr Paul Axtell	Fincher	Kandy Bishea	Johnson City	Blanco	VSV/FMD	Caprine	2.2.2016	2/2/2016	3	FADDL	16-004094	2/12/2016	N
16TX0020	Heidi Moore	Fincher	Larry, Elaine Smith	Horseshoe Bay	Burnet	VSV/FMD	Bovine	2.5.2016	2/5/2016	3	FADDL			
16TX0021	TVMDL	Hayes	Paul Haynes	Scurry	Kaufman	VSV	Equine	2.18.2016						
16TX0022	owner	Duhaime	Arnoldo Garcia	Edinburg	Hidalgo	AI/END	Chicken	2.18.2016						
16TX0023	TVMDL	Fincher	Abby Freter	Stephenville	Erath	VSV	Equine	2.19.2016						
16TX0024	Max Dow	Max Dow	Mark Sims	Cleburne	Johnson	VSV/FMD	Bovine	2.22.2016			FADDL			
16TX0025	TVMDL	Miller	Laura Leyendecker	Bandera	Bandera	VSV	Equine	2.29.2016	2/26/2016	2	NVSL	16-006885	3/2/2016	N
16TX0026	Dr Norton, Allen VC	Hayes, Simer	Becky's Hope Horse F	Frisco	Collin	VSV	Equine	3.22.2016		3	NVSL	16-009895		
16TX0027	Dr K Kirkpatrick	Simer	Lorna Schnieder	Terrell	Kaufman	VSV	Equine	3.25.2016						

Count of SPECIES	
SPECIES	Total
Bovine	8
Chicken	1
Equine	16
Porcine	1
Caprine	1
Grand Total	27

16TX0011: Results = Pos for VSV New Jersey

16TX0017: Results = Pos for VSV Indiana, VN only

4/25/16 –cking

395th Commission Meeting
May 24, 2016

ITEM 5

DISCUSSION ON RULES FOR CHRONIC WASTING DISEASE RESTRICTION ZONES
(POSSIBLE ACTION ITEM)

TAHC FIELD ANIMAL HEALTH PROGRAM ACTIVITIES

May 24, 2016

T.R. Lansford, III, D.V.M.
Assistant Executive Director

- **Opening remarks**

- **Report Items**
  - Border Security
    - Region 8 Update
      - Office
      - Staff
    - Engagement in animal health activities

  - Cattle Fever Ticks – Region 5 and Region 8
    - Infestations continue in in Webb, Zapata, Starr, Cameron, and Willacy counties
    - Wildlife and weather are factors
    - Kleberg county
      - No fever ticks found since June 2015; all premises under "check" quarantine
      - Surveillance for release of quarantines on-going
    - Jim Wells county
      - Infested premises restocked and undergoing systematic treatment
      - Wildlife treatment on-going
      - Surveillance on adjacent premises has not disclosed additional fever ticks to this point
    - Fever tick vaccine
      - Delivered May 17 and 18, 2016
      - Moving forward with CTEP/TAHC personnel training materials and sessions
      - Planning for producer meetings underway

  - Tuberculosis – Region 1
    - Infected Complex 1 investigation
      - Depopulation of highly infected herd completed
      - Cleaning and disinfection completed; quarantine released May 15, 2016
      - Estimated restocking by the end of May
    - Infected Complex 2 investigation
      - Test and cull protocol continues
      - Indemnity payment issues continue to delay progress
    - Trace herd investigations continue

  - Chronic Wasting Disease
    - Impacting all Regions

        - Continue to work with herd owners through complexities of each individual herd to develop specific herd plans
        - Continue to incorporate live animal testing into new and existing herd plans
        - Staff working cooperatively with TPWD and stakeholder groups on Stakeholder Working Group and associated smaller focus group

    - Infectious Laryngotracheitis (ILT)
        - Four positive flocks in four Regions
            - 3 non-commercial flocks – R5, 7, and 8
            - 1 commercial flock – R4
        - Awaiting confirmation on virus origin

    - Bovine Trichomoniasis
        - Mandatory testing of adjacent premises underway
        - Trich Working Group meeting held April 26

End of report - TRL

395th Commission Meeting
May 24, 2016

ITEM 7

PRESENTATION OF USDA VETERINARY SERVICES UPDATE
(NO WRITTEN REPORT SUBMITTED)

395th Commission Meeting
May 24, 2016

ITEM 8

APPOINT NEW AUDIT SUBCOMMITTEE CHAIR

395th Commission Meeting
May 24, 2016

ITEM 8

MOTION

MR. CHAIRMAN, I MOVE THAT WE **APPROVE** THE APPOINTMENT OF A NEW AUDIT SUBCOMMITTEE CHAIR AND MEMBERS AS DISCUSSED TODAY

Motion:_____

Second:_____

395th Commission Meeting
May 24, 2016

ITEM 9

AUDIT SUBCOMMITTEE REPORT

395th Commission Meeting
May 24, 2016

ITEM 9

MOTION

MR. CHAIRMAN, I MOVE THAT WE **APPROVE** THE AUDIT SUBCOMMITTEE REPORT AS DISCUSSED TODAY

Motion:_____

Second:_____

TAHC Authorized Personnel Program

Susan Culp – Lead Veterinarian for Authorized Personnel Programs

May 24, 2016

- **Veterinary Authorized Personnel**

  - Since the February 16, 2016 Commission Meeting – new TAHC Veterinary Authorized Personnel Applications have been received from the following:
  - 14 veterinarians transferred over from TAHC Brucellosis Approved Personnel.
  - 38 applications from veterinarians new to the program.
  - 12 applications from graduates from TAMU CVM.

  - TAHC Authorized Personnel Training (4 hour basic course) will be offered in the Austin TAHC office in June 2016 as part of TAHC New Employee Orientation and is required for all new TAHC personnel.

  - TAHC Authorized Personnel Training (4 hour basic course) and Bovine Trichomoniasis Certification (1 hours) were offered in the Austin TAHC office on Tuesday April 12, 2016 in conjunction with USDA Accreditation Orientation.

  - Working in partnership with Dr. John Davidson, Boehringer Ingelheim Vetmedica, Inc., TAHC began offering TACH Bovine Trichomoniasis Certification/Re-Certification continuing education classes to veterinary practitioners at local veterinary medical association meetings. The first meeting was in Amarillo with the High Plains Veterinary Medical Association on Thursday November 12, 2015. To date, this partnership has offered 8 Re-Certification meetings to 256 TAHC Authorized veterinarians and 33 TAMU CVM 4VM students. Two upcoming meetings are confirmed in Sulphur Springs and Weslaco. Five additional meetings are being planned in Midland, San Saba, Brenham, San Marcos and Guthrie. The meetings are free and veterinarians receive two hours of veterinary continuing education credits for attending.

- **Cervid Authorized Personnel**

  - Prior to February 2016, TAHC offered 26 Certified CWD Sample Collector Training opportunities for a total of **770 trained collectors**
  - Since February 2016, TAHC has offered 2 Certified CWD Sample Collector Training classes training a total of **73 additional trained collectors**

- Veterinary student classes offered at TAMU CVM account for an additional **56 collectors trained**.

- **Additional Training Programs**

  - TAMU CVM Intern Program
    - Class of 2019 veterinary student intern for 2 weeks in May 2016
  - Texas A&M Kingsville – USDA STEP UP TO CAREERS Program
    - Isaac Atkinson – 10 week internship in TAHC Region 5 starting May 31st

- **Other Authorized Personnel Department Updates**

  - Disapproved CVI notification process for Texas veterinarians – monthly notification of CVI's disapproved by receiving states. A year and a half into the new process, the numbers of disapproved CVI's coming back to Texas veterinarians is continuing to decrease.
  - The TAHC Authorized Personnel Compliance Review Committee was created in October 2014. This group meets monthly to review Authorized Personnel cases. This committee is responsible for the enforcement of the Texas Administrative Code, Chapter 47 Authorized Personnel.

- **Veterinary Medical Loan Repayment Program (VMLRP)**

  - A total of eight area nominations were submitted by TAHC to USDA NIFA in February 2016. All eight of the shortage area nominations were accepted. The request for veterinary applications for those shortage areas closed on May 20, 2016. Applications are now being reviewed and offers will be made to selected individual veterinarian applicants in September 2016.

Media Interviews

Date	Media Outlet	Company/Organization	TAHC Employee	Topic
3/17/16	Radio	Texas Farm Bureau	Thomas Swafford	Backyard Chicken Biosecurity
3/17/16	TV	KRGV Channel 5	Dr. Michalke	Fever Tick Quarantine in C.C.
3/11/16	Newspaper/Web	Amarillo Globe News	Dr. Michalke	Brucellosis and Bison
2/11/16	Radio	Texas Farm Bureau	Dr. Lansford	Texas Wildlife
2/9/16	Newspaper	Texas Farm Bureau	Dr. Miller	Fever Tick Vaccine
2/4/16	Radio	Texas Farm Bureau	Jeff Turner	Winter Storm Goliath Aftermath

News Releases

News Releases

2016

May 9, 2016 Prevent Anthrax by Vaccinating your Livestock

April 22, 2016 Scrapie Confirmed in a Hartley County Sheep

April 11, 2016 USDA Veterinary Medicine Loan Repayment Program Announces Shortage Areas for 2016

April 1, 2016 New CWD Cases Discovered at Captive Deer Breeding Facilities

March 15, 2016 TAHC Passes Rules at February Commission Meeeting

March 9, 2016 Governor Abbott Appoints Locke as TAHC Chairman and Selects Three Commissioners

March 8, 2016 TAHC Releases Equine Herpes Virus Quarantine

February 26, 2016 Hartley County Mule Deer Tests Positive for Chronic Wasting Disease

February 19, 2016 Equine Herpes Virus Confirmed in Texas

TVMA Article by Dr. Schwartz

TAHC

FROM THE TEXAS ANIMAL HEALTH COMMISSION

TAHC Bovine Trichomoniasis Program Update

No doubt, if you are a veterinarian who participates in the Texas Animal Health Commission (TAHC) Bovine Trichomoniasis program, you don't need to be told the pathogenesis or clinical signs associated with the disease in cattle. You talk to your producers about bovine Trichomoniasis on a regular basis.

What you might not be aware of is that according to the TAHC Bovine Trichomoniasis rule, veterinarians are required to get recertification every three years to continue participating in the program. If you were not aware of the recertification requirement, you are not alone. According to the Texas Administration Code, the rule states that only veterinarians certified through the Commission may perform Trichomoniasis program procedures. The rule also states that veterinarians desiring to perform Trichomoniasis program functions shall participate in a certification program on Trichomoniasis program requirements and procedures before performing any Trichomoniasis program functions and that certified veterinarians shall be recertified every three years.

TAHC Bovine Trichomoniasis recertification opportunities have not been widely available since TAHC initiated the regulations in 2010. That is, until November 2015, when a unique educational opportunity became available. In 2015, the TAHC began collaborating with Dr. John Davidson, Senior Professional Services Veterinarian for Boehringer Ingelheim Vetmedica Inc. (BIVI), and with local veterinary medical associations (VMAs) to provide free veterinary continuing education dinner opportunities to local practitioners. A total of 15 of these meetings will be offered throughout Texas.

This new partnership between the TAHC, BIVI and local VMAs could not have come at a better time. Recent TAHC rule changes include the rule lowering the age of "virgin" bulls from 24 to 18 months as well as the rule requiring the testing of bulls on adjacent pastures to where an infected bull was disclosed. It is safe to say that in addition to recertification, quite a bit of very productive discussion occurs at these two-hour dinner meetings.

Andy Schwartz, DVM
Interim Executive Director, Texas Animal Health Commission

Dr. John Davidson states, "While not a new disease, Bovine Trichomoniasis has surpassed other reproductive pathogens for its devastating economic impacts for the cow/calf producer in the southern U.S. These meetings have been well-attended and have afforded an opportunity for idea-sharing and discussions amongst many cattle practitioners. It truly is a win-win for all involved."

Dr. Steve Schultz, owner of Schultz Veterinary Services, PC, in Franklin, is the president of the Three Rivers Veterinary Medical Association. Three Rivers VMA held a bovine Trichomoniasis meeting in Mexia on Wednesday, February 18, recertifying 51 veterinarians and certifying four veterinarians for the first time. According to Dr. Schultz, a beef cattle veterinarian whose entire practice focuses on cow/calf work, "The monetary loss of this disease on producers is tremendous. Bovine Trichomoniasis is a very important disease, and practitioners working closely with TAHC to control this disease is one of the most important services that we can offer as food animal practitioners."

