

MINUTES OF THE 394th COMMISSION MEETING
Texas Animal Health Commission
February 16, 2016

The TAHC Commissioners met in the agency's headquarters in Austin on Tuesday, February 16, 2016. Chairman Ernie Morales began the meeting at 8:30 a.m.

Item 1 – Welcome and Call to order by Chairman Morales

Commissioners Jay Winter, Beau White, and Tommy Kezar were not present.

Item 2 – Approval of the minutes of the 393rd Meeting

A motion to APPROVE the minutes of the 393rd Commission meeting held on October 6, 2015, was made by Commissioner Leathers and seconded by Commissioner Simmons. The motion carried.

Item 3 – Report of the Executive Director, Field Animal Health Program Activities and Approval of Waiver Requests for the Period 10/6/2015 to 2/16/2016

Dr. Schwartz presented the following:

- **Agency Business**
 - Preparation for 85th Legislative Session
 - Strategic Plan
 - Legislative Appropriations Request
 - Major disease challenges currently faced
 - Tuberculosis
 - Two concurrent investigations
 - Chronic Wasting Disease
 - Third affected premises found
 - Federal indemnity exhausted
 - Implementation of antemortem testing plans
 - Fever Ticks
 - Increase in infested premises
 - Advancing northward
 - Wildlife is a factor
 - Trichomoniasis
 - Implementation of adjacent testing
 - Highly Pathogenic Avian Influenza preparation
 - Survey of Employee Engagement
 - Results received December 2015
 - Share with employees, and develop plan to address concerns
- **USDA-APHIS-VS**
 - Umbrella Cooperative Agreement work plan submitted
 - Proposed Tuberculosis and Brucellosis rule – comments
 - HPAI Indemnity Payment interim rule – comments
 - Scrapie rule – awaiting action after comments received
- **Santa Theresa, NM port** – concerns over process when animal health issue is detected
- **Rule Proposal for consideration**
 - Fever Tick Vaccine

- **Rules for Passage**
 - EIA laboratory requirements
 - Removal of fee schedule for certain fees
- **Waiver Report – due to the change in staffing, this report is divided into two sections**
 - October 7th to December 31st, 2015
 - 4 waivers requested and 4 approved:
 - Tuberculosis – **Approved** – allowed organic Texas origin dairy heifers to enter from New Mexico to be tested upon arrival.
 - Brucellosis – **Approved** – allowed entry of Barbary Ram to be tested upon arrival.
 - Tuberculosis – **Approved** – allowed import of cervids that meet requirements of monitored program from Florida– Florida does not support monitored program.
 - Brucellosis – **Approved** – allowed entry of Kudu to Houston Zoo to be tested upon arrival.
 - January 1st, to February 15th, 2016
 - 2 waivers requested and 2 approved;
 - Brucellosis – **Approved** – allowed cattle to enter from Missouri with test that was just past 30 day requirement due to shipping delays.
 - Pseudorabies - **Approved** – allowed feral swine and domestic swine facilities owned by brothers to be less than 200 yards apart. Recent improvements to facilities increases bio-security and the feral swine pose little risk to the domestic animals.

A motion to APPROVE the actions of the Executive Director for the period from October 6, 2015 through February 16, 2016 was made by Commissioner Joran and seconded by Commissioner Locke. The motion carried.

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

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

CATTLE

A. Tuberculosis:

Background on the Index Case and the Index Herds from Castro County, Texas:

Herd #1: The first herd (~10,000 head) confirmed with *Mycobacterium bovis* (MB) was identified on a slaughter trace in October 2014. Following the confirmation, the dairy herd was tested 3 times (November, February, July) in an effort to remove any infectious animals as per USDA rules (USDA, 2005). Each whole herd test yielded a large number suspect and subsequent confirmed positive infected animals (310 culture/PCR positive and about 300 pending from the 3rd test). The disease prevalence is high enough that repeated testing is unlikely to eliminate the infection due to the insidious nature of this bacteria and based on stochastic modeling (USDA, Cattle health modeling unit).

The Texas Animal Health Commission has worked with the United States Department of Agriculture Animal Plant Health Inspection Service Veterinary Services (USDA APHIS VS) on indemnification of the entire herd. The depopulation is in progress with about 55% of the herd completed (~5000 animals). The goal to complete this task is April 15, 2016.

