

MINUTES OF THE 393rd COMMISSION MEETING
Texas Animal Health Commission
October 6, 2015

The TAHC Commissioners met in the agency's headquarters in Austin on Tuesday, October 6, 2015. Chairman Ernie Morales began the meeting at 10:30 a.m.

Item 1 – Welcome and Call to order by Chairman Morales

Commissioners Jay Winter, Brandon Bouma, Beau White, Eric White, Ralph Simmons, and Tommy Kezar were not present.

Item 2 – Approval of the minutes of the 392nd Meeting

A motion to APPROVE the minutes of the minutes of the 392nd Commission meeting held on June 9, 2015, was made by Commissioner Leathers and seconded by Commissioner Oates. The motion carried.

Item 3 – Report of the Executive Director, Field Animal Health Program Activities and Approval of Waiver Requests for the Period 6/9/2015 to 10/6/2015

Dr. Ellis presented the agency overview:

- **Agency Business**
 - Multiple major initiatives underway
 - Dairy TB – panhandle
 - Cattle Fever ticks – 5 counties + systematic
 - Chronic Wasting Disease
 - Preparation for potential Avian Influenza incursion
 - Region 8 start up
 - Office found – permanent being finished – temp in place
 - Hiring of region mgt – vets, supervising inspector, admins, inspectors
 - Other Agency staffing – lab director, staff vet, mapping, region needs
- **Rules for Passage**
 - Cattle Fever Tick – Commission approved ID in all quarantine zones
 - Entry Requirements
 - Trich virgin bull status up to 18 months from 12
 - Shortened cvi validity for animals from VS affected states from 30 to 14 days
 - Trichomoniasis
 - Require testing of fence line adjacents
 - Trich virgin status lowered from 24 to 18 for instate breeding bull change of ownership
- **Rules for Proposal**
 - EIA Lab rule
 - Removal of Fee schedule for certain fees
- Trichomoniasis
 - New rules for passage today related to virgin bulls
 - Virgin bull entry will comply with harmonization concept

- Intrastate rule will make all rules related to virgins consistent
 - Delayed implementation until Jan 1 planned to ensure outreach
 - New rules for passage related to adjacents
 - Conference call with Texas Vet group in July to work out details of adjacent test when private veterinarian cannot be located
 - TAHC will provide list of local authorized veterinarians when dear producer letter is sent
 - Local veterinarian(s) and stakeholders will be contacted by TAHC to determine situation of producer when a vet cannot be found
 - Texas Authorized Trich veterinarians sent reminder email on sampling and shipping tips to expedite reporting of results
- **Equine Piroplasmiasis**
 - Piro reactors found in Midland/Odessa area that were recently racing in Louisiana
 - Piro Reactors found in Donna that were recently racing in Louisiana – may be epi link to same trainer
 - Racing Quarter horses continue to pose a threat to Texas horses for piro and EIA
 - Reaching out to Louisiana State vet to discuss La racing rules related to Piro
 - Next county test will probably start in the spring – Cameron, Willacy, Hidalgo, Starr, SW Nueces – completed Brooks, Kennedy and Kleberg
- **Vesicular Stomatitis**
 - New 2015 cases in Pecos and Reeves county released in June
 - Numerous investigations since in Texas with no more positives
 - National outbreak larger than last year – 527 cases in 8 states
 - Over 50 Foreign Animal Disease investigations so far this year – most VS related
- **Chronic Wasting Disease**
 - First infected captive breeder herd found June 30
 - Priority to stop spread and provide business continuity
 - Worked closely with TP&W staff and industry on movement plan
 - Quick turn around
 - Temporary
 - Will revisit after hunting season
 - Evaluate enhanced surveillance this fall in breeders, release sites, and wild
 - Developing personalized herd plans with trace herds – 1 protest so far
 - Committed to live animal testing – work with TPW and industry to develop live test protocol
 - Thanks to all staff for making this a priority – work still underway
 - Will pursue indemnity for remaining traces on other processes
 - Dr. Schwartz will have more info
- **Cattle Fever Ticks**
 - 5 Control Purpose/Temporary zones – Jim Wells, Kleberg and Hidalgo related to cattle movements. Cameron and Willacy county situations related to wildlife/Mexico interactions – Cameron getting most attention but more cattle in Kleberg and Willacy counties – USDA field staff leading Jim Wells and Hidalgo, TAHC leading Kleberg, Cameron and Willacy – USDA field staff with unified command for management

