

SUMMARY MINUTES OF THE 402nd COMMISSION MEETING
Texas Animal Health Commission
December 11, 2018

The TAHC Commissioners met in the agency's headquarters, in Austin on Tuesday, December 11, 2018. Chairman Coleman Locke began the meeting at 8:35AM.

Item 1 – Welcome and Call to order by Chairman Locke

Commissioners present: Michael Vickers, Eric White, William Edmiston, Coleman Locke, Joe Leathers, Tommy Oates, Ken Jordan, Leo Vermedahl, Barret Klein, Keith Staggs, Joe Osterkamp, Wendee Langdon, and Jim Eggleston.

Item 2 – Approval of the minutes of the 401st Meeting

The minutes of the 401st Commission meeting held on August 7th, 2018, 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 8/7/2018 to 12/11/2018

Dr. Schwartz presented the following:

- **Opening remarks**
 - Welcome new commissioners
 - Introduce Carolyn Beck, Government/Industry Liaison

- **Agency Business**
 - Preparation for the 86th Legislative Session, January-May, 2019:
 - External Customer Survey - done
 - Base Budget Reconciliation - done
 - Five Year Strategic Plan - done
 - Legislative Appropriations Request – submitted on schedule
 - Baseline budget consistent with 2018-2019 levels
 - Must describe how the agency would make cuts to achieve 10% reduction, in 2.5% increments
 - Exceptional Items
 - Agency Modernization – IT Business Initiatives to improve enterprise capabilities. A total of approximately \$400,000 in additional funds is needed this biennium for an Animal Health Automated Information System – Animal Health Tracking System.
 - For the upcoming biennium, the TAHC is requesting additional general revenue funding in the amount of \$748,000 to be used to increase the salaries of Livestock Inspectors. If granted, the funds will be used to increase the inspector salaries by \$3600 annually and would be applied across the board.
 - Executive Director Salary - TAHC is requesting authority to reclassify the Executive Director's salary from Exempt Salary Group 4 to Exempt Salary Group 5 and authorization for the Commission to use the entire salary range, up to the maximum salary rate of \$197,415, as deemed appropriate by the

Commission. The current executive director position is compensated at Salary Group 4 with a maximum salary of \$146,742.00 per year.

- Strategic Fiscal Review is underway
- State Auditor – Issues were identified in the agency’s Vehicle Fleet Management audit report received in October of this year. To address these findings, the agency developed, finalized, and is now implementing the TAHC Fleet Management Policy and Procedures.
- **Disease considerations**
 - Cattle Fever Ticks
 - Live Oak County CPQA under review for potential release
 - Experimental cattle grazing on USFWS refuges – fence built on Units 5 and 8. Delays due to large portions of the property under water from heavy rains. Fencing to be constructed on Boswell/Jenkins tract and Unit 4.
 - Response to infested deer and nilgai on Port Mansfield property
 - External Cattle Fever Tick Program Review Team assembled by USDA APHIS VS is continuing process. Expect preliminary report in December 2018.
 - APHIS published the final record of decision so work can begin with property owners to install game fencing along a strategic two-mile portion of the permanent tick quarantine line in Zapata County. TAHC has agreed to maintain the fence.
 - Efforts are being made to address cattle fever tick incursion pressure from Mexico
 - Concerns over spray box utilization
 - Bovine Viral Diarrhea (BVD)
 - Industry representatives requested the commission consider developing rules pertaining to the disposition of BVD Persistently Infected (PI) animals. An exploratory meeting was held on November 29, 2018. The meeting was well attended by stakeholders, and there was strong support for continuing the effort. A working group will be formed, with the initial meeting tentatively scheduled for February, 2019, shortly after the annual NCBA convention.
- **National Issues**
 - Animal Disease Traceability (ADT) - A Livestock Traceability Forum was held in Kansas City on September 25-26, 2018. Efforts to improve traceability of adult cattle are moving forward. Primary focal points are identification of cattle at the farm of origin and at slaughter (bookend approach), and utilization of electronic tags and electronic data sharing of animal movement documents.
 - Brucellosis and Bovine Tuberculosis - A federal rule proposed in 2015 would have combined Brucellosis and Bovine Tuberculosis (TB) regulations in the CFR. Comments on the proposal were predominantly against its adoption, and no regulatory action was taken. At the urging of the National Assembly of State Animal Health Officials and industry organizations, USDA APHIS has recently formed working groups to Brucellosis and TB rules separately.
 - African Swine Fever (ASF) - US Industry and regulatory officials are very concerned over the potential introduction of this devastating viral disease of swine. The current outbreak of ASF in China and parts of the EU is expanding. An outbreak of ASF in the US would be costly from both the animal health and trade standpoints. In 2017, 26% of pork produced in the US went to export markets.

