

MINUTES OF THE 397th COMMISSION MEETING
Texas Animal Health Commission
December 13, 2016

The TAHC Commissioners met in the agency's headquarters in Austin on Tuesday, December 13, 2016. Chairman Coleman Locke began the meeting at 8:33AM.

Item 1 – Welcome and Call to order by Chairman Locke

Commissioners Jay Winter, Brandon Bouma, Tommy Kezar, and Jim Eggleston were not present.

Item 2 – Approval of the minutes of the 396th Meeting

A motion to APPROVE the minutes of the 396th Commission meeting held on August 23, 2016, was made by Commissioner Leathers and seconded by Commissioner Jordan. The motion carried.

Item 3 – Report of the Executive Director, Field Animal Health Program Activities and Approval of Waiver Requests for the Period 5/24/2015 to 8/23/2016

Dr. Schwartz presented the following:

- **Agency Business**

- Preparation for 85th Legislative Session

- Important dates (separate document)
- Legislative Appropriations Request, Exceptional Item Requests:
 - Withdraw request for pay differential for veterinary staff in south and west Texas
 - Additional funds/items may be added related to expanding fever tick outbreak

- Disease challenges

- Fever Ticks

- New infestations discovered in Live Oak and Starr counties
- Anti-tick vaccination – implementation continues. Zoetis provided initial doses at no cost, but indicate there will be a cost associated with subsequent orders
- APHIS-SAGARPA fever tick summit in Weslaco, November 29-30, 2016.

Major concerns:

- no fever tick control efforts in Mexico along the border with Texas
- increasing distribution of acaricide resistant strains of fever ticks in Mexico. Some of these strains have been found in Texas.
- USFWS: Under the Endangered Species Act, USDA determined that a Section 7 Consultation with USFWS is required for feeding Ivermectin corn where endangered species exist.

-Biological Assessment has been submitted to Ecological Services. A Biological Opinion is expected back by mid-January, 2017. Response may differ regarding on-refuge versus off-refuge use.

-Environmental Assessment has been prepared and published for a 30 day public comment period, as required by the National Environmental Policy Act. The comment period ends December 27, 2016.

-Approval to graze cattle on refuge property depends on appropriate use determination by local management, followed by a compatibility determination with the refuge's long term Comprehensive Conservation Plan, among other requirements. Discussions are in progress to graze cattle on a portion of the refuge as a research project. Consultation with a NRCS forage expert is underway.

-Nilgai antelope population management efforts continue

- Fever Tick Working Group meetings held July 18 and November 1, 2016. Outcome - rule proposal for consideration today
- Dire need for:
 - new and longer acting treatments for cattle, deer, nilgai, and horses
 - new and more effective immunizing agents for these species
 - new options for premises spray and equipment decontamination
 - delivery options for all of the above

▪ Chronic Wasting Disease

- Containment and Surveillance Zones where CWD is known to exist – rule proposal up for adoption today
 - Comments
 - Implementation date
- Surveillance in Non-native CWD Susceptible Species statewide – input received through a series of four Cervid Health Working Group meetings. Outcome – rule proposal for consideration today

▪ Tuberculosis

- At the APHIS' cattle health sector meeting in Washington, DC, on May 3, 2016, raised concern over indemnity process and resulting delays in dealing with tuberculosis-affected herds in a timely fashion
- Raised the same concern in meeting with Kevin Shae, APHIS Administrator
- APHIS is completing a comprehensive review of indemnity across all commodities to determine possible solutions

• **Rule Proposals for Consideration**

- Chapter 38, Trichomoniasis, Approved Tests (not presented today)
- Chapter 40, Chronic Wasting Disease, Surveillance Testing Requirements
- Chapter 41, Fever Ticks, Dipping, Treatment, and Vaccination of Animals
- Chapter 59, General Practices and Procedures, HUB/Enhanced Contract Monitoring

- **Rules for Passage Consideration**

- Chapter 38, Trichomoniasis, Certification Period & Sample Submission Timeframe
- Chapter 40, Chronic Wasting Disease, Repeal and Replace Movement Restriction Zone/Carcass Entry Requirements

Waiver Report - August 20, 2016 to December 6, 2016

- 6 waivers requested and 5 approved:
 - Pollorum Typhoid/Avian Influenza – **Approved** – allowed Teal duck to enter Texas with an expired PT and AI tests due to change in shipping date. Bird had been in quarantine since previous test.
 - Pollorum Typhoid/Avian Influenza – **Approved** – allowed quail to enter Texas without PT and AI tests. Birds are a part of an AgriLife research project and were shipped directly to TAMU research facility and quarantined until testing was completed with oversight by TAHC personnel.
 - Tuberculosis – **Approved** – allowed Muntjac Deer to enter Texas with expired TB test. Deer previously tested negative at zoo of origin and were kept in quarantine until testing could be completed upon arrival.
 - Brucellosis – **Approved** – allowed yearling Sable Antelope to enter with expired brucellosis test due to shipping delays. Buck was tested upon arrival.
 - Brucellosis – **Approved** – allowed fallow deer to enter with expired test. Deer were isolated since their negative test and risk from state of origin is negligible.
 - EIA – **Approved** – allowed entry of an untested Zebra due to fractious nature of the animal and risk of injury to animal. Risk of EIA is low in state of origin due to testing and regulatory practices similar to Texas. Further, longtime pasture mate and traveling companion, as pony, has current negative test.
- 1 Waiver not approved:
 - Trich – **Not Approved** – Dealer requested waiver of negative Trich test requirement on bulls entering Texas going to a livestock market. Waiver denied due to the risk of allowing Trich infected bulls to be sold in Texas.

