

Meeting Minutes: Board of Animal Health Quarterly Meeting

Date: 02/24/2021

Location: Microsoft Teams

Attendance

Board Members

- Dean Compart, President
- Matt Anderson, Vice President
- Erica Sawatzke
- Jim Vagts
- Peggy Anne Hawkins

Consultants to the Board

- Peder Kjeseth, Minnesota Department of Agriculture
- Laura Molgaard, University of Minnesota College of Veterinary Medicine
- Stephan Schaeffbauer, USDA Animal and Plant Health Inspection Service (USDA-APHIS), Veterinary Services
- Joni Scheffel, Minnesota Department of Health
- Jerry Torrison, University of Minnesota Veterinary Diagnostic Laboratory

Guests

- Sarah Anderson, Minnesota Turkey Growers Association
- Karina Burger, USDA-APHIS Veterinary Services
- Jim Byrne, Minnesota Elk Breeder
- Michelle Carstensen, Minnesota Department of Natural Resources
- Amy Cordry, Member of the public
- Pam Debele, Minnesota Turkey Growers Association
- Craig Engwall, Minnesota Deer Hunters Association
- Elaine Hanson, Minnesota Pet Breeders Association
- Brenda Hartkopf, Minnesota Elk Breeders Association
- Cathy Hovancsak, USDA-APHIS
- John King, Minnesota Department of Agriculture
- Tony Kwilas, Lobbyist, Minnesota Elk Breeders Association/Minnesota Pork Producers Association
- Peter Larsen, University of Minnesota College of Veterinary Medicine
- Josie Lonetti, Minnesota Farm Bureau
- Michelle Medina, Minnesota Farmers Union
- Nicole Neeser, Minnesota Department of Agriculture
- Tamara Nelsen, Minnesota AgriGrowth Council
- Denis Quarberg, Minnesota Deer Hunters Association
- Mackenzie Reberg, USDA-APHIS Veterinary Services
- Peter Ripka, Minnesota Farmers Union
- Marc Schwabenlander, Minnesota Center for Prion Research and Outreach
- William Snow, USDA-APHIS

- Arnold Vang, CDC
- Darren Vogt, 1854 Treaty Authority
- Julia Wilson, Minnesota Board of Veterinary Medicine
- 12 unidentified users

Staff

- | | | |
|-------------------------|--------------------|------------------|
| • Beth Thompson | • Brian Hoefs | • Karina Burger |
| • Linda Glaser | • Kara Schmidt | • Sue Chapman |
| • Dale Lauer | • Michael Crusan | • Heather Damico |
| • Shauna Voss | • Michael Herrmann | • Terry Sistad |
| • Stacey Schwabenlander | • Addie Evans | • Erin Crider |
| • Courtney Wheeler | • Annie Balghiti | |

Call to Order/Approval of Agenda and December 9, 2020 minutes

Dean Compart called the meeting to order and began by reading from the “Certificate of the Board of Animal Health; Resolution to hold Meeting Electronically:”

“It is RESOLVED that this quarterly Board Meeting shall be conducted electronically, in a manner in which all Board members can hear one another and hear all discussion and testimony. All votes shall be conducted by roll call. Members of the public may monitor this meeting remotely by the teleconference line that is noticed on the Board of Animal Health website.”

Mr. Compart made a motion to accept the resolution and asked for a second. Peggy Anne Hawkins seconded the motion. There was no discussion, and Mr. Compart asked board members to vote on the motion by roll call. All voted aye.

Mr. Compart asked if there were any changes to the posted agenda. Dr. Thompson noted Mr. Kjeseth would be presenting first, and the Board Update would be presented later in the meeting. She also requested that Dr. Glaser give an update on the Houston County herd that tested positive for chronic wasting disease (CWD). This update will be inserted just before the Farmed Cervidae Rule Making discussion.

Mr. Compart asked for a motion to approve the agenda with modifications. Matt Anderson made the motion, and Erica Sawatzke seconded it. There was no discussion, and members voted by roll call. All voted aye to approve the agenda.

Mr. Compart then asked for a motion to approve the draft minutes from the December 9, 2020, meeting. Jim Vagts made the motion; Dr. Hawkins seconded it. There was no discussion, and members voted by roll call, with all voting aye to approve the minutes.

Legislative Update

Peder Kjeseth, Legislative Liaison for the Board, outlined a number of bills regarding the Board of Animal Health. The first two pertain to the makeup of Board membership. Unless otherwise noted, these bills have companion bills in the senate.

- H.F. 1137 (Rep. Hanson) would increase the size of the Board from five members to nine members, including two at-large members and seven regional members based on the state’s congressional districts. The bill also requires that two members be members of the public not employed in agricultural or veterinary professions.
- H.F. 138 (Rep. Sundin) would require one of the five members of the Board to be a member of a federally recognized tribe in Minnesota. This bill was heard in the House Agriculture Committee last week, and there

was good discussion. Tribal groups are concerned with venison and CWD, as well as other issues pertaining to the Board. The bill as was laid over for further consideration.

