

OFFICIAL MINUTES OF THE 405th COMMISSION MEETING
Texas Animal Health Commission
December 10, 2019

The TAHC Commissioners met in the agency's headquarters, in Austin on Tuesday, December 10, 2019. Chairman Coleman Locke began the meeting at 8:39AM.

Item 1 – Welcome and Call to order by Chairman Locke

Commissioners present: Michael Vickers, Eric White, Coleman Locke, Ken Jordan, Leo Vermedahl, Keith Staggs, Wendee Langdon, and Jim Eggleston.

Item 2 – Approval of the minutes of the 404th Meeting

The minutes of the 404th Commission meeting held on August 13, 2019, were approved by the Commissioners.

Item 3 – Report of the Executive Director, Field Animal Health Program Activities and Approval of Waiver Requests for the Period of 8/13/2019 to 12/10/2019

Dr. Schwartz presented the following:

- **Agency Business**
 - 86th Legislative Session, January-May, 2019
 - Approved 2020-2021 budget is consistent with 2018-2019 levels
 - **Exceptional Items**
 - Agency Modernization – IT Business Initiative: Database not funded, but there were sufficient funds in 2019 budget to move forward. Request made to LBB to exceed capital budget authority for this item.
 - Required approval of Governor Abbott, Lt. Governor Patrick, Speaker Bonnen, House Appropriations Chair – Representative Zerwas, Senate Finance Chair – Senator Nelson.
 - Approval was obtained. Special thanks due Representative Doc Anderson, Representative Lynn Stuckey, Representative Mary Gonzales, Representative Brad Buckley, and Senator Charles Perry for their assistance.
 - Additional general revenue funding in the amount of \$748,000 was used to increase the salaries of Livestock Inspectors by \$3600 annually.
 - **Agency Staffing:**
 - 220.2 FTEs authorized, 215 filled
 - Analysis of agency hiring was conducted, comparing 2017 and 2019
 - 2017: Total employees – 158 (Field 59%, CO 34%, Lab 7%)
 - 2019: Total employees – 215 (Field 69%, CO 27%, Lab 4%)
 - **Texas State-Federal Laboratory**
 - National Animal Health Laboratory Network (NAHLN) participation
 - Member since 2012. Initial approval was for Pseudorabies (PRV) testing
 - Approval for Vesicular Stomatitis (VSV) molecular testing in 2016
 - Approved for Classical Swine Fever (CSF) molecular testing in 2017

- Applied for African Swine Fever (ASF) molecular testing in 2018
- Sunset review – agency self-evaluation completed. Carolyn Beck will provide an update.
- **Disease considerations**
 - Cattle Fever Ticks
 - Voluntary Cattle Dipping Incentive initiated at markets in June 2019. Voluntary inspection has led to the discovery of ticks on five separate occasions. Four markets currently participating.
 - Willamar Vat and field office project is progressing
 - Experimental cattle grazing on portions of USFWS refuges:
Project #1: Grazing began on Laguna Atascosa Units 5 and 8 in June 2019. Project #2: Perimeter fencing now completed on Boswell tract. Bid is out for internal fencing to protect thorn scrub.
Project #3: Unit 4 – working through logistical issues
 - Omnibus funding for applied research renewed for second year – novel and second-year projects have been selected for funding
 - Rio Bravo Buffer Zone -effort to address cattle fever tick incursions from Mexico by establishing a buffer zone in Mexico mirroring the one in Texas. Steering Committee has begun work via teleconferences. Plans being made for a face to face meeting in San Antonio in early February 2020, just before the BNC and NCBA meetings.
 - Bovine Viral Diarrhea (BVD)
 - Comments on the rule proposed at August 13, 2019 meeting were reviewed and will be discussed under agenda item #12.
 - Bovine Trichomoniasis
 - A Working Group call was held on November 21, 2019 to address concerns raised regarding the previously proposed rule that would have required disclosure of exposed status when female cattle are sold from herds affected within the previous six months. This topic will be the focus of the Spring 2020 Trichomoniasis Working Group meeting.
 - Chronic Wasting Disease
 - Joint TAHC/TPWD CWD Taskforce met and discussed USDA CWD Program Standards among other topics. Changes to the TAHC Herd Certification Program rules may be needed. Dr. Rollo will have more information in her report.
- **National Issues**
 - Animal Disease Traceability (ADT)
 - USDA's policy on discontinuation of metal tags and requirement for RFIDs was withdrawn
 - Texas UHF Back Tag Project – installation phase