A motion to APPROVE the actions of the Executive Director for the period from August 24th, 2016 through December 13, 2016 was made by Commissioner Edmiston and seconded by Commissioner Leathers. The motion carried.

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

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

I. CATTLE

A. Tuberculosis:

1. Current Status of the infected dairy in Castro County, Texas in 2014-2015:

The first herd (~10,000 head) confirmed with *Mycobacterium bovis* (MB) was identified on a slaughter trace in October 2014. This herd was depopulated in the spring and restocked. The first assurance test for this first dairy and associated dairy after being released was conducted in November 2016.

2. Status of the infected Herds in Parmer County and Lamb County, Texas: The feed yard in Parmer County and the two organic dairies in Lamb County which are all under the same ownership remain under quarantine. The epidemiological investigation of this group is ongoing and the source of introduction has yet to be determined.

To date, there have been 25 trace-out herds identified including 10 in other states which all have been notified. The additional dairies tested thus far, have not yielded any additional lesioned cattle. Cattle sold through a local livestock market (~125 groups) from this herd over the last 5 years are currently being investigated.

Both dairies and the feed yard have undergone an assessment test and 6 removal tests since last April (April 2015, July, September, December, March 2016, and October). There have been 53 confirmed MB compatible animals from this group including the original 6 steers that traced to this herd. Results of the October test yielded 1 lesioned cow out of 249 CFT responders.

Currently, the prospect of depopulation verses test and removal is under evaluation. A recent model predicts that at least 13-16 whole herd tests must be required to be 95% sure that TB is no longer in the herds. However, CEAH will re-evaluate the model after each removal test.

Genetic analysis of both strains indicates no relationship between the 2 groups of dairies or with any other known TB strain in the US. The closest relationship was from a dairy in 1997 in Mexico. Potential sources continue to be investigated or ruled out. The dairy workers were evaluated by the Department of State Health Services. In addition, wildlife surveys in a 5 mile radius around the dairies were surveyed for TB with no infection detected. In addition, in a collaboration with TPWD, TB surveillance in cervids shall focus on a survey of cervids in the panhandle for the upcoming 2016-2017 year.

Total TB tests in Panhandle since disclosure of first infected dairy

| Year | TB tested |
|--------------|------------------|
| 2014 | 19017 |
| 2015 | 120938 |
| 2016 | 63934 |
| Total | 203889 |

3. Other TB cases in the 2016:

Since January 1, 2016, there has been 8 Mexican origin slaughter traces and 1 steer that traced back to an Ohio livestock market.

B. Trichomoniasis:

Through October CY 2016 there have been 394 positive bulls found in 31,432 tests (1.25% test positive). In CY 2015 the test positive percentage was approximately 1.6%.

C. Cattle Fever Tick:

The Temporary Preventive Quarantine Area (TPQA) which became effective on October 7, 2014, consists of approximately 223,000 acres. This TPQA has been unique and challenging to USDA and TAHC in that nilgai antelope are abundant throughout the large Laguana Atascosa National Wildlife

Refuge (LANWR) as well in neighboring premises. Both non-native Nilgai and native white-tailed deer (WTD) are hosts to the fever tick. Historically, techniques that support tick control in deer have been successfully developed and utilized whereas, to date, a successful means to control ticks in nilgai is lacking. In addition to the high population density of nilgai, a number of other obstacles have prevented the removal and reduction of cattle fever ticks in LANWR and in premises north and south of the refuge. The majority of the new infestations for the entire quarantine period have been on the eastern half of the TPQA where nilgai movements occur. However, infestations along the entire western half of the TPQA have been minimal, particularly in the far southwestern corner. After epidemiological review of the surveillance in the 2 southwestern work sections, reduction of the TPQA was recommended. Approval was granted and on November 17, 2016, the TPQA was modified and currently consists of 200,000 acres.

Cameron County has 18 infested premises and Willacy County has 16 as of October 31, 2016. Two archery hunts on the refuge in November yielded 13 nilgai (9 infested; 69%) and 16 WTD (7 infested; 43%). Cooperative harvests on the refuge in the last 6 months yielded 174 nilgai (156 infested; 90%). In Region 5, 5 infestations are under quarantine (2 in Kleberg, 1 in Jim Wells, and 2 premises in Live Oak Counties). One infestation in Kleberg and the one in Jim Wells were identified through trace-out investigations from the TPQA in Cameron. The 2nd infested premise in Kleberg was discovered while surveying the nilgai population in the area. Novel techniques such as using a drone and a nilgai lure were evaluated as methods to determine the presence and potentially the population numbers in the area.

A new infestation was discovered in Live Oak County when a local veterinarian collected ticks and brought them to an inspector who correctly identified them as CFTs. A control purpose quarantine area was created and thus far, 42 premises are under quarantine. While conducting surveillance near the infestation, a second premise was discovered. Investigation of these two infestations is ongoing including tracing all cattle into and out of the premises in the last year. To date, the first premise has 90 animals that were sold and are being traced and 2 bulls that were purchased for the herd and their origin is being traced.