Other bills pertaining to Board programs:

- H.F. 219 (Rep. Ecklund) would allow a hunter to kill and possess an escaped farmed cervid and not be liable to the animal's owner. This bill also requires farmed cervids to have identification that includes the owner's name or address.
- H.F. 880 (Rep Green) would allow the owner of a CWD-infected farmed Cervidae herd not have to depopulate their herd if it is enrolled in a CWD research study with the University of Minnesota. It also makes provisions to require the Board to compensate the herd owner for live-animal CWD testing. This bill does not have a senate companion but will likely get a hearing in the House Agriculture Committee.
- H.F. 888 (Rep. Green) would require the Board to use live-animal testing when there is a suspected case of CWD. It also would require the Board to consider relevant CWD test results from other states when determining a herd's CWD status. This bill does not have a senate companion.
- H.F. 1405 (Rep. Becker-Finn) would require the owner of a CWD-positive herd to depopulate the herd at their own expense unless there are state or federal funds available for compensation.
- H.F. 1406 (Rep. Becker-Finn) is similar to H.F. 219 but changes some of the herd owner identification requirements for animal ID tags.
- H.F. 208 (Rep. Freiberg) would establish a Companion Animal Board in Minnesota. This bill does not have a hearing scheduled but has been referred to the State Governance Committee.

Dr. Thompson, referring to H.F. 888, clarified that the Board does accept official testing done in other states. She also stated the Board is discussing University research testing, as referred to in H.F. 880, with Dr. Peter Larsen. Minnesota is fortunate to have researchers working on live animal testing. Dr. Larsen said the University has concerns with the language of H.F. 880 and the potential environmental impacts this bill could have. These concerns were submitted through the University when the bill was introduced.

Ms. Sawatzke referred to H.F. 138 and asked what Board issues are of interest to tribes besides venison and CWD. Mr. Kjeseth said they are concerned with foreign animal diseases, such as African Swine Fever (ASF) and Avian Influenza (AI), that could have an impact on the food supply. During the bill's hearing, Chairman Dupuis of the Fond du Lac Band of Superior Chippewa expressed a desire to have a seat at the table to gain understanding of Board's work.

Mr. Compart referred to H.F. 219 and asked for confirmation that the required tags would have an address and phone number, not a name. Dr. Thompson said tags would have the owner's phone number or address and would not include a name. Mr. Compart then asked if a premises ID is currently required to be on an ID tag. Dr. Schwabenlander stated every official tag is tied to a premises, and individual tag numbers are tracked in the Board's database. The tags themselves do not have a premises ID inscribed on them. The only species with USDA-approved premises ID tags is swine. A cervid producer could have their premises ID added to official ID tags purchased from a manufacturer, but that would be at the owner's expense.

USDA Update

Dr. Stephan Schaeffbauer said the USDA added a horizontal grinder to its veterinary stockpile. The grinder was delivered and tested yesterday and is fully operational. Contractors will conduct further tests with the grinder soon.

USDA-APHIS Veterinary Services and Wildlife Services are hosting a virtual chronic wasting disease (CWD) stakeholder engagement meeting this week. The goals of the meeting are to allow current cooperative agreement recipients to showcase their projects on CWD, get stakeholder feedback, and discuss applying for the next funding opportunity.

Project categories include wildlife management, farmed cervid management, wildlife research, and farmed cervid research.

APHIS has added two laboratories, including the Minnesota Poultry Testing Laboratory (MPTL), to the list of National Animal Health Laboratory Network (NAHLN) labs approved to test for African Swine Fever (ASF) and Classical Swine Fever (CSF). The approval is for foreign animal disease investigation testing only. With these additions, NAHLN labs can test up to 285,000 animals per day if needed for disease response.

Minnesota Veterinary Services is almost fully staffed. Christina Kreuser, the new animal health technician (AHT) in the South District, will start on March 1. Dr. Schaeffbauer is in the process of reviewing applications for the remaining vacant AHT position in the Central District.

The U.S. has surpassed 500,000 deaths from COVID-19. President Biden is committed to vaccinating 100 million citizens within his first 100 days in office. AHPIS employees with the proper skills and certifications have been given a Federal Emergency Management Agency (FEMA) mission assignment to assist with human vaccinations. Drs. Kent Hicks and Steve Just are currently deployed, and Drs. Karina Burger and Robyn Corcoran will deploy next month.

COVID-19 and Minnesota Department of Health Update

Dr. Joni Scheftel outlined the current COVID-19 guidelines in Executive Orders 21-01 and 21-07. For animal events and shows, masking will be required indoors, people must maintain 6' social distancing, and a 50 percent and 250-person maximum will be allowed for any indoor or outdoor gathering. She also noted that patrons must be seated while eating and drinking at any venue. This could present challenges during the upcoming fair season.

Dr. Scheftel said a tiger at a Pine County wildcat sanctuary tested positive for SARS-CoV-2 in January 2021. The public is not allowed in the sanctuary, but of 137 cats on the premises, 25 were symptomatic. In addition to the positive tiger, five cats were tested, and none were positive. Four sanctuary employees were COVID-positive around the time the tigers were symptomatic, and the MDH could not determine exactly where the infection originated.

Minnesota's COVID infection rate has been down for several weeks. She noted that northwestern Minnesota is experiencing a high incidence rate, saying Pennington County recently ranked twelfth in the nation for case incidence rate. Reasons for this may include reduced mask wearing, lack of social distancing in restaurants and bars, and individuals not staying home when sick. MDH is testing samples from this area for variant strains, and vaccine drives are planned for the area.

