

**OFFICIAL MINUTES OF THE 414<sup>th</sup> COMMISSION MEETING**  
**Texas Animal Health Commission**  
**November 15, 2022**

**Item 1 – Welcome and Call to order by Chairman Locke**

The Texas Animal Health Commission (TAHC) Commissioners met in person on Tuesday, November 15, 2022. Chairman Coleman Locke began the meeting at 8:30AM. The Pledge of Allegiance was recited.

**Item 2 – Roll Call for Commission Members**

The Chairman called the roll for the commission members. Commissioners Payne, Oates, and Evans were absent.

**Item 3 – Approval of the minutes of the 413<sup>th</sup> Meeting**

There was no public comment and no discussion concerning the minutes of the 413<sup>th</sup> Commission meeting which was held on July 26, 2022.

The motion to approve the minutes of the 413<sup>th</sup> Commission meeting was made by Commissioner Jordan and seconded by Commissioner Leathers. The motion carried.

**Item 4 – Report of the Executive Director and Approval of Waiver and Variance Requests**

Dr. Schwartz presented the following:

**AGENCY OPERATIONS & AFFAIRS**

- Agency budget is in favorable condition. Ms. Myra Sines will have details in her report under the Budget Status Report, Agenda Item #9
- Employee turnover and hiring challenges continue as significant issues
- Management Strategies to recruit and retain well qualified employees:
  - Salary equity is a primary goal
  - Explain employee benefit package, including medical insurance and retirement contributions
  - Continue to explore and utilize new recruitment methods and venues
  - Salary merits and one-time merits are available for eligible employees, based on the first line supervisor’s discretion. All employees have either a career ladder available for advancement that includes a salary increase, or may be considered for merit salary increases.
  - Administrative leave with pay may be granted for outstanding job performance
  - Telecommuting options for some positions
  - Flex time options for office employees
  - Compressed workweek options for office employees
  - Partial per diem for employees working away from headquarters for more than six hours
- Rural Veterinary Incentive Program (RVIP): HB1259, passed during the 87<sup>th</sup> Legislative Session. The Texas Animal Health Commission (TAHC) will administer the program in accordance with the rules adopted by the Rural Veterinarian Incentive Program Committee. The initial meeting was held on May 17, 2022. The RVIP Committee expressed interests in whether or not Senate Bill 8 funding could be utilized to incentivize current veterinary students to practice in qualified rural communities. Staff at the Higher Education Coordinating Board are researching this inquiry. *A determination was made that funds may be used to incentivize current veterinary students. We’re currently waiting for a response from TAMU on three questions related to this aspect of the RVIP.*

- Veterinary Medical Loan Repayment Program (VMLRP): *Dr. Lackie is our lead, and will provide an update in her report under Agenda Item #5.*

### **DISEASE Information & Epidemiological Activities**

- Cattle Fever Ticks:
  - Rio Bravo Buffer Zone *UPDATE: USDA APHIS is now directly funding pilot projects in Tamaulipas and Coahuila. Work on these six-month projects is underway.*
  - Cameron County and Willacy County game fence: The TAHC obtained funding to construct a total of approximately 10 miles of game fencing in four key locations in these two counties to prevent movement and continued reintroduction of ticks by nilgai antelope and white-tailed deer. An Environmental Assessment (EA) was completed. Due to a number of factors, the fencing effort is now focused in key locations in Cameron County. *A contract has been issued, and the awardee is gathering material to begin construction.*
  - Cattle treatment field trial: A study conducted at the ARS facility at Moore Field last year showed that repeated injections of eprinomectin could provide tick control for up to 110 days. TAHC is working with USDA and the drug company to design and conduct a field trial with this product to get more information on efficacy.
- Highly Pathogenic Avian Influenza (HPAI):
  - TAHC has been closely monitoring HPAI outbreaks across the nation, and continues working with industry and USDA APHIS VS to better prepare for and respond to outbreaks. *HPAI has been confirmed this year in multiple wild bird populations in Texas, primarily waterfowl and raptors, and in exhibits in zoos that are accessed by wild waterfowl. HPAI has been confirmed in one hunting facility, which was classified as “commercial poultry”, and in two backyard flocks that were classified as non-poultry.*
- Bovine Trichomoniasis:
  - Proposed changes to Chapter 38, Trichomoniasis, consider for adoption today:
    - Allow pooling of samples submitted in PBS or sterile saline for PCR testing
    - Extend transit time limit for samples submitted in PBS or sterile saline from 96 hours to 120 hours following collection
    - Testing conducted within seven day of purchase of untested bull
    - Require testing of all bulls that are part of a herd one year after the hold order or quarantine is released