Summary Minutes of the 393rd Commission Meeting – 10/6/2015

- Cameron County Temporary Quarantine Zone
 - Outstanding issues;
 - Personnel issues
 - USDA staff – turnover, training, technology, processes
 - TAHC – hired admin – interviewing for inspectors
 - First releases of affected premises – in Northern part
 - Evaluation for changing boundaries after hunting season
 - Preparation for hunting season underway
 - Expanded surveillance/outreach from last year
 - Laguna Atascosa Refuge
 - Padre Island
 - Private property
 - Pyrethrin resistant ticks present in Willacy and Cameron
 - Individual herd owner issues
 - Public meeting held in August – lots of dialogue
 - Continue to work on training of employees
 - Continue to listen to public
 - Continue to evaluate all treatment options interaction with the public
 - 1 non-compliant herd owner in legal action – multiple premises
- **Vaccine**
 - Vaccine to be delivered soon? Upon arrival – letter will be sent to all producers in Systematic zone announcing availability.
 - Will be used at no charge in permanent zone in all cattle, and in selected temporary zones – most likely Willacy and part of Cameron.
 - Will be stored at Laredo office
- Nilgai – Collar Project in Willacy county
 - Updated results – 28 of 30 still have collars applied in April
 - Farthest nilgai traveled 51 km so far
- CFTEP program leadership
 - Dr. Hallie Hasel will take over Texas CFT management duties
 - National Director still vacant – effecting numerous initiatives
 - USDA hiring mechanism still extremely slow and affected by Avian Influenza hiring
 - CFTEP Policy review needed in spring?
- **Tuberculosis**
 - 2 Quarantined herds on paper – but 5 premises involved – 4 dairies and heifer raiser – highly infected herd to be depopulated soon
 - National issue and awareness
 - Will Texas lose TB free status?
 - National TB rules to supposedly be released by end of year
 - Indemnity issues for high quality cattle and organic cattle slows process
 - Discussion about western US Dairy/TB summit
 - Multiple states now involved in traces – possible source and spread

Summary Minutes of the 393rd Commission Meeting – 10/6/2015

- Possible government shutdown could impact this program more than most
- Thanks to Texas Dairy Industry Commissioner Bouma for help with CCC funds
- Dr. Schwartz will have more info
- **Avian Influenza**
 - Texas still not affected- upper Midwest hit hard
 - USDA/industry developed plan for fall outbreak contingency
 - Migratory flyways in fall are of concern – but nothing so far – surveillance not showing high prevalence in wild birds
 - Biosecurity and outreach messaging continues
 - TAHC re-evaluated Texas Emergency Response plan, Texas Poultry Federation Plan and USDA plan – worked closely with industry and stakeholders
 - Did not cancel fall stockshows as some states did

Scrapie

- National rules for goat scrapie program released for comments
 - Comments will be taken until November 9

Waiver Report

- 2 Waivers requested
 - Tuberculosis - Approved - allowed import of cervids that meet requirements of monitored program from Florida– Florida does not support monitored program
 - Leptosporosis – Approved – allowed import of exhibition “racing” pot-bellied pigs to go to state fair without required Lepto vaccination

Thanks to Chairman Morales for many years of outstanding service!