Vaccine Usage Report as of October 31, 2016:

| Work Area | Total Herds Vaccinated in FY16 | Total Cattle Vaccinated in FY16 | Total Herds Vaccinated in FY17 | Total Cattle Vaccinated in FY17 |
|-------------------|--------------------------------|---------------------------------|--------------------------------|---------------------------------|
| Cameron & Willacy | | | 10 | 1,136 |
| 1 | 2 | 50 | 3 | 160 |
| 2* | 5 | 101 | 16 | 473 |
| 3 | 24 | 620 | 22 | 376 |
| 4 | 27 | 645 | 42 | 956 |
| 5 | 0 | 0 | 4 | 227 |
| 6 | 2 | 27 | 8 | 758 |
| 7 | 2 | 133 | 5 | 128 |
| Total | 62 | 1,576 | 110 | 4,214 |

* Kleberg & Hidalgo

II. SWINE

- A. Brucellosis:** There have been no infected herds disclosed in CY 2016 to date;
- B. Pseudorabies (PRV):** Three infected herds have been disclosed in CY 2016. Two of the infected herds were released from hold in October.

III. EQUINE

- A. Equine Piroplasmosis (EP):** There have been 18 positive horses confirmed in Texas this year.
- B. Equine Infectious Anemia (EIA):** In CY 2015, there was 5 positive equine disclosed. In CY 2016, there have been 13 positive equine disclosed out of the 158,103 animals tested in Texas (0.008% positive rate). Although there appears to be more than twice as many positive equine in 2016, the 13 cases were associated with 8 owners. One owner had 3 positive equine on one premises and a second owner had 4 positives on one premise. Geographically, Regions 2, 4, 5, 6, and 7 all had between 1-2 premises (1-5 equine) with positive cases.

IV. POULTRY

- A. Avian Influenza (HPAI):** Migratory waterfowl samples are currently being submitted as a part of the national surveillance and monitoring for HPAI in wild birds. The plan titled ‘Early Detection and Monitoring for Avian Influenza of Significance in Wild Birds’ is a US Interagency Strategic Plan which includes USDA, USGS, USFWS, and National Wildlife Refuges. Samples are screened for Avian Influenza Virus (AIV) and the H5 and H7 subtypes at designated laboratories then any positives are forwarded to NVSL for additional screening which will determine if any viruses are highly pathogenic and will undergo confirmatory tests to determine the final subtype. The objective is to identify subtypes early in order to predict a risk to geographic areas. To date, the following table describes the suspect samples below.

| Avian Influenza Early Detection Monitoring in Wild Birds | | | | | | |
|--|-----------|--|---|---------------------------------------|-------------------------|--------------|
| Month | County | Species | AIV Matrix (no positive/ total sampled) | H5/H7 PCR (no positive/total sampled) | Confirmed | Final Result |
| Sep | Colorado | Blue-winged teal | pos | H5 | Low-path | H5N1 |
| Sep | Colorado | Blue-winged teal | pos | H7 | Low-path | H7N3 |
| Sep | Freestone | Blue-winged teal | pos | H5 | no isolation | |
| Nov | Wood | Blue-winged teal, Gadwall, Green-winged teal | pos (3/32) | H5 (1/3) | pending | |
| Nov | Freestone | Green-winged teal | pos (11/146) | H5 (1/11) | pending virus isolation | |
| Nov | Orange | Gadwall | pos (9/160) | H5 (1/9) | pending virus isolation | |
| Nov | Aransas | wild duck | pos (2/97) | negative (2/2) | pending | |

B. Infectious Laryngeal Tracheitis (ILT): Ten flocks have been identified with positive ILT results in 6 regions (see map below). Five from backyard flocks, 1 from a commercial flock (on 2 premises), 3 from flocks adjacent to the commercial flock, and 1 flock of ~80 birds in Region 8. Subsequent testing in the back yard flocks showed no local disease spread. Based on the distribution of the disease across the state during the timeframe, ILT in Texas appears to be sporadic and possibly seasonal. No additional cases have been disclosed since July.

V. SHEEP AND GOATS

Scrapie: The first positive scrapie case in Texas since 2008 was identified in the Panhandle in April 2016.

VI. CERVIDS

A. Chronic Wasting Disease (CWD) in white-tailed deer (WTD):

On June 30, 2015, the first WTD in Texas was confirmed positive for CWD. Through testing requirements associated with tracing of deer either from or moved to this facility, CWD has also been confirmed in 3 other captive WTD facilities as of July 30, 2016. Two of the three additional facilities are in Medina and Uvalde counties and one facility is in Lavaca County. Of the 4 positive herds, two have been depopulated and the other 2 are being monitored.

CWD has been disclosed in 3 locations (a total of 5 positives) on one of the premises that is being monitored with no clear epidemiological link. Mitigating CWD in this scenario will be a challenge and negotiations of a herd plan are ongoing.

The last positive facility had 14 positive deer in one pen including the initial positive submitted in March. Testing is ongoing on this premise but to date, no other positive deer have been detected through post-mortem testing of natural mortalities or from ongoing ante-mortem testing. CWD has been disclosed in 3 locations on the other premise that is being monitored.

| Herd ID | County | Number |
|--------------|---------------|-----------|
| Herd 1 | Medina | 4 |
| Herd 2 | Lavaca | 5 |
| Herd 3 | Medina/Uvalde | 5 |
| Herd 4 | Medina | 14 |
| Total | | 28 |

TAHC continues to evaluate trace in and trace out herds from all of these facilities. In some exposed herds, ante-mortem testing has been utilized to evaluate the herd status.