- 4 Livestock Markets, 5 Order Buyers, 4 Feed Yards, and up to 6 slaughter plants participating
 - 4 vendors
 - 16 agencies and associations in 3 states
 - Year-long project will conclude in August 2020
 - Southern Animal Health Association Annual Meeting set for June 7-10, 2020, in Amarillo, Texas. TAHC is hosting.
 - The National Assembly/USDA APHIS VS TB Rule Working Group reconvened this month, and will continue efforts until proposed CFR change is complete.
- **Waiver Report - August 13, 2019 to December 10, 2019**
 - 6 waivers requested and 6 approved:
 - Tuberculosis and CWD – **Approved** – allowed entry of one elk on a single TB test with second test to be conducted post-entry. Elk was raised as an orphan and went to a bio-secure facility at TAMU-CVM with no exposure to other cervids.
 - Tuberculosis – **Approved** - allowed entry of fallow deer from Florida on a single TB test. Florida does not have a TB monitored herd status program. These fallow deer are from a closed herd that has tested a sufficient number of animals over the past 5+ years to meet or exceed monitored herd status.
 - Brucellosis – **Approved** – allowed entry of Speke’s Gazelle on delayed Brucellosis test. Animal was raised in a zoo environment and posed very low risk to Texas livestock.
 - Brucellosis – **Approved** – allowed entry of Nile Lechwe on delayed Brucellosis test. Animal was raised in a zoo environment and posed very low risk to Texas livestock.
 - Trichomoniasis – **Approved** – allowed a waiver for bulls to enter Texas without a negative Trich test. State Vet from origin state issued the request and confirmed that the bulls were isolated from females. All entered on official ID and a CVI, allowing for traceability if needed.
 - Tuberculosis – **Approved** – allowed entry of calves from New Mexico on permit to be TB tested upon arrival at Texas facility.
 - Avian Influenza – **Approved** – allowed entry of a Gambia Spur-winged goose to the El Paso Zoo on an expired test. Shipping was delayed due to weather, goose was raised in a zoo environment and will present little risk to Texas poultry.
 - Piroplasmiasis – **Approved** – allowed entry of a positive horse to seek treatment at a secure veterinary facility. Animal will be shipped on VS 1-27.

The actions of the executive director were approved.

Item 4 - Presentation of Epidemiology, and Animal Disease Traceability (ADT) Activities

Dr. Susan Rollo, State Epidemiologist, presented the following report:

Cattle Tuberculosis:

- 1. Status of the infected Herds in Parmer and Lamb Counties:** Two organic dairies and a feed yard (~12,000 head) completed an assessment test in April 2015, and 14 subsequent removal tests. To date, there are 68 histocompatible samples disclosed.
- 2. Status of the infected dairy in Bailey County (feed yard and associated dairy in Parmer/Bailey) released from quarantine:** Two organic dairies and a feed yard (~6,500 head) completed an assessment test in the spring of 2016 with one positive disclosed. Two removal tests and one verification test are complete. Assurance testing is scheduled annually.
- 3. Status of the infected dairy in Sherman County and two associated infected grower operations in Dallam County that are epidemiologically linked to the positive dairy.**
 - The ~8,700 head dairy was previously tested annually 2015- 2017 with negative test results. During the annual December 2018 test, a high rate of responders were disclosed. To date, 63 positive cows are confirmed since the first diagnosis on February 11, 2019. The second removal test is pending completion. Based on whole genome sequencing, two unique strains are present in the herd.
 - One associated grower facility is a ~70,000 head calf ranch. To date, one positive heifer was disclosed on 3/1/2019. Approximately 12,000 head at the facility are considered 'exposed' and are on a testing plan. In addition to the testing scheme at the premises, epidemiologically linked dairies including 1 in Oklahoma, 2 in Kansas, and 1 in Texas are also conducting whole herd testing.
 - The positive dairy and a second Colorado dairy under the same management utilize a heifer raiser premises with ~4,500 head in Dallam County. One positive heifer was disclosed on April 8, 2019 on the first whole herd test. The remaining heifers at the facility are considered 'exposed' and are on a testing plan.
- 4. Status of infected beef herd in Austin County:** In June 2019, a positive beef herd was disclosed from a slaughter trace back. After one assessment test, an additional positive cow was identified. Whole genome sequencing describe a unique strain to the US with Mexican origin. A second whole herd test was completed on November 25, 2019.
- 5. TB slaughter trace cases in the FY2020:** To date, there are no slaughter trace investigations in this fiscal year.