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

Item 4 – Presentation of Animal Health Program, Epidemiology, and Animal Disease Traceability (ADT) Activities

Dr. Andy Schwartz, Assistant Executive Director/State Epidemiologist, presented the following:

Cattle

- **Tuberculosis**

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

Herd #1: During the first week of October 2014, one dairy cow originating from a very large dairy (approx.. 10,300 hd.) in Castro County was identified as having suspicious gross lesions on routine slaughter surveillance at Caviness Beef Packers, LTD. in Hereford, TX. Samples were taken on the plant floor and later confirmed by both culture and PCR as *Mycobacterium bovis* (MB).

Following the confirmation of the index case of MB, 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 MB 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).

It is important to note that a large proportion of calves on the 2nd herd test in February were infected with MB and subsequently, a breach in the pasteurization of the waste milk was determined as the likely cause. Waste milk is commonly pasteurized and fed to calves, and this dairy raises their own heifer calves to eventually introduce into their dairy stream.

This dairy is considered a closed operation, that is, the dairy has not purchased any new additions to their herd since 2003 and this makes the epidemiology investigation complexing. A method used in animal health to determine the lineage of the bacteria is whole genome sequencing and the comparison of isolates. The whole genome sequencing results of over 20 isolates from this herd reveal that the isolate infecting this herd is uniform but is not related to other isolates currently in the National Veterinary Services Laboratory (NVSL) database. One can conclude that this strain is not related to any known U.S. infected herd or to any known exposure to infected imported feeder cattle from Mexico. However, the database is not entirely comprehensive and many MB strains in Mexico have yet to be identified genetically.

At this time, the Texas Animal Health Commission is working with the United States Department of Agriculture Animal Plant Health Inspection Service Veterinary Services (USDA APHIS VS) on indemnification of the entire herd which will ultimately require depopulation of all the animals. In addition, it is important to note that shortly after the confirmation of the first positive case, the dairy changed their production to produce milk solely for a powdered milk product to eliminate any safety concerns in the milk stream.

Herd #2, approximately 12,000 hd., is under the same ownership. TB was confirmed in one cow on the first herd test in November 2014. No confirmed animals were found on the three subsequent removal tests. An assurance test will be conducted in December 2015 and the herd released from quarantine if no TB is found. This herd will be tested annually for five subsequent years.

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

Over a period of 3 months, 6 steers were identified as having suspicious gross lesions on routine slaughter surveillance. Samples were taken on the plant floor and later confirmed by both culture and PCR as MB. All six steers could be traced back to one feed yard in Parmer County, Texas that receives animals from two dairies in Lamb County, Texas. The feed yard in Parmer County and the two dairies in Lamb County are all under the same ownership and have been quarantined.

All six steers have the same genotype. The genotype of the six steers from Parmer and Lamb Counties is not the same as the genotype of the animals from Castro County. The epidemiology investigation on this second infection is ongoing and the source of introduction has yet to be determined. However, additional dairies will be tested as either a potential source of infection or potentially exposed trace out herds.

All six TB positive steers were from a feed yard (approx.. 3300 hd) stocked from two dairies (approx. 5100 hd. combined) under the same ownership. Both heifers and steers are fed at the yard. On the initial dairy tests in April 2015, no TB affected animals were found. The second test

Summary Minutes of the 393rd Commission Meeting – 10/6/2015

in July 2015 has disclosed one infected cow so far, with results pending on an additional 85 caudal fold test responders not necropsied until late September due to a prolonged valuation process for indemnity. The feed yard was tested in May 2015, with 16 TB affected heifers identified.

Genetic sequencing conducted to date indicates the steers, heifers and the cow are all affected by the same strain of TB, with the steers or heifers being the likely source of infection for the cow.

- **Trichomoniasis:** Through June CY 2015 there have been 294 positive bulls found in 18,866 tests (1.6% test positive). In CY 2014 the test positive percentage was approximately 2.45%.
- **Cattle Fever Tick:** Currently infested premises: 31 in the Permanent Quarantine Zone, and 30 in the Free Area.