Herd #2 (approximately 12,000 head) is under the same ownership. TB was confirmed in one cow on the first herd test in November 2014. This heifer had been recently added to the herd and originated from herd #1. No confirmed animals were found on the three subsequent removal tests. An assurance test was conducted in December 2015 and no reactors were identified which fulfills the assurance test requirements. **The hold order was released on January 13, 2016.** This herd will be tested annually for five subsequent years.

Background on Additional Tuberculosis Infected Herds in Parmer County and Lamb County, Texas:

The feed yard in Parmer County and the two dairies in Lamb County which are all under the same ownership remain under quarantine. The epidemiological investigation on this group is ongoing and the source of introduction has yet to be determined. However, additional dairies have been identified as either a potential sources of infection (trace-in) or potentially exposed (trace-out) herds. To date there have been 24 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. Several Texas dairies are scheduled for whole herd tests this spring.

Both dairies and the feed yard have been tested 4 times in 2015 (April, July, September, and December). As of November, there have been 46 confirmed MB compatible animals from this group including the original 6 steers that traced to this herd. Results are pending on the latest test in November.

Winter storm Goliath did have an impact on all these dairies, cattle losses ranged from 150-750 per herd.

In summary, there have been ~140,000 TB tests conducted on Texas dairy cattle including the multiple tests on the index herds and associated trace-out herds. Future projects related to these efforts include an upcoming project to conduct wildlife surveillance in the area to rule-out any potential wildlife sources of infection.

Other TB cases in the 2015:

One Mexican-origin beef animal slaughtered at Sam Kane was confirmed to have histo-compatible lesions and was PCR positive for *M. bovis*. This steer had no official ID and appears to have arrived at the feed yard directly from the Pharr port.

One health efforts related to TB

Texas Animal Health Commission has collaborated with the Department of State Health Services to ensure dairy employees that work in these infected dairies are screened and monitored for tuberculosis. In addition, DSHS has researched and provided guidance as to what types of PPE should be worn by workers and especially during decontamination of the dairy.

B. Trichomoniasis:

Through December CY 2015 there have been 553 positive bulls found in 35,454 tests (1.6% test positive). In CY 2014 the test positive percentage was approximately 2.45%.

C. Cattle Fever Tick:

The Temporary Preventive Quarantine Area (initiated on 10/7/14) in Cameron and Willacy Counties continues to face challenges. Currently, there are 15 infested premises in Cameron and 8 in Willacy. Approximately 10 premises have been identified since Oct 1, 2015 through hunter harvest surveillance (nilgai and white tailed deer (WTD)).

In regards to trace-in or trace-out herds associated with infested animals, 97% of the original traces have been completed in Cameron County and trace work from infested animals that originated in Willacy County is ongoing.

In region 5, 4 premises (2 in Jim Wells, 2 in Kleberg) have been infested with fever ticks in 2015. One of the premises in Jim Wells has completed inspection for release and all properties related to that infestation have been released in December. These infestations were identified through trace-out investigations from the TPQA in Cameron. A total of 235 properties (~2400 head of cattle and ~180 horses) have been under quarantine at some point in 2015 related to these infestations.

In addition, regional staff in region’s 5 and 8 have initiated 82 traces of cattle sold or moved from infested pastures. These traces includes cattle that originated from infested pastures in Kleberg and Jim Wells counties. Additional traces from the recent discovery of 2 new infested premises in Zapata were also assigned to region 5 and 8. These properties were identified when investigating all trace-in cattle to an infested premise in Hidalgo (epi-linked to a premise in Cameron).

In Cameron and Willacy counties, hunter harvested WTD and nilgai are scratched for fever ticks. The infestation rate has increased since 2014 for both species. More infested nilgai were identified this winter in Willacy compared to the previous year, and this species appears to be an important contribution to the northern movement of the cattle fever tick.

	Infestation Rate Winter ‘15-‘16		Infestation Rate Winter ‘14-‘15	
	WTD % infested (sample size)	Nilgai % infested (sample size)	WTD % infested (sample size)	Nilgai % infested (sample size)
Cameron (outside refuge)	13% (n=68)	22% (n=49)		
Willacy	9% (n=22)	38% (n=22)		
Laguna Atascosa Refuge	77% (n=66)	72% (n=50)	55%(n=67)	40% (n=15)

The epidemiology staff including both TAHC and USDA epidemiologists as well as support from CEAH have developed a working group to examine, review, and update all policies related to epidemiology used by the tick force. This group meets weekly since April and have made a number of accomplishments including reviewing and revising the herd plans, informational guides and other items. One promising new intervention is the utilization of the tick vaccine which will be implemented in the next month or so. In addition, a plan to place corn feeders in the TPQA is underway. Collaboration efforts with the USFWS is ongoing.

