

SUMMARY MINUTES OF THE 390TH COMMISSION MEETING
Texas Animal Health Commission
September 16, 2014

The TAHC Commissioners met in the agency's headquarters in Austin on Tuesday, September 16, 2014. Chairman Ernie Morales began the meeting at 8:30 a.m.

Item 1 – Welcome and Call to order by Chairman Morales

Commissioners not present:

William Edmiston, DVM

Thomas Kezar

Item 2 – Approval of the minutes of the 389th Meeting

A motion to APPROVE the minutes of the 389th Commission meeting held on May 13, 2014, was made by Commissioner Bouma and seconded by Commissioner Locke. The motion carried.

Item 3 – Report of the Executive Director, Field Animal Health Program Activities and Approval of Waiver Requests for the Period 5/14/2014 to 9/15/2014

Dr. Ellis provided the agency overview:

- **Agency Business**
 - Continuing to rebuild and train agency strategically – current FTE at 150 + 5 posted – was 148 at May meeting, 138 at Jan meeting and 125 at Sept '13 meeting – agency cap is 161
 - Primary challenge now is to train the new employees
 - El Paso Risk assessment is complete – Dr. Schwartz will provide overview
 - Legislative Budget Board hearing held September 2 at Capital
 - Agency strategic plan completed and on website
 - Stakeholder meeting held with Ag council reps on legislative issues and possible Legislative Appropriation Request(LAR) exceptional items
 - Agency LAR completed and on website
 - Fee Expiration - 0 FTE
 - Feral Swine - 4 FTE – largest feral swine population in US
 - Mexico Border Security - 5 FTE – emerging long term issue
 - Digital Records technology - 0 FTE
 - Accounting Software implementation - 1 FTE
 - Executive Director Salary - 0 FTE
 - Steven Luna will provide more detail in budget report
 - Distribution of meeting preview information – electronic from now on – hard copies and jump drives also available if desired
 - House Ag Interim Charges Committee meeting next week – feral swine and agency efficiency initiatives

- **Rules for Passage**
 - Trichomoniasis – (as result of Trichomoniasis (Trich) working group) infected stray bull, sale of untested bull that is purchased and tested positive, certified free herds need good fencing, 3 year herd plans extension/cancellation – discussed at TSCRA, ICA and Texas Farm Bureau summer meetings
 - Entry – out of state bulls can enter Texas bull station trials without a Trich test, Texas will accept bulls from certified free herds without a test, novel swine corona virus exposure
 - Reportable Diseases – Novel Swine Corona virus (SECD)
 - Scabies/Mange – rewrite to update and simplify

- **Rules for Proposal**
 - Dairy Cattle - El Paso – maintain movement restriction zone (MRZ) in what was called “affected zone, exempt dairy goats, remove annual test requirement, and discontinue High Risk Zone
 - Equine – change definition of racing facility to include unsanctioned racing – effectively requiring an Equine Piroplasmosis test prior to entry at unsanctioned race tracks
 - Swine – ADT – accept ear notches and registration tattoos for registered swine entering Texas
 - Poultry – prohibit entry of poultry exposed to LT vaccine or originating in areas where vaccine strain of disease is circulating
 - Cervid – CWD Zone – combine high risk zone with containment zone – does not change rules currently in effect – retains high risk zone for use as a buffer in future if needed

- **Texas Disease Traceability update (ADT)**
 - Private Veterinary Practitioners – working with vets for their part
 - USDA – working with USDA for enforcement of their interstate rules
 - Markets – working with select markets who are not backtagging consistently
 - Overall compliance very good

- **Trichomoniasis**
 - Dialogue with cattle stakeholders at summer meetings about
 - Progress to date
 - Harmonization of interstate entry rules
 - Adjacent testing in future
 - Role of female cattle in future rules

- **Equine Piroplasmosis**
 - Held annual equine issues call
 - Next county test – Brooks county in November
 - Public meeting to be held soon

- **Vesicular Stomatitis**
 - Largest outbreak in modern history for Texas – 60+ quarantined premises – >130 FAD investigations – horses & cattle involved