A researcher at TTU is studying several aspects of Trichomoniasis sample collection, sample shipment, and the disease itself. A rule waiver granted earlier this year allowed the shipment of 11 affected bulls to the research facility for these projects, with bulls coming from New Mexico, Texas, Oklahoma, and Louisiana.

- Chronic Wasting Disease (CWD):  
2021 Incident
  - 310 total affected herds
    - Seven positive facilities: three facilities in Uvalde, one in Duval, one in Hunt, one in Matagorda, & one in Mason

- 303 Trace herds:
  - 177 Breeder facilities, 117 release sites, four nursing facilities, five DMP sites
- Status:
  - Released after meeting requirements:
    - 164 breeder facilities, 58 release sites/DMPs/nursing facilities
  - Under a herd plan: three breeder facilities, 23 release sites/DMP
  - Pending a signed herd plan: three breeder facilities, 44 release sites/DMP
  - Out of state: eight facilities

#### 2022 Incident

- 84 total affected herds
  - 2 Positive facilities:
    - Gillespie County – Confirmed August 30th
    - Limestone County – Confirmed
  - 82 Trace facilities: 22 breeder sites, 59 release sites, and one DMP site
  - Status
    - Released after meeting requirements: seven breeder facilities, 2 release sites
    - Signed herd plan: nine release sites
    - Pending a signed herd plan: 15 Breeder facilities, 49 Release sites/DMP
- USDA VS review of the Texas CWD HCP *UPDATE*
  - TAHC is working with TPWD to modify the TWIMS database to better support the HCP
  - Review of all enrolled herds has begun, and is to be completed by the end of February 2023
- Bovine Tuberculosis:
  - Consider a proposed change to Chapter 51 that would raise the test age requirement from 2 months to 6 months. The test age for entry was lowered from 6 to 2 months of age in 2007. This was to accomplish two goals: mitigating risk of TB entering the state, and to assure calves entering and then leaving the state before 6 months of age had not exposed cattle remaining in Texas to TB through commingling.

Although TB has been diagnosed in multiple dairies in other states since 2007, this 2-month age test requirement has detected no *Mycobacterium bovis* affected animals. It has detected *M. tuberculosis*, the most human adapted strain of TB, in one calf. Cattle are considered dead-end hosts for *M. tuberculosis*.

Testing calves at this young age presents a logistical challenge for the testing veterinarian, in that many of them are still in individual hutches. Injecting and then reading the TB tests requires the veterinarian to crawl over the fence to reach each calf, a laborious process when there may be hundreds or even thousands of calves to test.

One state analyzed the cost of testing dairy calves being exported to Texas at 2 months of age. This state exported 25,032 calves to Texas in FY2021. These calves were caudal fold tested by private veterinarians, and 1,575 were responders and required comparative cervical tests conducted by regulatory veterinarians. The total estimated cost was \$93,870 (\$3.75/calf).

Given that the 2-month test age requirement is a cost to industry, and that TB hasn't been detected as a result of this rule, TAHC staff support returning the test age to 6 months.

- Malignant Catarrhal Fever (MCF)
  - At the 413<sup>th</sup> meeting on July 26, 2022, the Texas Bison Association requested that the Texas Animal Health Commission (TAHC) amend Chapter 45 of commission rules to add Ovine Herpes Virus 2 (OHV-2) to the list of reportable and actionable diseases.