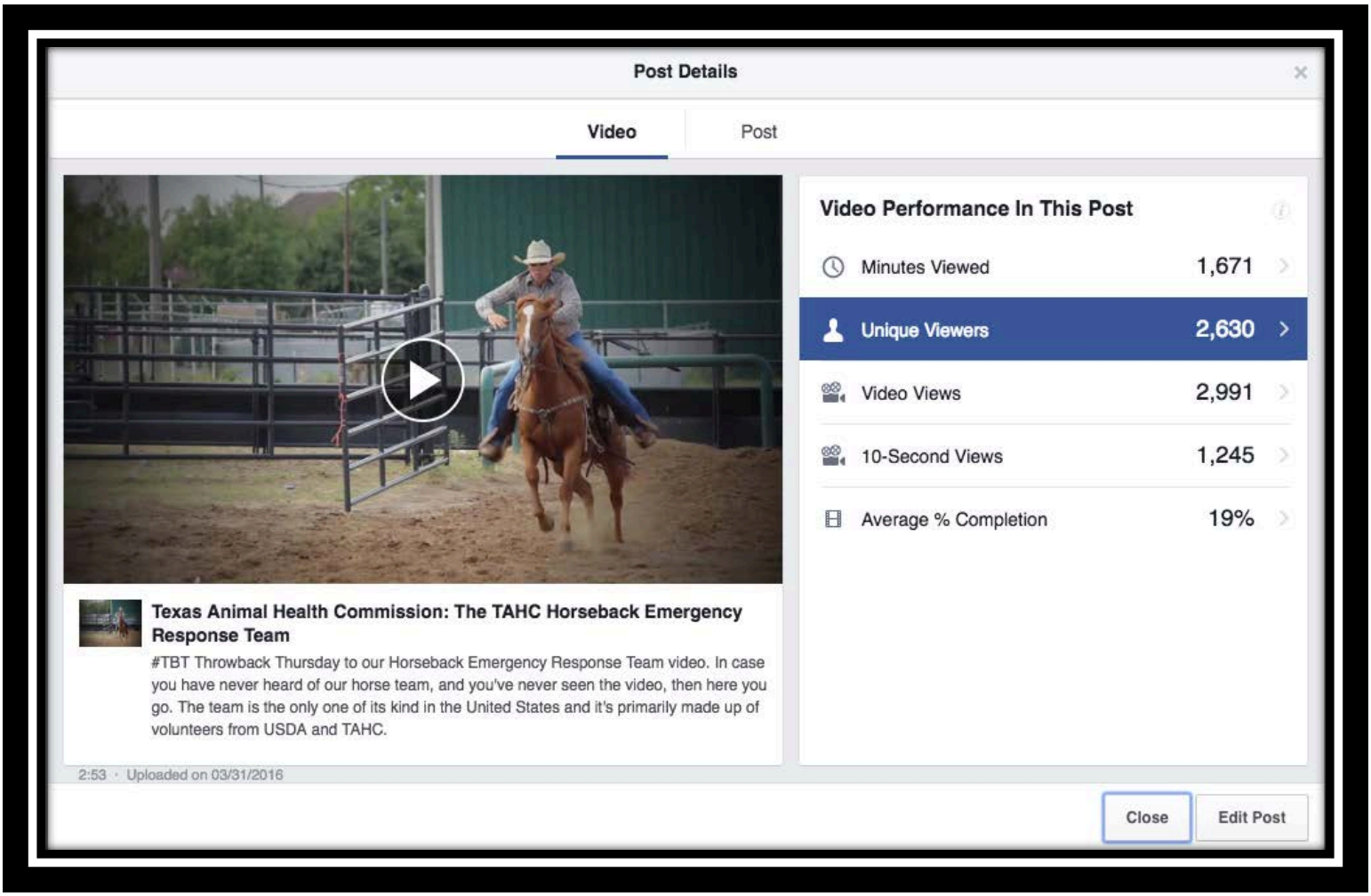
The TAHC/BIVI/Local VMA Bovine Trichomoniasis meetings are a great opportunity to get an update on the latest science on bovine Trichomoniasis from an industry expert, receive regulatory updates on efforts to control this disease in Texas and openly discuss all of these topics with your peers. The TAHC is grateful for the efforts of Dr. Davidson and the local VMAs in coordinating these meetings and the opportunity for lively interaction with practitioners.

For more information about future TAHC Bovine Trichomoniasis Certification/Re-Certification meetings, contact Dr. Susan Culp or Laura Leal at authorized_personnel@tahc.texas.gov.

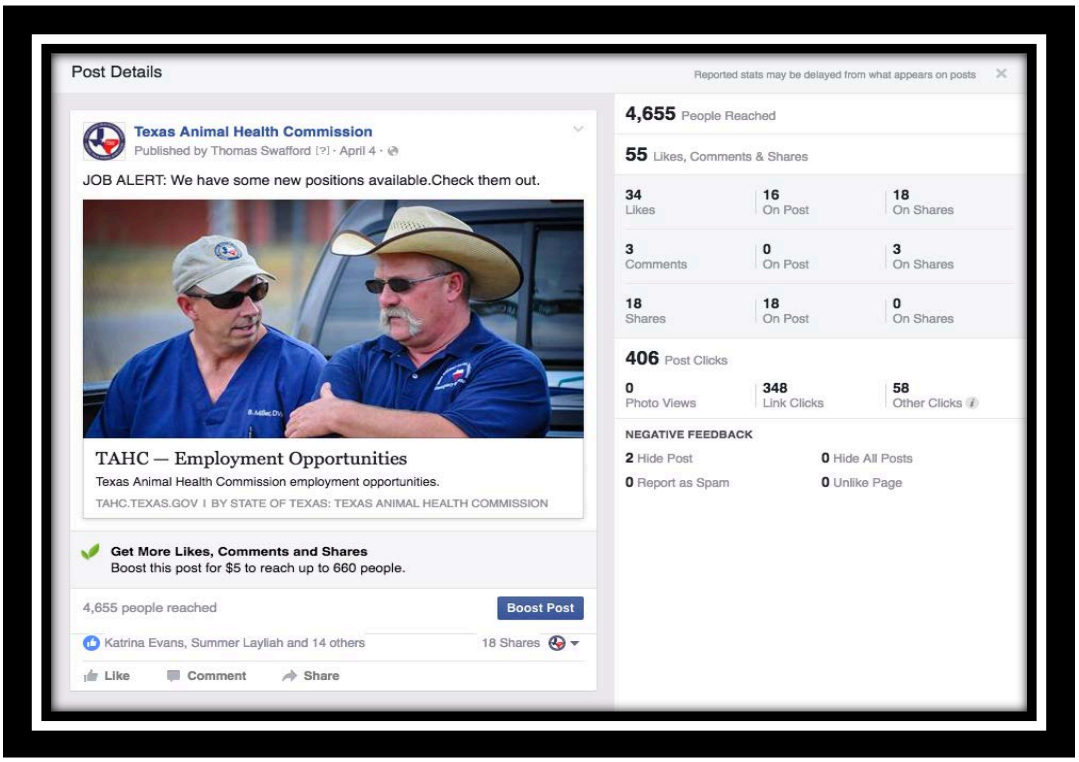
Facebook Insights

March 16th – May 10th

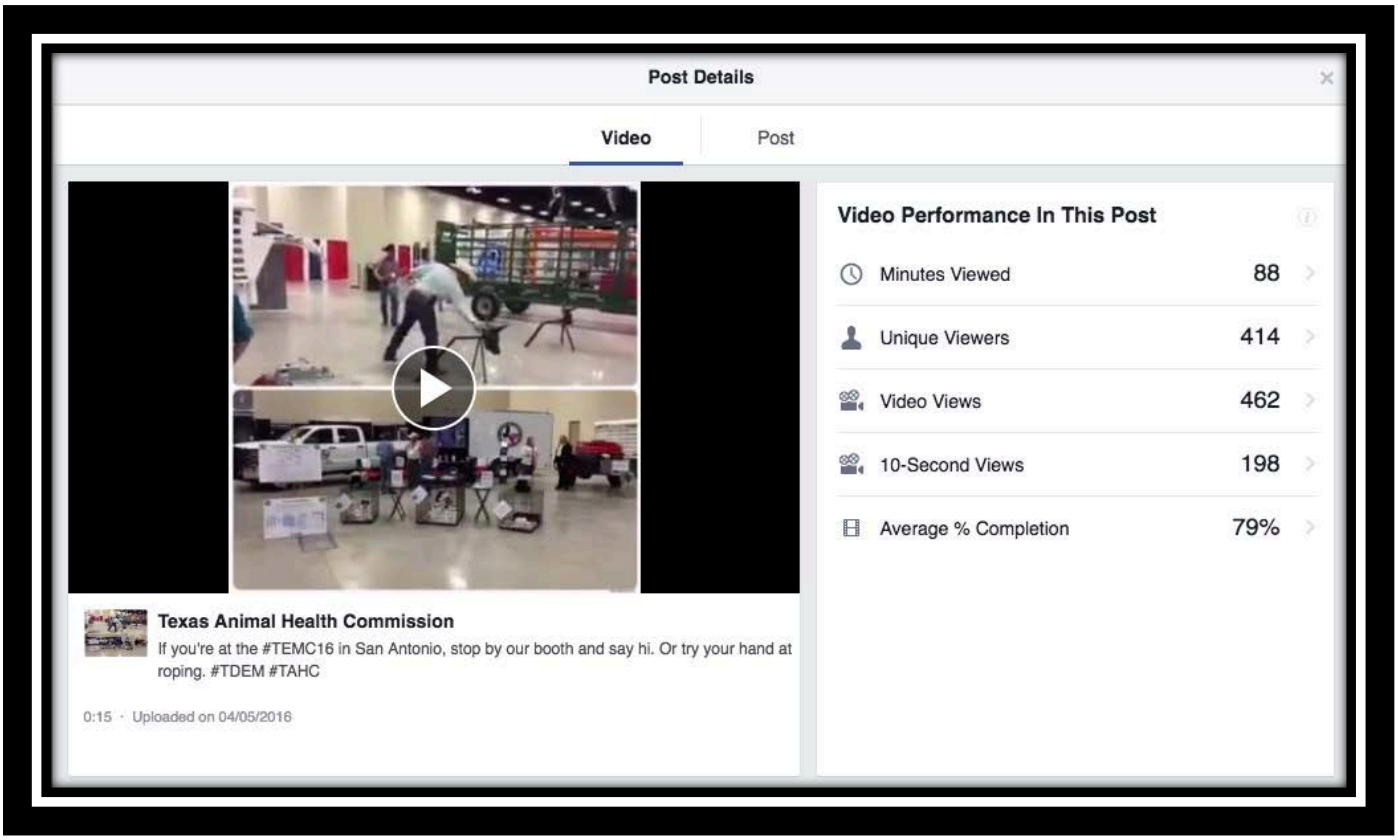
March 31st



April 4th Job Posting



April 5th Video From The Field



Videos Uploaded Directly to Facebook

Top Videos

Video Library

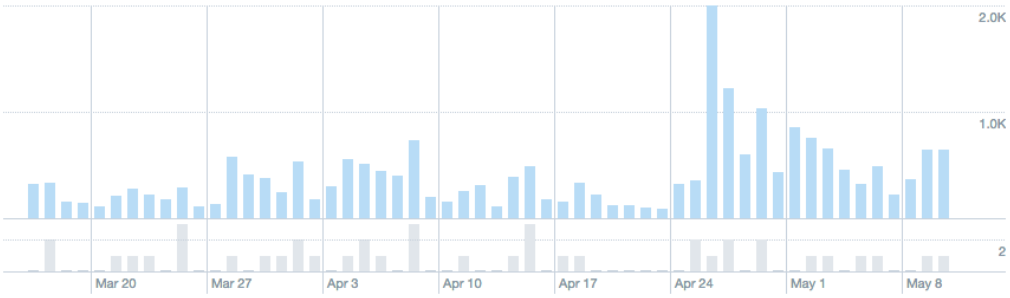
Most viewed videos on your Page watched for 3 seconds or more, for videos posted between Feb 16, 2016 and May 11, 2016.

Published	Video	Targeting	Reach	Views	Avg Completion
03/31/2016 2:43 pm	#TBT Throwback Thursday to our Horseback Emergency Response Team		10.6K	3K	19% 0:33 / 2:53
03/17/2016 10:04 am	VIDEO: If you have backyard chickens then this video is for you. TAHC's Dawna		7.1K	2.3K	15% 0:35 / 4:02
03/15/2016 2:07 pm	Texas Animal Health Commission shared The Weather Channel's video.		2.1K	986	53% 0:18 / 0:35
04/15/2016 10:01 am	Texas Animal Health Commission shared their video.		3K	474	16% 0:31 / 3:17
04/05/2016 12:26 pm	If you're at the #TEMC16 in San Antonio, stop by our booth and say hi. Or try your		1.5K	462	80% 0:11 / 0:14

See More

Twitter

Your Tweets earned **18.8K impressions** over this **56 day** period



YOUR TWEETS

During this 56 day period, you earned **336 impressions** per day.

