



For Immediate Release
June 17, 2022

TAHC Rule Proposal Open for Public Comment

Chapter 40, Chronic Wasting Disease

AUSTIN, TX – The Texas Animal Health Commission (TAHC) held a regularly scheduled Commission meeting April 12, 2022, at its headquarters in Austin.

The following rule was proposed during the meeting and is open for comment from June 17, 2022 – July 17, 2022.

Chapter 40, Chronic Wasting Disease

The TAHC proposed amendments to §40.1 and §40.3 to clarify, correct and update information regarding chronic wasting disease (CWD) management and the CWD Herd Certification Program (HCP).

The proposed amendment to [§40.1](#), Definitions, adds "CWD-Exposed Herd" and "CWD-Positive Animal" to the list, and amends the definition for "complete herd inventory." CWD-Exposed Herd is defined as a herd in which a CWD-positive animal has resided within five years prior to that animal's diagnosis as CWD-positive, as determined by a TAHC or United States Department of Agriculture (USDA) representative. CWD-Positive Animal is defined as an animal that has had a diagnosis of CWD established through official confirmatory testing conducted by the National Veterinary Services Laboratories. To provide clarity and reduce confusion, the term "complete herd inventory" was replaced with "complete physical herd inventory" which is now defined as a visual verification of all animals and identifications to reconcile records maintained by the owner. The term "complete physical herd inventory" was updated in [§40.3\(f\)\(1\)\(B\) and \(C\)](#). The definitions were adjusted to align with the federal standards.

The proposed amendments to [§40.3](#), Herd Certification Program for Cervidae, are updated to coincide with the federal standards. The amendment to [§40.3\(a\)\(3\)\(A\)](#) changes the timeframe from 72 hours to immediate notification for a herd owner to make a report to the TAHC of farmed or captive cervids that escape or disappear, and for all free-ranging cervids that enter the facility. The amendment to [§40.3\(c\)\(7\)\(C\)](#) removes the exception for lowering a herd to First Year status if the animal(s) test results are "not detected" postmortem within the first year after entry into the herd. The amendment to [§40.3\(d\)\(1\)](#) clarifies that one of the animal identifications must be an "official" form of animal identification approved by USDA. The amendment to [§40.3\(f\)\(1\)\(A\) and \(C\)](#) requires all identification to be visually verified on the animals during an initial inspection and a physical herd inspection. To remove redundancies, the rule in [§40.3\(a\)\(4\)\(C\)](#) was repealed and the provision that



follows was renumbered accordingly. The proposal clarifies a complete physical herd inventory is required for all enrollees during the initial inspection and subsequent physical herd inspections or when there is a discrepancy during annual inspections; see [§40.3\(f\)\(1\)\(A-C\)](#) for requirements. Non-substantive changes or grammatical corrections were made in [§40.1](#), [§40.3\(f\)\(1\)\(A\)\(iii\)](#) and [§40.3\(h\)\(5\)](#).

Comments on the proposed rules must be submitted in writing to Amanda Bernhard, Texas Animal Health Commission, 2105 Kramer Lane, Austin, Texas 78758, by fax at (512)-719-0719 or by email to comments@tahc.texas.gov.

Complete details of the rule proposals are available on the TAHC website at <https://www.tahc.texas.gov/regs/proposals.html#proposals>.

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The Texas Animal Health Commission (TAHC) was established in 1893 as the Livestock Sanitary Commission and charged with protecting the state's domestic animals "from all contagious or infectious diseases of a malignant character." TAHC remains true to this charge while evolving with the times to protect the health and marketability of all Texas livestock and poultry. Learn more about the TAHC by visiting www.tahc.texas.gov.