The need for this request was detailed by explaining that Bison are extremely susceptible to Malignant Catarrhal Fever (MCF) triggered by OHV-2. The virus infects sheep, which show no ill effects but then spread the virus easily to other grazing species. Members of the Texas Bison Association spoke in support of the proposed rule change.

A motion was passed requiring staff to study the issue and bring a recommendation to the next regularly scheduled commission meeting.

The TAHC staff recommendation is contained in the proposed amendment to 4 TAC §45.3, which would add Malignant Catarrhal Fever caused by a ruminant gamma herpesvirus in any animal to the list of diseases that are reportable to the commission in order to address the emerging threat to susceptible species in Texas.

Reasoning: (Please see the preamble of the proposed rule for background information). In addition to the request from the bison industry, staff also considered a recommendation received from a Wildlife Population Health Veterinarian at TAMU encouraging TAHC to make all agents of MCF reportable when diagnosed in any species. This would be a valuable and necessary first step toward understanding disease dynamics and transmission routes of different MCF viruses that affect a multitude of species, including wild and exotic species.

Making the OHV-2 virus itself reportable would narrowly focus on situations where this virus caused MCF in another species, primarily bison, and a diagnostic workup was conducted. This is because the virus typically does not cause clinical illness in sheep, and sheep are not routinely tested for the virus. On the other hand, making all gamma herpesviruses reportable would broaden the scope too much and would include diseases in avian species, equine and other mammals, including humans.

By making MCF caused by a ruminant gamma herpesvirus in any animal reportable, staff hope to have struck a balance that achieves the goals of raising awareness and facilitating information gathering without creating an undue burden on any party involved. Moving forward, this will allow the agency to more effectively address the risk from animals that have clinical MCF and test positive for a ruminant gamma herpesvirus, and thereby reduce the risk of exposure to other animals in the state.

- Bovine Brucellosis
  - The proposed amendment to §35.4, Entry, Movement, and Change of Ownership for consideration today removes the DSA-specific entry requirements for cattle originating from Idaho, Montana, or Wyoming and eliminates §35.4(b)(3) – (5).

Texas has been recognized as Bovine Brucellosis Free since 2007. The battle to attain this status spanned decades and cost millions of dollars. Post-entry test requirements were put in place by the Commission in 2013, not long after first-point testing surveillance was discontinued. The concern was over importation of brucellosis exposed cattle from a DSA that might be test negative for brucellosis but in the incubation stage of disease, or were heifers in the latent stage of infection. These animals might re-introduce Bovine Brucellosis to Texas, leading to a large outbreak of the disease before it was detected, as surveillance had been greatly reduced.

An average of 405 head of cattle were imported annually from the three DSA's combined. As stated in the rule preamble, no brucellosis infected animals have been detected in the ensuing 9 years of post-entry testing in Texas. USDA conducts a review of each of the three current DSAs every three years. Should Montana, Wyoming, and Idaho each receive favorable reports on their respective DSA reviews, TAHC staff support discontinuing post-entry assurance testing.

#### **NATIONAL UPDATE**

- USDA's policy on discontinuation of metal tags and requirement for RFIDs made in 2019 was withdrawn. A new proposal was published in the federal register. The public comment period closed October 5, 2020. Based on comments and other considerations, USDA announced it will go through the full rulemaking process. UPDATE: USDA is expecting publication of a proposal for comment in the coming months.
- Federal TB rules: The state/federal TB rule working group developed recommended changes to the CFR and submitted them to USDA in July 2021. USDA is just now taking them back up for consideration. USDA estimates it will be another two to three years before these rules complete the development and approval process.

#### **WAIVERS and VARIANCES (Action Item)**

There were 3 waivers requested and 2 waivers were approved.

- Tuberculosis – **Denied** – request to waive entry requirements for three-week-old kudu was denied due to no minimum testing age for that species
- Tuberculosis – **Approved** – allowed entry of 8 bucking bulls on permit to a vet clinic to obtain a CVI before being travelling to final destination for use as temporary rodeo practice bulls
- Avian Influenza – **Approved** – allowed entry of Eastern Wild Turkeys for restocking project with Texas Parks and Wildlife Department prior to having a certificate of veterinary inspection and negative AI and PT tests. This allowance reduces stress on the birds and increases survival rate. Birds are kept in a secure area, inspected by TAHC/USDA staff, and tested prior to release.

