

The Texas Animal Health Commission (commission) proposes amendments to §39.9, concerning Chorioptic Mange, in Chapter 39, which is entitled “Scabies”. The purpose of the amendments is to include new types of acceptable treatment for Chorioptic Mange.

Scabies (from Latin: *scabere*, "to scratch") is a contagious skin infection. The infection in animals is caused by a different but related mite species, and is called sarcoptic mange. Scabies may occur in a number of domestic and wild animals; the mites that cause these infestations are of different scabies subspecies. Scabies-infected animals suffer severe itching and secondary skin infections. They often lose weight and become frail. The most frequently diagnosed form of scabies in domestic animals is sarcoptic mange, which is found on dogs. The scab mite *Psoroptes* is the mite responsible for mange.

FISCAL NOTE

Ms. Larissa Schmidt, Director of Administration, Texas Animal Health Commission, has determined for the first five-year period the rule is in effect, there will be no significant additional fiscal implications for state or local government as a result of enforcing or administering the rule. An Economic Impact Statement (EIS) is required if the proposed rule has an adverse economic effect on small businesses. The agency has evaluated the requirements and determined that there is not an adverse economic impact and, therefore, there is no need to do an EIS. Implementation of this rule poses no significant fiscal impact on small or micro-businesses.

PUBLIC BENEFIT NOTE

Ms. Schmidt has also determined that for each year of the first five years the rule is in effect, the public benefit anticipated as a result of enforcing the rules will be to protect our livestock industry from exposure to Scabies by use of some newer treatment products.

LOCAL EMPLOYMENT IMPACT STATEMENT

In accordance with Texas Government Code §2001.022, this agency has determined that the proposed rule will not impact local economies and, therefore, did not file a request for a local employment impact statement with the Texas Workforce Commission.

TAKINGS ASSESSMENT

The agency has determined that the proposed governmental action will not affect private real property. The proposed amendments are an activity related to the handling of animals, including requirements for testing, movement, inspection, identification, reporting of disease, and treatment, in accordance with 4 TAC §59.7, and are, therefore, compliant with the Private Real Property Preservation Act in Government Code, Chapter 2007.

REQUEST FOR COMMENT

Comments regarding the proposal may be submitted to Carol Pivonka, Texas Animal Health Commission, 2105 Kramer Lane, Austin, Texas 78758, by fax at (512) 719-0721 or by e-mail at "comments@tahc.state.tx.us".

STATUTORY AUTHORITY

The amendments are proposed under the following statutory authority as found in Chapter 161 of the Texas Agriculture Code. The Commission is vested by statute, §161.041(a), with the requirement to protect all livestock, domestic animals, and domestic fowl from disease. The Commission is authorized, by §161.041(b), to act to eradicate or control any disease or agent of transmission for any disease that affects livestock. If the Commission determines that a disease listed in §161.041 of this code or an agent of transmission of one of those diseases exists in a place in this state among livestock, or that livestock are exposed to one of those diseases or an agent of transmission of one of those diseases, the Commission shall establish a quarantine on the affected animals or on the affected place. That authority is found in §161.061.

As a control measure, the Commission, by rule may regulate the movement of animals. The Commission may restrict the intrastate movement of animals even though the movement of the animals is unrestricted in interstate or international commerce. The Commission may require testing, vaccination, or another epidemiologically sound procedure before or after animals are moved. That authority is found in §161.054. An agent of the Commission is entitled to stop and inspect a shipment of animals or animal products being transported in this state in order to determine if the shipment originated from a quarantined area or herd; or determine if the shipment presents a danger to the public health or livestock industry through insect infestation or through a communicable or noncommunicable disease. That authority is found in §161.048.

Section 161.005 provides that the Commission may authorize the executive director or another employee to sign written instruments on behalf of the commission. A written instrument, including a quarantine or written notice signed under that authority, has the same force and effect as if signed by the entire Commission.

No other statutes, articles or codes are affected by the amendments.

39.9. Chorioptic Mange.

(a) All livestock infested with or exposed to chorioptic mange will be dipped, ~~or sprayed,~~ injected or topically treated pursuant to the procedures for treatment of exposure to psoroptic scabies or as otherwise directed by the commission. ~~The executive director may authorize the use of a spray for the eradication of chorioptic mange if dipping facilities are not available.~~

(b) When dipping is the selected treatment, the following procedures shall apply:

(1) All infested or exposed livestock must be dipped twice with Co-Ral (Coumaphos) or GX-118 (Prolate), ten to 14 days apart. They must be kept in the dipping vat at least one minute. The heads of all animals must be submerged and wet before the animals leave the vat.

(2) At the first dipping, all animals will be counted and paint-branded on the left hip or side. At the second dipping, a similar brand will be placed on the right hip or side.

(c) When Avermectins are the selected treatment, the following procedures shall apply:

(1) All infested or exposed livestock must be treated with Ivermectin, Doramectin, Eprinomectin,

Moxidectin or Cydectin.

(2) All infested or exposed livestock must be treated in accordance with the label directions under the supervision of the commission; the United States Department of Agriculture, Veterinary Services; or an accredited veterinarian.

(3) Treated livestock may be released from quarantine not less than 14 days from date of treatment provided they have been kept physically separated for 14 days from all untreated livestock.

(4) Dairy cattle of breeding age must not be treated with Ivermectin, Doramectin or Moxidectin.

(5) Livestock treated with Avermectins must be withheld from slaughter according to label directions.