The state has vaccinated over 760,000 people in the last month. Forty-two percent of Minnesotans over 65 have had at least one dose of vaccine, and 6.5 percent of all Minnesotans have completed the series. There have been no reports of serious side effects. Dr. Scheftel encouraged everyone to [register on the Vaccine Connector website](#) to receive notifications when they are eligible to get vaccinated.

Mr. Compart asked how MDH decides which samples to test for the virus variants. Dr. Scheftel said MDH does routine random sampling and tests samples if something unusual is happening, like the higher case incidence in Pennington County. She said the state has identified over 100 cases of variant strains, and many of those cases do not involve travel, so the variants are already spreading in the community.

Sarah Anderson asked if individuals identified themselves as an agricultural worker in the Vaccine Connector, will they get notified when that group can get vaccinated. Dr. Scheftel said yes, and individuals should sign up on the Vaccine Connector website. Agricultural companies interested in vaccinating their employees should go to their county health department website and register as a Phase 1b facility. Large companies should contact their county public health director to coordinate this to be ready when Phase 1b begins.

Board of Animal Health Update

Dr. Beth Thompson stated there have been several state veterinarians around the U.S. who are retiring in the next few months. Some of those positions are being filled. Dr. Mike Neault from North Carolina is now the state veterinarian in South Carolina. The Board will be watching to see what happens in other states.

Dr. Thompson discussed two federal programs. The [Veterinary Medicine Loan Repayment Program](#), provides repayment of student loans for new veterinarians who agree to provide services in designated underserved areas. The Board helps coordinate the program's veterinary shortage areas for Minnesota. The [Veterinary Services Grant Program](#), aims to relieve veterinary shortage areas and support veterinary services. Qualifying entities can apply for this grant in the categories of Education, Extension and Training or Rural Practice Enhancement. She encouraged those qualified to apply for either program.

Dr. Rodger Main of Iowa State University has stood up [The U.S. Swine Improvement Plan \(US SHIP\)](#), a pilot project modeled after the National Poultry Improvement Plan (NPIP). Dr. Main hired Dr. Jerry Torrison and Dr. Montse Torremorell of the University of Minnesota as investigators to help develop and implement an ASF-CSF Monitored Certification Program. Dr. Main aims to have the US SHIP ASF-CSF Certification Program initiated in the fourth quarter of 2021.

Dr. Thompson thanked USDA Veterinary Services staff for their work on the depopulation of the CWD-positive herd in Houston County, including Dr. Mary Donahue for her work in epidemiology, Drs. Karina Burger and Tony Dank for securing indemnity funding for the herd, and Dr. Mackenzie Reberg for coordinating the depopulation.

College of Veterinary Medicine Update

The College of Veterinary Medicine's (CVM's) partnership with South Dakota State University (SDSU) (also called the "Two-Plus-Two Program") continues to move forward. SDSU is finalizing their admissions process and is sending out letters to this year's applicants. Students will start at SDSU Brookings this fall and will move to the CVM in 2023.

Dr. Laura Molgaard discussed the state funded Rural DVM Loan Repayment Program. Each year, the CVM selects five students for this program, which provides each recipient with up to \$15,000 a year for five years in exchange for spending at least 50 percent of their time caring for food animals. This program benefits recent veterinary graduates, who have a high debt-to-income ratio, as well as areas of the state with a shortage of food animal veterinarians. The governor's proposed budget eliminates funding for the program, which costs \$375,000 annually. Dr. Molgaard said the CVM is working with the Minnesota Veterinary Medical Association (MVMA) and University Government Affairs to address this during the legislative session.

Dr. Molgaard mentioned several ongoing CVM activities, including Dr. Larsen's teams' work on a field deployable CWD test using lymphoid tissue and provides results within 24 hours. They will be working with the DNR to use the test and observe its effectiveness and usability. The first field deployment will be in early March. The Minnesota Center for Prion Research and Outreach (MNPRO) is also submitting their first round of publications documenting the utility of RT-QulC, a live-animal CWD test, on a variety of sample types. Protocols for feces and blood samples are available now, and others are in development.

The CVM is hiring a director of diversity. This position will work on issues surrounding diversity, equity and inclusion in the CVM community. The CVM was planning this strategic initiative for a couple of years and does not affect current faculty or staff funding.

Veterinary Diagnostic Laboratory Update

Dr. Jerry Torrison stated the Veterinary Diagnostic Laboratory (VDL) ordered equipment using grant funds received from the state legislature during the 2020 session. It will take a few months for the equipment to be delivered and installed.

As part of the VDL's budget reduction efforts, retirement incentives were offered to several staff, and four people chose to retire. The VDL will refill two of those positions. Dr. Torrison noted that some other experienced staff members have moved to positions outside the University. Based on a comprehensive review of their position descriptions and compensation, the VDL has a plan for structuring compensation in the future.

The VDL's alkaline hydrolysis digester sprung a leak in the steam jacket and is broken. The VDL, the Board and the DNR are all involved in the repair discussions.

International Import Requirements for Dogs and Cats

Minnesota Import Requirements

Dr. Courtney Wheeler stated the Board regulates dogs and cats coming from other states and internationally. They work closely with the Centers for Disease Control (CDC) and the USDA on regulating international imports, as often animals bound for Minnesota enter the U.S. through other states. The goal of the requirements is to prevent the introduction of diseases, including foreign animal diseases like African Swine Fever (ASF).

