

Meeting Minutes: Farmed Cervid Advisory Task Force

Date: December 13, 2019
Time: 1-4 p.m.
Minutes prepared by: Lisa Ehlen
Location: Cabela's, Rogers, MN

Member Attendance

- Mary Donahue, USDA APHIS Veterinary Services
- Linda Glaser, Board of Animal Health
- Brenda Hartkopf, MN Elk Breeders Association
- Brooks Johnson, Farmed Cervid Producer at large
- Mark Luedtke, MN Elk Breeders Association
- Don Myren, Board of Animal Health
- Daryl Simon, Non-Native species Cervid Producer
- Glen Zebarth, Cervid Veterinarian
- Brian Wagner, MN Elk Breeders Association, Alternate
- Scott Josephson, Cervid Veterinarian

Non-Member Attendance

- Roger Nietfeld, elk breeder
- Courtney Wheeler, Senior Veterinarian, Board of Animal Health
- Lisa Ehlen, Board of Animal Health

Members not in Attendance

- Rich Meech, MN Deer Farmers Association
- Steve Uchytel, Hunting Preserve Producer representative
- Gary Olson, MN Deer Farmers Association

Welcome and Introduction

Dr. Glaser began the meeting by introducing Dr. Courtney Wheeler. Dr. Wheeler will be working closely with Dr. Glaser on the farmed Cervidae program moving forward.

Review of Minutes from August 6th, 2019 meeting

Minutes from the August 6th meeting were sent out prior and asked for comments. None of the task force members had comments. The minutes were approved.

Board of Animal Health Fee Invoices, Herd Usages and Chronic Wasting Disease Sample Collectors.

Dr. Glaser started the meeting by going over the herd usages and fee invoicing. She presented a slide show going over the Cervid population numbers and a breakdown of the different herd usages. Currently we have approximately 325 herds in Minnesota with some producers having multiply sites. The two highest herd usages we have are: 156 producers that are listed as Hobbyist and 84 producers that are listed as breeders and we have 16 Hunting Preserve Sites. Each herd can have multiple herd usages. Fee invoicing is based on the utilization and number of different species of the herd. Some concerns/questions that were brought up were:

- The increase in fee
- The definition " Hobbyist" and should they be moving animals
- The comparison of fees for other producers of other herds: bovine, chickens, pigs etc.

Dr. Glaser also touched base on Chronic Wasting Disease (CWD) sample and Collector Authorization. Starting January 1st any samples submitted by a non-authorized collector must be paid for by the producer. The Board of Animal Health has provided seven classroom training sessions with three more classes coming up. Currently there are 221 people that have taken the class and 103 have been approved by the Board. Producers must submit samples from two animals and have successful test results along with the classroom training to be approved. Samples may also be taken from sheep or wild/hunted deer for authorization.

The Minnesota Veterinary Diagnostic Lab recently had delays in processing CWD submissions, due to equipment issues. Currently they have purchased new equipment and are doing trial testing in it now. They should be up and running shortly.

Board of Animal Health Compliance efforts

Dr. Wheeler led a discussion on updates to the Board's compliance program over the past year. Eight herds had registrations cancelled in 2019; 5 of which have been depopulated and 3 of which entered into compliance agreements with the Board. The purpose of a compliance agreement is to offer producers a chance to correct violations and continue to operate with increased Board oversight.

Cancellations were a result of unreconcilable inventories, failure to submit samples for CWD testing, failed inspections and lack of producer communication with the Board. Cancellations are not something that the Board of Animal Health takes lightly, and usually result from multiple non-compliant issues and, or a history of repeated non-compliance.

When determining compliance actions, the Board considers:

- The risks a violation poses to animal, human and/or environmental health.
- History of violations and/or repeated violations.
- Whether or not the violation was intentional.
- Whether or not the violation resulted in profit or an advantage over others in the industry who comply.
- How prompt and cooperative the party is in correcting the violation.

Updates on compliance actions that will be implemented after January 01, 2020:

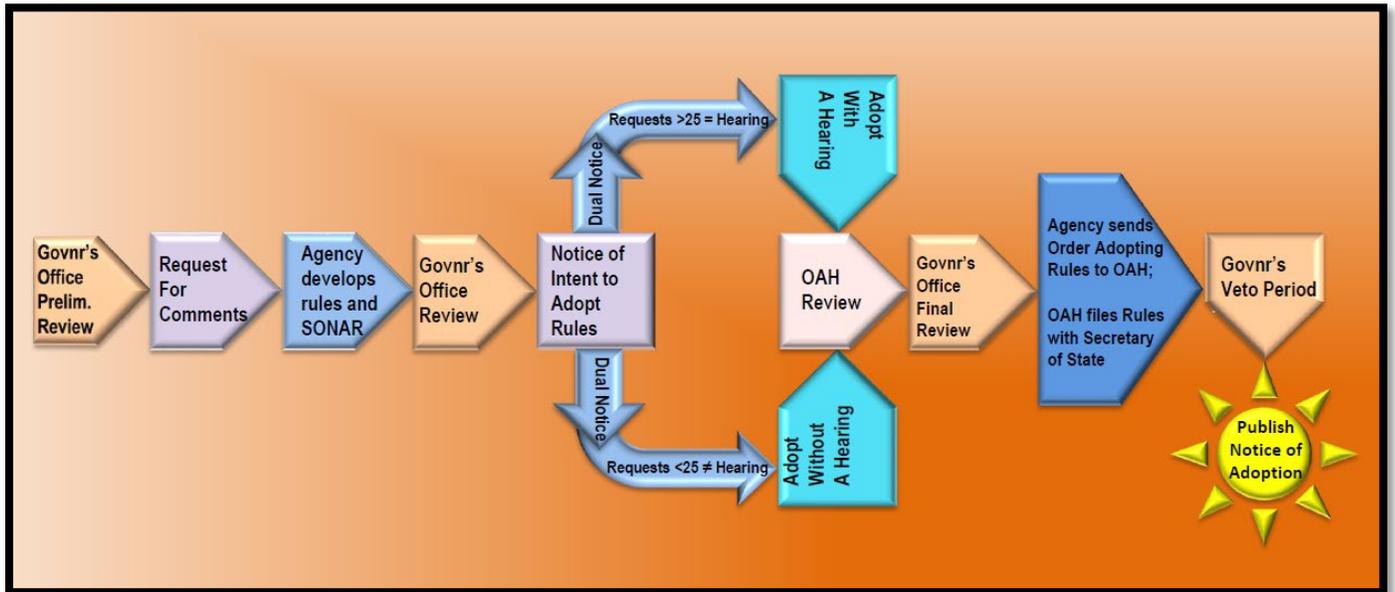
- Producers not inspected in 2019, will be issued a Notice of Violation and Correction Order and given 30 days to correct. Failure to comply with the Notice will result in a \$250 civil penalty.
- Producer who fail to pay their 2020 inspection fee by January 2, 2020, will be issued a Notice of Violation and Correction Order. Fees must be paid within 14 days of the Notice. Failure to comply with the Notice will result in a \$250 civil penalty.
- Fees must be paid no later than January 1, 2020 or producers will be subject to a monetary penalty.
- Producers assigned to complete a physical inventory in the calendar year 2019 who fail to complete and submit to the Board by January 01, 2020, will be issued a Notice of Violation and Correction Order with 60 days to correct. Failure to comply will result in a \$1,000 - \$3,000 penalty.
- Producers NOT assigned to complete a physical inventory in the calendar year 2019 who fail to complete and submit the required annual signed inventory to the Board by January 01, 2020, will be issued a Notice of Violation and Correction Order with 30 days to correct. Failure to comply will result in a \$250 penalty.
- For every animal over the age of 12 months not submitted for CWD testing, a \$100/head civil penalty may be issued.

Physical Inventories

Dr. Glaser also went over how the rotation works for physical inventories and what is required by the producers. Physical inventories are due once every 3 years, if it is a year that your physical inventory is due, you have the full year to plan and get the information you need, which requires that all identification on the animal be visualized, read and recorded. The Board understands that it is not always feasible to run the animal through the chutes to get this information, so other options can include pictures, game cameras or any other options that may work for you. But essentially it is up to the producers on how to get it done and completed.

Review of last month's discussion on Task Force recommendations

The Task Force ends in May. Now is the time to discuss any rule changes that they might want to present. Dr. Glaser went over the steps on how to go forward with that, see flow chart (see chart below)



The legislation pertaining to the 2019 farmed cervid program changes can be found at:

<https://www.revisor.mn.gov/laws/2019/1/Session+Law/Chapter/4/>.

The most significant changes to the farmed cervid program laws that were passed in 2019 were:

- Annual Inspection fee (effective July 1, 2019)
 - The annual fee will be increased to \$500 per year for producers that manage their herd for profit or monetary gain or engage in transactions or exchanges for consideration, owners that sell the ability to shoot animals in the herd, or the herd consists of more than one species (elk and white-tailed deer).
 - the annual fee will increase to \$250 for all other herds.
- Redundant gating – by December 1, 2019 all entry gates for farmed Cervidae enclosures must have redundant gates maintained to prevent escape. See the criteria outlined at the end of this letter regarding the minimum standards that must be met for inspection and approval by the Board for redundant gates.
- New fencing or fencing repairs must be high tensile fencing starting the effective date of this legislation (July 1, 2019).
- Annual inspections must include a physical inspection of all perimeter fencing around the facility and a viewing to verify all animals are tagged. The owners must present an accurate inventory to

the inspector for review. The owner must present individual animals in a herd for a physical inventory if required by the Board.

- Reinspection Fee – Starting July 1, 2019, a farmed cervid producer must pay a reinspection fee of one half their annual inspection fee for each reinspection related to a fence violation.
- Identification – white-tailed deer must be identified before October 31st of the year in which they were born, at the time of weaning, or before movement from the premises, whichever comes first.
- The owner of a premises where CWD is detected must:
 - depopulate the premises of Cervidae after the appraisal process for federal indemnification has been completed. If an indemnification application is not submitted, the herd must be depopulated within a reasonable time as determined by the Board,
 - must maintain the fencing required under subdivision 4 on the premises for five years after the date of detection,
 - must post the fencing on the premises with biohazard signs as directed by the Board.

Proposal and discussion of any new Task Force recommendations

Dr. Glaser opened the floor for any proposals or recommendations for the task force before this session comes to the end in May. Concerns that were brought up were:

- Interest into looking into different testing methods for CWD
- The definition of endemic and the difference in definition between the Board and DNR.
- Change in herd plan depending on how in-depth the contamination is.
- Live testing for CWD: Would it be beneficial to do it, can it shorten restrictions period, interested in getting support from the board for live testing for disease.
- How do our bordering states, Wisconsin and Iowa, define endemic?
- Reevaluating movement restrictions in endemic areas.
- Adjusting the 180-day restriction after initial finding, the potential for exposure seems to be way before that?

Closing Remarks

The task force decided to meet again before the legislature meets, upcoming date is TBD. Dr. Wheeler sent out a copy of Dr Well's presentation to all board members. If anyone needs another copy of it, please let Dr Glaser or Dr Wheeler know.

Next Task Force meeting: Cabela's, Rogers, MN

Time and Date: 1-4pm, 2/21/2020