- Each infected premises required at least 3 separate visits
 - Colorado only other state affected – 300 quarantined premises
 - Cattle affected for first time
 - Working relation with Texas equine practitioners enhanced
 - USDA plans to delist VS in equine later in 2014
- **Brucellosis**
 - Closure of L&H – now Caviness for national/Texas surveillance
- **Texas Authorized Personnel Program**
 - Dr. Susan Culp will give report from now on
- **Swine Enteric Corona Virus (SECD – PEDv/Swine Delta)**
 - Continue to work with stakeholders on biosecurity messaging – including guidance for stock show tag in process – documents created
 - Working with Commercial industry and USDA on known positive premises found since June 2014
 - Received new disinfectant – using on equipment at all markets testing hogs
- **Cattle Fever Ticks**
 - Cameron County issue – New Temporary Quarantine (Blanket) pending for eastern part of county – wildlife reservoir (nilgai) major factor - Dr. Baca of USDA to report
 - Implementation of new rules continues – December goal for;
 - annual inspections on all premises
 - RFID identification applied to all cattle
 - Legal dept. developing process for non-compliance
 - Vaccine approval temporarily delayed until October – only issue withdrawal time and one last safety trial that will begin soon and last 90 days
- **Tuberculosis**
 - El Paso county risk assessment – separate agenda item
 - IDEXX - Tb blood test evaluation process to begin soon in partnership with at least 1 slaughter plant and 1 broker/feeder of M-brand cattle
- **Waiver Report**
 - 3 waivers requested and 3 approved
 - Trichomoniasis - **Approved** - waiver to allow bulls from New Mexico to enter a field trial without test – new rule will allow
 - Trichomoniasis - **Approved** – allowed bulls from Oklahoma to be tested upon arrival due to sudden loss of lease
 - Avian Influenza – **Approved** – allowed quail from Washington to be held under quarantine and tested upon arrival

Texas Authorized Personnel Update

The authorized personnel update was provided by Dr. Susan Culp, Authorized Personnel Program Director:

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- Laura Guerra hired September 1st as Authorized Personnel/Records Retention Specialist.

Veterinary Authorized Personnel

- 1700 letters sent August 2014 to TAHC Brucellosis Approved Personnel to transition them into the new TAHC Authorized Personnel Program. Veterinarians must sign and return the letters to be considered TAHC Authorized Personnel.
- An additional 1100 letters will be sent in October 2014 to USDA Category II Accredited Large Animal Veterinarians (not previously TAHC Brucellosis Approved but accredited in large or mixed practice) to inform them of the new TAHC program and to advise them that they need to apply if they will be performing regulatory work in Texas.
- TAHC Authorized Personnel Training (4 hour basic course) will be offered next week at Southwest Veterinary Symposium in Fort Worth. TBVME continuing education credits are approved for this training.
- TAHC Authorized Personnel Training (4 hour basic course and the additional certification courses) are offered at the TAHC region offices and also offered at other organized training seminars periodically throughout the year. They will be available online before the end of 2014.
- 1st of 3 TAMU CVM vet student third year regulatory training is complete for the Class of 2016. Each class is trained in three groups in both classroom and wet lab settings. This will allow students to be TAHC Authorized Personnel upon graduation.

Cervid Authorized Personnel

To date we have offered three Certified CWD Sample Collector Training opportunities and one presentation about the curriculum:

- July 10th – 7 Certified CWD Sample Collectors trained at Huntsville Livestock
- August 20th – 20 Certified CWD Sample Collectors trained (USDA Veterinarians, TAHC Region Directors, and TAHC Supervising Inspectors) in Austin at the State Federal Lab
- August 23rd – Presented the new TAHC Certified CWD Sample Collector training curriculum and showed the new TAHC CWD Sample Collector video at Deer Breeders Corporation Convention in San Antonio
- September 4th – 20 Certified CWD Sample Collectors trained (includes one TAHC Livestock Inspector) at Exotic Wildlife Association in Kerrville
- Additional training opportunities include one class scheduled in TAHC Region 4 on October 14th and classes being scheduled in TAHC Regions 3, 5, 6 and 7 soon.

Additional Training Programs

- TAHC Visiting Veterinary Program – 1st veterinarian - Dr. Thomas Gilliom, Field Veterinarian, Washington State Department of Agriculture – visiting Texas this week. TAHC hosting other state veterinarians needing training.
- TAMU CVM 4VM Extern with TAHC October 6 – November 3.

A motion to APPROVE the actions of the Executive Director for the period from May 14, 2014 through September 15, 2014 was made by Commissioner Leathers and seconded by Commissioner Jordan. The motion carried.

Item 4 – Presentation of Animal Health Program, Epidemiology, and Animal Disease Traceability (ADT) Activities:

Dr. Andy Schwartz, Assistant Executive Director/State Epidemiologist, presented the following report:

Cattle

- **Tuberculosis**

During Calendar Year 2013, a total of 15 cases of Bovine Tuberculosis (TB) were disclosed in Texas, all through slaughter surveillance. Of these cases, 13 were determined to be Mexico origin feeder animals. Extensive investigations were conducted on the remaining two cases, a steer and a U.S. origin domestic cow. The source of TB in these cases was not discovered.