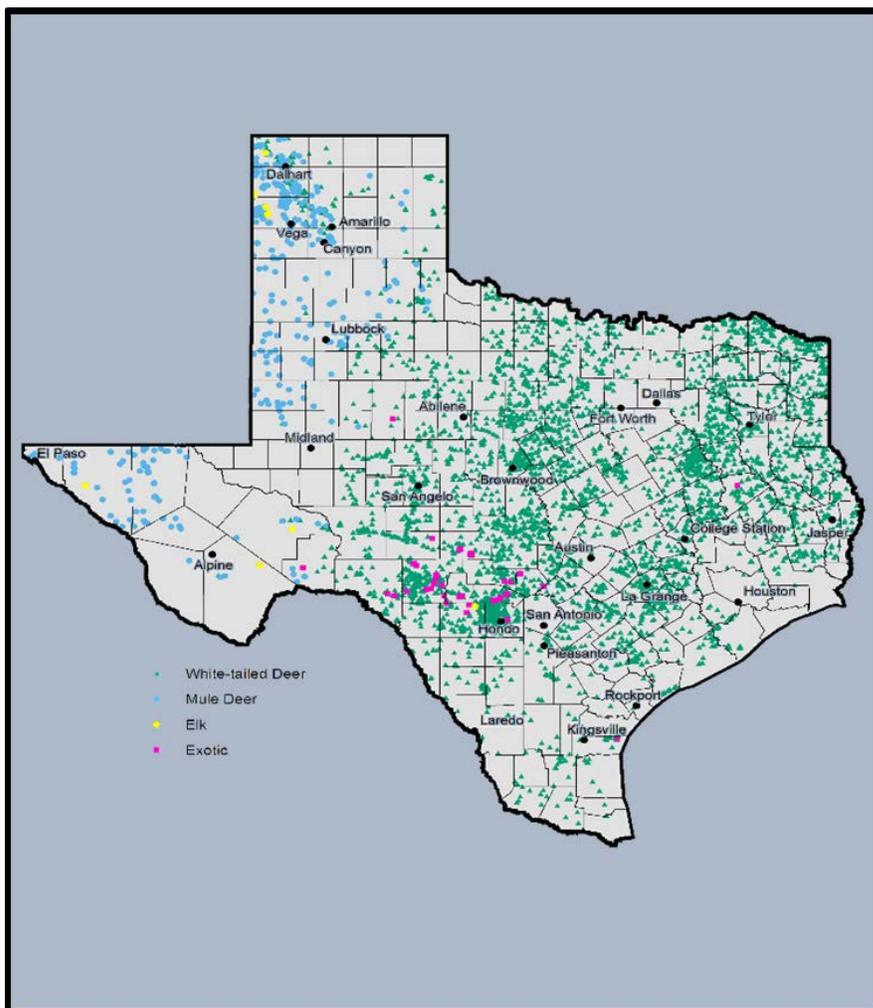
B. CWD in other cervids in Texas:

The following map is shared from TPWD’s weekly updates for statewide surveillance. Each dot represents cervids that have been sampled since the first day of hunting season. The yellow dots represent elk that has been sampled.

- a. To date, no mule deer have been disclosed with positive results for CWD this year. Last fall, a mule deer shot in Hartley County was positive for CWD which resulted in TPWD creating a containment and surveillance zone to monitor the disease in the panhandle region. TAHC, TPWD, and Texas Agrilife extension Service have successfully produced and distributed joint

messaging to encourage sampling and testing in hunter check stations in both the new TPWD panhandle zones and the modified West Texas zones.

- b. On December 5, 2016, NVSL confirmed CWD in an 8.5 year free ranging elk in Dallam County. TPWD has disclosed a total of 22 elk (including 19 in the panhandle) that have been sampled through hunter check stations. The 19 elk sampled in the Panhandle have been free ranging elk that have encompassed Dallam, Oldham, and Hartley Counties.



ANIMAL DISEASE TRACEABILITY ACTIVITIES

Current Project(s):

- TAHC has met this year's quota (35 traces) for USDA's Trace Performance Measures, 42 traces have been completed. ADT staff is continuing the work to further exceed the quota for this cooperative year.
- ADT/Program Records staff are monitoring all ICVIs and eCVIs for data quality and compliance. The TAHC eCVI online application continues to work as expected and veterinarians are successfully utilizing the tool. Program Records staff has begun data entry of paper ICVIs for cattle with official IDs into SCS utilizing Statevet.com. This has improved our ability to electronically retrieve traceability information.