SWINE

- A. Brucellosis:** One infected herd has been disclosed in CY 2015 to date. This herd was depopulated in October 2015 with indemnity.
- B. Pseudorabies (PRV):** Three infected herds have been disclosed in CY 2015 so far.

EQUINE

- **Equine Piroplasmosis (EP):** There have been 11 positive horses disclosed in Texas this year, all racing Quarter Horses. Three belonged to one owner, and were illegally brought into Texas from Indiana 30 days prior to being tested. All of the positive horses have completed treatment.
- **Equine Infectious Anemia (EIA):** In CY 2015, there have been five positive equine disclosed out of the 169,460 animals tested in Texas. (0.003% positive rate)
- **2015 Vesicular Stomatitis Virus (VSV) outbreak:** VSV was diagnosed in horses on two Texas premises in May 2015, in Pecos and Reeves counties. Both premises have been released. The VSV outbreak in other western states has been and continues to be extensive: Since the start on April 29, eight hundred twenty –three (823) affected premises in 8 states.

POULTRY

Highly Pathogenic Avian Influenza (HPAI): The HPAI outbreak that devastated poultry producers during the winter and spring of 2015 was the worst animal disease in U.S. history. It affected more than 48.8 million birds in 21 states before the final detection on June 17. No cases of HPAI have been detected in Texas in 2015. In 2016, one highly pathogenic H7N8 outbreak occurred in Indiana in January. The Texas Animal Health commission preparedness efforts are ongoing in preparation for any incursions that may directly affect Texas poultry.

CERVIDS

- First CWD case disclosed in White Tailed Deer in Texas, June 30, 2015, in Medina county
- Closely coordinated response effort with TPWD.
- In addition to the herd work and disease investigation itself, agency staff have participated in multiple CWD Taskforce meetings, CWD Working Group meetings, given testimony before the Culture, Recreation and Tourism Committee, issued joint press releases, and spoken at deer industry meetings. In addition, TAHC supported a CWD symposium in January that gathered national experts on CWD in hopes to consider the latest scientific knowledge and to gain insight on the most effective testing options other than post-mortem testing.
- To date, TAHC has provided 16 CWD sample collection courses to support the state-wide efforts.
- The index herd was depopulated with indemnity on September 30, 2015. Four positives have been identified in this herd.
- There are 744 unique IDs identified as either trace-in or trace-out animals associated with the first index herd. Of those, 50% have been tested for CWD, 33% have been liberated, and 10% died without being tested. Of the 63 trace out animals associated with the Lavaca county case, 33% have been tested. The majority of trace-in and trace-out herds have either been released or agreed to a herd plan with the exception of 10 that have pending herd plans.
- A second infected herd in Lavaca County has been disclosed due to an exposed buck (originated in index herd) that died in the pen and was tested. Two additional bucks from the same age group as the others have tested positive on an ante-mortem test. The remainder of the

herd will be indemnified and removed. There are 63 trace-out animals in 9 additional herds. Five herds have been released based on testing and epidemiological investigation.

- Recently, a second Medina county case from a hunting reserve (release site) has been identified by hunter harvest surveillance. The epidemiological investigation is ongoing, however, the release site and a breeding facility under the same ownership have been classified as index premises. The trace-out and trace-in herds related to this investigation have been notified and hold orders issued.
- Although the data analysis is in the preliminary stages on the newest case, it appears that there are approximately 1,800 trace-in or trace-out animals associated with both the release and breeder premises.
- Since July 1, 2015, TVMDL reports 563 CWD sample submissions related to this herd which would include direct trace-out animals, additional samples submitted from a herd as a requirement of their herd plan, and the index herd depopulation. TPWD has increased surveillance among hunter harvest sample submissions in the state. To date, 10,383 samples have been submitted for testing and close to half of those are still pending results.
- In summary, the CWD positive animals associated with the first herd have all been bucks that were born on the index premise in 2013. There has been a total of 7 deer that tested positive on either post-mortem or ante-mortem tests out of a total of 63 bucks (11% infection rate). Investigation of the new case is underway and collaboration with TPWD is ongoing.