Agency staff are working intensively with state, federal, and industry partners on disease prevention and response plans. One key component of preparation is incorporation of the Secure Pork Supply Plan concept into state and regional response plans.

- Veterinary Medical Loan Repayment Program (VMLRP) - The VMLRP is a nationwide program designed to encourage veterinarians to work in underserved areas of the state by reimbursing a set amount of their student loans. Texas qualifies for nominating up to eight shortage areas. Thanks to Dr. Roger Parker for being the agency lead on this project.
- **Waiver Report - August 7th, 2018 to December 11th, 2018**
 - 1 waiver requested and 1 approved:
 - **Brucellosis – Approved** – allowed waiver of Brucellosis testing requirement into Texas from the San Diego Zoo Safari Park for 1 male Antelope. Test was only a few days expired and animal posed limited to no risk to Texas livestock because of transfer from zoo to zoo-like environment.

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:

I. Cattle

A. Tuberculosis (TB):

1. Status of the infected Herds in Parmer and Lamb Counties: Both dairies and the feed yard (~11,000 head) completed an assessment test in April 2015 then **13** removal tests. During the April test, a new positive cow was disclosed and this was the first one since February 2017. There have been 67 confirmed MB compatible animals from this group including the original 6 steers that traced to this herd. The dairy continues to pursue the “test out” option.

2. Status of the Beef Herd in Hudspeth County: A bull at slaughter was identified in June that traced back to a beef herd in Lampasas Region. Two whole herd TB tests yielded no positives and the quarantine was released. Since no positive cattle were identified, USDA does not consider this beef herd an infected herd. However, two adjacent herds will be tested to ensure confidence that TB is not in the area.

3. Status of new TB confirmed animal originating on a dairy in Bailey County (feed yard and associated dairy in Parmer/Bailey): The new TB confirmed case of a 4 year cow was identified when the dairy underwent area testing. The new dairy was began operations in the spring of 2016 under the same ownership as the complex listed in #1. The cow did not have a history of a previous TB test, yet the whole genome sequencing of the TB strain indicates an association with the strain in the complex #1. The epidemiologic investigation is ongoing and records were requested from the complex to help determine the association as well as traces into and out of the dairy. The first whole herd test following the initial assessment test has been completed and the second one is scheduled for February. Traces are being processed for 2016 sales from a livestock market and data for 2017-2018 is pending. In addition, the herd management is gathering data on brokered cattle sold from the infected dairy.

4. TB slaughter trace cases in the FY2018-19: To date, six slaughter trace investigations were initiated in FY2018 including the bull listed in #3. Two traces are Mexican origin. One US origin slaughter steer traced to a positive herd in South Dakota. The other two traces are still under investigation. One had a tag were DNA did not match the lesion and the other trace was

for an animal with no official ID. No slaughter tracebacks have been disclosed in FY19 to date.

B. Trichomoniasis: From January to October 2018, there were 336 positive bulls disclosed in 26,988 bulls tested (1.2% test positive) (Figure 1).