Approved Tagging Sites, Tag Distribution, and Location Registrations:

Approved Tagging Sites: (1 new feeder) 80 livestock markets + 14 feeders = 94

Tag Distribution Partners: (no change) 204 AgriLife Extension Offices + 61 veterinarians + ICP-Cameron Co = 266

Number of Official ID Tags distributed:

CY 2016 (as of end 3rd Qtr) total – 606,959

3rd quarter, July-September – 197,545

2nd quarter, April-June – 225,252

1st quarter, January-March – 184,162

CY 2015 – 757,113

CY 2014 – 657,367

Number of Scrapie tags ordered:

CY 2016 (as of end 3rd Qtr) total – 278,283

3rd quarter, July-September – 98,045

2nd quarter, April-June – 114,856

1st quarter, January-March – 65,382

CY 2015 – 270,202

CY 2014 – 225,597

Current # of Active Premises ID Numbers: 32,337

of New PINs issued:

CY 2016 (as of end 3rd Qtr) total – 175

3rd quarter, July-September – 49

2nd quarter, April-June – 48

1st quarter, January-March – 78

CY 2015 – 311

CY 2014 – 223

Current # of Location IDs: 29,436

of New LIDs assigned:

CY 2016 (as of end 3rd Qtr) total – 7,569

3rd quarter, July-September – 2,955

2nd quarter, April-June – 2,754

1st quarter, January-March – 1,860

CY 2015 – 7,782

CY 2014 – 10,314

Item 5 – Presentation of Animal Health Program Activities

Dr. T.R. Lansford, Assistant Executive Director of Animal Health Programs, provided an update on field activities:

● **Report Items**

○ Cattle Fever Ticks

- Infestations continue in Webb, Zapata, Starr, Cameron, and Willacy counties
- New infestations in Live Oak County and free area of Starr County
- Live Oak county
 - Control Purpose Quarantine Area (CPQA)
 - 19,500 approx. acres
 - 2 infested premises

- index herd is 80 head, 100% infested
 - 42 premises quarantined
 - 26 livestock
 - 16 vacated/hunting
 - 900 head of cattle
 - 41 head of horses
 - Initial inspections 50% complete; scheduled for next two weeks
 - Live Oak county and livestock market owner working cooperatively to refurbish an existing vat located at the livestock market for public use
 - Tracing activity has resulted in issuance of “exposed” quarantines in 11 additional counties
 - Kleberg county
 - Fever ticks rediscovered on infested premises in July 2016
 - Established control purpose quarantine area remains in place
 - Temporary dipping vat remains active – greater than 4000 head treated
 - Systematic treatment until May 2017; potential release fall 2017
 - Novel approaches for wildlife surveillance and control continue
 - Jim Wells county
 - All premises changed to “check” quarantines in October
 - Surveillance on-going and will continue into late summer/fall 2017
 - Fever tick vaccine
 - Five producer meetings held in September
 - Vaccine administration began in July
 - Approximately 5800 doses administered to date
 - Consultations with USDA and US Fish and Wildlife continue
- Bovine Tuberculosis – Region 1
 - Infected Complex 1 investigation
 - First assurance test completed weeks of November 7 and 14
 - 7 responders out of 22,000 tested
 - Subsequent diagnostics indicate no TB
 - Infected Complex 2 investigation
 - Test and cull protocol continues as do delays with indemnity issues
 - Investigation of 25 trace herds continues – no additional lesioned cattle to date
 - To date approximately 204,000 CFTs performed; approx. 1400 CCTs since September 1
- Chronic Wasting Disease
 - All Regions continue to work with herd owners through complexities, including ante mortem testing, of each individual herd to develop or reassess specific herd plans
 - TAHC Cervid Health Working Groups - met on multiple occasions to work out surveillance plan for rulemaking process
 - TAHC Field Staff, in collaboration with Authorized Personnel Staff, have been conducting both ante and post-mortem certification classes
 - TAHC Field Staff cooperatively engaged with TPWD at CWD Check Stations

- Bovine Trichomoniasis
 - Veterinary practitioner re-certifications
- Staff recognition

Item 6 – Presentation of USDA Cattle Fever Tick Eradication Program Update

Dr. Hallie Hasel presented the USDA, Cattle Fever Tick Report:

Dr. Hasel provided updated information on the status of staffing in key areas of the state such as the posting of a Veterinary Medical Officer for USDA-APHIS near Abilene, to address the gap in that region and the filling of the Cattle Fever Tick Program (CFTEP) Assistant Director position. Resources are in order to conduct control burns on refuge lands to control fever ticks, and nilgai harvests have been conducted. Blood samples will be collected from nilgai harvested in the future, to help determine if they can harbor Bovine Babesia strains. Meetings with Agriculture Research Services opened up exploring more general products, improved horse control methods, and wildlife treatments. Research on control methods around nilgai dung piles is under exploration. CFTEP personnel are also working with border patrol mounted unit in order to properly treat the horses and ensure protocol for entering infested premises. Finally, USDA-APHIS and CFTEP funding was renewed through a continuing resolution.

Item 7 - Presentation of Authorized Personnel Program Activities

The **Authorized Personnel Program** was presented by Dr. Susan Culp, Staff Veterinarian:

- **Veterinary Authorized Personnel**

- Since the May 24, 2016 Commission Meeting – new TAHC Veterinary Authorized Personnel Applications have been received from the following:
 - 35 veterinarians transferred over from TAHC Brucellosis Approved Personnel
 - 139 applications from veterinarians new to the program
 - 57 TAMU CVM DVM's, 82 DVM's from out of state CVM's
- TAHC Authorized Personnel Training (4 hour basic course) was offered in the Austin TAHC office in June 2016 as part of TAHC New Employee Orientation and is required for all new TAHC personnel.
- TAHC Authorized Personnel Training (4 hour basic course) and Bovine Trichomoniasis Certification (1 hours) was offered in the Austin TAHC office on Tuesday July 19, 2016 in conjunction with USDA Accreditation Orientation and will be offered again in the Austin TAHC office on Tuesday, January 24, 2017.
- Working in partnership with Dr. John Davidson, Boehringer Ingelheim Vetmedica, Inc., in November 2015, TAHC began offering Bovine Trichomoniasis Certification/Re-Certification continuing education classes to veterinary practitioners at local veterinary medical association meetings. The meetings are free and veterinarians receive two hours of veterinary continuing education credits for attending. To date, this partnership has provided:
 - 17 continuing education dinner meetings
 - 475 TAHC veterinarians and 33 TAMU CVM 4VM students trained
 - One additional meeting scheduled in Wharton, TX on December 13, 2016