If a dog or cat is coming in from another state, the Board needs a Certificate of Veterinary Inspection (CVI) documenting the rabies vaccination (for animals over three months old) and a veterinary health exam.

For international imports, the animal must have an international health certificate, a rabies certificate if the animal is over three months old, and a CVI from the state of entry, if applicable. An international import permit may also be required under federal regulations. This documentation must be submitted by email or mail to the Board at least seven days prior to the animal's arrival in Minnesota.

Dr. Wheeler noted the differences among international health certificates, CVIs, and health certificates. International health certificates come from the country of origin. CVIs are required for any dog or cat sold or distributed to other states within the U.S. and can only be completed by an accredited veterinarian. Health certificates are completed by a licensed breeder. All three documents need to be completed within 30 days of the date of sale or distribution, certify the animal is current on vaccinations and has no signs of infectious or contagious diseases.

She noted the Board instituted a required 10-day quarantine for all animals coming from countries with ASF. Those caring for quarantined animals must follow certain protocols in the categories of quarantine and biosecurity, animal care, and transport-associated materials. Board or USDA field staff must verify these protocols are being followed during the quarantine and visit the site to release the animal from quarantine.

USDA Import Requirements

Dr. William Snow said the USDA Animal Care Program's Live Dog Import Team regulates animals imported for commercial resale. Dogs must be at least six months old and in good health at the time of entry. They must be vaccinated for rabies and distemper, hepatitis, leptospirosis, parvovirus, and parainfluenza virus (DHLPP) at least 30 days prior to entry. Documentation must include an import permit issued by APHIS, an international health certificate and a rabies vaccination certificate.

Dr. Snow said exceptions to import requirements include animals imported for use in research or for veterinary treatment. If entering for veterinary treatment, the treatment must be unavailable in the country of origin.

The USDA has additional regulations for animals coming from areas affected by screwworm and foot-and-mouth disease (FMD). Dogs used in the handling of livestock and coming from any part of the world other than Canada, Mexico, parts of Central America or the West Indies must be free of tapeworms.

Mr. Compart commented pigs imported from Northern European countries are required to be tested at the country of origin and quarantined off the U.S. coast before entering the country. He asked if it would be prudent to do something similar for dogs. Dr. Snow said he understood those concerns, but the USDA can only regulate under the authority given by the U.S. Congress. The current laws do not give authority to quarantine dogs upon importation.

Mr. Compart asked where most imported dogs come from. Dr. Snow said many come from Mexico and countries in South America, Asia and Eastern Europe. Some are rescue dogs, and others are purebred, mostly French and English Bulldogs, which are currently popular breeds.

CDC Import Requirements

Dr. Arnold Vang, Officer in Charge at the Minneapolis Quarantine Station, said the CDC regulates dogs and cats to prevent the importation of zoonotic diseases, especially rabies. The CDC does not require imported dogs to have a health certificate, but they do require a rabies vaccination certificate when coming from a high-risk country, or proof that the animal has not been in a high-risk country for at least six months. The CDC may issue an import permit for dogs coming for veterinary treatment, research, or military moves.

Puppies must be at least 12 weeks old to receive a rabies vaccination, and they must be vaccinated at least 28 days before entry to the U.S. Dogs also must be at least 16 weeks old upon entry. Adult dogs (15 months or older) must show a history of previous rabies vaccination and a current booster.

Once dogs arrive at the airport, CDC agents do a visual inspection, looking for signs of illness, including being unresponsive to stimuli, vomiting, diarrhea, blood in the kennel, or screwworm infestations. The U.S. Customs and Border Protection and other partners help perform these inspections and deal with any ill animals or suspected fraudulent documentation.

CWD in Wild Deer and Winter Culling

Dr. Michelle Carstensen displayed a map showing where DNR CWD surveillance activities occurred this fall and winter. The DNR collected over 7,100 hunter harvested samples and found 21 new CWD-positive cases, two in the South Metro Deer Permit Area (DPA) 605, and 19 in the Southeast Surveillance Zone, where the disease is persistent.

Dr. Carstensen noted CWD prevalence in the Fillmore County area remains low (.81 percent), saying while the disease is persistent and appears to be spreading outward from the Preston-Lanesboro area, there has been no significant increase in prevalence since 2016. She said prevalence in the Winona County area is low (.78 percent) but increasing since CWD was detected in an area farmed cervid herd in 2017.

Dr. Carstensen then discussed the DNR's winter culling objectives. The DNR plans to cull at least 500 deer at a higher risk of being CWD positive and depositing prions into the environment. Culling operations are set up within three miles of known CWD positive cases. Evidence from their 2019 and 2020 management efforts suggest targeted culling was three to seven times more likely to result in a CWD-positive case compared to regular hunter harvesting in the same area. In addition, the DNR uses culling to study relatedness of culled deer to help determine whether social groups are high risk for CWD exposure and to study the distribution of the prion protein (PRNP) gene in wild deer, especially in

areas with CWD positive detections, to determine how much particular genotypes play a role in CWD susceptibility. The DNR received \$250,000 from the USDA for culling efforts this winter.