ANIMAL DISEASE TRACEABILITY ACTIVITIES

Projects

- ADT is assessing the cost and benefits of implementing electronic permits and incentivizing the use of electronic CVIs
- The ADT staff are also comparing data management systems to utilize to efficiently process existing paper certificates of veterinary inspection (CVIs)

Approved Tagging Facilities and tag distribution:

Approved Tagging Sites: (no change) 80 livestock markets + 13 feeders = 93

Tag Distribution Partners: (added ICP in September) 204 AgriLife Extension Offices + 61 veterinarians + ICP-Cameron Co = 266

Total number of Official ID Tags distributed:

During the last quarter, October- December 2015 – 165,028

CY 2015 – 757,113

CY 2014 – 657,367

Scrapie tags ordered:

During the Last Quarter, October-December 2015 – 48,150

CY 2015 – 270,202

CY 2014 – 225,597

Current # of Active Premises ID Numbers: 32,144

of New PINs issued:

During the Last Quarter, October-December 2015 – 76

CY 2015 – 311

CY 2014 – 223

Current Total # of LIDs: 21,867

of New LIDs assigned:

During the Last Quarter, October-December 2015 – 1,543

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**

- Border Security

- Establishment of Region 8

- Staffing
- Office
- Equipment

- Additional personnel in Region 6

- Development of protocol to address apprehended/surrendered non-domestic livestock in areas other than Fever Tick Permanent Quarantine Zone

- Cattle Fever Ticks – Region 5 and Region 8

- New infestations throughout “winter” in Zapata, Starr, Cameron, and Willacy counties

- Wildlife and weather are factors

- Funding approval request for supplies to support wildlife treatment efforts in Cameron and Willacy counties

- Kleberg county

- No fever ticks found since June 2015
- All premises now categorized as “check”
- Temporary dipping vat operational in Riviera

- Jim Wells county

- Restocking of infested premises pending
- Wildlife treatment scheduled
- Infested white-tail deer found on infested premises during hunting season
- Surveillance on adjacent premises has not disclosed additional fever ticks to this point

- Fever tick vaccine

- Signed (USDA/TAHC) agreement in hands of pharmaceutical company
- Expected delivery date very soon
- Development of CTEP/TAHC personnel training materials and schedule underway
- Initial plans for producer meetings underway

- Tuberculosis – Region 1

- Investigating two dairy complexes
- Complex 1 investigation
 - Depopulation of highly infected herd underway
- Complex 2 investigation
 - Test and cull protocol continues; next test Feb. 29th
- Chronic Wasting Disease
 - Impacts all Regions except Region 1
 - Continue to work through complexities of the few pending herd plans
 - Remain committed to updating herd plans to incorporate live animal testing as protocols develop
 - Staff working cooperatively with TPWD on Stakeholder Working Group and associated smaller focus group
- Equine Herpesvirus Myeloencephalopathy (EHM)
 - Recent, significant outbreak (65 head) just across NM border at Sunland Park
 - Approximately 24 trace out horses reported to have shipped to Texas
 - Region 6 staff and Compliance Investigator Bob Young investigated
 - Other Regions discussed enhanced biosecurity with equine event venues
- Other Activities
 - Stock show season
 - Hiring of veterinarians

Item 6 – Presentation of USDA Veterinary Services Update

Dr. Hallie Hasel presented the USDA, Veterinary Services report which included an update of the hiring of the new director and other staffing changes. A summary of USDA, VS activities regarding processing Tuberculosis indemnity, fever tick issues, and Chronic Wasting Disease funding.

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 Fiscal Year 2015 Annual Audit Report.
2. The committee reviewed the Region 4 audit findings.
3. The committee reviewed the Texas State-Federal Laboratory audit findings.
4. The committee reviewed the Information Systems Business Continuity Plan audit findings.

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

Item 8 – Authorized Personnel update

Dr. Culp gave the Authorized Personnel Update:

- **Veterinary Authorized Personnel**
 - Since the October 6, 2015 Commission Meeting – new TAHC Veterinary Authorized Personnel Applications have been received from the following:

- 36 veterinarians transferred over from TAHC Brucellosis Approved Personnel.
- 17 applications from veterinarians new to Texas.
- 18 applications from graduates from the TAMU CVM Class of 2015.
- TAHC Authorized Personnel Training (4 hour basic course) will be offered in the Austin TAHC office in March 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) will be offered in the Austin TAHC office on Tuesday April 12, 2016 in conjunction with USDA Accreditation Orientation.
- Working in partnership with Dr. John Davidson, Boehringer Ingelheim Vetmedica, Inc., TAHC began offering TACH Bovine Trichomoniasis Certification/Re-Certification continuing education classes to veterinary practitioners at local veterinary medical association meetings. The first meeting was in Amarillo with the High Plains Veterinary Medical Association on Thursday November 12, 2015. To date, this partnership has offered 3 Re-Certification meetings to 83 TAHC Authorized veterinarians. Seven upcoming meetings are confirmed in Mexia, Bowie, Beaumont, Uvalde, Bryan, Sulphur Springs and Weslaco. Five additional meetings are being planned in Midland, San Saba, Brenham, San Marcos and Guthrie. The meetings are free and veterinarians receive two hours of veterinary continuing education credits for attending.
- TAHC continues to offer TAHC Bovine Trichomoniasis Certification to TAMU CVM graduating senior students. This year this student certification will be in conjunction with the Brazos Valley VMA meeting scheduled for Tuesday May 3, 2016 at Christopher's Steakhouse in Bryan, TX.
- **Cervid Authorized Personnel**
 - Prior to October 2015, TAHC offered 18 Certified CWD Sample Collector Training opportunities for a total of **436 trained collectors**
 - Since October 2015, TAHC has offered 8 Certified CWD Sample Collector Training classes training a total of **334 additional trained collectors**
 - Veterinary student classes offered at TAMU CVM account for an additional **47 trained collectors**. An additional class at TAMU CVM is scheduled for April 2016
 - One upcoming Certified CWD Sample Collector Training is scheduled in February 2016 at Exotic Wildlife Association in Ingram, TX (50 attendees max)
- **Additional Training Programs**
 - TAMU CVM 4VM
 - Two Class of 2017 veterinary students inquiring about 4VM Externships with TAHC
 - Texas A&M Kingsville – USDA STEP UP TO CAREERS Program
 - Isaac Atkinson – 10 week internship in TAHC Region 5/8
- **Other Authorized Personnel Department Updates**
 - Disapproved CVI notification process for Texas veterinarians – monthly notification of CVI's disapproved by receiving states. One year into the new process, the numbers of disapproved CVI's coming back to Texas veterinarians appears to be decreasing significantly (Less than 100 total for January 2016). A monthly awareness/education program has been instituted to try to continue to decrease the number of disapproved CVI's returned and to help veterinarians comply with entry requirements for other states.

- 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)**
 - Request for nominations for designated shortage areas went out in December, 2015. Three new nominations were submitted for 2016 (one public practice and two private practice). A total of eight area nominations were submitted to USDA NIFA in February 2016. A VMLRP stakeholder call was held and the recommendations of the stakeholder group was for TAHC to submit the three new nominations and to submit five of the six un-awarded area submissions from 2015 as carry over nominations for 2016.

Item 9 – Presentation of Communication Initiatives

Ms. Callie Ward provided the Communications Report:

News Releases

- Array of news releases (6) distributed since last commission meeting
- Included in Commission Book

Exhibits

- Past and upcoming exhibits (two exhibits per week for March)

Interviews

- Several media interviews (print, radio and TV)
 - Miscellaneous – see included list of media interviews

Social Media Platforms

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

Item 10 – Presentation of Laboratory Update

Dr. Susan Rollo, Field Epidemiologist, presented the following in place of Dr. Roger Parker, Lab Director:

Texas State-Federal Laboratory Update February 2016

- The TAHC-Lab is actively engaged within the National Animal Health Laboratory Network (NAHLN; coordinated by USDA). This is part of a nationwide strategy to coordinate the work of all organizations providing animal disease surveillance and testing services, which can prepare for and respond to a large-scale animal disease outbreak.
 - Mission of NAHLN: A nationally coordinated network and partnership of Federal, State, and university-associated animal health laboratories. NAHLN laboratories provide animal health diagnostic testing, methods research and development, and expertise for education and extension to detect biological threats to the nation's animal agriculture, thus protecting animal health, public health, and the nation's food supply.
 - TAHC-Lab currently approved as a NAHLN Contract Laboratory for Swine Pseudorabies testing (AutoLex – automated latex agglutination; gB1 ELISA – enzyme-linked immunosorbent assay)

