

# TEXAS ANIMAL HEALTH COMMISSION

“SERVING TEXAS SINCE 1893”

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## RESOLUTION REGARDING TUBERCULOSIS TEST REQUIREMENTS FOR CATTLE IMPORTED FROM MEXICO

WHEREAS, on June 6, 2002, the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS) published an interim rule (Docket 02-021-1) that removed the split-state status of Texas for tuberculosis (TB) and reclassified the state as Modified Accredited Advanced effective June 3, 2002, and;

WHEREAS, based on that change of status, the Texas Animal Health Commission (Commission) adopted amendments to Chapter 43 entitled, "Tuberculosis." Specifically, the commission amended Section 43.2, related to Interstate Movement. The purpose was to put in place tuberculosis test requirements for cattle moving interstate and coming from Mexico in order to protect the Texas cattle industry. The rules were published for adoption in the December 27, 2002 issue of the Texas Register (Vol. 27, No. 52, pages 12103-12470) , and;

WHEREAS, the problem of tuberculosis in feeder cattle imported from Mexico has been well documented for more than 20 years. The Binational Committee of the United States Animal Health Association has been instrumental in development of tuberculosis programs in the northern states of Mexico in an effort to reduce the risk of importation of infected cattle. These efforts resulted in significant declines in both the number and rate of tuberculosis infected Mexican origin cattle slaughtered at U.S. plants during the period 1993-1998. However, there has been an equally significant increase in both the number and rate of infected Mexican steers slaughtered in 1999-2002. This reversal in trends and the associated risks warrant consideration of additional safeguards to address these risks. The commission believes the greatest risk lies in those feeder cattle that are grazed in proximity to herds of US breeding cattle. During the period 1997-2001, our records indicate that 109 cases of TB were detected in Mexican feeder cattle that were grazed or fed in Texas. These cattle originated from 76 different feed yard lots. Follow-up epidemiological investigations document that 50 percent (38/76) of these lots were grazed in Texas prior to entering the feed yard, and;

WHEREAS, the commission amended the requirements to address entry of feeder cattle from Mexico, found in Section 43.2 (g) published for adoption on December 27, 2002. These requirements would limit the entry of such cattle to an approved feed yard or an approved pasture. The approval of pastures to be used for grazing of Mexican feeder cattle would require that the owner or operator of the premise obtain

authorization from the TAHC prior to stocking with such cattle. The owner or operator must meet specifications for fencing and other barriers (roads, rivers, etc.) that effectively prevent contact with all breeding cattle and any other cattle that are not on the premises defined in the approved pasture agreement. All cattle on entering these approved pastures would be moved by permit to the approved pastures, approved feed yards or slaughter, and;

WHEREAS, there are also risks associated with tuberculosis in roping/rodeo cattle imported from Mexico. The problems with tuberculosis in rodeo and roping cattle imported from Mexico are similar to those described for feeder cattle. Commission and APHIS records document that at least 11 percent (6/54) of investigations of Mexican cattle cases closed in FY 2001–2002 were determined to be cattle used for rodeo/roping purposes. Research of import records at the APHIS port of Del Rio, Texas for the same period indicates that six percent of feeder cattle imports are roping/rodeo cattle. Therefore, the commission believes that the prevalence of tuberculosis in this class of cattle is at least comparable, if not greater than in feeder cattle. Since this class of cattle live much longer and are subject to more extensive movements and potential contacts with US cattle compared to feeder cattle, we proposed that safeguards also be developed to control the risks, and;

WHEREAS, the commission believes that obtaining compliance with the additional requirement for cattle from Mexico would take educational efforts with the cattle industry as well as structural implementation by the commission of appropriate policies, procedures and manpower. Therefore, the commission elected not to enforce the requirements of Section 43.2 (g) until August 1, 2003, and;

WHEREAS, USDA recently published an interim rule effective and published in the Federal Register on June 16, 2003 (66 FR 20187-20190, Docket No. 00-102-1), to amend the animal import regulations to require that an import permit be obtained for the importation of cattle from Mexico; to require certification regarding the tuberculosis history of the herds from which a group of cattle is assembled for export to the United States; to require information regarding each premises where cattle intended for export to the United States have resided; and to add a definition for herd of origin and revise the definitions of herd, official tuberculin test, and whole herd test. USDA has deemed this action necessary to more adequately ensure that imported cattle are free of tuberculosis, thereby protecting against the spread of tuberculosis within the United States. This interim rule is effective June 16, 2003. USDA will consider all comments that they receive by August 15, 2003, and;

WHEREAS, USDA is also proposing to amend the animal importation regulations. They have published a proposed rule in the Federal Register on June 3, 2003 (68 FR 33028-33030, Docket No. 00-112-1), to prohibit the importation of Holstein cross steers and Holstein cross spayed heifers from Mexico. The federal regulations currently prohibit the importation of Holstein steers and Holstein

spayed heifers from Mexico due to the high incidence of tuberculosis in that breed, but do not place any special restrictions on the importation of Holstein cross steers and Holstein cross spayed heifers from Mexico. Given that the incidence of tuberculosis in Holstein cross steers and Holstein cross spayed heifers from Mexico is comparable to the incidence of tuberculosis in Holstein steers and Holstein spayed heifers, USDA deemed the action as necessary to protect the health of domestic livestock in the United States. They will consider all comments that they receive by August 4, 2003, and;

WHEREAS, USDA has identified in the Semiannual Regulatory Agenda, published for Spring of 2003, that they intend to amend their regulations to harmonize import requirements with proposed standards for the National Tuberculosis Eradication Program, and;

WHEREAS, changes by USDA in their import requirements for cattle relative to tuberculosis should reduce the risk of tuberculosis to Texas cattle from Mexican origin cattle and could impact the commissions current entry requirements from Mexico.

NOW, THEREFORE, the commission will continue to hold in abeyance enforcement of the commission's tuberculosis regulations, Section 43.2 (g), for feeder steers from Mexico until the commission can properly gauge the impact of current and proposed USDA regulation changes on the incidence of tuberculosis in imported Mexican feeder cattle and roping cattle and the impact of the changes on Texas livestock. While this resolution is in effect, the commission will not be enforcing the requirement for a tuberculosis test by a USDA veterinarian at the port of entry for either feeding steers or roping steers. Additionally, the commission will not require feeder steers to move, under authorization from the commission, to an approved pasture or feed yard. However, the commission will continue to require that Mexican origin roping or rodeo steers comply with the commission's post entry and annual tuberculosis retest requirements as provided in 43.2 (g) (3).

FURTHERMORE, the commission strongly urges Texas producers who import, purchase, pasture or feed Mexican origin feeder steers to take all reasonable measures to run, pasture or feed Mexican origin feeder steers separate and apart from all breeding cattle or other native cattle in order to protect against any potential exposure to tuberculosis from Mexican origin feeder cattle. The commission will consider re-evaluation of the feeder and roping steer rule in Section 43.2 (g) by April 2004. This Resolution will remain in effect until modified, amended or rescinded by the commission.

**Approved by the Commission and signed by the Chairman on July 29, 2003**