Dr. Carstensen then covered this year's culling planning. The DNR classified sections as first, second or third priority. They are required to have signed permission from landowners for the USDA to remove animals on private property and permits to work on public land. Currently, 62 private landowners have granted permission for first, second and third priority areas in the Southeast and South Metro areas.

Dr. Carstensen noted advances in CWD science and diagnostics, including the DNR's partnership with the University of Minnesota and on an improved diagnostic test for CWD, as well as the work of [MNPRO](#) and the [Center for Infectious Disease Research and Policy \(CIDRAP\)](#).

Dr. Glaser asked Dr. Carstensen if she had information on the deer population around the City of Rochester, as a deer hit by a car in the city tested positive for CWD. Dr. Carstensen said not much is known about the deer in that area. The positive deer was hit near the Mayo Clinic, and there is little ability to do hunter surveillance in the area. The DNR's local area managers are working with the City of Rochester to get notifications when deer are killed on the road.

Mr. Compart asked if the DNR has any results on their genetic studies. Dr. Carstensen said there are no results available yet.

Mr. Vagts, a producer from the Preston area, commended the DNR for their swift response to CWD in southeast Minnesota. He asked if their response plans are working as anticipated, and if the Board can do anything to help. Dr. Carstensen said the success of the culling program remains to be seen. They cannot be sure immediately if they are removing the right animals. The program is not popular with landowners and is very expensive, but it is one of the few tools the DNR has to remove diseased animals. As far as Board support, she said she was glad to be a part of the Farmed Cervidae Rulemaking Advisory Committee to work on an agreement in terminology and CWD risk messaging. She added the biggest area for improvement is preventing commingling of wild and domestic deer. She encouraged strategic thinking about how to keep animals separated.

Ms. Sawatzke asked how the DNR decides which deer to take in a culling operation. Dr. Carstensen said the selection is about the culling priority areas, not individual animals. Culling work is done through a contract with USDA Wildlife Services, who bait the deer, and any animals who come to the bait are removed. Some landowners set limits on how many animals can be taken, and the DNR follows their instructions.

Mr. Compart asked what Dr. Carstensen's ideal response plan would be for the South Metro area. She said culling would be her first choice today, as it would likely reduce the number of diseased animals in the area. The DNR is calling landowners in attempts to get permission. She would also like more surveillance of the areas surrounding DPA 605 to get a better idea of disease prevalence in the area.

Mr. Compart asked what movements the DNR are examining with their collared deer study. Dr. Carstensen said the study primarily looks at the spring dispersal, when the fawns move to find their new home range. Once these animals are a year old, the DNR watches for seasonal movement patterns. Some animals stay in their home range, while others will move southwest to Iowa in winter and return to Minnesota in the spring.

Houston County Herd Update

Dr. Linda Glaser recently released the final CWD test results from the positive Houston County herd. With the late December federal budget resolution, indemnity funds became available for this herd, which was depopulated on January 26, 2021. To receive indemnity, the herd owner had to sign a herd plan in which he agrees to meet requirements for cleaning and disinfection, fencing maintenance and posting of biohazard signs for a specified time period.

Nine of 46 animals depopulated tested CWD positive. With the original positive doe and animals tested before the depopulation, the total of CWD positive animals was 10 out of 51. In total, five females and five males were positive, and three of them were less than one year old. Three of the depopulated deer were both obex and lymph node positive, while the other six were only lymph node positive, indicating a more recent infection.

Dr. Glaser gave an update on the tracing investigation, much of which was complete as of the December 2020 Board meeting. The remaining exposed animals are in a Winona County herd (113 exposed animals) and a Beltrami County herd (11 exposed animals), both of which remain quarantined. The Winona County herd owner wants to enter into a herd plan with the Board to stay quarantined. He has tested 30 animals this fall, with all being CWD not detected. The Beltrami County exposed animals were appraised last week, and the owner is applying to the USDA for indemnity for depopulation.

Dr. Karina Burger asked if the positive fawns were offspring of positive does. Dr. Glaser said the Board was looking into that possibility.

Mr. Compart asked if there was a breakdown of the age of the positive deer. Dr. Glaser said the Board does not track exact birthdates, but the fawns were born last spring. Mr. Compart commented the infection seemed to move quickly for these fawns to test positive and noted that the Board does not currently require CWD testing for animals under one-year-old. Dr. Glaser said these animals were probably exposed from the day of their birth, so the potential for early infection was high. She stated the Board also found fawns with CWD in the 2020 Pine County positive herd.

Ms. Amy Cordry asked how long the Winona County herd will be under quarantine. Dr. Glaser said the herd must remain under quarantine for five years from the date of last known CWD exposure. The last known positive animal left the herd in October 2019, so quarantine would be in effect until October 2024.

Farmed Cervidae Rulemaking Update

Farmed Cervidae rulemaking process update

Ms. Annie Balghiti showed a diagram of the rulemaking process under the Administrative Procedure Act (APA) and indicated where the Board is in its Farmed Cervidae rulemaking process. She reviewed the steps the Board has taken in the process since it began. She noted the Board has published nine proposed rules drafts with input from the public and from the Farmed Cervidae Advisory Committee. All are available on [the Board's Rulemaking webpage](#).