No new cases of TB have been disclosed in Texas in CY 2014 to date. Traces related to the affected beef cattle herd near San Angelo are nearing completion.

- **Brucellosis**

In Calendar Year 2014 to date a total of 43 investigations for brucellosis in cattle have been initiated. The bulk of these investigations were initiated through slaughter surveillance (L&H Packing – 21 investigations; Lone Star Beef – 20 investigations). Two investigations were initiated when suspect animals were found through testing at livestock markets. When L&H Packing closed earlier this year, the TAHC initiated efforts to begin surveillance at Caviness Beef Packers in Hereford, Texas. The efforts were successful. Surveillance will not only be maintained but actually increased by 100,000 – 250,000 animals per year. The first samples from Caviness are set to arrive at the Texas State-Federal Laboratory in Austin this week.

- **Trichomoniasis:** In CY 2014 to date, there have been 447 positive bulls found in 16,989 tests.

Swine

- **Brucellosis:** One infected herd has been disclosed in CY 2014. Seven investigations are currently being conducted.
- **Pseudorabies (PRV):** One infected herd has been disclosed in CY 2014.
- **Porcine Epidemic Diarrhea virus (PEDv):** Federal Order on reporting, herd monitoring, and management of Novel Swine Enteric Coronavirus Diseases was published in June 2015. Since then, a total of 33 positive PEDv tests have been reported on five premises in Texas. All were commercial operations.

Equine

- **Equine piroplasmiasis (EP):** A total of six new infected horses have been detected in CY 2014 to date. All were Quarter Horse racehorses found through required testing to enter tracks. Since 2009, a total of 118 positive horses have been found in Texas unrelated to the initial ranch investigation. Of this total, 36 were found through high risk (county) testing, and 82 were found through movement testing and subsequent investigation.
- **Equine Infectious Anemia (EIA):** So far in CY 2014, three positive equine were disclosed in 111,170 animals tested in Texas.
- **Vesicular Stomatitis Virus (VSV) outbreak:** Covered in Dr. Ellis' report.

Poultry

- **Infectious Laryngotracheitis (ILT):** Since mid-February of this year, 18 commercial broiler operations and one commercial laying operation have been diagnosed with ILT. The broiler operations were all in TAHC Region 4, while the laying operation is in TAHC Region 7. No epidemiological link between the flocks has been found. TAHC personnel tested backyard flocks within a one-mile radius of each affected commercial operation. A total of 37 backyard flocks were tested – one required a search warrant and county law enforcement assistance. Four flocks were found infected and were depopulated with a combination of agency and commercial operator funds.

Animal Disease Traceability Activities

Electronic Certificate of Veterinary Inspection (eCVI):

The TAHC eCVI is now available on the agency's home page. Veterinarians log in, pay the standard \$7.00 plus a convenience fee, and complete the certificate online.

Approved Tagging Facilities:

TAHC and USDA-APHIS-VS field continue meeting with livestock market, feed yard and slaughter plant owners to discuss ADT requirements and voluntarily becoming approved tagging facilities. To date 79 markets and 11 feed yard or buying station facilities have signed agreements.

Item 5 – Report on Bovine Tuberculosis Risk Assessment – El Paso and Hudspeth Counties

Dr. Schwartz presented the findings from the legislatively mandated Bovine Tuberculosis Risk Assessment in El Paso and Hudspeth Counties.

Item 6 – Presentation of USDA Veterinary Services Update:

Dr. Dan Baca presented the USDA, Veterinary Services report. He explained the new Veterinary Services management structure, provided an update on the status of the cattle fever tick field trials, and reported on cattle fever tick issues in the quarantine zone.

Item 7 – Audit Subcommittee report:

Commissioner Ralph Simmons gave the report from the Audit Subcommittee meeting that was held earlier that morning:

1. The committee approved the appointment of the internal auditor as required by Section 2102.003 of the Texas Government Code.
2. A report was given on the Information Systems Disaster Recovery and Business Continuity Plan. Details were outlined to address deficiencies in the plan and ensure the agency addresses those deficiencies in a timely manner.

A motion to APPROVE the actions of the Audit Subcommittee Meeting was made by Commissioner Locke and seconded by Commissioner Leathers. The motion carried.