- Moving forward, new TAHC Bovine Trichomoniasis Certifications will be offered as a monthly interactive webinar and recertification will be offered as an interactive online module available on the TAHC website.
- On September 1, 2016, TAHC began offering Certified CWD Veterinarian training for TAHC Authorized Veterinarians who plan to participate in antemortem CWD testing. To date, 16 certification classes have been offered (13 online skype webinars and 3 in person classes) and 99 veterinarians have completed the certification.
- **TAHC Authorized CWD Postmortem Sample Collector Program**
 - TAHC has offered 32 Certified CWD Sample Collector Training opportunities for a total of **1028 trained collectors**.
 - In September 2016, TAHC, working collaboratively with Texas A&M AgriLife Extension Service, TPWD and TVMDL, initiated a series of public meetings and training classes. The classes targeted landowners, managers, taxidermists, and veterinarians in the affected areas of Texas with the purpose of increasing CWD surveillance efforts by training the target audience to collect CWD samples for testing. These classes were located in Hondo, Van Horn, Amarillo and Zapata.
- **Additional Training Programs**
 - Texas A&M University (TAMU) College of Veterinary Medicine (CVM) 3rd Year Veterinary Student Regulatory Rotation concluded in December 2016.
 - 135 veterinary students from the Class of 2018 completed USDA Core Orientation and TAHC Authorized Personnel training.
 - TAHC Bovine Trichomoniasis Certification and TB Cervidae (Single Cervical and DPP) Certification will be offered in spring 2017 to the 4th year Veterinary Students prior to graduation.
 - Starting Spring Semester 2017, TAHC and USDA APHIS VS will begin participating in a two hour public health class for the TAMU CVM 2nd Year Veterinary Students.
 - Veterinary externship and undergraduate internship opportunities will continue in 2017.
- **Other Authorized Personnel Department Updates**
 - The Disapproved CVI notification process for Texas veterinarians is a monthly notification of CVI's disapproved by receiving states. Two years into the process, the numbers of disapproved CVI's coming back to Texas veterinarians continues to decrease.
 - The TAHC Authorized Personnel Compliance Review Committee was created in October 2014. This group meets monthly to review Authorized Personnel cases. This committee is responsible for the enforcement of the Texas Administrative Code, Chapter 47 Authorized Personnel.
- **Veterinary Medical Loan Repayment Program (VMLRP)**
 - A total of eight area nominations were submitted by TAHC to USDA NIFA in February 2016.
 - Seven applications were submitted to NIFA from Texas veterinarians for 4 of the 8 Designated Shortage Areas. Of the 7 applications submitted, one was awarded. The

award was made for the Type 3, Critical Priority Shortage area in Brazos County. This is the Public Practice position with TVMDL.

- The FY 2017 Solicitation for Veterinary Shortage Situation Nominations was announced on December 7, 2016. FY 2017 shortage nominations are due to NIFA by February 8, 2017. A conference call with stakeholders will be scheduled in early 2017 to review the Veterinary Shortage Situation Nominations received. Carry over nominations will also undergo review this year instead of automatically being designated. After this year carry overs will resume, but NIFA will track how often an area is carried over. Once it is carried over 3 times it will need to undergo review again.

Item 8 – Audit Subcommittee report

Commissioner Joe Leathers gave the report from the Audit Subcommittee meeting that was held earlier that morning:

The committee approved the audit plan for Fiscal Years 2017-2017 and approved the Fiscal Year 2016 Audit Report for the agency.

A motion to APPROVE the actions of the Audit Subcommittee was made by Commissioner Jordan and seconded by Commissioner Vermedahl. The motion carried.

Item 9 – Administration/Budget Status Report

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

FY 2017

Appropriations/Budget

- General Revenue (GR) appropriations:
 - State FY 2017 (September 1st, 2016 through August 31st, 2016)
 - The TAHC projects \$10.3M
 - Includes additional appropriations of 155K for across the board 2.5% salary increase
 - UB from FY 2016 - \$430K
 - Funds if unexpended that must be returned –
 - CAPPS
 - Benefit Replacement Pay (BRP)**
- Federal Funds and Grants (Federal Fiscal Year runs April 1 to March 31)
 - State FY 2017
 - Estimate approximately \$2.16M
- Capital Budget Funding
 - \$261.5K towards Fleet Vehicles, has been completely allocated towards the acquisition of trucks
 - \$150K towards the Acquisition of Information Resource Technologies, has been or will be completely allocated towards the acquisition of hardware/software and towards annual licensing renewals

- \$86K Tech Refresh
- \$64K Equipment Replacement

Revenues

- State FY 2017
 - Fee Revenue is estimated per year to be approximately \$512K.
 - TAHC Portion - \$424K
 - Received \$115K – Year-To-Date (YTD)
 - State Portion \$87K - Achieved

Overall Budget

- FY 2017
 - Total Funding \$13,350,344
 - Total Expenditures \$13,306,516
 - Total Difference \$ 41,828

Full Time Equivalent Employees (FTEs):

- State FY 2017
 - The TAHC is appropriated 185.2 FTE's
 - Currently there are 175.5 FTE's

Budgetary Transfers:

- The TAHC will not have Unexpended Balance (UB) authority at the end of FY 2017 (August 31st, 2017)
- Any unexpended appropriated funds at the end of the fiscal year return to the State of Texas

**Employees working for the state as of Aug. 31, 1995, may be eligible for benefit replacement pay (BRP). BRP replaced a state benefit that paid 5.85 percent of the first \$16,500 of the employee's portion of Social Security wages plus an amount equal to the retirement contribution associated with the benefit.