Tweets | Top Tweets | Tweets and replies | Promoted

	Impressions	Engagements	Engagement rate
TX Animal Health Com @TAHC · Apr 25 Just a reminder about how you can prepare your small pets for an emergency. Do you have a "go kit" ready? fb.me/4NfTOihBD View Tweet activity	4,498	36	0.8%
TX Animal Health Com @TAHC · Apr 2 Two new cases of chronic wasting disease (CWD) in Texas captive deer, including the first confirmed from a live... fb.me/174svvkRY View Tweet activity	805	15	1.9%
TX Animal Health Com @TAHC · Apr 5 If you're at the **#TDEM** Conference in San Antonio, stop by our booth and say hi. Or try your hand at roping. fb.me/80NYy8piK View Tweet activity	553	9	1.6%

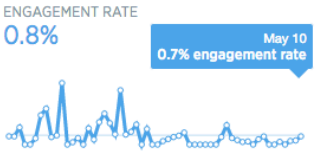
Promote

Engagements

Showing 56 days with daily frequency

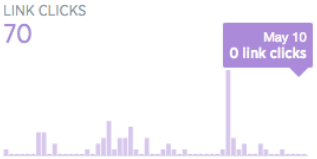
ENGAGEMENT RATE

0.8%



LINK CLICKS

70



On average, you earned **1 link clicks** per day

Upcoming Exhibits

- Independent Cattleman's Association Convention: June 22-24
- Texas Wildlife Association Convention: July 14-17
- Texas Pork Producers Association Conference: July 15-16
- Texas Sheep & Goat Raisers Association Convention: July 21-23
- Texas A&M Beef Cattle Short Course: August 1-3
- American Veterinary Medicine Association Convention: August 5-9
- Texas Veterinary Medicine Association Convention: September 29-October 2

Texas State-Federal Laboratory Update May 2016

- In April, the TAHC-LAB received its renewal certificate as a Level 3 Laboratory within the National Animal Health Laboratory Network (NAHLN; coordinated by USDA). This relates to a renewed cooperative agreement between TAHC and USDA, effective May 2016, and includes a federal award of $31,719 for expenditures to support NAHLN testing and reporting. The NAHLN is part of a nationwide strategy to coordinate the work of all organizations providing animal disease surveillance and testing services, which can prepare for and respond to a large-scale animal disease outbreak.
- In June, NAHLN representatives will conduct a periodic (scheduled every two years) on-site audit of the LAB's procedures.
- In April, the LAB passed its on-site USDA inspections for:
  - Equine Infectious Anemia (EIA) testing
  - Contagious Equine Metritis (CEM) testing
- National proficiency test panels recently submitted (results pending):
  - 2016 Vesicular Stomatitis Virus Polymerase Chain Reaction (PCR)
  - 2016 Vesicular Stomatitis Virus Complement Fixation (CF)
  - 2016 Bovine Tuberculosis Gamma Interferon
  - 2016 Brucellosis Proficiency Test (Standard Plate Test, Standard Tube Test, Buffered Acidified Plate Antigen, Complement Fixation, Rivanol, Card Test, Rapid Automated Presumptive, Fluorescence Polarization Assay)

Sample Volume, January – April 2016	
Sample Type	**Sample Numbers**
Bovine Brucellosis Slaughter Blood:	249,215
Bovine Brucellosis Market Blood:	18,933
Other Brucellosis Blood:	11,982
Bovine Brucellosis Milk:	123
Brucellosis Culture:	17
Bovine Tuberculosis Blood:	663
Swine Brucellosis Blood:	2,393
Swine Pseudorabies Blood:	2,391
Equine Infectious Anemia Blood:	84
Ectoparasite Identification:	541

Emergency Management Activities – May 24, 2016

Texas Animal Health Commission – Plans Update

The Emergency Management department recently hired a new staffer who will be the lead in continuing work on our agency planning documents. Ms. Olivia Hemby comes to the agency with an extensive writing background and will be an asset to the EM department. Efforts continue in working with federal, state, local, and academic partners in developing and revising planning documents for responses to natural disasters and animal disease emergencies. These include an ongoing joint project with the Texas Division of Emergency Management (TDEM) to have animals included in all state EM planning documents, as relevant. Inclusion of animals, both agricultural and companion, in state documents will lead to the development of a similar inclusion at local planning levels. This project is anticipated to take three to five years to fully accomplish and should foster greater protection for agriculture, companion and service animals alike through preparedness, response and recovery planning. Additionally, planning remains in a heightened state regarding Highly Pathogenic Avian Influenza (HPAI) and Foot and Mouth Disease (FMD) for all susceptible species. EM staff remain diligent in reviewing and revising planning documents and procedures while coordinating with industry to assure preparedness levels remain heightened.

Emergency Management Responses

TAHC Emergency Management staff have been active in numerous response activities. Ongoing rain events over the past few months have produced threats of flooding and flood-related incidents which could affect livestock and companion animals across the state. TAHC assisted in the coordination and response to these wide spread incidents. Related to the fever tick response, a significant change has occurred in the Cameron/Willacy Counties fever tick outbreak regarding the management structure. The response structure has transitioned from an incident management structure to a typical management style of response due to the long-term operational needs of the outbreak. This has allowed EM staff to focus on other pressing issues while maintaining a high level of response in Cameron and Willacy Counties.

Emergency Management and Industry Conferences

EM staff have attended and presented at numerous conferences and workshops across Texas and the southwest. Presentations and speaking engagements related to livestock, poultry, and companion and service animals in the past few months aim to spread the need for animal-related emergency and disaster preparation, response and recovery activities.

Exercises

EM staff continue planning efforts for the Palo Duro II FMD exercise slated for August 2016 in Amarillo, Texas. The exercise will engage federal, state, local governments as well as industry representatives in a simulated response to a FMD outbreak in the Texas Panhandle. Other exercise activities include agency HPAI training meant to hone staff skills for efficient response to a potential high-consequence outbreak. TAHC also participated in the Texas Association of Dairymen's FMD disaster drill and the TDEM Hurricane Tabletop, both meant to sharpen operational awareness and preparedness efforts.

Biennium FY 2016 & FY 2017

Fiscal Year 2016	*Projected Budget*	*Budget YTD*	*Description*
	11,592,437	**11,566,891**	**Total General Revenue**
	2,550,974	**2,516,690**	**Total Federal Funds**
	(13,825,243)	**(13,825,243)**	**Total Expenditures**
	318,168	**258,338**	**FY 2016 Budget**

Appropriations/Budget

- General Revenue (GR) appropriations:
  - These totals are not contingent on revenue generated by fees approved by the Commission
  - State FY 2016
    - The TAHC was appropriated $11.3M for State FY 2016
    - Additional appropriations include $175K for across the board 2.5% salary increase
  - State FY 2017
    - The TAHC is appropriated $10.5M for State FY 2017
- Federal Funds and Grants (Federal Fiscal Year runs April 1 to March 31)
  - State FY 2016
    - Federal FY 2015 funds to be available to the TAHC total $2.44M
    - Received $2.41M – Year-To-Date (YTD)
  - State FY 2017
    - Federal FY 2016 in approximately $1.94M
- Capital Budget Funding
  - $261.5K towards Fleet Vehicles, has been completely allocated towards the acquisition of trucks
  - $150K towards the Acquisition of Information Resource Technologies, has been or will be completely allocated towards the acquisition of hardware/software and towards annual licensing renewals
    - $86K Tech Refresh
    - $64K Equipment Replacement

Revenues

- State FY 2016 & 2017
  - Fee Revenue is estimated per year to be approximately $512K.
    - TAHC Portion - $424K
      - Received $397K – Year-To-Date (YTD)

        - State Portion $87K

Full Time Equivalent Employees (FTEs):

- State FY 2016
    - The TAHC is appropriated 183.2 FTE's
    - Currently there are 175.5 FTE's
- State FY 2017
    - The TAHC is appropriated 184.2 FTE's

Additional Appropriations:

- State FY 2016 & FY 2017
    - CAPPS (Centralized Accounting & Payroll/Personnel Systems) deployment
    - The TAHC is appropriated 1 FTE, which does not affect our FTE cap
    - $41K
- State FY 2016 – 2.5% Salary Increase (Statewide)
    - $175K

Budgetary Transfers:

- The TAHC has Unexpended Balance (UB) authority within the Biennium
- Estimated by Strategies:
    - EM $-35K
        - IT $12K
        - Staff Services $23K
    - Field $-205K
        - Central Admin $170K
        - Lab/Epi $20K
        - Compliance $15K