Summary Minutes of the 394th Commission Meeting – 2/16/2016

- Because of NAHLN organizational restructuring, the lab will become a Level 3 lab within the NAHLN pending acceptance of annual reapplication due in March 2016
- Lab will be requesting approval by NAHLN to participate in Vesicular Stomatitis equine testing (CF – complement fixation; PCR – polymerase chain reaction)
- Lab personnel actively participating in NAHLN conference calls, training webinars, web-hosted laboratory information portal, and membership surveys
- National proficiency test panels were recently passed:
 - Vesicular Stomatitis CF test – Michael Hamelwright, Nathan Kichline
 - Vesicular Stomatitis PCR detection – Caryne Hampton
 - Brucella RAP (Rapid Automated Presumptive) and FPA (Fluorescent Polarization Assay) – Bryan Krugman, Lindsey Wagon
- Lab has recently been inspected by USDA to test for Contagious Equine Metritis by culture; approval pending
- Lab is equipped and capable of conducting PCR detection of Bovine Trichomoniasis from preputial washes; will be used on a limited basis, as determined by TAHC Region Directors, by TAHC personnel to test adjacent exposed animals
- In October 2015, Beckie Link (Lab Quality Manager) participated in the joint Annual Meeting of the USAHA (US Animal Health Association) and AAVLD (American Association of Veterinary Laboratory Diagnosticians)

Sample Volume, September - December 2015	
Sample Type	Sample Numbers
Bovine Brucellosis Slaughter Blood:	243,045
Bovine Brucellosis Market Blood:	19,503
Other Brucellosis Blood:	26,131
Bovine Brucellosis Milk:	987
Brucellosis Culture:	15
Bovine Tuberculosis Blood:	1,121
Swine Brucellosis Blood:	2,797
Swine Pseudorabies Blood:	2,699
Equine Infectious Anemia Blood:	82
Ectoparasite Identification:	481

Item 11 - Presentation of Emergency Management Program Activities

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

Plans Update

TAHC Emergency Management staff continues working on required state planning documents as well as disease specific response plans. Staff has begun an extensive project with the Texas Division of Emergency Management (TDEM) to have animals included in most all state emergency management planning documents. Inclusion of animals, both agricultural and companion, into state documents will lead to development of similar document development at local levels. This project is anticipated to take three to five years to fully accomplish. Once animal planning is included in documents, preparedness, response and recovery efforts are expected to bring about higher levels of protection for all animals. As

for disease planning efforts, High Path Avian Influenza (HPAI) continues to be a threat to poultry across Texas. EM staff remains diligent in reviewing and revising planning documents and considerations as well as working with industry to assure preparedness levels remain heightened. Additionally, work continues on TAHC's foreign animal disease (FAD) response plans.

Emergency Management Responses

TAHC Emergency Management staff have been active in several response activities. In late October heavy rains across areas of Texas affected livestock and companion animals. The TAHC assisted in the coordination and response in this wide spread incident. Another significant incident which kept numerous personnel throughout the agency busy was the Winter Storm Goliath. TAHC assisted in rounding up and sorting livestock in the Panhandle as well as assist in carcass management issues. Finally, EM staff continues supporting development of incident action plans (IAPs) for the Cameron County Fever Tick outbreak. These documents assist in response and coordination of the incident.

Emergency Management and Industry Conferences

Emergency Management attended and participated in several conferences the past few months. EM staff attended the International Association of Emergency Management where we are active members of the Food and Agriculture Caucus. Additional conferences attended were the United States Animal Health Association and the Texas Environmental Health Association Conference.

Exercises

Numerous TAHC representatives participated in the Palo Duro II Foot and Mouth Disease (FMD) tabletop exercise held in Amarillo, Texas this past November. In this exercise, initial notification, diagnostics, and response activities were discussed. The Animal Health Commission along with USDA Veterinary Services, partnering state agencies, various local jurisdictions, and industry partners, Texas Cattle Feeders Association (TCFA), Texas Association of Dairymen (TAD), and the Texas Pork Producers Association (TPPA) discussed what would occur if an FMD outbreak occurred. This tabletop exercise is a prelude to a future functional exercise scheduled to be held in August 2016. Another significant exercise TAHC staff participated in was the Kansas Invisible Fire FMD exercise. Members of TAHC staff were actively engaged in exercise facilitation in Kansas. In Texas, TAHC Invisible Fire participants were in conference calls resulting in considerable discussions on how continued operations could occur if an FMD outbreak occurred.