The next major step is to publish the Notice of Intent to Adopt Rules, which she and Dr. Glaser hope to present with the final rules draft to the Board for approval at the April 2021 meeting. Before the meeting, Board staff will provide members with the Statement of Need and Reasonableness (SONAR), all public comments, listening session notes, advisory committee meeting notes and a report on the work of the advisory committee, and any written feedback from advisory committee members.

Once the Board approves and publishes the Notice of Intent to Adopt Rules, a second minimum 30-day public comment period opens. Comments submitted prior to this comment period are reviewed and considered by rulemaking staff but are not necessarily included in the formal rulemaking record. All comments submitted during the second comment period are reviewed by the administrative law judge as part of the formal rulemaking record. Ms. Balghiti also stated the Board's rulemaking staff will respond to every written comment submitted during the second comment period.

Ms. Balghiti stated today's rulemaking presentation is an update on, and discussion of, the current rules draft. She encouraged Board members to ask questions and make comments.

Draft proposed rules discussion

Dr. Glaser shared the [February 19, 2021 draft proposed rules](#) from her screen, highlighting significant changes since a draft was presented at the December 9, 2020, quarterly meeting.

Note: for brevity, only the reference is given for each section.

1721.0370 DEFINITIONS.

The Board added definitions for “Commingled animals” and “Exclusionary fencing.” Both terms are used in other rules sections, so it was important to include their definitions. They also renamed the term “CWD Management Zone” to “CWD Farmed Cervidae Management Zone” to differentiate this as Board regulations for farmed Cervidae. They deleted definitions for “TB accredited free herd” and “Brucellosis certified free herd,” as neither term is used in the rules.

1721.0380 GENERAL REQUIREMENTS

Subp. 3, Inspections. In section A, the Board added, “If the fencing deficiency compromises the ability of the farmed Cervidae owner to prevent the escape of farmed Cervidae from the enclosure, the owner must take immediate steps to keep the herd confined within the enclosure.” This is to clarify the Board’s expectations.

They also added section C, “When a farmed Cervidae owner closes out a farmed Cervidae herd and will no longer possess farmed Cervidae, the owner shall permit a representative of the Board to conduct an inspection of the premises to verify a null inventory.” Dr. Glaser explained this has been a normal Board procedure, but the wording was added for clarification.

Subp. 4, Herd inventory. In referring to how often a complete animal inventory must be done, the Board changed “annually” to “every 12 months.” They also added clarifying language to define that the farmed Cervidae owner and an accredited veterinarian with no ownership interest in the herd or premises must verify the accuracy of the herd inventory.

Subp 5, Fencing. In section A, the board added “forms of latching closures to “mechanisms that keep the gate closed when not in use” to clarify the intent of the rule.

The Board added section B, which is language from statute, to clearly show the Board can revoke herd registrations and order the owner to remove or destroy the animals as a consequence for fencing deficiencies.

They deleted language requiring future herd owners to construct fences that are 120” in height. The Board received several comments concerned about this requirement, so it was removed.

Subp. 6, Running at large prohibited. The Board added language requiring the herd owner to keep records of escape events.

Subp. 7, Removal of Wild Cervidae. In section A, the Board replaced the word “facility” with “enclosure,” to clarify the area from which the owner needs to remove wild Cervidae.

1721.0410 INTRASTATE MOVEMENT OF FARMED CERVIDAE

Subp. 3, CWD Herd Surveillance status. Since the December meeting, the Board added this subpart to reflect that herd level status is an important factor in allowing a herd to move animals intrastate. In the most recent draft, the Board added section C to clearly define intrastate movement conditions for status level 1, 2, and 3 herds.

Subp. 6, Movement into, within, and out of CWD Farmed Cervidae Management Zones. The Board added reworded language to clarify section A.

1721.0415 EXHIBITION.

The Board added this section to make sure requirements for exhibition are clear. They also added Subpart 2 to outline an exemption to 1721.0410, subpart 6: “With prior approval from the board, farmed Cervidae that are exhibited intrastate are exempt from the requirements in part 1721.0410, subpart 6, and may be returned to the herd of origin if the animals are maintained so that they are not exposed to other farmed Cervidae, wild Cervidae, or land where Cervidae are kept or roam freely.”

1721.0420 CHRONIC WASTING DISEASE (CWD).

Subp. 1, **State CWD herd certification program.** The Board has a state CWD herd certification program, and they have altered how the program requirements are outlined in the rules. They added a section B referencing this change and stating the Board’s CWD program standards as guidelines from the federal government for consequences for missed tests and includes all the components they recommend. [A current draft of the CWD surveillance standards](#) is posted on the Board’s website.

Subp. 2, **Quarantine procedures.** The Board modified the language to clarify that the Board suspects a herd of having CWD based on a suspect test result. This change came as a result of several comments asking for clarification on that definition.

In section C, the Board added that if the CWD-exposed animals are in the herd and still alive five years after the date of exposure, the Board will release the quarantine.

The Board added clarifying language in section D and separated out cleaning and disinfecting requirements into a separate number (D(4)).

Subp. 3, **Determining boundaries of CWD farmed Cervidae management zones in the state.** In section A, regarding the size of the zone, the Board replaced the words, “at least” with “within” 15 miles. They also reinserted the original language of the last sentence, “The board shall designate larger geographic areas of the state as part of a CWD [farmed Cervidae management zone] if necessary to prevent the spread of CWD.”