395th Commission Meeting
May 24, 2016

ITEM 14

MOTION

MR. CHAIRMAN, I MOVE THAT WE **APPROVE** THE BUDGET STATUS REPORT AS DISCUSSED TODAY

Motion:_____

Second:_____

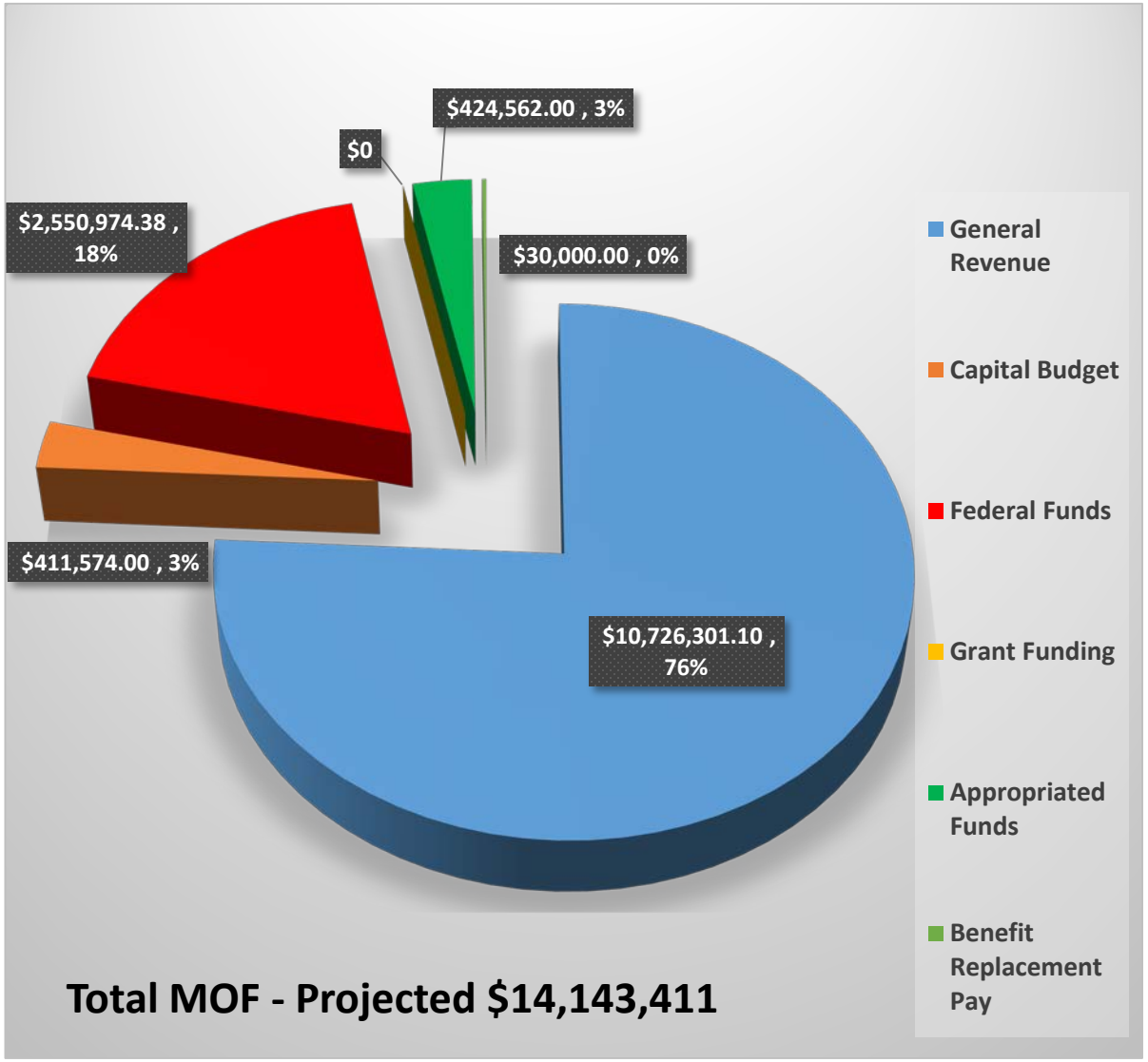
TAHC
Financial & Procurement Services

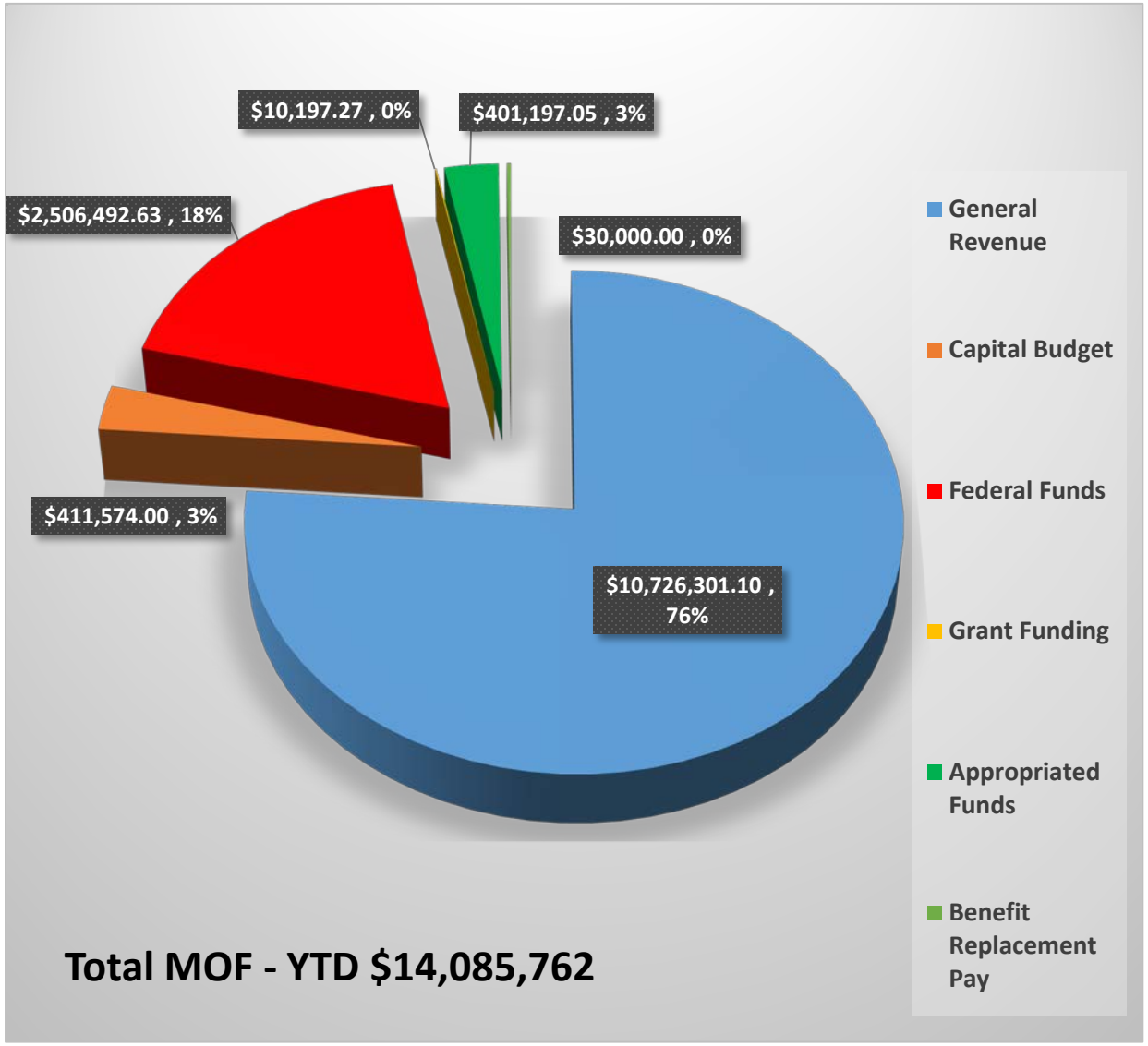
For Fiscal Year 2016

May 24th, 2016

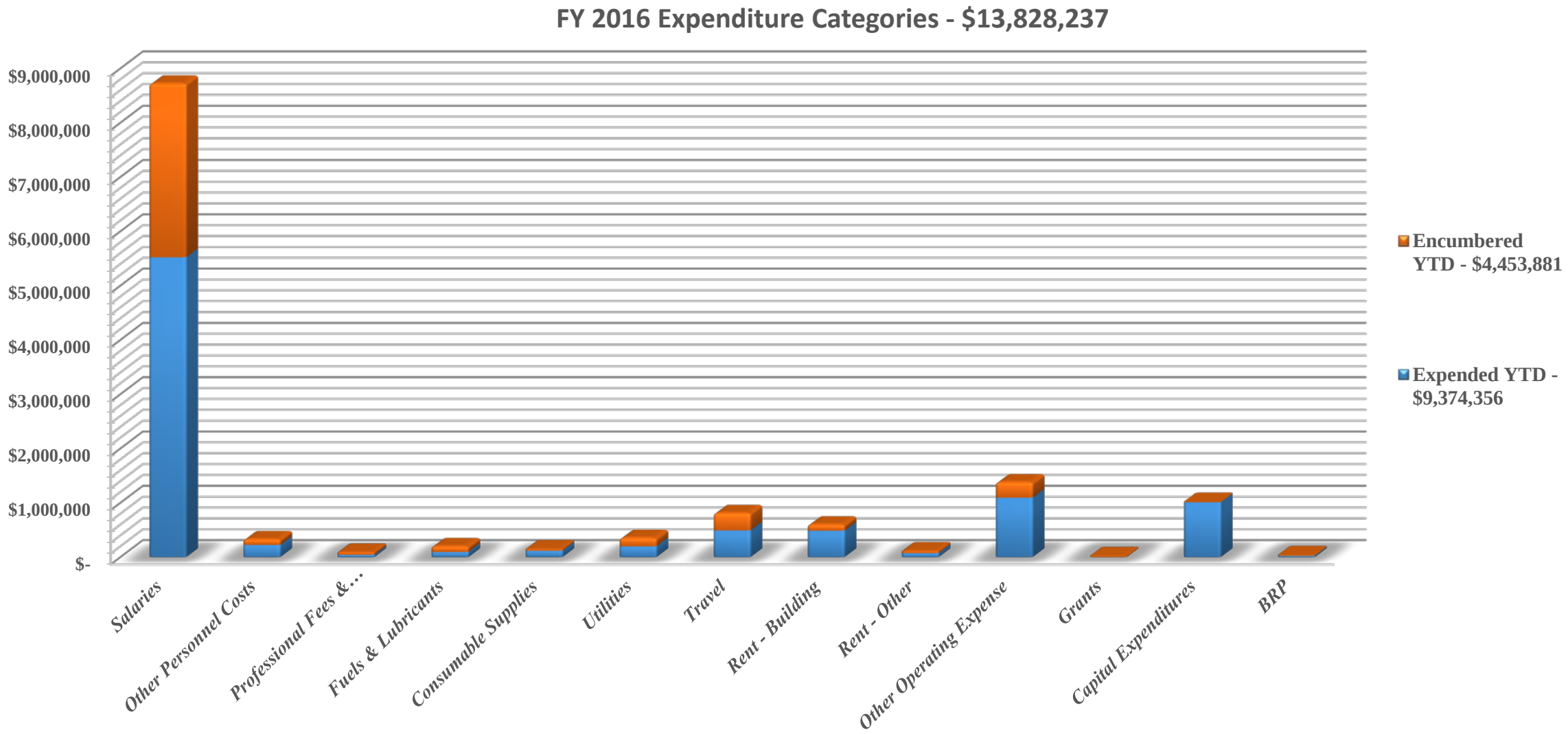
Funding Types for FY 2016

Projected vs. YTD

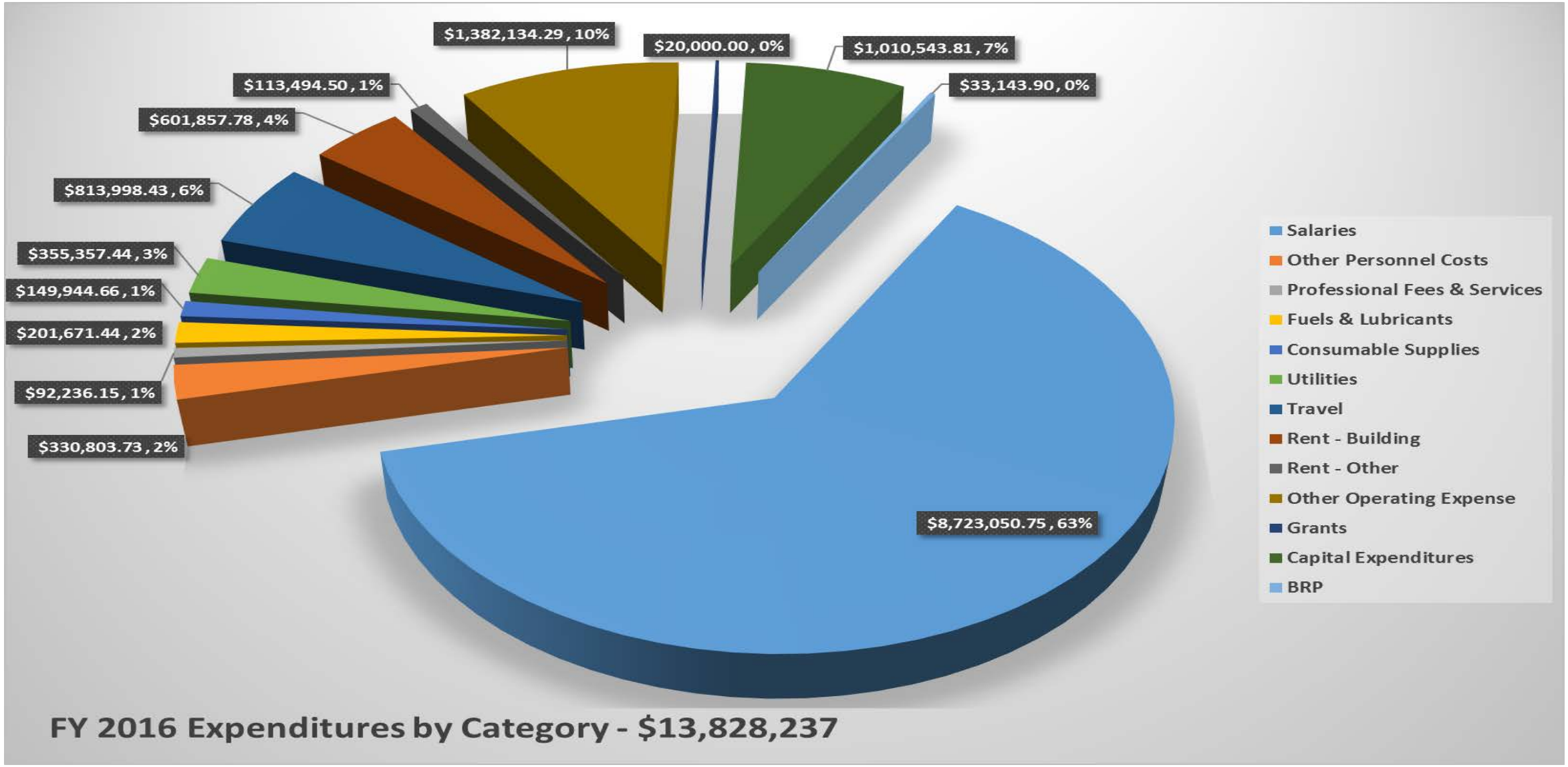




Expenditure Categories for FY 2016

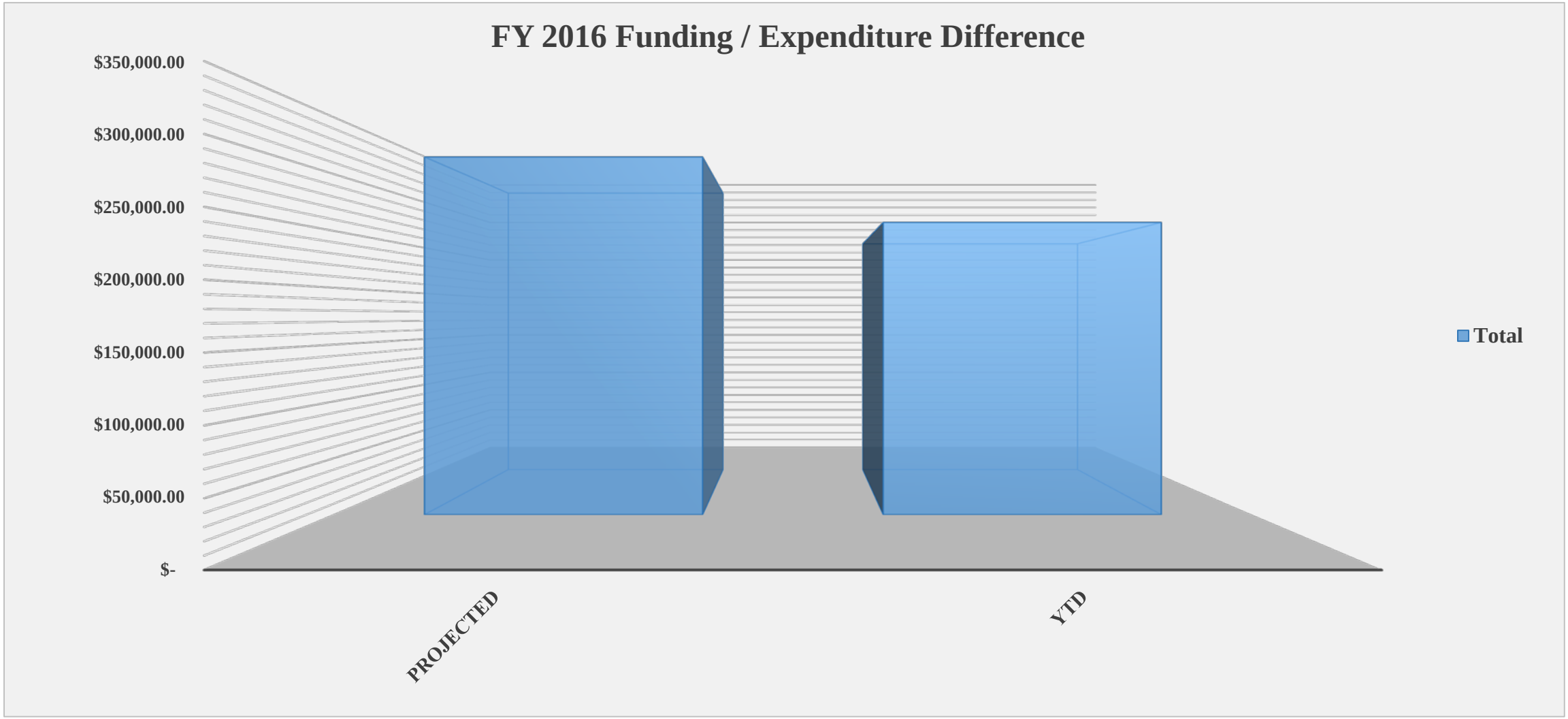


Expenditure Categories for FY 2016



Funding / Expenditure Difference for FY 2016

Projected vs. YTD



CONTRACTS, PURCHASES, LEASES
$25,000.00 OR GREATER
For the Period: 2/1/2016 THROUGH 5/1/2016
FY2016

(Request for Approval)
(05/24/16)

PURCHASE:	**554-6-**
DATE ORDERED:	**Pending Approval**
ITEM:	**Trimble Nomad 1050 Mobile Computer**
QUANTITY:	**25 Each**
PURPOSE:	**Field Equipment for Testing**
DEPARTMENT:	**Animal Health Program**
AMOUNT:	**$45,000.00 (Estimate)**
VENDOR:	**TBD**

PURCHASE:	**554-6-**
DATE ORDERED:	**Pending Approval**
ITEM:	**Allflex RS420 Series Stick Reader (Case, Charger, Batteries)**
QUANTITY:	**25 Each**
PURPOSE:	**Field Equipment for Testing**
DEPARTMENT:	**Animal Health Program**
AMOUNT:	**$30,000.00 (Estimate)**
VENDOR:	**TBD**

PURCHASE:	**554-6-**
DATE ORDERED:	**Pending Approval**
ITEM:	**Mobile Filing System**
QUANTITY:	**1 Each**
PURPOSE:	**Space Utilization for Filing**
DEPARTMENT:	**Central Office - Austin**
AMOUNT:	**$35,000.00 (Estimate)**
VENDOR:	**TBD**