Item 8 – Presentation of Communication Initiatives:

Bonnie Ramirez, Director of Communication and Public Relations, presented the following report:

Introduction of Communications Department staff

- Callie McNulty, Communications Specialist
- Thomas Swafford, Communications & EM Program Specialist

News Releases

- Array of news releases distributed and included in Commission Book

Exhibits

- May: Texas Department of Emergency Management Conference in San Antonio
- June: South Texas Hurricane Conference in McAllen and Independent Cattlemen's Association Convention in Beaumont
- July: Texas Pork Producers Conference in Kerrville and Exotic Wildlife Association Conference in San Marcos
- August: Texas A&M Beef Cattle Short Course in College Station and Texas Deer Association Convention in San Antonio
- September: Texas A&M Career Fair in College Station
- Upcoming exhibits (Southwest Veterinary Symposium, county Emergency Management fair)

Media Interviews

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- Several media interviews (print, radio and TV)
 - Dr. Ellis' Texas Veterinary Medical Association article
 - Texas Farm Bureau
 - Vesicular Stomatitis
 - Horseback Emergency Team

Social Media Platforms

- Facebook, Twitter, LinkedIn, YouTube
- Examples of interaction included in Commission Book

Item 9 – Presentation of Laboratory Update

Dr. Hughes-Garza Staff Veterinarian and Lab Director presented the following:

- Dr. Hughes-Garza attended training in Quality Management Systems at the National Veterinary Services Laboratories in Ames Iowa. This week-long training was extremely useful and contained practical guidance on how to ensure the lab continues to meet the standards of the National Animal Health Lab Network. There are now 4 employees with this training and TAHC should continue to send lab staff as classes are available. It was also a great opportunity to spend time with NVSL staff with whom there is frequent interaction by phone and e-mail.
- Revisions are underway to the Biosafety Manual and a number of other Standard Operating Procedures to ensure ongoing protection of staff from any possible infectious disease exposure in the lab. Refresher trainings will be conducted once these documents are completed.
- Proud to report that the lab passed the recent Proficiency Test from USDA for the TB gamma interferon test.
- Bovine Brucellosis Surveillance volume has decreased due to the closure of L&H Packing but USDA has secured a contract to resume testing at Caviness Pack in Hereford. The lab has worked with USDA staff and the plant to make that transition.
- Welcome to the newest Lab Technician, Ms. Caryne Hampton.

Item 10 - Presentation of Emergency Management Program Activities:

The Emergency Management Update was presented by Ms. Holli Tietjen, Assistant Emergency Management Coordinator:

Emergency Response Plans Update

Planning efforts continue on updating numerous plans and policies related to responding to both disease and non-disease events. The *Animal Response Plan*, which is the basis for responding to a non-disease event, has been submitted to our agency, tribal, and industry response partners for a final review. Once the final review is completed, the plan will be posted on the TAHC website and forwarded to the Texas Division of Emergency Management (TDEM). This plan is the basis

of many of our emergency management policy and planning documents which are currently under revision.

The *Foreign and Emerging Animal Disease (FEAD) Plan*, outlines the response strategy TAHC will use during a disease outbreak to control the spread of disease throughout livestock and poultry. This plan is in draft form and has been shared with our Southern Agriculture & Disaster Response Alliance (SAADRA) partners for review. Numerous veterinarians within TAHC, USDA, and several other states are working with our planners to revise this draft plan.

Emergency Management and Industry Conferences

The TAHC staff actively participated in the 2014 Texas Emergency Management Conference in San Antonio. This year, the static display was expanded to incorporate more equipment which is basic to our agency mission and included a display of a small animal expedient shelter. TAHC staff also participated in the South Texas Hurricane Conference, and scheduled numerous follow up meetings with many local jurisdiction officials in the coastal bend area. TAHC staff also attended the Texas Sheep and Goat Raisers Association and Texas Deer Association annual conferences.

Exercises

In June, TAHC Emergency Management staff conducted the Horseback Emergency Response Team annual exercise with our USDA agency partners in Zapata. This year, we were joined by US Customs and Border Patrol horseback team members. As a result of this joint exercise, we are strengthening our partnerships and skills and expanding our response capabilities. In July, TAHC, USDA, and TDEM staff participated in the 2014 Multi-Agency Animal Resource Coordination Exercise, which identified some gaps in national and agency animal resource typing efforts.

Texas A & M University College of Veterinary Medicine and Biomedical Science (TAMU CVMBS)

TAHC staff continue to support the TAMU CVMBS Veterinary Emergency Team (VET) Community Connections rotation for 4th year veterinary medical students. Joint partnerships with local emergency management officials, TAHC, and the TAMU CVMBS have been established which will develop animal-related policies and procedures in Collin, Tom Green, and Gillespie counties.