The motion to approve the waiver requests was made by Commissioner Leathers and seconded by Commissioner Vermedahl. The motion carried.

#### **Item 5 – Presentation of Field Animal Health Programs and Disease Traceability**

Dr. Angela Lackie presented the following update:

- Staffing - field positions are now being filled as quickly as possible to ensure quality of agency work
  - Of 144 total positions, 114.5 are filled, eight are posted, and 32 are vacant
- Inspections in the third quarter of 2022
  - 49 event inspections
  - 514 feed yard and 93 calf ranch inspections
  - 331 feral swine inspections
  - 851 fowl inspections
  - 1414 livestock market inspections
  - 1087 livestock shipment inspections
  - 110 swine surveys
  - 539 head tested out of 698 swine for first point testing
  - 270 slaughter plant inspections
  - 203 trichomoniasis inspections
  - 91 waste feeder inspections
- Emergency Management Activities:
  - Responded to HPAI in Dallas County mid-September
    - Backyard flock (non-poultry) on a large property in Dallas with chickens, ducks, geese, and pea fowl mixing with migratory waterfowl
    - Conducted surveillance in 10-kilometer Surveillance Zone (SZ)
    - 47 premises were contacted or tested – all negative
    - SZ released October 20, 2022
  - Responded to HPAI in Rockwall County in mid-October
    - Backyard flock (non-poultry) in rural area with chickens
    - Conducted surveillance in 10k SZ
    - 77 premises were contacted and reported as healthy
  - Internal Training/Preparedness
    - HPAI field training in Bastrop which was updated to real life training in Dallas County for some inspectors
    - Planning for an internal ICS 300 class in November for several inspectors
    - Staying current on FMD and ASF country status
  - Continued engagement in TDEM EM Council Drought Conditions calls
  - Secure Food Supply Program Updates
    - 38 Secure Beef Supply plans completed
    - Established a way to store SBS plans
    - Conducted two outreach presentations at local cattle producer organizations
    - Held meeting with SFS SME and other states to advance SFS coordinator knowledge
  - Outreach
    - Number of counties visited for AIC plans has doubled since last year
    - Increased level of information output on HPAI at feed stores, flea markets, etc. and working with AgriLife Extension to educate BYF and show bird owners

- Continued engagement and increased interest of livestock deputy involvement in natural disaster response throughout state
  - Federal Level Participation
    - ED and AED attended USAHA annual meeting in MN and participated in multiple AI, ASF, and other response sessions
    - Director attended Multi-State Partnership annual meeting in NE to increase involvement with interstate work
- Authorized Personnel: 2389 Accredited Authorized Vets in Texas
  - 249 CWD Antemortem Certified
  - 853 CWD Postmortem Certified
  - 887 Trich Certified
- ADT updates for the second quarter of 2022
  - 43,442 active premise identification numbers
  - 77,206 location identification numbers
  - 233 scrapie flock identification numbers
  - Distributed 791,490 total no-cost RFID tags to producers and veterinarians
- Veterinary Medical Loan Repayment Program
  - Texas initially had 5 applications and 5 awardees for 2022
    - 2021 8 apps 3 awards
    - 2020 1 app 0 awards
  - 8 shortage areas in Texas have been nominated for 2023
  - Application for grants opens Feb 2023
  - Tie in with VSGP for additional grants for universities & practitioners
- Swine Health Improvement Plan
  - Attended Board of Directors meeting September 6-8, 2022
    - 7 of 9 seats filled for TX
  - 2 commercial companies enrolled, 3<sup>rd</sup> pending
    - 3 boar studs, 643 head
    - 28 breeding herds, 126,408 head
    - 94 growing pig, 784,228 head
    - 1 small holding, 550 head
  - TX will receive \$15k funding for 2022
  - Applied for \$11,500 funding for 2023