PURCHASE:	**554-6-**
DATE ORDERED:	**Pending Approval**
ITEM:	**Modular Furniture for Central Office**
QUANTITY:	**TBD (11 or more)**
PURPOSE:	**Space Utilization/ Move of Departments**
DEPARTMENT:	**Central Office - Austin**
AMOUNT:	**$50,000.00 (Estimate)**
VENDOR:	**TBD**

PURCHASE:	**554-6-**
DATE ORDERED:	**Pending Approval**
ITEM:	**Enclosed Trailer**
QUANTITY:	**6 Each**
PURPOSE:	**Storage for Polaris Ranger Crew 900 ATV**
DEPARTMENT:	**Animal Health Programs**
AMOUNT:	**$65,000.00 (Estimate)**
VENDOR:	**TBD**

PURCHASE:	**554-6-**
DATE ORDERED:	**Pending Approval**
ITEM:	**Centrifuge**
QUANTITY:	**17 Each**
PURPOSE:	**Field Equipment**
DEPARTMENT:	**Region Office (1-8)**
AMOUNT:	**$35,000.00 (Estimate)**
VENDOR:	**TBD**

PURCHASE:	**554-6-**
DATE ORDERED:	**Pending Approval**
ITEM:	**ArcGIS 1 Training (2-days)** **ArcGIS 2 Training (3-days)**
QUANTITY:	**12 Employees**
PURPOSE:	**Software Training**
DEPARTMENT:	**Information Technology**
AMOUNT:	**$25,475.00**
VENDOR:	**Environmental Systems Research Institute, Inc. (ESRI)**

CONTRACTS, PURCHASES, LEASES
$25,000.00 OR GREATER

FY2017

(Request for Approval)
(05/24/16)

PURCHASE:	**554-7-**
DATE ORDERED:	**Pending Approval**
ITEM:	**Vehicle Purchase (Trucks and Van)**
QUANTITY:	**Unknown**
PURPOSE:	**New Fleet Vehicles**
DEPARTMENT:	**Animal Health Programs/Fleet**
AMOUNT:	**$260,000.00**
VENDOR:	**TBD**

PURCHASE:	**554-7-**
DATE ORDERED:	**Pending Approval**
ITEM:	**Truck Accessories**
QUANTITY:	**Unknown**
PURPOSE:	**Accessories for New Fleet Vehicles**
DEPARTMENT:	**Animal Health Programs/Fleet**
AMOUNT:	**$45,000.00**
VENDOR:	**TBD**

PURCHASE:	**554-7**
DATE ORDERED:	**Pending Approval**
ITEM:	**Renew Licensing for Microsoft Products and Support**
QUANTITY:	**Various**
PURPOSE:	**Agency License Renewals**
DEPARTMENT:	**Information Technology Department**
AMOUNT:	**$85,000.00 (Estimate)**
VENDOR:	**TBD**

PURCHASE:	**554-7**
CONTRACT:	**TEX-AN Service: Toll Voice, Dedicated Data, Internet: Video & Dial-up**
DATE EFFECTIVE:	**09-01-2016**
EXPIRATION:	**08-31-2017**
PURPOSE:	**Communications Services**
DEPARTMENT:	**Information Technology (IT)**
AMOUNT:	**$75,000.00 (Estimate)**
VENDOR:	**Department of Information Resources (DIR)**

PURCHASE:	**554-7**
DATE ORDERED:	**Pending Approval**
ITEM:	**Second Day and Overnight Shipping**
QUANTITY:	**12 Months (09-01-2016 – 08-31-2017)**
PURPOSE:	**Shipping**
DEPARTMENT:	**Staff Services & State-Federal Laboratory, Austin**
AMOUNT:	**$75,000.00 (Estimate)**
VENDOR:	**LoneStar Overnight (Primary Vendor)**

PURCHASE:	**554-7**
DATE ORDERED:	**Pending Approval**
ITEM:	**Second Day and Overnight Shipping**
QUANTITY:	**12 Months (09-01-2016 – 08-31-2017)**
PURPOSE:	**Shipping**
DEPARTMENT:	**Staff Services & State-Federal Laboratory, Austin**
AMOUNT:	**$75,000.00**
VENDOR:	**Federal Express (Secondary Vendor)**

CONTRACT:	**Worker's Compensation Assessment**
ORDER NUMBER:	**554-7**
DATE EFFECTIVE:	**09-01-2016**
EXPIRATION:	**08-31-2017**
PURPOSE:	**Risk Management**
DEPARTMENT:	**Legal**
AMOUNT:	**$45,000.00 (Not to Exceed)**
VENDOR:	**State Office of Risk Management (SORM)**

PURCHASE:	**554-6-008**
CONTRACT:	**Fleet Vehicle Insurance**
DATE EFFECTIVE:	**09-01-2016**
EXPIRATION:	**08-31-2017**
PURPOSE:	**Liability Coverage**
DEPARTMENT:	**Animal Health Programs/Staff Services**
AMOUNT:	**$45,000.00 (Estimate)**
VENDOR:	**TBD (through State Office of Risk Management)**

395th Commission Meeting
May 24, 2016

ITEM 15

MOTION

MR. CHAIRMAN, I MOVE THAT WE **APPROVE** THE CONTRACTS AND PURCHASES REQUEST AS DISCUSSED TODAY

Motion:_____

Second:_____

Commission Meeting Report

Gene Snelson – General Counsel

May 24, 2016

Compliance Action Requests

- Received 52 from 2/1/16 to 4/30/16
- Sent 33 warning/demand letters for no scrapie tags, no dairy ID, no TB test/CVI/Trich test/ID on out of state cattle, no CVI on out of state swine, no EIA test, TPQA ID requirements, and dealer recordkeeping.

Investigations

- Conducted 70 from 2/1/16 to 4/30/16.

Complaints

- Filed 19 from 2/1/16 to 4/30/16 for cattle, equine, and poultry entry violations/no CVI, no TB test/EIA test/AI or PT test; and no EIA and Piro test at equine event. Fines paid in the amount of $7,073.

Administrative Penalty

- None since last Commission meeting.

Preamble for the Proposal of Amendments to Chapter 47, for the Commissioners' 05/24/16 Meeting

EXPLANATION OF PROPOSED RULE

The Texas Animal Health Commission (commission) proposes amendments to §47.21, concerning Definitions, §47.22, concerning General Requirements and Application Procedures, §47.23, concerning, Duration and Additional Training Requirements, §47.24, concerning Grounds for Suspension or Revocation, in Chapter 47, which is entitled "Authorized Personnel". The purpose of the amendments is to establish and clarify requirements for persons authorized to perform certain activities that related to Chronic Wasting Disease (CWD).

Section 161.047 of the Texas Agriculture Code requires a person, including a veterinarian, to be authorized by the commission in order to engage in an activity that is part of a state or federal disease control or eradication program for animals, which includes Chronic Wasting Disease.

Chapter 47, Subchapter C, which is entitled "Chronic Wasting Disease" includes standards and requirements for persons authorized by the commission to perform work as a Certified CWD Sample Collector. At the time the existing Subchapter C regulations were adopted, the commission only recognized test results from postmortem CWD sample collection. Since this sampling was not performed on live animals, the commission established standards and authorized non-veterinarians to collect postmortem samples.

In early 2016, the commission implemented CWD antemortem testing in certain situations to assess the disease risk and prevalence in herds known to be infected or exposed to CWD. Antemortem testing, because it involves the diagnosis of a disease in live animals, is considered the practice of veterinary medicine pursuant to Chapter 801 of the Occupations Code. As such, the commission proposes to modify the CWD authorized personnel requirements to specify that only Certified CWD Veterinarians may collect antemortem CWD samples.

A Certified CWD Veterinarian is defined as a veterinarian who has authorized personnel status for veterinarians as required by §47.1, has completed appropriate training recognized by the commission on the collection, preservation, laboratory submission, and proper recordkeeping of samples for antemortem CWD testing, and who has been certified by the commission to perform these activities. The proposed rules include requirements regarding the application for authorized personnel status, general standards, duration of status, training, recordkeeping and suspension or revocation for Certified CWD Veterinarians.

The proposed rules also clarify that non-veterinarians may only collect CWD postmortem samples. As such, the commission proposes to change the title of such individuals from "Certified CWD Sample Collector" to "Certified CWD Postmortem Sample Collector".

FISCAL NOTE

Ms. Larissa Schmidt, Director of Administration, Texas Animal Health Commission, has determined for the first five-year period the rules are in effect, there will be no significant additional fiscal implications for state or local government as a result of enforcing or administering the rules. An Economic Impact Statement (EIS) is required if the proposed rule has an adverse economic effect on small businesses. The agency has evaluated the requirements and determined that there is not an adverse economic impact and, therefore, there is no need to do an EIS. Implementation of this rule poses no significant fiscal impact on small or micro-businesses, or to individuals.

PUBLIC BENEFIT NOTE

Ms. Schmidt has also determined that for each year of the first five years the rules are in effect, the public benefit anticipated as a result of enforcing the rules will be uniformity in the state's Chronic Wasting Disease control activities.

LOCAL EMPLOYMENT IMPACT STATEMENT

In accordance with Texas Government Code §2001.022, this agency has determined that the proposed rules will not impact local economies and, therefore, did not file a request for a local employment impact statement with the Texas Workforce Commission.

TAKINGS ASSESSMENT

The agency has determined that the proposed governmental action will not affect private real property. The proposed amendments are an activity related to the handling of animals, including requirements for testing, movement, inspection, identification, reporting of disease, and treatment, in accordance with 4 TAC §59.7, and are, therefore, compliant with the Private Real Property Preservation Act in Government Code, Chapter 2007.

REQUEST FOR COMMENT

Comments regarding the proposal may be submitted to Amanda Bernhard, Texas Animal Health Commission, 2105 Kramer Lane, Austin, Texas 78758, by fax at (512) 719-0719 or by email at "comments@tahc.texas.gov".

STATUTORY AUTHORITY

The amendments are proposed under the following statutory authority as found in Chapter 161 of the Texas Agriculture Code. The commission is vested by statute, §161.041(a), with the requirement to protect all livestock, domestic animals, and domestic fowl from disease. The commission is authorized, through §161.041(b), to act to eradicate or control any disease or agent of transmission for any disease that affects livestock.

Pursuant to §161.0417, entitled “Authorized Personnel for Disease Control”, a person, including a veterinarian, must be authorized by the commission in order to engage in an activity that is part of a state or federal disease control or eradication program for animals. Section 161.0417 requires the commission to adopt necessary rules for the authorization of such persons and, after reasonable notice, to suspend or revoke a person's authorization if the commission determines that the person has substantially failed to comply with Chapter 161 or rules adopted under that chapter. Section 161.0417 does not affect the requirement for a license or an exemption under Chapter 801, Occupations Code, to practice veterinary medicine.

Pursuant to §161.005, entitled “Commission Written Instruments”, the commission may authorize the executive director or another employee to sign written instruments on behalf of the commission. A written instrument, including a quarantine or written notice signed under that authority, has the same force and effect as if signed by the entire commission.

Pursuant to §161.006, entitled “Documents to Accompany Shipment”, if required that a certificate or permit accompany animals or commodities moved in this state, the document must be in the possession of the person in charge of the animals or commodities, if the movement is made by any other means.

Pursuant to §161.0415, entitled “Disposal of Diseased or Exposed Livestock”, the commission by order may require the slaughter of livestock, under the direction of the commission, or the sale of livestock for immediate slaughter.

Pursuant to §161.046, entitled “Rules”, the commission may adopt rules as necessary for the administration and enforcement of this chapter.

Pursuant to §161.048, entitled “Inspection of Shipment of Animals or Animal Products”, the commission may require testing, vaccination, or another epidemiologically sound procedure before or after animals are moved. An agent of the commission is entitled to stop and inspect a shipment of animals or animal products being transported in this state in order to determine if the shipment originated from a quarantined area or herd; or determine if the shipment presents a danger to the public health or livestock industry through insect infestation or through a communicable or noncommunicable disease.

Pursuant to §161.054, entitled “Regulation of Movement of Animals”, the commission, by rule, may regulate the movement of animals. The commission may restrict the intrastate movement of animals even though the movement of the animals is unrestricted in interstate or international commerce.

Pursuant to §161.0541, entitled “Elk Disease Surveillance Program”, the commission by rule may establish a disease surveillance program for elk.

Pursuant to §161.101, entitled “Duty to Report”, a veterinarian, a veterinary diagnostic laboratory, or a person having care, custody, or control of an animal shall report the existence of the diseases, if required by the commission, among livestock, exotic

livestock, bison, domestic fowl, or exotic fowl to the commission within 24 hours after diagnosis of the disease.

Pursuant to §161.112, entitled “Rules”, the commission shall adopt rules relating to the movement of livestock, exotic livestock, and exotic fowl from livestock markets and shall require tests, immunization, and dipping of those livestock as necessary to protect against the spread of communicable diseases.

Pursuant to §161.113, entitled “Testing or Treatment of Livestock”, if the commission requires testing or vaccination under this subchapter, the testing or vaccination must be performed by an accredited veterinarian or qualified person authorized by the commission. The state may not be required to pay the cost of fees charged for the testing or vaccination. And if the commission requires the dipping of livestock under this subchapter, the livestock shall be submerged in a vat, sprayed, or treated in another sanitary manner prescribed by rule of the commission.

No other statutes, articles or codes are affected by the proposal.

Texas Administrative Code

TITLE 4	AGRICULTURE
PART 2	TEXAS ANIMAL HEALTH COMMISSION
CHAPTER 47	AUTHORIZED PERSONNEL
SUBCHAPTER C	CHRONIC WASTING DISEASE
RULE §47.21	**Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

(1) Approved Laboratory--A diagnostic laboratory approved by Administrator to conduct official tests for CWD in accordance with 9 CFR 55.8.