Trichomoniasis: From January through September 2019, there were 307 positive bulls disclosed in 23,748 bulls tested (1.3% test positive).

Cattle Fever Tick: The Cattle Fever Tick Eradication Program is a cooperative activity between TAHC and USDA-VS. In the Permanent and Temporary Preventive Quarantine Areas, there are 181 total infestations disclosed through September. A new CPQA was created due to the identification of ticks at a nearby vat that traced back to a Jim Wells County producer. Note, this is the fourth time this year that fever ticks were identified through surveillance at a vat and the later two times, these identifications led to new CPQAs. To date, Region Beeville have 414 quarantines, and three premises are infested. Work continues on the second round of scratches on adjacents with no additional ticks disclosed. In addition, hunting season is underway and hides are inspected with movement from quarantine premises. Traces from the first premises were assigned to staff for investigation. A total of 168 trace out cases were identified but 20 of those were mitigated by voluntary dipping which

alleviates the need for trace work on the receiving premises. To date, 75 traces are still pending. In addition, one trace-in herd was identified.

Swine Brucellosis (SB) and Pseudorabies (PRV): One swine herd in Van Zandt County was positive for both swine brucellosis and pseudorabies. The herd was depopulated in November.

Equine Infectious Anemia (EIA) and Piroplasmiasis: Texas continues to disclose both diseases in racing quarter horse when tested for movement. In 2019, 45 EIA cases and 24 Piroplasmiasis cases have been disclosed. Note, seven dual infected horses were disclosed in one Smith County facility.

Scrapie: The flock identified in April 2016 remains under quarantine in Hartley County.

Chronic Wasting Disease (CWD): Since July 2015, five positive captive breeder herds have been disclosed. Three herds were depopulated and two larger herds are managed with a herd plan. Two positive bucks were disclosed at one of the facilities in 2019. In addition, two positive free-ranging Mule Deer in El Paso County, one positive Mule Deer in Hartley County, and one positive free-ranging WTD in Medina County were disclosed in 2019.

Anthrax: The first anthrax case of the year was June 19, 2019. Since then, a total of 21 cases of confirmed anthrax in five counties including Crockett, Kinney, Sutton, Uvalde, and Val Verde. Animals include the following species: antelope, goat, horses, deer, and cattle. TAHC is working with TPWD and USDA APHIS epidemiology investigative service to analyze data from the outbreak in order to provide feedback on advantageous management strategies for future incidents.

Vesicular Stomatitis (VSV): Since June 19, 2019, Texas has identified 172 affected cases (76 confirmed; 96 suspect) located in 37 counties. There are no current quarantines. All cases were in equine with the exception of one cow.

Numbers of Certificate of Veterinary Inspections:

Total CVIs received in TX by type

2019 Totals	Incoming	Outgoing	TX to TX
Electronic	13,884	16,392	11,985
Paper	17,570	15,479	16,152

Item 5 – Presentation of Animal Health Program Activities

Dr. Angela Daniels, Assistant Executive Director of Animal Health Programs, provided the following report:

- **Report Items**

- Field Staffing
 - Numbers of FTEs filled vs Vacancies (138 filled, 7 pending)
- Workshops
 - Started 2019 workshops with RD/SI July 23-24; focused on EIA and Trich
 - Inspector workshops held August 13-14 and 20-21
 - Administration Workshop coming spring of 2020
- Inspections
 - Feral swine inspections - 1st quarter: 355, 2nd quarter 383, 3rd quarter: 407
 - Swine surveys - first quarter: 216 total surveys, 2nd quarter: 262, 3rd quarter: 253
 - Swine first point testing – 3rd quarter: 3729 swine sold, 827 sows/boars, 734 tested or 89%
- Authorized Personnel: 2184 Accredited Authorized Vets in Texas
 - 800 Trich Certified
 - 207 CWD Antemortem Certified
 - 1335 CWD Postmortem Certified
 - 510 Accredited but not Authorized
- Animal Disease Traceability (ADT) Department update: Current projects include a UHF backtag pilot, acting as SME for database and system upgrades, assisting in Sunset review, radio programming, participating in emergency management exercises, and assisting in authorized personnel. There has been a 42% increase in premise registration during 2019 (425 to date in CY 2019 vs 300 in CY 2018). There has been a 242% increase in scrapie flock ID registrations (1,384 to date in CY 2019 vs 510 in CY 2018).
- Field Manuals: Scrapie and TB are now completed. Psuedorabies, CSF, CFT are in currently being addressed.
- Internal review for Sunset is in progress, trial of calf ranch permit process is underway. There will be a rule change in the spring if the trial goes well. Work will continue to finish field and inspection manuals.