Figure 1. Summary of Trichomoniasis cases by year

Year	TVMDL Grand Total		Total Test Prevalence
	Total Bulls	Total Positive Bulls	
2013	5,272	122	2.3%
2014	31,613	777	2.5%
2015	41,162	592	1.4%
2016	48,420	493	1.0%
2017	48,126	443	0.9%
2018	26,988	336	1.2%

C. Cattle Fever Tick: The Cattle Fever Tick Eradication Program is a cooperative activity between TAHC and USDA-VS. The number of newly discovered infested premises in South Texas (in Permanent and Temporary Preventive Quarantine Areas) has increased from 86 in October 2016 to currently 202 total infestations disclosed. The epidemiology group completed a tick review in November of work conducted in a CPQA in Hidalgo County. The report was provided to the Executive Director and Cattle Fever Tick Program Director who subsequently released the areas from quarantine. In addition, the review team is currently evaluating work conducted in the Live Oak CPQA for potential release. A final report will be provided to the Executive Director upon completion.

II. Swine

A. **Swine Brucellosis (SB):** No infected herds have been disclosed since July.

B. **Pseudorabies (PRV):** One herd is under quarantine in Rusk County for PRV.

III. Equine

A. **Equine Infectious Anemia (EIA):** TAHC continues to disclose new EIA cases among racing quarter horses when tested for movement. To date in 2018, 24 new cases were disclosed. All cases were quarter horses with the exception of one Standardbred and one Andalusian. In October, a positive was disclosed at a racing barn on the premises of a race track. The trainer's other horses have been tested and remain under quarantine.

B. **Equine Piroplasmiasis (EP):** To date, there have been 15 EP cases disclosed in racing quarter horses.

IV. Poultry

Avian Influenza: The Southern Animal Health Association hosted a meeting in Tennessee with state agency personnel to discuss the LPAI Initial State Response and Containment Plans in order to gain agreement between the states in regards to requirements for interstate movement if there is a LPAI incident. The plan components discussed were provisions for control and monitoring zones, contact surveys, and movement restrictions.

V. Sheep and Goats

Scrapie: The first positive scrapie case in Texas since 2008 was identified in the Panhandle in April 2016 and the flock and premises remains under quarantine.

VI. Cervids

Chronic Wasting Disease (CWD): Five positive captive breeder herds have been disclosed since July 2015. Three herds are depopulated and two larger herds are managed under a herd plan (Figure 2 and 3). In addition, Texas Parks and Wildlife, Texas Veterinary Medical Diagnostic Laboratory, and Texas Animal Health Commission provided a CWD Symposium to address the disease status and current research in diagnostic as well as management strategies to mitigate the disease in Texas. As the state epidemiologist, I had the opportunity to provide the epidemiology of the disease in the 5 captive herds as well as the status of the data collected in collaboration with researchers on the subject.

Figure 2. Positive CWD Facilities CWD Status by Breeder as of December 5, 2018

Breeder	County	Pens or Hunter Harvest	Total Confirmed CWD in WTD	Other Susceptible Species Positives
1	Medina	Breeder pens	4	
2	Lavaca	Breeder pens	5	
3	Medina/Uvalde	Breeder pens	59	
		Release Site	3 (with IDs)	
		Release Site	3	
		Release Site	1 (with ID)	
		Release Site	3	2 elk
4	Medina	Breeder pens	23	
		Release Site	2	
		Release Site	1	
5	Medina	Breeder pens	2	
Total			106	2

Figure 3. CWD in Texas by Species and State Fiscal Year (Dec 3, 2018)

Fiscal Year	Free-ranging Mule Deer	Captive WTD	Free-ranging WTD	Captive Exotic CWD Susceptible Species	Free-ranging Elk	Total by year
2012	2	0	0	0	0	2
2013	4	0	0	0	0	4
2014	0	0	0	0	0	0
2015	1	4	0	0	0	5
2016	2	21	0	0	0	23
2017	7	8	1	0	1	17
2018	5	69	2	2	0	78
2019	0	4	0	0	0	4
Total	21	106	3	2	1	133

VII. Program Records and Animal Disease Traceability Activities

TAHC continues to work with USDA and industry to achieve ADT cooperative program goals and objectives.