(2) Authorized personnel--For the Chronic Wasting Disease (CWD) program, a person that is certified by the commission as a Certified CWD **Postmortem** Sample Collector **or, for veterinarians, a Certified CWD Veterinarian**.

(3) Certified CWD **Postmortem** Sample Collector--An individual who has completed appropriate training recognized by the commission on the collection, preservation, laboratory submission, and proper recordkeeping of samples for **postmortem** CWD testing, and who has been certified by the commission to perform these activities.

(4) Certified CWD Veterinarian—A veterinarian who has authorized personnel status for veterinarians as defined by §47.1 of this title (relating to Definitions), has completed appropriate training recognized by the commission on the collection, preservation, laboratory submission, and proper recordkeeping of samples for antemortem CWD testing, and who has been certified by the commission to perform these activities.

(5)~~(4)~~ Chronic Wasting Disease (CWD)--A transmissible spongiform encephalopathy (TSE) of susceptible species.

(6)~~(5)~~ CWD Susceptible Species--All species in the cervidae family determined to be susceptible to CWD, which means any species that has had a diagnosis of CWD confirmed by means of an official test conducted by a laboratory approved by USDA/APHIS. This includes white-tailed deer (Odocoileus virginianus), mule deer (Odocoileus hemionus), black-tailed deer (Odocoileus hemionus columbianus), North American elk or wapiti (Cervus Canadensis), red deer (Cervus elaphus), Sika deer (Cervus Nippon), moose (Alces alces), and any associated subspecies and hybrids.

(7)~~(6)~~ Sample Identification Number--The number assigned to a CWD sample on the specimen submission form.

(8)~~(7)~~ Specimen Submission Form--USDA-APHIS VS form 10-4, electronic VS form 10-4 or equivalent submission form.

Texas Administrative Code

TITLE 4	AGRICULTURE
PART 2	TEXAS ANIMAL HEALTH COMMISSION
CHAPTER 47	AUTHORIZED PERSONNEL
SUBCHAPTER C	CHRONIC WASTING DISEASE
RULE §47.22	**General Requirements and Application Procedures**

(a) This regulation sets the standards for personnel who perform work in the Certified CWD **Authorized Personnel** ~~**Sample Collector**~~ program pursuant to the Texas Agriculture Code, §161.0417. Personnel may collect samples for official CWD testing in Texas as follows:

(1) Effective September 1, 2015, a person, other than an accredited veterinarian licensed to practice veterinary medicine in Texas, shall be a Certified CWD **Postmortem** Sample Collector to collect and submit samples for official **postmortem** CWD testing.

(2) Effective October 15, 2016, an individual shall be a Certified CWD Veterinarian to collect and submit samples for antemortem CWD testing.

(3)~~**(2)**~~ To become a Certified CWD Sample Collector **or a Certified CWD Veterinarian**, a person must meet the requirements and apply for Certified CWD **Authorized Personnel status** ~~**Sample**~~ **Collector** as prescribed in §47.2 of this title (relating to Requirements and Application Procedures).

(4)~~**(3)**~~ A person desiring to perform official CWD testing shall participate in a certification program on CWD program requirements and procedures before performing any CWD program functions, including but not limited to review of the disease, proper sample collection techniques, sample preservation and laboratory submission, recordkeeping, and identification of animals.

(b) A Certified CWD **Postmortem** Sample Collector **or Certified CWD Veterinarian** shall meet the following requirements:

(1) Comply with §47.4 of this title (relating to Standards for Authorized Personnel);

(2) Comply with §47.5 of this title (relating to Recordkeeping);

(3) Submit CWD samples only to approved laboratories; and

(4) Follow all instructions as prescribed by the commission for collection of samples, including:

(A) collecting the proper samples necessary for CWD detection by an approved laboratory;

(B) labeling of specimen collection containers. The side label of a specimen collection container must include the following information:

(i) date of collection;

(ii) owner name;

(iii) **name of the** Certified CWD **Postmortem** Sample Collector **or Certified CWD Veterinarian** ~~**name**~~;

(iv) species, age and sex of animal;

(v) type of specimen(s);

(vi) herd ID (if applicable), official animal identification number;

(vii) sample identification number;

(C) packaging specimens to meet Federal transportation guidelines; and

(D) fully and accurately completing the specimen submission form, which includes listing the clinical signs of CWD observed in samples collected from CWD susceptible species:

(i) date of collection;

(ii) owner name, address, and phone number;

(iii) ~~**Certified CWD Sample Collector**~~ name, address, phone number, and email address **for the Certified CWD Postmortem Sample Collector or Certified CWD Veterinarian**;

(iv) species, age, and sex of the animal;

(v) type of specimen(s);

(vi) herd ID (if applicable), all animal identification devices with a quarter-sized piece of tissue (ear, hide, etc.) attached to each device; and

(vii) sample identification number.

Texas Administrative Code

TITLE 4	AGRICULTURE
PART 2	TEXAS ANIMAL HEALTH COMMISSION
CHAPTER 47	AUTHORIZED PERSONNEL
SUBCHAPTER C	CHRONIC WASTING DISEASE
RULE §47.23	**Duration and Additional Training Requirements**

(a) Unless otherwise suspended or revoked, Certified CWD Sample Collector status shall be valid for the period of three years from the date of initial certification.

(b) Unless otherwise suspended or revoked, Certified CWD Veterinarian status shall be valid for the period of three years from the date of initial certification.

(c)~~**(b)**~~ Certified CWD **Postmortem** Sample Collector status or Certified CWD Veterinarian status must be renewed by submitting a renewal application to the commission, paying any applicable fees, and meeting any additional requirements determined by commission rule, 30 days prior to the certificate expiration date.

(d)~~**(c)**~~ In determining whether additional training shall be required of current Certified CWD **Postmortem** Sample Collectors **or Certified CWD Veterinarians** before certificate renewal, the commission may consider changes in technology, treatments, procedures, programs, and the performance or competency of the individual in performing CWD program activities.

(e)~~**(d)**~~ If the commission requires general training or testing for all CWD authorized personnel, the commission will publish notice at least six months in advance of the certificate renewal date.

(f)~~**(e)**~~ If the commission requires individual training or testing as a result of the CWD authorized personnel's performance or inability to perform CWD program activities, the commission may give notification and set a time and place for training or testing.

Texas Administrative Code

TITLE 4	AGRICULTURE
PART 2	TEXAS ANIMAL HEALTH COMMISSION
CHAPTER 47	AUTHORIZED PERSONNEL
SUBCHAPTER C	CHRONIC WASTING DISEASE
RULE §47.24	**Grounds for Suspension or Revocation**

Suspension or revocation of Certified CWD **Postmortem** Sample Collector status **or Certified CWD Veterinarian status** may be made upon a determination that one or more of the following has occurred:

(1) Violating one or more of the provisions prescribed in §47.6 of this title (relating to Grounds for Suspension or Revocation);
(2) Failing to comply with one or more of the provisions prescribed in §47.4 of this title (relating to Standards for Authorized Personnel);
(3) Observing clinical signs or lesions of CWD and failing to immediately report those findings to the commission; or
(4) Failing to complete additional training or testing as prescribed in §47.23 of this title (relating to Duration and Additional Training Requirements).

05/24/16

PROPOSAL

Item 17(a)

MOTION

CHAPTER 47, AUTHORIZED PERSONNEL

Mr. Chairman, I move that we **PROPOSE** the amendments to Chapter 47, **Authorized Personnel**, located in Title 4 of the Texas Administrative Code, as discussed today.

I further move that notice of the proposed amendments be published in the *Texas Register* with a 30-day comment period.

Motion:_____

Second:_____

Preamble for the Adoption of Amendments to Chapter 41, for the Commissioners' 05/24/16 Meeting

EXPLANATION OF ADOPTED RULE

The Texas Animal Health Commission (commission) adopts amendments to §41.1, concerning Definition of Terms, and a new §41.8, concerning Dipping, Treatment, and Vaccination of Animals, in Chapter 41, which is entitled "Fever Ticks." The commission published the proposal in the March 11, 2016, issue of the Texas Register (Vol. 41, No. 11, pages 1761-2036). The commission received one comment from Texas and Southwestern Cattle Raisers Association (TSCRA) and the response is provided below. No changes are being made in response to the comment.

The commission contemporaneously adopts the repeal of the existing §41.8, concerning Dipping and Treatment of Livestock.

The purpose of the amendments to §41.1 is to add a fever tick vaccine definition. The purpose of a new §41.8 is to add a fever tick vaccine requirement for beef cattle located in a control purpose quarantine area, temporary preventative quarantine area or tick eradication quarantine area, and other beef cattle or premises epidemiologically determined by the commission to be at an increased risk for fever ticks. A new §41.8 will also clarify and better organize the different requirements for dipping, treatment, and vaccination. The title of §41.8 is being changed to accurately capture that the requirements apply to animals capable of hosting or transporting ticks capable of carrying Babesia and includes vaccination requirements.

The purpose of the Texas Cattle Fever Tick Eradication Program (Program) is to eradicate fever ticks through the management of a permanent quarantine zone, as well as through temporary quarantine areas, created to address the presence of ticks outside the permanent zone.

The USDA Cattle Fever Tick Eradication Program, USDA Agriculture Research Service, and the commission have developed a vaccine for the purpose of acting as a preventative to be used against fever ticks. Collaboratively, they worked with a major pharmaceutical company for five years to get the vaccine through the approval process by USDA Center for Veterinary Biologics (CVB) approval process with the intent for the fever tick vaccine to be integrated into the eradication program.

The fever tick vaccine was developed and manufactured by a major pharmaceutical company with extensive experience in livestock products. The vaccine contains a recombinant protein derived from the epithelial lining of the fever tick gut. The vaccine has been developed using recombinant DNA technology-and has no live, modified live, nor killed bacterial or viral components. It is derived from epithelial lining of the fever tick gut. Cattle vaccinated with this antigen produce an antibody response at high levels in blood. Fever ticks which feed on immunized cattle consume high levels of the antibody in

blood meal. The antigen-antibody response occurs in the stomach of the tick and effectively destroys the gut lining of the tick, reducing the tick's capabilities to produce offspring and potentially killing the tick.

The fever tick vaccine requires two priming doses 28 days apart. The maximum protection requires boosters every 6 months. This is administered by intramuscular injection in the neck region of cattle. The vaccine is approved for use in beef cattle two months or age and older. There is insufficient safety data for use of the vaccine in dairy cattle and, as such, the vaccine is not authorized for use in dairy cattle at this time. The USDA CVB requires a slaughter withholding period of 60 days following administration of the vaccine and that is provided for in the proposal.

There are numerous benefits of the fever tick vaccination, with the most significant benefit being the potential to eradicate ticks from infested premises. The vaccine provides long term protection against re-infestation; after the initial inoculations cattle only need, at most, two inoculations per year and premises are protected continuously because cattle are fever tick immune. In this regard, the vaccine substantially prevents re-establishment of ticks when new incursions occur from stray livestock and wildlife from Mexico in US premises stocked with immunized cattle. The vaccine is simple to administer and works synergistically with treatment to promote more efficient elimination of fever ticks on premises with less dependency on chemical and systemic acaracides.

It is also noted that although the vaccine is over 95% effective against Rhipicephalus (Boophilus) annulatus, it is only 70% effective against Rhipicephalus (Boophilus) microplus but, the booster effect over a 2-3 year period is predicted to improve the control of ticks in the pastures by suppressing the overall tick population following reduced fertility of the ticks. Additional research is being carried out to improve the efficacy of this vaccine against Rhipicephalus (Boophilus) microplus, and results of which will be forthcoming

TSCRA submitted a comment letter and raised a number of issues related to the inspection and treatment practices for cattle located within an area restricted for the cattle fever tick. The commission provides a response to the various questions and issues raised in the letter. The primary purpose and focus of a new §41.8 was to add a fever tick vaccine requirement for beef cattle. Section 41.8 was also reorganized to allow the vaccine requirement to be better integrated into the section with the established treatment options, but no changes were proposed to the established treatment and inspections. The commission appreciates the comment and opportunity to explain the program.

TSCRA stated that the 100% requirement to gather, treat, and inspect livestock is unattainable and; therefore, impossible for operators to comply with the currently proposed rule. They request that we include flexibility in the gathering frequency and treatment regime they require for livestock based on fever tick prevalence of the premises, pasture size, labor available, livestock temperament, time since last gathered and other unique gathering challenges of the quarantined property. The Texas Cattle Fever Tick Eradication Program (CFTEP) is the oldest eradication program in the state

and the 100% treatment schedule for infested premises has historically been the requirement. For premises known to be infested with cattle fever ticks this requirement has been the most effective method of eradicating ticks from the premises with the fewest treatments and in the shortest period of time. The commission does allow for some flexibility in compliance with the 100% gather and treatment provision when supported by sound pest control and eradication principles and when authorized by the CFTEP Director and State Veterinarian. When circumstances warrant such deviations from policy, the special provisions are documented in the herd plan prescribed for the particular property. Also it should be noted that the approved methods of treatment do provide some flexibility in gathering frequency in that the Coumaphos treatment option provides for treatment at 7-14 day intervals with an additional 3 days beyond 14 days when circumstances beyond control of the owner prevail. In addition, the doramectin treatment option provides for gathering at 25-28 day intervals.