Item 6 – Presentation of Sunset Updates

Mrs. Carolyn Beck presented a report on Sunset Review Process:

TAHC is halfway through the process, which started in September when TAHC submitted the Self Evaluation Report to the Sunset staff. November was the first information request put upon the agency. Sunset staff has distributed a stakeholder survey and have been taken on site visits to field work. The Sunset report will be made available to the public in June and hearings will begin in July.

Item 7 – Emergency Management Activities

Mrs. Holli Tietjen-Hale presented an update on Emergency Management actions:

In September, the TAHC participated in a functional exercise on an African Swine Fever. A collaboration between the USDA-APHIS National Training and Exercise Program (NTEP) and 14 participating states across the nation, the functional exercise was built to test and exercise the real-time ability of states to respond to various stages of an African Swine Fever outbreak in the United States.

Overall, the exercise was successful in providing a realistic, time-sensitive environment to test the agency's knowledge and skills related to an animal disease outbreak. The high level of industry engagement was very beneficial in preparing everyone involved for inter-organizational cooperation, and the implementation of unified command between state, federal, and industry partners was commendable. Moving forward, the TAHC will focus on: following up on policy discussions related to the processes and overall management of an outbreak; solidifying communication expectations and processes for coordinating between response partners; and continuing training an outreach for disease response, both internally and with external partners.

Item 8 – Presentation of USDA VS and CFTEP Updates

Dr. Hallie Hasel presented an update of USDA VS activities.

Dr. Hasel welcomed Dr. Megan Schmid to the USDA-VS Austin staff and reported that two animal health technicians (AHTs) have been hired for USDA VS. Two more AHT positions may be announced along with one Veterinary Medical Support Officer (VMO), all will be term positions and will assist with the ports. TB tests for the panhandle are scheduled for January and VS staff are still supporting the VND outbreak in California. The Cattle Fever Tick Eradication Program (CFTEP) Omnibus funds for FY 2019 were not distributed until July, which means reports from the studies will be available in January. The mobile SCS program was deployed recently and plans to review how the program works will be enacted soon. The CFTEP staff is down to 90 and needs to be at 120 for efficient operations. One epidemiologist and two VMOs are needed. There are 25 vacant field inspector positions. Currently, the CFTEP has its own administration unit, and this should improve the efficiency of the operations. Current field activities include wildlife surveillance on USFW land.

Item 9 – Audit Sub-committee Report

Commissioner Vermedahl provided an overview of the audit sub-committee meeting. The actions of the committee were approved.

Item 10 – Administration/Budget Status Report

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

- **FY 2019**
 - Methods of Finance: Actual funds available by fiscal year end are \$18.11M. Included in this amount is approximately \$2M moved from FY 2018 to FY 2019 by Unexpended Balance (UB); 85 Leg RS, GAA Article VI, TAHC Rider 4 Authority.
 - Of these actual available funds \$16.17M was expended, \$961K was lapsed, and \$982K was moved from FY 2019 to FY 2020. This move was by UB authority in 85/86 Leg RS, GAA Article IX, Section 13.09.
 - Objects of Expense: Actual Expenditures - \$16.17M

- Federal Funds: \$2.62M Spendable. Federal Funds spent \$1.64M. Federal Funds moved to FY 2020 is \$982K. This includes \$347K in Hurricane Harvey expenses.
- Fee Revenue is used solely on Field vehicle expenses such as Fuel, Maintenance & Repairs, Parts, Insurance, and Leases. Actual Fee Revenue collected was \$597,381. Fee Revenue available for FY 2019 was \$655,363 which includes \$57,982 UB'ed from FY 2018.
- FY 2019 budgetary transfers for the budget were as follows: Authority to move up to \$86,000 from Information Resources to Central Administration. Approval was granted by Legislative Budget Board & Governor's Office to exceed our Capital Budget Authority for software, in the amount of \$269,000. This is for the Agency Modernization Eradication & Control Information System. This was approved by the Commission in the May 21, 2019 Commission Meeting. These funds came from the TAHC Field Appropriation.
- **FY 2020:**
 - Methods of Financing (Revenue): Projected available funds by fiscal year end are \$17.2M. YTD funds available are \$14.3M
 - Objects of Expense (Expenditures): Anticipated Known Expenditures - \$17.2M. The TAHC anticipates / projects that all available funding for FY 2020 will be utilized or obligated by FY end.
 - Federal Funds: Federal Funds total is projected at \$4.3M, with \$3.4M Spendable. YTD Spendable received is \$1.2M. (Includes Federal Funds moved from FY 2019)
 - Fee Revenue: Fee Revenue is used solely on Field vehicle expenses such as Fuel, Maintenance & Repairs, Parts, Insurance, and Leases. Projected \$520K, YTD collected \$83.6K.
- FS Budgetary:
 - The TAHC does have Unexpended Balance (UB) Authority to move unspent appropriations from FY 2020 to FY 2021. The TAHC Financial Services (FS) currently has no requests for authority for budgetary transfers for the FY 2020 budget.