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 (117.2 filled, 16 vacant)
 - Descriptions of temporary position tasks in BV and LR regions
 - Workshops
 - June Supervising Inspector training covered PPE changes, agency concerns, consistency between regions
 - September Inspector Workshops covered disease training, human resources, inspection training, exercises on paper work, and a poultry disease scenario
 - November Administration Workshop covered cross training duties, consistency across regions, customer service, agency concerns

- December Region Management workshop covered discussion on policy implementation, consistency across regions, customer service, regional director presentations, CE credit eligible, regional performance reviews and expectations
- Inspections
 - Feral swine inspections are monthly, 33-54% completed where 100% is expected, keep the database updated, cover inspector vacancies
 - Swine surveys are performed initially and then biannually, searches, new producers, surveys, high risk, tests, 699 surveys YTD, declining since 2012, there is opportunity to do more
 - Swine first point testing is done weekly at markets, breeding animals are tested if not accredited, 20,646 swine sold through September YTD, 2804 sows/boars, 70% tested
- Authorized Personnel: 2085 Accredited Authorized Vets in Texas
 - 798 Trich Certified
 - 176 CWD Antemortem Certified
 - 1565 CWD Postmortem Certified
 - 128 Accredited but not Authorized
- Emergency Management: secure food supply project, IMT development, plan development, pending exercises on ASF, Screwworm, EHV
- Field Manuals: development and updates are almost completed
- Looking forward: focus on field uniformity and training, review of calf ranch permit process, ASF and SBS activities, finish field manual and inspection manuals, USDA announcement on tags, livestock show season

Item 6 – Presentation of Legislative Updates

Mrs. Carolyn Beck presented a report on the upcoming Legislative Session:

Mrs. Beck provided a brief presentation of legislative issues that might affect the TAHC in the upcoming session, including bills that might have the most impact on the agency.

Item 7 – Presentation of Compliance Activities

Mr. Gene Snelson presented a report on the Compliance Program's activities:

Mr. Snelson provided a brief background on the Compliance Program, and its importance in agency operations. The program is instrumental in educating and helping producers adhere to the agency's programs and requirements. Compliance is also active in training the field staff and provides support to the agency's inspectors by holding wrong doers accountable.

Item 8 – Presentation of USDA VS Update

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

USDA has been able to fill some positions that have been vacant, and a reorganization of VS was implemented on October 1st. Only 48 positions will be filled out of all of APHIS hiring needs. Congratulations was conveyed to Dr. Schwartz on receiving the APHIS Administrator's award at USAHA. The goal for completing the APHIS Internal Review is March of 2019. There may be more reviews after the initial review. Infestation rates in certain areas are down; problem is wildlife acting as

hosts for ticks. Measures are underway to try to address Nilgai. Fencing for refuge has gone out for bid. SCWD will study the effectiveness of fence.

Item 9 – Audit Sub-committee Report

Commissioner Leathers 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 2018**

- Realized funds by fiscal year end are \$14.9M
- Anticipated known expenditures are 14.9M
- The TAHC has Unexpended Balance (UB) Authority to move unspent appropriations from FY 2018 to FY 2019. Any appropriations unspent will be moved to continue to assist with the Cattle Fever Tick effort.
- The TAHC Financial Services made budgetary transfers for the FY 2018 budget for the following:
 - \$20,000 from Field to Epidemiology/Lab
 - \$5,000 from Legal/Compliance to Animal Emergency Mgmt.
 - These transfers were approved at the last Commission Meeting
- The TAHC is also seeking authority from the Commission to exceed our Capital Budget Authority for the purchase of Laptops and for software licensing. The funding was appropriated for the Cattle Fever Tick work in the last session for the addition of the 36 FTE's. This was included in their equipment cost but was accidentally excluded from the Capital Budget IT Hardware and Software request. With the Commission's approval a request will be submitted to the Legislative Budget Board and the Governor's Office for approval. **The requested amount is \$64,800.** This was approved at the last Commission Meeting, however an amount was not provided.