The basic biology of the tick relative to its life cycle on the host animal requires that treatments occur prior to completion of its life cycle on the host. The time period from when the ticks first attach to the host, feed on the host, molt on the host from larvae to nymph to adult, successfully breed and engorge with blood from the host so that the eggs carried by the female tick are developed to the point that the female tick drops off to the ground to deposit eggs for the next generation of ticks to begin is generally accepted to be from 18-21 days in duration. In addition, the basic pharmacology of the treatment products relative to it's the duration of effect also plays an important role in the establishment of treatment frequencies. For example, although Coumaphos (CoRal®) applied topically has significant knock-down effect, it is not a systemic product and does not have significant residual properties. Considering that fever ticks may complete their life cycle on cattle in 18-21 days, it is required that treatments occur at an interval shorter than that in order to prevent perpetuation of a new generation of ticks.

Prior to 2008, Coumaphos was the only product approved for use in the program. In response to an increasing proportion of cattlemen who could not comply with its schedule for treatments and remain profitable, the TAHC and CFTEP worked closely with the Agricultural Research Services (ARS) in investigating other products which had longer residual effect and a less frequent treatment schedule but retained similar levels of efficacy. As a result, we began using Doramectin routinely in 2008. Doramectin (Dectomax®) is a systemic product and does provide significantly greater residual effect which allows this product to be effective in breaking the life cycle of the tick attached to the host when administered at 25-28 day intervals. We believe it has decreased the number of treatments to achieve eradication by 50% over the duration of a quarantine period, and at the same time increased the proportion of cattlemen who are able to leave cattle on systematic treatment as opposed to destocking.

We continue to investigate other products as well, to find additional options with comparable efficacy, greater residual effect, and less frequent treatments to achieve eradication. Several such products include an ivermectin medicated molasses supplement, 10% moxidectin injectable (Cydectin Onyx), and eprinomectin injectable (Longrange®). As these products are proven out through laboratory and field trials they

will be integrated into the program if they meet accepted efficacy standards. The tick vaccine has been through this rigorous process, and for the first time in the history of the program it offers a method to prevent establishment of a fever tick infestation on properties in many cases rather than responding with treatment after the infestation has become established.

TSCRA also asked if an infested premises can be subdivided into prevalence levels that require a more practical and less frequent number of gatherings at lower prevalence levels. The commission believes that once an infestation has been detected on a premises, failure to recognize the life cycle of the tick along with accepted pest management principles by administration of treatments prior to completion of the life cycle on the host will only allow the infestation to continue to increase; and at the same time provide treatment exposure to ticks at less than therapeutic levels of the product which over time will generate profound resistance of the tick population to the product. In a control rather than an eradication approach with sub therapeutic use of topical and systemic products it can resulted in tick populations which are now resistant to topical and systemic products known worldwide and this is a concern for us.

TSCRA requested that for premises classified as either adjacent or check that we allow producers to present their livestock for treatment and inspection according to a schedule that is more practical for monitoring livestock herds for cattle fever tick presence. It is important to note that this schedule is done through policy rather than rules to specify gathering schedules for check premises. As such, current policy calls for inspections to occur at 90 day intervals. Treatments at the time of inspection are not required. However, we encourage producers to consider preventative treatments when they believe it is economical for them to do so. Should the dynamics of the spread of ticks in the area indicate that the risk to adjacent and check premises is marginalized, we do consider less frequent gathering to monitor the herds, where appropriate, and document those exceptions to policy in the herd plan agreement for such properties.

TSCRA requests that for livestock gathered for treatment and/or inspection that if the number of head presented is less than a 100% a reasonable percentage of livestock on a premises based on pasture size, labor available, livestock temperament, time since last gathering and other unique gathering challenges of the quarantined property. The commission would note that the gathering requirement for premises where fever ticks have been detected, and classified as an infested premises, requires all cattle to be gathered, inspected, and treated, in order to effect eradication of the infestation. This requirement is based on widely accepted pest management principles and has been shown by field experience to be highly effective. We also know that animals which are not gathered and treated will continue to play a role in perpetuating the infestation on the property. There is currently no scientifically accepted model that describes the predicted outcome with the variables identified in the comments above, that allows us to set a standard to effect eradication with a defined proportion of cattle treated.

However, we do understand the challenges faced by producers particularly with respect to gathering herds on large south Texas pastures. As such, by policy, we have structured

herds plans to accommodate slightly less than 100% gatherings throughout the duration of a quarantine period when we believe that the risk of perpetuating or spreading tick infestations to premises in the immediate area is minimal. For adjacent and check premises, we do not require all cattle to be gathered for inspection to determine if an infestation has occurred. By policy, we require a sufficient number of cattle to detect a 1% infestation rate (with 95% confidence levels). For example, in a herd with an inventory of approximately 300 animals, we require inspection of at least 190 members of the herd in order to comply with our efforts to monitor the herd for cattle fever ticks.

TSCRA also asked that if an animal is not originally presented during the first official treatment then it should not reset the date for determining when the animal is determined to be clean of ticks. This is something that the commission will discuss with the CFTEP program to determine how this is best evaluated and options rule.

TSCRA asks if the rule can be amended to allow cattle to be held at a non-contiguous quarantine area other than the premises of origin until the withdrawal period has passed for the injectable doramectin and/or injectable tick vaccination and the cattle can be safely transported. Cattle have been allowed to move to other quarantined premises operated by the producer, but the CFTEP has been cautious about movement to premises where movement is not restricted since we have no method to assure compliance and no penalty if they moved prematurely. It is also important to note animals need to restricted during the withholding period for certain treatment options because it is required by other entities.

Lastly, TSCRA asks for clarity regarding which government agency is responsible for enforcing compliance and eventually releasing a premises from quarantine. The statutory authority for the CFTEP is located in Chapter 167 of the Texas Agriculture Code. The commission promulgates rules for the program, which are located in Chapter 41 of the Texas Administrative Code. The CFTEP is staffed by the United States Department of Agriculture and they manage the day-to-day activities in the permanent quarantine zone. The commission supports their activities as requested. For areas outside of the permanent quarantine zone, the commission has employees work with the CFTEP employees to support the work and uses a Unified Incident Command system.

FISCAL NOTE

Ms. Larissa Schmidt, Director of Administration, Texas Animal Health Commission, has determined for the first five-year period the rules are in effect, there will be no significant additional fiscal implications for state or local government as a result of enforcing or administering the rules. An Economic Impact Statement (EIS) is required if the proposed rule has an adverse economic effect on small businesses. The agency has evaluated the requirements and determined that there is not an adverse economic impact and, therefore, there is no need to do an EIS. It is being applied to everyone restricted by a fever tick quarantine because the cattle have to be inspected for fever ticks, which provides an opportunity to have the cattle vaccinated at that time. Furthermore, having the cattle vaccinated will act as a preventative for fever ticks, which will help control and eventually eradicate fever ticks from infested premises.

PUBLIC BENEFIT NOTE

Ms. Schmidt has also determined that for each year of the first five years the rules are in effect, the public benefit anticipated as a result of enforcing the rules will be to have a preventative measure in place to control and eradicate fever ticks from a herd or premises.

LOCAL EMPLOYMENT IMPACT STATEMENT

In accordance with Texas Government Code §2001.022, this agency has determined that the adopted rules will not impact local economies and, therefore, did not file a request for a local employment impact statement with the Texas Workforce Commission.

TAKINGS ASSESSMENT

The agency has determined that the governmental action will not affect private real property. The adopted amendments are an activity related to the handling of animals, including requirements for testing, movement, inspection, identification, reporting of disease, and treatment, in accordance with 4 TAC §59.7, and are, therefore, compliant with the Private Real Property Preservation Act in Government Code, Chapter 2007.

STATUTORY AUTHORITY

The amendments are adopted under the following statutory authority as found in Chapters 161 and 167 of the Texas Agriculture Code. The commission is vested by statute, §161.041(a), with the requirement to protect all livestock, domestic animals, and domestic fowl from disease. The commission is authorized, through §161.041(b), to act to eradicate or control any disease or agent of transmission for any disease that affects livestock.

Pursuant to §161.005, entitled “Commission Written Instruments”, the commission may authorize the executive director or another employee to sign written instruments on behalf of the commission. A written instrument, including a quarantine or written notice signed under that authority, has the same force and effect as if signed by the entire commission.

Pursuant to §161.007, entitled “Exposure or Infection Considered Continuing”, if a veterinarian employed by the commission determines that a communicable disease exists among livestock, domestic animals, or domestic fowl or on certain premises or that livestock, domestic animals, or domestic fowl have been exposed to the agency of transmission of a communicable disease, the exposure or infection is considered to continue until the commission determines that the exposure or infection has been eradicated through methods prescribed by rule of the commission.

Pursuant to §161.048, entitled “Inspection of Shipment of Animals or Animal Products”, the commission may require testing, vaccination, or another epidemiologically sound

procedure before or after animals are moved. An agent of the commission is entitled to stop and inspect a shipment of animals or animal products being transported in this state in order to determine if the shipment originated from a quarantined area or herd; or determine if the shipment presents a danger to the public health or livestock industry through insect infestation or through a communicable or noncommunicable disease.

Pursuant to §161.054, entitled “Regulation of Movement of Animals”, the commission, by rule, may regulate the movement of animals. The commission may restrict the intrastate movement of animals even though the movement of the animals is unrestricted in interstate or international commerce.

Pursuant to §161.057, entitled “Classification of Areas”, the commission by rule may prescribe criteria for classifying areas in the state for disease control. The criteria must be based on sound epidemiological principles. The commission may prescribe different control measures and procedures for areas with different classifications.

Pursuant to §161.061, entitled “Establishment”, if the commission determines that a disease listed in §161.041 of this code or an agency of transmission of one of those diseases exists in a place in this state or among livestock, exotic livestock, domestic animals, domestic fowl, or exotic fowl, or that a place in this state or livestock, exotic livestock, domestic animals, domestic fowl, or exotic fowl are exposed to one of those diseases or an agency of transmission of one of those diseases, the commission shall establish a quarantine on the affected animals or on the affected place.

Pursuant to §161.081, entitled “Importation of Animals”, the commission by rule may regulate the movement, including movement by a railroad company or other common carrier, of livestock, exotic livestock, domestic animals, domestic fowl, or exotic fowl into this state from another state, territory, or country.

Pursuant to §167.003, entitled “General Powers and Duties of the Commission”, the commission shall eradicate all ticks capable of carrying Babesia in this state and shall protect all land, premises, and livestock in this state from those ticks and exposure to those ticks. In carrying out this chapter, the commission may adopt necessary rule.

Pursuant to §167.004, entitled “Classification of Animals or Premises as Infested, Exposed or Free from Exposure”, the commission by rule shall define what animals and premises are to be classified as exposed to ticks. The commission shall classify as exposed to ticks livestock that have been on land or in an enclosure that the commission determines to be tick infested or exposed to ticks or to have been tick infested or exposed to ticks before or after the removal of the livestock, unless the commission determines that the infestation or exposure occurred after the livestock were removed and that the livestock did not become infested or exposed before removal.

Texas Administrative Code

TITLE 4	AGRICULTURE
PART 2	TEXAS ANIMAL HEALTH COMMISSION
CHAPTER 41	FEVER TICKS
RULE §41.1	**Definition of Terms**

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Adjacent premise--A premise that borders an exposed or infested premise, including premises separated by roads, double fences, or fordable streams. A premise that would normally be classified as adjacent may be exempted from adjacent premise requirements by a State or Federal epidemiologist if the premise is separated from the exposed or infested premise by double fencing, sufficient to prevent the spread of ticks, with one of the fences being game-proof.

(2) Animal--Any domestic, free-range, or wild animal capable of hosting or transporting ticks capable of carrying Babesia, including livestock; zebras, bison, and giraffes; and deer, elk, and other cervid species.

(3) Certificate--A document authorizing movement of livestock issued by an authorized representative of the commission after the livestock have been treated in a manner prescribed by the commission for the area and premise from which they originate.

(4) Check premise--A premise located in a tick eradication quarantine area, temporary preventative quarantine area, or control purpose quarantine area that is not classified as an infested, exposed, or adjacent premise.

(5) Control purpose quarantine area--A premise or property designated by the commission for a systematic inspection of livestock and premises and control of the movement of livestock in order to investigate and control a suspected exposure of animals to ticks outside the tick eradication quarantine area. The boundaries of the area will be determined by evaluation of the barriers to the potential spread of ticks.

(6) Designated Fever Tick Epidemiologist (DFTE)--A State or Federal epidemiologist designated to make decisions concerning the use and interpretation of exposure to fever ticks and to manage the Fever Tick program. The DFTE must be selected jointly by the Executive Director of the **commission**~~**Commission**~~ and the **USDA-APHIS, VS representative** ~~**AVIC**~~ for Texas. The DFTE has the responsibility to determine the scope of epidemiologic investigations, determine the status of herds, assist in development of individual herd plans, and coordinate fever tick surveillance and eradication programs within his or her geographic area of responsibility. The DFTE has authority to make independent decisions concerning the management of herds and use of property and limiting the impact of wildlife when those decisions are supported by sound fever tick eradication principles.

(7) Dipping or treating--If the **commission**~~**Commission**~~ requires livestock to be dipped, the livestock shall be submerged in a vat. A spray-dip machine may be used in areas where a vat is not reasonably available. Careful hand spraying may be used for easily restrained horses and show cattle, and when specifically authorized, certain zoo or domestic animals. Livestock unable to go through a dipping vat because of size or physical condition may be hand sprayed. The treatment must be paint marked so that it can be identified for at least 17 days. If the **commission**~~**Commission**~~ determines that free-ranging wildlife and exotic animals, which are capable of hosting fever ticks, require treatment, they shall be treated by methods and for the duration of time approved by the **commission**~~**Commission**~~.