The budget status report was approved.

Item 11 – Consideration of and Possible Action on Agency Contracts and Purchases

Mrs. Marita Washington presented contracts and purchases for the consideration of the commissioners for FY 2020. The contracts purchases were approved.

Item 12 – Consideration of and Possible Action on REGULATION ADOPTIONS

Mrs. Mary Luedeker discussed the following Regulation Adoption:

Each Regulation Adoption was reviewed and voted on individually.

- (a) Chapter 44, Bovine Viral Diarrhea (BVD)

- a) The Texas Animal Health Commission (TAHC) proposes a new Chapter 44 for the purpose of establishing a Bovine Viral Diarrhea Virus (BVDV) control program.

Bovine viral diarrhea (BVD) is an economically impactful disease of cattle with a worldwide prevalence that is endemic in most states. BVD is caused by the Bovine viral diarrhea virus, a Pestivirus. The major reservoir responsible for disease spread geographically is the persistent infection syndrome (BVDV-PI) seen in calves. BVDV can result in impacts to the stocker and feedlot operations by causing immunosuppression and contributing to Bovine Respiratory Disease Complex, or “Shipping Fever.” This can lead to reduced feed conversion and weight gain, and increases in days on feed, morbidity, treatment cost, and mortality. In regards to cow-calf operations, all of these impacts may occur plus decreased conception rates, abortions, weak calves, and congenital defects.

Texas stakeholders have indicated interest in addressing the disposition of known BVDV-PI animals. The TAHC convened a group of stakeholders to discuss the negative implications of the disease on the Texas cattle industry. Stakeholder groups represented at the meeting included Texas Southwest Cattle Raisers Association (TSCRA), Texas Cattle Feeder Association (TCFA), Livestock Marketing Association (LMA), Independent Cattlemen’s Association (ICA), Texas Farm Bureau (TFB), Texas Association of Dairymen (TAD), Texas A&M AgriLife, USDA, and Texas A&M Veterinary Medical Diagnostic Laboratory (TVMDL).

The Commission may develop rules necessary to control significant disease risks. BVDV adversely affects both health and productivity. The losses due to transient infection are diarrhea, decreased milk production, reproductive disorders, increased occurrence of other diseases, and death. The losses from fetal infection include abortions; congenital defects; weak and abnormally small calves; unthrifty, persistently infected (PI) animals; and death among PI animals. To provide Texas cattle some mitigation from the risk of exposure to PI cattle, Chapter 44, entitled “Bovine Viral Diarrhea Program” is being added.

The motion to ADOPT a new Chapter 44, Bovine Viral Diarrhea, passed.

Item 13 – Consideration of and Possible Action on PROPOSED REGULATION REVIEW

Dr. Andy Schwartz discussed the following Regulation Adoptions:

Each Regulation Adoption was reviewed and voted on individually.

- (a) Chapter 33, Fees
- (b) Chapter 40, Chronic Wasting Disease
- (c) Chapter 41, Fever Ticks
- (d) Chapter 53, Market Regulation
- (e) Chapter 54, Domestic and Exotic Fowl Registration
- (f) Chapter 55, Swine
- (g) Chapter 57, Poultry

The motion to propose the rule reviews of Chapters 33, 40, 41, 53, 54, 55, and 57 passed. The notice of this review is to be published in the Texas Register with a 30 day comment period.

The notice of the proposed regulation review 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
Commissioners reconvened after the Closed Executive Session, but no actions were required.

Item 18 – Public Comment/Recognition

No public comments were made, but recognition of employees due to retire was made by Dr. Schwartz. A full audio of the recognition and the complete discussion that followed is available on the Texas Animal Health Commission website. <http://www.tahc.texas.gov/agency/meetings.html>

Item 19 – Set Date for 403rd Commission Meeting

The date for the 406th Commission Meeting was not set at the time of the meeting, but is tentatively scheduled for April 2020. 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 11:32AM.