National Recognition

Dr. Dee Ellis, DVM, was announced as the winner of the 2014 USA Career Excellence Award of the International Association of Emergency Managers (IAEM). This prestigious award will be presented during the 2014 IAEM conference in November. This is the first time a representative of the Animal and Agriculture industry has received this award.

Item 11 – Administration/Budget Status Report

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

Appropriations/Budget

- General Revenue (GR) appropriations:

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- These totals are not contingent on revenue generated by fees approved by the Commission
 - The TAHC is appropriated \$8M for State FY 2014
 - The TAHC is appropriated \$8.1M for State FY 2015
- Federal Funds and Grants (Federal Fiscal Year runs April 1 to March 31)
 - State FY 2014
 - Federal FY 2013 funds available to the TAHC total \$2.17M
 - Grants received total \$105K
 - State FY 2015
 - Estimated Federal FY 2014 funds to be available to the TAHC total \$1.6M
- Capital Budget Funding
 - Out of the \$8M appropriated in GR for both State FY 2014 and State FY 2015, \$300K is set aside for Capital Budget Purchases. The agency is restricted to the following Capital Budget Purchases:
 - State FY 2014
 - \$150K towards Fleet Vehicles, which has completely been allocated in truck purchases
 - \$150K towards the Acquisition of Information Resource Technologies, which has been completely allocated in software and hardware purchases
 - State FY 2015
 - \$150K towards Fleet Vehicles, will be completely allocated towards the acquisition of truck
 - \$150K towards the Acquisition of Information Resource Technologies, will be completely allocated towards the acquisition of hardware/software and towards annual licensing renewals
- The TAHC has authority to roll any unexpended FY 2014 funds forward to FY 2015

Revenues

- State FY 2014 Fee Revenue is estimated \$722K, which if realized, the TAHC's portion would come to approximately \$456K.
 - As of May 12th, the TAHC has received \$503K; approximately 69.67% of the estimated fee revenue total. Of this -
 - \$379,705 is available to the TAHC, expending on the TAHC Fleet
 - \$123,351 has gone to the State of Texas

Full Time Equivalent Employees (FTEs):

- The TAHC is appropriated 161 FTE's for FY 2014
 - The TAHC started out the year with 123.5 filled FTEs
 - The TAHC currently has 143.25 FTE's

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- The TAHC is currently in the process of filling or has filled 9 additional FTEs as it strives to fill positions vacated due to mandated legislative reductions leading to reductions in force, attrition, two laboratory closures, and consolidation of two regional offices
- The TAHC anticipates ending State FY 2014 / starting FY 2015 with approximately 152.25 FTE's

FY 2014 Fee Revenue

5/12/2014 Estimated FY 14

Accounts Payable Cleared	FY 2013 Total Revenue	FY 2014 Estimated Revenue	Estimated Revenue as of April 30th 2014	Received YTD	% Received for Year	Authority
AHP Health Certificate Fees	\$ 472,695.00	\$ 462,000.00	\$ 308,000.00	\$ 343,860.00	74.43%	(2012-13 GAA) Rider 9
AHP Fowl Registration	\$ 50,165.00	\$ 51,000.00	\$ 34,000.00	\$ 31,790.00	62.33%	(2012-13 GAA) Rider 9
AHP Chronic Wasting Disease	\$ 20,775.00	\$ 8,500.00	\$ 5,666.67	\$ 13,525.00	159.12%	(2012-13 GAA) Rider 9
AHP Herd Certification Fee	\$ 12,950.00	\$ 25,500.00	\$ 17,000.00	\$ 7,175.00	28.14%	(2012-13 GAA) Rider 9
AHP Lab Testing Fee (in-state)	\$ 176,870.50	\$ 175,000.00	\$ 116,666.67	\$ 106,706.00	60.97%	(2012-13 GAA) Rider 9
Lab Testing Fee (out-of-state)	\$ -	\$ -	\$ -	\$ 245.00		(2012-13 GAA) Rider 8
AHP FEES COLLECTED (for year)	\$ 733,455.50	\$ 722,000.00	\$ 481,333.33	\$ 503,056.00		
AGENCY PORTION	\$ 394,060.58	\$ 456,745.00		\$ 379,705.00		
STATE PORTION	\$ 339,394.92	\$ 265,255.00		\$ 123,351.00		

B. FY 2014 Revenue Schedule
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A motion to APPROVE the Administration/Budget Status Report was made by Commissioner Vickers and seconded by Commissioner Locke. The motion carried.