(8) Exposed livestock--Any of the following factors shall constitute livestock as being exposed:
(A) Livestock that have entered an infested or exposed premise and have not been dipped and removed from the infested or exposed premise within 14 days after entry.
(B) Livestock that have occupied an exposed premise and have not completed treatment required for movement from an exposed premise.
(C) Livestock that have entered Texas from Mexico without a certificate from the United States Department of Agriculture.

(9) Exposed premise--A premise shall be considered exposed if systematic treatment has not been completed and if either of the following conditions apply:
(A) Ticks have been found on livestock that have been on the premise for less than 14 days.
(B) A premise that has received exposed livestock, or equipment or material capable of carrying ticks from an infested or exposed premise.

(10) Fever Tick Vaccine--A biological treatment administered by injection to an animal that stimulates a potent immune response against fever tick proteins which prevents the infestation of ticks capable of carrying Babesia.

(11)~~**(10)**~~ Free area--An area designated by the commission as being free of ticks or exposure to ticks. The extent of the area will be determined by the appropriate barriers to the potential spread of ticks.

(12)~~**(11)**~~ Game proof fence--A fence that has a minimum height of eight feet, consisting of wire mesh of sufficiently small size to prevent or impede the movement of domestic or exotic wildlife over, under, or through the fenced area.

(13)~~**(12)**~~ Individual herd plan--A written disease management plan that is developed by the herd or land owner(s) and/or their representative(s), and a State or Federal DFTE to eradicate fever ticks or potential exposure to fever ticks from an affected herd or property. The herd plan will include appropriate treatment frequencies, treatments to be employed, and any additional fever tick management or herd management practices**, including vaccination,** deemed necessary to eradicate fever ticks from the herd or on an infected or exposed premise in an efficient and effective manner. The plan must be approved by the Executive Director of the **commission** ~~**Commission**~~ and **the USDA-APHIS, VS representative for Texas** ~~**AVIC**~~, and have the concurrence of the DFTE.

(14)~~**(13)**~~ Infested livestock--Livestock shall be considered infested if eradication treatment for movement from an infested premise has not been completed and if either of the following conditions apply:

(A) Ticks have been found on livestock.

(B) Livestock which occupy a premise where ticks have been found on livestock that have been on the premise more than 14 days.

(15)~~**(14)**~~ Infested premise--A premise where ticks have been found on livestock that have been on the premise for more than 14 days, and systematic treatment has not been completed.

(16)~~**(15)**~~ Livestock--Any domestic animal or any free ranging animals found on a premise or captured wild animal that is capable of hosting or transporting ticks capable of carrying babesia (the causative agent of cattle tick fever), including, but not limited to, cattle, horses, mules, jacks, jennets, zebras, buffalo, giraffe, and deer.

(17)~~**(16)**~~ Permit--A document issued by an authorized representative of the commission allowing specified movement of livestock.

(18)~~**(17)**~~ Premise--An area which can be defined by boundaries of recognizable physical barriers that prevent livestock from crossing the boundaries under ordinary circumstances; or an area that livestock do not ordinarily inhabit that the commission defines by recognizable features.

(19)~~**(18)**~~ Premise inspection--A routine inspection by an authorized representative of the commission of premise boundaries and the livestock within for the purpose of documenting exposure of the premise.

(20)~~**(19)**~~ Premise under vacation--A premise from which all livestock have been removed as prescribed by the commission.

(21)~~**(20)**~~ Range inspection of livestock--An inspection of livestock to see the animal close enough to detect ticks on the animal.

(22)~~**(21)**~~ Scratch inspection of livestock--An inspection of livestock by an authorized representative of the commission in an approved facility that allows the inspector to touch and see all parts of the livestock.

(23)~~**(22)**~~ Temporary preventative quarantine area--An area designated by the commission for systematic inspection and treatment of livestock and premises, and control of movement of livestock, in order to detect and eradicate infestation and exposure from infested or exposed premises outside the tick eradication quarantine area. The extent of the area will be determined by evaluating the barriers to the potential spread of ticks. This is also designated as a "Blanket Disease Quarantine."

(24)~~**(23)**~~ The commission--The Texas Animal Health Commission.

(25)~~**(24)**~~ Tick--Any tick capable of transmitting bovine Babesiosis (cattle tick fever or bovine piroplasmosis).

(26)~~**(25)**~~ Tick eradication quarantine area--An area designated by the commission for systematic inspection and treatment of livestock and premises, and control of movement of livestock, in order to detect and eradicate infestation from infested or exposed premises. The extent of the area will be determined by evaluating the barriers to the potential spread of ticks. This is the permanent quarantine area which is designated in §§41.14 - 41.22 of this chapter (relating to Quarantine Line; Defining and Establishing Tick Eradication Areas), and in the United States Department of Agriculture Code of Federal Regulations Part 72.5, parallel to the Rio Grande River, commonly known as the buffer zone or systematic area.

(27)~~**(26)**~~ Treatment--A procedure or management practice used on an animal to prevent the infestation of, control or eradicate ticks capable of carrying Babesia.

Texas Administrative Code

TITLE 4	AGRICULTURE
PART 2	TEXAS ANIMAL HEALTH COMMISSION
CHAPTER 41	FEVER TICKS
RULE §41.8	**Dipping, Treatment, and Vaccination of Animals**

(a) General Requirements:

(1) All scratch inspections, dipping, treatment, and vaccination prescribed in this section must be done under the supervision of a representative authorized by the commission.

(2) All scratch inspections, dipping, treatment, or vaccination must be done under instructions issued by the commission. All requirements will be in written form directed to the owner or caretaker. An inspector for the commission will deliver the instructions in person along with a copy of these regulations. All premise boundaries will be listed in the instructions.

(3) The owner or caretaker of livestock on infested and exposed premises must comply with the TAHC approved Quarantine Schedule as follows:

(A) The starting date for infested premises for Table I (Pasture Treatment or Vacation Schedule, South of Highway 90) and Table II (Pasture Treatment or Vacation Schedule, North of Highway 90), is the date of the first clean dipping of 100% of the livestock.

(B) The starting date for exposed premises for Table I and Table II is when 100% of the livestock on the premise have been dipped.

(C) Copies of Table I (Pasture Treatment or Vacation Schedule, South of Highway 90) and Table II (Pasture Treatment or Vacation Schedule, North of Highway 90) may be obtained from the Texas Animal Health Commission, P.O. Box 12966, Austin, Texas 78711-2966.

Figure: 4 TAC §41.8(a)(3)(C)

(4) The owner or caretakers must gather and present all livestock for scratch inspection, dipping, treatment or vaccination required by the commission. The owner or caretaker is responsible for all costs associated with and labor necessary for presenting the owner or caretaker's cattle for scratch inspection, dipping, treatment or vaccination at the location prescribed by the commission.

(b) Requirements for Dipping, Treatment, or Vaccination:

(1) Dipping Requirements:

(A) The owner or caretaker of livestock on infested or exposed must present the livestock to be scratch inspected and dipped with subsequent dipping every seven to 14 days until the livestock are moved from the premise in accordance with these regulations, except as provided in subsection (a)(3) of this section.

(B) The 14-day interval may be extended due to circumstances beyond the control of the owner upon approval by an authorized representative of the commission. In no event will the extension be more than three days. If the extension is granted, no certificate for movement will be issued after the 14th day, and the next dip must be on the original 14-day schedule.

(C) The scratch inspection and first dip must be within 14 days from the date infestation or exposure is discovered unless otherwise approved by the commission.

(D) A dip is not official unless 100% of the livestock within the premise affected are dipped on schedule.

(E) The commission will authorize for use in dipping only those dips that have been approved by the Animal and Plant Health Inspection Service of the United States Department of Agriculture and the Texas Animal Health Commission for use in official dipping to rid animals of the tick.

(F) The concentration of the dipping chemical used must be maintained in the percentage specified for official use by means of the approved vat management techniques established for the use of the agent; or, if applicable, by an officially approved vat side test or field test of the commission.

(G) If the commission requires livestock to be dipped, the livestock shall be submerged in a vat. A spray-dip machine may be used in areas where a vat is not reasonably available.

(H) Careful hand spraying may be used for easily restrained horses and show cattle, and when specifically authorized by a commission representative, certain zoo or domestic animals.

(I) Livestock unable to go through a dipping vat because of size or physical condition, as determined by a commission representative, may be hand sprayed.

(J) The dip treatment must be paint marked on the animals so that it can be identified as treated for at least 17 days after the treatment.

(2) Authorized Treatment Requirements:

(A) Following the first clean dipping of 100% of the livestock, the cattle may be treated with injectable doramectin in lieu of systematic dipping. The owner or caretaker of cattle on an infested or exposed premise must present the livestock to be scratch inspected and treated with injectable doramectin every 25-28 days until the livestock are moved from the premises in accordance with these regulations, except as provided in subsection (a)(3) of this section.

(B) Treatment of doramectin shall by administered by subcutaneous injection by a representative of the commission.

(C) The owner or caretaker must comply with the slaughter withholding period (35 days) of doramectin by holding cattle at the premise of origin until the withdrawal period is completed.

(D) A treatment is not official unless 100% of the livestock within the premise affected are treated on schedule.

(E) Free-ranging wildlife or exotic livestock that are found on infested or exposed premises, and which are capable of hosting fever ticks will be treated by methods approved by the commission and for the length of time specified by the commission.

(i) Ivermectin medicated corn may be administered to free-ranging wildlife or exotic livestock by a representative of the commission following the close of the hunting season, provided that treatment is terminated at least 60 days prior to the beginning of the next hunting season to comply with the required withdrawal period.

(ii) Permethrin impregnated roller devices may be used for topical treatment of free-ranging wildlife or exotic livestock during periods when ivermectin medicated corn is not administered. The commission may specify the use of other pesticides for treatment of wildlife or exotic livestock when deemed necessary to control and eradicate fever ticks.

(3) Vaccination Requirements:

(A) The fever tick vaccine shall be administered by employees or authorized agents of the USDA/APHIS/Veterinary Services or the commission.

(B) The owner or caretaker must comply with the 60 day slaughter withholding period, or other slaughter withholding timeframe as specified by the label. The owner or caretaker must hold vaccinated cattle at the premise of origin until the withdrawal period is has been completed.

(C) In addition to any dipping or treatment required by this section, beef cattle two months of age or older located within the tick eradication quarantine area shall be vaccinated with the fever tick vaccine at intervals prescribed by the commission. The vaccine must be administered when cattle are gathered and presented for annual inspection as required by §41.9 of this chapter (relating to Vacation and Inspection of a Premise) and at other times specified by the commission.

(D) In addition to any dipping or treatment required by this section, the commission may require fever tick vaccination of beef cattle two months of age and older located within the temporary preventative quarantine area, control purpose quarantine area or other beef cattle or premises epidemiologically determined by the commission to be at an increased risk for fever ticks. The cattle shall be vaccinated at intervals prescribed by the commission.

(c) Herd Plan and Protest. Each premise within a tick eradication quarantine area, temporary preventative quarantine area, or control purpose quarantine area will be classified by the commission as an infested, exposed, adjacent, or check premise and is required to execute a herd management plan and remain under restrictions until no evidence of fever ticks is disclosed or a complete epidemiologic investigation fails to disclose evidence of exposure to fever ticks, with the concurrence of the DFTE. A person may protest an initial test or a herd plan for each premise classified as increased risk for fever ticks.

(1) To protest, the responsible person must request a meeting, in writing, with the Executive Director of the commission within 15 days of receipt of the herd plan or notice of an initial test and set forth a short, plain statement of the issues that shall be the subject of the protest, after which:

(A) the meeting will be set by the Executive Director no later than 21 days from receipt of the request for a meeting;

(B) the meeting or meetings shall be held in Austin; and

(C) the Executive Director shall render his decision in writing within 14 days from date of the meeting.

(2) Upon receipt of a decision or order by the executive director which the herd owner wishes to appeal, the herd owner may file an appeal within 15 days in writing with the Chairman of the commission and set forth a short, plain statement of the issues that shall be the subject of the appeal.

(3) The subsequent hearing will be conducted pursuant to the provisions of the Administrative Procedure and Texas Register Act, and Chapter 32 of this title (relating to Hearing and Appeal Procedures).

(4) If the Executive Director determines, based on epidemiological principles, that immediate action is necessary, the Executive Director may shorten the time limits to not less than five days. The herd owner must be provided with written notice of any time limits so shortened.

05/24/16

ADOPTION

Item 18(a)

MOTION

CHAPTER 41, FEVER TICKS

Mr. Chairman, I move that we **ADOPT** the amendments to Chapter 41, **Fever Ticks**, located in Title 4 of the Texas Administrative Code, and the repeal of Section 41.8, with the replacement of a new Section 41.8, as discussed today.

Motion:_____

Second:_____

395th Commission Meeting
May 24, 2016

ITEM 19

RECOGNITION OF PUBLIC COMMENT

395th Commission Meeting
May 24, 2016

ITEM 20

CLOSED EXECUTIVE SESSION TO RECEIVE LEGAL ADVICE, DISCUSS CHAIRMAN PENDING OR CONTEMPLATED LITIGATION, AND SETTLEMENT OFFERS AS PERMITTED BY SECTION 551.071 OF THE TEXAS GOVERNMENT CODE

395th Commission Meeting
May 24, 2016

ITEM 21

CLOSED EXECUTIVE SESSION TO DELIVERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF SPECIFIC COMMISSION EMPLOYEES AS PERMITTED BY SECTION 551.074 OF THE TEXAS GOVERNMENT CODE

395th Commission Meeting
May 24, 2016

ITEM 22

RECONVENE TO CONSIDER ANY ACTION NEEDED FOLLOWING CLOSED EXECTUVE SESSION

ITEM 23

SET DATE FOR 396th MEETING

ITEM 24

ADJOURNMENT