Swine

- **Brucellosis:** One infected herd has been disclosed in CY 2015 to date.
- **Pseudorabies (PRV):** Two infected herds have been disclosed in CY 2015 so far.

Equine

- **Equine piroplasmiasis (EP):** There have four 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 being tested. The fourth positive horse had a recent history of being on tracks in Oklahoma and Louisiana.
- **Equine Infectious Anemia (EIA):** In CY 2015, there have been five positive equine disclosed in 107,500 animals tested in Texas. (.005% 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, five hundred twenty –seven (527) 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. Preparations are underway for a possible outbreak this fall.

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.

- Index herd depopulated with indemnity on September 30, 2015. Three positives in herd to date, results on balance pending.
- A second infected herd has been disclosed (Lavaca County) due to an exposed buck purchased from the Medina county herd. Will request indemnity when available.

Region	Unique Herds	Facility Type			Total Herd Plans		Hold Releases			
		Breeder	Release	DMP	total	pending	breeder	release	dmp	total
1	none	none	none	none	none	none	none	none	none	none
2	10	9	1	0	2	2	7	1	0	8
3	5	5	0	0	none	none	5	0	0	5
4	10	8	2	0	1	2	6	1	0	7
5	87	55	29	3	21	11	33	4	2	39
6	30	21	9	0	21	2	16	3	0	19
7	27	20	7	0	5	1	10	3	0	13
State level Total	169	118	48	3	50	18	77	12	2	

International 2

	Breeder sites	Release sites	DMP
Total herds	118	48	3
Hold Released	77	12	2
Percent released	65	25	67

Herd Plans	
Completed	50
Pending	18

Animal Disease Traceability Activities

Projects

- Procedure being developed for approval of new eCVI providers
- In August, began entering all official ID's from CVI's on animals entering and leaving Texas through the recently purchased Statevet.com license
- Posting Texas entry requirements on GlobalVetLINK web site
- Ultra-high Frequency (UHF) tagging project with feeder industry

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, April-June 2015 – 172,665

During the previous quarter, January-March 2015 – 248,071

CY 2014 – 657,367

Scrapie tags ordered:

CY 2015, January-October 1st – 222,052

CY 2014 – 225,597

Current # of Active Premises ID Numbers: 32,033

of New PINs issued:

CY 2015, January-October 1st – 235

CY 2014 – 223

Current Total # of LIDs: 20,408

of New LIDs assigned:

CY 2015, January-October 1st – 6,239

CY 2014 – 10,314

Item 5 – Presentation of USDA Veterinary Services Update

Dr. Hallie Hasel presented the USDA, Veterinary Services report which included a summary of USDA, VS activities regarding the nationwide outbreak of Highly Pathogenic Avian Influenza, Tuberculosis funding, fever tick issues, and Chronic Wasting Disease efforts.

Item 6 – Audit Subcommittee report

There was no Audit Subcommittee meeting held.

Item 7 – Authorized Personnel update

Dr. Culp gave the Authorized Personnel Update:

- **Veterinary Authorized Personnel**

- Finalizing process of transitions veterinarians from TAHC Brucellosis Approved Personnel to TAHC Authorized Personnel Program.
- Continue to receive new applications from USDA Category II Accredited veterinarians not previously in the TAHC Brucellosis Approved Personnel. These are veterinarians new to the program.
- Continuing to receive new applications from May 2015 TAMU CVM Graduates who trained while in their 3rd year of the TAMU CVM curriculum.