Item 12 – Consideration of and Possible Action on Agency Contracts and Purchases:

Ms. Larissa Schmidt, Director of Administration, discussed the following issues:

- Introduction of new Information Technology Director, Bec Krawczyk.
- A review of all contracts, purchases, and leases greater than \$5,000 but less than \$25,000 that have occurred since the last commission meeting. These are brought for review only.

- A review of all the purchases, leases and contracts that exceed \$25,000. These were up for review and approval.

A motion to APPROVE the contracts and purchases request was made by Commissioner Locke and seconded by Commissioner Jordan. The motion carried.

Item 13 – Presentation of Legal & Compliance Activities:

Mr. Gene Snelson, General Counsel, started with a presentation of Legal and Compliance activities:

- 79 Compliance Action Requests from May 1st through August 31st
- 48 warning letters were issued
- 16 demands for dealer records
- 52 investigations conducted resulting in 12 filed complaints

Item 14 – Consideration of and Possible Action on REGULATION PROPOSALS Regarding:

Gene Snelson then discussed the following REGULATION PROPOSALS:

Each Regulation Proposal was reviewed and voted on individually.

- (a) Chapter 40, Chronic Wasting Disease, Movement Restriction Zone
- (b) Chapter 43, Tuberculosis, High Risk Zone
- (c) Chapter 49, Equine, Piroplasmosis Testing Unsanctioned Tracks
- (d) Chapter 51, Entry Requirements, Swine
- (e) Chapter 57, Poultry, Laryngotracheitis Vaccine Virus

- (a) The Texas Animal Health Commission proposes amendments to §40.6, concerning CWD Movement Restriction Zone, in Chapter 40, which is entitled “Chronic Wasting Disease”. The purpose of the amendments is to redefine the boundary of the containment zone.

The Texas Parks and Wildlife Department has established different requirements for deer breeders located in the different zones. The commission’s two zones do not make a distinction between the need to achieve five years of CWD monitored status. As such, the commission is now proposing to redefine the existing containment zone in order to minimize confusion regarding the commission’s requirements.

Commissioner Jordan moved and Commissioner Oates seconded a motion to PROPOSE the amendments to Chapter 40, Chronic Wasting Disease, located in Title 4 of the Texas Administrative Code. The motion to approve the proposed amendment and to publish it in the Texas Register with a 30 day comment period passed.

- (b) The Texas Animal Health Commission proposes amendments to §43.30, concerning Special Requirements for Movement Restriction Zone (MRZ), and §43.31, concerning Testing Requirements in Movement Restriction Zone (MRZ), in Chapter 43, which is entitled “Tuberculosis”.

The purpose of the amendments to §43.30 is to redefine the MRZ, establish geographic boundaries and testing requirements based on the “Bovine Tuberculosis Risk Assessment-El Paso and Hudspeth Counties” report. The proposed amendments will remove the Affected and Surveillance Areas from the MRZ definition and specify that the El Paso and Hudspeth County MRZ is limited to bovine.

The purpose of the amendments to §43.31 is to remove the annual Tuberculosis testing requirement for cattle, bison, captive Cervid, exotic bovid, and camelid herds within the MRZ. Annual testing will be replaced with a requirement to test susceptible species as epidemiologically determined by the commission.

Commissioner Locke moved and Commissioner Beau White seconded a motion to PROPOSE amendments to Chapter 43, Tuberculosis, located in Title 4 of the Texas Administrative Code. The motion to approve the proposed amendment and to publish it in the Texas Register with a 30 day comment period passed.

- (c) The Texas Animal Health Commission proposes an amendment to §49.5, concerning Piroplasmiasis, in Chapter 49, which is entitled “Equine”. The purpose of the amendment is to broaden the definition of a racetrack facility to include facilities that are not licensed by the Texas Racing Commission.

Testing conducted to date has shown that there is a distinct population of positive horses that are utilized in some way as race horses. In 2011, the commission adopted a requirement that equine entering a sanctioned racetrack facility must have a negative Piroplasmiasis test within the past 12 months. This was intended to protect participating equine by ensuring disclosure of any unknown positive animal entering such an event. However, there is a much larger class of equine that are used for racing which are not being addressed by the current racing facility entry requirements.

Commissioner Jordan moved and Commissioner Vickers seconded a motion to PROPOSE amendments to Chapter 49, Equine, located in Title 4 of the Texas Administrative Code. The motion to approve the proposed amendment and to publish it in the Texas Register with a 30 day comment period passed.

- (d) The Texas Animal Health Commission proposes amendments to §51.1, concerning Definitions, and §51.14, concerning Swine, in Chapter 51, which is entitled “Entry Requirements”.