In section B, the Board added language clarifying that the conditions for herds to be excluded from a CWD farmed Cervidae management zone, including herds preventing commingling of farmed and wild Cervidae with exclusionary fencing for at least 36 consecutive months, and herds released from a previously-established CWD endemic area.

They also increased the number of days herd owners have to install exclusionary fencing from 14 days to 60 days after the date the CWD farmed Cervidae management zone is established. The new timeline is based on conversations Board staff had with farmed Cervidae producers and fencing material manufacturers.

Ms. Cordry asked how the CWD herd status program aligns with CWD positive cases and what would provide a better outcome. Dr. Glaser said the CWD herd status program is structured to outline federal program requirements. Herds start at Level 1, and if they meet all the CWD surveillance standards for that level for 12 months, they advance to the next level and progress through the levels if they continue to meet status level requirements. Many of Minnesota’s herds are at the top level (Level 6) and have continued to do well with meeting surveillance standards. Despite that, CWD has been found in a few of these herds through required surveillance testing. That does not mean they did anything wrong; it means CWD was introduced to the herd at some point, and it is difficult to identify an exact cause of infection. Dr. Glaser stated the herd status level does not mean a herd will not get CWD; it shows that the herd is meeting all the requirements in monitoring for the disease.

Ms. Cordry asked if violations are considered in determining herd status levels. Dr. Glaser said the Board’s regulations cover a variety of Cervidae farm operations, including record keeping, fencing, and inventory. The Board issues Notices of Violation for not meeting operational regulations. If CWD surveillance standards are not met, then they implement herd status suspensions, lowered status, and fines. If Board staff find a herd or producer that generally is not

complying with regulations, they will examine consequences on a case-by-case basis, which could include compliance agreements or cancelling the herd's registration.

Mrs. Brenda Hartkopf said the current rules state producers have 180 days to install exclusionary fencing because most of the time when a CWD endemic area is established, it's winter, making it physically difficult to get around and work outside for the time needed to build fencing effectively. The industry recommends 120 days. In this situation, the herds in a CWD farmed Cervidae management zone have no indication of a CWD infection, so it would be reasonable to give producers more time.

Mrs. Hartkopf also stated the industry has strong concerns that the consequences for missed tests are not spelled out in the rules. This gives the Board "unfettered discretion" to change consequences. She said the industry wants to know exactly what their consequences are by having them clearly outlined in the rules.

Ms. Sawatzke asked who is currently required to submit the annual herd inventory. Dr. Glaser said the current language of the rules and statute is that the producer and an accredited veterinarian need to sign off on the inventory. However, there could be a situation where a producer is also an accredited veterinarian, so the Board wants to clearly spell out that they want two people to review the inventory.

Dr. Anderson commented that he understood industry concerns regarding the time frame for installing exclusionary fencing, especially during winter. Dr. Glaser said the Board does not expect producers to construct permanent fencing during that time. Temporary fencing could be put in place, or animals could be moved to an internal pen temporarily to meet the requirement. She stated producers should be thinking about and preparing for these events, especially if they are not far from current CWD positive cases, as any herd could be at risk.

Human Resources Update

Ms. Kara Schmidt said all state agencies are still under a hiring freeze but can hire from within or submit exception requests for approval on a case-by-case basis. The Board filled one position internally in June 2020. As of this meeting, there are three office staff vacancies and one field staff vacancy. The Board obtained approval to hire for three positions, one of which was filled in November 2020. The other two positions are in the hiring process.

The Board is focused on retaining its current staff and has offered flexible scheduling and telework during the pandemic. They have also offered COVID-19-related leaves, including for parents assisting with virtual learning.

Ms. Schmidt said the Board is mainly funded through the state's General Fund, federal funding and miscellaneous restricted fees, which is money collected for licensure and civil penalties. The governor's proposed budget recommends \$5.98 million for the Board in FY 2022 and \$6.08 million in FY 2023, with a recommendation for a one percent increase to account for the rising cost of doing business.

She showed charts breaking down each fiscal year's Board expenses by category. The largest budget category in both years is for salaries and fringe, which encompasses nearly two-thirds of the budget (65 percent in FY 22), followed by contracted vendors at 18 percent. She noted the largest difference is the drop to 63 percent of the budget for salaries and fringe for FY 23. Before the governor recommended a 1 percent increase, the Board absorbed the increased cost by using dollars from the "part time and seasonal staff" category. If the hiring freeze is lifted and the governor's recommended one percent increase is approved, those dollars will be returned to salaries and fringe.

Global HPAI Update

Dr. Shauna Voss gave an update on highly pathogenic avian influenza (HPAI) around the world. She said the Goose/Guangdong H5 HPAI viruses are causing the most significant HPAI events. This lineage has become endemic in

poultry in several southeast Asian countries and has evolved into numerous genetically distant clades. They have affected a wide range of domestic waterfowl and poultry and wild birds. This is distinct from other H5 and H7 wild bird lineage viruses.

Dr. Voss displayed an OIE (World Organisation for Animal Health) map showing the locations of new outbreaks and ongoing infections. She noted several strains of H5 HPAI in SE Asia and Europe, a new strain of H5 in Russia, and two others in Africa, which are focused in Nigeria and South Africa.