- TAHC Authorized Personnel Training (4 hour basic course) will be offered in the Austin TAHC office on Monday October 12, 2015. This presentation is part of TAHC New Employee Orientation and is required for all new TAHC personnel.
- TAHC Authorized Personnel Training (4 hour basic course), CWD Training (2 hours) and Bovine Trichomoniasis Certification (1 hours) will be offered at Southwest Veterinary Symposium on September 26, 2015 in Fort Worth.
- TAMU CVM vet student third year regulatory training began in August. We will complete the second September rotation on Wednesday October 7th and will finish up with the third rotation in November 2015 for the TAMU CVM Class of 2017. Each class is trained in both classroom and wet lab settings. This will allow students to be TAHC Authorized Personnel upon graduation.
- Working with TAMU CVM to coordinate a weekend field trip to a Livestock Market for interested veterinary students.
- Working in partnership with Dr. John Davidon, Boehringer Ingelheim Vetmedica, Inc., TAHC will start offering TACH Bovine Trichomoniasis Certification/Re-Certification continuing education classes to veterinary practitioners at local veterinary medical association meetings. The first meeting will be in Amarillo with the High Plains Veterinary Medical Association on Thursday November 12, 2015. Plans are to offer 9 of these classes over the next 12 months. Veterinary continuing education credits will be offered and dinner will be served. Plans are to certify/re-certify approximately 400 veterinary practitioners.
- TAHC continues to offer TAHC Bovine Trichomoniasis Certification to TAMU CVM graduating senior students.

- **Cervid Authorized Personnel**
 - Prior to July 2015 TAHC offered 10 Certified CWD Sample Collector Training opportunities (**total of 229 attendees trained**)
 - Immediately following the identification of CWD in penned deer in Texas, TAHC has offered 8 Certified CWD Sample Collector Training opportunities (**total of 207 attendees trained**)
 - TAHC Region Offices 2, 4, 5, and 6 currently have classes scheduled in October to train an additional **255** individuals
 - Additional classes currently being planned include a class to trained veterinary students at TAMU CVM and another class for Deer Breeders Corporation in January 2016.

- **Additional Training Programs**
 - TAMU CVM 4VM
 - Bryan Agado in TAHC Region 5, June 22-July 3, 2015
 - TAMU CVM
 - Laura Perez, TAMU CVM Class of 2017 – 3 week internship in July, 2015
 - Texas A&M Kingsville – USDA STEP UP TO CAREERS Program
 - Rebeca Vela – 10 week internship in TAHC Region 5
 - Juan Casarez – 10 week internship in TAHC Region 5

- At the very beginning stage of starting a dialog with Veterinary Technician programs to offer LVT continuing education classes as well as Authorized Personnel training within the veterinary technician program(s).
- **Other Authorized Personnel Department Updates**
 - Disapproved CVI notification process for Texas veterinarians – monthly notification of CVI's disapproved by receiving states. Eight months into the new process, there are relatively consistent numbers of disapproved CVI's coming back to Texas veterinarians. A monthly awareness/education program will be instituted to try 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 regularly (7 times in the last 12 months) to review Authorized Personnel cases. This committee is responsible for the enforcement of the Texas Administrative Code, Chapter 47, Authorized Personnel.

Item 8 – Presentation of Communication Initiatives

Bonnie Ramirez provided the Communications Report:

News Releases

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

Interviews

- Several media interviews (print, radio and TV)
 - Miscellaneous – see included list of media interviews
- Dr. Ellis' articles in the Texas Veterinarian Magazine

Social Media Platforms

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

Videos:

- New ones

Exhibits

- Past exhibits

Item 9 – Presentation of Laboratory Update

Dr. Hughes-Garza Staff Veterinarian and Lab Director presented the following:

Texas State-Federal Laboratory Update June 2015

- Bovine Tuberculosis testing update – USDA recently approved a change in the approved Bovigam test kit, and we have transitioned to exclusive use of that kit. Our lab assisted USDA in validating the kit prior to its approval for use in the United States. While field

data from the general US cattle population is still being collected, the test has excellent performance in differentiating TB-sensitized animals from known TB-negative animals.