Item 12 – Administration/Budget Status Report

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

Biennium FY 2016 & FY 2017

Appropriations/Budget

- General Revenue (GR) appropriations:
 - These totals are not contingent on revenue generated by fees approved by the Commission
 - State FY 2016
 - The TAHC is appropriated \$11.3M for State FY 2016
 - State FY 2017

- The TAHC is appropriated \$10.5M for State FY 2017
- Federal Funds and Grants (Federal Fiscal Year runs April 1 to March 31)
 - State FY 2016
 - Federal FY 2015 funds to be available to the TAHC total \$2.6M (approximately)
 - Received \$1.89M – Year-To-Date (YTD)
 - State FY 2017
 - Federal FY 2016 unknown at this time
 - Estimate in approximately \$2.1M
- Capital Budget Funding
 - State FY 2016
 - Out of the \$11.3M appropriated in GR for State FY 2016, \$411.5K is set aside for Capital Budget Purchases. The agency is restricted to the following Capital Budget Purchases:
 - \$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
 - State FY 2017
 - Out of the \$10.5M appropriated in GR for State FY 2017, \$411.5K is set aside for Capital Budget Purchases. The agency is restricted to the following Capital Budget Purchases:
 - \$261.5K towards Fleet Vehicles, will be completely allocated towards the acquisition of trucks
 - \$150K towards the Acquisition of Information Resource Technologies, will be completely allocated towards the acquisition of hardware/software and towards annual licensing renewals
 - \$86K Tech Refresh
 - \$64K Equipment Replacement

Revenues

- State FY 2016 & 2017
 - Fee Revenue is estimated per year to be approximately \$512K.
 - TAHC Portion - \$424K
 - State Portion \$87K

Full Time Equivalent Employees (FTEs):

- State FY 2016
 - The TAHC is appropriated 183.2 FTE's
 - Currently there are 167.5 FTE's

- Four (4) of which are fully federally funded, meaning that they do not count towards our FTE cap
- State FY 2017
 - The TAHC is appropriated 184.2 FTE's

Additional Appropriations:

- State FY 2016 & FY 2017
 - CAPPS (Centralized Accounting & Payroll/Personnel Systems) deployment
 - The TAHC is appropriated 1 FTE, which does not affect our FTE cap
 - \$41K
- State FY 2016 – 2.5% Salary Increase (Statewide)
 - \$175K

Budgetary Transfers:

- The TAHC has Unexpended Balance (UB) authority within the Biennium
- None to report at this time

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

Item 13 – 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 Leathers and seconded by Commissioner Jordan. The motion carried.

Item 14 – Presentation of Legal & Compliance Activities

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

Compliance Action Requests

- Received 108 from 10/1/15 to 1/31/16
- Sent 72 warning/demand letters for no scrapie tags, no dairy ID, no TB test/CVI/Trich test/ID on out of state cattle, no CVI on out of state swine, no EIA test, failure to stop at inspection station, incomplete CVI, TPQA ID Requirements, and dealer records.

Investigations

- Conducted 78 from 10/1/15 to 1/31/16

Complaints

- Filed 32 from 10/1/15 to 1/31/16 for cattle and equine entry violations/no CVI, TB test, EIA test, no EIA and Piro test at equine event, selling equine without EIA test, and failure to stop at inspection station. Fines paid in the amount of \$7,964.

Administrative Penalty

- Assessed one in the amount of \$750 for transferring ownership of equine without negative EIA test since last Commission meeting.

Item 15 – Consideration of Agreed Order in the Matter of the Commission’s Order to Inspect Cattle Issues to Danial Davis D/B/A Cascabel Cattle Co.

Gene Snelson presented an agreed order in the matter of the Commission’s order to inspect cattle issued to Daniel Davis D/B/A Cascabel Cattle Co. for consideration:

The Texas Animal Health Commission and Daniel Davis have reached an agreement regarding the presentation of cattle located within the permanent quarantine zone. No action was needed by the Commissioners.

Item 16 – 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 41, Fever Ticks, Fever Tick Vaccine

(a) The Texas Animal Health Commission (commission) proposes amendments to §41.1, concerning Definition of Terms, and proposes a new §41.8, concerning Dipping, Treatment, and Vaccination of Animals, in Chapter 41, which is entitled “Fever Ticks.”

The commission contemporaneously proposes the repeal of the existing §41.8, concerning Dipping and Treatment of Livestock.