- **FY 2019**

- **Methods of Financing (MOF's):** Projected available funds are \$18.1M. YTD funds available are \$15.1M.
- **Objects of Expense (OOE's):** Anticipated Known Expenditures - \$14.9M
- Total anticipated/projected Funding less the total anticipated/projected known Expenditures:
 - Total Funding \$18,142,919
 - Total Expenditures \$15,298,991
 - Unobligated funds **\$ 2,846,928**
- **Federal Funds:** \$2.7M Spendable.

- **Fee Revenue** Fee Revenue is used solely on Field vehicle expenses:

- Fuel, Maintenance/Repairs, Parts, Insurance, Lease
- Projected Fee Revenues - \$520K. Fees Received Year to Date - \$119K
- **FTEs (Full Time Equivalents – the State’s way of saying employees)**
 - FY 2019 FTE cap – 220.2
 - 192.7 FTEs filled
 - 27.5 FTEs vacant

The budget status report was approved.

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

Mrs. Larissa Schmidt presented contracts and purchases for the consideration of the commissioners for FY 2019.

Item 12 – Consideration of and Possible Action on REGULATION PROPOSALS

Gene Snelson then discussed the following Regulation Proposal:

- (a) Chapter 51, Entry Requirements
 - (a) The Texas Animal Health Commission (Commission) proposes amendments to Chapter 51, entitled "Entry Requirements." The amendment is for Section 51.9 (a) (1). The purpose of these amendments to Chapter 51 is to remove the Brucellosis test requirement for farmed exotic cervidae to enter the state.

The notice of the proposed regulation adoption 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 13 – Consideration of and Possible Action on Rule Review Proposals

Gene Snelson then discussed the following RULE REVIEW PROPOSALS:

Because the items propose the review of existing rules, and are not amendments or new rules, the items were discussed and then voted on as a group.

- (a) Chapter 38, Trichomoniasis
- (b) Chapter 41, Fever Ticks
- (c) Chapter 43, Tuberculosis
- (d) Chapter 47, Authorized Personnel
- (e) Chapter 50, Animal Disease Traceability
- (f) Chapter 51, Entry Requirements

The notice of these proposed reviews 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 – Consideration of and Possible Action on RULE REVIEW ADOPTIONS

Gene Snelson then discussed the following RULE REVIEW ADOPTIONS:

Because the items propose the review of existing rules, and are not amendments or new rules, the items were discussed and then voted on as a group.

- (a) Chapter 32, Hearing and Appeal Procedures
- (b) Chapter 36, Exotic Livestock and Fowl
- (c) Chapter 45, Reportable Diseases
- (d) Chapter 56, Gifts, Grants, Donations
- (e) Chapter 59, General Practices and Procedures
- (f) Chapter 60, Scrapie

The motion to ADOPT THE REVIEWS of Chapter 32, 36, 45, 56, 59, and 60, passed.

Item 15 – 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 16 – 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 17 – Reconvene to Consider Any Action Needed Following Closed Executive Session

No Executive Session was needed.

Item 18 – Public Comment/Recognition

Chairman Locke thanked the entire TAHC staff for their work making the agency respected and appreciated. He also recognized and welcomed the four new commissioners. Full audio can be located on the TAHC website.

Item 19 – Set Date for 403rd Commission Meeting

The date for the 403rd Commission Meeting was not set at the time of the meeting, but is tentatively scheduled for May 2019. 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 11:03AM.