- Seeking approvals from USDA to test for equine Vesicular Stomatitis Virus (Complement Fixation and PCR tests), and Contagious Equine Metritis.
- Our Quality Manager Ms. Beckie Beam recently completed a week-long training in Ames, IA on Laboratory Quality Management Systems through the National Animal Health Laboratory Network (NAHLN). She will also represent the lab at the upcoming USAHA/AAVLD meeting.
- Welcome to our two new Laboratory Technicians, Ms. Lindsey Wagnon and Mr. Bryan Krugman. They both started Monday Sept 21 and have hit the ground running!

Sample Volume, June-August 2015

	Samples Received
Brucellosis - Bovine	
Slaughter blood	171,164
Market blood	12,853
Other blood samples	12,266
Milk testing	563
Culture	15
Brucellosis - Swine	1,978
Pseudorabies	1,948
Equine Infectious Anemia	175
Tuberculosis - Bovine	824
Ectoparasite Identification	534

Item 10 - Presentation of Emergency Management Program Activities

The Emergency Management Update was presented by Mr. Jeff Turner, Emergency Management Coordinator:

Texas Animal Health Commission – Plans Update

- TAHC Emergency Management staff has been diligently working on required state planning documents as well as disease specific response plans. Many of these documents are to maintain compliance with state planning standards; however, these also are valuable documents that are the bases for response to incidents which have a major impact on Texas animal agriculture. Plans which have been reviewed and revised include TAHC Continuity of Operations lines of succession, State of Texas Threat and Hazard Identification and Risk Assessment, Foot and Mouth Disease (FMD) Communications Standard Operations Guideline, FMD Operational Flowchart, State of Texas Hurricane Playbook, and numerous State of Texas emergency management planning annexes.
- Emergency management has been deeply involved in planning efforts for a potential response to a Highly Pathogenic Avian Influenza (HPAI) outbreak. The TAHC Poultry Manual has been completely revised and a HPAI Communications Standard Operation

Guideline (SOG) has been developed to assure response issues have been addressed. One other note is that the EM and Communications departments have come together to develop training videos for our staff related to biosecurity when entering a flock premise. Additional preparedness activities include meeting with the offices of the Lt. Governor and Speaker of the House to keep them abreast of the collaborative planning efforts of both the poultry industry and TAHC.

Emergency Management Responses:

- TAHC Emergency Management staff along with USDA Emergency Management 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 staff participated in the Texas Poultry Federation meeting held recently in Bryan, Texas. Information was shared with industry, academic, and other state agencies about the planning and preparedness efforts our agency is performing to prepare for an HPAI event.

Exercises

- Several agency representatives attended the Foot-and-Mouth Disease Cross-Species Team Communications Exercise held at Texas Tech University on September 9, 2015. In this exercise, scenarios were given to address how standardized messaging can be developed between industry and state agencies. Common messaging will be the key to maintaining consumer confidence if a foot and mouth disease (FMD) outbreak occurs. Additionally in this exercise, a large “game table” was utilized to exercise agency and industry decision making, determining infected, buffer and surveillance zones, and equipment and resource allocation priorities; an excellent exercise. This exercise is being used as a springboard for the upcoming FMD tabletop exercise in the Texas panhandle.

Item 11 – Administration/Budget Status Report

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

Biennium FY 2016 & FY 2017

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 is appropriated \$11.3M for State FY 2016
 - State FY 2017
 - The TAHC is appropriated \$10.5M for State FY 2017

Summary Minutes of the 393rd Commission Meeting – 10/6/2015

- 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 \$2.1M (approximately)
 - State FY 2017
 - Federal FY 2016 unknown at this time
 - Estimate in vicinity of State FY 2016
- 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, 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
 - 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
- 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
 - \$41K