The purpose of the amendments is to make swine entry requirements and identification more consistent with the current federal interstate movement requirements. The United States Department of Agriculture (USDA) amended its regulations and established minimum national official identification and documentation requirements for the traceability of livestock moving interstate. Under USDA's rulemaking, unless specifically exempted, livestock belonging to species covered by the regulations must be officially identified and accompanied by an interstate certificate of veterinary inspection or other documentation. These regulations specify approved forms of official identification for each species, but allow the livestock covered under this rulemaking to be moved interstate with another form of identification, as agreed upon by animal health officials in the shipping and receiving States or Tribes. The effective date of the USDA rule was March 11, 2013, and it is found in 9 CFR part 86.

Commissioner Vickers moved and Commissioner Leathers seconded a motion to PROPOSE amendments to Chapter 51, Entry Requirements, located in Title 4 of the Texas Administrative Code. The motion to approve the proposed amendment and to publish it in the Texas Register with a 30 day comment period passed.

- (e) The Texas Animal Health Commission proposes an amendment to §57.11, concerning General Requirements, in Chapter 57, which is entitled "Poultry". The purpose of the amendment is to ensure that poultry shipped into Texas have not originated from an area that has had active infection with chicken embryo origin Laryngotracheitis vaccine virus within the last 30 days.

There are several types of vaccines available to prevent Laryngotracheitis. Certain recombinant/vectored or modified live/tissue culture vaccines are approved for use in Texas without restriction; however, domestic poultry broilers from states affected with Laryngotracheitis and vaccinated with chick embryo vaccine (CEO) may enter Texas only for immediate slaughter and processing only under specific conditions. CEO-vaccinated birds can shed the Laryngotracheitis virus even though they do not appear sick, which can then cause illness in unvaccinated chickens. For poultry entering Texas, the proposed amendment will add a requirement that the health certificate state the poultry have not originated from an area that has had active chicken embryo origin Laryngotracheitis vaccine virus within the last 30 days.

Commissioner Leathers moved and Commissioner Locke seconded a motion to PROPOSE amendments to Chapter 57, Poultry, located in Title 4 of the Texas Administrative Code. The motion to approve the proposed amendment and to publish it in the Texas Register with a 30 day comment period passed.

Item 15 – Consideration of and Possible Action on REGULATION ADOPTIONS:

Gene Snelson then discussed the following REGULATION ADOPTIONS:

Each Regulation Adoption was reviewed and voted on individually.

- (a) Chapter 38, Trichomoniasis, Testing/Herd Certification
- (b) Chapter 39, Scabies and Mange Mites, New Chapter/Repeal Current Chapter 39
- (c) Chapter 45, Reportable Diseases, Novel Swine Enteric Coronavirus Disease(s)
- (d) Chapter 51, Entry Requirements, Cattle & Swine

- (a) The Texas Animal Health Commission adopted amendments to §38.1, concerning Definitions, §38.2, concerning General Requirements, §38.3, concerning Infected Herds, and §38.8 concerning Herd Certification Program-Breeding Bulls, located in Chapter 38, which is entitled “Trichomoniasis”. The purpose of the amendment is to make changes to the Trichomoniasis (Trich) testing and herd certification requirements.

A motion to ADOPT the amendment to Chapter 38, Trichomoniasis, located in Title 4 of the Texas Administrative Code was made by Commissioner Vickers and seconded by Commissioner Locke. The motion carried.

- (b) The Texas Animal Health Commission adopted a new Chapter 39, which is entitled “Scabies and Mange Mites”. The purpose of the new chapter is to make substantial changes to the requirements for treatment of livestock infested with or exposed to scabies or mange mites. The commission also adopted the repeal of the existing Chapter 39, entitled “Scabies” in its entirety.

The new chapter also address the redundancies found in the existing chapter and consolidates provisions proposed for repeal into §39.1, concerning Definitions, §39.2, concerning Scabies or Mange Infested or Exposed Livestock, §39.3, concerning Quarantines and Release, §39.4, concerning Duties of Owners or Caretakers of Livestock Infected with or Exposed to Scabies or Mange Mites, §39.5 concerning Livestock at Shows, Fairs, and Exhibition, §39.6, concerning Permitted Dips for Scabies and Mange Mite Eradication, and §39.7, concerning Interstate Movement Requirements for Livestock.

A motion to ADOPT a new Chapter 39, Scabies and Mange Mites, located in Title 4 of the Texas Administrative Code was made by Commissioner Leathers and seconded by Commissioner Vickers. The motion carried.