#### **Item 6 - Presentation of USDA Veterinary Services Program Update**

Dr. Megan Schmid, Area Veterinarian in Charge, presented:

Highly Parthenogenic Avian Influenza (HPAI) continues to be detected nationally. As of this meeting, 46 states have detections in poultry and every state has it in wildlife. Because of this, USDA is changing response tactics and determined that it is no longer beneficial to trap wildlife. The positive detections in domestic poultry have huge impacts on trade markets. Deployments for HPAI and supporting Southern

Border Ports (SBP) continue to cause staffing shortages, so work continues to fill vacancies. Currently, three term animal health technicians are needed for surveillance at processing plants. After a two year pause on Foreign Animal Disease Diagnostician (FADD) training, in person training has been conducted, and included training of some TAHC personnel. National Animal Disease Preparedness and Response Program (NADPRP) is currently funding projects on increasing disease preparedness responses. Additional funding may be available this year. Finally, the USDA provided official ID tags are funded for 2023 but may not be funded for 2024. Dr. Schmid will continue to monitor this topic and provide updates as available.

### **Item 7 – Audit Subcommittee Reports for July 2022 and November 2022**

Commissioner Leathers outlined the audit subcommittee meetings.

The motion to approve the audit subcommittee reports was made by Commissioner Jordan and seconded by Commissioner Staggs. The motion carried.

### **Item 8 – Consideration of and Possible Action on Agency Fiscal Year 2022 Internal Audit Annual Report**

Mr. Monday Rufus presented the Agency Fiscal Year 2022 Internal Annual Audit Report, which was submitted to the State Auditor’s Office.

The motion to approve the Agency Fiscal Year 2022 Internal Annual Audit Report was made by Commissioner Jordan and seconded by Commissioner Staggs. The motion carried.

### **Item 9 – Budget Status Report**

Dr. Schwartz presented the following:

- FY 2023 Budgeted Revenue
  - \$13,522,684 from General Revenue
  - \$1,746,552 from Federal Funds
  - \$585,102 from Fee Revenue
  - \$150,000 from Capital Vehicles
  - \$200,000 from Capital Equipment
  - \$1,687,509 from HB 2
- FY 2023 Budgeted Expenditures total \$14,589,319
  - \$2,223,177 expended year to date
  - \$297,619 encumbered
  - \$12,068,450 available
- FY 2022 Expenditures (Strategy Level) (Budget / YTD Expense / Available)
  - Field Operations: \$7,646,214 / 1,514,951 / 6,131,263
  - Diagnostics/Epi Support: \$412,384 / \$9,446 / \$402,938



- Promote Compliance: \$953,076 / \$134,364 / \$818,712
- Animal Emergency Management: \$242,177 / \$48,725 / \$193,152
- Central Administration: \$1,872,873 / \$238,857 / \$1,634,016
- Information Resources: \$1,083,289 / \$251,159 / \$832,130
- Other Support Services: \$297,769 / \$24,001 / \$273,768
- Capital – Fleet Acquisition: \$150,000/ \$0 / \$150,000
- Capital – CFT Equipment: \$200,00 / \$23,165 / \$176,835
- Federal Cooperative Fund Summary:

Cooperative Award	Award End	Budget	Rcd \$\$	Spent	Encumbered	Need to Spend
21 CFT Fence Project	9/30/2022	\$200,000	\$200,000	\$0	\$200,000	\$0
21 ADT	3/31/2022	\$516,468	\$516,468	\$516,468	\$0	\$0
21 UMB	3/31/2022	\$1,939,830	\$1,939,830	\$1,039,830	\$900,000	\$0
21 CFT Dipping Vats	3/31/2022	\$300,000	\$300,000	\$300,000	\$0	\$0
21 CWD Depop/Genome Study	9/14/2022	\$429,598	\$375,032	\$375,032	\$0	\$56,566
21 CWD D4 TX (Depop)	9/14/2022	\$274,968	\$274,968	\$274,968	\$0	\$0
21 FEMA Hurricane Laura	8/30/2020	\$16,387	\$16,387	\$0	\$16,387	\$0
22 D4 TX UMB	3/31/2023	\$1,939,830	\$0	\$0	\$653,344	\$1,286,486
22 D4 TX ADT	3/31/2023	\$516,467	\$0	\$0	\$336,691	\$179,776
22 D4 TX CFT	3/31/2023	\$350,000	\$0	\$0	\$108,847	\$241,153
22 CWD Lng Rnge/Low Energy	8/31/2023	\$250,000	\$0	\$0	\$0	\$250,000
22 VS NADRP Program	12/15/2023	\$99,501	\$0	\$0	\$26,809	\$72,692