A motion to APPROVE the Administration/Budget Status Report was made by Commissioner Jordan and seconded by Commissioner Selman. The motion carried.

Item 10 – Consideration of and Possible Action on Agency Contracts and Purchases

Ms. Larissa Schmidt presented contracts and purchases for the consideration of the commissioners.

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

Item 11– Consideration of and Possible Action on Petition for Rulemaking Submitted by Mr. Eddy Atkins

Gene Snelson, General Counsel, presented a petition for rule making for the consideration of the Commissioners.

The motion to TAKE NO ACTION regarding the petition for rulemaking was made by Commissioner Vickers and seconded by Commissioner Leathers. The motion carried.

Item 12– Consideration of and Possible Action on REGULATION PROPOSALS

Gene Snelson then discussed the following REGULATION PROPOSALS:

Each Regulation Proposal was reviewed and voted on individually.

- (a) Chapter 38, Trichomoniasis, Official Trichomoniasis Tests
- (b) Chapter 40, Chronic Wasting Disease, Surveillance Testing Requirements
- (c) Chapter 41, Fever Ticks, Dipping, Treatment, and Vaccination of Animals
- (d) Chapter 59, General Practices and Procedures, HUB/Enhanced Contract Monitoring

- (a) The Texas Animal Health Commission (commission) did not present the proposal to amend §38.1, concerning Definitions, §38.4, based on a need for additional research on testing protocols.
- (b) The Texas Animal Health Commission (commission) proposes amendments to §40.5, concerning Movement Requirements for CWD Susceptible Species, in Chapter 40, which is entitled “Chronic Wasting Disease”. The purpose of the amendments is to add surveillance, movement reporting, identification, and mortality recordkeeping requirements.

Chronic Wasting Disease (CWD) is a transmissible spongiform encephalopathy (TSE). CWD is a progressive, fatal, degenerative neurological disease of farmed and free-ranging deer, elk, and moose. The species known to be susceptible to CWD are North American elk or wapiti (*Cervus Canadensis*), red deer (*Cervus elaphus*), mule deer (*Odocoileus hemionus*), black-tailed deer (*Odocoileus hemionus*), white-tailed deer (*Odocoileus virginianus*), Sika deer (*Cervus Nippon*), and moose (*Alces alces*). The species that are found in Texas are white-tailed deer, mule deer, elk, red deer, and Sika deer.

In 2012, CWD was first discovered in Texas in a free-ranging mule deer in the Hueco Mountains along the New Mexico border in far West Texas. The commission and Texas Parks and Wildlife Department (TPWD) created a restricted zone that has required testing of susceptible species in that area and restricted movement of live animals. On June 30, 2015, a 2-year old white-tailed deer in a Medina County breeding facility was confirmed positive for CWD. Through testing requirements associated with tracing of deer either moved from or to this facility, CWD has also been discovered in other white-tailed deer, which includes four other facilities in Medina or Lavaca counties. A free-ranging mule deer buck, harvested in Hartley County, was confirmed positive for CWD on March 3, 2016. Hartley County is located in the Texas Panhandle and borders New Mexico. On December 6, 2016, a free-ranging elk was harvested in Dallam County. Dallam County is also located in the Texas Panhandle and borders New Mexico and Oklahoma.

Commissioner Oates moved and Commissioner Vickers seconded a motion to PROPOSE the amendments to Chapter 40, Chronic Wasting Disease. The motion to approve the proposed amendments and to publish it in the Texas Register with a 30 day comment period passed.

- (c) The Texas Animal Health Commission (commission) proposes an amendment to §41.8, concerning Dipping, Treatment, and Vaccination of Animals, in Chapter 41, which is entitled “Fever Ticks.”

The purpose of the amendment to §41.8 is to provide the Designated Fever Tick Epidemiologist (DFTE), with the approval of the Executive Director, the discretion to approve inspections, dipping, treatments and/or vaccination requirements that are less stringent than those currently prescribed, taking into consideration the circumstances of the affected producer, and the commission’s overarching goal to encourage producers to maintain cattle on affected premises. With routine inspections and treatment, cattle maintained on or near premises have significant value to the Cattle Fever Tick Eradication Program (CFTEP) by serving as sentinel animals, and if found, control agents of the fever tick.

Commissioner Jordan moved and Commissioner Vickers seconded a motion to PROPOSE the amendments to Chapter 41, Fever Ticks. The motion to approve the proposed amendments and to publish it in the Texas Register with a 30 day comment period passed.