- (c) The Texas Animal Health Commission adopted an amendment to §45.2, concerning Duty to Report, in Chapter 45, which is entitled “Reportable Diseases”.

The purpose of the amendment was to add Novel Swine Enteric Coronavirus Disease(s) (SECD) to the list of reportable diseases. Novel Swine Enteric Coronavirus Disease(s) (SECD) is a disease in swine caused by emerging porcine coronaviruses, which includes but is not limited to porcine epidemic diarrhea virus (PEDv) and porcine delta coronavirus (PDCoV). SECD affects swine causing diarrhea, vomiting, and 50-100% mortality of infected piglets. The clinical presentation of SECD infections in growing pigs can be variable in its severity and not readily distinguishable from many other causes

of diarrhea in growing pigs. While adult pigs can become infected, mortality is low. SECD is clinically indistinguishable from transmissible gastroenteritis (TGE), another swine disease caused by a coronavirus that is endemic in the United States.

A motion to ADOPT the amendment to Chapter 45, Reportable Diseases, located in Title 4 of the Texas Administrative Code was made by Commissioner Jordan and seconded by Commissioner Locke. The motion carried.

- (d) The Texas Animal Health Commission adopted amendments to §51.8, concerning Cattle, and §51.14, concerning Swine, in Chapter 51, which is entitled “Entry Requirements”. The purpose of the amendments to §51.8 is to change the Bovine Trichomoniasis (Trichomoniasis) entry requirements.

The first proposed new exemption was for breeding bulls that are moved directly to a facility that tests the gain and feed conversion of cattle (bull test stations) so long as the bull(s) is isolated from female cattle at all times. The second proposed exemption is for breeding bulls that originate from a herd that is enrolled in a certification program that is substantially similar, as determined by the Executive Director, to the Texas Certified Trichomoniasis Free Herd Program. Section 51.8(c)(1) and (2) is being amended and reorganized to account for the two new testing exemptions and to clarify existing provisions. The commission also proposes to change §51.8(c)(3) to reflect entry requirements for cattle entering the state from a foreign country rather than Mexico or from any other country that does not have an established Trichomoniasis testing program. The commission also proposes to delete §51.8(c)(4) because of the changes to the previous section and broader reference to a foreign country adequately addresses cattle entering from Canada or from any other country that does have an established Trichomoniasis testing program.

The purpose of the amendments to §51.14 is to establish health assurance for non-commercial swine entering Texas for purposes other than immediate slaughter. In those instances, the proposal will require accredited veterinarians to include a statement on certificates of veterinary inspection that the swine represented on the certificate have not originated from a premises known to be affected by Novel Swine Enteric Coronavirus Disease(s) (SECD), and have not been exposed to SECD within the last 30 days.

A motion to ADOPT the amendments to Chapter 51, Entry Requirements, located in Title 4 of the Texas Administrative Code was made by Commissioner Jordan and seconded by Commissioner Locke. The motion carried.

Item 16 – Consideration of and Possible Action on RULE REVIEW ADOPTIONS regarding:

Gene Snelson discussed the following RULE REVIEW ADOPTIONS:
Each Rule Review Adoption was reviewed and voted on individually.

- (a) Chapter 60, Scrapie – The commission adopts the review of 4 TAC Chapter 60, concerning Scrapie, in accordance with the Texas Government Code §2001.039. The commission published the rule review proposal for comment in the June 13, 2014, issue of the Texas Register (Vol. 39, No. 24, pages 4539-4708). The commission finds that the reasons for adopting 4 TAC Chapter 60 continue to exist, no comments related to the proposed rule review were received by the commission and that no changes are necessary as a result of the review.

A motion to ADOPT the Rule Review of Chapter 60, Scrapie, as found in Sections 60.1 – 60.7 located in Title 4 of the Texas Administrative Code was made by Commissioner Vickers and seconded by Commissioner Leathers. The motion carried.

Item 17 – Public Comment

There was no additional public comment heard at this time.

Item 18 – Closed Executive Session to Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of the Commission’s Executive Director as Permitted by Section 551.074 of the Texas Government Code

The conference room was cleared of all public so that the Commissioners could meet in a closed session which lasted about 20 minutes. The Commissioners then discussed and approved the Executive Director Evaluation.

Item 19 – Consideration of any Action Needed Following Closed Executive Session

No action needed.

Item 20 – Set Date for 391st Meeting

The date for the next Commission meeting was not set at the time of the meeting, but is tentatively scheduled for late January. Notice will be posted on the agency’s website when the next Commission meeting date has been set.

Meeting adjourned at 11:15 a.m.