FY 2015

Appropriations/Budget

- General Revenue (GR) appropriations:
 - These totals are not contingent on revenue generated by fees approved by the Commission
 - State FY 2015
 - The TAHC is appropriated \$8.1M for State FY 2015
 - Approximately \$500K was moved forward from FY 2014 to FY 2015
 - This is per the General Appropriations Act, TAHC Rider 3 – Unexpended Balance Authority
- Federal Funds and Grants (Federal Fiscal Year runs April 1 to March 31)
 - State FY 2015
 - Federal FY 2014 funds to be available to the TAHC total \$2.1M
- Capital Budget Funding
 - State FY 2015
 - Out of the \$8.1M appropriated in GR for State FY 2015, \$300K is set aside for Capital Budget Purchases. The agency is restricted to the following Capital Budget Purchases:
 - \$150K 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
- Supplemental GR Funding
 - HB 2
 - Section 24 – Cattle TB
 - \$188,736 for FY 2015
 - For the purpose of combatting cattle tuberculosis
 - Section 25 – Cattle Fever Tick Quarantine
 - \$601,111 for FY 2015
 - For the purpose of instituting a quarantine zone for cattle fever ticks
 - Total Appropriated - \$789,847

Revenues

- State FY 2015

- Fee Revenue is collected \$719K
 - TAHC Portion - \$453.8K
 - State Portion - \$265.2K

Full Time Equivalent Employees (FTEs):

- State FY 2015
 - The TAHC is appropriated 161 FTE's
 - The TAHC for FY 2014 started out with 123.5 filled FTEs and ended with 148 FTEs – 19.8% Increase
 - The TAHC ended the year with 157 (head count)

Budgetary Transfers:

- \$43,197 moved from A.1.1 Field Operations to A.1.2 Diagnostic/Epidemiological.
 - This move is to cover anticipated FY 2015 expenditures related to lab costs.
 - SB1 83rd Regular Legislative Session, General Appropriations Act Article IX Section 14.01 (a)

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

Item 12 – Consideration of and Possible Action on Agency Contracts and Purchases

Mr. Fabian Landin presented contracts and purchases for the consideration of the commissioners.

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

Item 13 – Presentation of Legal & Compliance Activities

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

Compliance Action Requests

- Received 117 from 6/1/15 to 9/30/15
- Sent 85 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, and dealer records.

Investigations

- Conducted 70 from 6/1/15 to 9/30/15

Complaints

- Filed 47 from 6/1/15 to 9/30/15 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 \$7,155.

Administrative Penalty

- None assessed since last Commission meeting

Item 14 – 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 33, Fees, Repeal Lab and Herd Status/Certification Fees
- (b) Chapter 49, Equine, EIA Testing

- (a) The Texas Animal Health Commission (commission) proposes 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.

Commissioner Jordan moved and Commissioner Leathers seconded a motion to PROPOSE the REPEAL of certain sections in Chapter 33, Fees, located in Title 4 of the Texas Administrative Code. The motion to approve the proposed amendment and to publish it in the Texas Register with a 30 day comment period passed.

- (b) The Texas Animal Health Commission (commission) proposes 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.

Commissioner Locke moved and Commissioner Leathers seconded a motion to PROPOSE the amendments to Chapter 49, Equine, located in Title 4 of the Texas Administrative Code. The motion to approve the proposed amendment and to publish it in the Texas Register with a 30 day comment period passed.

Item 15 – 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.

- (c) Chapter 38, Trichomoniasis , Testing Exposed/Infected Bulls
 - (d) Chapter 41, Fever Ticks, ID Requirements in Quarantined Areas
 - (e) Chapter 51, Entry Requirements, Vesicular Stomatitis & Trichomoniasis
- (a) The Texas Animal Health Commission (commission) adopted amendments to §38.1, concerning Definitions, and §38.3, concerning Infected Herds in Chapter 38, which is entitled “Trichomoniasis.” The Purpose of the amendments is to make changes to the Trichomoniasis testing requirements.

The amendments revise the current rule to add testing requirements for bulls located in adjacent pastures to property where Trichomoniasis (Trich) infected male or female cattle are or were located. This proposed amendment to §38.3 originated with Trichomoniasis Working Group recommendations. Under the proposal, where any positive cattle are located on property that is fence line adjacent to bulls, those bulls on the adjacent property must be officially tested for Trich. The testing is required if the Trich infected cattle were located in fence line adjacent pastures within 30 days of the initial positive test. The commission will provide written notification to the owner or caretaker of the bulls specifying the timeframe for testing. The commission may waive this testing requirement if the commission’s epidemiological investigation shows that testing is not required.