- FY 2022-2023 Collected Fee Revenue:
  - \$520,352 from Health Certificates was projected, \$729,652 has been received year to date
  - \$55,250 from Fowl Registration was projected, \$84,655 has been received year to date
  - \$9,500 from CWD Inspection was projected, \$16,550 was received year to date
  - \$15,620 from Administrative Penalty has been received year to date
  - \$585,102 was projected, and \$846,477 has been received year to date

The motion to approve the budget status report was made by Commissioner Leathers and seconded by Commissioner Staggs. The motion carried.

**Item 10 - Consideration of and Possible Action on Agency Contracts and Purchases**

Dr. Schwartz presented contracts and purchases for the consideration of the Commissioners, which included contracts, purchases, and leases.

The motion to approve the contracts, purchases, and leases was made by Commissioner Vermedahl and seconded by Commissioner Klein. The motion carried.

**Item 11 - Consideration of and Possible Action on Orders Related to Commission Rule Violations**

Mr. Jabbar Fahim presented orders related to Commission rule violations for the consideration of the commission.

The motion to adopt the orders was made by Commissioner Jordan and seconded by Commissioner Leathers. The motion to adopt the orders carried.

**Item 12 – Consideration of and Possible Action on Adoption of Proposed Rules**

Mr. Jabbar Fahim discussed the following Regulation Proposals:

- a) Chapter 38, Trichomoniasis

The Texas Animal Health Commission (commission) proposed amendments to Title 4, Texas Administrative Code, Chapter 38, §§38.1, 38.2, 38.3, 38.4, 38.6 and 38.8, concerning “Trichomoniasis”. The commission proposes amendments to Chapter 38 to clarify, correct and update information and procedures regarding the Trichomoniasis program and testing requirements. The Bovine Trichomoniasis Working Group (TWG) had an annual review on May 24, 2022, to evaluate the effectiveness of the current program. The TWG discussed the program overview to date, the management of infected herds, and the need for possible revisions to the program. The TWG recommends that five changes be made in the Trichomoniasis control program. The first is to require all bulls that are part of a herd one year after the date the hold order or quarantine on the herd was released shall be officially tested for Trichomoniasis. This recommendation addresses the issue of repeat Trichomoniasis positive herds. The second recommendation is to increase the transit timeframe for certified veterinarians to submit the Trichomoniasis sample submitted in phosphate buffered saline (PBS) from 96 hours to 120 hours after collection. Research has shown that the extended travel time for samples submitted in phosphate buffered saline (PBS) did not affect the sample. TAHC staff also recommend that sterile saline be added as a medium that can be used for submitting Trichomoniasis samples and recommends transit times match those of phosphate buffered saline. The third recommendation was to approve pooled samples for smegma submitted in phosphate buffered saline. The fourth recommendation would clarify the current rule and set a definitive timeframe for untested bull that are purchased to change status from a cull/slaughter bull to a breeding bull. The fifth recommendation was to change terminology from “Trichomoniasis approved feed yard” to “Trichomoniasis certified facility.”

The motion to ADOPT amendments to Chapter 38, Trichomoniasis was made by Commissioner Vermedahl and seconded by Commissioner Jordan. The motion carried.