In the last few days, Russia reported a case of H5N8 HPAI transmitted from birds to workers at a poultry farm. Reports vary on whether the workers were asymptomatic or only had mild symptoms. If it is confirmed, this would be the first time H5N8 has infected people. There has been no evidence the workers transmitted the virus to other people, but the Board will continue to monitor the situation for any further developments.

Dr. Voss said there has been much discussion in the last six months about HPAI, and that what is happening now is similar to what happened before the 2015 outbreak. Dr. Voss stated the situation is not the same. A few months before Minnesota's 2015 outbreak, HPAI cases were found in poultry in other parts of the U.S. That has not happened in 2020/2021. She said the Board regularly monitors flocks for AI, so if Minnesota has an HPAI introduction, the Board will find it.

She gave a brief update on U.S. wild bird surveillance. In 2020, USDA Wildlife Services focused on testing in the Atlantic Flyway and Alaska. In the Alaska testing, they found some cases of Influenza A, with the number of identified H5/H7 strains being no higher than in other years. Surveillance will focus on the Pacific Flyway in 2021.

Dr. Voss concluded by saying no one can predict when and where HPAI will be detected, and there are many factors we cannot control. However, we can prepare and implement prevention measures, such as following biosecurity plans, setting and enforcing perimeter buffer areas and lines of separation, and responding quickly to sickness and mortality in flocks.

LPAI in Minnesota Update

Dr. Dale Lauer began by clarifying that the low pathogenic avian influenza (LPAI) circulating in the state is not AI as defined by the OIE, as it is not an H5 or H7 LPAI or HPAI virus. Most of the influenza positive turkey flocks have been identified as H6N1 LPAI.

Since October 2020, H6N1 LPAI of North American wild bird lineage has been identified in 30 commercial poultry flocks in Kandiyohi, Meeker and Stearns Counties. All of the flocks are commercial turkeys, including three breeder flocks. Some flocks have experienced increased mortality, and some flocks had higher than expected levels of condemnation at processing. He noted that several infected flocks have recovered, were successfully marketed, and measures were taken on the sites to eliminate the virus and were repopulated.

Five commercial turkey flocks were also identified with swine lineage viruses, H1N2 or H1/H3N1, in Kandiyohi, Stearns, Waseca and Steele Counties. One turkey breeder flock experienced a significant egg production drop, but most did not show any clinical signs.

Even though this outbreak is not an H5/H7 LPAI, the Board is assisting the industry using its H5/H7 LPAI Initial State Response and Containment Plan, also known as the Minnesota Plan, to guide its disease response activities. Board staff are assisting with sampling for official testing and tracking positive flocks. They are also assigning district veterinarians (Board or USDA) as case managers to conduct epidemiological investigations to identify possible biosecurity breaches. Several sites have volunteered to participate in these investigations. In addition, virus sequencing data from the National Veterinary Services Laboratory (NVSL) is being used to determine if there are links between the different positive flocks.

The Board is also working with Minnesota Information Technology Services (MNIT) on a program to map positive and marketed flocks in real time. This will allow for greater flexibility and coordination during an emergency response. Dr. Lauer showed screen shots of the map. Depending on their permissions (disease response, emergency response, or poultry industry partners), users would see more or less information on the map.

The Emergency Disease Management Committee (EDMC) began virtual monthly meetings in 2021. Members are from the poultry industry, USDA, the Board, other state agencies, and the University of Minnesota. Recent agenda items include HPAI in Europe, wild bird surveillance, regular H6N1 updates, depopulation preparation and activities. Mr. Michael Crusan heads a subcommittee, the Poultry Communicators, devoted to planning and discussing coordinated messaging for government, industry and academia in the event of a poultry disease outbreak.

Ms. Sawatzke asked how long the epidemiological investigations will last, and how long it will take to find a link to disease. Dr. Lauer said the first goal of the epidemiological investigations is to familiarize case managers with the commercial poultry industry. Next, the Board wants to make sure the epidemiological questionnaire would be helpful in collecting the proper information to identify breakdowns in biosecurity. As part of a training exercise the Board worked with producer volunteers and had case managers practice asking the questions to get the most informative responses. Dr. Lauer said these investigations will be time consuming. Case managers may have some initial results in the next two weeks. Then the Board will need to analyze the findings and create a report for the companies involved and the EDMC. They will also be doing investigations on several LPAI-negative turkey farms and commercial chicken farms to see if they can identify any similarities or differences.

Mr. Compart asked why younger poultry and broiler flocks were not affected much by HPAI in 2015. Dr. Lauer said early in the 2015 HPAI outbreak, the Board discussed the situation with the commercial broiler company in central Minnesota to identify the positive sites. As a result, they independently decided not to place chicks on those sites, creating a physical buffer between the HPAI virus and their flocks. Broiler flocks are only on the ground for 5-6 weeks, so there is less time for disease introduction.

Next Meeting and Adjourn

The next quarterly meeting of the Minnesota Board of Animal Health will be held virtually on Wednesday, April 21, 2021, beginning at 9:30 a.m. on Microsoft Teams.

Mr. Compart asked for a motion to adjourn the meeting. Dr. Hawkins made the motion, and Ms. Sawatzke seconded it. Board members voted by roll call, with all voting aye.

Respectfully Submitted,

Beth S. Thompson
Executive Director
State Veterinarian