The purpose of the amendments to §41.1 is to add a fever tick vaccine definition. The purpose of a new §41.8 is to add a fever tick vaccine requirement for beef cattle located in a control purpose quarantine area, temporary preventative quarantine area or tick eradication quarantine area, and other beef cattle or premises epidemiologically determined by the commission to be at an increased risk for fever ticks. A new §41.8 will also clarify and better organize the different requirements for dipping, treatment, and vaccination. The title of §41.8 is being changed to accurately capture that the requirements apply to animals capable of hosting or transporting ticks capable of carrying Babesia and includes vaccination requirements.

Commissioner Locke moved and Commissioner Vickers seconded a motion to PROPOSE the amendments to Chapter 41, Fever Ticks, located in Title 4 of the Texas Administrative Code, and the repeal of Section 41.8 with re replacement of a new Section 41.8. The motion to approve the proposed amendments and to publish it in the Texas Register with a 30 day comment period passed.

Item 17 – 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 33, Fees, Repeal Lab and Herd Status/Certification Fees

(b) Chapter 49, Equine, EIA Testing

- (a) The Texas Animal Health Commission (commission) adopts the repeal of §33.4, concerning Laboratory Fees, and §33.5, concerning Herd Status/Certification Fees, in Chapter 33, which is entitled “Fees”.

The agency had fee authority for these rules under §161.060(b) of the Texas Agriculture Code, which is entitled “Authority to Set and Collect Fees”. The authority allowed the commission by rule to set and collect a fee for any service provided by the commission, including: (1) the inspection of animals or facilities; (2) the testing of animals for disease; (3) obtaining samples from animals for disease testing; (4) disease prevention, control or eradication, and treatment efforts; (5) services related to the transport of livestock; (6) control and eradication of ticks and other pests; and (7) any other service for which the commission incurs a cost. Subsection 161.060(b) expired on August 31, 2015, as such the agency is repealing certain fee rules that are no longer authorized by statute.

A motion to ADOPT the amendment to Chapter 33, Fees, located in Title 4 of the Texas Administrative Code was made by Commissioner Jordan and seconded by Commissioner Oates. The motion carried.

- (b) The Texas Animal Health Commission (commission) adopts a new §49.7, concerning Persons or Laboratories Performing Equine Infectious Anemia Tests, in Chapter 49, which is entitled “Equine”.

The purpose of the new section is to add a requirement that a person or laboratory who performs an official Equine Infectious Anemia (EIA) test in the State of Texas must meet and be in compliance with the requirements found in Title 9 Code of Federal Regulations §75.4(c), which is entitled “*Approval of Laboratories, and Diagnostic or Research Facilities*”.

House Bill 3738 was passed during the 84th Regular Texas Legislative Session amending the Texas Agriculture Code to require the commission to adopt rules that require a person or laboratory to be approved by the commission if the person or laboratory performs an official EIA test. The bill requires the rules to include approval requirements; provisions governing the issuance, renewal, and revocation of an approval; inspection requirements; recordkeeping requirements; equine infectious anemia testing methods approved by the commission; and proficiency standards.

The commission has certain EIA testing requirements for equine. The United States Department of Agriculture has a process for the approval of diagnostic laboratories which conduct EIA tests. This amendment proposes to adopt these same requirements for intrastate testing by reference to 9 CFR §75.4(c). There is discussion at the federal level that may alter the current federal role in regulating diagnostic laboratories which test for EIA and potentially leave the responsibility of approving such laboratories to the states. If the federal program is abandoned, the commission will propose and enact state standards.

A motion to ADOPT the amendment to Chapter 49, Equine, located in Title 4 of the Texas Administrative Code was made by Commissioner Vickers and seconded by Commissioner Jordan. The motion carried.

Item 18 – Public Comment

Public comment was heard at the time of the Emergency Management Report on emergency response activities related to Winter Storm Goliath.

Item 19 – 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.

Item 20 – Closed executive session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a specific commission employee as permitted by section 551.074 of the Texas Government Code.

Item 21 – Consideration of any action following the closed executive session.

There was no consideration of action following the closed session concerning pending or contemplated litigation.

The appointment of Dr. Andy Schwartz as Interim Executive Director was approved for a period of six months.

Item 22 – Adjournment

The date for the 395th Commission Meeting was not set at the time of the meeting, but is tentatively scheduled for mid-May 2016. Notice will be posted on the agency's website when the next Commission meeting date has been set.

Meeting adjourned at 11:20 a.m.