A motion to ADOPT the amendment to Chapter 38, Trichomoniasis, located in Title 4 of the Texas Administrative Code was made by Commissioner Locke and seconded by Commissioner Leathers. The motion carried.

- (b) The Texas Animal Health Commission (commission) adopted amendments to §41.6, concerning Restrictions on Movement of Livestock, and §41.9, concerning Vacation and Inspection of a Premise, in Chapter 41, which is entitled “Fever Ticks”. The purpose of the amendments is add a requirement that all livestock on or moved from a control purpose quarantine area, temporary preventative quarantine area or tick eradication quarantine area, as defined by §41.4, be identified with permanent official identification.

The purpose of the Texas Cattle Fever Tick Eradication Program is to eradicate the Fever Tick through the management of a permanent quarantine zone, as well as temporary quarantine areas created to address the presence of ticks outside the permanent zone. To be more effective in the efforts to eradicate Fever Ticks, the commission adopted requirements that went into effect on June 12, 2013, which require permanent and official identification of all livestock maintained in the permanent quarantine zone.

A motion to ADOPT the amendment to Chapter 41, Fever Ticks, located in Title 4 of the Texas Administrative Code was made by Commissioner Leathers and seconded by Commissioner Vickers. The motion carried.

- (c) The Texas Animal Health Commission (commission) adopted amendments to §51.7, concerning All Livestock - Special Requirements, and §51.8, concerning Cattle, in Chapter 51, which is entitled "Entry Requirements". The purpose of the amendments is to change the timeframe that Certificates of Veterinary Inspection (CVI) are valid for specific animals from states that have been affected with Vesicular Stomatitis (VS). Also, the commission is changing the age for breeding bulls that need a Bovine Trichomoniasis (Trich) test to enter the state.

The commission is reduced the validity of the timeframe from 30 days to 14 days for CVIs issued for any equine, bovine, porcine, caprine, ovine, or cervidae that originate from a state affected with VS. This is to provide greater protection for Texas animals. With the recent spread of VS in Texas and other states, this ensures that a Veterinarian has seen the animals within 14 days of issuance of the CVI and provides the commission with greater confidence that the animals do not show signs of VS. This requirement will remain in effect until the affected state has released the last quarantine or restrictions on premises and animals affected with VS.

Bovine Trich is a venereal disease of cattle. The commission has a Trich disease control program which currently requires that all breeding bulls entering Texas have a Trich test if they are older than 12 months of age and older and do not qualify for an exception. The commission is adding a Trich testing exception for bulls that are 18 months of age or younger if the bull is accompanied by a state issued breeder’s certificate of virgin status, and a certificate of veterinary inspection, which certify the bull’s virgin status. The purpose of this exception is to harmonize standards with a majority of the states that have Trich test requirements for entry into their respective states, making it less confusing for producers to move cattle interstate.

Summary Minutes of the 393rd Commission Meeting – 10/6/2015

A motion to ADOPT the amendment to Chapter 51, Entry Requirements, located in Title 4 of the Texas Administrative Code was made by Commissioner Jordan and seconded by Commissioner Leathers. The motion carried.

Item 16 – Public Comment

Public comment was heard at the time of the proposed rule associated with the comment.

Item 17 – 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 18 – Consideration of any Action Needed Following Closed Executive Session

There was no consideration of action following the closed session.

Item 19 – Set Date for 394rd Meeting

The date for the 394th Commission Meeting was not set at the time of the meeting, but is tentatively scheduled for mid-February 2016. Notice will be posted on the agency's website when the next Commission meeting date has been set.

Item 20 – Adjournment

Meeting adjourned at 1:00 p.m.