- (d) The Texas Animal Health Commission (commission) proposes an amendment to §59.9, concerning Historically Underutilized Business Programs, and a new §59.13, concerning Posting of Certain Contracts; Enhanced Contract Monitoring, in Chapter 59, which is entitled “General Practices and Procedures”. The new rule implements procedures for contracts for the purchase of goods or services from private vendors.

The purpose of the amendment to §59.9 is to reference the correct rules relating to the Historically Underutilized Business Program. The new rule is proposed in response to Texas Government Code §2261.253 enacted by the 84th Texas Legislature, which requires each state agency by rule to establish a procedure to identify contracts that require enhanced contract or performance monitoring and prescribes certain reporting requirements.

Commissioner Leathers moved and Commissioner Vickers seconded a motion to PROPOSE the amendments to Chapter 59, General Practices. The motion to approve the proposed amendments and to publish it in the Texas Register with a 30 day comment period passed.

Item 13 – Consideration of and Possible Action on REGULATION ADOPTIONS

Gene Snelson then discussed the following REGULATION ADOPTION:

Each Regulation Adoption was reviewed and voted on individually.

- (a) Chapter 38, Trichomoniasis, Certification Period and Sample Submission Timeframe
- (b) Chapter 40, Chronic Wasting Disease, Repeal and Replace Movement Restriction Zone/Carcass Entry Requirements

- (a) The Texas Animal Health Commission (commission) proposes amendments to §38.1, concerning Definitions, §38.4, concerning Certified Veterinary Practitioners, and §38.6, concerning Official Trichomoniasis Tests, in Chapter 38, which is entitled “Trichomoniasis”. The purpose of the amendments is to change the Trichomoniasis (Trich) certification period for veterinarians and reduce the shipping time for sample submission.

The Trich organism causes abortion and extended calving seasons. Bulls will remain persistently infected and spread infection from cow to cow. Older bulls are typically the main reservoir of infection in a herd; this is because older bulls often have deeper preputial folds (crypts) creating a more favorable environment for Trich.

The Bovine Trich Working Group (TWG) had an annual meeting on April 26, 2016, to evaluate the effectiveness of current rules. The TWG discussed the program overview to date, the management of infected herds, entry requirements, and the need for possible revisions to the program.

The TWG recommended extending the certification period of veterinarians certified to perform Trich program functions from 3 years to 5 years. The TWG also recommended reducing the time of arrival of Trich samples sent to the lab for testing. The group discussed the integrity of the sample to be tested at 120 hours, which provides a longer chance for inhibitors to negatively impact testing. Literature shows that after 30 hours there is a decline; therefore, the group recommended changing the arrival time at the lab from 120 hours to 96 hours.

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

- (b) The Texas Animal Health Commission (commission) proposes amendments to §40.4, concerning Entry Requirements, and a new §40.6, concerning CWD Movement Restriction Zones in Chapter 40, which is entitled “Chronic Wasting Disease”. The purpose of the amendments is to repeal the existing §40.6 and replace it with a new section which creates additional CWD movement restriction zones in areas where animals have been disclosed as CWD positive. The amendments will also prohibit the entry of the carcasses or parts of susceptible species outside of Texas where CWD has been detected in free-ranging or captive herds, unless certain conditions have been met. Surveillance testing is a key, critical component to early detection of the disease and also the monitoring of the disease prevalence in all areas of the state where any CWD susceptible species inhabit. Risk based surveillance is directing surveillance activities in a particular geographic area where CWD is most likely to be found based on host factors and potential exposure. An inadequate surveillance program promotes the spread of disease unnoticed and ultimately makes the task of disease freedom exponentially more difficult. In today’s current environment, the mobility and transportation of agricultural animals throughout the state and country has greatly increased the spread of diseases and makes risk mitigation more difficult and complex. A good surveillance system supports our animal industries by having confidence in the health and marketability of their animals.

CWD has been proven to be transmissible by direct contact between susceptible species and through environmental contamination. Those realities can create adverse economic impacts through the reluctance to purchase or to hunt a susceptible species from a facility in an area where CWD has been confirmed. CWD contaminates the environments which creates a serious obstacle for controlling and eradicating the disease. This can negatively impact ranching, hunting, real estate, tourism, and wildlife management-related economies, unless it is contained and controlled. The purpose of the restriction zones is to both reduce the risk of CWD being spread from areas where it might exist and to increase detection of CWD by increased surveillance.

A motion to ADOPT the amendment to Chapter 40, Chronic Wasting Disease located in Title 4 of the Texas Administrative Code and repeal of §40.6 with replacement of new §40.6 was made by Commissioner Oates and seconded by Commissioner White. The motion passed.

Item 14 – Public Comment/Recognition

Public comment items were heard at the time of the presentation of rule proposal on Chapter 40, Chronic Wasting Disease. A full audio of the comments and the complete discussion that followed is available on the Texas Animal Health Commission website. <http://www.tahc.texas.gov/agency/meetings.html>

Item 15, 16, and 17 – Closed Executive Sessions and Consideration of Any Needed Action

A closed executive session to receive legal advice, discuss pending or contemplated litigations, and settlement offers as permitted by section 551.071 of the Texas Government Code, was held at this meeting. No action was taken

Item 18 – Set Date for 398th Commission Meeting

The date for the 398th Commission Meeting was not set at the time of the meeting, but is tentatively scheduled for May 2017. Notice is posted on the agency’s website when the Commission meeting date has been set.

Item 19 – Adjournment

The meeting adjourned at 11:30AM.