**Item 13 – Consideration of and Possible Action on Proposed Rules**

Mr. Jabbar Fahim discussed the following Regulation Proposals:

- a) Chapter 35, Brucellosis

The Texas Animal Health Commission (commission) proposes amendments to Title 4, Texas Administrative Code, Chapter 35, Brucellosis. The purpose of the proposal is to remove additional brucellosis entry requirements created by the commission in 2013 for sexually intact cattle entering Texas from the Designated Surveillance Area (DSA) comprised of the states of Idaho, Montana, and

Wyoming, established by the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Services (APHIS) Veterinary Services (VS). §35.4 proposed adoption removes the DSA-specific entry requirements for cattle originating from Idaho, Montana, and Wyoming and eliminates §35.4(b)(3)-(5)

b) Chapter 40, Chronic Wasting Disease

The Texas Animal Health Commission (commission) proposes amendments to Title 4, Texas Administrative Code, Chapter 40, Chronic Wasting Disease. The proposed amendments both increase surveillance and reduce the risk of chronic wasting disease (CWD) being spread from areas where it may exist. §40.6 proposed adoption establishes one new containment zone (CZ) 5, expands existing CZ 2 and CZ 3, creates a new surveillance zone (SZ) 8, and modifies existing SZ 5 to either implement or improve surveillance efforts as part of the agency's effort to manage chronic wasting disease (CWD).

c) Chapter 45, Reportable and Actionable Diseases

The Texas Animal Health Commission (commission) proposes amendments to Title 4, Texas Administrative Code, Chapter 45, Reportable and Actionable Diseases. One proposed amendment adds Malignant Catarrhal Fever (MCF) caused by a ruminant gamma herpesvirus to the list of diseases that are reportable to the commission in order to address the emerging threat to susceptible species in Texas. The §45.3 proposed adoption adds MCF caused by a ruminant gamma herpesvirus to the list of reportable and actionable diseases and renumbers the list to accommodate the addition.

d) Chapter 51, Entry Requirements

The Texas Animal Health Commission (commission) proposes amendments to Title 4, Texas Administrative Code, Chapter 51, Entry Requirements. The proposed amendments clarify that the certificate of veterinary inspection (CVI) must include "official" individual animal identification on the CVI and increase the tuberculosis testing age for dairy cattle moving into Texas. The proposed adoption to §51.2 adds that animals vaccinated or tested for any disease as required by the commission be individually officially identified on a certificate of veterinary inspection, instead of just individually identified. §51.8 proposed adoption increases the tuberculosis testing age for dairy cattle moving into Texas from two (2) to six (6) months.

The motion to propose amendments to and additions to Chapter 35, concerning Brucellosis, Chapter 40, concerning Chronic Wasting Disease, Chapter 45, concerning the Reportable and Actionable Diseases, and Chapter 51, concerning Entry Requirements, located in Title 4 of the Texas Administrative Code, with changes as necessary to the proposed text was made by Commissioner Staggs and seconded by Commissioner Turner. The motion carried and the notice of the proposed amendments is to be published in the Texas Register with a 30-day comment period.

The notice of the proposed rule amendments will be published in the Texas Register with a 30-day comment period. Comments regarding the review proposals 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.state.tx.us".

**Item 14 - 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.**

**Item 15 - Closed Executive Session to Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of Specific Commission Employees as Permitted by Section 551.074 of the Texas Government Code**

**Item 16 - Reconvene to Consider Any Action Needed Following Closed Executive Session**

No action was necessary after the closed sessions for item 14.

**Item 17 - Consideration and Possible Action on Request to Set Rate of Compensation for the Executive Director to an Amount Not to Exceed the Maximum Salary Schedule of Exempt Position Group 6**

A motion to approve the request to set the rate of compensation for the Executive Director to \$225,000, which does not exceed the maximum Salary Schedule of Exempt Position Group 6, and to be effective on January 1, 2023 was made by Commissioner Jordan and seconded by Commissioner Leathers. The motion carried.

**Item 18 - Public Comment**

Public comment was provided at the time each item was presented as necessary.

**Item 19 - Set Date for 415<sup>th</sup> Commission Meeting**

The date for the 415<sup>th</sup> Commission Meeting was not set at the time of the meeting. Notice will be posted on the agency's website when the next Commission meeting date has been set.

**Item 20 - Adjournment**

The meeting adjourned at 11:05AMPM.